

Decision 12-04-036 April 19, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company in its 2009 Nuclear Decommissioning Cost Triennial Proceeding (U39E).

Application 09-04-007
(Filed April 3, 2009)

And Related Matter.

Application 09-04-009

ORDER EXTENDING STATUTORY DEADLINE**Summary**

Public Utilities Code Section 1701.5(a) provides that ratesetting cases, such as these consolidated proceedings, shall be resolved within 18 months of the date on which the scoping memo is issued, unless the Commission makes findings regarding why that deadline cannot be met and issues an order extending the 18-month deadline for a period not exceeding 60 days.

In this proceeding, the Commission issued its first Decision (D.) 10-07-047 on July 29, 2010, addressing Phase 1 of the Triennial Review of Nuclear Decommissioning Trusts and Related Decommissioning Activities for Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company.

Following the issuance of D.10-07-047, the scoping memo for Phase 2 addressing the issues related to trust fund management, was issued on August 31, 2010. Briefs were filed on December 12, 2011. On February 16, 2012, the Commission issued D.12-02-028 extending the statutory deadline to

April 30, 2012. A proposed decision is expected to be mailed by late May 2012. Therefore, the 60-day extension of the statutory deadline until June 29, 2012, is necessary to give the Commission time to deliberate on the proposed decision.

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 ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and Melanie M. Darling is the assigned Administrative Law Judge in these consolidated proceedings.

Findings of Fact

1. The statutory deadline of these consolidated proceedings is April 30, 2012.
2. A 60-day extension of time to June 29, 2012, is needed to ensure adequate deliberation on the proposed decision expected to be mailed by late May 2012.

Conclusions of Law

1. The Commission should extend the deadline in this proceeding to June 29, 2012, as allowed by Pub. Util. Code § 1701.5(a).
2. In accordance with Rule 14.6(c)(4) the comment period should be waived.

3. This order should be effective immediately.

IT IS ORDERED that the statutory deadline in these consolidated proceedings is extended to June 29, 2012.

This order is effective today.

Dated April 19, 2012, at San Francisco, California.

MICHAEL R. PEEVEY

President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

Commissioners