

Decision 11-07-017 July 14, 2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to implement Senate Bill No. 1488 (2004 Cal. Stats., Ch. 690 (Sept. 22, 2004)) relating to confidentiality of information.

Rulemaking 05-06-040
(Filed June 30, 2005)

ORDER EXTENDING STATUTORY DEADLINE

Summary

Pub. Util. Code § 1701.5 provides that quasi-legislative proceedings shall be resolved within 18 months of the date the scoping memo is issued, unless the scoping memo sets a later date. The Commission may also, upon making a written determination that the deadline cannot be met, including findings as to the reason, issue an order extending the deadline.

Background

Assigned Commissioner's Scoping Memo and Ruling issued on May 21, 2009 and the statutory deadline for resolving the proceeding was, therefore, originally November 20, 2010.

The assigned Commissioner's proposed decision issued on September 29, 2009. On August 9, 2010, the assigned Commissioner issued a revised proposed decision and, thereupon, withdrew the previously-issued proposed decision from consideration by the Commission. The Commission required additional time for deliberations and, by Decision (D.) 10-10-026, extended the deadline for resolving this matter to January 19, 2011.

The Commission continued to require additional time for deliberations and, by D.10-12-028, extended the statutory deadline to March 21, 2011; by D.11-03-012, further extended the statutory deadline to May 20, 2011; and, by D.11-05-007, further extended the statutory deadline to July 19, 2011.

On April 22, 2011, Commissioner Peevey issued a proposed alternate decision. The Commission continues to require additional time for deliberations. Accordingly, the statutory deadline for resolving this matter is extended to September 24, 2011.

Waiver of Comments on Proposed Decision

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

Michael R. Peevey is the assigned Commissioner and Hallie Yacknin is the assigned Administrative Law Judge and presiding officer in this proceeding.

Finding of Fact

The Commission requires additional time beyond the July 19, 2011, statutory deadline for deliberating this matter.

Conclusions of Law

1. The statutory deadline, as authorized by D.11-03-012 pursuant to Pub. Util. Code § 1701.5, should be extended by an additional 60 days to September 24, 2011.

2. The comment period should be waived pursuant to Rule 14.6(c)(4).

IT IS SO ORDERED.

This order is effective today.

Dated July 14, 2011, at San Francisco, California.

MICHAEL R. PEEVEY
President
TIMOTHY ALAN SIMON
CATHERINE J.K. SANDOVAL
MARK J. FERRON
Commissioners

I abstain.

/s/ MICHEL PETER FLORIO
Commissioner