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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company
Proposing Cost of Service and Rates for Gas
Transmission and Storage Services for the
Period 2011-2014. (U 39 G)

Application 09-09-013
(Filed September 18, 2009)

**SCOPING MEMO AND RULING OF ASSIGNED COMMISSIONER
AND ADMINISTRATIVE LAW JUDGE**

1. Summary

Today's ruling addresses the scope of issues to be covered in the gas transmission and storage (GT&S) proceeding of Pacific Gas and Electric Company (PG&E), and the procedural schedule that we will follow to resolve the issues. Evidentiary hearings are scheduled for May 17, 2010 through May 28, 2010.

2. Background

On September 18, 2009, PG&E filed its application requesting that the Commission grant its application concerning the revenue requirement, cost allocation, and rate design of its GT&S services. PG&E requests a revenue requirement of \$529.1 million for 2011, \$561.5 million for 2012, \$592.2 million for 2013, and \$614.8 million for 2014. PG&E requests that the new rates go into effect on January 1, 2011.

Timely protests and a response to PG&E's application were filed by various parties, to which PG&E filed a reply.

A prehearing conference (PHC) was noticed for, and held on December 2, 2009.

3. Scope of Issues

A preliminary list of the scope of issues was included in the agenda for the PHC.¹ The issues listed on the PHC agenda were derived from the application, PG&E's prepared testimony, the protests and response to the application, and PG&E's reply to the protests and response.

At the December 2, 2009 PHC, the parties were given the opportunity to discuss the scope of issues that should be addressed in this proceeding. At the PHC, counsel for San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) submitted a PHC statement with their view of certain issues.

Based on the discussion at the PHC regarding the issues to be addressed in this proceeding, and a review of the documents referenced above, the scope of issues to be addressed in this proceeding shall be as follows:

1. Whether the revenue requirement, cost allocation, and rate design application of PG&E's GT&S costs should be granted by the Commission, with rates effective beginning January 1, 2011. (This is the ultimate issue to be addressed.)
2. Whether the proposed amounts and the costs associated with PG&E's proposed GT&S revenue requirement are reasonable and whether the proposed revenue requirement should be adopted.
 - a. Whether the proposed upgrades to compression will result in adequate pipeline capacity to maximize the use of gas storage during peak conditions.

¹ A copy of the agenda was attached to the Reporter's Transcript of the PHC.

- b. Whether the post-test year adjustments for 2012-2014 are reasonable.
 - c. Whether the proposal to include 25% of the costs of Gill Ranch Storage for the Market Storage program is reasonable and consistent with the Gill Ranch Storage application and Decision 09-10-035, and whether any storage competition and subsidy issues are raised by the proposal.
3. Whether PG&E's proposed GT&S rates for 2011 through 2014 are reasonable and whether these rates should be adopted.
 - a. Whether the gas throughput forecasts of PG&E are reasonable.
 - b. What are the rights of SDG&E and SoCalGas to use its capacity on the Redwood Path to deliver gas at various delivery points, and whether PG&E's Schedule G-XF needs to be revised.
4. Whether PG&E's proposed 50/50 sharing mechanism for GT&S revenues is reasonable and should it be adopted.
 - a. Whether core customers will be affected by the proposed sharing mechanism.
 - b. Whether the proposed sharing mechanism provides an incentive to understate or overstate the GT&S revenue requirement.
 - c. Whether the proposed sharing mechanism raises any market competition and subsidy issues.
5. Whether PG&E's cost allocation and rate design proposals, including the following, are reasonable and should be adopted.
 - a. PG&E's proposal to equalize the Redwood and Baja backbone rates.
 - b. Whether PG&E's proposed GT&S rates raise market competition and subsidy issues.

- c. The proposal to calculate backbone rates based on forecast demand instead of by load factor, and the proposal to eliminate the Line 401 adjustment.
 - d. PG&E's proposal to end the local transmission bill credits for Moss Landing and four public entities.
 - e. PG&E's proposal to continue the option for firm backbone transportation shippers to pay a modified fixed variable rate or a straight fixed variable rate.
 - f. PG&E's proposal to eliminate the on-system option for straight fixed variable off-system contracts.
6. Whether the proposed cost recovery mechanisms are reasonable and should be adopted.
- a. Proposed adjustment mechanisms using balancing accounts for costs determined in other proceedings (e.g., administrative and general, employee medical costs, pension and benefit expenses, uncollectibles, and cost of capital).
 - b. Proposed electricity cost balancing account for electric compression costs.
 - c. Proposed greenhouse gas cost memorandum account.
 - d. Proposed continuation of existing adjustment mechanisms for z-factor, Catastrophic Events Memorandum Account, and Hazardous Substance Mechanism.
 - e. Proposed advice letter filing for facilities or adjustments that produce incremental revenues.
7. Whether PG&E's proposed operational issues, and the operational issues raised in the protests to PG&E's application, should be adopted.
- a. PG&E's proposal to extend the operational flow order (OFO) deadline to 1:00 p.m. on the gas day, and for a fifth nomination cycle at 9:00 p.m. for on-system storage nominations.

- b. Whether the balancing rules and balancing tolerances are appropriate.
 - c. Whether PG&E should be allowed to call customer specific OFOs, as opposed to calling system wide OFOs.
 - d. Proposal to modify PG&E's Rule 14 to clarify the circumstances by which PG&E may shut off service during emergency flow order or diversion events.
 - e. Proposal to change the gas balancing service (Schedule G-BAL) to apply meter usage adjustments to the end-use customer's current Noncore Balancing Aggregation Agreement holder.
 - f. PG&E's proposal to reduce Core Gas Supply's seasonal Baja capacity by 100 thousand decatherms per day (MDth/d) due to the core gas storage contract.
 - g. Proposed continuation of the current market concentration rules for backbone capacity and to add language to Schedules G-AFT and G-NFT.
 - h. Proposal to increase the long term firm contracting limit on the Redwood Path to 800 MDth/d.
 - i. Adequacy of the rule regarding pro-rata allocation of as-available Redwood and Mission path capacity to potential users during peak periods.
 - j. PG&E's proposal to relabel non-cycled working gas as PG&E working gas.
 - k. Whether the commitments that PG&E made in the original Gas Accord with respect to customer choice and the core aggregators are being adhered to in this application.
 - l. Whether PG&E should be required to post certain information on its PipeRanger site concerning its market storage.
8. Reasonableness of the costs and rates for the Line 57C project.

At the PHC, we also discussed the issue of PG&E's workforce development and supplier procurement diversity, and whether those activities may affect the GT&S costs and planned activities. As discussed at the PHC, PG&E provided a December 10, 2009 letter which describes its activities concerning workforce and supplier diversity. PG&E's letter also references its upcoming 2011 General Rate Case (GRC), and Rulemaking 09-07-027 which is reviewing and possibly amending General Order (GO) 156, considering other measures to promote economic efficiencies of an expanded supplier base, and examining the composition of the utilities' workforce.

PG&E's letter describes the interrelationship of its workforce development and supplier diversity activities, and the cost of such activities, to the GRC, the GO 156 Rulemaking, and to this proceeding. PG&E recommends that the workforce and supplier diversity issues be addressed in its GRC and/or the GO 156 Rulemaking.

After reviewing PG&E's letter and the GO 156 Rulemaking, we recognize and acknowledge that PG&E has taken a major step forward on the workforce issue to develop programs that establish company-wide workforce diversity programs as discussed in PG&E's letter. Additionally, PG&E has demonstrated leadership in launching its PowerPathway program in 2008. In fact, PG&E's gas transmission and distribution department has started to benefit from this program by hiring 18 graduates of the PowerPathway program and of those, 10 were ethnically diverse, and three were women. Additionally, PG&E hired 12 graduates of the PowerPathway program as gas contractors in 2008, nine of whom were ethnically diverse.

As Commissioners Simon and Peevey have mentioned in public comments, workforce development needs to be a priority in order to develop the

next generation of utility workers as the “baby boom” workforce retires. State legislators have also shown interest in having the utilities demonstrate leadership in workforce development given the current economic climate.²

Given the need for a qualified future workforce, and because of the statewide use of natural gas as a clean burning fuel, we are interested in understanding PG&E’s goals for the PowerPathway program in the context of this GT&S proceeding. To ensure that PG&E’s PowerPathway program has graduates who have experience in GT&S activities, PG&E shall address in supplemental testimony the extent to which the PowerPathway program will or can accommodate these kinds of GT&S training opportunities. We are also interested in considering how PG&E may partner at the high school, junior college, and state university levels to develop GT&S internship opportunities, and an estimate of the costs of such a program.

Accordingly, the scope of issues in this proceeding shall include the costs associated with PG&E’s workforce development and supplier diversity activities that are allocated to GT&S, as well as possible internship opportunities in GT&S activities. PG&E shall prepare supplemental testimony which addresses the GT&S training opportunities in the PowerPathway program, and the internship/partnership opportunity described above. This supplemental testimony shall be served on February 26, 2010.

² At President Peevey’s confirmation hearing on December 16, 2009, Senator Steinberg stated that he would like the Commission to lead an initiative to “invest in career education for high school students linked to alternative energy and the green economy.”

4. Hearing Schedule

Based on the protests and response to PG&E's application, as well as the comments at the PHC, the scope of issues to be addressed in this proceeding raises issues of fact that may require evidentiary hearings. The evidentiary hearings for this proceeding will be held in San Francisco beginning on May 17, 2010 at 10:00 a.m., and each weekday thereafter through May 28, 2010.

As mentioned at the PHC, public participation hearings (PPHs) will be held in PG&E's service territory to hear from end-users about the proposals in PG&E's GT&S application. As suggested by The Utility Reform Network and to minimize the Commission's costs associated with holding PPHs, we will attempt to coordinate the holding of one or more PPHs in this application with the PPHs that may be held in connection with PG&E's GRC application. Since PG&E's GRC application has not been filed yet, we will issue another ruling at a later date concerning the dates and locations of the PPHs and the bill insert to notify end users of the PPHs.

The procedural schedule for the preparation and service of the prepared testimony is set forth in the table below.

Pursuant to Rule 13.13(b) of the Commission's Rules of Practice and Procedure, if evidentiary hearings are held, a party may request that a final oral argument be held before the Commission. Any party requesting oral argument shall include a written request in its opening brief following the conclusion of the evidentiary hearings.

We adopt the following procedural schedule:

Testimony of PG&E served	September 18, 2009
PG&E Supplemental testimony to be served.	February 26, 2010
DRA and Intervenors' testimony to be served.	March 26, 2010

Concurrent Rebuttal testimony to be served.	April 26, 2010
Evidentiary hearings to be held at the Commission, 505 Van Ness Avenue, San Francisco.	May 17, 2010 at 10:00 a.m., and each weekday through May 28, 2010.
Opening briefs to be filed, including request for oral argument, if requested.	Approximately four weeks after hearings conclude.
Reply briefs to be filed, and projected submission date.	Approximately two weeks after opening briefs are filed.
Proposed decision issued.	Within 90 days of filing of reply briefs.
Comments and reply comments on proposed decision.	In accordance with Rule 14.3 of the Commission's Rules of Practice and Procedure.
Decision adopted by the Commission.	Approximately October-November 2010.

We anticipate that this proceeding will be completed as set forth in the above schedule, and should unexpected delays occur, we expect this proceeding to be completed within 18 months from the date this scoping memo is issued pursuant to Pub. Util. Code § 1701.5.

5. Presiding Officer

The presiding officer for this proceeding shall be Administrative Law Judge John S. Wong.

6. Categorization, Ex Parte Communications, and Intervenor Compensation

This proceeding was preliminarily categorized as ratesetting in Resolution ALJ 176-3242, issued on October 15, 2009. Today's scoping memo confirms that categorization, and determines that evidentiary hearings are needed. Anyone who disagrees with this categorization must file an appeal of the categorization no later than 10 days after the date of this scoping memo. (See Rule 7.6.)

Ex parte communications shall be permitted as provided for in Rules 8.2, 8.3, and 8.5.

As provided for in Public Utilities Code § 1804 and Rule 17.1, a notice of intent to claim intervenor compensation in this proceeding shall be filed by January 4, 2010.

IT IS RULED that:

1. The issues to be resolved in this proceeding are listed in the body of this scoping memo and ruling.
2. The issues identified in the scope of issues raise issues of fact that require evidentiary hearings.
3. Evidentiary hearings will be held beginning on May 17, 2010 at 10:00 a.m., at the Commission's Hearing Room, 505 Van Ness Avenue, San Francisco, and each weekday thereafter through May 28, 2010.
4. The prepared testimony in this proceeding shall be electronically served on the service list on the dates set forth in this ruling's procedural schedule, and in addition, print copies are to be provided to the assigned Commissioner and Administrative Law Judge.
5. Any party requesting oral argument before the Commission shall include a written request in its opening brief following the conclusion of evidentiary hearings in this proceeding.
6. Administrative Law Judge Wong is designated the presiding officer for this proceeding.
7. The category for this proceeding is ratesetting, and this ruling on categorization is appealable within 10 days of this scoping memo pursuant to Rule 7.6.
8. Ex parte communications are permitted as provided for by Rules 8.2, 8.3, and 8.5.

9. Any customer who intends to seek intervenor compensation in this proceeding shall file a notice of intent to claim compensation in this proceeding by January 4, 2010.

Dated December 18, 2009, at San Francisco, California.

/s/ JOHN S. WONG
John S. Wong
Administrative Law Judge

/s/ TIMOTHY ALAN SIMON
Timothy Alan Simon
Assigned Commissioner

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a Notice of Availability of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the Notice of Availability of the filed document is current as of today's date.

Dated December 18, 2009, at San Francisco, California.

/s/ ANTONINA V. SWANSEN
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N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.

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