

Section 104. Filing of Applications, Other Documents and Communications, Amendments and Determinations of Time (Except for Transportation Matters Filed Under Chapter VIII of These Rules):

(a) All applications, petitions, formal complaints, motions and other communications shall be addressed to the Commission and must designate the Commission docket number, if known, the filer's complete contact information including name, address, telephone number, email address, and the name of the party represented, if any. All filings must be accompanied by appropriate fees as required by law.

(b) No filing will be considered complete until the date on which all filings required under subsection (d) below have been completed. Additionally, if the Commission is of the opinion that any matter tendered for filing is deficient or incomplete, the Commission may decline to accept the matter as filed and shall advise the filer where the deficiency lies.

(c) The date of receipt of a filing by the Commission and not the date of deposit in the mail is the receipt or filing date for all purposes in these rules. Filings received after 5 p.m., prevailing Mountain Time, regardless of the filing method, will be considered filed on the next day upon which the Commission's offices are required to be officially open for the conduct of official business as determined in Section 102 of these Rules.

(d) All regulated utilities and telecommunications companies filing applications, petitions, motions, or formal complaints, shall file as follows:

(i) Electronically: through the Commission's docket Management System (DMS) website at <http://dms.wyo.gov>. All electronic filings and attachments shall be in a computer-readable and searchable document format as required in subsection (d)(iv). If the filer does not have Internet capability, it may make its electronic filing using only a digital electronic copy as required below in subsection (d)(iv).

(ii) Paper copies consisting of one original, three copies, and a clearly labeled digital electronic copy containing all documents in a computer-readable and searchable document format. Telecommunications companies filing interconnection agreements shall file one paper original and two paper copies, along with a digital electronic copy. All electronic filings shall be as required in subsection (d)(iv).

(iii) The Commission may require an Applicant to file additional copies of the complete application or any part thereof; and may require the Applicant to serve parties on a service list or lists that the Commission will provide and maintain, and to certify such service to the Commission.

(iv) For the purpose of making electronic filings and filing electronic copies of filings:

(A) “Computer-readable and searchable document format” shall mean the portable document format (pdf) now in general use or, with the prior permission of the Commission, any other computer readable document format then in general use and having similar properties and functionality.

(B) “Digital electronic copy” shall mean a compact disk (CD) or, with the prior permission of the Commission, any other electronic storage medium then in general use and having similar properties and functionality. All spreadsheets and other documents containing formulas, algorithms, or other functions shall be filed with all such data intact and fully functional.

(e) So far as practicable, all paper filings shall be printed or otherwise legibly reproduced, on 8 ½ by 11 inch paper with 1 inch-margins, using 10 or 12 point fonts. Electronic copies shall follow the same format. Each page considered by the filer to be confidential shall, in paper copies, be submitted on yellow paper in the form required by Section 120 of these Rules, and accompanied by a petition for confidential treatment conforming to Section 120. In electronic filings, each page considered confidential shall follow the same identification procedure, being formatted to appear yellow and bearing the word “CONFIDENTIAL” in bold font at least twice the size of the primary font in the document. Material not accompanied by a petition for confidential treatment or not clearly identified as such in accordance with Section 120 will be treated as non-confidential.

(f) All parties filing petitions, motions, formal complaints, or testimony in any docketed proceeding, including but not limited to investigations, shall file in conformance with subsections (d)(ii) and (e) above. The Commission may require the filing party to file additional copies of the complete filing or any part thereof; and may require the filing party to serve all other parties on a service list or lists that the Commission will provide and maintain, and to certify such service to the Commission.

(g) Prefiled testimony and exhibits shall be filed by Applicants and intervenors in the manner and at the time designated by the Commission by separate order. Applicants’ prefiled testimony and exhibits shall be filed in accordance with subsection (d) above. Prefiled testimony of intervenors shall be filed in accordance with subsection (d)(ii). All filings under this subsection shall conform to the format requirements of subsection (e) above, unless a different format is required in writing by the Commission.

(h) Proposed amendments to any application or pleading filed with the Commission may be allowed and shall be in the format required in subsection (e) above. The Commission may determine that the proposed amendment materially or substantially alters the initial filing to the extent that it presents a new set of facts or considerations requiring substantial reconsideration and reparation by the Commission, its staff, or any other parties, or concerning which amended filing the public or parties have not been and must be adequately noticed under the Wyoming Administrative Procedure Act. Upon such determination, the Commission will require notice be given of the amendment pursuant to Section 106 of these Rules and may in such notice order the filing date of the amendment to be the initial filing date for all purposes in that proceeding, including for the purpose of calculating the applicable rate

suspension periods. The Commission may as a result of a filed amendment reset the date of any previously scheduled public hearing. Proposed amendments that the Commission determines will impair the rights or interests of other parties or the public may be denied, set over to be considered separately, or be considered in the same case along with the Application or pleading proposed to be amended.

(i) The Commission may during any public hearing in a case permit or order any party to file at a set time after the public hearings in the case have been completed, late filed exhibits which may include any document, map, printed material or physical evidence not reasonably available for the public hearings. Such permission or order shall not be given unless all parties agree to the filing, each waives right of cross examination thereon, and each is given the opportunity to respond by written comment to the exhibit after it is filed. Any responses to a late filed exhibit shall be made part of the record in the case and be considered by the Commission along with the late filed exhibit.

(j) Applications for authority to establish or change tariffs shall be in compliance with Section 212 of the Commission's Rules; and all supporting documents filed with the Application shall be in compliance with subsections (d) and (e) of this section.

(k) Discovery-related filings.

(i) Interrogatories, requests for production or inspection, requests for admissions and the responses thereto shall not be filed routinely with the Commission. Notices of this discovery and certificates or notices of compliance shall likewise not be filed routinely with the Commission.

(ii) Any person seeking discovery-related relief from the Commission during the pendency of a case shall attach copies of the material in question to the party's motion seeking relief of the disputed or objectionable portions of the discovery or response. When the Commission should view, for example, both an interrogatory and its answer to obtain a clear picture of the dispute, copies of both should be attached to the motion.

(iii) When a discovery request or the materials furnished in response thereto are to be used in a party's case in a public hearing, those materials should be furnished to the Commission, if possible, as part of the party's prefiled case.

(iv) Discovery materials filed contrary to this rule will be discarded upon receipt by the Commission.