



# Improving Transparency in Electric Distribution System Planning to Support Affordability

## *Appendix: Procedural Information*

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# Contents

- This is an appendix to the *Supporting Engagement by Community-Based Organizations in Utility Distribution System Planning* report.
- It is focused on procedural information for individuals and organizations interested in participating in regulatory proceedings. It is broadly applicable to participating in utility planning processes, not only distribution system planning.

Topic	State Examples Included in Appendix
<a href="#">Public participation</a>	California
<a href="#">Public comment</a>	Maine, Michigan
<a href="#">Facilitation</a>	Massachusetts
<a href="#">Working groups</a>	Washington D.C., Hawaii, Minnesota, New York
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# Public Participation

# What is public participation?

**Public participation can create transparency, fairness, and accountability by incorporating diverse perspectives and values into regulatory processes and decisions.**

## **Purpose and Role**

- **Accountability:** Regulatory agencies oversee essential public services, so stakeholder involvement can enable decisions that reflect community values, not just technical priorities.
- **Transparency and Trust:** Open hearings, comment periods, and workshops make complex processes understandable and build confidence in outcomes.
- **Representation:** Public input surfaces the needs and experiences of different groups such as low-income or rural communities that might otherwise be overlooked.

## **Benefits**

- Potential opportunity to impact outcomes in regulatory proceedings.
- Surfaces local knowledge that improves policy design and implementation.
- Builds public confidence in the regulatory system and utility governance.

# California: PUC's guide on public participation

## ABOUT THE GUIDE

[Guide to Public Participation](#) published by the CPUC  
*First published in 2001*

- 1 Procedural Handbook** — Comprehensive guide helping the public understand participation in CPUC regulatory proceedings
- 2 Accessibility Focus** — Designed to make public participation easier and more understandable
- 3 Comprehensive** — Covers CPUC structure, proceeding types, filing procedures, and hearing processes

## FORMAL FILING EXAMPLES

**Data requests** (page 91)

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# Public Comment

# Why do public comments matter?

**Public comment can provide a direct way for individuals and organizations to share their perspectives and may help shape regulatory decisions.**

## **Purpose and Role**

- **Objectivity:** Public comment keeps regulatory processes open and ensures decisions reflect a broad range of stakeholder values and concerns.
- **Accessibility:** Offers anyone, from residents to business groups, a simple and open path to participation without needing formal legal standing.
- **Representation:** Public comment allows diverse voices, including those from underrepresented or impacted communities, to be heard and considered in regulatory decisionmaking.

## **Benefits**

- Creates public visibility and input into key utility decisions.
- Brings local knowledge and experience into technical or policy discussions.
- Builds trust and confidence in the fairness and integrity of the regulatory process.

# How to provide public comment

## WHERE & HOW

**Where:** Public Utilities Commission (or equivalent)

**System:** Electronic docket systems used for comment submissions

**Methods:** Online, mail, or in-person

**Finding Dockets:** Check your state's PUC website

## SCOPE

**Any Docket:** Comment on virtually any regulatory matter affecting utilities in your state

**Topics:** Rate cases, procurement, DSP, grid modernization,, DER forecasting

**Key Takeaway:** Public comments can directly influence utility decisions. Effective comments are factual, relevant, and solution-focused.

## FORMAT & IMPACT

**Respond to Dockets:** Answer specific questions or address utility filings

**Official Record:** Reviewed by Commission Staff and Commissioners

**Effectiveness:** Ground in facts, explain community impact, propose solutions

## POWER OF COMMENTS

**Public Hearings:** Required for matters like rate cases

**Shapes Decisions:** Directly influences energy policy, rates, and infrastructure investments

# Facilitation

# Why does facilitation matter?

**Facilitators guide discussion, educate stakeholders, and help drive consensus. Successful engagement relies on a skilled facilitator and the facilitation approach chosen.**

## **Purpose and Role**

- **Inclusive Dialogue:** Brings together diverse voices, from utilities and regulators to advocates and community members, to exchange ideas and identify shared priorities.
- **Conflict Resolution:** Helps manage disagreements and build consensus by focusing discussions on problem-solving rather than positional debate.
- **Efficient Collaboration:** Keeps discussions structured and productive, ensuring complex topics are addressed clearly and constructively.

## **Benefits**

- Encourages fair participation by giving all stakeholders a voice.
- Promotes mutual understanding and reduces conflict among parties.
- Leads to better-informed and more widely supported regulatory outcomes.

# Massachusetts: Grid modernization advisory council & facilitation requirement

- The Grid Modernization Advisory Council (GMAC) is a stakeholder group that reviews and advises on Massachusetts investor-owned electric distribution companies' (EDCs) Electric-Sector Modernization Plans (ESMPs), promoting transparency and engagement in the Commonwealth's grid planning. The GMAC is an 18-person Council with representatives from diverse backgrounds.
- GMAC recently issued a request for proposal to hire stakeholder engagement and facilitation experts to support the Council's work. The facilitator's primary responsibilities include developing educational materials such as factsheets, facilitating meetings and group discussions, and translating complex technical topics into accessible formats for diverse audiences.
- The facilitator will work directly with Council members and advise the Massachusetts Department of Energy Resources (DOER) on GMAC management, while maintaining a collaborative and productive environment. This includes supporting GMAC meetings and recommending action items to advance the Council's statutory activities.

Source: [DOER RFQ-ENE-2026-015 Grid Modernization Advisory Council Consulting Services Request for Quotes 10.07.25](#)

# NARUC: Facilitation example & public utility commission stakeholder engagement

- [NARUC's](#) public utility commission stakeholder engagement report is a decision-making framework exploring three common facilitation approaches that have been employed by commissions:
  - **Commission-led approach:** Commission staff often serve as facilitators
  - **Utility-led approach:** Relies on staff from the utility to convene and lead the facilitation
  - **Third party-led approach:** The commission will select a neutral organization to facilitate engagement.

Facilitation Approach	Advantages	Challenges	Examples
Commission-Led	<ul style="list-style-type: none"> <li>• Ability to utilize staff with relevant expertise</li> <li>• Well-suited when utility or third-party facilitator may engender perceptions of bias</li> </ul>	<ul style="list-style-type: none"> <li>• Potential perceptions of staff bias</li> <li>• Limits staff capacity</li> </ul>	<ul style="list-style-type: none"> <li>• Ohio PowerForward</li> <li>• Michigan MI Power Grid</li> <li>• Maryland PC44</li> <li>• Minnesota distribution system planning</li> </ul>
Utility-Led	<ul style="list-style-type: none"> <li>• Relieves staff when capacity is limited</li> <li>• Well-suited to handle complex topics</li> </ul>	<ul style="list-style-type: none"> <li>• Potential perceptions of utility bias, which may impede the ability to reach consensus</li> </ul>	<ul style="list-style-type: none"> <li>• Nevada Senate Bill 146 Investigation</li> <li>• Washington Statewide Advisory Group</li> </ul>
Third Party-Led	<ul style="list-style-type: none"> <li>• Relieves staff when capacity is limited</li> <li>• Allows for more meaningful participation from the commission</li> <li>• Contributes to transparency of the process</li> <li>• Limits perceptions of bias and increases transparency</li> </ul>	<ul style="list-style-type: none"> <li>• Facilitator may not have technical or historical background</li> <li>• Additional costs associated with hiring a third-party facilitator</li> </ul>	<ul style="list-style-type: none"> <li>• Arkansas DER dockets</li> <li>• District of Columbia MEDSIS</li> <li>• Puerto Rico Distribution Resource Plans</li> <li>• Oregon Senate Bill 978</li> <li>• Rhode Island distribution system planning</li> </ul>

Figure Source: [NARUC, 2021](#)

# Working Groups



# What is a working group? (1/2)

**Working groups can bring together experts and stakeholders to collaboratively analyze complex utility issues, build consensus, and develop practical, informed solutions.**

- **What They Cover**

- DSP working groups often focus on topics such as NWA, HCA, and grid investments.
- Sessions may occur through public meetings, technical workshops, or hearings.

- **Why They Exist**

- **Technical Expertise:** Issues like rate design and grid modernization are highly technical. Working groups convene experts from utilities, agencies, advocates, and industry to analyze data, model scenarios, and assess policy impacts.
- **Collaborative Problem-Solving:** They provide a structured space for stakeholders with diverse interests to work through technical details together.
- **Consensus Development:** Working groups often generate recommendations or frameworks that reduce conflict before formal filings, enabling more efficient and informed regulatory decisions.

## What is a working group? (2/2)

**Stakeholders can contribute to DSP working groups through written or verbal input, ensuring community perspectives are included in the public record.**

- **Verbal Input**
  - Oral comments provided during public hearings, meetings, or workshops.
  - Time-limited opportunities for impacted community members to share insights directly with the PUC.
- **Written Input**
  - Formal submissions in rulemaking or planning dockets.
  - Often submitted in response to PUC questions or technical conference discussions.
  - Useful for providing detailed perspectives, data, or concerns.
- **Benefits of Participation**
  - Enhances the quality and legitimacy of regulatory outcomes.
  - Builds trust and mutual understanding among stakeholders.
  - Speeds implementation by surfacing practical solutions and barriers early.

# District of Columbia: Working group example in modernizing the energy delivery system for increased sustainability (MEDSIS)

The District of Columbia encouraged collaboration through its [Modernizing the Energy Delivery System for Increased Sustainability](#) (MEDSIS). The MEDSIS aimed to modernize the energy delivery system through six collaborative working groups:

## WG1: Data & Information Access

Alignment on grid data sharing and transparency requirements

## WG2: Non-Wires Alternatives

Non-traditional grid investment solutions and feasibility

## WG3: Rate Design

Utility rate structures supporting grid modernization goals

## WG4: Customer Impact

Customer implications and community benefit considerations

## WG5: Microgrids

Microgrid deployment and resilience strategies

## WG6: Pilot Projects

Testing and evaluating new grid modernization approaches

## STAKEHOLDER INPUT & OUTCOMES

Working groups bring together community and business stakeholders to provide recommended actions and next steps to the DC PSC, ensuring community perspectives shape grid modernization initiatives.

# Hawaii: Working group example from integrated grid planning

## TIMELINE

**2018:** Hawaii PUC opens the Integrated Grid Planning Docket (IGP), which included the Stakeholder Technical Working Group

**2021:** [Stakeholder Technical Working Group](#) formed to increase transparency and better integrate system planning ([HPUC 2018](#))

**2024:** IGP provides opportunities for [ongoing engagement](#)

**2025:** [Second cycle underway](#)

## STAKEHOLDERS ENGAGED

Environmental advocates, industry experts, consumer advocates, city/county reps, and local advocates

## COMMUNITY ENGAGEMENT

Virtual meetings and public comment opportunities on RFP proposals and planning decisions

## STAKEHOLDER ENGAGEMENT DISCUSSION TOPICS

- **Planning:** Forecast assumptions, distribution planning, resilience
- **Economics:** Renewable costs, competition procurement, standardized contracts
- **Technical:** Solution evaluation, grid services

## KEY FEEDBACK (2025 CYCLE)

- Rising renewable costs should be in the base case assumption, not just the high-cost sensitively case ([IGP 2025 TWG meeting](#))
- Modeling assumptions and the lack of key metrics like [SAIDI](#) and [SAIFI](#) in T&D planning criterion ([IGP 2025 TWG meeting](#))t

# Minnesota: Working group example in integrated distribution plan

## OVERVIEW

Minnesota PUC convened topic-specific [working groups](#) to advance improvements ahead of the integrated distribution plan (IDP) filing scheduled for November 2025 ([E002/M-23-452](#) and [E002/M-25-142](#))

## WORKING GROUP TOPICS

- Distributed Energy Resource Management Systems (DERMS)
- Planned net loading
- Cost-benefit analysis

## TIMELINE

**2025:** Working groups conclude with stakeholder feedback incorporated

**November 2025:** IDP proceeding begins

## HOW STAKEHOLDERS PARTICIPATE

Stakeholders respond to PUC-issued questions tailored to each working group topic, providing expert input and diverse perspectives

### Example from DERMS Workshop 2 ([E002/M-23-452](#)):

- *"What are alternatives to DERMS?"*
- *"What are the specified use cases for grid DERMS, and who are the intended beneficiaries?"*

## IMPACT

Early and sustained stakeholder engagement can directly inform the proceeding, shaping Minnesota's IDP and grid modernization efforts

# New York: Developing a DSP

## THE CHALLENGES

1. Coordinating extensive stakeholder input to inform Distribution System Implementation Plan (DSIP) under Reforming the Energy Vision (REV) ([Joint Utilities \(JU\) 2017](#)).
2. Ensuring transparent and consistent hosting capacity analysis and market design discussions across utilities.

## THE APPROACH

1. The JU facilitated 9 stakeholder engagement groups and hosted two statewide webinars in 2016 to support development of the DSIP.
2. The New York PSC established the Market Design and Integration Working Group to evaluate DSP market functions and facilitate coordinated feedback from utilities and stakeholders.

## THE RESULTS

1. Produced detailed recommendations for DSP market function design and implementation to support DER optimization within distribution systems.
2. Developed a prioritized framework and reference roadmap guiding DSP market implementation across utilities.

# Formal Filings

# Examples of formal filings and submissions (1/2)

## DATA REQUESTS

Data requests are written questions or information requests exchanged between parties before a hearing. They're part of the discovery process — the stage where each side gathers information relevant to the case. Any participant in the proceeding can issue data requests to another.

If a party refuses to provide the requested information, the requesting party may ask the commission to issue a subpoena — a formal legal order requiring the release of that information.

## SUBPOENAS

A formal request from a court that requires someone to share information or appear to answer questions. It's a legal order that says a person must show up to give testimony or provide specific documents. A request for documents or records is called a subpoena duces tecum (pronounced “doo-sees tay-kum”).

## PREPARED TESTIMONY

Prepared testimony is the information or evidence a witness provides in a case. This can be written or spoken and helps explain the party's position and evidence.

Source: [CPUC 2021](#)

# Examples of formal filings and submissions (2/2)

## MOTIONS

A motion is a formal written request asking the Administrative Law Judge (ALJ) or the Commission to take a specific action in a case.

Examples include asking the judge to:

- Require another party to share information (motion to compel discovery)
- Limit what information must be shared (motion for a protective order)
- Allow more time to meet a deadline (motion for an extension of time)

## BRIEFS

A brief is a written document that summarizes a party's main arguments and evidence. Briefs help the judge or Commission understand each side's reasoning.

Because briefs are summaries, they cannot include new evidence or materials that were not already discussed during the hearing.

Templates for official documents required by the CPUC can be found [here](#).

## EX PARTE COMMUNICATION

There are special rules about how and when parties can talk to the ALJ, Commissioners, or certain Commission staff about a case:

- **Ex parte communication** means discussing the substance of a case outside the official hearing process.
- These communications are restricted in **adjudicated** (or trial-like) cases to ensure fairness.
- For other types of cases, different ex parte rules apply.

You can check the **Rules of Practice and Procedure** for details on what is allowed in each type of proceeding.

# Formal Intervention

## What is formal intervention? (1/2)

Intervening allows stakeholders to formally participate in regulatory proceedings, contributing evidence, analysis, and expert insight to shape outcomes. Intervenor participation takes the form of presenting perspectives in expert testimony, participating in hearings, submitting discovery, data, rebuttals or replies, and engaging in settlement discussions, where appropriate.

### PRE-PARTICIPATION

Planning & preparation phase

### ACTIVE

During process engagement

### CASE-BY-CASE

Docket participation support



# What is formal intervention? (2/2)

## Purpose and Role

- **Formal Representation:** Grants official standing to present testimony, file motions, and cross-examine witnesses within the proceeding.
- **Expert Contribution:** Brings technical, legal, and policy expertise from consumer advocates, environmental groups, and industry participants into the record.
- **Balanced Decision-Making:** Enables regulators to consider multiple interests and viewpoints before finalizing complex policy or rate decisions.

## Benefits

- Enables direct influence on regulatory outcomes through structured engagement.
- Strengthens analytical rigor and fairness in the decision-making process.
- Promotes accountability and legitimacy in how public utilities are regulated.

# California: Formal intervention through filing an appearance or petition to intervene

## WHAT IS AN APPEARANCE?

To become an **intervenor** (a party with legal standing), file an **appearance** or **petition to intervene**—a formal document stating your interest in the proceeding

## HOW TO FILE

- **At a prehearing conference:** File with the court reporter or Administrative Law Judge
- **If you miss it:** File a Petition to Intervene or [Motion for Party Status](#)
- **Include:** Proceeding number, introduction, and your interest
- **Need help?** Contact the Public Advisor's Office

## EXAMPLE: CALIFORNIA CPUC

### Resources:

- Formal document templates available online [here](#)
- Petition requires Certificate of Service
- Template Certificate of Service available online [here](#)

Source: [CPUC 2021](#)

## LEGAL STANDING

**After filing**, you have **legal standing** and become an **"Interested Party"** with formal rights to participate in all proceeding actions

# California: Formal intervention & your responsibilities as a party/intervenor

## 1

### MEET DEADLINES

Track filing deadlines and ensure witnesses are prepared for scheduled hearings

## 2

### STAY ENGAGED

Attend hearings, review transcripts and rulings to understand case developments

#### Need Help?

Contact the Public Advisor's Office for information and assistance throughout the process

Source: [CPUC 2021](#)



Figure Source: [CPUC](#)

## Oregon: Formal intervention & intervener funding

The Oregon PUC raises awareness of opportunities for funding by offering two types of funding to advocates participating in processes:

**Justice Funding:** Available to groups representing environmental justice communities and low-income customers. Includes case funding (up to 50% upfront) and pre-certification grants. Pre-certification grant funding is available for groups to participate in a variety of dockets and may provide all funding upfront.

**Intervenor Funding:** Available to qualified organizations representing distinct utility customer classes.

# What is intervenor compensation?

Some jurisdictions offer **intervenor compensation programs** to support public interest organizations in participating in regulatory proceedings. NARUC [2021 State Approaches to Intervenor Compensation](#) provides an overview of each state that has a program in **Table 1** of the report.

## KEY POINTS

**Availability varies by jurisdiction.** Some PUCs offer intervenor compensation, others do not. Filing procedures differ significantly.

**Action:** Inquire about rules in your jurisdiction.

## EXAMPLE: CALIFORNIA CPUC

To be eligible to file for compensation, intervenors must file a notice of intent to claim compensation within 30 days after the prehearing conference\*

Day 30

**Notice of Intent:** File within 30 days after prehearing conference

Notice

**Include:** Statement of participation plan and cost estimate

Day 60

**File Award:** File within 60 days from Commission decision

\*Further information about the CPUC Intervenor Program can be found [here](#).

# Education & Transparency

# Why does education & transparency matter?

**Education and transparency ensure that stakeholders understand regulatory processes, data, and decisions — enabling stakeholders to participate effectively.**

## **Purpose and Role**

- **Knowledge Building:** Provides clear explanations of regulatory frameworks, terminology, and timelines so participants can engage with confidence.
- **Open Information Sharing:** Makes filings, data, and decisions accessible to all stakeholders, not just technical experts.
- **Accountability and Trust:** Demonstrates that decisions are made through fair, evidence-based, and open processes.

## **Benefits**

- Builds stakeholder capacity for informed and meaningful participation.
- Fosters public confidence in regulatory fairness and integrity.
- Strengthens transparency and accountability in utility governance.

# California: Education & transparency

In 2022, the California Legislature appropriated \$30,000,000 in the Budget Act of 2022 for stakeholder capacity building

## Technical Assistance

Removes financial and capacity-based barriers to participation by invited participants in CPUC decision-making processes

## Capacity Grants

Builds CBO, Tribal, and community capacity to understand and engage with CPUC decision-making processes

## Energy Access Grants

Addresses access to and education about CPUC's Microgrid, Self-Generation, and Clean Heating programs

Source: [California Grant Program](#)

## WHY THESE GRANTS MATTER?

**Unequal access:** Complex regulatory processes exclude communities lacking time, expertise, or resources

**Policy impact:** Utility rates and clean energy decisions directly affect consumer costs and environmental outcomes

**Broader participation:** When CBOs and Tribes are funded and engaged, decisions reflect diverse community interests and values

## Key Takeaway:

Funding community participation ensures regulatory decisions benefit all stakeholders, not just industry voices

# Colorado: Education & transparency

**Colorado Public Utilities Commission** provides clear and easy access to key commission proceedings, allowing stakeholders to stay informed and participate in important regulatory matters.

## KEY PROCEEDINGS YOU CAN ENGAGE WITH:

Time of Use Rates

Electric Resource Plans & Clean  
Energy

Wildfire Mitigation Plans

Gas Infrastructure Plans

Electric Rate Cases

Gas Rate Cases

**Public Service Co (Xcel) Outages and Customer Response Example:** The Colorado PUC has hosted presentations on recent service outages in the Public Service Co territory. Staff reports provide formal investigation findings, and stakeholders can participate in proceedings through the Commission's comment portal or formal investigations. Updates are available on the [PUC's YouTube channel](#).

## Address Regulatory Complexity Through Public Education

The **Oregon Public Utility Commission** offers training to the public to help them understand commission processes and encourage participation.

### Training Topics:

- Rulemaking processes
- Public hearings
- Low-income ratemaking
- Public records requests
- Resources planning
- Recordings of previous sessions are available on their [website](#)

## WHY THE COMMISSION IS IMPORTANT?

- **Utilities regulated differently:** Rate-regulated utilities can't charge rates without Commission approval.
- **Broader impact:** Utilities have significant environmental and social impacts, so the legislature tasks PUC with policy responsibilities.
- **Stakeholder influence:** Commission decisions are eventually reflected in consumer rates.

Source: [Oregon PUC, 2022](#)

**Key Takeaway:** Public education removes participation barriers by demystifying processes. When people understand commissions, they engage more effectively in decisions affecting their energy costs.