

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation into the Proposal of Sound Energy Solutions to Construct and Operate a Liquefied Natural Gas Terminal at the Port of Long Beach.

Investigation 04-04-024
(Filed April 22, 2004)

**ADMINISTRATIVE LAW JUDGES' RULING
RESCHEDULING HEARINGS**

This ruling advises the parties of the Commission's revised plan to conduct hearings in this proceeding following a motion filed by Sound Energy Solutions (SES) in this proceeding on May 10, 2005. SES' motion proposes that the Commission suspend the procedural schedule pending release of the draft Environmental Impact Report (EIR) and action by the Ninth Circuit Court of Appeals on the jurisdictional dispute between the Commission and the Federal Energy Regulatory Commission. SES explains that a recent letter from the Port of Long Beach states that the draft EIR will not be issued before June 20, 2005, giving parties and the public very little time to review its findings and analysis prior to hearings.

A ruling issued March 22, 2005 in this proceeding originally scheduled evidentiary hearings to begin August 4, 2005 and scheduled public participation hearings on July 25 and 26, 2005. The assigned Administrative Law Judges recently removed the public participation hearings from the Commission's calendar because the draft environmental impact report/environmental impact statement (DEIR/DEIS) was not issued in early May 2005.

This ruling sets forth a revised procedural schedule that is based on the assumption that the DEIR/DEIS will be issued in early Fall 2005. The schedule is subject to change if the DEIR/DEIS is issued significantly earlier or later. The Commission wants the parties and members of the public to have had an opportunity to understand and comment on the DEIR/DEIS prior to the Commission's hearings. Although the dates we set today are subject to change depending upon the date of issuance of the DEIR/DEIS, we issue this ruling in order to assist the parties in planning their participation in this proceeding.

Public Participation Hearings

The Commission intends to conduct public participation hearings in this proceeding in recognition of the potential impacts of the project on local neighborhoods and citizens. Public participation hearings provide an opportunity for individuals who are not parties to the proceeding to put their views on the project on the record of the proceeding. The Commission may consider public sentiments and concerns as guidance in the development of a more formal record.

The Commission will conduct public participation hearings as follows:

November 7, 2005 3:00 pm – 5:00 pm 7:00 pm – 9:00 pm	Long Beach Public Library - Auditorium 101 Pacific Avenue Long Beach, CA 90822
November 8, 2005 4:30 pm – 7:00 pm	Banning's Landing Community Center Gertrude #2 100 East Water Street Wilmington, CA 90744

The Commission welcomes any and all individuals who wish to speak at these hearings and will undertake outreach in local neighborhoods to assure affected individuals, businesses and groups are informed of the hearings.

Any party who wishes a language interpreter to be present at the hearings, requires accommodations for disability or has other inquiries about the conduct of the hearings should contact the Commission's Public Advisor at 1-866-849-8391.

Procedural Schedule

The procedural schedule in this proceeding at this time is as follows:

Service of concurrent opening testimony (except on those issues relating to market impacts, as described in Scoping Memo)	October 28, 2005
Service of concurrent reply testimony (except on those issues relating to market impacts, as described in Scoping Memo)	November 8, 2005
Concurrent rebuttal testimony	November 22, 2005
Evidentiary Hearings: Commission Courtroom State Office Building 505 Van Ness Avenue San Francisco, CA 94102	December 1-13, 2005
Opening Briefs	January 23, 2006
Reply Briefs (submission of proceeding)	February 8, 2006
Proposed Decision on all issues except market impacts	April 2006
Review of market impacts	To be determined

Most of the evidentiary hearings will be conducted in the Commission Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California 94102. The Commission will consider requests for a portion of the evidentiary hearings to be conducted in Long Beach in recognition of the possible resource limitations of local groups and organizations. Any party who seeks hearings in Long Beach should request specific dates for those hearings in an electronic communication to the ALJs (pva@cpuc.ca.gov) and

(kim@cpuc.ca.gov), copied to all parties, after opening testimony is served, but no later than November 15, 2005. Such a request should specify which witness or witnesses the party would present or cross-examine at those hearings and, where relevant, provide estimates of cross-examination time.

Because of unanticipated delays in the issuance of the DEIR/DEIS, the Commission may not be able to resolve all outstanding issues in this proceeding within 18 months of the date of the scoping memo dated September 13, 2004, if it determines that it must conduct evidentiary hearings on issues relating to market impacts.

IT IS RULED that:

1. The revised schedule for this proceeding is set forth in this ruling. The assigned Administrative Law Judges may revise this schedule as necessary for the fair and efficient management of the proceeding.

2. Public participation hearings are scheduled in the Long Beach area on November 7 and 8, 2005, as described above.

3. Except as set forth herein, the motion of Sound Energy Systems dated May 10, 2005 is denied.

Dated June 13, 2005, at San Francisco, California.

/s/ PETER V. ALLEN

Peter V. Allen
Administrative Law Judge

/s/ KIM MALCOLM

Kim Malcolm
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties for whom an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judges' Ruling Rescheduling Hearings on all parties of record in this proceeding or their attorneys of record.

Dated June 13, 2005, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

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.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.