

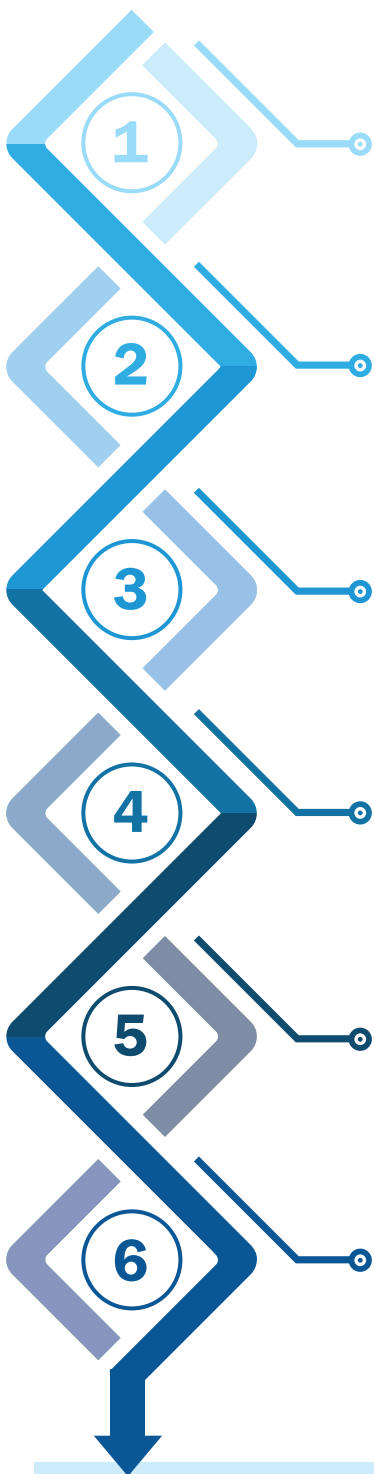
RATE CASE PROCESS AT A GLANCE

This is a general summary of how a typical rate case works in Pennsylvania.



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1 FILING THE RATE CASE

The filing of a rate case before the Pennsylvania Public Utility Commission (PUC) is the first step in a base rate case. The rate case describes the request and data supporting the request.

2 PRE-HEARING CONFERENCE

This is a brief, preliminary hearing at which the parties normally establish a procedural schedule, including filing and hearing dates. The utility, I&E, OCA, OSBA and other interested parties participate.

3 DISCOVERY AND TESTIMONY

Additional information, or evidence, is presented as part of the “discovery process.” This allows parties to receive even more information about the company’s application for new rates. Written testimony from witnesses is submitted in advance of formal hearings. Parties can reply to each other’s testimony through rebuttal and surrebuttal testimony.

4 PUBLIC INPUT HEARINGS

Public hearings take place throughout the company’s service area to allow the utility’s customers to challenge or support the rate filing. Written and/or oral comments become part of the record reviewed by the PUC in making a final decision.

5 EVIDENTIARY HEARING

An Administrative Law Judge (ALJ) presides over an evidentiary hearing, similar to a trial in civil court.* Witnesses are placed under oath and subject to cross-examination. Only witnesses for the formal parties who have pre-filed written testimony are allowed to testify and be cross examined.

6 FINAL FILINGS

Once all evidence is in the record, the ALJ sets a briefing schedule. Briefs are legal pleadings that attempt to persuade the ALJ to accept a particular position. After the submission of briefs, the ALJ will issue a Recommended Decision. Parties may file exceptions to the Recommended Decision.

7 ORDER

After exceptions and replies to exceptions are filed, the PUC will consider the Recommended Decision and either approve, reject or modify it. The PUC’s final order will specify any approved rate changes and when the rates can become effective.

PARTIES INVOLVED

Pennsylvania Public Utility Commission (PUC): The decision-making body in these proceedings—seeks to balance the interests of all parties to ensure that utilities provide safe, reliable service at reasonable prices.

Bureau of Investigation and Enforcement (I&E): The body who reviews the details of the rate case for purposes of representing the public interest.

Office of Consumer Advocate (OCA) and Office of Small Business Advocate (OSBA): The bodies that review the details of the rate case from the customers’ perspective.

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***Settlement:** In some cases, parties are able to negotiate settlement agreements, which may alleviate the time and expense of going to full hearings. A settlement can be reached at any time while a case is pending but must receive PUC approval following a determination that the settlement is in the public interest.