

Indiana Administrative Code
Title 170. Indiana Utility Regulatory Commission (Refs & Annos)
Article 1. General Provisions
Rule 1.1. Practice and Procedure Before the Commission

170 IAC 1-1.1-3

170 IAC 1-1.1-3 Filings and communications with the commission, and computation of time
Currentness

Authority: IC 8-1-1-3; IC 8-1-2-47

Affected: IC 8-1-1-5; IC 8-1-1.1-5.1

Sec. 3. (a) Except as provided in subsections (b), (c), (d), and (e), the filing of a communication, paper, or pleading with the commission shall be made through the electronic filing system. The filing shall comply with this rule and the companion technical and readability specifications as noted in section 1 of this rule. The filing will be file stamped by the commission to reflect the date the filing was received by the commission. A filing made through the electronic filing system is considered filed on the date reflected in the notice of receipt associated with the filing. Electronic filing must be completed before midnight to be considered filed that day, and compliance with filing deadlines is determined in accordance with prevailing local time in Indianapolis, Indiana.

(b) Filings related to:

- (1) informal complaints;
- (2) reviews by the director of consumer affairs or the director's designee under 170 IAC 16-1-5(d); and
- (3) reviews by the commission under 170 IAC 16-1-6;

may be made through the electronic filing system. Alternately, those filings may be made by email or mail. The initial informal complaint may also be made by telephone or in person.

(c) When filing through the electronic filing system is prevented by technical problems, the filer shall do the following:

- (1) Bring the circumstances to the attention of the presiding officers and:
 - (A) file in person or by mail if the filer can still file in a timely manner; or

(B) request relief within one (1) business day to extend the time within which to file.

(2) File the communication, paper, or pleading through the United States mail or in person as follows:

(A) Filings made by mail are considered filed on the date received by the commission. Filings shall be addressed to the secretary of the commission.

(B) Filings made in person are considered filed on the date received by the commission. Unless authorized by a presiding officer, a filing may not be accepted outside of the regular business hours of the commission on the date due.

(C) For confidential filed documents, filings shall follow the requirements of subsection 4(i) [*section 4(i) of this rule*].

(3) Include a declaration that the party was unable to file electronically in a timely manner due to technical problems.

(d) A presiding officer at a hearing may permit appropriate pleadings or other papers to be filed with the presiding officer at the hearing.

(e) Unless otherwise provided by this rule, the petitioner or other party shall file pleadings through the electronic filing system. A presiding officer or the commission may require that hard copies be provided as follows:

(1) Hard copy filing is permitted when electronic filing is not possible due to:

(A) technical problems;

(B) files that are too large to upload to the electronic filing system; or

(C) an exhibit that exists only in physical form and cannot be changed to an electronic format.

(2) Filings other than:

(A) territorial maps;

(B) engineering drawings;

(C) accounting schedules;

(D) certain oversize filings approved by the presiding officers; or

(E) other visual aids;

shall be formatted for eight and one-half (8 1/2) inch by eleven (11) inch paper unless otherwise authorized by the presiding officer.

(3) Filings made by hard copy shall be unbound and printed on only one (1) side of the page. Additional copies shall be stapled or permanently bound and printed on both sides of the page.

(f) Time periods within which to make filings with the commission are given in calendar days unless otherwise stated. In computing a period of time prescribed or allowed by this rule, by order of the commission or the presiding officer, or by an applicable statute that does not contain a provision regarding computation of time, the day of the act, event, or default from which the designated period of time begins to run shall not be included, and as follows:

(1) The last day of the period so computed is to be included unless it is a:

(A) Saturday;

(B) Sunday;

(C) legal holiday as defined by state statute; or

(D) day that the office in which the act is to be done is closed during regular business hours.

(2) The period runs until the end of the next day that is not one (1) of the following:

(A) a Saturday;

(B) a Sunday;

(C) a legal holiday as defined by state statute; or

(D) a day on which the commission is closed during regular business hours.

(3) Saturdays, Sundays, legal holidays as defined by state statute, and days on which the commission office is closed during regular business hours shall be excluded from the computations when the period of time allowed is less than seven (7) days.

Credits

(Indiana Utility Regulatory Commission; 170 IAC 1-1.1-3; filed Oct 30, 2000, 2:10 p.m.: 24 IR 654; readopted filed Apr 6, 2006, 11:00 a.m.: 29 IR 2670; filed May 21, 2008, 9:29 a.m.: 20080618-IR-170070514FRA; readopted filed Jun 14, 2012, 3:04 p.m.: 20120711-IR-170120199RFA; readopted filed Apr 12, 2018, 11:21 a.m.: 20180509-IR-170180113RFA; filed Jun 10, 2020, 7:38 a.m.: 20200708-IR-170190378FRA)

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