

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing.

Rulemaking 02-06-001
(Filed June 6, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING SAN DIEGO GAS & ELECTRIC COMPANY AND
PACIFIC GAS AND ELECTRIC COMPANY MOTIONS FOR
LEAVE TO FILE DOCUMENTS UNDER SEAL**

On January 15, 2005, San Diego Gas & Electric Company (SDG&E) filed its updated Advanced Metering Infrastructure Business Case Analysis and a motion for protective order and motion to file certain materials under seal. On February 11, 2005, SDG&E filed a corrected supplemental version of the motion and associated documents under seal. Attachment 1 in the February 11, 2005 filing replaces in its entirety Attachment B from the January 15, 2005 filing. On March 15, 2005, Pacific Gas and Electric Company (PG&E) filed its updated Advanced Metering Infrastructure Business Case Analysis and a motion for protective order and motion to file certain materials under seal.

I grant the request by SDG&E and PG&E to file the requested materials under seal. Both SDG&E and PG&E shall make the protected material available under a mutually agreeable protective order to any party in the proceeding but may withhold the protected materials from vendors that might bid to supply the products and services under consideration in the Advanced Metering Infrastructure Business Case Analysis.

PG&E and SDG&E request that the materials they seek to protect be accorded confidential treatment pursuant to Pub. Util. Code § 583. Specifically, SDG&E seeks to protect Attachment A to its January 12, 2005 filing and Attachment 1 to its February 11, 2005 filing. Attachment A updates SDG&E's estimates of Operational Costs and Benefits. Attachment 1 is an analysis of the costs and benefits of outsourcing AMI systems acquisition, installation, operation, and maintenance. PG&E seeks to protect selected portions of its main filing, Appendices B and C to its updated Advanced Metering Infrastructure Business Case Analysis. Both argue that protection of the materials is necessary to ensure that potential bidders for Advanced Metering Infrastructure not be privy to the utility's internal evaluations and cost expectations of the technology.

SDG&E's Attachment A includes cost estimates for the various scenarios analyzed and Attachment 1 contains a review of the pros, cons, and costs of external vendor capabilities to perform the project. The redacted materials in PG&E's filing focus on assumptions about technology, cost, and deployment choices that PG&E has assumed prior to concluding its Request for Offer process. After reviewing the redacted materials, I find that the material for which leave to file under seal is sought is appropriate for protection.

Good cause appearing, **IT IS RULED** that:

1. San Diego Gas & Electric Company's (SDG&E) request for Attachment A in the January 12, 2005 filing and Attachment 1 in the February 11, 2005 filing to be filed under seal is granted to the extent set forth herein.
2. The Commission's Docket Office should remove and destroy Attachment B from the January 12, 2005 filing from its files.
3. Pacific Gas and Electric Company's (PG&E) request for certain material to be filed under seal is granted to the extent set forth herein.

Michelle Cooke
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have this day served the attached Administrative Law Judge's Ruling Granting San Diego Gas & Electric Company and Pacific Gas and Electric Company Motions for Leave to File Documents Under Seal on all parties of record in this proceeding or their attorneys of record by electronic mail to those who provided electronic mail addresses, and by U.S. mail to those who did not provide email addresses.

Dated April 29, 2005, at San Francisco, California.

/s/ ERLINDA PULMANO
Erlinda Pulmano

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.