



Ohio Administrative Code Rule 4901-1-17 Time periods for discovery.

Effective: May 7, 2007

(A) Except as provided in paragraph (E) of this rule, discovery may begin immediately after a proceeding is commenced and should be completed as expeditiously as possible. Unless otherwise ordered for good cause shown, discovery must be completed prior to the commencement of the hearing.

(B) In general rate proceedings, no party may serve a discovery request later than fourteen days after the filing and mailing of the staff report of investigation required by section 4909.19 of the Revised Code.

(C) In emergency rate proceedings, no party may serve a discovery request later than twenty days prior to the commencement of the hearing.

(D) In purchased gas adjustment proceedings, no party may serve a discovery request later than thirty days after the filing of the audit report required by rule 4901:1-14-07 of the Administrative Code.

(E) In long-term forecast report proceedings, no party may serve a discovery request later than twenty-five days prior to the commencement of the evidentiary hearing. Discovery may begin in long-term forecast report proceedings:

(1) Immediately after the filing with the commission of a long-term forecast report which contains a substantial change from the preceding report as defined by section 4935.04 of the Revised Code.

(2) Immediately after the filing with the commission of a long-term forecast report when the most recent hearing on a forecast report by the reporting person has been more than four years prior.

(3) Immediately after good cause to conduct a hearing on a long-term forecast report has been determined by order of the commission.



(4) Immediately after a reporting person files its first long-term forecast report under section 4935.04 of the Revised Code.

(F) The restrictions set forth in paragraphs (B), (C), (D), and (E) of this rule do not apply to requests for the supplementation of prior responses served under paragraph (D)(5) of rule 4901-1-16 of the Administrative Code.

(G) Notwithstanding the provisions of paragraphs (B), (C), (D), and (E) of this rule, the commission, the legal director, the deputy legal director, or an attorney examiner may shorten or enlarge the time periods for discovery, upon their own motion or upon motion of any party for good cause shown.