

DRAFT

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

San Francisco, California
Date: June 5, 2003
Resolution No. M-4809

RESOLUTION

**Commission Authorization For Deviations From
Requirements In General Order 96-A Regarding
Submittal Of Tariff Sheets And Advice Letters**

Introduction And Summary

By this order we authorize the Executive Director to grant deviations from General Order No. 96-A, Section II C (Construction of Tariff Schedules for Filing), Section III A (Transmission of Tariff Sheets), Section III B (Number of Copies), Section V C (Return of Copies of Tariff to Utility), Section VII (Tariff Sheet Rejection Procedure), Section IX (Contracts Authorized by Tariff Schedules), and Section X (Contracts and Services at Other Than Filed Tariff Schedules).

These deviations are to be implemented at the discretion of the Executive Director, and will permit utilities to submit and serve tariff sheets, Advice Letters, contracts, and supporting documents solely by electronic media or by email and permit Commission staff the efficiencies provided by electronic technology to eliminate the costs and effort of processing paper copies of these documents.

Background

Our General Order No. 96-A (GO96-A), "*Rules Governing the Filing and Posting of Schedules of Rates, Rules, and Contracts Relating to Rates, Applicable to Gas, Electric, Telecommunications, Water, Sewer System, Pipeline and Heat Utilities*", contains very specific requirements for the form and contents of tariff sheets and Advice Letters. GO96-A also specifies the processes for submitting and serving tariff sheets, Advice Letters, and contracts, and the cancellation and rejection of tariff sheets. GO96-A requires the submission of four paper copies of each tariff sheet and advice letter, and if applicable, accompanying contract (Section III B). The paper copies must be in loose-

leaf form suitable for binding in a book or three-hole punch volume (Section II C). Section V C requires that copies with “Filed” and “Effective” dates be returned to the utility. Section VII specifies how tariff sheets are to be rejected.

Most utilities use electronic word processing to produce the paper copies of these documents. These paper copies and accompanying workpapers are generally printed from electronic files (e.g., MS Word, MS Excel, or Adobe Acrobat PDF format) and are then transmitted to the Commission by US mail or messenger. The number of Advice Letter filings has increased dramatically since the last printed revision to GO96-A (September 28, 1988). Commission staff face growing difficulties in processing and storing many cubic feet of paper documents. A deviation from our GO96-A rules that permits the substitution of electronic media in lieu of paper hard copy may in some cases significantly reduce costs and processing efforts for Commission staff, utilities, and interested parties.

For these reasons we will authorize the Executive Director to permit or require the utilities to submit and serve tariff sheets, Advice Letters, and contracts electronically, in file formats to be specified by the Executive Director. The Executive Director will also specify how the utility will keep copies of effective and cancelled tariff sheets and contracts for the utility’s records.

Discussion

The deviations granted pursuant to the ordering paragraphs below will permit the industry divisions to process and store contracts, tariff sheets, and Advice Letter submittals more efficiently by using current electronic technology. California is at the forefront of information technology, and its government should adopt proven systems to reduce the effort and expense of processing paper submittals. We have taken steps previously in that direction in revisions to GO96-A by requiring most utilities to present their tariffs on their websites for public access. We expect to build further on our practice of presenting our documents on our website for the same reasons. Depending on the deviations granted by the Executive Director for each industry and each utility, using email or other electronic media will accomplish that goal now, and this Resolution opens the door to adjusting the systems employed as more effective technologies emerge.

We delegate to the Executive Director the authority to grant these deviations to GO 96A. This flexibility will allow our staff to work with utilities and other interested parties to ensure orderly implementation.

Further, the entire subject of Advice Letter and tariff submittals is being addressed in R.98-07-038, and the deviations we adopt today may be superceded in that rulemaking.

Comments

The draft resolution in this matter was mailed to all utilities filing tariffs pursuant to GO96-A in accordance with PU Code Section 311 (g)(1) and Rule 77.7(c), and all interested parties.

Findings

1. Current GO96-A requirements for utilities to submit multiple paper copies of tariff sheets, Advice Letters and contracts may in some cases be costly and inefficient.
2. It is reasonable to accept submittal and service of tariff sheets, Advice Letters, contracts, and workpapers solely by email or other electronic media.
3. The Executive Director should issue rules for submitting and serving these documents by email or other electronic media, and for withdrawing, canceling, and rejecting these submittals.
4. Such rules should specify how the utilities should maintain copies of effective and cancelled tariff sheets, Advice Letters, contracts and supporting workpapers.
5. The Executive Director should be delegated the authority to grant these deviations to GO 96A.

Order

1. The Executive Director is delegated the authority to grant deviations to GO 96A to permit submittal and service of tariff sheets, Advice Letters, contracts, and workpapers by email or other electronic media.
2. The Executive Director shall specify how these documents will be withdrawn, cancelled, rejected, and maintained by the utilities.
3. The authority delegated to the Executive Director by this Resolution, and any rules issued pursuant to that authority, are interim in nature and subject to modification by order adopted in R.98-07-038, which is our rulemaking to comprehensively revise our procedures applicable to ALs and tariff submittal.

This resolution is effective today.

I hereby certify that this resolution was adopted by the Public Utilities Commission at its regular meeting of June 5, 2003, and that the following Commissioners approved it.

WILLIAM AHERN
Executive Director