

199—26.8(476) Procedural schedule in Iowa Code section 476.6 proceedings.

26.8(1) In any proceeding initiated by a utility filing for new or changed rates, charges, schedules, or regulations pursuant to Iowa Code section 476.6, the board or presiding officer shall set a procedural schedule. The procedural schedule for an application for a general rate increase and associated revised tariffs shall be as follows unless otherwise ordered by the board:

a. Direct testimony and exhibits from the consumer advocate and other parties filed within five months from the date the application for a general rate increase is filed.

b. The consumer advocate's and other parties' cross-rebuttal testimony and exhibits filed 15 days after responsive testimony.

c. Rebuttal testimony and exhibits from the utility filed not later than six months from the date the application for a general rate increase is filed.

d. Hearing completed not later than seven and one-half months from the date the application for a general rate increase is filed.

e. Briefs of all parties filed not later than eight and one-half months after the date the application for a general rate increase is filed.

26.8(2) In setting the procedural schedule in a case, the board or presiding officer shall take into account the existing hearing calendar and shall give due regard to other obligations of the parties, attorneys, and witnesses. The board or presiding officer may, on the board's or the presiding officer's own motion or upon the motion of any party, including the consumer advocate, for good cause shown, change the time and place of any hearing. Any effect such a change has on the remainder of the procedural schedule or the deadline for decision shall be addressed when the change is ordered.

26.8(3) Additional time may be granted to a party, including the consumer advocate, upon a showing of good cause for the delay on a case-by-case basis.

26.8(4) If any party, including the consumer advocate, wishes to utilize the electric generating facility exception to the ten-month decision deadline contained in Iowa Code section 476.6, the party shall expeditiously file a motion seeking this exception, including an explanation of that portion of the suspended rates, charges, schedules, or regulations necessarily connected with the inclusion of the generating facility in rate base. Any other party may file a response to the motion.

[ARC 5629C, IAB 5/19/21, effective 6/23/21]