

Procedure for closing submissions for Part 1, August 12, 13, 14, 2013

The Commissioner has determined that closing submissions with respect to the factual portion of Part 1 will proceed as follows:

1. Oral submissions with respect to Part 1 will take place on **August 12, 13, and 14**.
2. Written submissions are expected from all participants. No particular form is required, although the factum format would be acceptable. We would appreciate reference to the evidence by transcript date, page, and line number, and to the documents by exhibit and page number (not just the docnumber); that will make it easier to locate the document, since all exhibits are on the website (and documents that have not become exhibits are not in evidence and cannot be the basis of submissions or a factual finding). Please do not attach transcripts or exhibits to your submissions. Please provide submissions in both Word and .pdf format.
3. We would appreciate submissions with respect to policy recommendations as well as factual findings to be made. The process for the Commissioner to deal with policy issues has not yet been fully worked out, but it is expected that policy "roundtables" will be convened following the evidence on the factual issues in both Part 1 and 2. Recommendations now will greatly facilitate the design of those sessions, including determining the various issues to be discussed and the way in which that can best be done. It is appreciated that some refinement of the submissions may occur as the process goes forward, but we encourage all to be as fulsome as possible at this stage. The Commissioner has not yet determined the format of the roundtables, and it may well be that that process may exclude counsel. So we are interested in as much as you can give us now.
4. Submissions with respect to policy recommendations should be in a separate part of the written submission document from the portion dealing with factual findings to be made.
5. The Commissioner does not require that all participants make oral submissions. Since only three days have been set aside for oral submissions, they will be time limited. We expect that participants would take somewhere between half an hour and an hour, with the longer time being set aside for those who have more issues with which they must deal. Oral submissions are not an opportunity to read or review all of the written submissions; rather, we expect that they will be an opportunity to highlight the issues which your clients feel are particularly important to them.
6. In order that all participants and the Commissioner have an opportunity to read the submissions before the oral hearings, they must be served by **5 pm on Thursday, August 8**. Commission staff will post them on the website as soon as practicable, but given the volume this may take more than a day. Consequently, participants are required to serve all other participants, as well as Commission counsel, electronically.

7. **At the time of serving the written submissions**, all participants are required to advise, in writing, whether they wish to make oral submissions, how long they anticipate they will require, and their preferred place in the order of submissions. If all participants could agree on these matters, it would be much appreciated. If not, the Commissioner will decide. No participant will be allocated more than an hour to make oral submissions.
8. There will be no filing of "reply" or responding written submissions. While the oral submissions may be an opportunity to deal with matters raised by other participants in their written submissions which affect a particular participant, we do not expect that participants will raise new matters in their oral submissions, other than in order to respond to new or unanticipated issues raised by other participants, that were not raised in their written submissions.