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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company to Determine Violations of Public Utilities Code Section 451, General Order 112, and Other Applicable Standards, Laws, Rules and Regulations in Connection with the San Bruno Explosion and Fire on September 9, 2010.

Investigation 12-01-007
(Filed January 12, 2012)

ADMINISTRATIVE LAW JUDGE'S RULING ON MOTION OF RUTH HENDRICKS FOR PARTY STATUS AND MOTION OF PACIFIC GAS AND ELECTRIC COMPANY TO STRIKE TESTIMONY

Summary

This ruling addresses the motion of Ruth Hendricks for party status filed April 16, 2012 and the motion of Pacific Gas and Electric Company (PG&E) to strike the prepared testimony of the United Association of Plumbers, Pipe Fitters, and Steamfitters Local Union Nos. 246 and 342, and their individual members (Pipe Fitters), filed April 23, 2012.

Motion for Party Status

Ruth Hendricks seeks party status in order to conduct discovery and participate in all other facets of this proceeding as an active party. Hendricks operates Special Delivery San Diego, a non-profit food preparation and delivery service for clients with a life-threatening illness and/or those needing emergency nutritional assistance. Hendricks asserts an interest in representing small

business and non-profit ratepayers who use natural gas in California, claiming that the outcome of this proceeding may adversely affect her non-profit and small business operations, and that “small business and non-profit customers clearly have an interest in the cost and quality of the services that they receive from the energy utilities that are the subject of this proceeding.”¹

Notwithstanding Ms. Hendricks’ understanding that energy *utilities* are subjects of this proceeding, this proceeding applies only to PG&E. No other utility is involved. Hendricks does not purport to be a customer of PG&E and does not otherwise demonstrate how her small business and non-profit operations or those of others she would represent might be affected by this proceeding. Moreover, the Division of Ratepayer Advocates (DRA) and the Utility Reform Network (TURN) are already participating and representing ratepayer interests. Hendricks has not demonstrated how DRA and TURN are not adequately representing the interests she seeks to represent. Additionally, Hendricks indicates an intention to address the cost and quality of energy utility services but “this is an enforcement proceeding to ascertain whether safety violations have occurred, and if so to impose fines and remedies.”² The cost and quality of energy utility services are not the focus of this proceeding.

Hendricks has not demonstrated a linkage between the small business and non-profit interests she would represent and the matters at issue in this proceeding sufficient to warrant granting her party status. As PG&E notes in its opposition to Hendricks’ request, “[g]ranted Ms. Hendricks party status here at

¹ Motion for Party Status at 3.

² Order Instituting Investigation at 10.

