

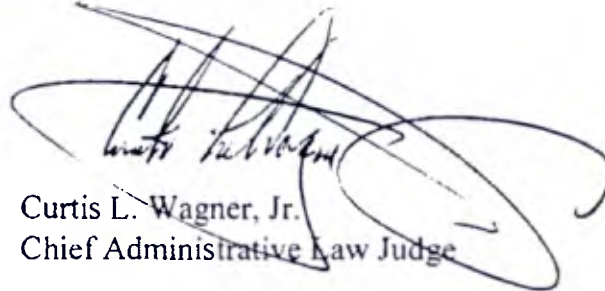
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NOTICE TO THE PUBLIC

TIME STANDARDS FOR DISCOVERY

(December 8, 1999)

Effective immediately the attached time standards for discovery will be in effect. Discovery time standards are intended to align discovery process time frames with the new procedural time standards for hearing cases. In some instances, particularly Track One proceedings, shorter periods for discovery events may be required. In other cases, there may be good reason for providing more time for these discovery events. In either case, the presiding judge will have the discretion to adjust these time frames as required to meet the needs of the case. For your convenience the attached discovery time standards are being placed in the Office of Administrative Law Judges' web site and can be found at: <http://www.ferc.fed.us/alj/discov~1.pdf>.



Curtis L. Wagner, Jr.
Chief Administrative Law Judge

9912090151-4

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OFFICE OF ADMINISTRATIVE LAW JUDGES**TIME STANDARDS FOR DISCOVERY****(Effective December 8, 1999)**

1. Discovery shall begin immediately and shall take place on a **rolling** schedule, with parties required to make their best efforts to respond fully within **10 business days** from date of service of the discovery request.
2. If the recipient of the discovery request is unable to respond fully within the designated period, the recipient must notify the requesting party within **5 business days** of the date of service of the request, providing an explanatory statement and a date when the request will be answered.
3. **Objections to discovery** requests must be made within **5 business days** of the date of service of the discovery request.
4. Parties are expected to attempt to resolve discovery disputes among themselves.
5. **Motions to compel** shall be filed within **5 business days** of the date of service of the objections. Such motions should include only: (i) a short statement supporting the motion, which identifies the issues and the movant's position, (ii) a copy of the pertinent data requests and the written objections to production; and (iii) a statement explaining the efforts made to resolve the dispute.
6. **Oral argument** (if required) will be scheduled to be held within **7 business days** of the receipt of the motion to compel. The time period provided in the rules of practice and procedure for **answers to motions** will be shortened so that answers (unless waived) will be due **5 business days** after the motion is filed, or, if oral argument is set, **2 business days** before the oral argument.
7. Discovery shall be completed no less than **5 business days** before the date set for hearing.