

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-188
Administrative Law Judge Division
February 16, 2006

RESOLUTION

RESOLUTION ALJ-188. Adopts Interim Rules Governing Electronic Filing of Documents During the Electronic Filing Pilot Period.

Over the past year, the Commission has been developing an electronic filing system, specifically infrastructure and procedures to allow parties to file documents electronically in lieu of hard copy originals. Commencing in first quarter 2006, the Commission will begin a "pilot period" to test its electronic filing systems and will gradually expand the ability of parties to file documents electronically to all proceedings. This resolution adopts interim rules to govern electronic filing of documents during this pilot period. We will issue a rulemaking prior to development of final rules governing electronic filing.

During the pilot period, parties that file documents electronically will not be required to file hard copies with the Commission's Docket Office but will still serve parties to the proceeding, either by hard copy or electronic service, consistent with existing Rules of Practice and Procedure. During the pilot period, parties may voluntarily perform electronic filing, consistent with the adopted interim rules. We will prepare a practitioner's guide for electronic filing, upon opening of the pilot which will explain in more detail the practical issues surrounding electronic filing.

A draft of this resolution was issued on December 13, 2005, for public review and comment. Comments were served by Goodin, MacBride, Squeri, Ritchie and Day LLP (GMSRD), Southern California Gas Company and San Diego Gas & Electric Company, Pacific Gas and Electric Company, Southern California Edison Company, Southern California Generation Coalition.

Modifications to the Interim Rules were made in response to comments and further refinements based on the internal testing underway. Comments in one area is important to highlight. Several Commenters questioned why we are requiring use of PDF Archive format (PDF/A) for electronic filing when we do not require it for electronic service. Because, under these Interim Rules, the electronically filed version is the official file version of the document and no paper copy exists. The filed version must be in a file format that allows for long-term preservation of the document in a format that provides a consistent and predictable visual appearance, independent of the program used for creating the file. This is precisely the purpose of PDF/A and thus

drove our selection of this format requirement. Parties may continue to serve documents in formats other than PDF/A, consistent with Rule 2.3.1 of the Rules of Practice and Procedure. If cost of obtaining PDF/A is an obstacle for any party, they retain the option of filing in hard copy but PDF/A is currently publicly available from more than one vendor.

IT IS RESOLVED that the Interim Rules set forth in Appendix A shall govern electronic filing of documents during the electronic filing pilot period.

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on _____, the following Commissioners approving it:

STEVE LARSON
Executive Director

APPENDIX A***Interim Rules for Electronic Filing of Documents*****Rule 1 Electronic Filing Pilot Period / Program Scope**

The Commission adopts the following interim rules for its Electronic Filing Pilot Period. These rules shall apply to all proceedings, including documents initiating a proceeding, unless otherwise required or permitted. These rules shall not apply to the filing of confidential documents, but redacted versions of confidential documents may be electronically filed. Documents that contain confidential or proprietary information shall not be electronically transmitted to the Docket Office unless specifically authorized by these Rules or by the assigned Commissioner and/ or Administrative Law Judge. Complete instructions for using the Commission's electronic filing process can be found at www.cpuc.ca.gov.

Rule 2 Format of Documents to be Filed Electronically

(a) A document that is filed electronically with the Docket Office must be transmitted in PDF Archive format (PDF/A) unless it cannot be created in that format or conversion to PDF/A format is unduly burdensome.

(b) In the event that the party submitting the document cannot submit the document in PDF/A, that party shall submit a brief explanation of why PDF/A format is infeasible.

(c) Transmissions may include multiple documents but only a single lead document will be filed, e.g., Application with Corporate Financial Statement Attached. A single transmission may not exceed 20.0 megabytes in size. Documents or transmissions that exceed this limit shall not be filed electronically.

(d) In all other respects, the format of documents filed electronically must conform to the filing requirements for hard copy filings. The Commission and its Docket Office retain the same discretion with respect to acceptance and rejection of filings as embodied in the Rules of Practice and Procedure.

Rule 3 Electronic Filing Process

Electronically transmitted documents must be both received by the Docket Office and accepted for filing by the Docket Office to be considered duly filed with the Commission in accordance with these rules.

APPENDIX A***Interim Rules for Electronic Filing of Documents (cont.)*****(a) Date and Time of Filing**

A document may be electronically transmitted to the Docket Office at any time. Acceptance of the document for filing with the Docket Office shall be deemed to occur (1) on the date the document was received by the Docket Office if the submission occurred during normal business hours, and (2) on the next business day the Docket Office is open for business if receipt occurred after normal business hours. For purposes of this section, normal business hours shall be from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays. Nothing in this section shall limit the Docket Office's ability to reject filings.

(b) Acknowledgement of Receipt of Document

Upon receiving a document transmitted electronically for filing, a Notice of Acknowledgment of Receipt shall immediately be electronically transmitted to the filing party. The Notice of Acknowledgment of Receipt shall confirm the date and time of receipt of the document by the Docket Office for review. The Docket Office shall thereafter determine if the document is acceptable for filing with the Commission. In the absence of a Notice of Acknowledgement of Receipt, there is no presumption that the Docket Office received the document. The filing party shall be solely responsible for obtaining confirmation of the filing of the document by the Docket Office in the absence of a Notice of Acknowledgement of Receipt.

(c) Acceptance of Filing

Documents electronically received by the Docket Office shall be reviewed by the Docket Office for required elements once the document has been received. Upon the Docket Office's acceptance of the document for filing, the Docket Office shall place an electronic filing stamp on the document or, in the case of an initiating document, both a docket number and a filing stamp, and shall electronically transmit to the filing party Confirmation of Acceptance and a link to a filed stamped copy of the document on the Commission's website. Electronically filed documents so endorsed carry the same force and effect as a manually affixed endorsement stamp.

APPENDIX A

Interim Rules for Electronic Filing of Documents (Cont.)

(d) Rejected Filings

If an electronically transmitted document is received by the Docket Office but subsequently determined to be unacceptable for filing, the Docket Office shall electronically transmit to the filing party a Notice of Rejection of the document for filing. The notice shall set forth the grounds for rejection of the document. It shall be the responsibility of the filing party to resubmit rejected documents, with appropriate corrections and any required filing fee to the Docket Office for filing.

(e) Payment of Fees

All applicable filing fees for the following types of applications shall be paid by credit card as a condition for filing electronically:

APPLICATION	TYPE	AMOUNT
Application for Certificate of Public Convenience and Necessity (CPCN)	<u>Passenger Stage Corporation</u>	\$500.00
	Passenger Stage Corporation already operating in the immediate vicinity under the <u>Commission's jurisdiction.</u>	\$75.00
	Passenger Air Carrier	\$150.00
Application to sell, mortgage, lease, assign, transfer, or encumber a Certification of Public Convenience and Necessity (CPCN)	All other, including street railroads, gas corporations, electric corporations, telegraph corporations, telephone corporations, water corporations, <u>and common carrier vessels</u>	\$150.00
	<u>Passenger Stage Corporation</u>	\$300.00
	Passenger Air Carrier	\$150.00

Other applications for which a filing fee is due, pursuant to Rule 3.3 of the Rules of Practice and Procedure, may be filed electronically but payment shall be made by check consistent with current practice.

(f) Signatures

By electronically filing a document, the filing party certifies that the document complies with Rule 1 and Rule 2.2 and that the original, signed document is available for review and copying at the request of the Commission or any party until such time as all opportunities for appeal have been exhausted.

(g) Technical Failures

The Docket Office shall deem the electronic filing system to be subject to a technical failure on a given day if it is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 12:00 noon that day, in which case filings due that day which were not filed due solely to such technical failures shall be deemed filed that day if actually filed the next business day the system is able to accept filings. Such delayed filings shall be accompanied by a declaration or affidavit attesting to the filing person's failed attempts to file electronically at least two times after 12:00 noon separated by at least one hour or one time after 4:00 p.m. on each day of delay due to such technical failure.

(END OF APPENDIX A)

***** SERVICE LIST *****

Last Update on 13-DEC-2005 by: LIL
R0401005 LIST

***** APPEARANCES *****

Marc D. Joseph
Attorney At Law
ADAMS, BROADWELL, JOSEPH & CARDOZO
601 GATEWAY BLVD., STE. 1000
SOUTH SAN FRANCISCO CA 94080
(650) 589-1660
mdjoseph@adamsbroadwell.com
For: ADAMS BROADWELL JOSEPH & CARDOZO

Melissa Waksman
AT&T COMMUNICATIONS OF CALIFORNIA INC.
795 FOLSOM STREET, ROOM 3115
SAN FRANCISCO CA 94107
(415) 442-2162
mwaksman@att.com

Camille A. Estes
BOWEN LAW GROUP, LLP
235 MONTGOMERY STREET, SUITE 920
SAN FRANCISCO CA 94104
(415) 394-7500
camille.estes@bowenlawgroup.com

Jennifer Tachera
Attorney At Law
CALIFORNIA ENERGY COMMISSION
1516 - 9TH STREET MS-14
SACRAMENTO CA 95814
(916) 654-3870
jtachera@energy.state.ca.us

Karen Norene Mills
Attorney At Law
CALIFORNIA FARM BUREAU FEDERATION
2300 RIVER PLAZA DRIVE
SACRAMENTO CA 95833
(916) 561-5655
kmills@cfbf.com

John Gutierrez
Director Of Government Affairs
COMCAST PHONE OF CALIFORNIA LLC
12647 ALCOSTA BLVD., SUITE 200
SAN RAMON CA 94583
(925) 973-7214
john_gutierrez@cable.comcast.com

Mark P. Schreiber
Attorney At Law
COOPER, WHITE & COOPER, LLP
201 CALIFORNIA STREET, 17TH FLOOR
SAN FRANCISCO CA 94111

Patrick Rosvall
Attorney At Law
COOPER, WHITE & COOPER, LLP
201 CALIFORNIA STREET, 17TH FLOOR
SAN FRANCISCO CA 94111
(415) 433-1900
smalllecs@cwclaw.com

Latanya Linzie
JOSE JIMENEZ
COX CALIFORNIA TELCOM L.L.C.
2200 POWELL STREET, SUITE 1035
EMERYVILLE CA 94608
(510) 923-6220
latanya.linzie@cox.com

W. Lee Biddle
Attorney At Law
FERRIS & BRITTON, P.C.
401 WEST A STREET, SUITE 1600
SAN DIEGO CA 92101
(619) 233-3131
lbiddle@ferrisbritton.com

Earl Nicholas Selby
Attorney At Law
LAW OFFICES OF EARL NICHOLAS SELBY
418 FLORENCE STREET
PALO ALTO CA 94301
(650) 323-0990
ens@loens.com

John W. Leslie
Attorney At Law
LUCE, FORWARD, HAMILTON & SCRIPPS, LLP
11988 EL CAMINO REAL, SUITE 200
SAN DIEGO CA 92130
(858) 720-6352
jleslie@luce.com

Peter Vicencio
METROPCS, INC.
1080 MARINA VILLAGE PARKWAY, 4TH FLOOR
ALAMEDA CA 94501
pvicencio@metropcs.com

Mary E. Wand
Attorney At Law
MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO CA 94105
(415) 268-7000
mwand@mofo.com

***** SERVICE LIST *****

Last Update on 13-DEC-2005 by: LIL
R0401005 LIST

(415) 433-1900
mschreiber@cwclaw.com

Andrew L. Niven
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, SUITE 3109
SAN FRANCISCO CA 94120
(415) 973-6640
aln2@pge.com
For: PACIFIC GAS AND ELECTRIC COMPANY

Susan Mohr
Regional Director - Public Policy
QWEST COMMUNICATION CORPORATION
1801 CALIFORNIA STREET, SUITE 4700
DENVER CO 80202
(303) 896-5959
susan.mohr@qwest.com

Steven D. Patrick
SAN DIEGO GAS & ELECTRIC COMPANY
555 WEST FIFTH STREET, SUITE 1400
LOS ANGELES CA 90013
(213) 244-2954
spatrick@sempra.com
For: SAN DEIGO GAS & ELECTRIC COMPANY

Garrett L. Wong
Attorney At Law
SBC PACIFIC BELL TELEPHONE COMPANY
140 NEW MONTGOMERY ST., ROOM 1619
SAN FRANCISCO CA 94105
(415) 545-9426
gw3835@sbc.com

Peter J. Messrobian
SEDGWICK, DETERT, MORAN & ARNOLD
ONE EMBARCADERO CENTER, 16TH FLOOR
SAN FRANCISCO CA 94111
(415) 781-7900
peter.messrobian@sdma.com
For: SEDGWICK, DETERT, MORGAN & ARNOLD

Annette Gilliam
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
(626) 302-4880
annette.gilliam@sce.com
For: SOUTHERN CALIFORNIA EDISON

Andy W. Bettwy
Assistant General Counsel
SOUTHWEST GAS CORPORATION

Tim Day
Specialist/Pricing And Tariffs
SOUTHWEST GAS CORPORATION
5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89150-0002
tim.day@swgas.com

Valerie J. Ontiveroz
Analyst/State Regulatory Affairs
SOUTHWEST GAS CORPORATION
5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89150
(702) 876-7323
valerie.ontiveroz@swgas.com

Kathryn A. Fugere
Attorney At Law
STEEFEL, LEVITT & WEISS, P.C.
ONE EMBARCADERO CENTER, 30TH FLOOR
SAN FRANCISCO CA 94111
(415) 788-0900
kfugere@steefel.com
For: STEEFEL, LEVITT & WEISS

James Paine
Attorney At Law
STOEL RIVES, LLP
900 SW 5TH AVE STE. 2600
PORTLAND OR 97204-1268
(503) 294-9246
jcpaine@stoel.com

Glenn Stover
Attorney At Law
STOVER LAW
301 HOWARD STREET, SUITE 830
SAN FRANCISCO CA 94105-6605
(415) 495-7000
glenn@stoverlaw.net

William Nusbaum
Attorney At Law
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO CA 94102
(415) 929-8876
bnusbaum@turn.org

Laura J. Tudisco
Legal Division
RM. 5032

***** SERVICE LIST *****

Last Update on 13-DEC-2005 by: LIL
R0401005 LIST

5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89150-0002
andy.bettwy@swgas.com

Rudolph M. Reyes
VERIZON CALIFORNIA INC.
711 VAN NESS AVENUE, SUITE 300
SAN FRANCISCO CA 94102
(415) 749-5539
rudyl.reyes@verizon.com

***** STATE EMPLOYEE *****

Los Angeles Docket Office
CALIFORNIA PUBLIC UTILITIES COMMISSION
320 W. 4TH STREET, SUITE 500
LOS ANGELES CA 90013
LAdocket@cpuc.ca.gov

Michelle Cooke
Administrative Law Judge Division
RM. 5006
505 VAN NESS AVE
San Francisco CA 94102
(415) 703-2637
mlc@cpuc.ca.gov

Kenneth K. Henderson
Administrative Law Judge Division
RM. 5108
505 VAN NESS AVE
San Francisco CA 94102
(415) 703-3065
kkh@cpuc.ca.gov

Monica L. McCrary
Legal Division
RM. 5134
505 VAN NESS AVE
San Francisco CA 94102
(415) 703-1288
mlm@cpuc.ca.gov

Anne E. Simon
Administrative Law Judge Division
RM. 5024
505 VAN NESS AVE
San Francisco CA 94102
(415) 703-2014
aes@cpuc.ca.gov

***** INFORMATION ONLY *****

505 VAN NESS AVE
San Francisco CA 94102
(415) 703-2164
ljt@cpuc.ca.gov

Ann H. Kim
Attorney At Law
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442 B30A
SAN FRANCISCO CA 94120
(415) 973-7467
ahk4@pge.com

Chad Curran
Energy Revenue Requirements
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, RM. 978
SAN FRANCISCO CA 94105
(415) 973-6105
crcq@pge.com
For: PACIFIC GAS AND ELECTRIC COMPANY

Stephen Goodman
Cfo
PREPAID TEL. COM. INC.
409 CENTER STREET
YUBA CITY CA 95991
(530) 822-0326 400
sgoodman@primecompanies.com
For: PREPAID TEL COM. INC.

Central Files
SAN DIEGO GAS & ELECTRIC
CP31-E
8330 CENTURY PARK COURT
SAN DIEGO CA 92123-1530
(858) 654-1766
centralfiles@semprautilities.com
For: SAN DIEGO GAS & ELECTRIC

James Ozenne
SAN DIEGO GAS & ELECTRIC COMPANY
555 W. FIFTH ST., GT14D6
LOS ANGELES CA 90013-1034
(213) 244-3821
jozenne@semprautilities.com
For: SAN DIEGO GAS & ELECTRIC COMPANY

Case Administration
SOUTHERN CALIFORNIA EDISON
2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
case.admin@sce.com

***** SERVICE LIST *****

Last Update on 13-DEC-2005 by: LIL
R0401005 LIST

Robert Munoz
MCI, INC.
201 SPEAR STREET 9TH FLOOR
SAN FRANCISCO CA 94105
(415) 228-1135
robert.munoz@mci.com

For: SOUTHERN CALIFORNIA EDISON

Eric S. Heath
Attorney At Law
SPRINT COMMUNICATIONS COMPANY, L. P.
100 SPEAR STREET, SUITE 930
SAN FRANCISCO CA 94105
(415) 371-7179
eric.s.heath@mail.sprint.com

Matthew Freedman
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, NO. 350
SAN FRANCISCO CA 94102
(415) 825-8876
freedman@turn.org

Margaret L. Tobias
TOBIAS LAW OFFICE
460 PENNSYLVANIA AVENUE
SAN FRANCISCO CA 94107
(415) 641-7833
info@tobiaslo.com

Jacque Lopez
Legal Assistant
VERIZON CALIFORNIA INC
CA501LB
112 LAKEVIEW CANYON ROAD
THOUSAND OAKS CA 91362
(805) 372-6664
jacque.lopez@verizon.com

Lorriane Kocen
VERIZON CALIFORNIA INC.
CA501LS
112 S. LAKEVIEW CANYON ROAD
THOUSAND OAKS CA 91362
(805) 372-6945
lorraine.kocen@verizon.com