



Cox Rhode Island Telcom, L.L.C.
D/b/a Cox Communications
9 J.P. Murphy Highway
West Warwick, Rhode Island 02893

May 7, 2003

Via First Class Mail

Ms. Luly Massaro
Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

Re: Docket D-03-8 – Rules and Regulations Governing Electronic Filings

Dear Ms. Massaro:

Cox Rhode Island Telcom, L.L.C. herein files an original and five (5) copies of its Comments to the Public Utilities Commission (“Commission”) intent to adopt regulations in the above-referenced docket.

Cox supports the Commission’s initiative to update its rules of practice to provide for electronic filings. Such regulations will streamline the electronic web filing process for the benefit of the Commission and parties; provide costing cutting advantages through a reduction in the number of mailings should the Commission adopt an electronic service list; provide parties the ability to receive filings in a timely manner and review these filings on the Commission’s web site, and provide the general public with greater access to various regulatory filings.

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Cox provides for the Commission's consideration a copy of the rules adopted by the Department of Public Utility Control and approved by the Office of the Attorney General in Connecticut in Docket No. 99-05-14, *DPUC Promulgation of Regulations Concerning Electronic Filing and Signatures*.¹ Cox believes that these rules may provide a workable framework for the Rhode Island Public Utilities Commission as well.

If you have any questions, please do not hesitate to contact me at 401.615.1588.

Sincerely,

Robert J. Howley
New England Manager, Regulatory Affairs

Attachment

¹ On May 5, 2003, the Connecticut Department of Public Control submitted the attached regulations to the Connecticut Legislative Regulations Review Committee for final approval.

May 5, 2003
In reply, please refer to:
Docket No. 99-05-14:ADJ:CTN

The Honorable George L. Gunther, Co-Chairperson
The Honorable Gail K. Hamm, Co-Chairperson
Honorable Members of the Legislative Regulations Review Committee
Legislative Office Building, Rooms 2800 and 1800
Hartford, CT 06106

Re: Docket No. 99-05-14 – DPUC Promulgation of Regulations Concerning Electronic Filing and Signatures

Dear Senator Gunther, Representative Hamm and Honorable Members of the Committee:

Pursuant to C.G.S. §4-170, the Department of Public Utility Control (Department) hereby submits the above-referenced regulations for your review and approval. The following items are enclosed:

1. The regulations adopted by the Department and approved by the Office of the Attorney General;
2. The Notice of Intent to Adopt Regulations published by the Department;
3. The Fiscal Note prepared by the Department concerning the regulations, as submitted to the Office of Policy and Management; and
4. A Summary of the Regulations proceedings, a Summary of all comments received by the Department, and the Department's responses to those comments.

We urge the Committee's approval of these proposed regulations. If you have any questions, please contact Michael Chowaniec at 827-2765 or **Cat Nguyen** at 827-2643. Thank you for your consideration.

Respectfully submitted,

DEPARTMENT OF PUBLIC UTILITY CONTROL

Donald W. Downes
Chairperson

cc: Mailing List

Enclosures (4)

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DEPARTMENT OF PUBLIC UTILITY CONTROL

In accordance with C.G.S. §4-168(a) and pursuant to the authority granted in C.G.S. §4-167, the Department of Public Utility Control is hereby giving notice that it proposes to adopt the following regulations to update its rules of practice and to conform its regulations with THE "CONNECTICUT UNIFORM ELECTRONIC TRANSACTIONS ACT," SECTIONS 1-266 TO 1-286, INCLUSIVE, OF THE CONNECTICUT GENERAL STATUTES:

Section 1. Section 16-1-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-1-2. Definitions [As used in these rules, except as otherwise required by the context:

(a) "Commission" means the public utilities commission of the state of Connecticut, its commissioners and employees.

(b) "Commissioners" means the public utilities commissioners appointed under Section 16-2 of the general statutes, when acting as such.

(c) "Presiding officer" means any commissioner or any member of the staff of the commission duly designated under section 16-8 of the general statutes, who presides at any hearing of the commission.

(d) "Hearing" means that portion of the commission's procedure in the disposition of matters delegated to its jurisdiction by law wherein a presentation of evidence and argument occurs, which is preceded by due notice and which includes both an opportunity to present to the commission such written and oral testimony and argument as the presiding officer deems appropriate and an opportunity to examine and cross examine any witness giving testimony therein.

(e) "Contested case" means a proceeding in the commission's disposition of matters delegated to its jurisdiction by law in which the legal rights, duties or privileges of a party are determined by the commissioners after an opportunity for a hearing. (See Sec. 16-1-27)

(f) "License" includes all forms of permission required by title 16 of the general statutes, and any other form of permit, certificate, approval, registration or charter whose administration has been delegated to the commission by law.

(g) "Party" means each person named or admitted by the commissioners as a party to a contested case, whose legal rights, duties or privileges will be determined by the commissioners by their decision therein.

(h) "Intervenor" means each person admitted by the presiding officer as a participant in a contested case who is not a party.

(i) "Person" means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character which appears before the commission for any purpose.]

AS USED IN SECTIONS 16-1-2 TO 16-1-133, INCLUSIVE, OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES:

(1) "COMMISSIONER" MEANS "COMMISSIONER" AS DEFINED IN SECTION 16-1(2) OF THE CONNECTICUT GENERAL STATUTES;

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(2) "CONTESTED CASE" MEANS "CONTESTED CASE" AS DEFINED IN SECTION 4-166(2) OF THE CONNECTICUT GENERAL STATUTES;

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC UTILITY CONTROL OR ITS SUCCESSOR;

(4) "E-MAIL" MEANS ELECTRONIC MAIL;

(5) "ELECTRONIC" MEANS "ELECTRONIC" AS DEFINED IN SECTION 1-267(5) OF THE CONNECTICUT GENERAL STATUTES;

(6) "ELECTRONIC MEANS" MEANS ANY METHOD OF TRANSMISSION OF INFORMATION BETWEEN COMPUTERS OR OTHER MACHINES, OTHER THAN FACSIMILE MACHINES, DESIGNED FOR THE PURPOSE OF SENDING AND RECEIVING SUCH TRANSMISSIONS, AND WHICH ALLOWS THE RECIPIENT TO REPRODUCE THE INFORMATION TRANSMITTED IN A TANGIBLE MEDIUM OF EXPRESSION;

(7) "ELECTRONIC SIGNATURE" MEANS "ELECTRONIC SIGNATURE" AS DEFINED IN SECTION 1-267(8) OF THE CONNECTICUT GENERAL STATUTES;

(8) "INTERVENOR" MEANS "INTERVENOR" AS DEFINED IN SECTION 4-166(5) OF THE CONNECTICUT GENERAL STATUTES;

(9) "LICENSE" MEANS "LICENSE" AS DEFINED IN SECTION 4-166(6) OF THE CONNECTICUT GENERAL STATUTES;

(10) "PARTY" MEANS "PARTY" AS DEFINED IN SECTION 4-166(8) OF THE CONNECTICUT GENERAL STATUTES;

(11) "PERSON" MEANS "PERSON" AS DEFINED IN SECTION 4-166(9) OF THE CONNECTICUT GENERAL STATUTES;

(12) "PIN" MEANS PERSONAL IDENTIFICATION NUMBER; AND

(13) "PRESIDING OFFICER" MEANS THE COMMISSIONER OR THE HEARING OFFICER DESIGNATED BY THE HEAD OF THE DEPARTMENT TO PRESIDE AT A HEARING.

Section 2. Section 16-1-10 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-1-10. Office

[The principal office of the commission is in the State Office Building, 165 Capitol Avenue, Hartford, Connecticut. The office of the commission is open from 8:30 A.M. to 4:30 P.M. each weekday except Saturdays, Sundays and legal holidays.]

THE OFFICE OF THE DEPARTMENT IS LOCATED AT TEN FRANKLIN SQUARE, NEW BRITAIN, CONNECTICUT 06051. IT IS OPEN FROM 8:30 A.M. TO 4:30 P.M. EACH DAY EXCEPT SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS.

Section 3. Section 16-1-11 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-1-11. Date AND TIME of filing.

[All orders, decisions, findings of fact, correspondence, motions, petitions, applications and any other documents governed by these rules, shall be deemed to have been filed or received on the date on which they are issued or received by the commission at its principal office.]

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THE DATE AND TIME OF FILING OF EACH DOCUMENT SHALL BE THE DATE AND TIME BY WHICH THE DEPARTMENT FIRST RECEIVES A COMPLETE ELECTRONIC VERSION OF THE DOCUMENT OR THE DOCUMENT AND THE REQUIRED NUMBER OF PAPER COPIES OF SUCH DOCUMENT, PROVIDED THAT SUCH ELECTRONIC VERSION OR PAPER COPIES ARE FILED IN ACCORDANCE WITH SECTION 16-1-14 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES. IF PAYMENT OF A FEE IS REQUIRED, A DOCUMENT SHALL NOT BE DEEMED FILED UNTIL THE FEE IS RECEIVED BY THE DEPARTMENT. IF A DOCUMENT IS ELECTRONICALLY SUBMITTED WHEN THE OFFICES OF THE DEPARTMENT ARE NOT OPEN, SUCH ELECTRONIC DOCUMENT SHALL BE DEEMED FILED AT THE TIME THE OFFICES NEXT OPEN. ELECTRONIC VERSIONS AND PAPER COPIES OF EACH DOCUMENT SHALL BE FILED ON THE SAME DAY OR WITHIN TWO BUSINESS DAYS OF EACH OTHER.

Section 4. Section 16-1-12 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-1-12. [Identification of communications.] ELECTRONIC WEB FILER REGISTRATION.

[Communications should embrace only one matter, should contain the name and address of the communicator and the appropriate certificate or permit reference, if any there be, pertaining to the subject of the communication. When the subject matter pertains to a pending proceeding, the title of the proceeding and the docket number should be given.]

(a) ANY PERSON MAY PARTICIPATE IN THE DEPARTMENT WEB FILING SYSTEM BY REGISTERING AS A "WEB FILER" WITH THE DEPARTMENT. EACH INDIVIDUAL PERSON SHALL REGISTER IN HIS OR HER OWN NAME. EACH BUSINESS, FIRM, CORPORATION, ASSOCIATION, JOINT STOCK ASSOCIATION, TRUST, PARTNERSHIP OR LIMITED LIABILITY COMPANY MAY HAVE AN UNLIMITED NUMBER OF REGISTERED WEB FILERS.

(b) TO REGISTER AS A WEB FILER, A PERSON SHALL (1) COMPLETE AND SUBMIT, ELECTRONICALLY, A REGISTRATION FORM ON THE DEPARTMENT'S WEBSITE "HTTP://WWW.STATE.CT.US/DPUC", AND (2) PROVIDE PROPER IDENTIFICATION BY FACSIMILE OR MAIL. THE REGISTRATION FORM SHALL REQUIRE THE PERSON'S NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS, ALONG WITH A CHOSEN PASSWORD. A WEB FILER SHALL BE REQUIRED TO PROVIDE A CHOSEN PIN IF THE WEB FILER INTENDS TO AUTHORIZE ANOTHER PERSON TO WEB FILE DOCUMENTS ON THE WEB FILER'S BEHALF. IDENTIFICATION MAY INCLUDE COPY OF A PICTURED IDENTIFICATION CARD, DRIVER'S LICENSE, OR LETTERHEAD STATIONERY. THE WEB FILER SHALL, ON THE IDENTIFICATION, CLEARLY TYPE OR PRINT HIS OR HER NAME, PHONE NUMBER AND E-MAIL ADDRESS, THE CHOSEN PASSWORD AND, IF APPLICABLE, PIN. ONCE THE REGISTRATION FORM AND IDENTIFICATION ARE ACCEPTED BY THE DEPARTMENT, THE DEPARTMENT SHALL CONFIRM AND ACTIVATE THE REGISTRATION. THE DEPARTMENT MAY AT ANY TIME ISSUE A NEW PASSWORD TO ANY WEB FILER. A WEB FILER

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MAY AT ANY TIME OBTAIN A NEW PASSWORD OR PIN UPON REQUEST TO THE DEPARTMENT.

(c) A WEB FILER SHALL NOTIFY THE DEPARTMENT IMMEDIATELY OF ANY CHANGE IN ANY INFORMATION PROVIDED IN THE WEB FILER'S REGISTRATION. ONCE REGISTERED, A PERSON MAY WITHDRAW FROM PARTICIPATION IN THE DEPARTMENT WEB FILING SYSTEM BY PROVIDING THE DEPARTMENT WITH WRITTEN NOTICE, WHICH MAY BE SUBMITTED ELECTRONICALLY. UPON RECEIPT OF A WITHDRAWAL NOTICE, THE DEPARTMENT SHALL IMMEDIATELY CANCEL THE PERSON'S PASSWORD AND DEACTIVATE THE PERSON'S REGISTRATION.

(d) THE DEPARTMENT SHALL MAINTAIN AS CONFIDENTIAL RECORDS OF ALL PASSWORDS AND PINS. EACH WEB FILER SHALL MAINTAIN AS CONFIDENTIAL, EXCEPT AS PROVIDED IN SUBSECTION (e) OF THIS SECTION, HIS OR HER PASSWORD AND PIN. A WEB FILER, UPON LEARNING OF THE COMPROMISE OF THE CONFIDENTIALITY OF ANY PASSWORD OR PIN, SHALL IMMEDIATELY NOTIFY THE DEPARTMENT.

(e) NO PERSON SHALL KNOWINGLY PERMIT OR CAUSE TO PERMIT HIS OR HER PASSWORD OR PIN TO BE UTILIZED BY ANYONE OTHER THAN AN AUTHORIZED EMPLOYEE OR AGENT. IF A WEB FILER AUTHORIZES ANOTHER PERSON TO FILE A DOCUMENT ON HIS OR HER BEHALF USING THE USER NAME, PASSWORD OR PIN OF THE WEB FILER, SUCH WEB FILER SHALL RETAIN FULL RESPONSIBILITY FOR ANY DOCUMENT FILED.

Section 5. Section 16-1-13 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-1-13. Signatures.

(a) Every application, LETTER, REPORT, motion, petition, complaint, brief, memorandum OR SIMILAR DOCUMENT shall be signed by the filing person, BY HIS OR HER AUTHORIZED AGENT or by one or more attorneys in their individual names on behalf of the filing person.

(b) A DOCUMENT SHALL BE DEEMED TO INCLUDE AN ELECTRONIC SIGNATURE IF SUCH DOCUMENT IS FILED UNDER THE DEPARTMENT WEB FILING SYSTEM WITH THE USE OF AT LEAST ONE PIN. A DOCUMENT SHALL BE DEEMED SIGNED BY THE PERSONS WHOSE NAMES APPEAR IN THE SIGNATURE BLOCK AND WHOSE PINS WERE USED IN THE FILING OF SUCH DOCUMENT.

Section 6. Section 16-1-14 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-1-14. Formal requirements as to documents [and other papers] filed in proceedings.

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[(a) Copies. Except as may be otherwise required by these rules or by any other rules or regulations of the commission or ordered or expressly requested by the commission, at the time motions, petitions, applications, documents or other papers are filed with the commission there shall be furnished to the commission an original of such papers. In addition to the original there shall also be filed ten copies for the use of the commissioners and their staff, unless a greater or lesser number of such copies is expressly requested by the commission.

(b) Form. Except for such forms as may from time to time be provided by the commission and used where appropriate, motions, petitions, applications, documents or other papers filed for the purpose of any proceeding before the Commission shall be printed or typewritten on paper cut or folded to either letter or legal size, 8 to 8 1/2 inches wide. Width of margins shall be not less than 1 inch. The impression shall be on only one side of the paper, unless printed, and shall be double spaced, except that quotations in excess of five (5) typewritten lines shall be single spaced and indented. Mimeographed, multigraphed, photoduplicated or the like copies will be accepted as typewritten, provided all copies are clear and permanently legible.

(c) Filing. All motions, petitions, applications, documents or other papers relating to matters requiring action by the commission shall be filed with the executive secretary of the commission, Room 583, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, 06115.]

(a) DEFINITIONS. AS USED IN THIS SECTION:

(1) "BULK DOCUMENT" MEANS ANY PAPER DOCUMENT THAT IS 50 PAGES OR MORE IN LENGTH; AND

(2) "EXTREME BULK DOCUMENT" MEANS ANY PAPER DOCUMENT THAT IS 100 PAGES OR MORE IN LENGTH .

(b) GENERAL REQUIREMENT. ALL DOCUMENTS SHALL BE FILED WITH THE DEPARTMENT IN BOTH ELECTRONIC AND PAPER FORM. THE REQUIREMENT TO FILE IN ELECTRONIC FORM IS WAIVED FOR (1) DOCUMENTS AVAILABLE TO THE FILER ONLY IN PAPER FORM, AND (2) FILERS WHO ARE UNABLE TO FILE ELECTRONICALLY. THE REQUIREMENT TO FILE IN PAPER FORM IS WAIVED FOR DOCUMENTS FOR WHICH NO PAPER FORM IS TECHNICALLY FEASIBLE OR PRACTICAL. IF THE FILER SUBMITS A CORRECTED VERSION OF A FILED DOCUMENT, THE FILER SHALL ALSO SUBMIT THE REQUIRED NUMBER OF PAPER COPIES AND A CORRECTED ELECTRONIC VERSION OF SUCH DOCUMENT. THIS SUBSECTION SHALL NOT APPLY TO THE FILING OF PROTECTED MATERIALS.

(c) PLACE OF FILING.

(1) ELECTRONIC COPIES MAY BE SUBMITTED UNDER THE DEPARTMENT WEB FILING SYSTEM VIA THE DEPARTMENT'S WEBSITE "HTTP://WWW.STATE.CT.US/DPUC". IF WEB FILING IS NOT POSSIBLE, ELECTRONIC COPIES MAY BE (A) E-MAILED TO "DPUC.EXECUTIVESECRETARY@PO.STATE.CT.US"; OR (B) SUBMITTED ON A DISKETTE, CD-ROM OR OTHER ELECTRONIC STORAGE MEDIUM ACCEPTABLE TO THE DEPARTMENT AND DELIVERED TO THE DEPARTMENT'S EXECUTIVE SECRETARY, AT TEN FRANKLIN SQUARE, NEW BRITAIN, CONNECTICUT 06051.

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(2) PAPER COPIES SHALL BE DELIVERED TO THE EXECUTIVE SECRETARY, DEPARTMENT OF PUBLIC UTILITY CONTROL, AT TEN FRANKLIN SQUARE, NEW BRITAIN, CONNECTICUT 06051.

(d) DOCUMENT FORMAT.

(1) EACH PAPER COPY OF A DOCUMENT SHALL BE LEGIBLE, COLLATED AND SECURED, ON THREE-HOLED RECYCLABLE WHITE PAPER, AND SHALL NOT CONTAIN ANY COLORED PAPER, OR PLASTIC OR METAL SEPARATORS.

(2) EACH DISKETTE, CD-ROM OR OTHER ELECTRONIC STORAGE MEDIUM ACCEPTABLE TO THE DEPARTMENT SHALL BE LABELED WITH THE FOLLOWING INFORMATION: THE DOCKET NUMBER, IF ANY; THE NAME OF THE FILER; THE NAME OF THE COMPANY IF DIFFERENT FROM THE FILER; THE TYPE OF FILING; THE DOCUMENT FORMAT; AND THE FILING DATE.

(3) EACH ELECTRONIC VERSION OF A DOCUMENT SHALL BE FORMATTED TO BE COMPATIBLE WITH THE COMPUTER PROGRAMS USED BY THE DEPARTMENT AND FREE OF DEFECTS AND VIRUSES. ALL DOCUMENTS FILED ELECTRONICALLY SHALL BE CAPABLE OF BEING TRANSFERRED TO ELECTRONIC STORAGE MEDIA, WITHOUT LOSS OF CONTENT OR MATERIAL ALTERATION OF APPEARANCE. HYPERLINKS TO EXTERNAL WEBSITES ARE PERMISSIBLE; HOWEVER, A HYPERLINK IS NOT ITSELF A PART OF THE OFFICIAL FILED DOCUMENT AND EACH HYPERLINK SHALL CONTAIN A TEXT REFERENCE TO THE TARGET OF THE LINK. THE DEPARTMENT SHALL MAKE AVAILABLE ON ITS WEBSITE INFORMATION REGARDING COMPATIBLE COMPUTER PROGRAMS.

(e) IDENTIFICATION OF DOCUMENT. THE FRONT PAGE OF EACH DOCUMENT FILED WITH THE DEPARTMENT SHALL PROMINENTLY DISPLAY THE FILER'S NAME, ADDRESS, TELEPHONE NUMBER, FACSIMILE NUMBER AND, IF AVAILABLE, E-MAIL ADDRESS, AS WELL AS THE COMPANY NAME IF DIFFERENT FROM THE FILER. ANY DOCUMENT FILED IN ANY PROCEEDING TO WHICH A DOCKET NUMBER HAS BEEN ASSIGNED SHALL ALSO INCLUDE THE NUMBER AND TITLE OF THE DOCKET.

(f) BULK DOCUMENTS. EACH BULK AND EXTREME BULK DOCUMENT SHALL BE SEPARATELY COLLATED AND CONSPICUOUSLY LABELED AS BULK OR EXTREME BULK. THE FILER SHALL IDENTIFY IN A COVER LETTER EACH BULK OR EXTREME BULK DOCUMENT THAT IS BEING FILED.

(g) NUMBER OF COPIES. TO FILE A DOCUMENT, THE FILER SHALL SUBMIT THE ORIGINAL DOCUMENT ALONG WITH ONE ELECTRONIC COPY AND EIGHT PAPER COPIES OF SUCH DOCUMENT, EXCEPT THAT (1) TWO PAPER COPIES SHALL BE REQUIRED FOR TELECOMMUNICATIONS SERVICE TARIFFS FILED PURSUANT TO SECTION 16-247f OF THE CONNECTICUT GENERAL STATUTES; (2) THREE PAPER COPIES SHALL BE REQUIRED FOR BULK DOCUMENTS OR APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WATER COMPANIES FILED PURSUANT TO SECTION 16-262m OF THE CONNECTICUT GENERAL STATUTES; (3) ONE PAPER COPY SHALL BE

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REQUIRED FOR EXTREME BULK DOCUMENTS, WATER SUPPLY PLANS REQUIRED UNDER SECTION 25-32d OF THE CONNECTICUT GENERAL STATUTES, OR GAS SUPPLIER REGISTRATION FORMS FILED PURSUANT TO SECTION 16-258a OF THE CONNECTICUT GENERAL STATUTES; OR (4) AS OTHERWISE REQUIRED BY THE DEPARTMENT. THESE COPIES ARE REQUIRED IN ADDITION TO ANY COPIES SUBMITTED DIRECTLY TO COMMISSIONERS, DEPARTMENT STAFF OR THE OFFICE OF CONSUMER COUNSEL. THIS SUBSECTION SHALL NOT APPLY TO THE FILING OF PROTECTED MATERIALS.

Section 7. Section 16-1-15 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 16-1-15. Service.

(a) General rule. Service of all documents and other papers filed in all proceedings, including complaints, motions, petitions, applications, notices, briefs, and exhibits but not limited to those categories, shall be by personal delivery, or by first class mail, except as hereinafter provided.

(b) On whom served. All such documents and other papers shall be served by the person filing the same on every person who has theretofore been designated a party in the proceeding. Certification of such service shall be endorsed on all documents and other papers when filed with the commission.

(c) Service by the commission. A copy of any document or other paper served by the commission, showing the addresses to whom the document or other paper was mailed, shall be placed in the commission's files and shall be prima facie evidence of such service and the date thereof.

(d) Service as written notice. Written notice of all orders, decisions or authorizations issued by the commission shall be given to the person affected thereby by personal service upon such person or by first class mail, as the commission determines.

(e) Newspaper publication. Upon the filing of any petition or application, the commission shall direct the newspaper publication of notice thereof that the executive secretary shall deem sufficient and appropriate to the circumstances of the proceeding thereby commenced.]

(a) SERVICE LIST. THE DEPARTMENT SHALL PREPARE AND MAKE AVAILABLE A SERVICE LIST FOR EACH DOCKET. EACH SERVICE LIST SHALL (1) CONTAIN THE NAME OF EACH PARTY, INTERVENOR, AND PARTICIPANT IN THE DOCKET; (2) CONTAIN THE NAMES AND ADDRESSES OF THE REPRESENTATIVES OF EACH PARTY, INTERVENOR, AND PARTICIPANT IN THE DOCKET; (3) INDICATE WHETHER EACH PARTY, INTERVENOR, AND PARTICIPANT HAS CONSENTED TO BE SERVED BY ELECTRONIC MEANS PURSUANT TO THIS SECTION; AND (4) PROVIDE THE E-MAIL ADDRESS OF EVERY PERSON IN THE DOCKET WHO HAS CONSENTED TO BE SERVED BY ELECTRONIC MEANS.

(b) SERVICE REQUIREMENTS.

(1) EVERY PERSON SHALL SERVE A COPY OF A FILED DOCUMENT TO EVERY PERSON ON THE SERVICE LIST OF THE PROCEEDING IN WHICH THE

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DOCUMENT IS FILED. THIS SUBSECTION SHALL NOT APPLY TO THE FILING OF PROTECTED MATERIALS.

(2) EACH DOCUMENT PRESENTED FOR FILING SHALL CONTAIN, IN SUBSTANCE, THE FOLLOWING CERTIFICATION:

“I CERTIFY THAT A COPY (COPIES) HEREOF (HAS)(HAVE) BEEN FURNISHED TO (NAME OR NAMES) BY (METHOD OF SERVICE) ON (DATE)... “ SIGNATURE AND PRINTED NAME

(c) METHOD OF SERVICE.

(1) SERVICE MAY BE BY PERSONAL DELIVERY, FACSIMILE, MAIL, OR THIRD-PARTY COMMERCIAL CARRIER FOR DELIVERY NO LATER THAN THREE BUSINESS DAYS FROM THE DATE OF THE FILING. IF A DOCUMENT SEEKS EMERGENCY RELIEF, SERVICE OF SUCH DOCUMENT ON A PARTY OR INTERVENOR SHALL BE BY A MANNER AT LEAST AS EXPEDITIOUS AS THE MANNER USED TO FILE SUCH DOCUMENT WITH THE DEPARTMENT. PERSONAL SERVICE INCLUDES DELIVERY OF THE COPY TO A RESPONSIBLE PERSON AT THE PERSON’S OFFICE. SERVICE BY FACSIMILE IS DEEMED COMPLETE AS OF THE TELEPHONIC TRANSFER TO THE RECIPIENT’S FACSIMILE MACHINE. SERVICE BY MAIL OR BY COMMERCIAL CARRIER IS COMPLETE ON MAILING OR DELIVERY TO THE CARRIER.

(2) NOTWITHSTANDING SUBDIVISION (1) OF THIS SUBSECTION, SERVICE MAY BE MADE ELECTRONICALLY TO PERSONS WHO HAVE CONSENTED TO BE SERVED EXCLUSIVELY BY ELECTRONIC MEANS, AS INDICATED ON THE APPROPRIATE SERVICE LIST.

(d) CONSENT TO SERVICE BY ELECTRONIC MEANS.

(1) ANY PERSON MAY CONSENT TO BE SERVED AND TO RECEIVE DOCUMENTS ISSUED BY THE DEPARTMENT EXCLUSIVELY BY ELECTRONIC MEANS. SUCH CONSENT SHALL BE GIVEN ON A FORM PRESCRIBED BY THE DEPARTMENT AND SHALL STATE THAT THE CONSENTING PERSON (A) CONSENTS TO BE SERVED AND TO RECEIVE DOCUMENTS ISSUED BY THE DEPARTMENT EXCLUSIVELY BY ELECTRONIC MEANS, AND (B) AGREES TO BE BOUND BY ANY ORDERS OR REQUIREMENTS CONTAINED IN ANY DOCUMENTS RECEIVED BY ELECTRONIC MEANS IN ACCORDANCE WITH THIS SUBSECTION. THE CONSENTING PERSON SHALL PROVIDE AN E-MAIL ADDRESS FOR THE PURPOSE OF RECEIVING ALL DOCUMENTS. A CONSENT SHALL BE SIGNED BY THE CONSENTING PERSON AND SHALL BE FILED UNDER THE DEPARTMENT WEB FILING SYSTEM OR SUBMITTED NON-ELECTRONICALLY.

(2) A CONSENT GIVEN PURSUANT TO THIS SUBSECTION SHALL BE APPLICABLE TO ALL THE DEPARTMENT’S PROCEEDINGS AND REMAIN EFFECTIVE UNTIL WITHDRAWN BY THE CONSENTING PERSON. ANY PERSON MAY AT ANY TIME WITHDRAW HIS OR HER CONSENT BY SUBMITTING A WRITTEN NOTICE TO THE DEPARTMENT.

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Statement of Purpose: To amend Sections 16-1-2, and 16-1-10 to 16-1-15, inclusive, of the Regulations of Connecticut State Agencies, in part to conform with THE "CONNECTICUT UNIFORM ELECTRONIC TRANSACTIONS ACT," SECTIONS 1-266 TO 1-286, INCLUSIVE, OF THE CONNECTICUT GENERAL STATUTES.

CERTIFICATION

R-39 REV. 1/77

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 4-167 of the General Statutes.

Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

Public Act No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on _____, 19 _____, of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on _____ day of _____ 19 _____

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The _____ day of _____ 19 _____.

In Witness Whereof:	DATE	SIGNED (<i>Head of Board, Agency or Commission</i>)	OFFICIAL TITLE, DULY AUTHORIZED
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Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED	OFFICIAL TITLE, DULY AUTHORIZED
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Approved

Disapproved

Disapproved in part, (*Indicate Section Numbers disapproved only*)

Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE	SIGNED (<i>Clerk of the Legislative Regulation Review Committee</i>)
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (<i>Secretary of the State.</i>)	BY
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INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.