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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902E) for Approval of: (i) Contract Administration, Least-Cost Dispatch and Power Procurement Activities in 2015, (ii) Costs Related to those Activities Recorded to the Energy Resource Recovery Account and Transition Cost Balancing Account in 2015 and (iii) Costs Recorded in Related Regulatory Accounts in 2015.

Application 16-06-002
(Filed June 1, 2016)

**E-MAIL RULING GRANTING SOUTHERN CALIFORNIA EDISON COMPANY
LIMITED PARTY STATUS**

Dated August 10, 2016, at San Francisco, California.

/s/ ERIC WILDGRUBE
Eric Wildgrube
Administrative Law Judge

From: Wildgrube, Eric

Sent: Wednesday, August 10, 2016 1:19 PM

To: Szymanski, Paul; Zhang, Zhen; CRMd@pge.com; mrw@mrwassoc.com; Gill, Kellen; Lui, Brian; Gannon, Jaime Rose; Halperin, Mea; Weaver, Monica; Cunningham, Patrick; Li, Xian M.; Shmidt, Yuliya; Clay, Christopher; Osman, Ayat; case.admin@sce.com; fadia.khoury@sce.com; Russell.Archer@SCE.com; Ettinger, Christian

Cc: ALJ_Support ID; ALJ Docket Office; ALJ Process

Subject: A.16-06-002 Email Ruling Granting Southern California Edison Company Limited Party Status

On August 5, 2016, Southern California Edison Company (SCE) filed its motion requesting party status in Application 16-06-002, San Diego Gas & Electric's 2015 Electric Energy Resource Recovery Account (ERRA) Compliance proceeding. SCE is a Commission-regulated utility that files applications regarding its own ERRA. SCE seeks party status because "many of the issues decided in one utility's ERRA proceeding are often precedential for all practical purposes for the other utilities."

In support of its motion, SCE states, in part,

California Public Utilities Code §454.5 unambiguously states that "a procurement plan approved by the commission shall ... [e]liminate the need for after-the-fact reviews of an electrical corporation's actions in compliance with an approved procurement plan, including resulting electricity procurement contracts, practices, and related expenses."

California Public Utilities Code §454.5(d) provides, in relevant part,

(d) A procurement plan approved by the commission shall

...

Eliminate the need for after-the-fact **reasonableness** reviews of an electrical corporation's actions in compliance with an approved procurement plan, including resulting electricity procurement contracts, practices, and related expenses. **However, the commission may establish a regulatory process to verify and ensure that each contract was administered in accordance with the terms of the contract, and contract disputes that may arise are reasonably resolved.** [*Emphasis added*]

SCE requests approval of its motion for party status so that it can participate in the proceeding by submitting legal briefing, as well as potentially conducting discovery and serving written testimony. SCE states its participation in this proceeding will not expand the scope of issues in this proceeding nor delay the procedural schedule.

Commission Rules of Practice and Procedure, Rule 1.4(b) requires that a person seeking party status by motion

- (1) fully disclose the persons or entities in whose behalf the filing, appearance or motion is made, and the interest of such persons or entities in the proceeding; and
- (2) state the factual and legal contentions that the person intends to make....

Rule 1.4 (c) provides the Administrative Law Judge may “deny or limit the degree to which a party may participate in the proceeding.”

Despite SCE’s incomplete citation to Public Utilities Code §454.5(d), SCE’s motion complies with Rule 1.4(b). It is reasonable to grant, with limitations, the motion for party status filed by SCE. SCE’s participation is limited to matters potentially applicable to all utilities seeking Commission approval of an ERRA proceeding, such as the scope of the proceeding and an applicant’s burden of proof and requisite showing. SCE is denied, absent prior approval, party participation concerning the presentation and resolution of factual issues pertaining to SDG&E only, including, discovery, submittal of testimony, evidentiary hearings, and settlement.

Therefore, **IT IS RULED**,

Southern California Edison Company is granted limited party status in Application 16-06-002. Participation by Southern California Edison Company is limited to matters potentially applicable to all utilities seeking Commission approval of an ERRA proceeding. Southern California Edison Company is denied, absent prior approval, party participation concerning the presentation and resolution of facts pertaining to San Diego Gas & Electric only, including, discovery, submittal of testimony, evidentiary hearings, and settlement.

Dated August 10, 2016, at San Francisco, California.

THE DOCKET OFFICE SHALL FORMALLY FILE THIS RULING.

Eric Wildgrube
Administrative Law Judge
California Public Utilities Commission