

## Rate Process Sub-Committee –NOTES

### 1. Notice of Intent to File Petition (Pre-Petition Notice)

- a. Negotiations re: rate or other stipulations
- b. You could have a stipulated rate agreement and file a Joint Petition.
- c. You could have a partial stipulation of facts or issues and file a Joint Petition.
- d. Executive Director apprises of developments and timeframes.

### 2. Petition for Rate Hearing

- a. Joint Petitions are allowed and proper.
- b. Petition process starts.
- c. ALJ requested and assigned.

### 3. ALJ Process and Hearing

- a. Initial Disclosures, Discovery and Submissions
- b. Prehearing and Settlement Conferences
- c. Evidentiary Hearing on Contested Issues.
- d. ALJ Proposed Decision. Findings of Fact and Conclusions of Law and Recommendation to BOPC. Heard at Full Board Meeting with time for public and stakeholder comment.

4. BOPC

- i. BOPC Approve – 4 votes yes for a Motion to Approve.
- ii. BOPC Adjusts and/or Amends the Proposed Decision in order to generate and produce a more reasoned, rational, and effective Order. 4 votes to approve.
- iii. BOPC Remand for Further Development of the Record, 4 votes to approve.
- iv. BOPC Disapprove with reasoning. If not 4 votes to Approve.

5. To Agency - Sec Trans. To review BOPC Decision with deference to the expertise and board member depth of knowledge.

- i. BOPC Adopted Decision and ALJ Proposed Decision submitted to Secretary.
- ii. Two Options
  1. Approve
  2. Disapprove
    - a. Party petition back to Step 1? Joint Petition?
- iii. Secretary Issues Reasoning with Approval or Disapproval.

NOTE: Stipulation or Joint Petition Process:

1. Parties agree to rate stipulation and file joint petition.
2. Notice to ALJ and Board.
  - a. ALJ Process.
3. BOPC – See above.
4. Sec Trans – See above.