

Sec. 16-50j-22a. Conduct of proceedings

(a) Procedural Conferences.

The Council may schedule a procedural conference either on its own initiative or upon written request by a party or intervenor. At such conference, the Council shall consider matters including, but not limited to:

- (1) The schedule for the proceeding;
- (2) The exchange of pre-hearing interrogatories and pre-filed testimony, exhibits, witness lists and items to be administratively noticed in the proceeding;
- (3) The location(s) of the sign(s) to be erected pursuant to Section 16-50j-21(a)(3) of the Regulations of Connecticut State Agencies; and
- (4) Any other matters that may facilitate the proceeding.

(b) Motions.

Any party or intervenor may request that the Council take any action by filing a motion which clearly states the action sought and the grounds therefor. Any motions concerning jurisdictional matters shall be made in writing and shall be considered during a regular Council meeting either prior to or after a hearing, if a hearing is held, for the convenience of the public. Motions may be filed in writing not less than 10 days before a hearing or made during a hearing, if a hearing is held. A party or intervenor may file a written response not less than 7 days before a hearing or respond orally during a hearing, if a hearing is held. If a hearing is not held, written motions shall be filed and responded to in accordance with a schedule specified by Council staff. A copy of all written motions shall be served upon the service list.

(c) Discovery.

The purpose of discovery is to provide the Council, parties and intervenors access to all relevant information in an efficient and timely manner to ensure that a complete and accurate record is compiled. Parties and intervenors may serve written information requests only during the time specified by the Council. The Council may serve written information requests on any party or intervenor to the proceeding at any time. The presiding officer may subpoena witnesses and require the production of records, physical evidence, papers and documents to any hearing held in a contested case pursuant to Section 4-177b of the Connecticut General Statutes. Responses to information requests shall be separately and fully answered under the penalties of perjury by the witness who shall testify during the hearing as to the content of the response. Objections to information requests may be submitted in lieu of a response.

(d) Protective Orders.

Pursuant to Section 16-50o and Section 16-50r of the Connecticut General Statutes, any party or intervenor may file a motion for a protective order in accordance with the filing procedures of the Council for the following types of information:

- (1) Trade secrets and commercial or financial information as described under Section 1-210(b) of the Connecticut General Statutes; or
- (2) Critical energy infrastructure information defined as specific engineering, vulnerability or detailed design information about proposed or existing critical infrastructure that:
 - (A) relates to details about the production, generation, transportation, transmission or

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distribution of energy;

(B) could be useful to a person in planning an attack on critical infrastructure;

(C) is exempt from mandatory disclosure under Section 1-210(b) of the Connecticut General Statutes; and

(D) does not simply give the general location of critical infrastructure.

(Effective September 7, 2012)