

3500 APPLICABILITY

3500.1 Pursuant to D.C. Code §§ 34–1127, 34–909, 34–501 *et seq.*, and 34–2002, this Chapter creates an expedited review procedure that shall apply to applications by entities regulated by the Commission for authority to issue stock or evidences of indebtedness that are payable in more than one year.

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

3501 EXPEDITED REVIEW PROCESS

- 3501.1 An application for authority to issue stock or evidences of indebtedness that are payable in more than one year shall be approved by the Commission within thirty (30) days after the publication date in the Commission's docket, provided that: (1) no objection is filed within thirty (30) days after the publication date; and (2) the Commission does not order additional time for review of the application.
- 3501.2 An applicant wishing to have an application reviewed under this Chapter shall file an application electronically (and any information supporting the application) with the Office of the Commission Secretary. The application shall clearly state that the applicant seeks expedited review under this Chapter. The applicant shall also serve a copy of the application on the Office of the People's Counsel on the date the application is filed.
- 3501.3 Any party objecting to the expedited handling of the application shall file an objection, in writing, with the Commission within thirty (30) days of the publication date. The objection shall clearly state the reasons for which the application should not be handled through the expedited procedure. A copy of the objection shall be served on the applicant and the Office of the People's Counsel.
- 3501.4 Responses to objections shall be filed with the Commission within thirty-five (35) days of the publication date. A copy of the response shall be served on the objecting party and the Office of the People's Counsel.
- 3501.5 When an objection to an application is filed, the Commission shall determine within fifteen (15) days after the period for filing an objection has expired whether to handle the application through the expedited procedure. The Commission may grant an objection if the objection is clearly supported by substantive reasons for which the application should not be reviewed through the expedited procedure. Where an objection is granted, the application shall not be handled through the expedited procedure and shall be considered by the Commission following such additional comment and hearing period that the Commission deems appropriate. The Commission Order granting the objection shall state the reasons for which the application shall not be handled through this Chapter. Where an objection is denied, the Commission may approve the application by Order.
- 3501.6 When no objection to an application is filed, the Commission may on its own initiative determine that additional time is needed to review the application. Such a determination must be made no later than thirty (30) days after the publication date and must state the reasons for which the application shall not be handled through this Chapter.

- 3501.7 If the Commission approves an application for authority to issue stocks or evidences of indebtedness, the approval will become effective upon issuance of a Commission order.
- 3501.8 If no objection to the application is filed and if the Commission takes no action on the application within forty (40) days after the publication date, then the issuance of stock or evidences of indebtedness is deemed approved. An applicant whose application for authority to issue stock or evidences of indebtedness has been approved pursuant to this section may petition the Commission for a certificate if required by D.C. Code § 34–501 *et seq.*
- 3501.9 Applications for changes in base rates submitted pursuant to D.C. Code § 34-901 and 15 DCMR § 200 *et seq.* may not be reviewed under the expedited procedures contained in this Chapter.
- 3501.10 Pursuant to D.C. Code § 34–2002, applications filed by competitive local exchange carriers for issuance of stock or evidences of indebtedness shall be presumed just and reasonable and deemed approved upon filing with the Commission.

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

**3502 ADDITIONAL PROCEDURES FOR ISSUANCE OF STOCK
OR EVIDENCES OF INDEBTEDNESS**

- 3502.1 Each application shall specify the type, number, and dollar amount of the proposed stock or evidences of indebtedness to be authorized and shall indicate the purpose(s) to which the resulting proceeds shall be applied.
- 3502.2 Each application shall be accompanied by a draft certificate of authority, if required by D.C. Code § 34–501 *et seq.*
- 3502.3 Any Order issued by the Commission approving an application for issuance of stock or evidences of indebtedness shall be accompanied by a certificate if required by D.C. Code § 34–501 *et seq.*
- 3502.4 Any certificate issued by the Commission granting authority to issue stock or evidences of indebtedness shall specify that the grant of authority is valid for a period of three (3) years.
- 3502.5 A prior certificate of financing authority that has not yet expired shall be deemed revoked upon approval of a new application for authority to issue stock or evidences of indebtedness.

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

3503 [REPEALED]

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 47 DCR 9890 (December 15, 2000); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

3504 [REPEALED]

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 67 DCR 11091 (September 18, 2020); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

3505 [RESERVED]

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

3598 WAIVER

3598.1 The Commission may upon request, or on its own initiative after notice to the parties of its intention to do so, waive any provision of this chapter for good cause.

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 67 DCR 11091 (September 18, 2020); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

3599 **DEFINITIONS**

"Applicant" means entity regulated by the Commission that applies for authority to issue or amend tariffs or issue stocks or other evidences of indebtedness that are payable in more than one year pursuant to this Chapter.

"Application" means the application for authority to issue or amend tariffs or issue stocks or other evidence of indebtedness filed pursuant to this Chapter.

"Application filing date" means the date upon which an application for review of tariff issuance or amendment or issuance of stock or evidences of indebtedness is filed with the Commission.

"Commission" means the Public Service Commission of the District of Columbia.

"Days" means calendar days, unless otherwise indicated in specific sections.

"Objection" means the written statement filed to oppose the use of this Chapter to review an application.

"Party" means an individual, corporation, partnership, or association.

"Publication date" means the date the application is published in the D.C. Register.

SOURCE: Final Rulemaking published at 47 DCR 8202 (October 13, 2000); as amended by Final Rulemaking published at 72 DCR 008215 (July 25, 2025).