

**FLINT EMC IJA/PURPA HEARING
TUESDAY, MAY 16, 2023
PROCEDURAL RULES**

INTERVENTION/LIMITED APPEARANCE STATEMENT:

Any Flint EMC member wanting to intervene in the IJA/PURPA hearing process shall pre-register by filling out the attached Notice of Intervention form and returning it to:

Billy Jerles, Counsel for Flint Electric Membership Corporation, dba, Flint Energies at Daniel, Lawson, Tuggle & Jerles Attorneys, 912 Main Street, P.O. Box 89, Perry, GA 31069 (478) 987-2622 by **5 PM ET on March 31, 2023.**

All intervenors and parties to the hearing must pre-file, in writing, all testimony and evidence with

Billy Jerles, Counsel for Flint Electric Membership Corporation, dba, Flint Energies at Daniel, Lawson, Tuggle & Jerles Attorneys, 912 Main Street, P.O. Box 89, Perry, GA 31069 (478) 987-2622 by **5 PM ET on May 10, 2023.**

Members failing to submit a Notice of Intervention before the above stated deadline or who fail to pre-file their testimony and evidence would not be permitted to intervene as formal parties at the hearing. Intervenors with the same or similar interests are encouraged to have a common representative participate in the hearing process.

Any Flint EMC member wishing to only make a statement pertaining to the standards considered at the hearing may do so in writing or by attendance at the hearing. Those members making a statement at the hearing are required to sign in to make a Limited Appearance Statement. Such limited appearance participants shall not be allowed to present testimony or evidence or to cross-examine other participants and intervenors. Subject to the time limits prescribed by these rules or the hearing officer, limited appearance participants will only be allowed to make a time restricted statement pertaining to the standards considered at the hearing.

COMPENSATION:

If a Flint EMC member who pre-registers as an intervenor:

- (1) Substantially contributes to the approval, in whole or in part, of a position advocated by such member pertaining to the two standards considered at the hearing, AND
- (2) That member's advocacy substantially contributes to the adoption of the position advanced, that member may be entitled to compensation for his or her costs of participation or intervention if at a preliminary hearing before the Flint EMC Board of Directors, to be held on or before **5 PM ET on May 1, 2023,** said member can demonstrate,
 - (A) That the member would suffer significant financial hardship but for the compensation;
 - (B) That the member would be unable to participate effectively without the compensation;
 - (C) That the member represents an interest that is not adequately represented by any other party or intervenor;
 - (D) That the member represents an interest that is necessary for a fair determination; and
 - (E) That the member's intervention will not result in similar interests being represented by multiple parties.

If the Flint EMC Board of Directors determines that the member is entitled to compensation, it will also determine the amount of such fees and costs, and include the award of such fees in its final determination resulting from the hearing process.

DISCOVERY:

All registered intervenors may have access to the same information available to the other parties to the hearing, including Flint EMC, so long as the sought after information is not privileged, and the intervenor makes a written request for the information following the same format and requirements as set forth in O.C.G.A. §§ 9-11-33 and 9-11-34 as they pertain to written interrogatories and written requests for the production of documents. The deadline to submit discovery requests is **5 PM ET on April 17, 2023** and any discovery request made after the deadline will not receive a response.

HEARING:

A Hearing Officer will administer the hearing and all testimony shall be taken down by a certified Court Reporter. To the nearest extent possible, the Hearing Officer shall conduct the hearing as follows:

- I. Call to order by Hearing Officer
- II. Brief opening statements by Flint Staff and/or their consultants and pre-registered Intervenors (restricted to three (3) minutes per standard considered)
- III. Presentation of testimony and evidence for each of the two standards to be taken one at a time
 - a. Flint Staff and/or their consultants to present first rebuttal to pre-filed testimony with cross examination from intervenors allowed,
 - b. Intervenors to present Rebuttal to pre-filed testimony with cross examination by Flint and/or their consultants,
 - c. Questions to any presenter from Flint EMC Board of Directors are allowed,
 - d. Depending on the number of intervenors at the hearing, the time allowed for presentation of rebuttal testimony and evidence may be limited, but no party shall have less than five (5) minutes for presentation.
- IV. Limited Appearance Statements taken. Depending on the number of limited appearance participants, the time allowed for statements may be limited, but no limited appearance participant shall have less than two (2) minutes for presentation,
- V. Admission of documentary evidence
- VI. Final statements by Flint Staff, Flint's consultants, and Intervenors (restricted in time to two (2) minutes per standard considered)
- VII. Adjournment for deliberation by Flint EMC Board of Directors

The sole purpose of providing this model agenda is to allow for the fair and orderly presentation of information at the hearing. To achieve this purpose, this model agenda may be amended, changed or completely disregarded at any time, at the sole discretion of the Hearing Officer.

Anyone participating in the hearing is expected to conduct themselves with proper decorum at all times. At the sole discretion of the hearing officer, anyone not conducting himself or herself properly will be immediately removed from the hearing place.

The hearing may be continued from day to day, if necessary.

NOTICE OF INTERVENTION

The undersigned member of Flint EMC does hereby give notice of Intervention in the Flint EMC IJJA/PURPA Hearing to be held on **Tuesday, May 16, 2023** upon the following Hearing issues:

(Please mark all that apply)

_____ Demand Response

_____ Electric Vehicle Charging

By execution below, the undersigned acknowledges notice of the Rules and Procedure for participation at the hearing.

This _____ day of _____, 2023.

Intervenor

Service Address