APPENDIX A TO GAO 2020-XX

IMPROVING PROCEDURAL EFFICIENCIES

GUIDELINES AND RECOMMENDATIONS

OUCC’s 12-07-2020 Redlines

1. The following guidelines apply to all docketed proceedings of the Indiana Utility Regulatory Commission (“Commission” or “IURC”):
2. All technical conferences, attorney conferences, uncontested pre-hearing conferences, uncontested settlement hearings and all other uncontested hearings may be conducted electronically at the discretion of, and determination by, the Presiding Officers, on a case-by-case basis.
3. All contested hearings may be conducted electronically at the discretion of, and determination by, the Presiding Officers, on a case-by-case basis if all parties consent.
4. Notwithstanding subsection 2), any evidentiary hearing, including field hearings, may be conducted electronically in whole or in part to protect the health and safety of participants or other good cause shown as determined by the Presiding Officers, or order of the Commission, on a case-by-case basis.
5. Any electronic or virtual evidentiary hearings shall be conducted in a manner that preserves the rights of the parties to conduct cross-examination, timely object to the admission of testimony presented at the evidentiary hearing, and otherwise present and defend their cases without prejudice or loss of due process.
6. Parties are encouraged to work cooperatively to promote efficient proceedings while retaining the ability of parties to present and defend their positions.
7. The following guidelines and recommendations apply to all Commission docketed proceedings, except for small utility rate case proceedings under Indiana Code § 8-1-2-61.5:
8. The petitioner must submit written testimony in support of the request(s) made in its petition.
9. An index of issues shall be provided as a workpaper by any party that has at least eight witnesses providing testimony and at least two of those witnesses provide testimony on the same issue or issues. A sample index is attached hereto.
10. Inputs used to calculate revenues, expenses and other revenue requirements should be transparent and subject to inquiry and analysis.  Any spreadsheet submitted by any party shall be provided as an Excel spreadsheet with formulas intact so that inputs may be known and verified.   Workpapers shall include explicit references to other applicable workpapers or linkages to all source or precursor spreadsheets.
11. Petitioners are encouraged to provide additional information for background and education in their case-in-chief, including responses to expected questions, to the extent practicable and permissible and, if applicable, without unilaterally disclosing confidential settlement negotiations or other confidential information or discussions.
12. Proposed orders shall:
13. Provide facts used to support the findings and cite those facts, providing the exhibit name/designation and page number;
14. Limit the recitation of facts to those facts the submitting party considers to be the substantive evidence upon which the findings that support the ultimate conclusion(s) should be based;
15. Not include any new evidence or new arguments not supported by the evidence of record (i.e., not submitted or made during the evidentiary hearing); and
16. Not include settlement agreements entered into after the record is closed.
17. Parties entering into settlement agreements after the record is closed must request that the record be reopened so that the parties may provide testimony in support or in opposition of the settlement agreement.
18. The following guidelines and recommendations apply to all Commission docketed proceedings that include a request for rate increase or other cost recovery, except for small utility rate case proceedings under Ind. Code § 8-1-2-61.5:
19. A petitioner’s case-in-chief shallinclude the evidence needed to support its request(s).
20. A petitioner’s request for rate increase or other cost recovery shall state in its testimony or petition the proposed revenue increase or cost recovery as a dollar amount and, if applicable, as a percentage of existing rates. A petitioner requesting an increase in multiple phases shall state the foregoing information for each phase. Any description of proposed rate increase or cost recovery should address how the utility’s various customer classes will be affected.
21. The following guidelines and recommendations apply to all rate cases submitted to the Commission, except for small utility rate case proceedings under Ind. Code § 8-1-2-61.5:
22. At a minimum, in the general presentation of municipal and investor-owned utility strawman schedules, the testimony and workpapers shall present the following specific schedules: (1) Balance Sheet, (2) Income Statement, (3) Sch. 1 Revenue Requirements, (4) Sch. 4. *Pro Forma* Net Operating Income, and (5) the Gross Revenue Conversion Factor. Items (3) through (5) listed above are posted on the Commission’s website. Not-for-profit utilities should use the municipal strawman schedules, to the extent applicable, posted on the Commission’s website. A utility’s Balance Sheet and Income Statement should be presented in a similar format to that provided in the utility’s IURC Annual Report.
23. The Sch. 4 *Pro Forma* Net Operating Income statement should be detailed by each revenue and expense category. Every adjustment to revenues and expenses should at a minimum include the historical test year or base year, the adjustments thereto, and *proforma* amounts, as well as reference(s) to where more detail of each calculation may be found.
24. The following shall apply to applications for approval of Pilot Programs:

The Commission encourages any temporary untested program that requires Commission approval to be presented to the Commission and identified as a Pilot Program. For purposes of this section, a “Pilot Program” means “an experiment of limited duration designed to evaluate the costs and benefits of the program.” Further, Pilot Programs test the ability of providing additional benefits to ratepayers without risking significant cost to the utility and undue rate impact. Applications for approval of Pilot Programs should show the costs of programs and describe the benefits to both participants in any program and all of the utility’s customers. To that end, applications for Pilot Programs shall:

A. Fully describe the need and goals of the program;

B. Propose and design objective evaluation criteria to measure the success and usefulness of the pilot program;

C. Provide an estimate of all the costs of the pilot program;

D. Allow for reasonable flexibility;

E. Propose a timeline for completion and termination of the Pilot Program; and

F. Include testimony explaining why the program will benefit all of the utility’s customers, not just program participants (i.e., establish why will the program be in the public interest).

1.
2. This General Administrative Order is intended to promote procedural efficiencies. Compliance with this General Administrative Order does not establish that a party has met its burden of proof or otherwise restrict any party’s right to contest whether another party has met its burden of proof.