

DOCKETED	
Docket Number:	21-OIR-03
Project Title:	2022 Load Management Rulemaking
TN #:	248230
Document Title:	Steve Uhler Comments - OIR-2021-03 Open Meeting Act Procedures, Ex Parté Rules
Description:	N/A
Filer:	System
Organization:	Steve Uhler
Submitter Role:	Other Interested Person
Submission Date:	12/26/2022 11:55:51 PM
Docketed Date:	12/27/2022

*Comment Received From: Steve Uhler
Submitted On: 12/26/2022
Docket Number: 21-OIR-03*

OIR-2021-03 Open Meeting Act Procedures, Ex PartÃ© Rules

OIR-2021-03 Open Meeting Act Procedures, Ex PartÃ© Rules

Dear Energy Commission Commissioners,

Perhaps a review of Open Meeting Act Procedures, Ex PartÃ© Rules is in order?

take care,

Steve Uhler
sau@wwmpd.com

Additional submitted attachment is included below.

OIR-2021-03 Open Meeting Act Procedures, Ex Parté Rules

Dear Energy Commission Commissioners,

Perhaps a review of Open Meeting Act Procedures, Ex Parté Rules is in order?

Your staff may have provided you with information related to 2022 Load Management Rulemaking proceeding 21-OIR-03 that was not provided to the public.

I have requested the Final Statement Of Reasons (FSOR) for the 2022 Load Management Rulemaking proceeding 21-OIR-03. Your staff have not complied. The FSOR is not in the rulemaking record now and was not when you voted to adopt the regulations.

Either you did not consider the FSOR in adopting the regulations, or you received the FSOR Ex Parté.

The Office of Administrative Law (OAL) provided me the FSOR. For the OAL to have the FSOR, your staff had to tell the OAL the FSOR is part of the rulemaking record.

Your 20 CCR 1208 law defines what is deemed a record for a proceeding. The docket is the only file that is the record for a proceeding.

Please review the attached Open Meeting Act Procedures, Ex Parté Rules that was prepared by your staff. Please have your Public Adviser review these procedures and rules. Your Public Adviser has not told me of any commission procedure the supersedes your 20 CCR 1208 law by allowing documents to be filed anywhere else that is a deemed record for a proceeding.

Perhaps you should consider recalling the rulemaking record your staff submitted to the OAL.

Perhaps your should allow the public the opportunity to rebut the claims your staff made in the responses to comments that was given to the OAL to review, but not provided to the public.

Attached are some of your staff's responses to comments the OAL provided to me, that are not in the docket. They are bootlegs and are not a record for the proceeding.

take care,

Steve Uhler
sau@wwmpd.com