

## **Miller Options for Emergency LCP Rules**

Recommended modifications to the “Option 2” rules:

- Specify in rules that the Independent Evaluator (IE) is totally and exclusively linked to the utility filing of an IGCC plant pursuant to §40-2-123(2). The IE rule requirements are null and void without an IGCC filing.
- Establish a clear and concise job description of the scope and duties of the IE. (*e.g.*, run the model, and provide an analysis for comparison to the utility’s post-bid filing). [note – such job description is also necessary for any Independent Monitor/Auditor]
- The IE will not take direction from any party, except as ordered by the Commission. Staff and other parties will analyze and comment on the IE and utility reports.
- Selection of the IE – Consider hiring representatives from utilities and Commission staff from other states with IGCC experience, as voting members of a panel to select the IE. Perhaps potential IE candidates that do not make the short list could be considered as the third voting member.