

ATTACHMENT B
ESTABLISHING PROCEDURES FOR THE PRESENTATION OF EXHIBITS
ELECTRONICALLY DURING EVIDENTIARY HEARING

1. Because the evidentiary hearing will be held remotely by video-conference, all evidence must be presented electronically. This Attachment establishes procedures for the presentation of exhibits electronically during the hearing.

2. To facilitate the presentation of exhibits electronically during the hearing, the Commission will provide a spreadsheet identifying each pre-filed hearing exhibit as it exists in the administrative record. The spreadsheet will include hyperlinks to the filings in the administrative record. It is anticipated that the spreadsheet will be made available to the parties approximately three business days before the hearing and that it will be marked as a hearing exhibit. A Commission staff person will display the pre-filed electronic filings during the hearing.¹

3. Pre-filed testimony in support of, or in opposition to, the Settlement Agreement, as well as any responsive testimony, filed pursuant to Decision No. C20-0428-I, must be pre-marked with the next available hearing exhibit number in the block assigned to the filing party. Such testimony will be included with all other pre-filed exhibits on the spreadsheet described above. If the pre-filed exhibits identified on the spreadsheet are admitted into evidence, it is anticipated that the electronic copy in the Commission's file will be admitted by administrative notice, in lieu of receiving the identical paper copy (*e.g.*, the fact administratively noticed is that the copy on file is the content of the otherwise-admissible hearing exhibit).

¹ Exhibits will be displayed electronically during the hearing. Should the parties have technical questions relating to the electronic presentation of exhibits, they may contact Ms. Christie Nicks at Christie.Nicks@state.co.us or Mr. Ross Smith at Ross.Smith@state.co.us.

4. Any exhibits or documents for impeachment, to refresh recollection, or for rebuttal, as well as any corrections to pre-filed testimony filed after July 17, 2020 (the deadline for corrections to pre-filed testimony), will not be included in the spreadsheet of hyperlinked electronic exhibits and will not be admitted by administrative notice. Any party wishing to use such exhibits or documents must: (a) pre-mark the exhibits for identification with a hearing exhibit number within the party's assigned exhibit number block; and (b) upload the pre-marked exhibits into the party's designated box.com folder before presenting them during the hearing.² Additionally, such corrections to pre-filed testimony must be filed in the Commission's E-Filings system for the limited purpose of disclosure.

5. During the hearing, the parties will be responsible for moving for the admission into evidence of any such exhibits.

6. The parties will also be responsible for ensuring that their attorneys and witnesses have access to all pre-marked exhibits and are able to download and view documents from box.com *during the hearing*.

7. Any objections to the admissibility of the form of any pre-filed exhibits (*e.g.*, authenticity) shall be filed by July 13, 2020 (the deadline for prehearing motions).

8. Otherwise, the provisions addressing the formatting, identification, filing, treatment, and presentation of hearing exhibits contained in Decision No. R20-0142-I apply.³

² All parties should ensure they can access and use box.com. An email with more details will follow closer to the date of the hearing.

³ Decision No. R20-0142-I (mailed March 5, 2020) established electronic procedures in Proceeding No. 19A-0728E.