

Decision 11-07-045 July 28, 2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine
the Commission's Energy Efficiency
Risk/Reward Incentive Mechanism.

Rulemaking 09-01-019
(Filed January 29, 2009)

ORDER EXTENDING STATUTORY DEADLINE**Summary**

Public Utilities Code Section 1701.5(a) provides that ratesetting cases, such as this one, shall be resolved within 18 months of the date on which the scoping memo is issued, unless the Commission makes findings regarding why that deadline cannot be met and issues an order extending that deadline for a period not exceeding 60 days. On May 26, 2011, the Commission issued Decision 11-05-038 which extended the statutory deadline for resolving this rulemaking to August 14, 2011. However, additional time is necessary to address issues regarding the prospective design and administration of the Risk/Reward Incentive Mechanism program. Therefore, this order extends the time for completion of this proceeding until October 13, 2011.

Background and Discussion

The assigned Commissioner issued his scoping memo on April 14, 2009; therefore, the resolution date was October 14, 2010. The Commission has issued several decisions addressing important issues of this rulemaking and extending

the resolution date of this proceeding. Decision 11-05-038 extended the resolution date to August 14, 2011.

Because additional time is necessary to address issues regarding the prospective design and administration of the Risk/Reward Incentive Mechanism program (RRIM), we find it appropriate to extend the deadline for resolution of this proceeding for 60 days, until October 13, 2011.

Waiver of Comment Period

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 proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

Assignment of Proceeding

Mark J. Ferron is the assigned Commissioner and Thomas R. Pulsifer is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. This rulemaking to examine the Commission's Energy Efficiency Risk/Reward Incentive Mechanism has as one of the major tracks in its scope, the developing prospective policies and rules to improve the RRIM for 2010 and beyond. Additional time is necessary to address this issue.
2. The statutory deadline of this ratesetting proceeding is August 14, 2011.
3. A 60-day extension of time to October 13, 2011, is needed.

Conclusions of Law

1. The Commission should extend the deadline in this proceeding to October 13, 2011, as allowed by Pub. Util. Code § 1701.5(a).
2. In accordance with Rule 14.6(c)(4) the comment period should be waived.

3. This order should be effective immediately.

IT IS ORDERED that the statutory deadline in this proceeding is extended to October 13, 2011.

This order is effective today.

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

MICHAEL R. PEEVEY

President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

Commissioners