



Bureau of  
Energy Resources,  
United States  
Department of State



National  
Association of  
Regulatory  
Utility  
Commissioners

# **Planning and Organizing Public Hearings Roles and Responsibilities**

**Chairman Arthur H. House  
Connecticut Public Utilities Regulatory Authority**

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# Public Utility Regulatory Authority's Purpose

PURA's responsibility is to ensure that safe, reliable utility services are available at reasonable rates throughout Connecticut.

The basic obligation is to balance the interests of ratepayers and the private investor-owned utility companies.

## Regulated Utilities

- 2 Electric Companies
- 3 Gas Companies
- 10 Water Companies
- 2 Incumbent Telephone Companies



## Roles and Responsibilities

Connecticut's Public Utilities Regulatory Authority plans, organizes and manages public hearings by:

- Creating docket plans and assigning specific tasks to the PURA staff; and
- Managing the public hearing process and communicating the hearing plans with organizations participating in the hearings and with the public.



## Creating the Plan and Assigning the Work

PURA is organized into the following specialties:

- **Legal Advisors** - Responsible for the legal aspects of a case.
- **Engineers** - Responsible for technical and operational work.
- **Accountants** - Responsible for accounting and auditing.
- **Finance** - Responsible for a range of finance issues.
- **Rate Specialists** - Responsible for determining how costs are allocated to customers.
- **Case Coordinators** - Responsible for organizing schedules and handling notices and correspondence
- **Customer Assistance Specialists** - Responsible for assisting customers with inquiries and managing public comments.



## Creation of the Docket

- **First step: Assign a lead commissioner.**
- Next: The heads of technical analysis and administration/adjudication identify the significant issues raised and assign appropriate staff.
- Then, a team is created for the docket: The lead commissioner, the legal advisor, and a technical staff person to serve as lead staff or “officer in charge.”
- Lead staff oversees docket management, verifies suitability of the schedule, assigns tasks to other staff members and ensures all required work is done properly and on time.



## Managing the Public Hearing Process

The heads of technical analysis and administration/adjudication oversee the work. Normally, a hearing involves:

1. Discovery prior to a hearing. Written questions, or “interrogatories” to the docket parties/participants. May include audits of a company’s records and inspections of plants or other facilities.
2. Fact finding prior to hearings to ensure the evidentiary record is complete and to ensure all participants are well informed. Staff plans to keep the hearings as short and disciplined as feasible.
3. The case coordinator schedules hearing dates to meet the needs of all participants.



## Managing the Public Hearing Process (cont.)

4. Staff team determines witnesses needed and cross examination time required. The case coordinator then prepares an agenda reflecting witness presentation and cross examination plans.
5. Staff briefs the lead commissioner on the important issues anticipated, possible controversies and important facts likely to be raised at the hearing.
6. Media are likely to attend a controversial hearing. Television permitted, but media may not interrupt a proceeding. Commissioners and staff are not obliged to respond to questions. Normally the PURA communications officer is available to manage media inquiries.



## Communications with Hearing Participants

**Parties participating normally include the following:**

- The **Public Utility Company** involved in the docket. Whether a utility brings a case to PURA or PURA initiates a case involving a utility, the public utility is central to all dockets. Utilities are always represented by attorneys and follow the hearing process carefully.
- The **Office of Consumer Counsel** (OCC) charged with representing the interest of Connecticut's ratepayers and consumers of public utility services. They have experienced attorneys and specialists and often bring in special consultants to present evidence or challenge the testimony of the docket presenter. The OCC may be party to every PURA docket.





## Communications with Hearing Participants (cont.)

- The **Office of the Attorney General** (AG) charged with protecting the legal interests of the State of Connecticut. The AG may be party to every PURA docket.
- The **Department of Energy and Environmental Protection** (DEEP) charged with advocating on behalf of Connecticut's energy and environmental policies and interests. DEEP may be party to every PURA docket.
- **Other interested parties** who may be granted “intervenor” status: a labor union, a private group concerned with energy or environmental issues, a trade association or a city or town.
- The **case coordinator** posts the schedule on the PURA website and sees that all parties receive all notifications.



## Types of PURA Docket Decisions

- Mergers/transfer of ownership or control
- Utility financing
- Land sales
- Operational efficiency investigations
- Reliability
- Disputed customer billing
- Supplier licensing
- Fines for failure to comply



## The Hearing and Conclusion

With responses to the interrogatories received, cross examination prepared and parties notified of the schedule, the hearing process begins. The following principles normally guide the hearing:

- The **lead commissioner** opens the hearing, swears in witnesses, seeks to ensure a productive exchange of information, manages the hearing and maintains order;
- The **public** is allowed to offer public comments each day prior to the hearing, and administrative/technical questions regarding the hearing process are allowed;
- **Panels of witnesses** are presented and the regulatory staff and intervenors conduct cross examination;
- At the conclusion of the hearing each day, the lead commissioner discusses the remaining schedule of the proceeding;



## The Hearing and Conclusion (cont.)

- At the end of each day the lead commissioner meets with the lead staff and the legal advisor to discuss the day's hearing, issues that arose and any matters that might require special attention;
- The next step is a hearing on "late file exhibits" (information requested during the hearing), followed by briefs and any reply briefs;
- The lead commissioner meets with the other two commissioners, collects staff contributions and incorporates their submissions into a draft decision;
- The heads of technical analysis and administration/adjudication review and edit that draft for review by all commissioners.



## The Hearing and Conclusion (cont.)

- PURA issues a “**Proposed Final Decision.**” Both the docket presenter and the intervenors may file written exceptions (requests for changes, arguments for other findings or support for the proposal).
- PURA holds **oral arguments** on the written exceptions received.
- PURA **votes on the final decision** either at the next regular meeting or a special meeting.
- The **final decision is announced.**
- If a party believes the process was flawed or there was an administrative irregularity, that party **may seek redress in a state court.**
- A “fair and reasonable” decision will not please everyone. The goal is to have it respected as serious, professional work.