

ARTICLE X RECORDS AND AUDITS

1000 RETENTION AND AVAILABILITY OF RECORDS

(a) A Registrant shall retain the Records on which the Registrant's application for apportioned registration is based for a period of three years following the close of the Registration year to which the application pertains, and on request, shall make such Records available for Audit.

(b) Unless a waiver to the statute of limitations is granted by the Registrant, no assessment for deficiency or any refund shall be made for any period for which the Registrant is not required to retain Records.

Official Commentary

Registrants should recognize that this Section requires the retention of Records covering activities during the Reporting Period pertaining to the application for apportioned registration.

HISTORICAL NOTES

Adopted: Ballot FT-333, effective July 1, 2008. **Amended:** Ballot 2011.371 IRP Audit Rewrite, effective July 1, 2013.

Related Provisions, 2006 Plan: Section 1500, 1501, 1502.

Related DRC Action: Dispute Resolution Committee Decision 2003.2, November 14, 2003.

1005 ADEQUACY OF RECORDS

(a) The Records maintained by a Registrant under Section 1000 shall be adequate to enable the Base Jurisdiction to verify the distances reported in the Registrant's application for apportioned registration and to evaluate the accuracy of the Registrant's distance accounting system for its Fleet.

(b) Provided a Registrant's Records meet the criterion in subsection (a), the Records may be produced through any means, and retained in any format or medium available to the Registrant and accessible by the Base Jurisdiction.

Official Commentary

Subsection (a) defines the purpose for which Registrants are required to keep Records: to allow the Base Jurisdiction to (1) verify the distances a Registrant has reported on its application, and (2) evaluate the Registrant's distance accounting system. If the Records made available by a Registrant for Audit are (a) sufficient and (b) appropriate for these purposes, they are deemed to be adequate.

Subsection (b) is intended to make clear that if the Registrant's Records are adequate under subsection (a), it does not matter how the Registrant has produced the Records or maintained them. However, the Records must meet the two conditions of sufficiency and appropriateness; there must be enough Records to substantially cover the operations of the Registrant's Fleet, and the Records must contain the kind of information an auditor needs in order to audit the Records for purposes of

the Plan. In addition, if Records are presented in a format or in a manner in which the Base Jurisdiction cannot audit them, they have not been “made available” as required.

HISTORICAL NOTES

Adopted: Ballot FT-333, effective July 1, 2008. **Amended:** Ballot 2011.371 IRP Audit Rewrite, effective July 1, 2013.

Related Provisions, 2006 Plan: Section 1500, 1501, 1502.

Related DRC Action: Dispute Resolution Committee Decision 2003.2, November 14, 2003.

1010 CONTENTS OF RECORDS

Records containing the following elements shall be accepted by the Base Jurisdiction as adequate under Section 1005(a):

(a) For Records produced by a means other than a vehicle-tracking system:

- (i) the beginning and ending dates of the trip to which the Records pertain**
- (ii) the origin and destination of the trip**
- (iii) the route of travel**
- (iv) the beginning and ending reading from the odometer, hubodometer, engine control module (ECM), or any similar device for the trip**
- (v) the total distance of the trip**
- (vi) the distance traveled in each Jurisdiction**
- (vii) the Vehicle identification number or Vehicle unit number**

(b) For Records produced wholly or partly by a vehicle-tracking system, including a system based on a global positioning system (GPS):

- (i) the original GPS or other location data for the Vehicle to which the Records pertain**
- (ii) the date and time of each GPS or other system reading**
- (iii) the location of each GPS or other system reading**
- (iv) the beginning and ending reading from the odometer, hubodometer, engine control module (ECM), or any similar device for the period to which the Records pertain**
- (v) the calculated distance between each GPS or other system reading**
- (vi) the route of the Vehicle’s travel**
- (vii) the total distance traveled by the Vehicle**
- (viii) the distance traveled in each jurisdiction**
- (ix) the Vehicle identification number or Vehicle unit number**

(c) Summaries:

- (i) a summary of the Fleet’s operations for each month, which includes both the full distance traveled by each Apportioned Vehicle in the Fleet during the calendar month, and the distance traveled in the month by each Apportioned Vehicle in each Jurisdiction**
- (ii) a summary of the Fleet’s operations for each calendar quarter, which includes both the full distance traveled by Vehicles in the Fleet during the calendar quarter, and the distance traveled in each Jurisdiction by the Vehicles in the Fleet during the calendar quarter**