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08-15-11

02:51 PM

BWM/jt2 8/15/2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

Rulemaking 11-05-005
(Filed May 5, 2011)

**ADMINISTRATIVE LAW JUDGE'S RULING REGARDING PROTOCOLS
TO REDUCE PAPER AND STREAMLINE PROCESS**

It has come to the Commission's attention that several parties in this proceeding find certain current practices burdensome. It also appears that some parties may be failing to complete service on the full service list. This ruling adopts or clarifies limited protocols with the goals of generally reducing paper and streamlining process for parties and the Commission in this proceeding.

1. Service of Paper Copies on Assigned Commissioner and Administrative Law Judges

Some parties serve a paper copy of each pleading on the assigned Commissioner and each of four assigned Administrative Law Judges (ALJ). Parties may, but need not, serve a paper copy of any pleading on the assigned Commissioner. Parties wishing to serve the assigned Commissioner may do so electronically.

Commission Rules require paper service on the assigned ALJ, unless directed otherwise. (Rule 1.10(e) of the Commission's Rules of Practice and Procedure (Rules).) This Ruling directs that paper service in this proceeding need be only on the lead ALJ with respect to a particular issue. That is, parties must serve a paper copy of each pleading that responds to a particular ALJ

Ruling only on the ALJ who filed the ruling and not the other assigned ALJs. For example, the June 27, 2011 Ruling on Pub. Util. Code § 399.20 matters was filed by ALJ DeAngelis. A paper copy of responsive pleadings (e.g., reply comments) must be served only on ALJ DeAngelis. A paper copy need not be served on ALJs Simon, Ebke and Mattson. The July 12, 2011 Ruling on New Portfolio Content Categories, and the July 15, 2011 Ruling on New Procurement Targets and Certain Compliance Requirements, were filed by ALJ Simon. A paper copy of responsive pleadings (e.g., comments, reply comments) must be served only on ALJ Simon, and not on ALJs DeAngelis, Ebke and Mattson.

In addition, a paper copy of other pleadings (e.g., motions, petitions for modification) must be served only on the lead ALJ for that subject area as indicated by prior rulings or as clarified by subsequent communications.¹ For example, a paper copy of pleadings related to Pub. Util. Code § 399.20 and the Renewable Auction Mechanism (e.g., motions, petitions for modification of Decision 10-12-048, responses to such petitions) must be filed only on ALJ DeAngelis. All other paper copies of pleadings must be filed only on ALJ Simon (unless it is otherwise clear from a ruling or other communication that another ALJ is the lead).²

2. Paper Copy List with Certificate of Service

The certificate of service filed with the Commission's Docket Office must include a list of the names, addresses and, where relevant, email addresses of

¹ A party may call, or send an electronic mail (email) note, to any of the assigned ALJs for clarification if the lead ALJ is not clear.

² The ALJs who do not receive a paper copy will receive an email copy when email service is performed on the service list.

persons and entities served. (Rule 1.9(e).) This list can be very long given the large number of persons on the service list here. The certificate of service, however, that is included with a paper copy served on the ALJ (or included with the paper copy when a paper copy is served on a party) does not need to also include a paper copy of the list of names and addresses of each person and entity served.³ (Rules 1.9 and 1.2.)

3. Copies of Commission Notices

A person consents to email service of documents, and may use email to serve documents on persons who have provided an email address for the official service list, when the person provides an email address for the official service list. (Rule 1.10(a).) If you are still receiving hard-copy notices from the Commission but would prefer email notices, please email the Commission's Process Office at process_office@cpuc.ca.gov and request email-only notices, identifying the proceeding number for each service list for which you would like email-only notices.

4. Subject Line

The subject line of an email message must include in the following order: (a) the docket number, (b) a brief description of the proceeding, and (c) a brief identification of the document that is being served including the name of the serving person. (Rule 1.10(c).) Parties should observe this protocol. In general,

³ Parties are reminded that, when a document is tendered for electronic filing, the certificate of service must be transmitted with the document as a separate attachment. (Rule 1.13(b)(1)(iii).) This helps in many cases to reduce the number of pages that the recipient will print, thereby saving resources.

the email subject line of email transmissions in this proceeding should be:

“R.11-05-005 (RPS) [party name] [brief description of document].”

More specific examples follow. Note that, with the concurrence of ALJ DeAngelis, this slightly modifies the direction in her June 27, 2011 ALJ Ruling Setting Forth Implementation Proposal for SB 32 and SB 2 1X Amendments to Section 399.20. (June 27, 2011 Ruling at 21.)

- R.11-05-005 (RPS) CEERT Reply Comments on Portfolio Content Categories 8_19_11
- R.11-05-005 (RPS) DRA Reply Comments on § 399.20 8_19_11
- R.11-05-005 (RPS) IEP Comments on Procurement Targets and Compliance Requirements 8_30_11
- R.11-05-005 (RPS) SCE Reply Comments on Procurement Targets and Compliance Requirements 9_12_11

Parties must comply with Commission Rules, and should follow the above examples to the fullest extent feasible.

5. Titles of Electronic Documents

Some parties have expressed an interest in adoption of a more uniform approach for electronic titles to documents attached to an email. A more uniform approach to electronic document titles will help recipients electronically file, manage and sort these documents. The electronic document title attached to a recent email transmission, for example, was “clean_[document number].” This title makes it hard to differentiate the document from others once placed in an electronic file. Parties are asked to use the same protocol for electronic document titles that is used for the subject line on email transmissions described above.

6. Complete Service

It has come to the Commission's attention that some parties serve pleadings only on other parties and not on the entire service list. Parties are reminded when using email service to not only serve parties by email but also send an email to state service and information-only participants who have provided an email address. A paper copy must be served on each party and state service participant without an email address, but parties are not required to serve a paper copy on an information-only participant who has not provided an email address. (Rule 1.10(b).)

IT IS RULED that effective immediately for this proceeding the directions stated in the body of this ruling are adopted.

Dated August 15, 2011, at San Francisco, California.

/s/ REGINA DeANGELIS for
Burton W. Mattson
Administrative Law Judge