

4900 APPLICABILITY

4900.1 **Application.** This chapter provides rules governing public utility tariff applications and filings in the District of Columbia. This chapter shall not apply to the tariff filings of non-utility energy suppliers and competitive local exchange carriers.

Purpose. These rules provide uniform filing requirements for public utility tariff filings in the District of Columbia.

SOURCE: Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

4901 TARIFF APPLICATIONS

- 4901.1 A tariff application submitted under this Chapter shall include the application and any information supporting the application and shall be filed electronically with the Office of the Commission Secretary.
- 4901.2 A public utility submitting an application for approval of a new tariff or tariff amendment, except that which is a compliance tariff, must also submit a proposed draft notice of proposed tariff and a proposed draft notice of final tariff for the proposed tariff or tariff amendment. The notice shall include the following details:
- (a) A concise summary of the proposed tariff or tariff amendment;
 - (b) The effective date of the proposed tariff or tariff amendment;
 - (c) A clear explanation of how the proposed tariff or tariff amendment impacts customers, rates, or services;
 - (d) The affected tariff page(s) and amended tariff page(s);
 - (e) Provide interested persons the opportunity to comment for a period of at least thirty (30) days and include a possible reply comment period, per Commission discretion; and
 - (f) Any relevant supporting documentation and work papers.
- 4901.3 The proposed draft notices shall be submitted simultaneously with the proposed tariff or tariff amendment filing.
- 4901.4 Failure of the applicant to submit the proposed draft notices may result in the delayed review of the proposed tariff or tariff amendment and a delay in the approval process as determined by the Commission.
- 4901.5 The Commission shall submit the notice of proposed tariff to the District of Columbia Office of Documents within fourteen (14) days of the application filing date to be published in the *District of Columbia Register*.
- 4901.6 An application from a utility for authority to issue or amend tariffs shall be approved or denied by the Commission following the expiration of the thirty (30) day comment period of the notice of proposed tariff's publication date in the *District of Columbia Register*, provided that: (1) no objection is filed within thirty (30) days after the publication date; and (2) the Commission does not suspend consideration of the tariff or tariff amendment for further review of the application.

- 4901.7 Any person objecting to the application shall file an objection, in writing, with the Commission within thirty (30) days of the proposed tariff publication date. The objection shall clearly state the reasons for objection to the proposed tariff. A copy of the objection shall be served on the applicant and the Office of the People’s Counsel.
- 4901.8 Responses to objections shall be filed with the Commission within forty-five (45) days of the publication date of the proposed tariff. A copy of the response shall be served on the objecting party and the Office of the People’s Counsel.
- 4901.9 If an objection to a proposed tariff is filed, the Commission may grant an objection if it is supported by substantive reasons for denial. The grant of an objection to a tariff application shall be made by Commission order.
- 4901.10 When no objection to a tariff application is filed, the Commission may on its own initiative determine that additional time is needed to review the tariff application. Such a determination must be made no later than thirty (30) days after the publication date.
- 4901.11 If the Commission approves an application to issue new or amended tariffs, the approval will become effective upon publication of a notice of final tariff reflecting this approval in the *District of Columbia Register*.
- 4901.12 If no objection to a tariff application is filed and if the Commission takes no action on the tariff application within forty (40) days following its filing date with the Commission, then the tariff issuance or amendment is deemed approved. Upon the expiration of this 40-day period, the Commission shall submit a notice of final tariff to the *District of Columbia Register*, making the tariff application effective.
- 4901.13 Applications for changes in base rates submitted pursuant to D.C. Code § 34–301 and 15 DCMR § 200 *et seq.* may not be reviewed under procedures contained in this Chapter.
- 4901.14 Applications for new or amended services offered by the incumbent local exchange carrier pursuant to the Price Cap Plan approved in Order No. 15071 shall be governed by the procedures in the Price Cap Plan. Applications for amendments to tariffs for services not included in the Price Cap Plan shall be subject to Subsections 4901.1 – 4901.12.
- 4901.15 Pursuant to D.C. Code § 34–2002, applications filed by competitive local exchange carriers for tariffs relating to tolls, charges, rate structure, terms and conditions of service, rate base, rate of return, operating margin, earnings, or cost of service shall be presumed just and reasonable and deemed approved upon filing with the Commission. However, the

Commission reserves the right to review competitive local exchange carrier tariff applications after filing and approval to determine whether the applications pertain to competitive local exchange carrier interconnection, Universal Service Fund subsidies, or quality of service. If the Commission determines that new tariff or tariff amendment application filed by a competitive local exchange carrier pertains to competitive local exchange carrier interconnection, Universal Service Fund subsidies, or quality of service, the Commission may submit the application for publication in the *District of Columbia Register*, indicating that the application shall be reviewed pursuant to this Chapter.

SOURCE: Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

4902 COMPLIANCE TARIFF FILING REQUIREMENTS

- 4902.1 Compliance filings affecting existing rates shall be filed with the Secretary of the Commission, the Office of the People’s Counsel, and each intervenor.
- 4902.2 Service on parties shall be on the same day the compliance filing is made with the Commission.
- 4902.3 The public utility shall file its compliance filing within ten (10) calendar days after issuance of the Commission final rate Order. The filing shall include all worksheets.
- 4902.4 Parties shall have five (5) calendar days to review and comment on the compliance filing.
- 4902.5 The Commission shall have ten (10) calendar days after the compliance filing to review the compliance filing and any party comments.
- 4902.6 In the event of a compliance filing error, the Public Utility shall refile its updated compliance filing together with updated worksheets within ten (10) calendar days after notification of the error.
- 4902.7 Parties shall have five (5) calendar days to review and comment on the updated compliance filing.
- 4902.8 The Commission shall have ten (10) calendar days to review the updated compliance filing and any party comments on general base rate cases.
- 4902.9 The Commission shall have thirty (30) calendar days to review the updated compliance filing and any party comments on multi-year rate plan cases.
- 4902.10 The rates contained in the compliance filing shall be effective on the eleventh (11th) calendar day after the filing of the compliance filing unless the Commission directs otherwise.
- 4902.11 The Commission shall not entertain motions for enlargement of time within which to comment on compliance filings except upon a clear showing of extraordinary circumstances.

SOURCE: Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

**4903 ADDITIONAL PROCEDURES FOR TARIFF ISSUANCE
OR AMENDMENT**

- 4903.1 When an application to issue or amend a tariff involves a change in conditions or services such that the applicant is required to notify its ratepayers of the change pursuant to D.C. Code § 34–909, such notice shall be sent no later than the next billing period following the application filing date. The application shall include a statement certifying that this notice was or will be sent by the end of the next billing period following the application filing date, identifying the date(s) the notice was or will be sent.

SOURCE: Final Rulemaking published at 72 DCR 008215 (July 25, 2025).

4998 WAIVER

- 4998.1 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 72 DCR 008215 (July 25, 2025).

4999 DEFINITIONS

Applicant – means entity regulated by the Commission that applies for authority to issue or amend tariffs pursuant to this Chapter.

Application – means the application for authority to issue or amend tariffs 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.

Competitive local exchange carrier – means a provider of telecommunications service that was not an incumbent local exchange carrier on January 31, 1996, but that is now certificated to provide local exchange service within the District.

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

Incumbent local exchange carrier – means, with respect to an area, the local exchange carrier that provided local exchange service in such an area on the date of enactment of the federal Telecommunications Act of 1996 (P.L. 104-104).

Local exchange carrier – means any person or entity that is engaged in the provision of telephone exchange service or exchange access. The term does not include a person or entity insofar as the person or entity is engaged in the provision of commercial mobile service.

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 *District of Columbia Register*.

SOURCE: Final Rulemaking published at 72 DCR 008215 (July 25, 2025).