

**§ 1.1182 Schedule of fees for products and services provided by the Commission in connection with competitive bidding procedures.**

Product or service	Fee amount	Payment procedure
On-line remote access 900 Number Telephone Service).	2.30 per minute .....	Charges included on customer's long distance telephone bill.
Remote Bidding Software .....	\$175.00 per package .....	Payment to auction contractor by credit card or check. (Public Notice will specify exact payment procedures.)
Bidder Information Package .....	First package free; \$16.00 per additional package (including postage) to same person or entity.	Payment to auction contractor by credit card or check. (Public Notice will specify exact payment procedures.)

[60 FR 38280, July 26, 1995]

**Subpart H—Ex Parte Communications**

SOURCE: 52 FR 21052, June 4, 1987, unless otherwise noted.

**GENERAL**

**§ 1.1200 Introduction.**

(a) *Purpose.* To ensure the fairness and integrity of its decision-making, the Commission has prescribed rules to regulate *ex parte* presentations in Commission proceedings. These rules specify “exempt” proceedings, in which *ex parte* presentations may be made freely (§1.1204(b)), “permit-but-disclose” proceedings, in which *ex parte* presentations to Commission decision-making personnel are permissible but subject to certain disclosure requirements (§1.1206), and “restricted” proceedings in which *ex parte* presentations to and from Commission decision-making personnel are generally prohibited (§1.1208). In all proceedings, a certain period (“the Sunshine Agenda period”) is designated in which all presentations to Commission decision-making personnel are prohibited (§1.1203). The limitations on *ex parte* presentations described in this section are subject to certain general exceptions set forth in §1.1204(a). Where the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice. Joint Boards may modify the *ex parte* rules in proceedings before them.

(b) Inquiries concerning the propriety of *ex parte* presentations should be directed to the Office of General Counsel.

[62 FR 15853, Apr. 3, 1997]

**§ 1.1202 Definitions.**

For the purposes of this subpart, the following definitions apply:

(a) *Presentation.* A communication directed to the merits or outcome of a proceeding, including any attachments to a written communication or documents shown in connection with an oral presentation directed to the merits or outcome of a proceeding. Excluded from this term are communications which are inadvertently or casually made, inquiries concerning compliance with procedural requirements if the procedural matter is not an area of controversy in the proceeding, statements made by decisionmakers that are limited to providing publicly available information about pending proceedings, and inquiries relating solely to the status of a proceeding, including inquiries as to the approximate time that action in a proceeding may be taken. However, a status inquiry which states or implies a view as to the merits or outcome of the proceeding or a preference for a particular party, which states why timing is important to a particular party or indicates a view as to the date by which a proceeding should be resolved, or which otherwise is intended to address the merits or outcome or to influence the timing of a proceeding is a presentation.

NOTE TO PARAGRAPH (a): A communication expressing concern about administrative delay or expressing concern that a proceeding be resolved expeditiously will be treated as a permissible status inquiry so long as no reason is given as to why the proceeding should be expedited other than the need to resolve administrative delay, no view is expressed as to the merits or outcome of the proceeding, and no view is expressed as to a date by which the proceeding