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July 13, 2015

Via Electronic Mail: dpoon@urc.in.gov

Ms. DeAnna Poon, Assistant General Counsel
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500E
Indianapolis, Indiana 46204

Dear Ms. Poon:

Citizens Energy Group appreciates the opportunity to provide informal comments regarding the development of revisions to the Commission's Rules of Practice and Procedure. It appears the Commission is primarily focused on the implementation of a new electronic filing system and appropriate changes to the Commission's procedural rules in connection therewith. Accordingly, Citizens' comments at this stage address those topics exclusively.

Citizens supports the Commission's efforts to expand and improve the use of electronic filing and service of documents. To that end, Citizens respectfully submits that this rulemaking should remain focused on that objective. Citizens believes that proposals for changes to other aspects of the Commission's Rules of Practice and Procedures (e.g., changes to the required contents of certain petitions, changes to the ex parte rules or changes to the process for requesting confidential treatment of filed documents) will introduce complexity and contention and impede collaboration among parties on the topic of electronic filing and appropriate rule changes related thereto. While consideration of procedural and substantive topics unrelated to the goal of expanding and improving the use of electronic filing may be appropriate at some point, Citizens respectfully suggests that any such topics should be considered in a separate rulemaking or, at a minimum, in a bifurcated stage of this rulemaking.

Regarding the topic of electronic filing, Citizens offers the following comments:

- Electronic Signatures. Citizens supports the use of electronic signatures and agrees with commenters that have emphasized the ease of use of a "/s/" electronic signature or similar procedure as opposed to a more burdensome requirement, such as a requirement for a scanned copy of an original signature. Citizens agrees that the obligations imposed on attorneys under the Rules of Professional Conduct as well as the ability of a party to challenge the authenticity of a signature, electronic or otherwise, obviate the need for a more burdensome requirement.
- Service. Citizens supports the idea of electronic filing system functionality that would (i) require parties to a docketed proceeding to register for a service list; and (ii) fully or partially automate the process of serving such parties when a document has been electronically filed. If such functionality is not available, the Commission's Rules of Practice and Procedure should be as flexible as possible to allow parties to take advantage of technological advances that allow electronic service of documents using the most efficient means possible. To the extent disputes arise, the Rules of Practice and Procedure should provide the Presiding Officers discretion to disallow any means of electronic service not explicitly provided for in the Commission's Rules of

Practice and Procedure. The Commission should eliminate facsimile service of docket entries and other communications from the Commission.

- Deadline for Filing / Alternative Means of Filing. Citizens supports establishing 11:59 p.m. as the deadline for submitting electronic filings. Filings submitted by 11:59 p.m. should be considered timely filed that day. While Citizens supports the idea of making electronic filing mandatory, it also believes the Commission's rules should prescribe an alternative means of filing documents in the event the system is down or a party is unable to complete an electronic filing due to technological problems outside its control.
- Cause Numbers. Citizens supports the idea of automatically generated cause numbers and elimination of the need to obtain a cause number in advance of filing a petition.
- Modeling Other Electronic Filing Systems. Citizens encourages the consideration of features of other electronic filing systems that apparently have worked well for other agencies (e.g., the Federal Energy Regulatory Commission). At the same time, commenters in this rulemaking and the Commission should also carefully consider the differences between how proceedings before those agencies and proceedings before the Commission are adjudicated and how those differences might affect the suitability of another agency's system as a model for the Commission.

Citizens looks forward to working with the Commission and other interested parties as the rulemaking moves forward. If you have any questions or would like to discuss the foregoing comments, please feel free to contact me at (317) 927-4318.

Sincerely,

/s/ Michael E. Allen