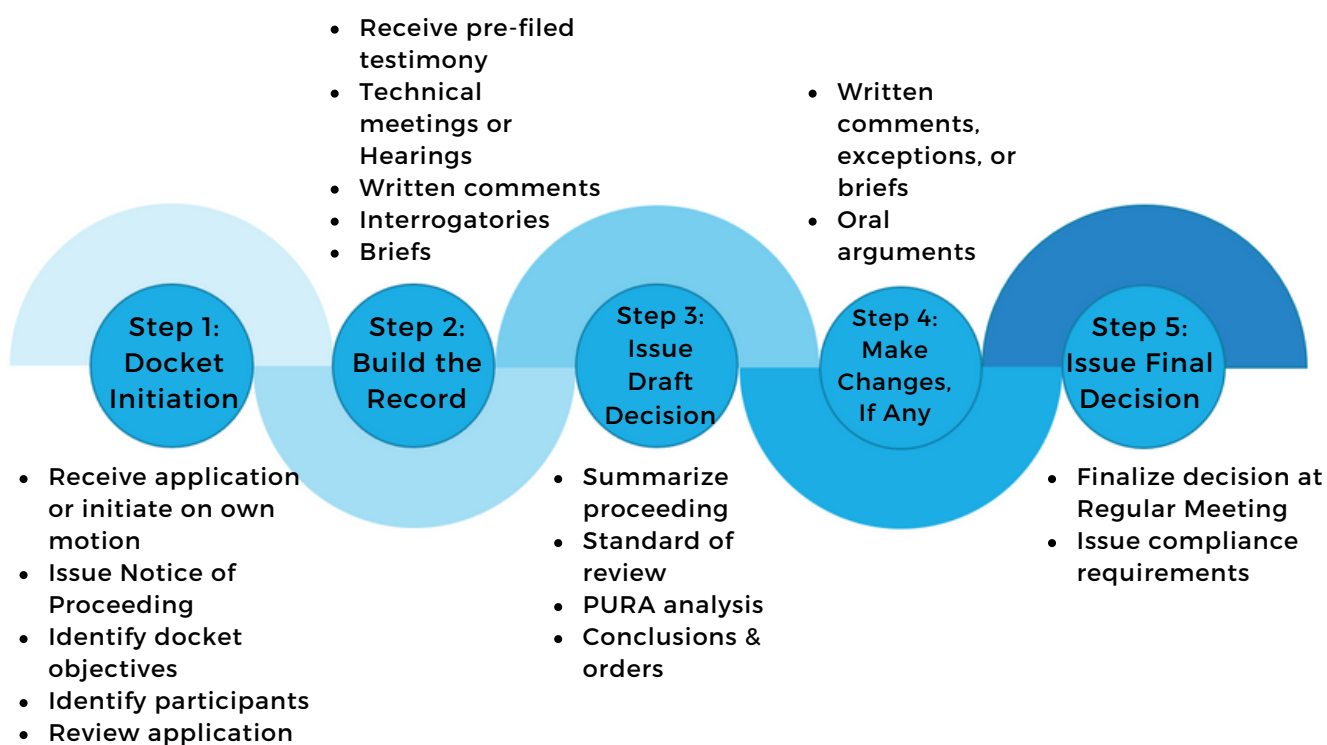


# APPENDIX 1: STANDARD DOCKET PROCEDURE GUIDE

The Public Utilities Regulatory Authority (PURA or the Authority) is a quasi-judicial state agency, which means that, similar to a court, all matters before PURA must go through a standardized procedural process, also known as a “docket”. Though each docket is unique, nearly all follow a five-step framework outlined by Figure A1. A more detailed description of each step is provided below.

**Figure A1: The Standard PURA Docket Process**



## Step 1: Docket Initiation

Dockets are initiated for a variety of matters in response to external stakeholder petitions or applications. The Authority may also initiate dockets of its own accord, either on a voluntary basis or as required by law. External stakeholders file their application through [PURA’s online docket system](#). Upon receipt of an application, PURA’s Docket Control staff will assign the application a docket number and title.

The Authority will then issue, through the docket, a **Notice of Proceeding (NOP)**, which is a legal document that reflects the type (i.e., contested or uncontested) and scope of the proceeding. The NOP is also an important communication device, used by the Authority to set appropriate stakeholder expectations for the proceeding. This includes citing to relevant statutes, providing an initial list of docket participants, and outlining potential areas of exploration or investigation.

At the same time as the NOP is distributed, or shortly thereafter, PURA will also publish an **external docket schedule** whenever possible, particularly if the docket is governed by a statutory timeline. The external schedule is used to communicate the planned procedural steps in a docket, to facilitate the PURA discovery and decision drafting process, and to make sure that external procedural steps do not conflict with other scheduled events.

At this point, any docket participant in an uncontested case or a party or intervenor in a contested case may submit **docket correspondence**. Correspondence provides a stakeholder's perspective outside of the procedural steps identified in the external schedule. Correspondence need not be as structured as the other forms of comments or testimony discussed. The Authority gives docket correspondence its due weight based on the nature of the comments provided, and the evidence presented. The Authority may use correspondence to help guide the discovery process in Step 2: Build the Record.

## Step 2: Build the Record

In order for the Authority to issue a decision, it must have a robust record of evidence that supports it. During Step 2, PURA establishes this record evidence through discovery. Discovery entails a variety of tools and events that allow the Authority to investigate the components of the issue(s) in the proceeding. These include:

- **Pre-Filed Testimony:** Pre-filed testimony provides participants, parties and/or intervenors an opportunity to introduce expert witnesses and to present their main position at the outset of the proceeding.
- **Written Comments:** Written comments allow participants, parties, and/or intervenors, and other stakeholders, the opportunity to share their support, concerns, and thoughts regarding the docket. A Request for Written Comments will be separately noticed by PURA and will specify the topics for comment.
- **Interrogatories:** Interrogatories are questions the Authority issues to specific participants, parties, and/or intervenors. These questions are based on the Authority's review of written comments, testimony, or other filed evidence. Interrogatories may also be propounded by other participants, parties, and/or intervenors, as governed by

the Notice of Proceeding and any associated rulings on a request for status as a participant, party or intervenor.

- **Hearings & Late Filed Exhibits:** Hearings allow the Authority to question the participants, parties, and intervenors, as well as their expert witnesses. Exhibits are entered into the evidentiary record during the Hearing for use in the Decision. Answers submitted at a later date to questions asked during cross examination are considered Late Filed Exhibits. The Authority may seek additional explanation or clarity on Late Filed Exhibits during a Late Filed Exhibit Hearing.
- **Technical Meetings:** Technical Meetings are informational meetings that allow the Authority to question the participants while also providing the opportunity for the participants to discuss issues with the Authority. Technical Meetings may be held in addition to, or in lieu of, a formal hearing, depending on the type of docket under consideration.
- **Briefs:** Following the conclusion of the final hearing and/or close of the formal record, the Authority may issue briefing prompts for parties and participants to submit final arguments into the record. The Authority may also issue briefs at other times in the proceeding prior to the close of the evidentiary record to better ascertain the legal or other positions of participants, parties, and/or intervenors. Briefs are not an opportunity to enter new evidence into the record.

The Authority may employ one, many, or all of these tools, and may use them more than once throughout a proceeding. Contested proceedings are guided by the Uniform Administrative Procedure Act and Title 16 of the Regulations of Connecticut State Agencies, and often involve a hearing. Any of these tools that are relied on by the Authority will be listed in the external docket schedule for a proceeding.

### Step 3: Issue the Proposed Final Decision

**Decisions** are authoritative rulings or determinations made by the Authority through its adjudicatory powers over certain matters, as dictated and delegated by state statute. A Decision is written based on evidence entered into the evidentiary record. In most dockets, the Authority may elect to issue a **Proposed Final Decision**. Virtually all of PURA's decisions follow a standardized outline and inventory of information that includes:

- A summary of the decision;
- Background and conduct of the proceeding;
- A list of the parties, intervenors, and/or participants;

A list of relevant statutes, regulations, case law, or PURA precedent that governs the application and PURA's review;

- A summary of the standard of review, including specific findings or conclusions made by PURA;
- A description of the burden of proof, or other statutory limits;
- The Authority's analysis of the proceeding, organized by each subtopic, which may include a synopsis of stakeholder comments in general or by subtopic;
- Conclusions;
- Orders that direct subsequent action related to the topic from specific parties; and
- Any appendices.

#### **Step 4: Revise the Proposed Final Decision (Optional)**

Proposed Final Decisions are published for stakeholders to review, along with a Notice for Written Exceptions. Exceptions are provided by stakeholders that disagree with or take issue with specific components of a Proposed Final Decision, and must be structured to identify errors of fact or errors of law; importantly, written exceptions cannot introduce or rely on evidence not already in the official record. Parties, intervenors, and/or participants to the docket are provided the opportunity to file exceptions to portions of the Proposed Final Decision. Additionally, the Notice for Written Exceptions may, but is not required to, offer parties and participants the opportunity to request that the Authority hold **Oral Arguments** so that they may present their argument directly before the Authority. The Proposed Final Decision may be revised as a result of Written Exceptions and/or Oral Arguments.

#### **Step 5: Issue the Final Decision**

Following any changes made in response to Written Exceptions and Oral Arguments, PURA staff will present a Final Decision before a panel of the three Commissioners at a **Regular or Special Meeting**. The PURA Commissioners hold a Regular Meeting most Wednesdays at 10:00a.m. to vote on the adoption of Final Decisions. A Decision is not considered final until it is placed on a Regular or Special Meeting agenda and receives a vote of adoption by a majority of the Commissioners. All Regular and Special Meeting agendas are published on the Secretary of the State's Connecticut State Agency Public Meeting Calendar on the Thursday prior to the Regular Meeting, as well as on [PURA's Calendar of Events](#).