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Subject: R1206013 - Ruling + information update

INFORMATIONAL UPDATE:

I have been reviewing the Comments on Proposed Schedule filed by various parties on November 8, 2013. For the immediate future, parties should continue on the original schedule. The need for evidentiary hearings, requests for additional time to prepare testimony, and concerns about the short length of time for discovery will be reviewed after receipt of the Phase 2 Supplemental Filings from the utilities on November 22, 2013 (as discussed in the email ruling below, the utilities rate change requests should be title and packaged as Supplemental Filings).

Because there is some confusion about how to make the filing required in the October 25, 2013 ACR, I will set up a conference call on Wednesday November 20<sup>th</sup> at 9 am to discuss the mechanics of making the filing. This conference call will address only procedural issues, but will be open to all parties. If there are immediate procedural questions regarding the supplemental filings, or if parties feel strongly that it would be more efficient to schedule a conference call sooner, please let me know.

**ASSIGNED ADMINISTRATIVE LAW JUDGE'S RULING CLARIFYING THE  
OCTOBER 25, 2013 RULING AND PROVIDING ADDITIONAL DIRECTION ON  
THE SUPPLEMENTAL FILINGS DUE NOVEMBER 22, 2013**

The October 25, 2013 Assigned Commissioner's Ruling Inviting Utilities to Submit Interim Rate Change Applications (ACR) directed utilities to each file an application in R.12-06-013. This ruling clarifies that the document filed should contain the same elements as an application, but should be made as a Supplemental Filing in R.12-06-013 (not as an application in a new proceeding). In addition, utilities should comply with the following:

- (1) Include “Phase 2” in the title of all documents related to Phase 2 of R.12-08-013.
- (2) Do not title or refer to the Supplemental Filing as an “Application”
- (3) Review Commission Rules of Practice Procedure 2.1, 2.2, 2.3, 3.2 to determine what documentation and notice is appropriate for a rate change request
- (4) Comply with the portions of Rules 2.1, 2.2, and 2.3 that would apply to a utility filing an application to raise rates
- (5) File and serve the Supplemental Filing
- (6) Serve (but do not file) testimony if appropriate
- (7) If a utility has an open rate design proceeding, the utility should serve notice of the rate change request on parties to that proceeding concurrently with service to the service list in this proceeding.
- (8) Comply with the notice and proof of compliance requirements in Rule 3.2 that would be applicable to a utility filing an application to raise rates

All documents filed or served in Phase 2 of R.12-08-013 should include “Phase 2” in the title.

Any protests, responses or replies to the Supplemental Filings shall be made in accordance with the schedule in the ACR.

Throughout the ACR, the word “application” is hereby deemed deleted and replaced by the words “supplemental filing.”

It is so ruled.

Dated: November 14, 2013

Jeanne M. McKinney

Administrative Law Judge

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