

Decision 23-11-102 November 30, 2023

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and  
Electric Company for Recovery of Recorded  
Expenditures Related to Wildfire  
Mitigation, Catastrophic Events, and Other  
Recorded Costs. (U39M).

Application 21-09-008

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

This decision extends the statutory deadlines in this proceeding pursuant to Public Utilities (Pub. Util.) Code § 8386.4(b)(2) and Pub. Util. Code § 1701.5(a) to March 31, 2024.

**1. Background and Justification**

Public Utilities (Pub. Util.) Code § 8386.4(b)(2) provides that the Commission shall issue a proposed decision within 12 months of the filing date of an application for cost recovery of implementing a wildfire mitigation plan by an electrical corporation, unless the Commission issues an order extending the deadline upon a finding of good cause. The statutory deadline for issuing the proposed decision in this proceeding on that basis is September 23, 2022.

Pub. Util. Code § 1701.5(a) provides that the Commission shall resolve the issues raised in the scoping memo of a ratesetting proceeding within 18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending that

deadline. The statutory deadline for resolving this application as a ratesetting proceeding is March 23, 2023.

On September 16, 2021, Pacific Gas and Electric Company (PG&E or Applicant) filed Application (A.) 21-09-008 for the recovery of recorded expenditures related to wildfire mitigation, catastrophic events, and other recorded costs.

On October 11, 2021, the Administrative Law Judge (ALJ) issued a ruling setting a telephonic prehearing conference (PHC) and directing the filing of a joint proposed scope and schedule.

On October 21, 2021, Direct Access Customer Coalition filed a response to the Application, and the Public Advocates Office, The Utility Reform Network (TURN), and Thomas Del Monte filed protests to the Application.

On October 28, 2021, PG&E, the Public Advocates Office, TURN, Direct Access Customer Coalition, and Thomas Del Monte filed a Joint Prehearing Statement.

On October 29, 2021, the Commission held a telephonic PHC to discuss the issues of law and fact and to determine the need for hearing and schedule for resolving the matter.

On November 1, 2021, PG&E filed its Reply to Protests.

On November 18, 2021, the assigned Commissioner issued the Scoping Memo and Ruling (Scoping Ruling). Also on November 18, 2021, the ALJ issued a ruling granting the motion for party status of William B. Abrams.

On May 10, 2022, the proceeding was reassigned to Commissioner Alice Reynolds. On July 25 and 26, 2022, the Commission held evidentiary hearings.

On August 26, 2022, PG&E, the Public Advocates Office, and TURN jointly filed a Joint Motion to Extend Settlement Deadline to September 16, 2022. On August 31, 2022, the ALJ granted this motion.

On September 16, 2022, parties filed opening briefs.

On September 16, 2022, PG&E and the Public Advocates Office jointly filed a motion to extend the settlement deadline from September 16, 2022 to October 28, 2022. On November 17, 2022, the ALJ extended the deadline to December 2, 2022. On December 2, 2022, PG&E and the Public Advocates Office filed a Joint Motion to extend the Settlement deadline from December 2, 2022 to January 6, 2023. On December 15, 2022, the Acting Chief ALJ granted that motion.

On January 18, 2023, PG&E, the Public Advocates Office, and TURN filed a Joint Motion for Approval of Settlement Agreement related to eight of the nine accounts that are the subject of this application.

On April 7, 2023, the Commission issued D.23-07-011 extending the statutory deadline for the issuance of a proposed decision pursuant to Pub. Util. Code § 8386.4(b)(2) and Pub. Util. Code § 1701.5(a) to December 23, 2023.

On May 3, 2023, this proceeding was reassigned to ALJ Camille Watts-Zagha. On August 18, 2023, the Commission issued D.23-08-027 approving the partial settlement agreement. On October 17, 2023, the assigned ALJ issued a Ruling Seeking Responses, with a due date of October 27, 2023 for the responses.

In order to allow the Commission to conduct the remaining procedural activities and issue a decision resolving the costs in the ninth and final account in this proceeding, an extension of the statutory deadline pursuant to Pub. Util. Code § 8386.4(b)(2) and Pub. Util. Code § 1701.5(a) to March 31, 2024, is appropriate.

## **2. Waiver of Comment Period**

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the deadline for resolving ratesetting proceedings pursuant to Pub. Util. Code § 1701.5. Under the circumstances of this proceeding, it is appropriate to waive the 30-day period for public review and comment.

## **3. Assignment of Proceeding**

Alice Reynolds is the assigned Commissioner and Camille Watts-Zagha is the assigned Administrative Law Judge and the presiding officer in this proceeding.

## **Findings of Fact**

1. The current statutory deadline for resolving A.21-09-008 is December 23, 2023.
2. A.21-09-008 cannot be completed by December 23, 2023.
3. An extension of the statutory deadline until March 31, 2024 is necessary to allow adequate time to complete this proceeding.

## **Conclusion of Law**

Pursuant to the authority granted to the Commission under Pub. Util. Code § 8386.4(b)(2) and Pub. Util. Code § 1701.5(a), the statutory deadline should be extended to March 31, 2024.

**IT IS ORDERED** that the statutory deadline for completion of this proceeding is extended until March 31, 2024.

This order is effective today.

Dated November 30, 2023, at Sacramento, California.

ALICE REYNOLDS

President

GENEVIEVE SHIROMA

DARCIE L. HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

Commissioners