

## **General Ratemaking Applications under the State Natural Gas Regulation Act**

*Disclaimer: The following description is for informational purposes only, and if any difference between this description and any law, regulation or case law exists, then such law, regulation or case law shall control.*

A jurisdictional utility seeking an increase in its customer charges and distribution rates must apply to the Nebraska Public Service Commission for approval. Rate Case applications and proceedings are governed by the State Natural Gas Regulation Act (SNGRA) *Neb. Rev. Stat.* §§ 66-1801 – 66-1868.

### **Customer Representation**

In a rate case, customers are represented by a State-appointed Public Advocate, who is an attorney with experience in natural gas matters. He/She is advised by a team of consultants and examines all the costs of the utility and issues related to rates.

### **Role of the Public Service Commission**

The Public Service Commission is responsible for weighing the interests of the public and the utility in determining just and reasonable rates for natural gas service. The Public Service Commission also retains experts to assist with review of a rate case, and holds a hearing, which is like a court trial, for receiving evidence and testimony from the Public Advocate, the utility and others who are parties to the proceeding.

The Commission may hold town hall meetings or other public meetings in the utility's service area. The dates, locations and times will be announced at a later date.

### **Rate Case Timeline**

State law provides that the Commission has up to eight months to make a decision on a rate case, with a possible additional 2 months if necessary.

The Commission has established a preliminary procedural schedule for use in a jurisdictional utility rate case application. The standard schedule is listed below as a basic outline, but will be modified to fit individual circumstances.

<b>Deadline</b>	<b>Event</b>
Filing Date	Application Filed
Publication Date (w/in 3 business days of filing)	Notice of Application Published in Daily Record
30 days after publication	Intervention Deadline
35 days after filing date	Planning Conference
90 days after filing date	Final date for discovery requests to be served by Intervenors on Applicant
Interim Rates Go Into Effect – 90 days from filing	
10 days after service of final discovery requests	All discovery responses from Applicant due to Intervenors

5 days after due date for responses to Intervenor discovery requests	Deadline for Motions to Compel Responses by Applicant
(Day 120) - 15 days after deadline for responses to discovery requests	All Intervenors file direct testimony, exhibits, workpapers, and witness lists
Week around Day 135	Town Hall Meetings
(Day 140) - 20 days after deadline for filing of Intervenors' direct testimony	Final date for discovery requests to be served by Applicant on Intervenors
10 days after service of final discovery requests	All discovery responses from Intervenors due Applicant
5 days after due date for responses to Applicant discovery requests	Deadline for Motions to Compel Responses from Intervenors
(Day 150) 15 days after responses to discovery requests	All rebuttal testimony and exhibits filed by Applicant; Commission Staff releases list of disputed issues.
5 days after filing of rebuttal testimony	Written objections/Prehearing Motions; Parties to file any corrections to staff's list of disputed issues.
w/in 5 days of objections	Prehearing Conference/Any Oral Argument on Objections or Motions; Parties to file consolidated exhibit list.
165 days after filing date	Hearing
w/in 5 days of the conclusion of the hearing	Deadline for receiving expedited transcript
14 days after hearing, transcript is available	Post Hearing Briefs Due
5 days after post hearing briefs	Reply Briefs Due
(Day 210) 20 days after post hearing briefs	Interlocutory Order Releasing Assumptions for Purposes of Calculating Rates
7 days after Interlocutory Order	Applicant to File Revised Rates and Supporting Documentation
(Day 230)	Hearing on Revised Rates
240 days after filing date	Final Order

**Interim Rates and Billing**

Starting 90 days after filing a rate case, the filing Utility may be charging the proposed rates to customers. Interim rates may be credited back to customers, depending upon the outcome of the rate case. Sometimes there is no refund due. Any refund would be in the form of a credit on customers' bills after the rate case has concluded.

**Appeal of Commission Decision**

Any party may appeal the Commission's decision to the Court of Appeals.