

Decision 11-03-013 March 10, 2011

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

Application of Southern California Gas Company  
and San Diego Gas & Electric Company to  
Expand Existing Off-System Delivery Authority.

Application 08-06-006  
(Filed June 6, 2008)

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

Public Utilities Code § 1701.5(a) provides that ratesetting proceedings shall be resolved within 18 months of the date the scoping memo and ruling is issued, unless the Commission makes a written determination that the deadline cannot be met, including findings as to the reason, and issues an order extending the deadline.

In Decision 11-01-012, the deadline for resolving this proceeding was extended to March 21, 2011. In the event the Commission does not vote on the proposed decision at its March 10, 2011 meeting, an additional extension of 60 days is needed, which would extend the deadline for resolving this proceeding to May 20, 2011.

**Discussion**

On June 6, 2008, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) filed the above-captioned application. The application seeks authority to expand the off-system delivery service of natural gas by SDG&E and SoCalGas to all other pipeline

interconnections on the same terms and conditions as authorized in Decision (D.) 06-12-031.

The initial scoping memo and ruling (initial scoping memo) was issued on December 18, 2008, which ruled that this proceeding would first address whether the issues about air quality, gas quality, the Wobbe Index, and the California Environmental Quality Act (CEQA) should be addressed in this proceeding. After the filing of briefs, the Commission concluded in D.09-06-019 that these issues had already been addressed by the Commission in D.06-09-039, that these issues were barred from being relitigated in this proceeding, and that a CEQA analysis was not required.

The amended scoping of July 20, 2009 then set forth the procedural schedule to litigate the remaining factual issues in this proceeding. Evidentiary hearings were held on October 28 and 29, 2009, and this proceeding was submitted on December 18, 2009.

In D.11-01-012, the 18-month deadline for this proceeding was extended to March 21, 2011.

A proposed decision resolving all the remaining issues in this proceeding was issued on February 7, 2011, and is on the Commission's agenda for March 10, 2011. In the event the Commission does not vote on this proposed decision at its March 10, 2011 meeting, a further extension of the March 21, 2011 deadline will be needed since the next Commission meeting will not occur until March 24, 2011. Accordingly, the current deadline of March 21, 2011 should be extended by an additional 60 days to May 20, 2011.

### **Waiver of Comments**

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 decisions extending the deadline for resolving ratesetting proceedings. We waive the period for public review and comment pursuant to this rule.

### **Assignment of Proceeding**

Timothy Alan is the assigned Commissioner and John S. Wong is the assigned Administrative Law Judge in this proceeding.

### **Findings of Fact**

1. The initial scoping memo for this proceeding was issued on December 18, 2008, and an amended scoping memo was issued on July 20, 2009.
2. D.11-01-012 extended the deadline for resolving this proceeding to March 21, 2011.
3. A proposed decision resolving all the remaining issues in this proceeding was issued on February 7, 2011, and is on the Commission's agenda for March 10, 2011.
4. In the event the Commission does not vote on the proposed decision at its March 10, 2011 meeting, an extension of the March 21, 2011 deadline is warranted in this proceeding.

### **Conclusions of Law**

1. The March 21, 2011 deadline should be extended by an additional 60 days to May 20, 2011.
2. In accordance with Rule 14.6(c)(4), the comment period is waived.

**O R D E R**

**IT IS ORDERED** that the 18-month statutory deadline for resolving this proceeding is extended to May 20, 2011.

This order is effective today.

Dated March 10, 2011, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
TIMOTHY ALAN SIMON  
MICHEL PETER FLORIO  
CATHERINE J.K. SANDOVAL  
Commissioners