

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Adopt Rules and Procedures Governing Commission-Regulated Natural Gas Pipelines and Facilities to Reduce Natural Gas Leakage Consistent with Senate Bill 1371.

Rulemaking 15-01-008
(Filed January 15, 2015)

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding from July 23, 2017 to September 21, 2017.

1. Background

In this proceeding, the statutory deadline is July 23, 2017. According to the Scoping Memo, “[d]ue to the complexity and unique nature of the proceeding, including the relationship with the California Air Resources Board (ARB) activities, this proceeding required more than 18 months to conclude.”¹

Therefore, the proceeding scoping memo determined that the proceeding would conclude within 24 months of the date of the Scoping Memo on July 25, 2015.²

Pub. Util. Code § 1701.5(a) provides that quasi-legislative cases must be resolved within 18 months of the date the scoping memo is issued unless the Commission makes findings why that statutory deadline cannot be met and

¹ Scoping Memo at 16-17.

² *Ibid.* at 17.

issues an order extending the 18-month deadline for a period not exceeding 60 days.

On January 22, 2015, the California Public Utilities Commission (Commission or CPUC) opened Rulemaking (R.) 15-01-008 to implement the provision of Senate Bill (SB) 1371 (Statutes 2014, Chapter 525). SB 1371 requires the adoption of rules and procedures to minimize natural gas leakage from Commission-regulated natural gas pipeline facilities consistent with Pub. Util. Code § 961(d), § 192.703 Subpart M of Title 49 of the Code of Federal Regulation, the Commission's General Order 112-F, and the state's goal of reducing greenhouse gas emissions. On May 15, 2017, the Commission mailed a proposed decision, which approves the Natural Gas Leak Abatement Program consistent with SB 1371.

There are a number of reasons why this proceeding will not be resolved by the July 23, 2017 deadline:

First, the proposed decision in this proceeding was first on the agenda for the June 15, 2017 but may not be approved until the June 29, 2017 meeting or thereafter. Second, implementation issues associated with this proceeding are complex and detailed so more than a few weeks are necessary to fully flesh out second phase scoping issues in cooperation with ARB, Respondents and parties. The Commission's Safety and Enforcement Division (SED) will convene a Technical Working Group and conduct a workshop to refine the scope and detail of Respondents' Compliance Plans. There is insufficient time to obtain pre-hearing conference (PHC) statements, conduct a PHC and issue a second phase scoping memo before the statutory deadline of July 23, 2017.

Based on the above, a 60-day extension of the statutory deadline until September 21, 2017 is appropriate.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission’s Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving quasi-legislative proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

3. Assignment of Proceeding

Clifford Rechtschaffen is the assigned Commissioner and Colette E. Kersten is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The statutory deadline for resolving this quasi-legislative proceeding is July 23, 2017.
2. A new scoping memo is expected to be issued before September 21, 2017.
3. A 60-day extension of the statutory deadline is necessary to provide sufficient time for review and to issue a new scoping memo.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline should be extended from July 23, 2017 to September 21, 2017.

IT IS ORDERED that the statutory deadline in this proceeding, July 23, 2017, is extended until September 21, 2017.

This order is effective today.

Dated _____, at San Francisco, California.