

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Qui and Ai Chau Do,

Complainant,

vs.

San Diego Gas & Electric Company (U 902-M),

Defendant.

Case 01-08-040
(Filed August 29, 2001)

ADMINISTRATIVE LAW JUDGE'S RULING

Summary

This ruling requests information from complainants and defendant in advance of a prehearing conference (PHC), which is scheduled for November 5, 2001. The requested information will assist in the determination of the scope of issues before the Commission in this complaint.

Procedural Developments to Date

This complaint stems from a dispute between Qui and Ai Chau Do, complainants, and San Diego Gas and Electric Company (SDG&E), defendant, concerning the extension of an electric power line and the installation of new electric service at 1504 Taza Road, Fallbrook, California.

On August 29, 2001, Qui and Ai Chau Do filed Case 01-08-040 alleging (among other things) that SDG&E had failed to design the electric service

complainants' require and that SDG&E's request for additional payment is unlawful.

On September 17, 2001, the Commission instructed SDG&E to answer the complaint.

On October 17, 2001, SDG&E filed an answer to the complaint, alleging (among other things) that the failure to design the electric service that the complaints' require grew from communications failures of the complainants that will lead to additional costs. SDG&E further alleges that it has done nothing wrong. In addition, SDG&E simultaneously filed a motion to dismiss the complaint.

A notice of a telephonic prehearing conference (PHC) for Monday November 3, 2001 at 10:00 was mailed on October 25, 2001.

Information Sought

One of the chief purposes of a PHC is to obtain the information needed to set a case management plan for a proceeding. Thus, the PHC will solicit information needed to set the scope of the proceeding and to schedule the submission of testimony and evidentiary hearings.

To aid in determining the scope of this proceeding, complainant should provide to Administrative Law Judge (ALJ) Sullivan and to SDG&E copies of relevant communications by them to SDG&E concerning their request for electric service by noon on November 2, 2001.

Similarly, SDG&E should provide to ALJ Sullivan and complainant by noon on November 2, 2001 copies of relevant communications by them to complainants concerning the request for service. In addition, SDG&E should provide a written statement itemizing the additional payment it demands (beyond the initial \$33,025) to provide 480-volt 4-wire 3-phase service to the

water pump station and 120/240 volt 3-wire single-phase service for the residence. SDG&E should also state what the additional payments will cover and whether additional equipment will be needed to operate the planned pump. SDG&E should also state whether the complainants may contract with vendors other than SDG&E for any of the services or equipment needed. Finally, SDG&E should explain why the dispute over the electric service for the pump station has prevented the provision of residential service.

Both parties should be prepared to make an opening statement outlining the issues in the proceeding and relating these issues to the provisions of utility tariffs and/or specific sections of the Public Utilities Code. Both parties should be prepared to select dates for the submission of testimony and evidentiary hearings.

IT IS RULED that:

1. Qui and Ai Chau Do shall provide (by mail, by fax, or other manner) copies of their correspondence with SDGE concerning the installation of electric service at 1504 Taza Road, Fallbrook, California, 92028 to Administrative Law Judge Sullivan (ALJ) and to SDG&E so that it arrives by noon on Friday, November 2, 2001.
2. SDG&E shall provide (by mail, by fax, or other manner) copies of its correspondence concerning the installation of electric service at 1504 Taza Road, Fallbrook, California, to ALJ Sullivan and to Qui and Ai Chau Do by noon on Friday, November 2, 2001.
3. SDG&E shall provide to ALJ Sullivan and to Qui and Ai Chau Do by noon on Friday, November 2, 2001 the following:
 - a. A written statement itemizing the additional payments that SDG&E requires beyond the initial \$33,025 to provide the 480 volt 4-wire, 3-phase service to the water pump station

- and 120/240 volt 3-wire, single phase service for the residence at 1504 Taza Road, Fallbrook, California.
- b. A written statement indicating whether the equipment and installation actions itemized under “a” will be sufficient to power the planned water pump. If not, please indicate what additional actions and equipment will be required.
 - c. A written statement indicating whether other vendors may provide the electric services and equipment mentioned above or whether these services, in the opinion of SDG&E, fall under the rights and obligations of granted exclusively in SDG&E’s franchise.
 - d. A written statement indicating why the dispute over electric service to the pump station has prevented the installation of residential electric service at 1504 Taza Road, Fallbrook, California.

Dated October 26, 2001, at San Francisco, California.

/s/ Timothy J. Sullivan

Timothy J. Sullivan
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on all parties of record in this proceeding or their attorneys of record.

Dated October 26, 2001, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.