

Decision 11-07-048 July 28, 2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U338E) for Additional Dynamic Pricing Rates.

Application 10-09-002
(Filed September 1, 2010)

DECISION DISMISSING APPLICATION WITHOUT PREJUDICE

Summary

This decision dismisses Application 10-09-002 without prejudice. This is the most appropriate course of action at this time because of two factors: 1) the assigned Administrative Law Judge ruled on May 16, 2011 that the issues addressed in the current application are more efficiently addressed in Southern California Edison Company's rate design application, and that the Commission would dismiss the current application without prejudice once the new application was filed;¹ and 2) Southern California Edison Company has filed its rate design application, which includes the dynamic pricing issues.

Discussion

In compliance with Decision (D.) 09-08-028, Southern California Edison Company (SCE) filed Application (A.) 10-09-002, in which it requested approval of its dynamic pricing rates. In order to address all current SCE rate design issues in one coordinated proceeding, and more efficiently use the valuable time

¹ <http://docs.cpuc.ca.gov/efile/RULINGS/135251.pdf>.

of the parties and the Commission, the assigned Administrative Law Judge (ALJ) directed SCE, via a ruling issued on May 16, 2011, to include its proposal for dynamic pricing rates in its 2012 rate design application. In this way, all rate design issues, including that of dynamic pricing, would be addressed in the same proceeding. In the same ruling, the assigned ALJ also ruled that A.10-09-002 would be dismissed without prejudice unless parties to this application stated opposition within 10 days after the 2012 rate design application was filed. SCE filed its 2012 rate design application (A.11-06-007) on June 6, 2011.

Since SCE proposed dynamic pricing rates in its 2012 rate design application and no party stated opposition to dismissal of A.10-09-002, we therefore dismiss A.10-09-002 without prejudice.

Waiver of Comments Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

Categorization and Need for Hearing

In Resolution ALJ 176-3261 dated September 23, 2010, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were necessary. We confirm the ratesetting categorization. Ultimately, no evidentiary hearings were held in this matter, so the preliminary determination of a need for hearings is changed to no hearings necessary.

Assignment of Proceeding

Michael R. Peevey is the assigned Commissioner and Seaneen M. Wilson is the assigned ALJ in this proceeding.

Findings of Fact

1. In compliance with D.09-08-028, SCE filed A.10-09-002, in which it requested approval of its dynamic pricing rates.
2. In a May 16, 2011 ruling, the assigned ALJ ruled that SCE's proposal for dynamic pricing rates should be included in its 2012 rate design application. The assigned ALJ also ruled that A.10-09-002 should be dismissed without prejudice unless parties to this application stated opposition within 10 days after the 2012 rate design application was filed.
3. SCE filed its 2012 rate design application (A.11-06-007) on June 6, 2011.
4. No parties to A.10-09-002 have stated opposition to including SCE's dynamic pricing rate proposal in A.11-06-007, within 10 days of filing that rate design application.

Conclusions of Law

1. Pursuant to the assigned ALJ's May 16, 2011 ruling, since SCE has included its proposed dynamic pricing rates in its 2012 rate design application (A.11-06-007), and no party stated opposition to dismissal of A.10-09-002, A.10-09-002 should be dismissed without prejudice.
2. The preliminary categorization of A.10-09-002 as ratesetting is affirmed. The preliminary determination of a need for hearings in A.10-09-002 should be changed to no hearings necessary.
3. A.10-09-002 should be closed.
4. This decision should be effective immediately.

O R D E R

IT IS ORDERED that:

1. Application 10-09-002 is dismissed without prejudice.
2. The preliminary categorization of Application (A.) 10-09-002 as ratesetting is affirmed. The preliminary determination of a need for hearings in A.10-09-002 is changed to no hearings necessary.
3. Application 10-09-002 is closed.

This decision is effective immediately.

Dated July 28, 2011, 2011, at San Francisco, California.

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