



FILED

03-24-11
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking regarding whether, or subject to what conditions, the suspension of Direct Access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.

Rulemaking 07-05-025
(Filed May 24, 2007)

**ADMINISTRATIVE LAW JUDGE'S RULING
REGARDING HEARING ROOM PROCEDURES**

This ruling sets forth the procedures that will apply with respect to the evidentiary hearings in this proceeding, as previously scheduled to begin on March 28, 2011, starting at 9:30 a.m.

Witness Schedule

The sequence of witnesses jointly agreed among the parties, as set forth in the attached listing, and served on parties on March 23, 2011, shall be used for purposes of scheduling the appearance of witnesses to testify. To the extent that the time necessary to conduct direct, cross, and re-direct examination of witnesses differs from the previously allotted reservation of hearing time, adjustments in the hearing schedule may be necessary.

Exhibit Numbering

The pre-assigned numbering of testimony exhibits as agreed to among the parties, as shown on the attachment served on parties on Monday, March 21, 2011, shall be used to mark the exhibits for identification.

Exhibit Format

Exhibits offered into evidence should be bound on the left side or upper left-hand corner. Rubber bands and paper clips are unacceptable. Excerpts from lengthy documents should include the title page and, if necessary for context, the table of contents of the document.

Parties often fail to include a blank space two inches high by four inches wide to accommodate the ALJ's exhibit stamp. If necessary, add a cover sheet to the front of the exhibit. The common practice of pre-printing the docket number, a blank line for the exhibit number, and witness names(s) is acceptable, but it is not a substitute for the required two by four inch blank space to accommodate the exhibit stamp. (See Rule 13.7(a) of the Rules of Practice and Procedure.)

Although Rule 1.5 permits a type size as small as 10 points in filed documents, parties should use a type size of at least 12 points when practical.

Provision of Exhibit Copies

See Rule 13.7. The original and one copy of each exhibit shall be furnished to the presiding officer and a copy shall be furnished to the reporter and to each party. The copy furnished to the presiding officer may be the mailed copy. Except for exhibits that are served prior to the hearing, parties are responsible for having sufficient copies available in the hearing room for the court reporter and each party in attendance.

Allowing witnesses time to review new or unfamiliar documents can waste hearing time. The general rule is that a party who intends to introduce an exhibit in the course of cross-examination should provide a copy to the witness and the witness' counsel before the witness takes the stand on the day the exhibit is to be introduced. Documents in excess of two pages should be provided the

day before. Generally, parties need not provide advance copies of documents to be used for impeachment or to obtain the witness' spontaneous reaction (although this practice is not encouraged).

Corrections

The practice of making extensive oral corrections to exhibits on the witness stand, requiring lengthy dictation exercises, causes delays. It should be avoided, to the extent possible, through preparation of written errata. Corrections should be made in a timely manner by providing new exhibit pages on which corrections appear. Two forms of corrections should be provided. One form should show the text deleted with strikethrough and the text added with underline. The second form should show the text as corrected, with no strikethrough or underline. Also, each revised page should be marked with the word "revised" and the revision date.

Hearing Hours

Hearings will generally run from 9:30 a.m. to 12:00 p.m. with at least one morning break and from 1:30 p.m. to 3:30 p.m. with one afternoon break.

Cross-Examination Time

Parties are placed on notice that it may be necessary to limit and allocate cross-examination time as well as time for redirect and recross-examination.

Rebuttal Testimony

Prepared rebuttal testimony should identify the testimony being rebutted. It is inappropriate, and a potential grounds for striking, for any party to withhold direct presentations for introduction in rebuttal testimony.

IT IS RULED that:

1. The hearing room procedures set forth above are hereby adopted for use in the evidentiary hearings in this proceeding scheduled to begin Monday, March 28, 2011, at 9:30 a.m.
2. The schedule for the appearance of witnesses to testify as set forth in the attachment to this ruling is adopted.

Dated March 24, 2011, in San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer
Administrative Law Judge

ATTACHMENT

**Witness Schedule
March 28-30, 2011
R.07-05-025**

Witness	Date/Time for Cross	Time Reserved
Joint Parties panel (Dalessi/Fulmer/Meal)	Monday	150
SCE - Schichtl	Monday	110
SCE - Singh	Monday	140
Monday subtotal		400
PG&E panel (Barry, Pappas and Martyn)	Tuesday	165
SDG&E - Fang	Tuesday	35
DRA - Ouyang	Tuesday	5
Reid	Tuesday	40
DA Parties - Fulmer	Tuesday	125
PG&E - Renson	Tuesday	55
Tuesday subtotal		425
PG&E - Hessami	Wednesday	195
SDG&E - Spurgeon	Wednesday	50
SDG&E - Choi	Wednesday	15
DRA - Ouyang	Wednesday	80
CLECA - Barkovich	Wednesday	85
Wednesday subtotal		425
Total time reserved		1,250

(END OF ATTACHMENT)