New York State Department of Public Service Commission

Document & Matter Management
Filer Training Manual

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Basic Terminology

Matter: The term Matter refers to an issue or a set of related issues, the outcome of which is properly influenced or decided by the Department. Any work done, any information submitted or gathered, and any records prepared within the Department related to a matter are part of it, including the Department's response. Matters typically have a start date and an end date. Ongoing regulatory activities of an Office can be included as a matter by breaking the activity into periods, such as months or calendar quarters.

In DMM each Matter has a unique Matter Number, which is in the following format:

YY-XXXXX

YY are the last two digits of the year the Matter was created.
XXXXX is a sequence number.

All Matters have a Matter Number.

Case: The term Case is a type of Matter which is intended to go before the Commission or which someone wishes to designate as a case. Cases have definite activities, called workflows, and schedules that are associated with actions being taken by the Commission at a public meeting.

In DMM each Case has a Matter Number and a Case Number. Case numbers have the following format:

YY-A-XXXX

YY are the last two digits of the year the Case was created.

A is a single alphabetic character for the Industry Affected. Industries are as follows:

C – Communications	S - Steam
E – Electric	T – Transmission
G – Gas	V – Cable
M – Multiple Industries	W - Water

XXXX is a sequence number.

Matter Numbers and Case Numbers are not necessarily the same. Either may be used to retrieve Matter/Case information. Case Numbers will be used in preference to Matter Numbers by the general public, due to the action by the Commission.

Authentication:

DPS is using the statewide Directory Services run by the Office of Information Technology Services (OITS). This allows anyone to have a single login for supported New York State Information Systems. It also provides certain functions, such as password changes and resets, as well as delegated administration of accounts. We expect in the future to use the capability to allow Companies/Organizations to identify who can file on their behalf.

You can obtain a User Account from OITS as shown on Appendix 2. Please use the same User ID you provided us on your Contact Form. After you establish a login and password, and submitted your contact form to secretary@dps.ny.gov, we will entitle you to submit filing to us electronically.

Business Rule:

In making a filing for a new Matter/Case, the Industry Affected, Matter Type and Matter Subtype for a Matter/Case is used as a key to finding the correct Business Rule.
For each Business Rule there are determinations that a Matter:

- Requires Commission action, i.e., a Case
- Requires SAPA Notices and Hearings
- Has automatic approval and closure

Business Rules also establish the routing of the Matter to the Offices.

Guidelines:

The Secretary of the Commission has established specific guidelines for the filing of documents that will apply until the draft regulations are adopted. After adoption of the regulations, these guidelines will supplement and clarify expectations for all parties filing with the Secretary.
These particular guidelines are not intended to be permanent; as technological processes and capacities change, so too will the guidelines. The guidelines may be found at
http://www.dps.ny.gov/filingguidelines.html

Registration:

This is the process used to establish your identity and your role as a filer on behalf of yourself or your organization. There are three steps to the registration process:
1) You must obtain a User Account from OITS as shown on Appendix 2. The address for Directory Services registration is https://my.ny.gov/sreg/SelfReg?APP=nyappdpssr.
Please fill out the form with at least the required data items and Address, City, Sate, Zip Code, Telephone Number. The required items are indicated by an asterisk.

2) Once you get your account and User ID, you should complete and email your Contact Form to secretary@dps.ny.gov. The document is shown in Appendix 2.

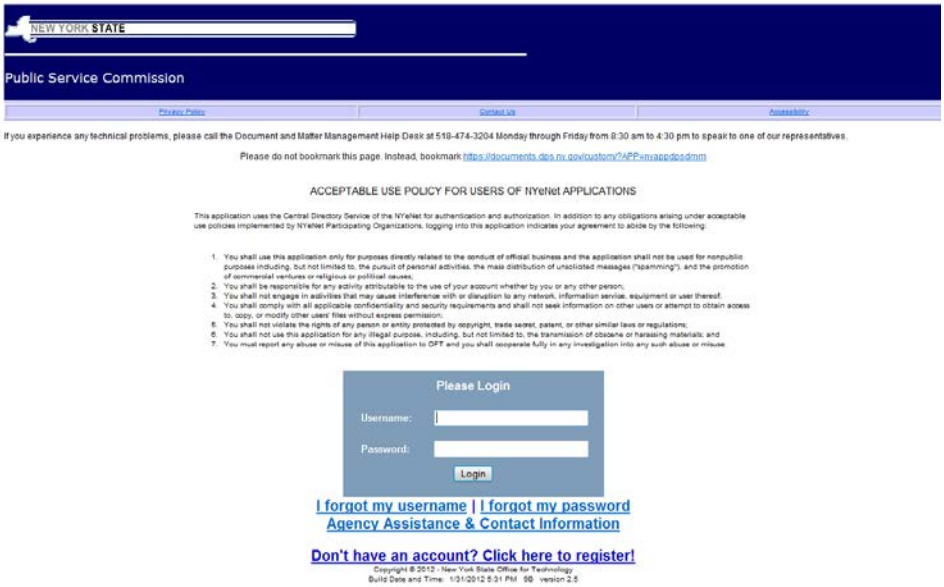
3) After receipt and review of the document we will

- Entitle you to submit filings to us electronically
- Send you a confirming e-mail notification

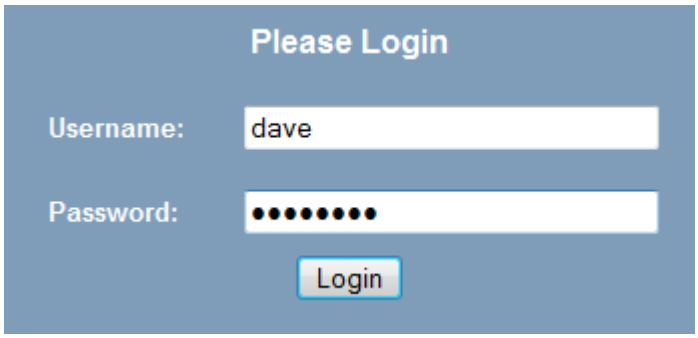
Matter Filing

This document will illustrate how to submit a filing through our Electronic Filing system. Start Internet Explorer and open the following address: https://documents.dps.ny.gov/custom/?APP=nyappdpsdmm

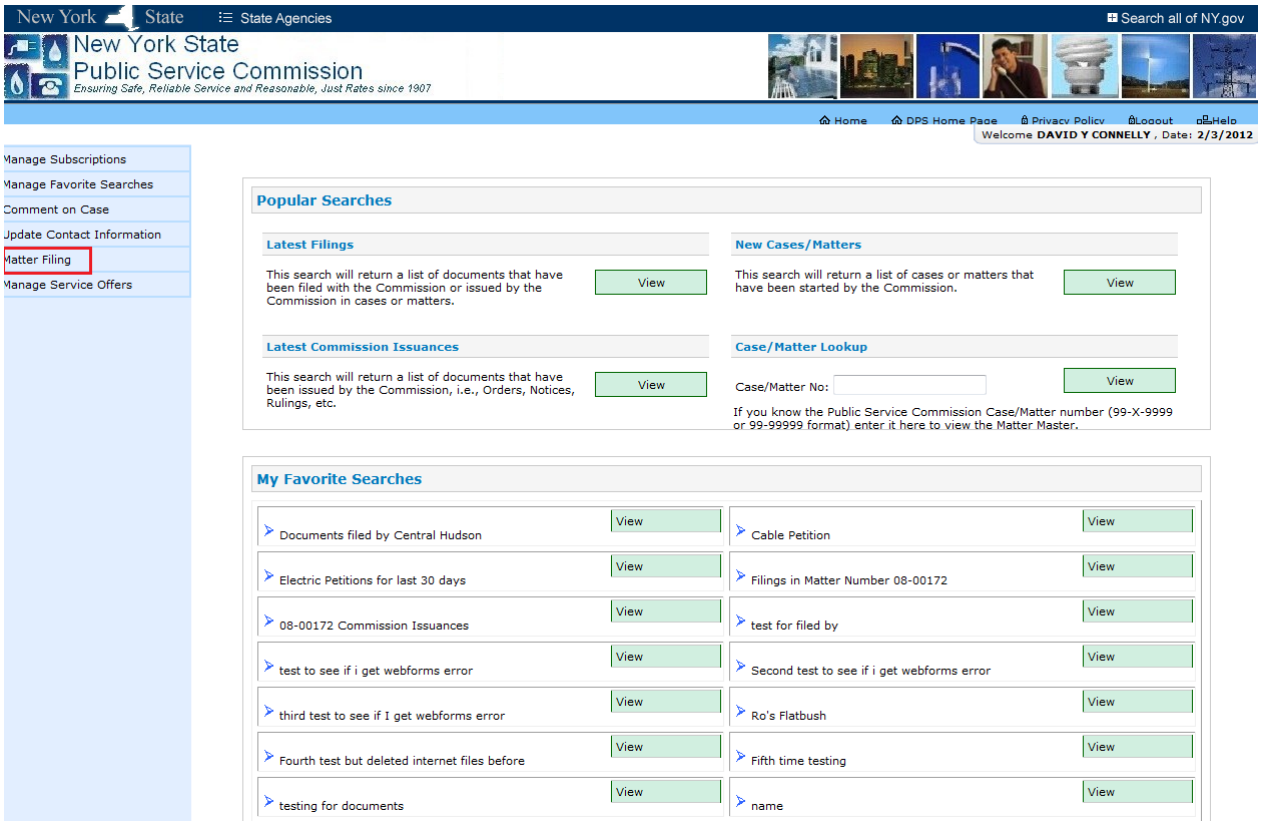
The following screen appears:



This is the OITS Authentication Page. Enter your User ID and password, and click on the "Login" button.



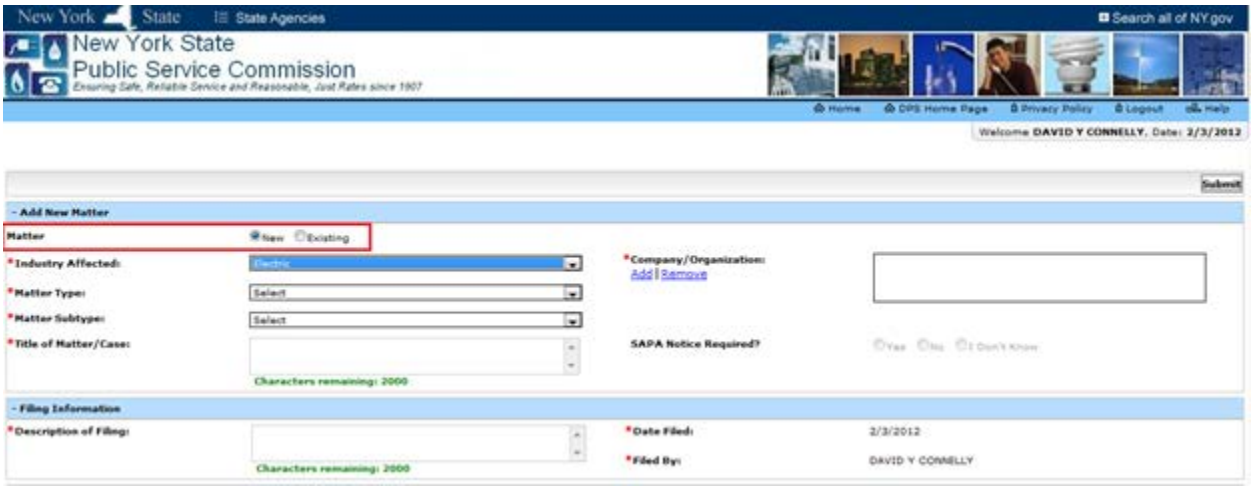
If successful, you should see the Home Screen for making a filing in a Matter.



To make a filing, click on the “Matter Filing” button on the left side of the screen.

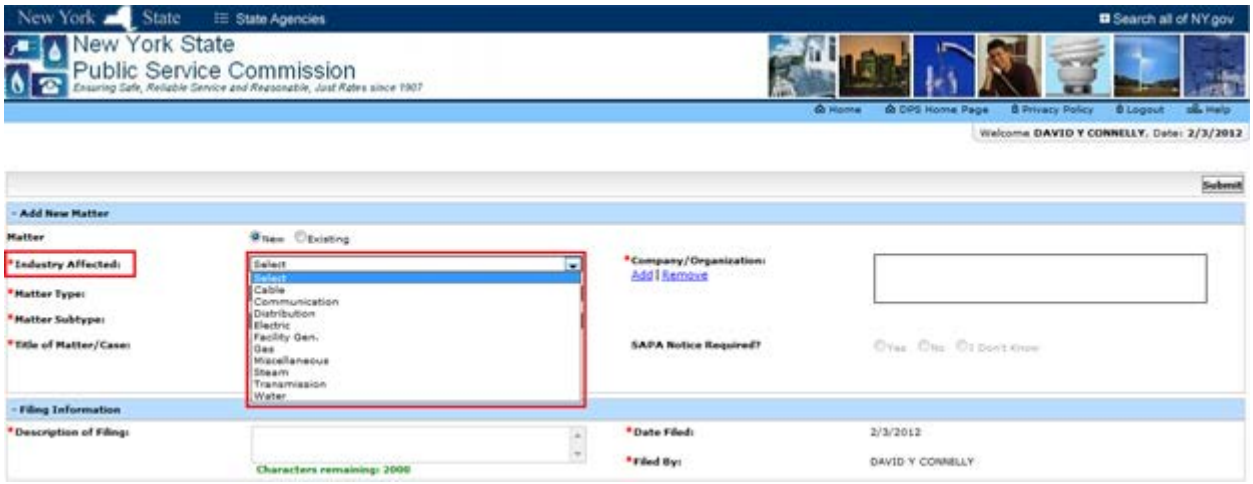
Matter Filing Screen

First, select whether this is a filing in a new Matter/Case, or an existing Matter/Case.

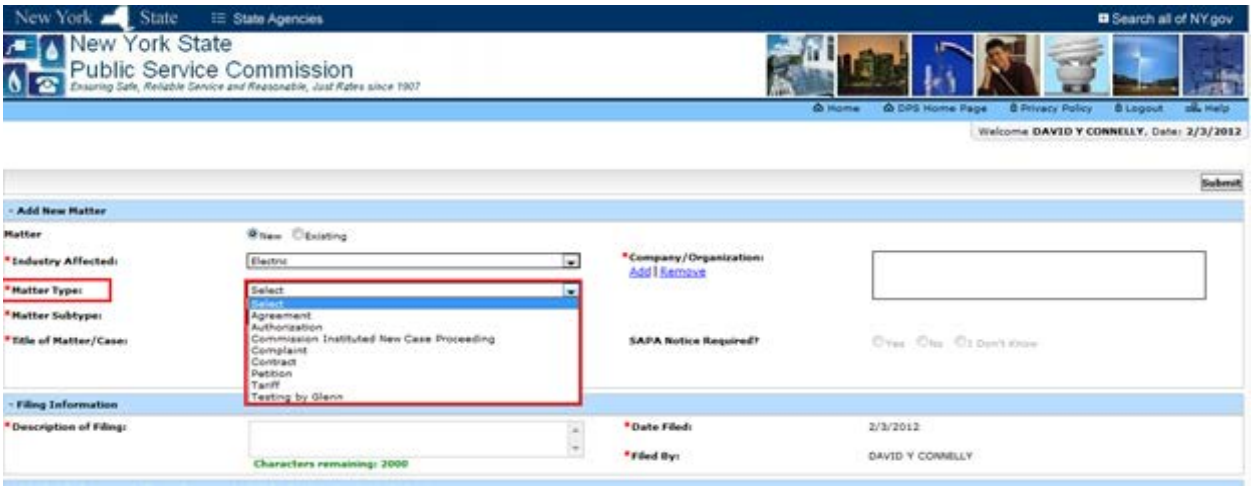


If it is an existing matter, you will only be asked for the Matter/Case Number, and will not have to fill in the rest of the Matter/Case information.

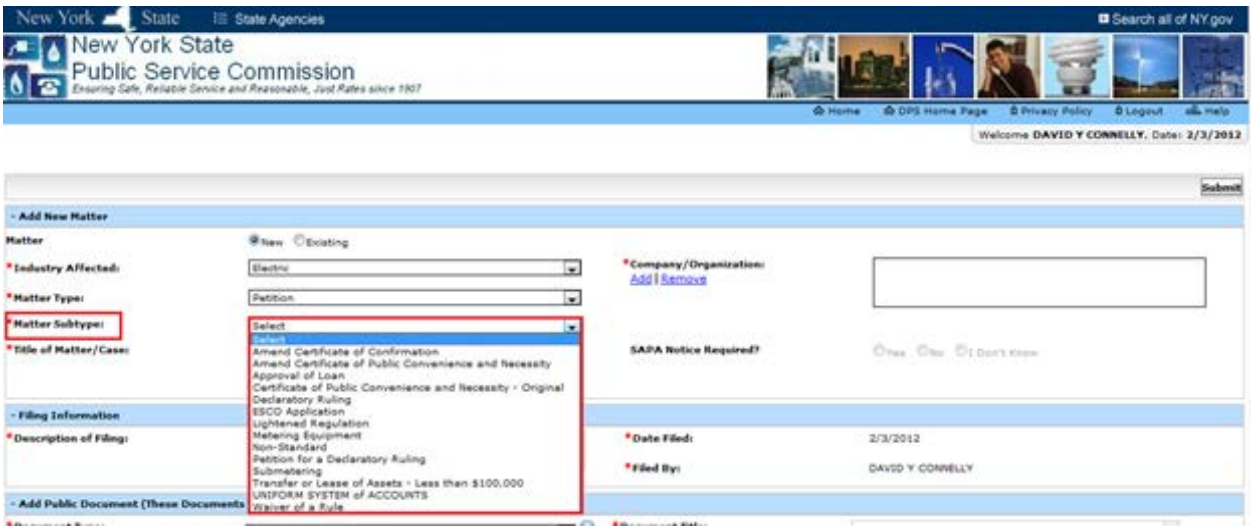
In this example, we will be making a filing that will create a New Matter/Case.
Select the Industry Affected from the drop-down box.



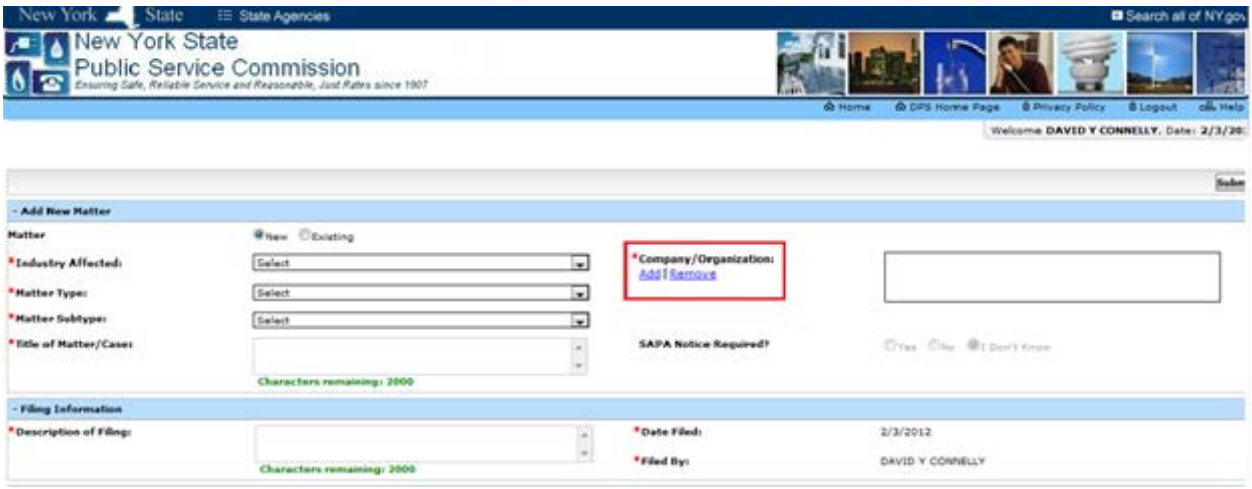
Select the Matter Type from the first drop-down box.

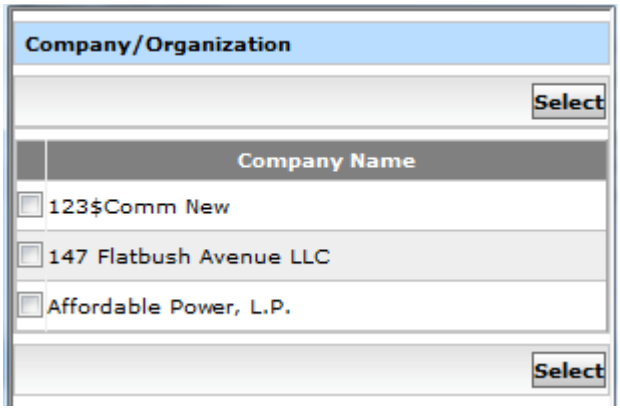


Now, select a Matter Subtype from the next drop-down box.



Next, click on the “Add” link under “Company/Organization”. A “Company/Organization” window will pop-up, offering a list of companies that you represent.

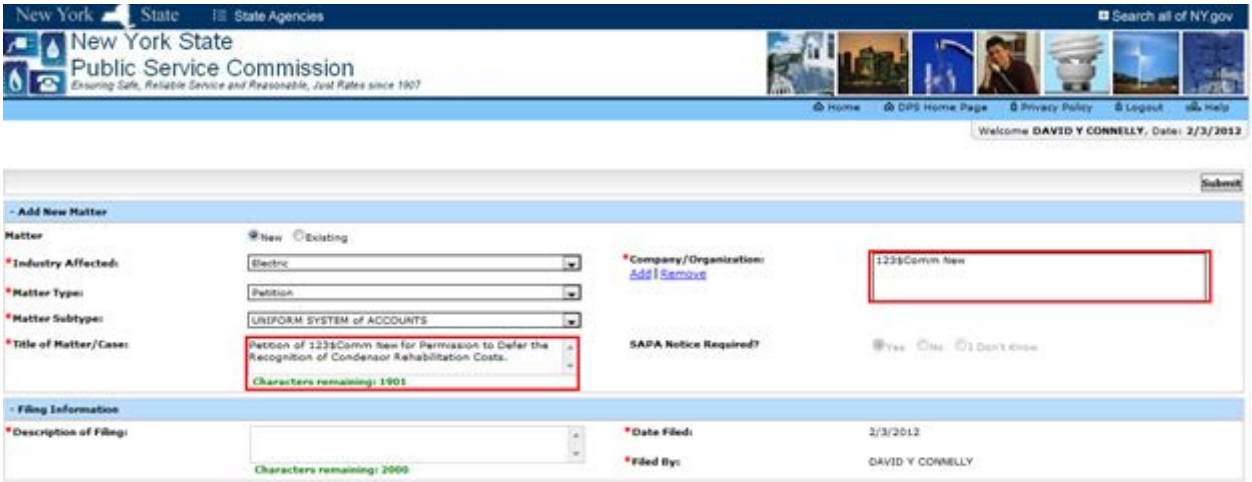




You should provide us with a list of companies that you represent. If you need a company added for a filing, let the DMM Help Desk (518 474-3204) know before you make your filing.

Select the checkbox for the Company/Organization you are filing for, and click on the “Select” button.

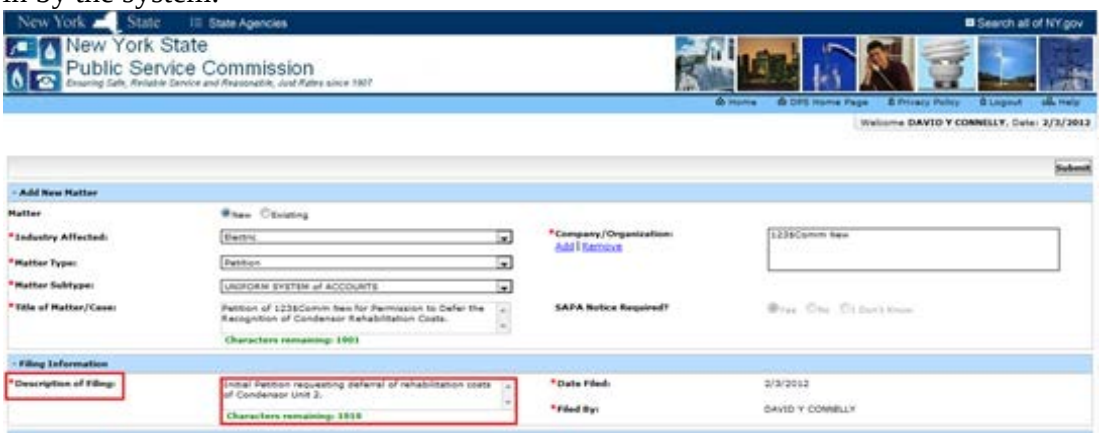
The “Company/Organization” box will show the selected company. Multiple companies may be included in a filing. DMM will create a default title for the case based on your selections. The suggested title can be edited, but must be approved by DPS.



The "SAPA Notice Required" selection is grayed out, and will be determined by the Matter rules and Lead Staff in the Matter.

Completion of the "Add New Matter" block sets up a Matter/Case. A Matter/Case will not be created until reviewed by DPS. The following screen is used to describe the filing.

In the "Description of Filing:" box, type in a description of your filing. The "Date Filed" and "Filed By" boxes will be filled in by the system.



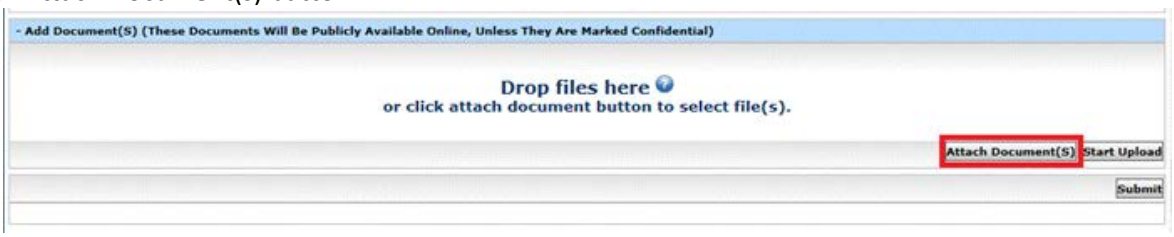
Finally, the documents can be attached to the filing in the Matter/Case. Attached Documents will usually be Adobe Acrobat PDF files in “Image + Text” format.

There is a limit on the size of the file of not larger than 25 MB, and a limit of 100 MB for the entire filing. If your document or filing exceeds these size limits, please contact the DMM Help Desk (518 474-3204).

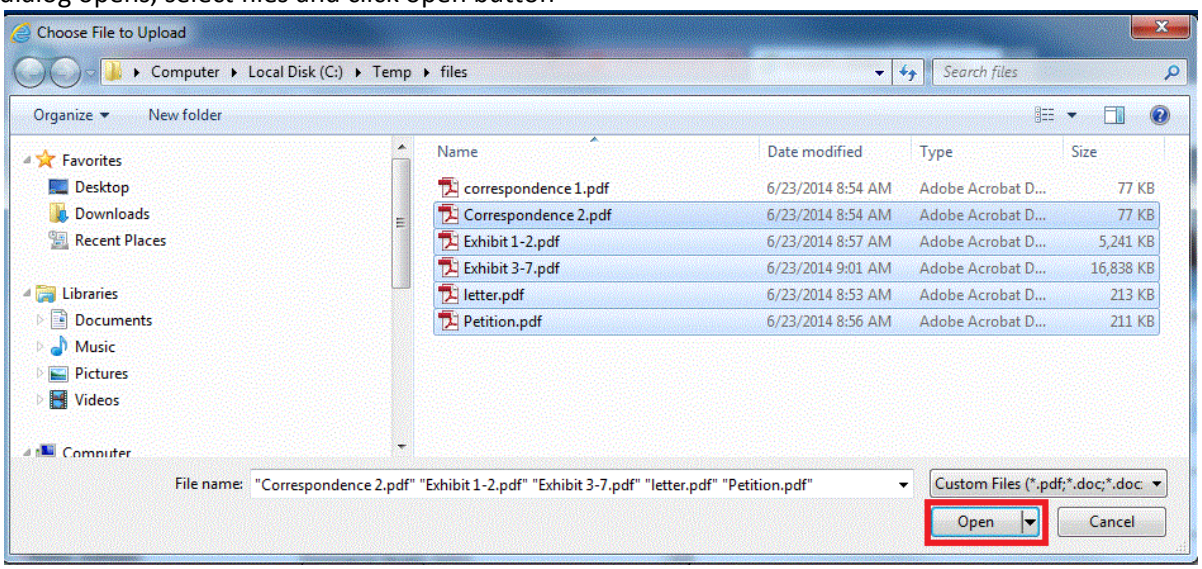
You attach documents by either Dragging and Droping files onto the screen OR by clicking the **Attach Document(s) button**.

Clicking on Attached Documents will allow you to browse and pick up your files.

1. Click Attach Document(s) button



2. File dialog opens, select files and click open button



3. For each document
   a. Select **Document Type** from drop down list
   b. Update **Document Title** as needed. The document title will be auto populated with the file name.
   c. Select **Security** for each file.

   Note: Submission of confidential documents require filing of
   a. One Request for Non- Disclosure per Submission
   b. Each confidential document must be accompanied by one redacted document

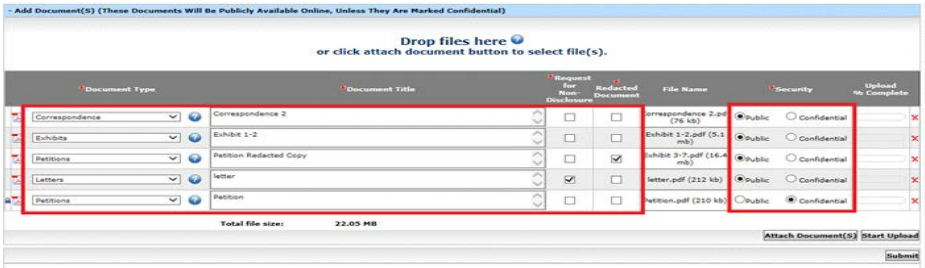
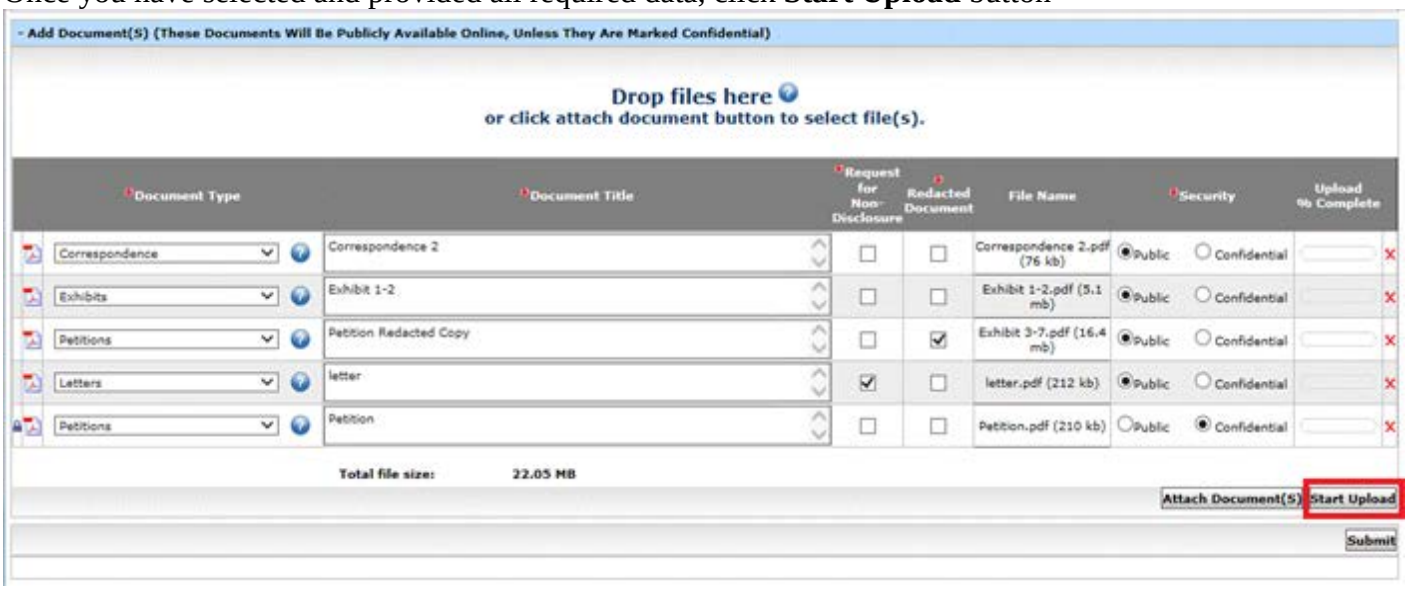
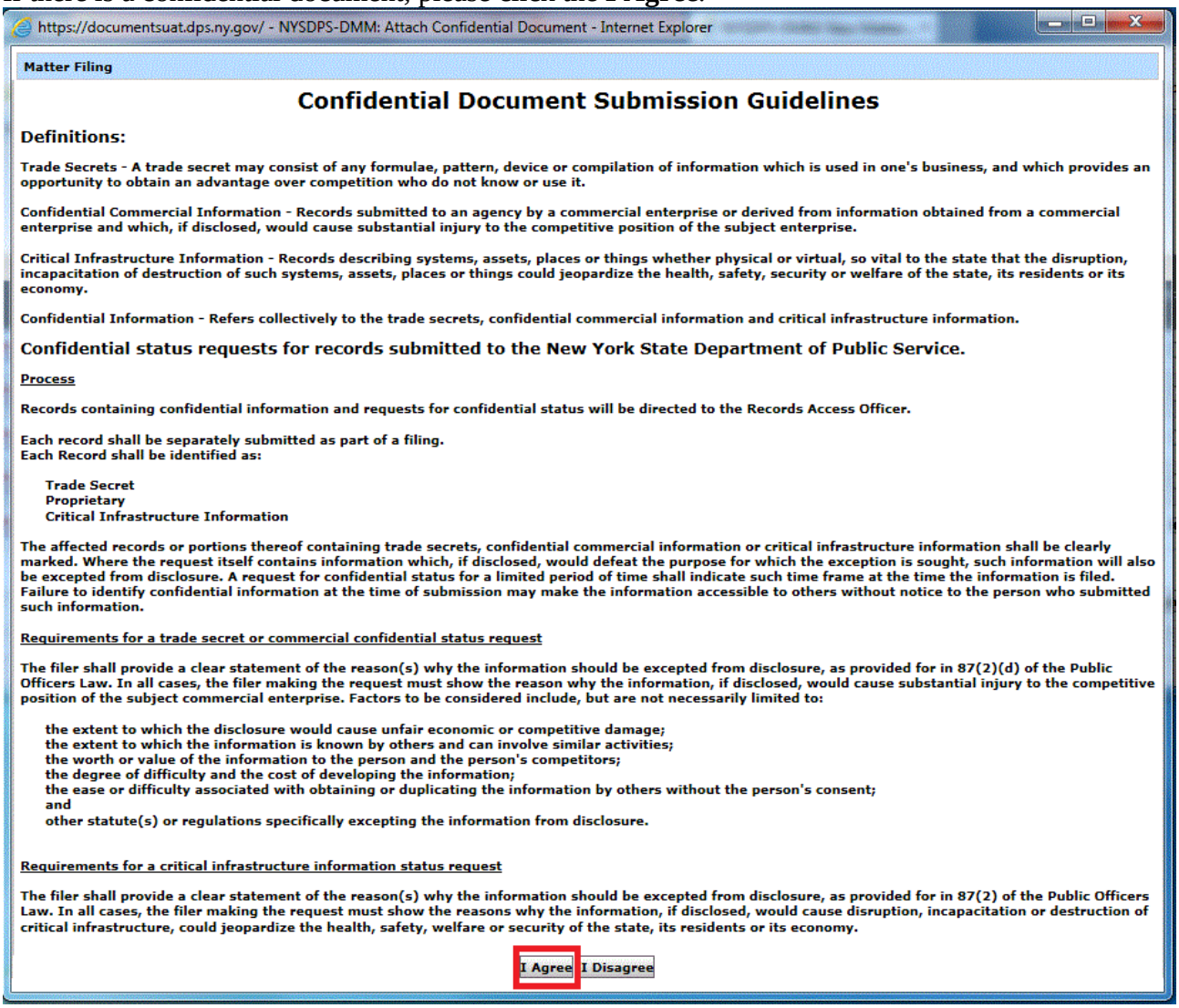


Figure 1: Confidential Document example of fields that must be filled in.

Once you have selected and provided all required data, click **Start Upload** button



If there is a confidential document, please click the **I Agree**.



https://documentsuat.dps.ny.gov/ - NYSDPS-DMM: Attach Confidential Document - Internet Explorer

Matter Filing

Confidential Document Submission Guidelines

Definitions:

Trade Secrets - A trade secret may consist of any formulae, pattern, device or compilation of information which is used in one's business, and which provides an opportunity to obtain an advantage over competition who do not know or use it.

Confidential Commercial Information - Records submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which, if disclosed, would cause substantial injury to the competitive position of the subject enterprise.

Critical Infrastructure Information - Records describing systems, assets, places or things whether physical or virtual, so vital to the state that the disruption, incapacitation of destruction of such systems, assets, places or things could jeopardize the health, safety, security or welfare of the state, its residents or its economy.

Confidential Information - Refers collectively to the trade secrets, confidential commercial information and critical infrastructure information.

Confidential status requests for records submitted to the New York State Department of Public Service.

Process

Records containing confidential information and requests for confidential status will be directed to the Records Access Officer.

Each record shall be separately submitted as part of a filing.
Each Record shall be identified as:

Trade Secret
Proprietary
Critical Infrastructure Information

The affected records or portions thereof containing trade secrets, confidential commercial information or critical infrastructure information shall be clearly marked. Where the request itself contains information which, if disclosed, would defeat the purpose for which the exception is sought, such information will also be excepted from disclosure. A request for confidential status for a limited period of time shall indicate such time frame at the time the information is filed. Failure to identify confidential information at the time of submission may make the information accessible to others without notice to the person who submitted such information.

Requirements for a trade secret or commercial confidential status request

The filer shall provide a clear statement of the reason(s) why the information should be excepted from disclosure, as provided for in 87(2)(d) of the Public Officers Law. In all cases, the filer making the request must show the reason why the information, if disclosed, would cause substantial injury to the competitive position of the subject commercial enterprise. Factors to be considered include, but are not necessarily limited to:

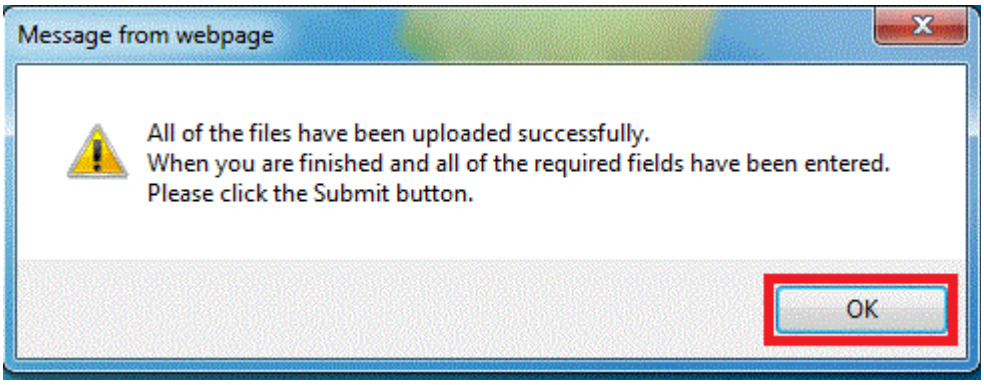
the extent to which the disclosure would cause unfair economic or competitive damage;
the extent to which the information is known by others and can involve similar activities;
the worth or value of the information to the person and the person's competitors;
the degree of difficulty and the cost of developing the information;
the ease or difficulty associated with obtaining or duplicating the information by others without the person's consent;
and
other statute(s) or regulations specifically excepting the information from disclosure.

Requirements for a critical infrastructure information status request

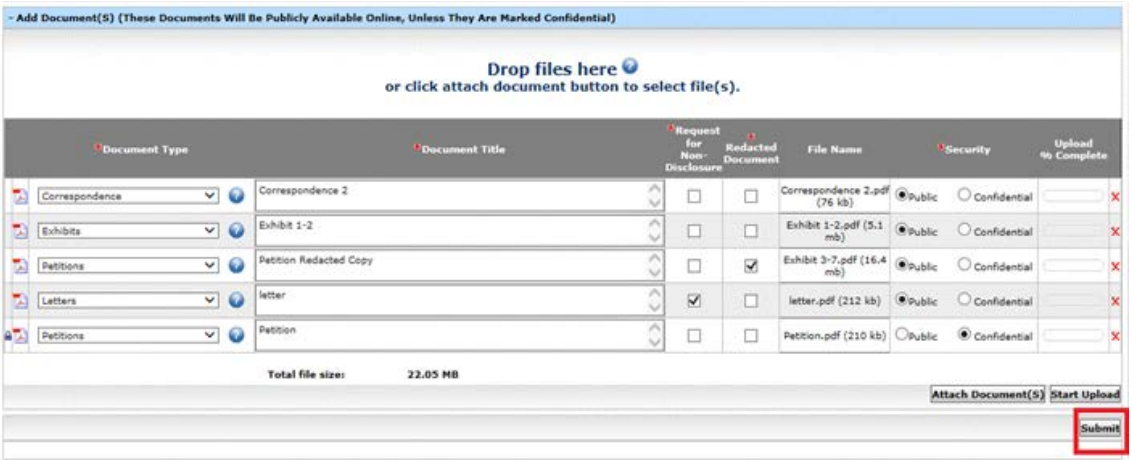
The filer shall provide a clear statement of the reason(s) why the information should be excepted from disclosure, as provided for in 87(2) of the Public Officers Law. In all cases, the filer making the request must show the reasons why the information, if disclosed, would cause disruption, incapacitation or destruction of critical infrastructure, could jeopardize the health, safety, welfare or security of the state, its residents or its economy.

I Agree I Disagree

You will receive a conformation box informing you that the documents have been upload.
Click on **OK**.

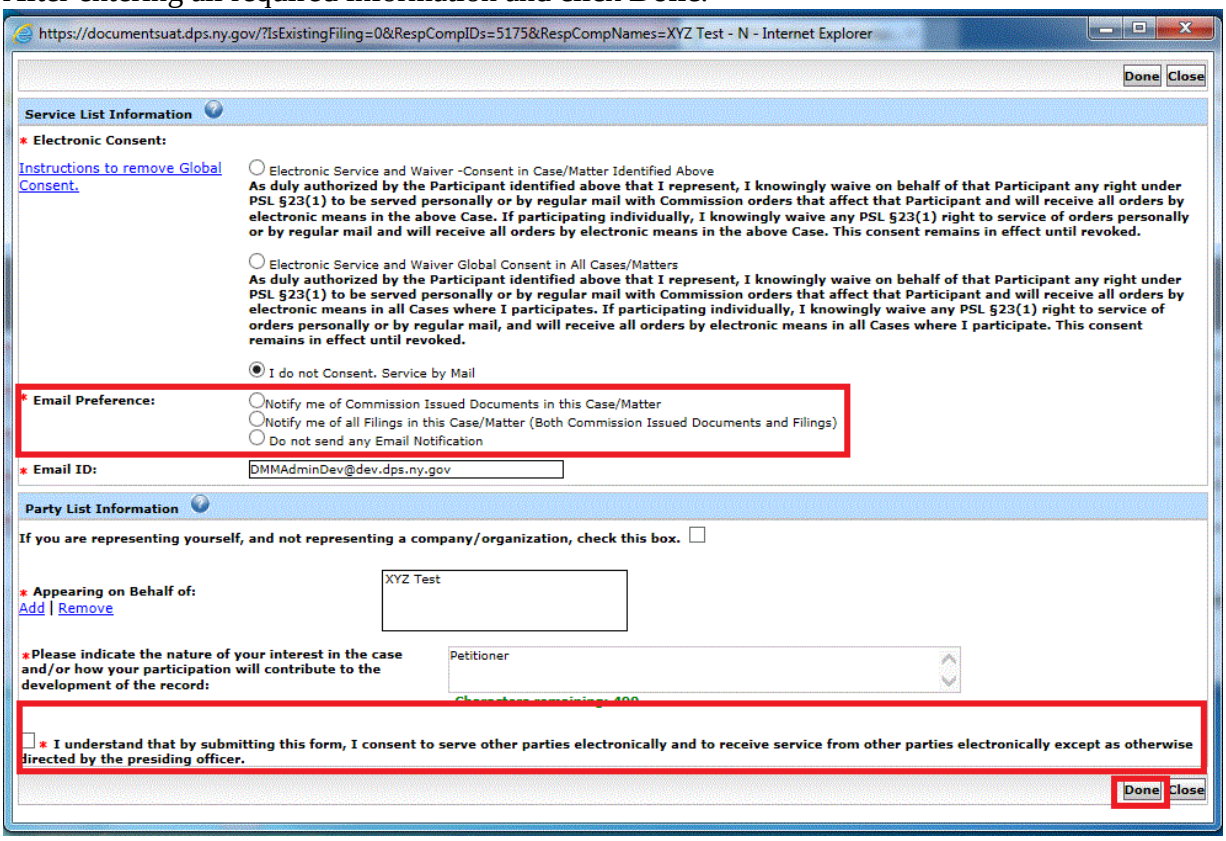


Click **Submit**

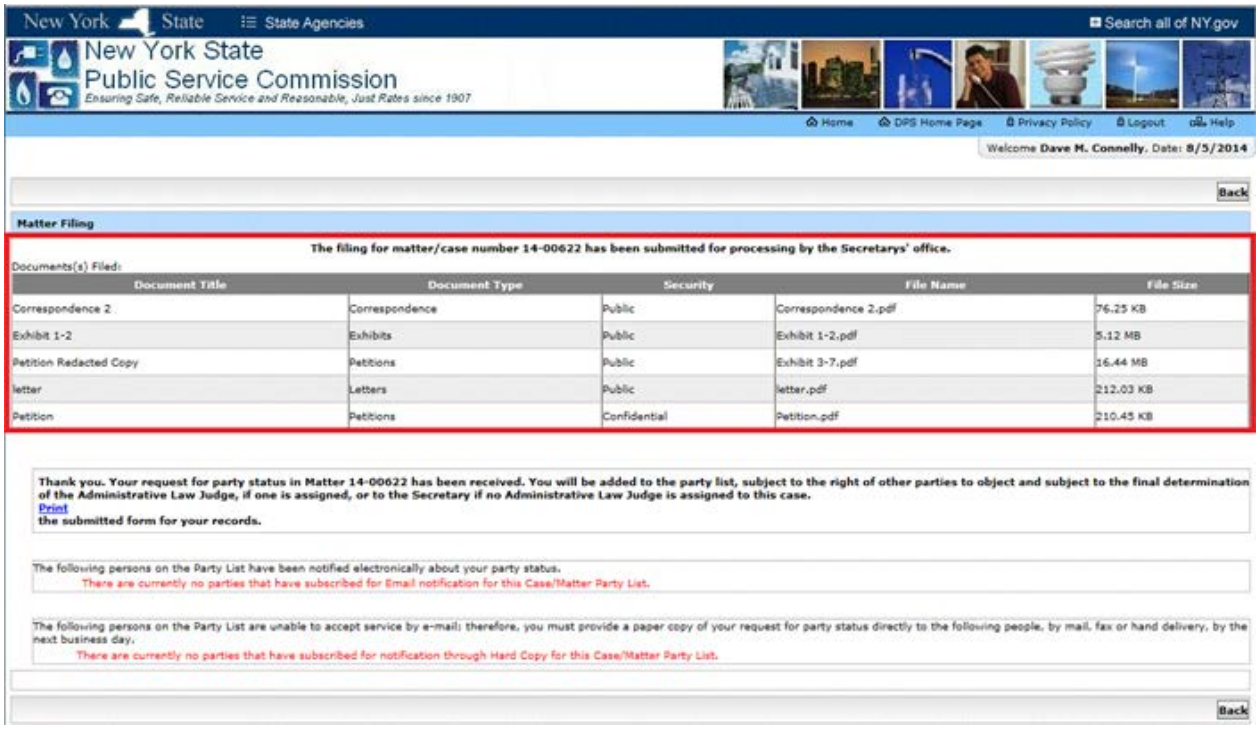


If you are note already a Service List member, the system will prompt you to complete the Service List Section. If you are creating a new Matter you will also need to complete the Party list section for the form.

After entering all required information and click **Done**.



The application will provide you with Confirmation that your documents have been successfully submitted. You will also receive an email notification from the application informing you that the filings are pending review by the Secretarys' office.



Once reviewed and processed, you will receive another notification from the Secretarys' office Approving or Rejecting the Filings.

Approved Public Document will be available via the Matter Master to the public.

Confidential Documents will be sent to the Records Access Officer. The system will show that a document has been filed with the department, but will not make it available without approval by the Records Access Officer or Administrative Law Judge assigned to the matter.

The retrieval of a confidential document will be recorded, including name, date and time. Access to a confidential document can also be returned back to the Records Access Officer, or can be revoked by the Records Access Officer.

Appendix 1 Document Types

CLASSIFICATION	DESCRIPTION and/or EXAMPLES (Note that examples do not represent an exhaustive list but merely are listed as useful guidance.)
Active Party Lists	Listing of Active Parties on a case
Affidavits of Service	A notarized document that certifies service of Commission and Department issued documents. Typically signed by the Secretary, the document includes the document type, date of issuance and parties served.
Attachments	Due to the file size of certain documents, it is necessary to break them into manageable pieces for posting to the website. Going forward the category "Attachment" will no longer be used. A petition will remain intact. All pieces of a petition will be categorized as "Petition" and described accordingly, such as Attachment 1 to petition, Attachment 2 to petition, etc.
Briefs	Brief on exception Initial brief Reply brief Reply brief on exceptions Post-hearing brief (& reply) Letter in lieu of brief Memorandum of law (Cover letter included with filed document)
Comments	Comments & Reply comments from active parties Comments on Staff White Paper (Cover letter included with filed document) NOTE: Comments from the general public, including letters and e-mails, whether or not specifically solicited through a formal notice, are filed under the “Public Comments” tab on DMM. The “comments” referred to here are typically longer, formal documents filed by parties under a “notice and comment” process that may be used instead of or in addition to evidentiary hearings.
Complaints	Customer appeal documents Appeal of shared meter decision Appeal of informal hearing decision ALSO: Complaints by a telecom carrier against another telecom carrier Complaints against a utility by a competitor See NOTE under “Petition” about classification of initial documents in a formal case
Consumer Complaint Determination	The Commission’s determination on a consumer complaint.
Correspondence	General correspondence to or from Secretary or ALJ regarding procedural matters Correspondence between Secretary or an ALJ, on the one hand, and active parties, on the other hand, regarding procedural or substantive matters, that do not fit into other categories such as “motion” or “ruling,” e.g., questions sent to parties regarding a filing or to be answered at an upcoming hearing. See NOTE 3 below. Requests for party status Notice of newspaper publication NOTE 1: Comments from the general public, including letters and e-mails, whether or not specifically solicited through a formal notice, are filed under the “Public Comments” tab on DMM and not as “correspondence” under the “Filed Documents” tab. NOTE 2: Cover letters accompanying filed documents are filed with the

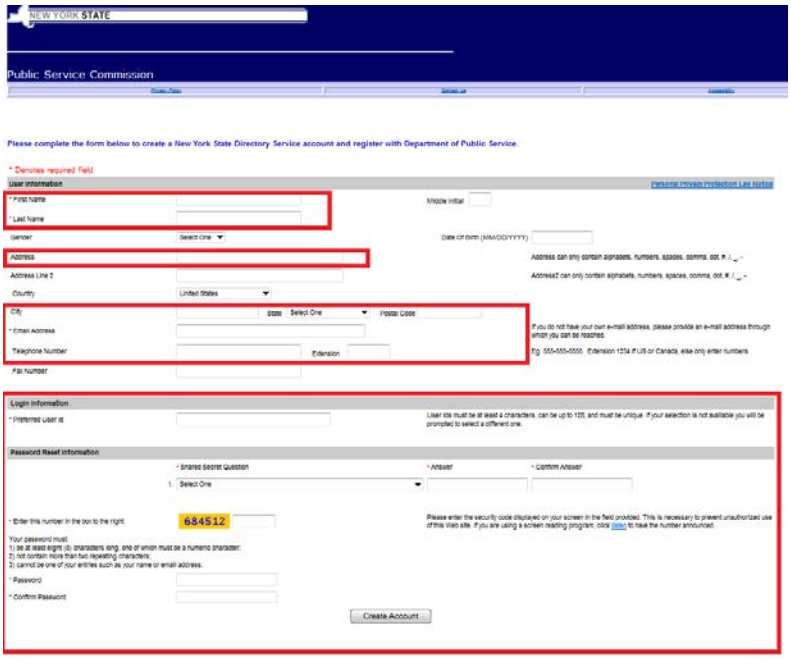
	accompanying document and not as correspondence. One exception to the general rule of filing cover letters with their accompanying document is that, in the case of a new filing that serves to begin a formal case, the initial document, generally a cover letter, is classified as a "petition" for the purpose of generating a case number. See NOTE under "petition." NOTE 3: Communications from an ALJ or the Secretary that establish procedural requirements such as scheduling milestones or documents to be filed are "Rulings" and filed as such, even if they take the form of informal correspondence. ALJs and the Secretary will endeavor to identify such documents as rulings. NOTE 4: Motions or briefs or responses or replies to same submitted by active parties in the form of letters are classified as motions or briefs; authors of such letters should clearly identify their character in the subject line or first sentence of the letter.
Declaratory Ruling	Formal Document Issued by Commission pursuant to Part 8 of Commission's Rules, 16 NYCRR 8
Drafts	
Guidance Documents/ Policy Statements	Formal Document Issued by Commission
Exhibits	Prefiled Exhibits Hearing Exhibits (marked and/or moved into evidence at hearing)
Joint Proposals and Stipulations	Joint Proposal Settlement agreement Summary of Joint Proposal or Settlement Agreement Statement in Support of Settlement Agreement or Joint Proposal Statement in Opposition to Settlement Agreement or Joint Proposal Further Responses/Replies to Statements in Support of or Opposition to Settlement Agreements or Joint Proposals (Cover letter included with filed document)
Letter	Letter from the Secretary that has legal significance, e.g., Letter from the Secretary in an Article VII case that an application is or is not deemed complete and filed Letter from Secretary denying petition for rehearing as failing to meet the standard for rehearing in rules Letter from Secretary dismissing an interlocutory appeal as failing to establish extraordinary circumstances Letter from Office Director under delegated authority, e.g., granting CPCNs, tariff approvals, or cable temporary operating authority Letter from Office Director establishing requirements or calling for filings Letter from Office Director notifying applicant of approval by operation of law NOTE 1: This category is reserved for outgoing letters issuing from the Commission or the Department of Public Service and is not used for incoming correspondence. NOTE 2: This category does not include general public correspondence from the Secretary in response to a letter sent to the Commission, where no further action is expected of the recipient. See "Correspondence" category, above.
Maps and Figures	Maps Diagrams Photos
Memorandum	Filed memorandum that has been considered by Commission at a formal session
Memorandum and Resolution	Relates exclusively to hard rulemaking procedures
Motions	Formal requests for a ruling or order Motions addressed to ALJ or to Secretary Responses or replies related to Motions Letter motions

	Motion or Request for trade secret protection or confidential treatment Motion or Request for protective order Request or motion for extension of time Motion for Interlocutory Review/ Interlocutory Appeal Response to interlocutory appeal Motion or Request for oral arguments Motion to dismiss Motion to strike Motion to compel discovery Motion or request for hearing Motion to recuse (Cover letter included with filed document)
Notices	Notice of hearing, public statement hearing, or procedural conference Notice Soliciting Comments Notice of Suspension or Postponement of Tariff
Orders	Order Approved as Recommended and So Ordered memorandum Special Permission Order Commission Memorandum, Order and Resolution Amending Order Confirming Order Postponement Order Single Commissioner Order Suspension Order Further Suspension Order Show Cause Order
Petitions	Petition Response to petition Initial Filings in any formal case (See NOTE below) Petition for approval or arbitration of an interconnection agreement Petition under Article VII to construct transmission facilities Petition for franchise under PSL 68 Petition for a certificate of public convenience and necessity Amendments to petitions, including those under Articles VII, VIII and IX, CPCNs, etc. Petition for approval for transfers of assets, merger, corporate reorganization Petition for approval of financing, stock issuance Petition for approval or renewal of cable franchise Request for temporary operating authority (cable) Petition for authority to use deferral accounting Petition regarding distribution of refund under PSL 113(2) Petition for declaratory ruling Petition for reconsideration Petition for rehearing Petition to amend order Petition for clarification (Cover letter generally included with filed document – but see NOTE below) NOTE: For purposes of generating a new case number, the initial document of a new matter is classified as a "petition," regardless of how that document would otherwise be classified. Often a cover letter serves this purpose. E.g., the cover letter that accompanies tariff amendments and testimony in a rate case is classified as a "petition" to trigger the assignment of a case number.
Plans and Proposals	Generally filed in compliance with specific order, ruling or regulation (Cover letter included with filed document)
Press Release	Commission News published and provided by the Department's Public Affairs Office.
Public comments	Correspondence, letters, e-mails, form letters, post-cards, etc. from general

	public, including ratepayers or any other entity not an active party in a case, commenting on a particular case or matter. “Petition” type documents consisting of a statement of position followed by multiple signatures, where signatories are not parties to case Formal resolutions from local governmental entities, organizations, unions, associations, etc., who are not parties to a case, stating one or more positions or comments about a pending matter. See NOTES under “correspondence” category
Recommended Decisions	
Reports	Staff White Paper Annual Report Report submitted in compliance with a specific order Report required to be filed by regulation (Cover letter included with filed document)
Rulings	Ruling on procedure or schedule Ruling on motion, granting motion, denying motion Ruling adopting a protective order Trade secret determinations by Records Access Officer or ALJ Secretary’s decision on appeal of trade secret ruling Letter from the Secretary giving one or more parties more time to file comments or briefs or modifying page limits. NOTE: Most rulings will be by ALJ, or, where matter is not pending before an ALJ, by Secretary or Records Access Officer
Tariffs	Cover letter (but see NOTE under “Petition”) Compliance tariff Initial tariff filing (but see NOTE under “Petition”) Original tariff Revised tariff filing Supplement - Adoption Supplement - Cancellation Supplement - Postponement Supplement - Suspension Supplement - Terminate Suspension Supplement - Vacate Suspension Statement Addenda
Testimony	(All testimony in this category is prefiled testimony. Once it is entered onto the record at a hearing, it is reflected instead in the “transcript” document.) Direct Testimony Rebuttal testimony Responsive testimony Surrebuttal testimony (Includes Confidential testimony) (Cover letter generally included with filed document, but see NOTE under “Petition”)
Transcripts	Stenographer’s record of Commission sessions, evidentiary hearings; procedural conferences, public statement hearings, technical conferences, prehearing conferences, (including confidential information, usually segregated in a separate document)
Workpapers	

Appendix 2 Registration with OITS

To register with New York Directory Services, visit https://my.ny.gov/sreg/SelfReg?APP=nyappdpssr and fill out the form with at least the required data items. These are indicated by a red star. Please use the same User ID you provided to us, so that we can match the records.



A contact form must also be completed and submitted to the Secretary to the Commission via email: Secretary@dps.ny.gov. The contact form can be found at: http://www.dps.ny.gov/e-file/registration.html

<u>Contact Form:</u>

Note: Use the Representing Organization section to list the Companies/Organizations you are authorized to file on behalf of.

Account and Contact Information Sheet
(One needed for Each Filer)

Name of Person _____

Title _____

Company/Organization _____

Representing Organization(s) (typically used by law firms)
_____
_____
_____

Mailing Address
Street, PO Box _____
City, State, Zip Code _____

Type of account(s) requested
☐ Electronic Filer ☐ Energy Service Companies (ESCOs) ☐ Energy Efficiency Program Providers (EEPS)

Requested User ID _____
e-mail address _____
Telephone Number _____
Fax Number (if used) _____

<u>Electronic Service and Waiver – Global Consent in All Cases/Matters</u>

☐ As duly authorized by the Participant identified above that I represent, I knowingly waive on behalf of that Participant any right under PSL §23(1) to be served personally or by regular mail with Commission orders that affect that Participant and will receive all orders by electronic means in all Cases where it participates. If participating individually, I knowingly waive any PSL §23(1) right to service of orders personally or by regular mail, and will receive all orders by electronic means in all Cases where I participate. This consent remains in effect until revoked.

***Note**: Due to the design of our system, this consent attaches to the individual named here and not to the party that may be represented by that individual. Therefore, individuals who represent multiple parties should be aware that a global consent will affect all matters in which they appear on behalf of any party.*

_____