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07/11/00

ARKANSAS PUBLIC SERVICE COMMISSION

IN THE MATTER OF A RULEMAKING TO)
ESTABLISH ELECTRICITY PROVIDER RULES)

DOCKET NO. 00-185-R
ORDER NO. 1

ORDER

By Order No. 1 of Docket No. 99-117-A, entered on May 11, 1999, the Commission initiated an administrative docket to facilitate the implementation of Act 1556 of 1999, the “Electric Consumer Choice Act 1999” (“Act 1556”). By Order No. 1, the Commission directed the General Staff of the Arkansas Public Service Commission (“Staff”), under the direction of the Staff Executive Director, to engage in an informal collaborative process for the purpose of developing and filing: (1) a proposed Act 1556 time line reflecting all tasks that must be accomplished by the Commission and appropriate dates for the initiation and conclusion of each detailed tasks, and (2) the identification of all formal docket proceedings which should be initiated by the Commission, identified by docket style, docket designation, and purpose and scope, along with a proposed procedural schedule for each docket.

In compliance with Order No. 1, the Staff met with representatives of the jurisdictional electric companies, the Arkansas Electric Energy Consumers (“AEEC”), and the Attorney General of the State of Arkansas (“AG”). On June 10, 1999, Staff filed a *First Report and Proposed Act 1556 Timeline*. In this report it was anticipated that the timeline and docket activities would need to be updated in the future. On February 3, 2000, Staff filed a revised

Second Report and Proposed Act 1556 Timeline, (collectively, “the Reports”), based on the requirements of Act 1556 and the collaborative process.

Therein, Staff recommends the establishment of a rulemaking proceeding for the purpose of establishing rules for distribution service, reliability standards, consumer protection standards, and rules for Energy Service Providers (“ESPs”) and aggregators. The Commission hereby adopts Staff’s recommendations and initiates this docket for said purposes as provided for by Arkansas Code Annotated § 23-19-103(d), 23-19-401, and 23-19-502(c) (Supp. 1999).

The following procedural schedule is hereby established for this rulemaking proceeding.

1. Staff shall file proposed rules or regulations to govern electricity providers by 2:00 p.m., July 31, 2000.
2. Initial comments shall be filed by 2:00 p.m., September 11, 2000.
3. Reply comments shall be filed by 2:00 p.m., October 9, 2000.
4. A public hearing to consider said rules and regulations is set to begin at 9:30 a.m. on Wednesday, October 18, 2000, in Commission Hearing Room No. 1, Arkansas Public Service Commission Building, 1000 Center Street, Little Rock, Arkansas.
5. All jurisdictional electric public utilities, Staff, AEEC, and the AG are hereby granted full party status in this proceeding. All other entities desiring full party status to this proceeding shall file a Petition to Intervene pursuant to Rule 3.04 of the Commission’s *Rules of Practice and Procedure* no later than 2:00 p.m, on August 11, 2000.
6. All parties filing Initial or Reply Comments in this proceeding shall be represented by

legal counsel and have a sponsoring witness available for appropriate questioning during the public hearing to begin on October 18, 2000.

7. As requested by Staff in its Report, the Commission will endeavor to issue its final ruling in this matter on/or before December 1, 2000.

8. The Secretary of the Commission shall forthwith cause an appropriate notice of this proceeding to be published in the Arkansas Democrat-Gazette. Said notice shall be published on two (2) consecutive days prior to August 11, 2000.

9. In addition to filing a paper copy of comments or reply comments, all parties to this proceeding shall provide the Secretary of the Commission an electronic copy of their comments or reply comments. Comments or reply comments will be posted to the Commission website at <http://www.state.ar.us/psc/>.

BY ORDER OF THE COMMISSION.

This 11th day of July, 2000.

Sandra L. Hochstetter, Chairman

/s/ Sam I. Bratton, Jr.
Sam I. Bratton, Jr., Commissioner

/s/ Betty C. Dickey
Betty C. Dickey, Commissioner

/s/ Jan Sanders
Jan Sanders
Secretary of the Commission

DOCKET NO. 00-185-R
PAGE 4