

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. M-100, SUB 143

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Amendment to Certain Rules and) ORDER PROMULGATING
Promulgation of A New Rule to Establish) COMMISSION RULE R1-21(g) FOR
Procedure for Public Witness Testimony) PUBLIC WITNESS TESTIMONY

BY THE COMMISSION: In an effort to prescribe an orderly procedure for public hearings, the Commission finds good cause to promulgate a new rule and amend certain rules in Chapter 1, Practice and Procedure, of the Commission's Rules and Regulations.

IT IS, THEREFORE, ORDERED as follows:

1. That Commission Rule R1-21(g) is adopted effective as of the date of this Order as set forth in Appendix A; and
2. That current Commission Rules R1-21(g), (h) and (i) are amended to R1-21(h), (i) and (j) effective as of the date of this order as set forth in Appendix A;

ISSUED BY ORDER OF THE COMMISSION.

This the 15th day of December, 2015.

NORTH CAROLINA UTILITIES COMMISSION



Jackie Cox, Deputy Clerk

Rule R1-21(g) is hereby adopted:

(g) Public Witness Testimony.

- (1) Witnesses must register his or her name on a sign-up sheet in the hearing room prior to his or her testimony.
- (2) After calling the hearing to order as provided in section (d), the presiding Commissioner or Examiner shall outline the procedure to be followed for testimony and shall establish hearing room decorum standards.
- (3) Witnesses will be called according to the order of registration on the sign-up sheet. The presiding Commissioner or Examiner reserves the right to re-order the witnesses in order to provide the Commission with a full spectrum of opinions and ideas.
- (4) Each witness shall state his or her name and address and the association, if any, that he or she represents at the time of his or her testimony. The presiding Commissioner or Examiner may limit the scope of the testimony to matters specified in the notice of public hearing.
- (5) To allow each witness an equal amount of time to testify or to prevent cumulative, repetitive, irrelevant or unnecessary testimony, the presiding Commissioner or Examiner may establish time limits for the presentation of testimony within his or her discretion and may limit testimony to five minutes or less per witness.

- (6) Any witness testifying may extend his or her remarks in written form, but written testimony must be submitted at the time of his or her oral testimony at the public hearing. Any witness may submit written testimony in lieu of oral testimony, but any written testimony must be submitted by the witness during the public hearing and subject to cross-examination.
- (7) Only one witness may testify at a time and shall refrain from testifying to matters not specified in the notice of public hearing. Witnesses are providing testimony to the Commission and should not address non-Commission participants in the hearing room and may not ask questions. As testimony must be recorded, the presiding Commissioner or Examiner may limit unconventional modes of testimony to ensure accuracy of the record.
- (8) To allow all witnesses to be heard and properly transcribed by the court reporter, the presiding Commissioner or Examiner shall have the right to instruct the removal of any member of the audience attempting to participate either verbally or visually during testimony. Members of the audience shall not bring signs or placards into the hearing room.
- (9) The presiding Commissioner or Examiner, at his or her discretion, may modify the rules for public witness testimony.