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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U-902-E) for Adoption of an Advanced Metering Infrastructure Deployment Scenario and Associated Cost Recovery and Rate Design.

Application 05-03-015
(Filed March 15, 2005)

ADMINISTRATIVE LAW JUDGE'S RULING

On January 22, 2007, San Diego Gas & Electric Company (SDG&E) informed parties that the Division of Ratepayer Advocates (DRA) and SDG&E have entered into settlement discussions concerning SDG&E's application in this docket. SDG&E noticed an all-party settlement conference in this docket to be held seven days hence on January 29, 2007 in San Francisco, as required by Rule 12.1(b) of the Commission's Rules of Practice and Procedure (Rules).

Under Rule 12.1(a), parties may propose a settlement "after the first prehearing conference and within 30 days after the last day of hearing." Rule 11.6, however, provides that parties may make a motion to the Administrative Law Judge for an extension of the time limits established in the Commission's Rules. Pursuant to Rule 11.6, SDG&E (by e-mail, as allowed) requested an extension of the deadline for proposing a settlement under Rule 12.1(a). Concerning the two other active parties in this proceeding, SDG&E reports that DRA supports this extension request, while the Utility Consumers' Action Network has stated that it is not in a position to support the request at this time.

In my December 15, 2006 Ruling, I urged parties to consider a settlement in this proceeding. I continue to believe a settlement may be in the public interest. Therefore, it is appropriate to extend the deadline for proposing a settlement.

The proceeding schedule calls for a Proposed Decision to be placed on the Commission's March 1, 2007 Agenda. This would require a Proposed Decision to be issued by January 30, 2007 to allow for the required 30-day comment period. In light of the settlement conference, I will delay mailing my Proposed Decision. The matter therefore will not appear on the Commission Agenda before March 15, 2007.

Any settlement proposed after the January 29, 2007 settlement conference may require further change in this schedule. In order to limit slippage to the proceeding schedule but still allow consideration of a potential settlement, I will allow a settlement to be proposed no later than February 9, 2007. I urge parties to file any settlement before that date if possible, as I would prefer to place a Proposed Decision addressing SDG&E's application and the proposed settlement on the Commission's April 5, 2007 Agenda. Rule 12.2 allows parties to file comments on a Motion for Settlement within 30 days. I suggest potential settling parties consider requesting a decrease in the time allowed for comment, to allow for a Proposed Decision to be issued no later than March 6, 2007.

IT IS RULED that:

1. SDG&E's request, pursuant to Rule 11.6, for an extension of the deadline for proposing a settlement under Rule 12.1(a) is granted.
2. Any Rule 12 settlement shall be proposed no later than February 9, 2007.

Dated January 26, 2007, at San Francisco, California.

 /s/ DAVID GAMSON
David Gamson
Administrative Law Judge

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