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08-23-11
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2012.

Application 10-12-005
(Filed December 15, 2010)

And Related Matters.

Application 10-12-006

**ADMINISTRATIVE LAW JUDGE'S RULING CONFIRMING
THREE E-MAIL RULINGS**

Today's written ruling memorializes and confirms three e-mail rulings that were issued in this proceeding.

First, in an e-mail ruling on August 9, 2011, the July 22, 2011 written motion of the Mussey Grade Road Alliance to become a party in this proceeding, was granted. A copy of the August 9, 2011 e-mail ruling is attached as Appendix 1 to this ruling.

Second, in an August 12, 2011 e-mail ruling, additional public participation hearings (PPHs) in these consolidated proceedings were noticed for October 10-13, 2011 in the service territory of San Diego Gas & Electric Company (SDG&E), and for October 24-27, 2011 in the service territory of Southern California Gas Company (SoCalGas). The August 12, 2011 e-mail ruling also directed SDG&E and SoCalGas to prepare draft bill inserts and/or post card notices regarding the upcoming PPHs for the Public Advisor's review and

approval, and to mail the notices out to their respective customers. The e-mail ruling also directs SDG&E and SoCalGas to publish and post notices of the PPHs. The e-mail ruling also notified the parties that SDG&E, SoCalGas, and other active parties to these proceedings may present a brief summary of their position at the beginning of the PPHs. A copy of the August 12, 2011 e-mail ruling is attached as Appendix 2 to this ruling.

On August 14, 2011, an e-mail ruling was issued denying the August 12, 2011 e-mail request of the National Asian American Coalition, the Black Economic Council, and the Latino Business Chamber of Greater Los Angeles (Joint Parties) to prepare a bill insert summary of the Joint Parties' positions, or for a joint community bill insert, for inclusion in the bill insert and/or post card notifications that SDG&E and SoCalGas are to prepare and send out. The basis for the August 14, 2011 e-mail denial of the Joint Parties' request is due to the reasoning set forth in the May 17, 2011 written ruling in this proceeding. A copy of the August 14, 2011 e-mail ruling is attached as Appendix 3 to this ruling.

IT IS RULED that:

1. The three e-mail rulings attached to this ruling as Appendices 1, 2 and 3 are confirmed through this written ruling.
2. As set forth in Appendix 1 of this ruling, the Mussey Grade Road Alliance was granted party status in the August 9, 2011 e-mail ruling.
3. As set forth in Appendix 2 of this ruling, additional public participation hearings will be held on October 10-13, 2011 in the service territory of San Diego Gas & Electric Company (SDGE), and on October 24-27, 2011 in the service territory of Southern California Gas Company (SoCalGas). The August 12, 2011 e-mail ruling also, among other things, directed SDG&E and SoCalGas to draft

Appendix 1. August 9, 2011 E-Mail Ruling Re: Mussey Grade Road Alliance Motion to Request Party Status in A.10-12-005 and A.10-12-006

From: Wong, John S.

Sent: Tuesday, August 09, 2011 10:34 AM

To: 'dj0conklin@earthlink.net'; 'jleslie@luce.com'; 'rdc_law@swbell.net'; 'RVanderleeden@SempraUtilities.com'; 'jcorralejo@lbcgla.org'; 'DGilmore@SempraUtilities.com'; 'npedersen@hanmor.com'; 'douglass@energyattorney.com'; 'francis.mcnulty@sce.com'; 'KMelville@SempraUtilities.com'; 'JPacheco@SempraUtilities.com'; 'mshames@ucan.org'; 'dbyers@landuselaw.com'; 'Faith.Mabuhayalliance@gmail.com'; 'rkoss@adamsbroadwell.com'; 'jab@cpuc.ca.gov'; 'nms@cpuc.ca.gov'; 'norman.furuta@navy.mil'; 'nsuetake@turn.org'; 'sls@a-klaw.com'; 'swf5@pge.com'; 'epoole@adplaw.com'; 'lencanty@BlackEconomicCouncil.org'; 'stephaniec@greenlining.org'; 'rwilliford@dralegal.org'; 'jweil@aglet.org'

Subject: E-Mail Ruling Re: Mussey Grade Road Alliance Motion to Request Party Status (A.10-12-005 and A.10-12-006)

To the Service List in A.10-12-005 and A.10-12-006:

On July 22, 2011, the Mussey Grade Road Alliance (MGRA) filed its motion "To Request Party Status In This Proceeding." The only other response to the motion was filed by San Diego Gas & Electric Company (SDG&E) on July 28, 2011.

The motion of MGRA states that it is or has been an active participant in five other proceedings, three of which are ongoing. MGRA seeks to participate in SDG&E's A.10-12-006 so that it can present testimony "that would analyze the impact of proposed SDG&E fire safety programs on fire safety in their service area." MGRA also notes that A.10-12-006 "requests funding for numerous fire safety initiatives in connection with their transmission/distribution system."

SDG&E does not "wholly oppose" MGRA's motion, but seeks to limit the scope of MGRA's proposed intervention. SDG&E states that the motion appears to broaden the scope of this proceeding, that electric transmission revenue requirements are not litigated in this proceeding, and that MGRA's focus is on the " 'effectiveness of fire safety measures' which is already being litigated in other CPUC proceedings."

I have reviewed the pleadings filed and submitted in this proceeding and reviewed the other proceedings cited by MGRA and SDG&E. The motion of MGRA is granted on the following conditions: MGRA is allowed to participate in these consolidated proceedings as a party. However, the scope of this proceeding remains unchanged from the March 2, 2011 scoping memo and ruling. MGRA may raise issues and present testimony on fire prevention and preparedness efforts that are addressed in SDG&E's prepared testimony, which are principally addressed in the testimony of SDG&E in volumes -05 and -06. If MGRA addresses topics which have been or are being covered in other Commission proceedings, SDG&E and other parties may move to strike parts of MGRA's testimony at an appropriate time.

A written ruling confirming this e-mail ruling will be issued at a later date.

John S. Wong
Administrative Law Judge
CPUC
415 703-3130

(End of Appendix 1)

Appendix 2. August 12, 2011 E-Mail Ruling Noticing Additional Public Participation Hearings in A.10-12-005 and A.10-12-006

From: Wong, John S.

Sent: Friday, August 12, 2011 3:58 PM

To: 'jleslie@luce.com'; 'rdc_law@swbell.net';

'RVanderleeden@SempraUtilities.com'; 'jcorralejo@lbcgla.org';

'DGilmore@SempraUtilities.com'; 'npedersen@hanmor.com';

'douglass@energyattorney.com'; 'francis.mcnulty@sce.com';

'dj0conklin@earthlink.net'; 'KMelville@SempraUtilities.com';

'JPacheco@SempraUtilities.com'; 'mshames@ucan.org'; 'dbyers@landuselaw.com';

'Faith.Mabuhayalliance@gmail.com'; 'rkoss@adamsbroadwell.com';

'jab@cpuc.ca.gov'; 'nms@cpuc.ca.gov'; 'norman.furuta@navy.mil';

'nsuetake@turn.org'; 'sls@a-klaw.com'; 'swf5@pge.com'; 'epoole@adplaw.com';

'lencanty@BlackEconomicCouncil.org'; 'stephaniec@greenlining.org';

'rwilliford@dralegal.org'

Subject: E-Mail Ruling Noticing Additional Public Participation Hearings in A.10-12-005 and A.10-12-006

Attachments: PPH Oct. 2011 Schedule & Locations for SDG&E and SoCalGas.doc
To the Parties in A.10-12-005 and A.10-12-006:

This e-mail ruling and the attached document notices the holding of additional public participation hearings (PPH) that will be held on October 10-13, 2011 for San Diego Gas & Electric Company, and on October 24-27, 2011 for Southern California Gas Company in the consolidated applications A.10-12-005 and A.10-12-006. This e-mail also directs SDG&E and SoCalGas to prepare and send bill inserts and/or postcard notifications to their respective customers about these upcoming PPHs.

Pursuant to the April 28, 2011 ALJ ruling, today's e-mail ruling and attachment sets forth the date, time and locations of the additional PPHs that will be held in the service territories of SDG&E and SoCalGas. A list of the date, time and locations of these PPHs is set forth in the attachment. Notification of these additional PPHs will also be published in the Commission's Daily Calendar.

SDG&E and SoCalGas are directed to prepare respective bill inserts and/or post card notices informing their customers of the PPHs in their respective service territories. SDG&E and SoCalGas shall prepare and provide draft bill inserts and

post card notices to the Commission's Public Advisor's office in San Francisco on or before August 26, 2011. The draft bill inserts and post card notices shall inform the respective customers of SDG&E and SoCalGas of the following: (1) notice of the date, time and location of the PPHs; (2) that the purpose of the PPH is to hear from customers regarding the respective application; (3) a summary of the relief that SDG&E and SoCalGas are requesting in their respective applications, and the rate impact on their respective customers; and (4) that a copy of the utility's application may be reviewed at the CPUC, or accessed on the CPUC's website or at the utility's website. The Public Advisor's office may alter or require changes to the draft bill insert and post card notice.

After the Public Advisor's office approves the language in the draft bill inserts and post card notices, SDG&E and SoCalGas shall, to the extent feasible and depending on the bill cycle schedule, mail the bill insert or post card notice to all of its customers at least 15 days in advance of the start of the respective utility's PPH.

At least 10 days before the start of the scheduled PPH in their respective service territories, SDG&E and SoCalGas shall have the approved notice published in one or more newspapers of general circulation in the service area where the PPHs will be held. SDG&E and SoCalGas shall also prominently post a notice of the PPHs in all of their offices in which their customers come into contact with customer service representatives of SDG&E or SoCalGas.

SDG&E and SoCalGas shall have a customer service representative at each of their respective PPHs to answer billing or service questions that individual customers may have.

If SDG&E or SoCalGas, or other active parties to these proceedings want to present a brief summary of their position at the beginning of the PPHs, they should inform the assigned ALJ before the start of the PPH.

A written ruling confirming the above will be issued in the near future. To minimize bouncebacks, this e-mail ruling is being sent out in groups of 25.

John S. Wong
Administrative Law Judge
California Public Utilities Commission

Attachment 1 of 2 to Appendix 2: Public Participation Hearing Schedule for San Diego Gas & Electric Company In Consolidated A.10-12-005 and A.10-12-006

<u>October 10, 2011</u> 2:00 pm & 7:00 pm	<u>SAN DIEGO</u> Al Bahr Shriners Center 5440 Kearny Mesa Road San Diego, CA 92111
<u>October 11, 2011</u> 2:00 pm & 7:00 pm	<u>CHULA VISTA</u> Comfort Inn & Suites - Admiral/Bay Room 632 E Street Chula Vista, CA 91910
<u>October 12, 2011</u> 2:00 pm & 7:00 pm	<u>EL CAJON</u> El Cajon City Hall Council Chambers 200 East Main Street El Cajon, CA 92020
<u>October 13, 2011</u> 2:00 pm & 7:00 pm	<u>OCEANSIDE</u> Civic Center Library Community Rooms 330 North Coast Highway Oceanside, CA 92054

Attachment 2 of 2 to Appendix 2: Public Participation Hearing Schedule for Southern California Gas Company In Consolidated A.10-12-006 and A.10-12-005

<u>October 24, 2011</u> 2:00 pm & 7:00 pm	<u>CULVER CITY</u> Veterans Memorial Complex - Rotunda Room 4117 Overland Avenue Culver City, CA 90230
<u>October 25, 2011</u> 2:00 pm & 7:00 pm	<u>VAN NUYS</u> Marvin Braude Constituent Service Center 6262 Van Nuys Blvd., Room 1-B Van Nuys, CA 91401
<u>October 26, 2011</u> 2:00 pm & 7:00 pm	<u>GARDENA</u> Gardena City Hall Council Chambers 1700 West 162 nd Street Gardena, CA 90247
<u>October 27, 2011</u> 2:00 pm & 7:00 pm	<u>PALMDALE</u> Palmdale City Hall Council Chambers 38300 Sierra Hwy, Suite A Palmdale, CA 93550

(End of Appendix 2)

**Appendix 3. August 14, 2011 E-Mail Ruling on Joint Parties'
August 12, 2011 E-Mail Request in A.10-12-005 and A.10-12-006**

From: Wong, John S.

Sent: Sunday, August 14, 2011 9:14 AM

To: 'Shalini Swaroop'

Cc: RobertGnaizda@gmail.com; Bromson, Jonathan; Burns, Truman L.;
jrw.@cpuc.ca.gov

Subject: August 14, 2011 E-Mail Ruling on Joint Parties' August 12, 2011 E-Mail
Request in A.10-12-005 and A.10-12-006

To Shalini Swaroop (with copies to the Service List)

I have received and reviewed your request below on behalf of the National Asian American Coalition, the Black Economic Council, and the Latino Business Chamber of Greater Los Angeles (Joint Parties). You request an opportunity to allow the Joint Parties to provide through the bill insert or post card notice a summary of the Joint Parties' "position on the dollar amount on the rate increase, the percentage amount of the rate increase, the aggregate executive compensation of the top 25 officers, and also raise the issue of why, during a period of possible double-dip recession, and double-digit unemployment, there should be any rate increase."

In the alternative, you request that the Joint Parties be allowed to work with DRA, TURN, and other parties to prepare a "joint community insert."

Your request for the Joint Parties to prepare a separate summary of their position, or for a summary of a joint community insert, for inclusion in the notification of the bill insert that SoCalGas and SDG&E are to prepare, is denied in this e-mail ruling. On May 17, 2011, I issued a ruling on the Joint Parties' previous motion concerning the noticing of the earlier joint public participation hearings for SoCalGas that was held in conjunction with the application of Southern California Edison Company in A.10-11-015. In the Joint Parties' previous motion, the Joint Parties requested an opportunity, along with "other key consumer intervenors" to "fully review the bill insert notices." The motion of the Joint Parties was denied in the May 17, 2011 ruling for the reasons stated in section 3.b. of that ruling. The reasoning in that ruling applies to your August 12, 2011 e-mail request as well.

As your e-mail notes, and as my August 12, 2011 e-mail ruling provides, the other active parties at the beginning of the public participation hearings will be allowed to present a brief summary of their position. It is also my practice at the public participation hearings to inform those in attendance of the participation of other parties who may be opposed to some or all of the requests contained in utility's application.

Since your August 12, 2011 e-mail request concerns a request to take specific action related to the bill insert process, the Joint Parties should ensure that you serve such e-mail requests or written motions on the entire service list in the future. (See Rule 11.1.) For that reason, I am forwarding this e-mail ruling to the service list in A.10-12-005 and A.10-12-006. Today's e-mail ruling will also be confirmed in a written ruling to be issued in the coming weeks.

John S. Wong
Administrative Law Judge
California Public Utilities Commission

From: Shalini Swaroop [mailto:sswaroop@naacoalition.org]
Sent: Friday, August 12, 2011 5:15 PM
To: Wong, John S.
Cc: RobertGnaizda@gmail.com; Bromson, Jonathan; Burns, Truman L.; jr.w.@cpuc.ca.gov
Subject: Re: E-Mail Ruling Noticing Additional Public Participation Hearings in A.10-12-005 and A.10-12-006

Dear Judge Wong,

On behalf of the National Asian American Coalition, Black Economic Council and Latino Business Chamber of Greater Los Angeles ("Joint Parties"), we greatly appreciate the fact that you are requiring SDG&E and SoCal Gas to properly inform ratepayers of the key issues in this matter, and to that end, have set so many hearings in convenient locations throughout Southern California.

Consistent with your commendable position allowing active parties “to present a brief summary of their position at the beginning of the PPHs,” we would like to suggest a similar opportunity in the ratepayer notices that are to go out through the bill insert or postcard notice. We propose that at a minimum, we be permitted to set forth—in 150 words or less-- our position on the dollar amount on the rate increase, the percentage amount of the rate increase, the aggregate executive compensation of the top 25 officers, and also raise the issue of why, during a period of possible double-dip recession, and double-digit unemployment, there should be any rate increase. Allowing these summaries will produce the same kind of heavy public participation that occurred, despite limited notice, in the four PPHs that were set AT&T/T-Mobile case. The joint parties alone were responsible for bringing out 260 persons for the four hearings, including 120 in San Diego at the Albahr Shriners Center.

Alternatively, we would be pleased to work with DRA, TURN, and other parties questioning the proposed rate increase on a joint community insert, assuming the parties can reach an agreement. We also have no objection to SDG&E and SoCal Gas participating in the development of this notice.

Please note the recent Edison hearings, which lacked such a notice, drew very few people to the PPHs, including some hearings where the ALJ and PUC staff outnumbered both the public and the number of public speakers.

As you’ve previously informed us, on September 13th, there will be intensive discussions on PPH reform and we will be active participants in this process. Possibly, some of those reforms discussed on September 13th could be incorporated for the scheduled PPHs in this case. However, our above suggestions require implementation prior to the mailing of the bill inserts.

I am working closely with the joint parties and their counsel, Bob Gnaizda on this matter, so please direct any responses in this matter to me.

Respectfully submitted,

Shalini Swaroop

A.10-12-005, A.10-12-006 JSW/acr

Shalini Swaroop, Senior Staff Attorney
National Asian American Coalition | Black Economic Council | Latino Business
Chamber of Greater Los Angeles
1758 El Camino Real, San Bruno, CA 94066
sswaroop@naacoalition.org | T: 650.952.0522 x 231 | F: 650.952.0530

On Fri, Aug 12, 2011 at 4:30 PM, Robert Gnaizda <robertgnaizda@gmail.com>
wrote:

----- Forwarded message -----

From: **Wong, John S.** <john.wong@cpuc.ca.gov>
Date: Fri, Aug 12, 2011 at 4:00 PM
Subject: FW: E-Mail Ruling Noticing Additional Public Participation Hearings in
A.10-12-005 and A.10-12-006
To: RobertGnaizda@gmail.com, ceyap@earthlink.net, dmarcus2@sbcglobal.net,
rschmidt@bartlewells.com, garrick@jbsenergy.com, kdw@woodruff-expert-services.com, "Colvin, Michael" <michael.colvin@cpuc.ca.gov>,
beg@cpuc.ca.gov, dlf@cpuc.ca.gov, dfb@cpuc.ca.gov, ec2@cpuc.ca.gov,
jrw@cpuc.ca.gov, jsw@cpuc.ca.gov, zaf@cpuc.ca.gov, ram@cpuc.ca.gov,
rmp@cpuc.ca.gov, srt@cpuc.ca.gov, sgm@cpuc.ca.gov, sjg@cpuc.ca.gov,
txb@cpuc.ca.gov

To the Parties in A.10-12-005 and A.10-12-006:

This e-mail ruling and the attached document notices the holding of additional public participation hearings (PPH) that will be held on October 10-13, 2011 for San Diego Gas & Electric Company, and on October 24-27, 2011 for Southern California Gas Company in the consolidated applications A.10-12-005 and A.10-12-006. This e-mail also directs SDG&E and SoCalGas to prepare and send bill inserts and/or postcard notifications to their respective customers about these upcoming PPHs.

[[Note: ALJ has deleted the rest of the August 12, 2011 E-Mail Ruling for space and e-mail transmission considerations.]]

(End of Appendix 3)