

CHAPTER 21. INTERCONNECTION AGREEMENTS FOR TELECOMMUNICATIONS SERVICE PROVIDERS

Subchapter B. PLEADINGS, DOCUMENTS, AND OTHER MATERIALS.

§21.33. Formal Requisites of Pleadings and Documents to be Filed with the Commission.

- (a) **Applicability.** This section applies to all pleadings as defined in §21.3 of this title (relating to Definitions) and the following documents:
- (1) Letters or memoranda relating to any item with a control number;
 - (2) Reports pursuant to commission rules or request of the commission;
 - (3) Discovery requests; and
 - (4) Decision Point List (DPL) filings.
- (b) **Requirements of form.**
- (1) **Style.**
 - (A) All requests for dispute resolution or arbitration shall be styled as follows: Petition of {Party} for {Compulsory Arbitration or Post-Interconnection Dispute Resolution} with {Party} under FTA relating to {concise description of major issue}. All responses to requests for dispute resolution or arbitration shall be styled as follows: Response of {Party} to Petition of {Party} for {Compulsory Arbitration or Post-Interconnection Dispute Resolution} under FTA relating to {concise description of major issues}.
 - (B) Requests for dispute resolution pursuant to §21.131 of this title (relating to Request for Expedited Ruling) and §21.133 of this title (relating to Request for Interim Ruling Pending Dispute Resolution) shall also include such specific requests, as appropriate, in the pleading style, as follows: Petition of {Party} for {Compulsory Arbitration or Post-Interconnection Dispute Resolution} and Request for {Expedited Ruling and/or Request for Interim Ruling} with {Party} under FTA relating to {concise description of major issues}.
 - (2) Unless otherwise authorized or required by the presiding officer or this chapter, documents shall:
 - (A) include the style and number of the docket or project in which they are submitted, if available;
 - (B) identify by heading the nature of the document submitted and the name of the party submitting the same; and
 - (C) be signed by the party or the party's representative.
 - (3) Whenever possible, all documents should be provided on 8.5 by 11 inch paper. However, any log, graph, map, drawing, or chart submitted as part of a filing will be accepted on paper larger than provided in subsection (g) of this section, if it cannot be provided legibly on letter-size paper. The document must be able to be folded to a size no larger than 8.5 by 11 inches. Documents that cannot be folded may not be accepted.
- (c) **Format.** Any filing with the commission, other than the DPL, must:
- (1) have double-spaced or one and one-half times spaced print with left margins not less than one inch wide, except that any letter may be single-spaced;
 - (2) indent and single-space any quotation of 50 words or more in block quote format; and
 - (3) be printed or formatted in not less than 12-point type for text and 10-point type for footnotes.
- (d) **Citation.**
- (1) **Form.** Any party filing with the commission should endeavor to comply with the rules of citation set forth, in the following order of preference, by: the commission's "Citation Guide;" the most current edition of the "Texas Rules of Form," published by the University of Texas Law Review Association (for Texas authorities); and the most current edition of "A Uniform System of Citation," published by The Harvard Law Review Association (for all other authorities). Neither Rule 1.1 of the Uniform System nor the comparable portion of the "Texas Rules of Form" shall be applicable in proceedings.

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- (2) **Copies.** When a party cites to authority other than PURA and other Texas state statutes, commission rules, reported Texas cases, an FCC decision, the United States Code, the Texas Administrative Code, the Code of Federal Regulations, or a document on file with the commission, such party shall provide a copy of the cited authority to the presiding officer and all parties of record. Copies of authority may be provided to the presiding officer and all parties of record electronically.
- (e) **Signature.** Every pleading and document shall be signed by the party or the party's authorized representative, and shall include the party's address, telephone number, facsimile number, and email address. If the person signing the pleading or document is an attorney licensed in Texas, the attorney's State bar number shall be provided.
- (f) **Page limits.** Unless otherwise authorized by the presiding officer, page limits shall be as follows:
- (1) With the exception of DPLs and discovery responses, no pleading or brief relating to interconnection agreements shall exceed 50 pages, excluding exhibits.
 - (2) Prefiled direct testimony shall not exceed 75 pages in length per witness, excluding exhibits and/or attachments. A party requesting the presiding officer to establish a larger page limit shall so move, and shall provide support on relevant factors pursuant to paragraph (4) of this subsection.
 - (3) The page limitation shall not apply to copies of legal authorities provided pursuant to subsection (d)(2) of this section.
 - (4) A presiding officer may establish a larger or smaller page limit. In establishing parties' page limits, the presiding officer shall consider such factors as which party has the burden of proof, the number of parties opposing a party's position, alignment of parties, the number and complexity of issues, the number of witnesses per party, and demonstrated need.
- (g) **Hard copy filing standards.** Hard copies of each document shall be filed with the commission in accordance with the requirements set forth in paragraphs (1)-(4) of this subsection.
- (1) Each document shall be typed or printed on paper measuring 8.5 by 11 inches. Oversized documents being filed on larger paper pursuant to subsection (b)(3) of this section shall be filed as separate referenced attachments. Except for responses to discovery, no single document shall consist of more than one paper size.
 - (2) One copy of each document, that is not the original file copy, shall be filed without bindings, staples, tabs, or separators.
 - (A) This copy shall be printed on both sides of the paper or, if it cannot be printed on both sides of the paper, every page of the copy shall be single sided.
 - (B) All pages of the copy filed pursuant to this paragraph, starting with the first page of the table of contents, shall be consecutively numbered through the last page of the document, including attachments, if any.
 - (3) For documents for which an electronic filing is required, all non-native figures, illustrations, or objects shall be filed as referenced attachments. No non-native figures, illustrations, or objects shall be embedded in the text of the document. "Non-native figures" means tables, graphs, charts, spreadsheets, illustrations, drawings and other objects which are not electronically integrated into the text portions of a document.
 - (4) Whenever possible, all documents and copies shall be printed on both sides of the paper.

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- (h) **Electronic filing standards.** Any document may be filed, and all documents containing more than ten pages shall be filed, electronically in accordance with the requirements of paragraphs (1)-(7) of this subsection. Electronic filings are registered by submission of the relevant electronic documents via diskette or the internet, in accordance with transfer standards available in the commission's central records office or on the commission's World Wide Website, and the submission of the required number of paper copies to the filing clerk under the provisions of this section and §21.31 of this title (relating to Filing of Pleadings, Documents and Other Materials).
- (1) All non-native figures, illustrations, or objects must be filed as referenced attachments. No non-native figures, illustrations, or objects shall be imbedded in the text of the document. "Non-native figures" means tables, graphs, charts, spreadsheets, illustrations, drawings and other objects which are not electronically integrated into the text portions of a document.
 - (2) Oversized documents shall not be filed in electronic media, but shall be filed as referenced attachments.
 - (3) Each document that has five or more headings and/or subheadings shall have a table of contents that lists the major sections of the document, the page numbers for each major section and the name of the electronic file that contains each major section of the document. Discovery responses are exempt from this paragraph.
 - (4) Each document shall have a list of file names that are included in the filing and shall be referenced in an ASCII text file.
 - (5) The table of contents and list of file names shall be placed at the beginning of the document.
 - (6) Each diskette shall be labeled with the control number, if known, and the name of the person submitting the document.
 - (7) Any information submitted under claim of confidentiality should not be submitted in electronic format.
- (i) **Disk format standards.** Each document that is submitted to the filing clerk on diskette shall be submitted as set forth in paragraphs (1)-(3) of this subsection.
- (1) 3.5 inch diskette;
 - (2) 1.44 M double sided, high density storage capacity; and
 - (3) IBM format.
- (j) **File format standards.**
- (1) Electronic filings shall be made in accordance with the current list of preferred file formats available in the commission's central records office and on the commission's World Wide Website.
 - (2) Electronic filings that are submitted in a format other than that required by paragraph (1) of this subsection will not be accepted until after successful conversion of the file to a commission standard.