

ARKANSAS PUBLIC SERVICE COMMISSION



SPECIAL RULES - ELECTRIC

SECTION 8. FEDERAL LITIGATION CONSULTING FEES

Rule 8.01. Recovery of Costs for Commission Retained Consultants or Attorneys under Ark. Code Ann § 23-4-102

- A. When the Commission retains contract attorneys or contract consultants pursuant to Ark. Code Ann. § 23-4-102(c), and the fees and expenses for the contract attorneys or contract consultants are recovered from the affected electric public utility which is owned by a public utility holding company as defined by section 1261 of the Energy Policy Act of 2005, Pub. L. No. 109-58, the affected utility may directly recover from ratepayers only the amounts directly recovered from the utility.
- B. The affected utility may recover the fees and expenses under the preceding rule pursuant to the provisions of Ark. Code Ann. § 23-4-102(c), and the specific procedures, terms and conditions of this recovery must be set forth in a Litigation Consulting Fee Rider, or other recovery mechanism, filed with the Commission and approved pursuant to the Commission's Rules of Practice and Procedure.