

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. M-100, SUB 139

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Amendment to Commission Rules) ORDER IMPLEMENTING PILOT
Regarding Electronic Filing) PROGRAM FOR ELECTRONIC FILING
) AND ADOPTING RULE REVISIONS

BY THE COMMISSION: As part of the new online docket system, the Commission is implementing a pilot program for electronic filing of pleadings, motions, notices, or other documents with the Commission. The Commission anticipates that this electronic filing capability will reduce the amount of paper filed with the Commission, will reduce the time and cost burden on public utilities and others doing business before the Commission, and will promote more timely and efficient processing of filings. The required number of paper copies of each filing that must be provided to the Commission will be reduced, and in most cases eliminated, for documents electronically filed. Further reductions in the number of paper copies required to be filed may be made as the Commission gains experience with electronic filing. Therefore, although electronic filing is not required and the Commission will continue to accept paper filings with an original and the required number of copies as provided in its Rules and Regulations, the Commission strongly encourages public utilities and others to take advantage of the opportunity to now electronically file documents.

To implement this pilot program, the Commission finds good cause to amend its procedural rules to recognize and allow electronic filing of documents as an alternative to paper filing.

IT IS, THEREFORE, ORDERED as follows:

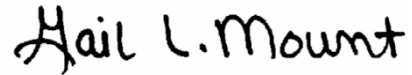
1. That the revisions to Commission Rules R1-5(g), R1-25(c), and R1-28 set forth in Appendix A attached hereto be, and the same are hereby, adopted effective as of the date of this Order.

2. That the Chief Clerk shall serve a copy of this Order by electronic mail on all entities regulated by the Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 13th day of November, 2013.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Gail L. Mount". The signature is written in a cursive style with a large initial "G".

Gail L. Mount, Chief Clerk

R1-5 PLEADINGS, GENERALLY

(g) Copies Required. — The original plus twenty-five (25) copies of all pleadings shall be filed with the Commission (unless filed electronically pursuant to Rule R1-28 or otherwise provided by the exceptions below), and shall include a certificate that a copy thereof has been served upon each party of record in the cause or upon counsel of record in accordance with Rule R1-39. ...

R1-25 PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND BRIEF; SUMMARY STATEMENTS AND REPLY STATEMENTS

(c) Form; Copies Required. — Rule R1-5, subsections (c) and (g) shall apply to the filing of briefs, proposed findings of fact, and conclusions of law. ~~In addition~~Unless filed electronically pursuant to Rule R1-28, the parties shall also file a copy of their briefs, proposed findings of fact, and conclusions of law via electronic mail addressed to briefs@ncuc.net attaching editable noncompressed files in Microsoft Word or ASCII Text format. The Commission may waive the electronic filing requirement for good cause shown.

R1-28 GIVING NOTICE OR FILING PAPERS WITH THE COMMISSION BY MAIL; ELECTRONIC FILING

(a) Any notice, motion, pleading, or other document or paper may be filed with or served on the Commission by hand delivery, courier service, or United States mail, unless required by statute to be filed or served by some other agency means, but the same shall not be deemed filed or served until the day and date actually received at the office of the Commission in Raleigh. Rule R1-27 also applies to giving notice of filing papers by mail. In addition, any notice, motion, pleading, or other document may be electronically filed with the Commission using the Commission's online electronic filing system.

(b) An electronic filing may consist of one or multiple files, but all of the files in a filing must be either public or confidential and the filing so marked when made electronically. Except as provided in Section (e) below, do not file paper copies of documents that are filed electronically. Other provisions of any statute, rule, or order regarding the content and format of specific filings remain applicable.

(c) If filed electronically, post-hearing briefs, proposed findings of fact, and conclusions of law shall be filed in noncompressed editable Microsoft Word or ASCII Text format; where possible, all other documents filed electronically should also be filed in a noncompressed editable or searchable format rather than in an image file format.

(d) The typed characters representing the name of a person shall be sufficient to show that such person has signed the pleading or other document for purposes of electronic filing. Verification pages, when required, shall be printed, signed, notarized, converted to an electronic format, and included in the electronic filing as a separate file.

(e) The following documents should be filed electronically; provided, however, fifteen (15) paper copies of the entire filing must be provided to the Commission on the following business day in lieu of the number of copies required pursuant to the applicable statute, rule, or order. If such filing is made electronically on the day of or day before a hearing on the matter, the paper copies shall be provided to the Commission no later than one (1) hour prior to the scheduled start of the hearing. The failure to provide the required number of paper copies within the prescribed timeframe may result in the electronic filing being rejected and excluded from the record in that proceeding.

(1) For all Class A and B electric, telephone, natural gas, water, and sewer utilities, applications for or filings of a general increase in rates, fares, or charges for revenue purposes or to increase the rate of return on investment or to change transportation rates, fares, etc. pursuant to Rule R1-17, and all testimony and exhibits of expert witnesses filed by any party to the general rate case proceeding.

(2) For all Class A and B electric utilities, applications for changes in rates in annual rate rider proceedings pursuant to G.S. 62-133.2, 62-133.8, and 62-133.9, and Rules R8-55, R8-67, and R8-69, and all testimony and exhibits of expert witnesses filed by any party to such proceeding.

(3) For all Class A and B natural gas utilities, applications for changes in rates in annual prudency review proceedings pursuant to G.S. 62-133.4 and Rule R1-17(k), and all testimony and exhibits of expert witnesses filed by any party to such proceeding.

(4) Other documents, such as testimony and exhibits of expert witnesses, as ordered in specific proceedings.

(f) Fingerprint cards and criminal history record release forms required to be filed by applicants for certificates of exemption to transport household goods pursuant to G.S. 62-273.1 and Rule R2-8.1 may not be filed electronically, but must be filed on paper pursuant to Section (a).

(g) Both paper and electronic filings must be received by the Commission by 5:00 p.m. Eastern time to be considered to be filed on that business day. A filing may be made electronically at any time, but filings submitted after 5:00 p.m. Eastern time are considered to be filed on the next business day. A filing that does not comply with all applicable statutes, rules, or orders may be rejected, unless the filing is accompanied by a motion requesting a waiver of the applicable requirement of a rule or order and the motion is granted. If a filing is rejected, the document is deemed not to have been filed with the Commission. A filing that requires a filing fee is not considered to be filed until the fee has been submitted to the Commission.