

**I.12-10-013, A.13-01-016, A.13-03-005, A.13-03-013, A.13-03-014 and Related matters**

**Concurrence of Commissioner Catherine J. K. Sandoval, on item 37, D.15-12-016, Decision Affirming Violations of Rule 8.4 and Rule 1.1 and Imposing Sanctions on Southern California Edison Company**

These proceedings were initiated by the Commission in October 2012 as a result of the premature failure of equipment at the San Onofre Nuclear Generating Station (or SONGS). This Decision imposes a financial penalty of \$16.7 million on Southern California Edison Company (SCE) for eight violations of CPUC Rules of Practice and Procedure 8.4 in light of SCE's failure to timely file and serve notice of ex parte communications with a CPUC decision-maker, and two violations of CPUC Rule 1.1 for misleading the Commission.

The CPUC's rules and the California Public Utilities Code permit substantive communications between a party and a decisionmaker in ratesetting proceedings, but require that they be reported and noticed pursuant to those rules. In this Decision we do not find that any of the underlying communications were prohibited under CPUC rules, but that SCE failed to timely notice and report those substantive communications with a decision-maker. It is the substantive content of the party's communication about an issue in the proceeding that triggers a party's duty to disclose that communication through an ex parte notice, not the formality of the meeting or how long it took. SCE's failure to follow these rules that protect the integrity of a decision-making process merits the

significant penalty adopted in this Decision. This Decision provides guidance to all parties in their interaction with the CPUC, promotes transparency regarding the CPUC's rules, and reflects our commitment to abide by and enforce our rules.

I want to thank Judge Darling for her diligent work on this case, and this matter in particular. I also want to thank CPUC General Counsel Arocles Aguilar, Chief Administrative Law Judge (ALJ) Karen Clopton, Assistant Chief ALJ Judge Dorothy Duda, Jason Reiger, Harvey Morris, Helen Yee, Geoff Dryvynsyde, and James Ralph of the CPUC's Legal Division, my Chief of Staff, Ditas Katague, my Energy Advisor, Amy Baker, and my Legal Advisor Jamie Ormond, and my Assistants Valerie Malliett and Lolita Hajian.

Dated December 7, 2015 at San Francisco, California

/s/ Catherine J. K. Sandoval

Catherine J. K. Sandoval  
Commissioner