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**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Consider  
Staff Proposal Concerning Revision or  
Repeal of General Orders and Utility  
Reporting Requirements.

Rulemaking 15-12-006  
(Filed December 3, 2015)

**ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING  
REQUESTING ADDITIONAL COMMENTS ON STAFF PROPOSAL**

**Summary**

Pursuant to Rule 7.3,<sup>1</sup> this Scoping Memo and Ruling sets forth the scope of issues, category, need for hearing, and schedule for this proceeding. This ruling also requests additional comments on Items 5, 6, 9, 14, and 23 of the Staff Proposal.

**1. Background**

On December 3, 2015, the Commission opened this rulemaking to consider a Staff Proposal seeking to revise or repeal 29 utility reports and General Orders. The Staff Proposal is based on the Solicitation for Input (SFI) process. The SFI is a process that gives the public an opportunity to provide informal input regarding proposed changes to Commission policy, procedure, and regulation prior to the Commission's initiation of a formal proceeding. On January 28, 2015, Commission Staff issued an SFI that invited informal input from the public on what revisions, if any, should be made to dozens of rules and requirements

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<sup>1</sup> All references to a Rule or Rules are to the Commission's Rules of Practice and Procedure. (Cal. Code of Regs., tit. 20, div. 1, ch. 1.)

applicable to public utilities in California. Staff developed the recommendations in the Staff Proposal based on the comments received on the SFI. The Staff Proposal contains six staff proposals originally included in the January 2015 SFI, plus 23 new recommendations made by commenters in their SFI comments.

Parties filed initial comments on the Order Instituting Rulemaking (OIR) on January 11, 2016 and reply comments on January 25, 2016.

## **2. Scope of the Proceeding**

The OIR set forth a preliminary scoping memo and identified the following issues as preliminarily within the scope of this proceeding:

- 1) Should the Staff Proposal, as set forth in Attachment A of this rulemaking, to repeal or revise twenty-nine General Orders and utility reports be adopted in whole or in part?
- 2) Are the General Orders (GO) and utility reports that are the subject of the Staff Proposal out of date and ripe for updating, and, if so, for what reasons?
- 3) Are there any safety implications from the repeal and revisions of these twenty-nine GOs and utility reports?

This scoping memo confirms the preliminary scope of issues set forth in the OIR.

In comments to the OIR, several parties recommended that the Commission consider repealing or revising additional GOs and utility reports not mentioned in the Staff Proposal. Parties also recommended opening a new track of the OIR in order to evaluate modernization proposals made by parties and the general public.

The Staff Proposal is based on the SFI process, which is intended to provide a less time-consuming and expensive means for the public to participate in Commission proceedings and for streamlining some of the Commission's existing processes. Staff developed the recommendations in the Staff Proposal after an initial review of the Commission's existing GOs and reporting

requirements, issuance of an SFI, and review of comments to the SFI. Expanding the scope of this proceeding to consider any and all recommendations on rules and requirements applicable to public utilities in California would be too expansive and open-ended and an inefficient use of the Commission's resources. Any person may file a petition for modification or petition for rulemaking to have the Commission consider specific changes to utility rules and requirements.<sup>2</sup> Furthermore, the public may provide informal input to the Commission regarding modernization proposals.<sup>3</sup>

For the reasons stated above, the scope of this proceeding is limited to the recommendations set forth in the Staff Proposal with one exception relevant to Item 19 of the Staff Proposal. Item 19 recommends changing the frequency of a mover services program report required of San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) from semi-annual to annual. Pacific Gas and Electric Company (PG&E) comments that its mover services program is similar to SDG&E's and SoCalGas' programs, and requests that its mover services program report also be changed from a semi-annual to an annual report.<sup>4</sup> In authorizing SDG&E's and SoCalGas' mover services program in 2011, the Commission imposed many of the same conditions, including the semi-annual reporting requirement, it had imposed on PG&E's mover services program previously authorized in 2008.<sup>5</sup> Therefore, the issue of whether the

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<sup>2</sup> See Rules 6.3 and 16.4.

<sup>3</sup> *Ex parte* rules may apply if the communication concerns any substantive issue in a pending proceeding. (See Article 8 of the Rules.)

<sup>4</sup> PG&E Initial Comments at 2.

<sup>5</sup> Resolution G-3456 at 1 & 10.

frequency of PG&E's mover services report should also be changed from semi-annual to annual is included within the scope of this proceeding.

### **3. Categorization**

The Commission in the OIR, issued on December 11, 2015, preliminarily determined that the category of the proceeding is quasi-legislative.

This scoping memo confirms the categorization. Anyone who disagrees with this categorization must file an appeal of the categorization no later than ten days after the date of this scoping ruling. (*See* Rule 7.6.)

### **4. Need for Hearing**

The Commission in the OIR also preliminarily determined that hearings are not required. No party has requested hearings and this scoping memo confirms that hearings are not required.

### **5. Ex Parte Communications**

In a quasi-legislative proceeding such as this one, *ex parte* communications with the assigned Commissioner, other Commissioners, their advisors and the Administrative Law Judge (ALJ) are permitted without restriction or reporting as described at Public Utilities Code § 1701.4(b) and Article 8 of the Rules.

Although workshops are not currently anticipated, if there are any meetings or workshops in this proceeding, or meetings or workshops related to this proceeding, that may be attended by a decisionmaker or an advisor, notices of such meetings or workshops will be posted on the Commission's Daily Calendar to inform the public that a decisionmaker or an advisor may be present at those meetings or workshops. Parties shall check the Daily Calendar regularly for such notices.

**6. Assignment of Proceeding**

President Michael Picker is the assigned Commissioner and Sophia J. Park is the assigned ALJ.

**7. Schedule**

The following schedule is adopted for this proceeding:

Date	Event
20 days from mailing of the OIR	Deadline for requests to be on Service List
30 days from mailing of the OIR	Initial Comments filed and served
45 days from mailing of the OIR	Reply Comments filed and served
21 days from mailing of Scoping Memo	Additional Comments filed and served on Items 5, 6, 9, 14, and 23 of Staff Proposal
28 days from mailing of Scoping Memo	Additional Reply Comments filed and served on Items 5, 6, 9, 14, and 23 of Staff Proposal
Q1 of 2017	Proposed Decision

The assigned Commissioner or ALJ may adjust the schedule as necessary for the efficient and fair resolution of this proceeding. Consistent with Public Utilities Code Section 1701.5, this proceeding will be resolved within 18 months of the issuance of this Scoping Memo.

**8. Request for Additional Comments**

**8.1 Item 5 of Staff Proposal: Advanced Metering Infrastructure Reports**

Item 5 of the Staff Proposal proposes repealing quarterly and annual Advanced Metering Infrastructure (AMI) reports for PG&E, SDG&E, and Southern California Edison Company (SCE). According to the Staff Proposal,

these reporting requirements are found in Decision (D.) 06-07-027 for PG&E, D.07-04-043 for SDG&E, and D.08-09-039 for SCE.<sup>6</sup>

These decisions impose varying reporting requirements for each utility:

- Ordering Paragraph (OP) 4 of D.06-07-027, directs PG&E to provide the Division of Ratepayer Advocates<sup>7</sup> and the Energy Division with monthly (or more frequent as needed) status reports on the AMI project. OP 16 of D.06-07-027 directs PG&E to provide to the Chief Administrative Law Judge, Energy Division, Division of Ratepayer Advocates, and all other parties in the AMI proceeding a semi-annual report on AMI deployment.
- OP 3 of D.07-04-043 directs SDG&E to provide quarterly reports on AMI implementation progress to the Energy Division. D.07-04-043 at page 15 states that an annual report on SDG&E's progress in deploying AMI and the industry status of AMI-related technologies prepared by the AMI Technology Advisory Panel will be submitted to the Energy Division.
- OP 3 of D.08-09-039 directs SCE to file an annual report on the energy savings and associated financial benefits of all demand response, load control, and conservation programs enabled by AMI.

This ruling seeks comment on the following:

1. Would adoption of Item 5 modify PG&E's reporting requirements set forth in D.06-07-027? If so, specify which reporting requirement(s) would be affected.

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<sup>6</sup> Staff Proposal at 7-8 & 21.

<sup>7</sup> The Division of Ratepayer Advocates is now known as the Office of Ratepayer Advocates.

2. Would adoption of Item 5 modify SDG&E's reporting requirements set forth in D.07-04-043? If so, specify which reporting requirement(s) would be affected.
3. Would adoption of Item 5 modify SCE's reporting requirements set forth in D.08-09-039? If so, specify which reporting requirement(s) would be affected.
4. Would adoption of Item 5 affect utility reporting requirements other than those imposed by D.06-07-027, D.07-04-043, or D.08-09-039? If so, specify the relevant reporting requirement and the source of the requirement (e.g., the Commission decision or order that imposed the requirement).
5. In PG&E's comments to the SFI,<sup>8</sup> PG&E supported elimination of the AMI Report stating that "PG&E's requirement was approved for elimination in [the] 2014 [General Rate Case]." Specify what AMI reporting requirement for PG&E was approved for elimination and provide citations to the Commission decisions or orders that imposed and eliminated this reporting requirement.
6. Does PG&E, SDG&E, or SCE provide the Commission with information regarding AMI installations in reports that would remain unaffected by the adoption of Item 5? If so, describe these reports, including the Commission decision or order that imposed the reporting requirement.

## **8.2 Item 6 of Staff Proposal: Annual Caller ID Blocking Report**

Item 6 of the Staff Proposal proposes to repeal an annual Caller ID Blocking Report required of local exchange carriers (LECs) and competitive local exchange carriers (CLECs). D.96-04-049 imposed this annual reporting

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<sup>8</sup> The SFI comments are attached as Attachment B to the OIR.

requirement for CLECs.<sup>9</sup> However, the reporting requirements for LECs differ from that stated in the Staff Proposal.

In OP 8 of D.92-06-065, as modified by D.92-11-062,<sup>10</sup> the Commission required LECs to file semi-annual (rather than annual) compliance reports on all privacy related Custom Local Access Signaling Services (or “CLASS services”). These decisions define CLASS services as including Call Block, Call Return, Call Trace, Caller ID, Priority Ringing, Repeat Dialing, and Select Call Forwarding.<sup>11</sup>

This ruling seeks comment on the following:

1. Would adoption of Item 6 repeal in whole, or in part, the reporting requirement for LECs set forth in OP 8 of D.92-06-065, as modified by D.92-11-062?
2. If the Caller ID Blocking Report that is the subject of Item 6 is not the report required of LECs pursuant to OP 8 of D.92-06-065, as modified by D.92-11-062, specify the Commission decision or order that required LECs to submit this report.

### **8.3 Item 9 of Staff Proposal: Quarterly Reports on Installed Customer Generation**

Item 9 of the Staff Proposal proposes to repeal the quarterly reports on installed customer generation required of PG&E, SCE, and SDG&E pursuant to D.03-04-030 and Resolution E-3831. SCE, PG&E, and SDG&E have already filed advice letters requesting, among other things, relief from the quarterly reporting

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<sup>9</sup> D.96-04-049, Attachment A, Rule 14.

<sup>10</sup> The OPs of D.92-06-065, as modified by D.92-11-062, are set forth in Attachment 1 of D.92-11-062.

<sup>11</sup> D.92-11-062 at 1-2.

requirement adopted in D.03-04-030 and Resolution E-3831.<sup>12</sup> The Energy Division approved these advice letters on May 16, 2016.

This ruling seeks comment on the following:

1. Is Item 9 of the Staff Proposal moot in light of the Energy Division's approval of SCE Advice Letter 3263-E/E-A, PG&E Advice Letter 4743-E/E-A, and SDG&E Advice Letter 2778-E/E-A/E-B?

#### **8.4 Item 14 of Staff Proposal: PG&E Call Center Performance Measure**

According to the Staff Proposal, pursuant to D.04-10-034, PG&E is required to file quarterly reports concerning the timeliness of service provided by its customer service call centers. Item 14 of the Staff Proposal proposes changing the frequency of this report from quarterly to annual.

There is nothing in D.04-10-034 that requires PG&E to file quarterly reports on its call center performance. In its SFI Comments, PG&E had cited to the text of Section 7.5(c) of D.04-10-034 but there is nothing in that section that requires quarterly reports on call center performance.

This ruling seeks comment on the following:

1. Did D.04-10-034 impose PG&E's reporting requirement that is the subject of Item 14? If so, provide a citation and/or quotation from the decision where this reporting requirement can be found.
2. Was there a Commission decision or order other than D.04-10-034 that required PG&E to file the quarterly call center performance reports that are the subject of Item 14?

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<sup>12</sup> SCE Advice Letter 3263-E/E-A; PG&E Advice Letter 4743-E/E-A; SDG&E Advice Letter 2778-E/E-A/E-B.

If so, specify which decision or order imposed this requirement.

**8.5 Item 23 of Staff Proposal: San Onofre Nuclear Generating Station Unit 1 Decommissioning Report**

Item 23 of the Staff Proposal proposes consolidation of SDG&E's quarterly San Onofre Nuclear Generating Station (SONGS) Unit 1 Decommissioning Report into the SONGS Units 2 and 3 Decommissioning Report. This item is based on a recommendation made by SDG&E in its SFI Comments.

This ruling seeks comment on the following:

1. Which Commission decisions or orders imposed the reporting requirements that are the subject of Item 23?

**IT IS RULED** that:

1. The scope of the issues for this proceeding is as set forth in "Section 2. Scope of the Proceeding" of this ruling.
2. The category of this proceeding is quasi-legislative.
3. Evidentiary hearings are not needed.
4. The schedule for the proceeding is as set forth in "Section 7. Schedule" of this ruling. The assigned Commissioner or Administrative Law Judge may adjust the schedule as necessary for the fair and efficient management of this proceeding.

5. Parties may file and serve comments on the questions presented in Section 8 of this ruling no later than 21 days after the issuance of this ruling. Parties may file and serve reply comments no later than 28 days after the issuance of this ruling.

Dated September 8, 2016, at San Francisco, California.

/s/ MICHAEL PICKER

Michael Picker  
Assigned Commissioner