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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking for the Purpose of Reviewing and Potentially Amending General Order 156 and to Consider Other Measures to Promote Economic Efficiencies of an Expanded Supplier Base and to Examine the Composition of the Utilities' Workforce.

Rulemaking 09-07-027
(Filed July 30, 2009)

**ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE
SCOPING MEMO AND RULING DETERMINING THE SCOPE, SCHEDULE,
AND NEED FOR HEARING IN THIS PROCEEDING**

Summary

Pursuant to Rule 7.3 of the Commission's Rules of Practice and Procedure (Rules),¹ this Scoping Memo and Ruling determines this proceeding's scope, schedule, need for hearing, and other procedural matters following the receipt of comments from more than twenty (20) parties.

1. Background

The Order Instituting Rulemaking (R.) 09-07-027 (OIR) was issued on July 30, 2009 and President Michael R. Peevey is the assigned Commissioner. The purpose of the Rulemaking is to review the impact of General Order (GO) 156 and its success in encouraging Commission-regulated utilities to seek

¹ All references to rules are to the Commission's Rules of Practice and Procedure. These rules are available on the Commission's website at http://docs.cpuc.ca.gov/published/RULES_PRAC_PROC/105138.htm.

the full and fair participation of women, minority, and disabled veteran-owned business enterprises in their private procurement programs. The OIR includes consideration of amendments and other actions or measures to expand the number of suppliers, encourage competition, and promote economic efficiencies. In addition to reviewing procurement trends and practices, the OIR initially considered whether the utilities are developing and maintaining a broadly diverse and well-trained workforce to maintain continuity of service at the lowest reasonable cost.

The OIR provided a series of questions to be addressed by parties in this proceeding and sought input from energy, telecommunications, and water utility companies as well as diverse community organizations representing business enterprises owned by women, minorities, and disabled veterans, and other groups interested in diversity in the utility supply chain and workforce.

There was a significant amount of public interest in this OIR and many groups that wanted to participate heard about the opportunity to comment near or after these deadlines. Therefore, assigned Administrative Law Judge (ALJ) Melanie M. Darling extended the deadline for filing opening comments to October 9, 2009 and for filing reply comments to November 20, 2009. In addition, several parties filed comments after these deadlines accompanied by motions to become a party and to file comments after the deadlines. In order to maximize participation, all of these motions were granted and late-filed comments were accepted into the record.

Responses and Opening Comments were filed by Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E)/Southern California Gas Company (SCG), PacifiCorp, AT&T California (AT&T-CA) and certain of its regulated affiliates

(jointly AT&T), Verizon California and MCI Communications (jointly Verizon), CTIA-The Wireless Association (CTIA), SureWest Telephone (SureWest), California Water Association (CWA), Park Water Company (PWC), African American Voice/Black Economic Council (BEC), American Indian Chamber of Commerce (AICC), California Hispanic Chambers of Commerce (CHCC), Coalition of Utility Employees (CUE), Disability Rights Advocates (DisRA), Elite Service Disabled Veterans Business Enterprise Alliance (Elite SDVOB), Greenlining Institute (Greenlining), and also both the energy and telecommunications industries filed Joint Industry Opening Comments (Joint Energy and Joint Telecom, respectively.)

Reply Comments were filed by PG&E, SDG&E/SCG, SCE, Sierra Pacific Power Company (SPPC), Sprint Nextel (Sprint), BEC, California Asian Pacific Chambers of Commerce (CAPCC), California Department of Veterans Affairs (CDVA), CHCC, DisRA, Disabled Veterans Business Enterprise Alliance (DVBEA), Gray Greer Shelby Vaughn LLC (GGSV), Greenlining, and the Joint Telecom industry.

A detailed summary of the filed responses and comments prepared by the ALJ is attached hereto as Attachment A. In the Scoping Memo and Attachment A, there are individual references to woman-owned business enterprises (WMBE), minority-owned business enterprises (MBE), and disabled veteran-owned business enterprises (DVBE), as well as a simplified collective reference to these diverse business enterprises as DBEs.

2. Scope of Proceeding

The OIR set the preliminary scope, but permitted the assigned Commissioner to refine the scope of the proceeding and adjust its schedule.²

The preliminary scope of this proceeding was:

“... to review the impact, success, target goals, and disparities within procurement areas of utility General Order 156 programs. The scope also includes consideration of the economic efficiencies of compliance, information sharing to improve performance, integration of new procurement areas such as “green” energy-related contracts, and examination of diversity and continuity in each utility’s workforce.”³

Based on these considerations, the OIR asked a number of questions to elicit information that would enable the Commission to address the major issues falling into the broad scope of the proceeding, including whether some issues are best suited to this proceeding. None of the comments filed objected to the categorization of the proceeding as quasi-legislative; however, there was a wide range of opinion on certain aspects of the preliminary scope of the proceeding and whether evidentiary hearings would be necessary.

2.1 Highlights from Response and Comments

In order to provide a flavor of the filed comments, below is a short list of selected highlights from Attachment A by subject area:

² R.09-07-027, Ordering Paragraph 4, at 26.

³ R.09-07-027, at 17-18.

Achievement of Supplier Diversity; Outreach Efforts

- SCG, SDG&E, AT&T-CA, and Verizon are at or above 30% aggregate DBE; PG&E is at 23.9%, and SCE is at 20%
- Most utilities have not met the 21.5% aggregate goal; none achieve 1.5% DVBE; water companies are at about 10% or less
- All utilities have developed outreach programs, dedicated procurement personnel, and training
- Wireless companies often use foreign suppliers and say the lack of DBEs adversely skews their results
- Community groups want more to be done to develop DBEs

Concentration in Certain Procurement Areas

- 2008 showed improved spend⁴ for financial and legal services
- AT&T-CA had the highest financial services spend at 18.92%; SCG had the highest legal services spend at 42.72%
- Some utilities do not have much procurement in these areas; some say few DBEs are available
- Large utilities described broad efforts to develop DBEs in underutilized areas; Verizon disputed this premise because companies have different needs
- Ideas included deposits in minority banks, better notice of future needs; one-on-one partnerships for technical assistance; sub-contracting goals, unbundling large contracts;

Barriers to Achievement of GO 156 Goals

- DBEs said the barriers are access to capital, high bonding and insurance requirements, limited capacity, certification process, lack of information about bid opportunities, and no feedback on unsuccessful bids
- Utilities said the barriers are a lack of certified DBEs, inadequate experience and industry knowledge by DBEs, lack of bid sophistication, inability to deal with large projects, existing utility procurement

⁴ "Spend" refers to the portion of total procurement dollars a utility or utilities spend on contracts with DBEs, usually used in reference to a particular procurement category.

- relationships, cheaper foreign suppliers, and resistance by prime contractors
- Everyone wanted a more complete centralized DBE database with utility supplier contacts
 - Ideas included more complete DBE lists, streamlined certification for smaller DBEs, best practices forums, more technical assistance, unbundling, education of prime contractors, better access to bid information, funding to help DBEs grow, bid cooperatives, linking minority bank deposits to DBE capital

Economic Benefits of Supplier Diversity

- Broad support given for view that the program is good business practice and has led to competitive pricing and community benefits
- Utilities opposed reporting because it would be an unnecessary diversion of resources, measurement difficulties, and the inherent lack of recognition of intangible benefits
- Community groups tended to support reporting, although they agreed there are measurement difficulties and intangible benefits

Green Categories, New Markets, Separate Reporting

- Most utilities said they already incorporate “green” procurement areas in their reported spend; small utilities did not want to include it in GO 156 spend because of few DBE suppliers
- Parties disagreed over what is “green” and whether markets are, or need to be, sufficiently developed, or if separate goals should be set
- Energy utilities gave lists of “green” contract areas (e.g., Smartmeter product development, infrastructure for alternative-fueled vehicles, support for solar rooftop projects, and energy efficiency initiatives)
- Energy utilities opposed inclusion of renewable energy contracts because it could skew costs or impede renewables goals
- Big telecom companies embraced “green” including factoring whether suppliers use green practices, converting vehicle fleet to alternative fuels and looking to spend in green areas (e.g., energy conservation, recycling, solar panels, environmental site assessments, waste reduction/disposal, etc.)
- Community groups wanted to apply voluntary diversity goals to all “green” contracting, including Renewables Portfolio Standard contracts, distributed generation, and energy efficiency, natural gas, and internet-based technologies

Should the Target Goals be Increased

- Utilities said no because they have adequate internal goals, Commission action lacks a legal basis, it will not assist the underlying goals; it ignores other benefits utilities provide to communities with outreach and support
- Community groups said yes (e.g., 25%-30% MBE, 3% DVBE) and also suggested many sub-group goals (e.g., 2% African-American woman-owned)

Workforce Diversity

- The utilities generally disputed Commission authority under GO 156 to examine workforce issues; community groups did not object but agreed it is not required
- Over last five years women workers decreased (except at SCE), and minority workers increased, at every utility in most categories
- Varied reporting styles barred clear comparisons between companies

Workforce Pipeline - Aging Workforce

- General agreement shown that the workforce is aging; all are engaged in various forms of succession planning, sometimes addressed in General Rate Cases
- Many job classifications have been identified; in-house and external pipeline programs include sponsorship of community groups, outreach to unions on apprenticeships, support for science, math & technology programs in schools, funding for "green" energy degree programs at colleges/ universities, internal employee leadership and professional development
- CUE argued that pending retirements and fewer apprenticeships will result in insufficient training of replacements and claimed a clear correlation to reliability
- Community groups said inadequate utility outreach exists to develop a skilled workforce; they wanted aggressive job training, in-house mentoring, more resources to schools to advance technical knowledge

Holding Workshops and Hearings

- Parties liked past workshops and events because they were conducive to dialogue; they mostly agree spotlighting an area (e.g., legal) has led to results
- Energy utilities and community groups want targeted workshop topics (e.g., small business development, bid process, green procurement, inclusion of cable and wireless companies, minority woman-owned businesses, etc.)
- Telecommunications companies questioned the necessity but AT&T suggested topics including energy efficiency, prime contractors, small utility pipelines for DBEs
- Community groups favored hearings around the state; they want to question utility executives, have national experts testify, and get funding from Commission to participate

2.2 Revised Scope of Proceeding

The original scope of this proceeding was broad by design to capture information to help the Commission decide what topics should be prioritized in support of implementing the goals and policies of Pub. Util. Code⁵ §§ 8281-8286 and GO 156 more than two decades after the program was justified and initiated. Not all topics explored will become the focus of additional activities in this OIR, but may be included in a final decision because a sufficient record has been developed for the Commission to make findings of fact, reach conclusions, and make recommendations.

On the topic of whether to increase the voluntary initial minimum long-term goals of 15% of procurement spend for MBEs, 5% for WBEs, and 1.5% for DVBEs, many parties rejected the view that simply increasing these

⁵ All subsequent “section” references are to the Public Utilities Code, unless otherwise indicated.

goals would directly result in either higher utility spend or more balance among procurement areas. We emphasize these goals are what the Commission has suggested all covered utilities work towards, but no penalties are imposed or authorized for failure to meet them. Although some of the biggest utilities have exceeded the aggregate target goal, the majority of utilities have not and procurement spend is irregular between categories and between companies and industries.

For their own economic efficiencies, we found that many utilities have set internal aspirational goals to move towards broader and more diverse procurement. Community groups more often promoted the need to develop target goals for specific groups or specific procurement categories which they believe are ripe for development.⁶

At this time, we think that broad-brush increases to utility-wide goals may not be the most effective method for encouraging individual utilities to continue their progress in promoting participation by a broader range of suppliers. Therefore, we will instead ask each utility to quantify its own short-term aspirational interim steps towards the current target goals which take into account particular short-term procurement needs, availability of DBEs, and under-represented groups, sub-groups, and procurement areas.

⁶ For example, Greenlining suggested increasing the MBE target to 25%, BEC asked for a 2% goal for African-American WBEs, CDVA thought the DVBE goal should be increased to 3%, and CHCC wanted goals adopted for categories such as legal services.

The broad scope set forth in the OIR at pages 17-18 is confirmed with certain modifications and clarifications as follows:

1. Issues related to workforce diversity and workforce pipeline activities to plan for aging in the utility workforce are better suited to different Commission proceedings and are excluded from the scope of this proceeding going forward.
2. The issue of whether to increase the voluntary initial minimum long-term goals of 15% of procurement spend for MBEs, 5% for WBEs, and 1.5% for DVBEs is modified based on party comments. Instead of increasing parts of, or the aggregate, 21.5% target goal for DBE spend, all covered utilities will submit to the Commission responses to specific questions about their own self-identified short-term steps towards achieving or exceeding the target goals of GO 156 as described in Section 4 below.

3. Workshop Topics

The comments revealed a strong interest in having facilitated workshops that provide real-world advice, experience, and training in several key areas that will promote the development of competitive small businesses, particularly DBEs. The workshops will be facilitated by the Commission's Utility Supplier Diversity Program staff who will invite individuals with technical experience in the various topic areas to provide information and advice, share experiences, inspire discussion, and promote networking between business and utility representatives. Workshops are open to all types of businesses, contractors and sub-contractors, including non-DBEs.

This section describes the topics for two workshops and subsequent reports.

3.1 Workshop 1: Barriers to Competing

The first workshop will focus on barriers DBEs and small businesses face when trying to compete for utility supply contracts. The workshop will be held in Northern California and be audio webcast for the benefit of parties and the public. The workshop will address the following areas:

- Certification and Clearinghouse issues
- Unbundling Large Contracts
- The Request for Proposal (RFP) process
- Mentoring
- Access to Capital

The workshop will include a Clearinghouse update on the streamlined application process, improving the DBE database, SIC⁷ code questions, and other matters identified by applicants⁸ or the Clearinghouse. Utility procurement personnel can discuss when and how utilities may consider unbundling of larger contracts, ideally sharing a panel with businesses seeking unbundling and a successful bid cooperative. The portion involving the RFP process should include at least one utility representative experienced with RFP evaluation to explain the process and one or more business representatives to share what worked and how to obtain useful feedback on unsuccessful bids. Another sub-topic of this area is whether it is feasible for utilities to improve access to their procurement web pages, give six to twelve month advance notice of intended procurement categories, and to include a notice feature to potential suppliers.

Both utility and business representatives should be invited to discuss successful mentoring programs at the large utilities so they become accessible to more businesses, needed improvements are identified, and they may be adapted for smaller utilities. Finally, PG&E and SDG&E should be invited to discuss the

⁷ Standard Industrial Classification (SIC) is a commonly used U.S. Government system of four-digit codes used to identify various industries within the business marketplace.

⁸ “Applicants” refers to business entities that have applied to the Clearinghouse for certification as a woman-owned or minority-owned business enterprise.

benefits of investments in community and minority-owned banks and representative(s) from such banks can explain their criteria for extending capital/credit to up and coming small businesses seeking access to utility contracts.

3.2 Workshop 2: Underutilized Areas

The second workshop will focus on “underutilized areas” of procurement, i.e., where there are few or no small businesses and DBEs bidding or receiving utility supply contracts. The workshop will be held in Southern California and be audio webcast for the benefit of parties and the public. The workshop will address the following areas:

- Financial services
- Legal services
- Consultant services
- Insurance
- Advertising

The workshop will include utility procurement representatives and successful suppliers to share information and ideas about the challenges in each of these procurement areas, including the various types of service contracts put out to bid, useful development steps for small businesses and DBEs to become more competitive, what actions utilities and community groups can take to develop a broader pool of bidders, common deficiencies in bids for these types of contracts, and other obstacles to achieving a large pool of diverse applicants.

3.3 Workshop Reports

Within twenty-one (21) days following the completion of the workshops, the Commission’s Utility Supplier Diversity Program staff will file and serve a report of consensus items, disputed items, and items needing further action.

Parties will have fifteen (15) days to file and serve comments on the report and an additional ten (10) days to file reply comments in response to filed comments.

3.4 Expanded Outreach for Workshop Participation

We note that despite the participation in this proceeding of more than a dozen non-utility parties, there are no women-owned business associations or small business groups participating thus far. This should be rectified and their participation sought especially for the workshops which are intended to provide practical information for businesses positioned to bid on utility supply contracts. Therefore, we direct the staff of the Commission's Utility Supplier Diversity Program to contact by telephone, United States mail, or email the groups identified on the list attached hereto as Attachment B to alert them to this OIR and invite them to attend the workshops. Such contact should occur within ten (10) days of this Ruling. These groups should also be told to contact the Commission's Public Advisor's office for information about how to become a party should they desire to do so.

4. Oral Argument Before Assigned Commissioner on Utility Interim Aspirational Steps

Each utility is at a different stage of success at meeting or exceeding the voluntary minimum target goals for WBEs, MBEs, and DVBES as set forth in paragraph 8.2 of GO 156. All state they aspire to do so. Although some large utilities have been able to achieve or exceed the aggregate 21.5% target goal, none have achieved the 1.5% goal for DVBES and many lag on one or another of the other targets and/or have not focused on improving access for any sub-group of DBES, e.g., minority disabled-veteran-owned business enterprises. Additionally, the majority of covered utilities have not come close to meeting the GO 156 goals.

In order to improve the assistance to utilities provided by Commission staff, community groups, and DBEs, we currently accept the utilities' position that they may not all succeed within a universal trendline for meeting the target goals. Instead, we ask them to self-identify and quantify what interim steps towards the goals they can reasonably achieve during the next two years.

Commission staff can encourage community groups, including small businesses and DBEs, to work with the utilities to complete these short-term aspirational steps on the path to reaching the GO 156 target goals. For those utilities already exceeding the minimum target or aggregate goals, we look forward to their leadership in setting model interim aspirational steps, continuing to expand the breadth of their supplier base, and exemplifying their continued commitment to diverse procurement by mentoring, outreach, and other actions.

The assigned Commissioner and ALJ will hold oral argument on this topic. All utilities covered by GO 156 shall submit written responses to the following questions according to the procedural schedule set forth below:

1. Identify specific one-year and two-year interim steps (e.g., increase MBE spend by 10% per year) you aspire to achieve in 2011 and 2012 in furtherance of your commitment to the target goals of GO 156. Include not only steps towards growth in WBEs, MBEs, and DVBES, but also any sub-group or procurement category which you have identified as particularly under-utilized by your company's procurement team (e.g., increase spend by 5% per year on minority disabled veteran suppliers, create a program for mentoring financial services suppliers, etc.)

2. Is there any specific assistance you want to better advance your aspirations of achieving the identified interim steps for any procurement category or DBE group?

Not all utilities covered by GO 156 have become parties to this OIR.

Therefore, the staff of the Commission’s Utility Supplier Diversity program shall ensure that all covered utilities receive this scoping memo within ten (10) days of its issuance and understand that it includes a requirement of their written response to these questions. Any other party may submit comments on these responses within the time set forth in the procedural schedule. In addition, PG&E, SCE, SDG&E, SCG, AT&T-CA, and Verizon shall appear at oral argument in this proceeding to summarize their own aspirational interim steps and answer related questions by the assigned Commissioner and ALJ. Other utilities may appear. Non-utility parties will also have an opportunity to jointly summarize their replies and respond to questions.

5. Phasing of Proceeding and Schedule

This proceeding will occur in one phase. The table below provides a schedule for the workshops and oral argument.

Date	Event
May 5, 2010 at 9:00 a.m.	Workshop 2: Underutilized Areas Junipero Serra State Office Building 320 West 4 th Street, Suite 500, Los Angeles, CA 90013
May 19, 2010 at 10:00 a.m.	Pre-oral Argument Status Conference State Office Building Hearing Room A 505 Van Ness Avenue, San Francisco, CA 94102
May 26, 2010	Written Responses due from covered utilities on questions regarding utility aspirational interim steps towards GO 156 goals

May 26, 2010	Staff Report on Workshop 2 due to be filed and served
June 7, 2010 at 9:00 a.m.	Workshop 1: Barriers to Competition Commission Auditorium State Office Building 505 Van Ness Avenue, San Francisco, CA 94102
June 9, 2010	Comments due on utility responses to questions regarding utility aspirational interim steps towards GO 156 goals
June 10, 2010	Comments on Workshop 2 Staff Report due to be filed and served
June 21, 2010	Replies to Comments on Workshop 2 Staff Report due to be filed and served
June 23, 2010 at 1:30 p.m.	Oral Argument Before Assigned Commissioner on Aspirational Interim Steps State Office Building Hearing Room A 505 Van Ness Avenue, San Francisco, CA 94102
June 28, 2010	Staff Report on Workshop 1 due to be filed and served
July 13, 2010	Party Comments on Workshop 1 Staff Report due to be filed and served
July 23, 2010	Replies to Comments on Workshop 1 Staff Report due to be filed and served
September 2010	ALJ Issues Proposed Decision
October 2010	Commission considers Proposed Decision at business meeting

In any event, it is anticipated that this proceeding will be resolved within eighteen (18) months of the date this Scoping Memo is issued pursuant to § 1701.5.

6. Proceeding Category, Ex parte Rules, and Need for Hearing

As noted in the OIR, the Commission preliminarily categorized this Rulemaking as quasi-legislative. The parties did not oppose this and this ruling affirms the preliminary category of quasi-legislative. Pursuant to Rule 8.2(a), a quasi-legislative proceeding does not have any ex parte restrictions or reporting requirements. The OIR stated the Commission did not anticipate any hearings and we affirm that the issues in this proceeding will be resolved through a combination of comments, workshops, and oral argument on the discrete issue of utility-defined interim steps towards achieving the GO 156 goals.

7. Motions

Motions for party status and for acceptance of late-filed comments filed by GGSV, CAPCC, ESDVOB, DVBEA, and CDVA are granted herein, if not previously granted.

8. Intervenor Compensation

Pursuant to § 1804(a)(1), a customer who intends to seek an award of compensation shall have filed and served a notice of intent to claim compensation by April 30, 2010.

9. Presiding Officer

Pursuant to § 1701.1 and Rule 13.2, the presiding officer at oral argument shall be the assigned Commissioner, President Michael R. Peevey.

10. Filing, Service and Service List

All formally filed documents must be filed with the Commission's Docket Office and served on the service list for the proceeding. Article 1 of the Rules contains all of the Commission's filing requirements. Information about electronic filing is available at <http://www.cpuc.ca.gov/PUC/efiling>.

The official service list for this proceeding is available on the Commission's website. Parties should confirm that their information on the service list is correct, and serve notice of any errors on the Commission's Process Office, the service list, and the ALJ. Prior to serving any document, each party must ensure that it is using the most up-to-date service list. The list on the Commission's website meets that definition.

Any person interested in participating in this proceeding who is unfamiliar with the Commission's procedures or who has questions about the electronic filing procedures should contact the Commission's Public Advisor at CPUC Public Advisor, 505 Van Ness Avenue, Room 2013, San Francisco, CA 94102; or call 866-849-8390 or 415-703-2074; or email at public.advisor@cpuc.ca.gov.

IT IS RULED that:

1. The final categorization of this proceeding is quasi-legislative and hearings are not required.
2. Two workshops will be held: one on Barriers to Competition and one on Underutilized Areas of procurement. The Commission's Utility Supplier Diversity Program staff will facilitate the workshops and file and serve a report on each workshop no later than twenty-one (21) days after its completion. Parties may file Comments and Reply Comments as set forth in Sections 3.3 and 5 above.
3. Within ten (10) days of the date of this ruling, the Commission's Utility Supplier Diversity Program staff shall contact the groups identified on the list attached hereto as Attachment B to notify them of this Order Instituting Rulemaking (OIR), invite them to the scheduled workshops, and provide contact

information for the Public Advisor's office so the groups can learn how to become a party.

4. The broad scope of the proceeding set forth in pages 17-18 in the OIR is retained with two modifications: A) Issues related to workforce diversity and workforce pipeline activities to plan for aging in the utility workforce are excluded from the scope of this proceeding going forward; B) Issues related to increasing GO 156 target goals are modified to require all covered utilities to respond to specific questions about their own self-identified short-term steps towards achieving or exceeding the voluntary target goals of GO 156.

5. Oral argument will be held on June 23, 2010 on the single issue of utility-defined aspirational interim steps as described in Section 4 above. A pre-oral argument status conference will be held on May 19, 2010 after which the ALJ will issue a ruling specifying the procedure for the oral argument.

6. Pursuant to § 1701.1 and Rule 13.2, the presiding officer at oral argument shall be the assigned Commissioner, President Michael R. Peevey.

7. The schedule for the next steps in this proceeding is as identified in Section 5 above.

8. The motions by Elite Service Disabled Veterans Business Enterprise Alliance, California Asian Pacific Chambers of Commerce, California Department of Veterans Affairs, Disabled Veterans Business Enterprise Alliance, and Gray Greer Shelby Vaughn LLC for party status and to accept late-filed comments are granted.

9. A Notice of Intent to claim intervenor compensation must be filed by April 30, 2010 and conform with the statutory requirements set forth in Pub. Util. Code §§ 1801 et seq. and Article 17 of the Commission's Rules of Practice and Procedure.

10. The service list for filing and service of documents in this proceeding is as set forth above in Section 10.

Dated March 17, 2010, at San Francisco, California.

/s/ MICHAEL R. PEEVEY

Michael R. Peevey
Assigned Commissioner

/s/ MELANIE M. DARLING

Melanie M. Darling
Administrative Law Judge

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 March 17, 2010, at San Francisco, California.

/s/ CRISTINE FERNANDEZ
Cristine Fernandez

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.