

~~THE~~  
~~PUBLIC UTILITIES COMMISSION~~  
~~OF THE STATE OF COLORADO~~  
  
~~RULES RELATING TO THE CLAIM OF CONFIDENTIALITY~~  
~~OF INFORMATION SUBMITTED TO~~  
~~THE COLORADO PUBLIC UTILITIES COMMISSION~~  
  
~~4 CODE OF COLORADO REGULATIONS (CCR) 723-16~~

~~BASIS, PURPOSE, AND STATUTORY AUTHORITY.~~

~~These rules are issued under the authority of §§ 40-2-108, 40-3-102, and 40-15-107, C.R.S. They establish procedures consistent with the mandate of § 24-72-201, C.R.S., that all public records shall be open for inspection by any person at reasonable times, subject to restrictions specifically provided by law. The rules establish the procedures to be used by: (1) a party, in a formal docket, filing information with the Commission that the party claims is confidential and therefore should not be subject to public inspection; (2) a person, outside of an open formal Commission docket, filing information with the Commission that the person claims is confidential and therefore should not be subject to public inspection; and (3) the Director, in responding to requests to inspect information under Colorado's Public Records Law, §§ 24-72-201 et seq., C.R.S.~~

~~RULE (4 CCR) 723-16-1. APPLICABILITY.~~

~~These rules apply to all persons filing information with or seeking information from the Commission. They also apply to the~~

~~Commission, Director or a presiding officer to the extent they govern the Commission's responses to claims of confidentiality in a formal docket, requests to restrict public inspection of information outside of a formal docket, or for information under the Public Records Law.~~

~~**RULE (4 CCR) 723-16-2. DEFINITIONS.**~~

~~Terms defined in §§ 24 72 201 et seq., C.R.S., the Colorado Public Records Law, and Title 40, C.R.S., the Public Utilities Law, shall have the same meaning when used in these rules. In addition, the following terms mean:~~

~~—— 723-16-2.1 Filing Under Seal. The process of filing information with the Commission in a sealed, specially marked envelope to indicate that the filing party claims that the information is confidential.~~

~~—— 723-16-2.2 Presiding Officer. The Chair of the Commission, an Administrative Law Judge, or an individual selected by the Commission to preside in a formal Commission docket.~~

~~**RULE (4 CCR) 723-16-3. PROCEDURES RELATING TO INFORMATION PRODUCED IN A FORMAL COMMISSION DOCKET.**~~

~~—— 723-16-3.1 Confidential Information. All documents, data, information, studies, computer programs, and other matters filed with the Commission in any form in a proceeding, or produced in response to any interrogatories or requests for information, subpoenas, depositions, or other modes of discovery, and all notes taken or copies made thereof, that~~

[Omitted Material: All the current Rules Relating to the Claim of Confidentiality of Information Submitted to the Colorado Public Utilities Commission, 4 CCR 723-16, are proposed to be repealed and reenacted. Therefore, all the remaining pages are omitted.]