(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE INVESTIGATION AND IMPLEMENTATION OF ELECTRONIC FILING AND PUBLISHING TECHNOLOGIES. | )  )  )  )  )  ) | CASE NO. GNR-U-99-1  NOTICE OF PUBLIC WORKSHOP  ORDER NO.  27977 |

On its own Motion, the Commission initiates this proceeding to investigate the best manner of implementing electronic filing and publishing technologies in its operations.  The Commission is committed to taking advantage of new information technology to better serve the industry and the public.  Given the advent of electronic communications, the Commission believes that adoption of electronic filing and publishing technology may increase the efficiency of the Commission’s operations.  Electronic communications may reduce the costs of filing and processing documents, while increasing the amount of information available to utilities, other members of the industry, and customers.

BACKGROUND

The Commission is now using its third generation of computer systems.  Next month the Commission will convert its current word processing systems from Word Perfect 6.1 to Microsoft Word 97.  The Commission uses Excel spreadsheets.  The Commission believes that converting to Microsoft Word may allow us to more effectively interface with the software programs currently used by our utilities and members of the public.

In 1995 the Commission created its Internet Homepage or Website (www.puc.state.id.us).  This is a form of electronic publishing.  The Commission’s Homepage (attached) was initiated to make Commission information and proceedings more accessible to the public.  The Homepage provides general information about the Commission and access to more specific information such as press releases, the Commission’s Administrative Rules, telephone and E-mail addresses of employees, special reports, Commission Orders, decision meeting agendas, and links to other state, federal and utility Internet Web sites.

NOTICE OF PUBLIC WORKSHOP

YOU ARE HEREBY NOTIFIED that the Commission will convene an informal public workshop to examine the issues of electronic filing and publishing.  The workshop will commence at 1:30 P.M. ON WEDNESDAY, APRIL 21, 1999, IN THE COMMIS­SION’S HEARING ROOM, 472 WEST WASHINGTON STREET, BOISE, IDAHO, (208) 334-0300.  The workshop will provide an opportunity for utilities, the Commission Staff, and others to explore the manner in which electronic filing is implemented and, more specifically, what documents or proceedings lend themselves to electronic filing.  The Commission also invites comments on what other types of information should be published on the Homepage.  All utilities and interested persons are encouraged to attend and participate in the public workshop scheduled in the body of this Order.

A.  Electronic Filing

YOU ARE FURTHER NOTIFIED that as a threshold matter, the Commission believes that electronic filing may improve the efficiency of Commission operations by improving the accessibility of information, reducing the amount of physical space required to store documents, reducing or eliminating the number of paper copies, and decreasing the use of facsimiles and overnight delivery services.  The Commission also believes that electronic filing may indirectly allow more information to be posted on the Commission’s Internet Homepage.

YOU ARE HEREBY NOTIFIED that the Commission is interested in receiving informal comments at the workshop concerning the question whether all utilities should be required to electronically file information with the Commission.  In other words, are there certain types or sizes of utilities that should be excused from electronic filings?  Should every utility have an E-mail and/or homepage?

YOU ARE FURTHER NOTIFIED that the Commission will explore utilizing electronic filing technologies in several applications.  Utilities subject to the Commission’s jurisdiction are required to file many types of documents such as tariffs, annual reports, accident reports, pleadings, prefiled testimony, discovery requests and answers, and various other documents.  Typically, these documents are filed in multiple copies.  Implementation of electronic filing technologies may reduce utilities’ costs and the Commission’s costs associated with the filing of these documents.

1.  Electronic Filing of tariffs and Price Lists.

YOU ARE FURTHER NOTIFIED that the Commission initially believes that electronic filing should be implemented on an incremental basis.  In particular, the Commission would like to examine the implementation of electronic protocols and technologies relating to two initiatives.  The first initiative concerns the filing of tariffs and price lists.

Idaho Code § 61-305 requires that every Title 61 public utility file with the Commission schedules (tariffs or price lists) showing all rates,  rules and regulations relating to utility services. The Commission’s Rule of Procedure 132 provides that each public utility must file an original and three copies of their tariff schedules with the Commission.  IDAPA 31.01.01.132.  The Rule further denotes that the Commission shall stamp its approval on each copy of the approved tariff and return one copy to the utility.  For Title 62 telecommunications companies, Idaho Code § 62-606 requires that such companies also file tariffs or price lists.   See IDAPA 31.42.01.203 and .204.

In implementing electronic filing, the Commission recognizes that there are two major  forms of electronic filing such as: filing information on diskettes or magnetic tape, or transmitting material via the Internet to the Commission’s Homepage.  The Commission would like to explore electronic filing accomplished electronically via the Internet to the Commission’s Homepage.  The Commission is interested in receiving comments regarding the electronic filing of tariffs.  In particular, we solicit comments on the following questions:

1.How could the electronic filing be accomplished?

2.Should the electronic filing be accompanied by any paper filing?

3. Should electronic filing be required in any specific software or textural format such as Microsoft Word or Novell Word Perfect?

4.Should any specific spreadsheet software be required?

5.Should electronic forms or templates be created?

6.Should electronically filed tariffs be submitted in “html” or “pdf” format to preserve their integrity as write-protected documents?

7.Should electronically filed tariffs be acknowledged and, if so, how?

8.How should deadlines be established for electronically filed documents?

9.Should utilities be allowed to satisfy the tariff price list filing requirements by main­tain­ing such documents on utility homepages?

2.  Electronic Filing of Comments.

YOU ARE FURTHER NOTIFIED that another electronic filing initiative the Commission would like to discuss is the ability to receive electronic comments regarding proceedings before the Commission.  Generally, the Commission processes utility Applications and Petitions under Modified Procedure or in evidentiary hearings.  IDAPA 31.01.01.201 and .243.  When a case is processed under Modified Procedure, the Commission has initially determined that a hearing in the matter is not necessary.  IDAPA 31.01.01.201.  Instead, interested persons may submit written comments regarding the matter under consideration.  These written comments then serve as the basis for the Commission’s decision.

The Commission is interested whether electronically filed comments (E-mailed or otherwise), to the Commission via its Homepage should be considered as part of the record in a Modified Procedure case.  See Rule 283, IDAPA 31.01.01.283.  The Commission is interested in receiving comments regarding how applicants or petitioners can receive electronic comments submitted via E-mail or otherwise.

YOU ARE FURTHER NOTIFIED that the Commission also seeks input whether electronic  comments should be considered by the Commission in those cases where it conducts an evidentiary hearing.  On the one hand, submitting electronic comments  (E-mail or some other form) may be more efficient from a customer’s point of view rather than traveling to attend a public hearing and providing public testimony under oath.  Currently, E-mail comments are not submitted under oath or subject to cross-examination.  If the Commission were to consider electronic comments as part of the record, would the rights of parties in a hearing be preserved if E-mail comments were submitted under oath and parties provided with an opportunity to respond to E-mail comments submitted by a date certain?

B. Electronic Publishing

YOU ARE FURTHER NOTIFIED that the Commission is interested in receiving comments from the workshop participants regarding ways to improve the availability of information to utilities and the public.  In particular, the Commission seeks comments regarding the types of additional documents and/or proceedings that could be posted on the Commission’s Homepage.  For example, Notices of Modified Procedure could be posted on the Homepage as a means of disseminating information to the public.  Other questions include:

1.What other type of documents or information should the Commission post?

2.In what format (html or pdf) should documents be posted on the Homepage?

3.What forms should be available for downloading?

YOU ARE FURTHER NOTIFIED that the Commission encourages utilities and other interested members to participate in the public workshop scheduled in the body of this Order.  To facilitate a better exchange of information, utilities and other parties may wish to attend with their data processing or information technology personnel.

YOU ARE FURTHER NOTIFIED that the adoption of some electronic filing and publishing procedures may require amendments to our Rules of Procedure, IDAPA 31.01.01.000 et seq., other rule sets or even statutes.  The Commission contemplates that any necessary changes to our Rules may be encompassed in the general review of our Procedural Rules scheduled to take place this summer.

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act.  Persons needing the help of a sign language interpreter or other assistance of the kind that the Commission is obligated to provide under the Americans with Disabilities Act in order to participate in or to understand the testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing.  The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION

PO BOX 83720

BOISE, IDAHO  83720-0074

(208) 334-0338  (TELEPHONE)

(208) 334-3151  (TEXT TELEPHONE)

(208) 334-3762  (FAX)

O R D E R

IT IS HEREBY ORDERED that a public workshop be convened as set out in the body of this Order to examine electronic filing and publishing.  Utilities and other interested persons are encouraged to attend.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of March 1999.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

MARSHA H. SMITH, COMMISSIONER

                                                                                           PAUL KJELLANDER, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

vld/O:GNR-U-99-1.dh

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

March 31, 1999