

Decision 11-01-012 January 13, 2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Gas Company (U904G) and San Diego Gas & Electric Company (U902G) to Expand Existing Off-System Delivery Authority.

Application 08-06-006
(Filed June 6, 2008)

DECISION EXTENDING STATUTORY DEADLINE

Summary

Public Utilities Code Section 1701.5(a) provides that ratesetting proceedings shall be resolved within 18 months of the date the scoping memo and ruling is issued, unless the Commission makes a written determination that the deadline cannot be met, including findings as to the reason, and issues an order extending the deadline.

The amended scoping memo and ruling (amended scoping memo) for this proceeding was issued on July 20, 2009. Pursuant to Public Utilities Code Section 1701.5(a), the deadline for resolving this proceeding is January 19, 2011. Today's decision extends the 18-month statutory deadline for resolving this proceeding by 60 days to March 21, 2011.

Discussion

On June 6, 2008, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) filed the above-captioned application. The application seeks authority to expand the off-system delivery service of natural gas by SDG&E and SoCalGas to all other pipeline

interconnections on the same terms and conditions as authorized in Decision (D.) 06-12-031.

The initial scoping memo and ruling (initial scoping memo) was issued on December 18, 2008, which ruled that this proceeding would first address whether the issues about air quality, gas quality, the Wobbe Index, and the California Environmental Quality Act (CEQA) should be addressed in this proceeding. After the filing of briefs, the Commission concluded in D.09-06-019 that these issues had already been addressed by the Commission in D.06-09-039, that these issues were barred from being relitigated in this proceeding, and that a CEQA analysis was not required.

The amended scoping of July 20, 2009 then set forth the procedural schedule to litigate the remaining factual issues in this proceeding. Evidentiary Hearings were held on October 28 and 29, 2009, and this proceeding was submitted on December 18, 2009.

Due to unanticipated work in other proceedings, a proposed decision has not been issued yet in this proceeding. We anticipate that a proposed decision on the off-system delivery issues will be issued in the coming weeks. Should additional time be needed to resolve this proceeding, the 18-month deadline for this proceeding should be extended by an additional 60 days. Accordingly, an extension of the 18-month deadline is needed.

Waiver of Comments

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of decisions extending the deadline for resolving ratesetting proceedings. We waive the period for public review and comment pursuant to this rule.

Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and John S. Wong is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The initial scoping memo for this proceeding was issued on December 18, 2008, and an amended scoping memo was issued on July 20, 2009.
2. The deadline for resolving this proceeding is January 19, 2011.
3. Due to unanticipated work in other proceedings, an extension of the deadline is warranted in this proceeding.

Conclusions of Law

1. The 18-month statutory deadline imposed by Public Utilities Code Section 1701.5(a) should be extended by 60 days.
2. In accordance with Rule 14.6(c)(4), the comment period is waived.

IT IS ORDERED that the 18-month statutory deadline for resolving this proceeding is extended to March 21, 2011.

This order is effective today.

Dated January 13, 2011, at San Francisco, California.

MICHAEL R. PEEVEY
President
TIMOTHY ALAN SIMON
NANCY E. RYAN
Commissioners