



The Pennsylvania Public Utility Commission Welcomes the Bulgaria State Energy Regulatory Commission

March 2, 2004



Transparency in the Commission's Activity



- **Web Site** - Public access to judges' decisions; audit reports; orders, statements and motions from public meetings; hearing schedules listed; chronological display of all activity on formal cases; and press releases highlight PUC actions
- **Public Meetings** - All formal actions by Commissioners take place at public meetings which are held about twice a month. Official transcripts of meetings available
- **Public Hearings** - All formal hearings open to public for observation, but participation limited to parties of case; Public input hearings held across state for large cases. All consumers allowed to provide comments on case



Consumers

Types of Complaints Decided by the Bureau of Consumer Services

- Termination problems
- Payment problems
- Billing problems
- Paying security deposits
- Liability issues
- Meter reading problems



Consumers

Utility Problem Complaint Process – Utility Company Dispute Procedures



- Contact the company first
- Company must investigate the dispute
- Company cannot issue a termination notice based on the disputed subject matter
- Company must provide information so the customer can make an informed judgment about the dispute
- Company must respond within 30 days
- Company must issue a report that advises customer of further complaint procedures



Consumers

Utility Problem Complaint Process - PUC Informal Complaint Procedures



- Call the Bureau of Consumer Services (BCS)
- BCS will notify company and obtain report
- Further investigation, if necessary
- BCS will issue decision



Press

PUC Communications Office



3 Main Functions

1. **Media Relations** - personnel distribute PUC information and decisions to the media, the public, utility customers, and state, local and federal officials and agencies
2. **Public Outreach** – personnel develop educational materials for the public and speak to consumers about the benefits of Utility Choice
3. **Employee Communications** – personnel provide information and communications services to PUC staff coordinate quarterly report on the industry.



Press

Communicating Our Message - How we deal with the Press



Offense

- Proactive Press Releases
- PUC Web site
- Consumer Education
 - Prepare Now Campaign
 - Utility Choice Program
 - Telecommunications Relay Service
- Advertisements
- Publications



Press

Communicating Our Message - How we deal with the Press



Defense

- Responding to reporter phone calls
- Interviews with Commissioners after public meetings
- Arrange interviews between reporters and Commissioners
- Public Meeting Press Releases
- Guiding media to the Web site
- Anticipating negative news



Consumers

Consumer Education



- Meet with consumers statewide about Electric Choice, Natural Gas Choice and Local Telephone Choice
- Help consumers read utility bills
- Inform consumers about consumer protections and low-income programs
- Coordinate Utility Choice Program



Industry

Input into Commission Decisions



Commission decisions are based on the evidentiary record

- Testimony, oral and written
- Written documents, such as pleadings, studies, exhibits, comments

Utility companies, like consumers and other interested parties, may participate in formal Commission proceedings and may submit evidence into the record

Formal Commission proceedings involve formal complaints, applications or petitions



Industry

Input into Commission Decisions

Utilities, like consumers and other interested parties, may participate in Commission working groups and collaborative

- A meeting used to reach a settlement or a group consensus
- The resulting settlement or consensus position is submitted for approval by Commission order
- Most often used for settlement of complex litigation or development of regulations



Industry

Access to Information

- Opinion of counsel letters may be requested from the Chief Counsel by members of the industry and other interested parties
- Information and advice regarding Commission procedures, regulations and orders may be informally obtained from any staff member
- Advice and opinions provided by staff do not have the force and effect of law and are not binding upon the Commission. 52 Pa. Code § 1.96 (relating to unofficial statements and opinions by Commission personnel)



Government

Office of Legislative Affairs



- Primary Duties:
 - Liaison
 - with the Governor's Office
 - with the General Assembly: 253 House and Senate Members
 - with the PA Congressional Delegation 19 House members; 2 Senators



Government

Office of Legislative Affairs



- Arranges meetings between members and Commissioners and/or staff
- Provides orders of interest to the General Assembly
- Notifies members of public input hearings
- Office receives calls from Legislative members regarding constituent's utility concerns; refers to appropriate bureau or provides response to members

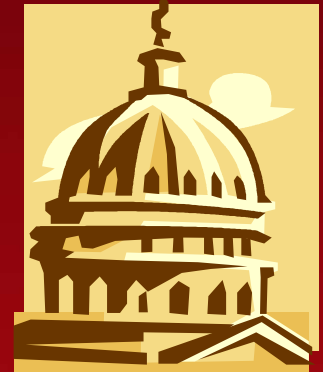


Government

Office of Legislative Affairs



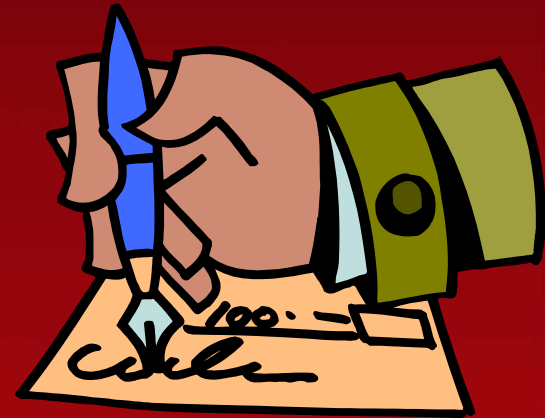
- Office responds to letters from the Legislature, Governor's Office and Congressional members
- Hearings on public utility legislation or issues; provides testimony or PUC position
- Review of PUC proposed/final regulations; proposed/final form regulations are delivered to House and Senate oversight committees which may comment on the regulations or may approve/disapprove regulations



The Flow of Information and How Information is Processed - *Secretary's Bureau*



- Secretary is the Commission's official point-of-contact between the agency and the public
- All official Commission actions and decisions are issued over the Secretary's signature
- All correspondence and filings are properly addressed to the Secretary



The Flow of Information and How Information is Processed - *Secretary's Bureau*



- Receives all official documents and filings, serving as the Prothonotary of the Commission
- Dockets all filings
- Assigns formal proceedings to appropriate bureaus for handling
- Maintains Commission's case management system
- A computerized system provides daily, weekly and monthly status reports of cases
- Can be accessed by Commission employees, via Bridge, to obtain information about pending proceedings



The Flow of Information and How Information is Processed - *Secretary's Bureau*



- Creates and maintains Commission's centralized filing system containing files, dockets and records of all Commission proceedings, providing access to these records to general public or staff
- Responsible for Public Meeting agendas and minutes
- Prepares Public Meeting agendas based upon submissions by various bureaus
- Attends all Public Meetings to ensure that agenda is completed and that minutes are properly recorded and subsequently maintained



The Flow of Information and How Information is Processed - *Secretary's Bureau*



- Issues Commission orders and Secretarial letters
- Responsible for dissemination of necessary information and service of all official Commission actions
- Accomplishes this by issuing Commission order or Secretarial letter to all appropriate parties or individuals, including internal staff, participants to a proceeding or members of the general public



Commission Communication

Role of the Office of Executive Director



- Serves as the management link between the Commissioners and Bureau/Office Directors
- Exercises administrative control over all Commission Bureau/Offices
- Supervises the activities of the Bureaus/Offices
- Manages operations of the Commission
- Coordinates efforts of several Bureaus assigned to specific projects.



Commission Communication

Role of the Office of Executive Director



- Resolves disputes between Bureaus regarding administrative and operational matters
- Participates in Collaboratives or Working Groups made up of Commission Staff and Industry Stakeholders
- Approves release of Commission studies, position papers, accounting and financial documents
- Coordinates Commission response to requests for emergency relief



Commission Communication

Internal Communications



- OED facilitates internal communications among Bureaus
- Conveys messages to Bureaus regarding policies and priorities of Commissioners
- Seeks to ensure that Bureau Directors understand their role in each project
- Bureau Directors share information with Staff working on the project



Commission Communication

Internal Working Groups



- OED often leads internal working groups comprised of representatives of several Bureaus
- Bureau designates who will represent them based upon expertise and availability
- OED gathers input from all Bureaus and attempts to produce a consensus recommendation for the Commission

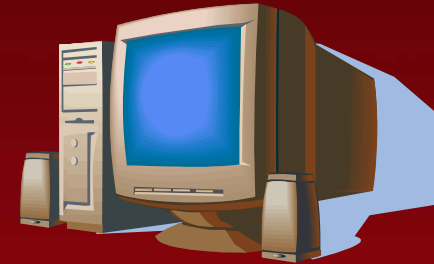


The Flow of Information and How Information is Processed - *Management Information Systems*



PUC's Network

- WAN/MAN
- PUC Network
- Security – Firewalls
- CWOPA – Limitations and Protocol
 - Regional Offices
 - Remote Users
 - Dial-up Users
- Interaction with CTC, Interllimark and other business partners
- Difficulties/Solutions



Management Information Systems

PC DOCS

- Purpose
- Security
- Document Sentry Agent
- Effect on Culture
 - Resistance
 - Lack of Trust
 - Training
 - Reduction of Paper
- Benefits
- Drawbacks
 - Versions vs. new documents



Management Information Systems

Distance Learning

- OA Computer-Based Training



Balancing Public Interest in Right-To-Know and Need for protection of Proprietary information - *Law*



Public request for access to “Proprietary” information – Applicable Law

- Pennsylvania’s Right-to-Know Law, 65 P.S. §§ 66.1, et seq., as amended (RTKL). Establishes broad right of Pennsylvania’s citizens to obtain access to public records held by an agency
- 52 Pa. Code §1.71-1.77 (Commission regulations procedures for access to Commission records)
- 52 Pa. Code §5.423 (Commission regulation on seeking protective order)
- Outcome of the request for information which is claimed as “proprietary” depends alternatively upon separate procedural or substantive grounds



Balancing Public Interest in Right-To-Know and Need for protection of Proprietary information - *Law*



- **Procedural Component:** RTKL creates statutory steps to seek access to public information. Requires compliance with statutory steps at every phase or right to seek information is lost. Procedural error by requesting party may be basis for denial of request. The utility's right to seek protective order for proprietary information is similar. It is a right which may be waived or lost if the utility fails to follow the necessary steps set forth in the statute or regulations.
- The Commission may never address a utility's claim of its "proprietary status" if either party (i.e., the reporter seeking the information or the utility seeking protection from its release) fails to preserve their rights and adhere to procedural rules governing the matter.



Balancing Public Interest in Right-To-Know and Need for protection of Proprietary information - *Law*

- **Substantive Component:** The decision whether to disclose “proprietary” information is a matter of agency discretion which is resolved by balancing all relevant factors, including the general standard of open access to information and the utility’s interest in protecting proprietary information.



Balancing Public Interest in Right-To-Know and Need for protection of Proprietary information - *Law*

- Bottom Line: “Proprietary” information may be afforded special protection by the Commission via the request for protective order. Nothing in the process affords “automatic” protection for such information. The burden is upon the utility to actively seek and provide sufficient evidence to persuade the Commission that proprietary treatment is appropriate. The question of “proprietary status” will most often arise in an adversarial context, either litigation or a request pursuant to the RTKL. Therefore, the question of “proprietary” records will typically be decided on a case-by-case basis.



Questions

