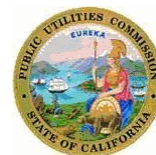


BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE CALIFORNIA



FILED
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Order Instituting Investigation on the
Commission's Own Motion into the Operations
and Practices of Pacific Gas and Electric
Company's Natural Gas Transmission Pipeline
System in Locations with Higher Population
Density.

I.11-11-009
(Filed November 10, 2011)

**CONSUMER PROTECTION AND SAFETY DIVISION'S APPEAL
OF PRESIDING OFFICER'S DECISION**

Pursuant to Rule 14.4 of the Commission's Rules of Practice and Procedure, the Consumer Protection and Safety Division ("CPSD")¹ now files its appeal of the Presiding Officers' Decision ("POD") in the class location proceeding ("Class Location POD"), mailed September 2, 2014. The Class Location is an investigation into whether Pacific Gas and Electric Company ("PG&E") safely operated its natural gas transmission pipeline system in areas of greater population density ("HCA's"); and whether PG&E properly reviewed its natural gas transmission pipelines on a regular basis and modified MAOP, replaced pipeline segments with stronger pipe commensurate with the actual class location, and reviewed the physical condition of pipeline segments to reflect changes in population density, as required under federal and state law. (Class Location POD, page 9).

The Class Location POD is amply supported by the record. Therefore, CPSD generally supports it. However, CPSD raises technical or legal errors in its appeal of the Class Location POD, which are immaterial in terms of the results the

¹ On January 1, 2013, CPSD officially changed its name to the Safety and Enforcement Division ("SED"). However, for the sake of convenience, we will continue to refer to SED as "CPSD" in this appeal and through the remainder of this proceeding.

Class Location POD reaches. Each of the errors is identified in Section I below, and then suggested corrections are provided in Appendix A.

I. THE TOTAL NUMBER OF SEGMENTS VIOLATIONS PERTAINING TO THE CLASS LOCATION POD IS INCORRECT

The Class Location POD, Appendix B, provides a “Table of Violations and Offenses, OII 11-11-009 Summary” (“Table”). In the Table, the column entitled “Number of Segments (Violations)” provides a total number of 3,643. However, by CPSD’s count, the total number of segments (violations) should instead be 2,360.² Accordingly, in the Table, the number 3,643 should be changed to 2,360. However, the other numbers in Appendix B appear to be correct.

To ensure this correction is reflected throughout the Class Location POD, SED recommends the following additional changes: First, on page 2 under the “Summary” heading, the last sentence of the first paragraph should be changed to read,³ “We find ~~3,643~~ **2,360** violations, which results in a total of 18,038,359 days in violation.” Second, the first sentence on page 44 should be amended to say, “Based on our findings in this Decision and our discussion above, we find that PG&E committed ~~3,643~~ **2,360** violations that continued for years, for a total of 18,038,359 days in violation.”

II. CONCLUSION

Based on the record evidence and the law, CPSD respectfully requests that the Commission modify the Fines and Remedies POD to correct the errors identified in this appeal.

² CPSD arrives at this number by adding up all of the other numbers of violations shown in this column. In other words, 133 + 133 + 843 + 224 + 224 + 677 + 63 + 63 = 2,360.

³ Suggested deletions are stricken through and suggested additions are in italics and bold.

Respectfully submitted,

HARVEY Y. MORRIS
DARRYL J. GRUEN

/s/ DARRYL J. GRUEN

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October 2, 2014

APPENDIX A

PROPOSED CORRECTIONS

CLASS LOCATION POD

1. Appendix B, “Table of Violations and Offenses, OII 11-11-009 Summary”. The column entitled “Number of Segments (Violations)” provides a total number of 3,643. To reflect the sum total of the other rows in the column entitled “Number of Segments (Violations), this total number should be changed to 2,360.
2. To reflect the correction proposed immediately above, the last sentence of the first paragraph under the “Summary” heading on page 2 should be amended to say “We find ~~3,643~~ **2,360** violations, which results in a total of 18,038,359 days in violation.”
3. Also to reflect the correction proposed to Appendix B, the first sentence on page 44 should be amended to say, “Based on our findings in this Decision and our discussion above, we find that PG&E committed ~~3,643~~ **2,360** violations that continued for years, for a total of 18,038,359 days in violation.”