

October 22, 2002

MAINE PUBLIC UTILITIES COMMISSION
Procedures for Conservation Program
Planning

PROCEDURAL ORDER

At the end of the technical conference last week, the Presiding Officer and interested persons had an off the record discussion about processing of the remainder of the case. Based upon those discussions, the Presiding Officer establishes the following procedure for the docket:

1. All oral data requests asked at the technical conference and the remaining not-yet-responded-to written data requests shall be answered by Tuesday October 22, 2002.¹
2. Comments or rebuttal in response to either of the Public Advocate's two studies must be filed by Monday, November 18.
3. Comments on the issue of the proper funding that the Commission should set for its on-going conservation plan must also be filed by November 18. Such funding comments should include the issue of whether the Commission should assess utilities to collect funds for conservation programs at the statutory floor, the statutory maximum, or somewhere in between. The funding comments should also address the issue of how the Commission should achieve "proportional equivalence" or the basis upon which the Commission should justify an amount that is not proportionally equivalent among the T&D utilities. *See 35-A M.R.S.A. § 3211-A(4)(C).*

After all sets of November 18 comments are filed, the Presiding Officer shall issue a procedural order or call another case conference to set the further processing of these issues and this docket.

Concurrent with the processing of the issues of economic and technical potential conservation and proper funding, the Commission will receive comments on the particular programs that the Commission should establish as part of its Program Plan.

¹ To the extent the data responses generate additional questions, the OPA and other interested persons stated they would endeavor to ask and provide answers without additional formal discovery-like process. The Commission's technical staff will also seek answers to any follow-up questions by similar informal means (e.g. by email or telephone). To the extent that the staff does seek such informal follow-up, the OPA will provide copies of any material provided to staff to the other interested persons who attended the technical conference.

See the two *Requests for Input* issued on September 26, 2002. As part of that concurrent process the Commission staff will hold a technical conference on potential programs on November 5, a technical conference on existing utility programs on November 6, and may meet with interested persons or groups to discuss specific conservation programs.

Dated at Augusta, Maine, this 22nd day of October, 2002.

BY ORDER OF THE HEARING EXAMINER

James A. Buckley