

**IMPORTANT:** Use this form (REGS-1) to submit permanent regulations to the Legislative Regulation Review Committee. For *emergency regulations*, use form REGS-1-E instead. For *non-substantive technical amendments and repeals* proposed without prior notice or hearing as permitted by subsection (g) of CGS 4-168, as amended by PA 13-247 and PA 13-274, use form REGS-1-T instead.

Please read the additional instructions on the back of the last page (Certification Page) before completing this form. Failure to comply with the instructions may cause disapproval of proposed regulations.

State of Connecticut  
**REGULATION**  
of the

NAME OF AGENCY:

Public Utilities Regulatory Authority

**Concerning**

SUBJECT MATTER OF REGULATION:

Promulgation of Regulations by the Public Utilities Regulatory Authority to Amend Certain Rules of Practice and to Establish Rules for Uncontested Proceedings

Section 1. Section 16-1-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 16-1-2. Definitions.** As used in sections 16-1-2 to [16-1-133] 16-1-87, inclusive, and 16-1-102 to 16-1-133, inclusive, of the Regulations of Connecticut State Agencies:

- (1) "Commissioner" means "[Commissioner] Utility commissioner" as defined in section 16-1(2) of the Connecticut General Statutes;
- (2) "Contested case" means "Contested case" as defined in section 4-166[(2)] of the Connecticut General Statutes;
- (3) ["Department"] "Authority" means the [Department of Public Utility Control] Public Utilities Regulatory Authority or its successor;
- (4) "E-mail" means electronic mail;
- (5) "Electronic" means "electronic" as defined in section 1-267(5) of the Connecticut General Statutes;
- (6) "Electronic means" means any method of transmission of information between computers or other machines, other than facsimile machines, designed for the purpose of sending and receiving such transmissions, and which allows the recipient to reproduce the information transmitted in a tangible medium of expression;
- (7) "Electronic signature" means "electronic signature" as defined in section 1-267(8) of the Connecticut General Statutes;
- (8) "Intervenor" means "intervenor" as defined in section 4-166[(5)] of the Connecticut General Statutes;
- (9) "License" means "license" as defined in section 4-166[(6)] of the Connecticut General Statutes;
- (10) "Party" means "party" as defined in section 4-166[(8)] of the Connecticut General Statutes;
- (11) "Person" means "person" as defined in section 4-166[(9)] of the Connecticut General Statutes;
- (12) "PIN" means personal identification number; [and]

(13) "Presiding officer" means the commissioner or the hearing officer designated by the head of the [department] Authority to preside at a hearing[.];

(14) "Participant" means any person granted permission by the Authority to take part in an uncontested proceeding; and

(15) "Uncontested proceeding" means any agency matter designated as such by statute or any proceeding that is not a contested case, as defined in section 4-166 of the Connecticut General Statutes.

Sec. 2. Sections 16-1-5, 16-1-6, 16-1-7, 16-1-8, 16-1-10, 16-1-11, 16-1-12, 16-1-13, 16-1-15, 16-1-20, 16-1-22, 16-1-23, 16-1-24, 16-1-25, 16-1-26, 16-1-28, 16-1-29, 16-1-30, 16-1-31, 16-1-32, 16-1-34, 16-1-35, 16-1-38, 16-1-45, 16-1-46, 16-1-47, 16-1-48, 16-1-50, 16-1-59, 16-1-59B, 16-1-68, 16-1-70, 16-1-82, 16-1-83, 16-1-102, 16-1-103, 16-1-104, 16-1-105, 16-1-106, 16-1-107, 16-1-108, 16-1-109, 16-1-111, 16-1-112, 16-1-114, 16-1-115, 16-1-116, 16-1-129, 16-1-130, 16-1-131, 16-1-132, and 16-1-133 of the Regulations of Connecticut State Agencies are amended as follows:

Wherever the words "department" or "commission" are used in the following sections of the Regulations of Connecticut State Agencies, the word "Authority" shall be substituted in lieu thereof: 16-1-5, 16-1-6, 16-1-7, 16-1-8, 16-1-10, 16-1-11, 16-1-12, 16-1-13, 16-1-15, 16-1-20, 16-1-22, 16-1-23, 16-1-24, 16-1-25, 16-1-26, 16-1-28, 16-1-29, 16-1-30, 16-1-31, 16-1-32, 16-1-34, 16-1-35, 16-1-38, 16-1-45, 16-1-46, 16-1-47, 16-1-48, 16-1-50, 16-1-59, 16-1-68, 16-1-70, 16-1-82, 16-1-83, 16-1-102, 16-1-103, 16-1-104, 16-1-105, 16-1-106, 16-1-107, 16-1-108, 16-1-109, 16-1-111, 16-1-112, 16-1-114, 16-1-115, 16-1-116, 16-1-129, 16-1-130, 16-1-131, 16-1-132, and 16-1-133. In section 16-1-59B of the Regulations of Connecticut State Agencies, the phrase "Division of Public Utility Control (DPUC)" or "DPUC" shall be substituted with the word "Authority".

Sec. 3. Section 16-1-53a of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 16-1-53a. Standard filing requirements**

Any public utility with annual gross revenues in excess of fifty million dollars or fifty thousand or more customers shall complete the standard filing requirements in connection with all applications for any proposed amendment of its existing rates. A copy of the current standard filing requirements is available, upon request by interested parties, at the office of the Executive Secretary of the [Department of Public Utility Control] Public Utilities Regulatory Authority, Ten Franklin Square, New Britain, Connecticut 06051.

Sec. 4. Subsection (d) of section 16-1-128 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 16-1-128. Definitions**

(d) ["Department"] "Authority" means the [Department of Public Utility Control] Public Utilities Regulatory Authority or its successor.

Sec. 5. Section 16-1-14 of the Regulations of Connecticut State Agencies is amended to read as follows:

**(a) Definitions.**

As used in this section:

(1) "Bulk document" means any paper document that is 50 pages or more in length; and

(2) "Extreme bulk document" means any paper document that is 100 pages or more in length.

(b) **General requirement.** All documents shall be filed with the [department] Authority in both electronic and paper form. The requirement to file in electronic form is waived for (1) documents available to the filer only in paper form, and (2) filers who are unable to file electronically. The requirement to file in paper form is waived for documents for which no paper form is technically feasible or practical. If the filer submits a corrected version of a filed document, the filer shall also submit the required number of paper copies and a corrected electronic version of such document. This subsection shall not apply to the filing of protected materials.

(c) **Place of filing.**

(1) Electronic copies may be submitted under the [department] Authority web filing system via the [department's] Authority's website ["<http://www.state.ct.us/dpuc>" "<http://www.ct.gov/pura>"]. If web filing is not possible, electronic copies may be (a) [e-mailed to "[dpuc.exeuctivesecretary@po.state.ct.us](mailto:dpuc.exeuctivesecretary@po.state.ct.us)"] delivered electronically to [pura.executivesecretary@ct.gov](mailto:pura.executivesecretary@ct.gov); or (b) submitted on a [diskette,] cd-rom or other electronic storage medium acceptable to the [department] Authority and delivered to the [department's] executive secretary, at Ten Franklin Square, New Britain, Connecticut 06051.

(2) Paper copies shall be delivered to the Executive Secretary, [Department of Public Utility Control] Public Utilities Regulatory Authority, at Ten Franklin Square, New Britain, Connecticut 06051.

(d) **Document format.**

(1) Each paper copy of a document shall be legible, collated and secured, on three-holed recyclable white paper, and shall not contain any colored paper, or plastic or metal separators.

(2) Each [diskette,] cd-rom or other electronic storage medium acceptable to the [department] Authority shall be labeled with the following information: the docket number, if any; the name of the filer; the name of the company if different from the filer; the type of filing; the document format; and the filing date.

(3) Each electronic version of a document shall be formatted to be compatible with the computer programs used by the [department] Authority and free of defects and viruses. All documents filed electronically shall be capable of being transferred to electronic storage media, without loss of content or material alteration of appearance. Hyperlinks to external websites are permissible; however, a hyperlink is not itself a part of the official filed document and each hyperlink shall contain a text reference to the target of the link. The [department] Authority shall make available on its website information regarding compatible computer programs.

(e) **Identification of document.** The front page of each document filed with the [department] Authority shall prominently display the filer's name, address, telephone number, facsimile number and, if available, e-mail address, as well as the company name if different from the filer. Any document filed in any proceeding to which a docket number has been assigned shall also include the number and title of the docket.

(f) **Bulk documents.** Each bulk and extreme bulk document shall be separately collated and conspicuously labeled as bulk or extreme bulk. The filer shall identify in a cover letter each bulk or extreme bulk document that is being filed.

(g) **Number of copies.** To file a document, the filer shall submit the original document along with one electronic copy and eight paper copies of such document, except that (1) two paper copies shall be required for telecommunications service tariffs filed pursuant to section 16-247f of the Connecticut General Statutes; (2) three paper copies shall be required for bulk documents or applications for certificates of public convenience and necessity for water companies filed pursuant to section 16-262m of the Connecticut General Statutes; (3) one paper copy shall be required for extreme bulk documents, water supply plans required under section 25-32d of the Connecticut General Statutes, or gas supplier registration forms filed pursuant to section 16-258a of the Connecticut General Statutes; or (4) as otherwise required by the [department] Authority. These copies are required in addition to any copies submitted directly to commissioners, [department] Authority staff or the office of consumer counsel. This subsection shall not apply to the filing of protected materials.

Sec. 6. Section 16-1-24 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 16-1-24. Place of hearings.** [Unless by statute or by direction of the commissioners a different place is designated,] Unless a different location is required by statute or directed by the commissioners, all hearings of the [commission] Authority shall be held at [Hartford at] the office of the [commission] Authority at Ten Franklin Square, New Britain, Connecticut 06051.

Sec. 7. The Regulations of Connecticut State Agencies are amended by adding sections 16-1-44a to 16-1-44d, inclusive, as follows:

(NEW) Sec. 16-1-44a. **Uncontested Proceedings. When appropriate.** (a) Sections 16-1-44a to 16-1-44d, inclusive, of the Regulations of Connecticut State Agencies shall not apply to declaratory ruling proceedings. The Authority shall hold an uncontested proceeding when specifically required by statute or regulation. The Authority may hold an uncontested proceeding on its own motion or in response to a request, petition or application that is not a contested case for purposes of section 4-166 of the Connecticut General Statutes. Unless otherwise required by statute or regulation, there is no right to a hearing in an uncontested proceeding. The conducting of an elective hearing held in the agency's sole discretion pursuant to section 16-1-44c shall not cause such uncontested proceeding to become a contested case for purposes of sections 4-166, 4-183 or any other provision of Chapter 54 of the Connecticut General Statutes.

(b) No later than 60 days after the initiation of an uncontested proceeding, the Authority shall issue a notice of proceeding to designated Participants and make available on the Authority's website a time schedule and service list pertaining to the proceeding. The notice of proceeding shall specify the docket number and title of the proceeding, the legal authority and jurisdiction under which the proceeding is to be conducted, and the purpose and other procedural requirements of the proceeding.

(NEW) Sec. 16-1-44b. **Uncontested Proceedings. Designation and Role of Participants.** (a) Any person granted permission by the Authority to take part in an uncontested proceeding shall be designated a Participant.

(b) Except as provided under section 16-19pp of the Connecticut General Statutes, the Authority shall determine the nature and extent of a person's participation in the uncontested proceeding, taking into account whether such participation will furnish assistance to the agency in resolving the issues of the uncontested proceeding.

(NEW) Sec. 16-1-44c. **Uncontested Proceedings. Presentation of facts and argument.**

(a) The Authority may hold a hearing or technical meeting in an uncontested proceeding. Nothing in this section shall be construed to require the Authority to hold a hearing or technical meeting in an uncontested proceeding. The Authority may also permit submission of evidence or written sworn testimony in an uncontested proceeding. The Authority may require that documents filed in the uncontested proceeding be verified with an accompanying affidavit or supporting documentation.

(b) The Authority may permit Participants to file comments, briefs, exceptions, or present oral arguments in an uncontested proceeding. If exceptions or oral arguments are permitted, the Authority shall issue a notice to specify the time and place for the submission of exceptions or presentation of oral arguments.

(NEW) Sec. 16-1-44d. **Uncontested Proceedings. Notice of hearings or technical meetings.** (a) The Authority shall give written notice of any hearing or technical meeting to all Participants in advance of such hearing or meeting. The Authority may give notice by newspaper publication and such other means as the executive secretary deems appropriate and advisable.

(b) Contents of notice. Notice of a hearing or technical meeting shall include but not be limited to: (1) the time, place and nature of the hearing or technical meeting; (2) the legal authority and jurisdiction under which the hearing is to be held; (3) reference to the particular sections of the statutes and regulations involved; and (4) a short and plain statement describing the nature or purpose of the hearing or technical meeting.

**Statement of Purpose**

*Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.*

Connecticut General Statutes §4-167(a) requires State agencies to promulgate regulations in order to provide for the nature and requirements of all formal and informal administrative proceedings. The designation of individuals, presentation of facts, and notice of hearings requirements constitute fundamental elements of an informal proceeding. PURA's current regulations do not furnish sufficient guidance on the nature and requirements of its uncontested proceedings. Therefore, the principal reason in support of amending the regulations is to provide a procedural framework for uncontested proceedings held by PURA.