

Decision 06-09-003 September 7, 2006

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

Order Instituting Investigation into  
Implementation of Assembly Bill 970 Regarding  
the Identification of Electric Transmission and  
Distribution Constraints, Actions to Resolve  
Those Constraints, and Related Matters Affecting  
the Reliability of Electric Supply.

Investigation 00-11-001  
(Filed November 2, 2000)

**OPINION DENYING MOTION, REQUIRING THAT QUARTERLY REPORTS BE  
SUBMITTED TO ENERGY DIVISION, AND CLOSING PROCEEDING**

**Summary**

Prior rulings and decisions in this proceeding require Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE) to file on an ongoing basis with the Commission's Docket Office, and to serve on the service list for this proceeding, specified information on the status of transmission projects and generation interconnection projects. Some of the information is filed monthly, some quarterly. This decision denies the utilities' joint motion requesting that their transmission reporting requirements be discontinued. We direct that, beginning on October 2, 2006, the utilities instead submit the reports, as modified by this decision, on a quarterly basis to the Director of the Commission's Energy Division. This proceeding is closed.

## Background

The reports which PG&E, SDG&E, and SCE file currently originate in a series of Administrative Law Judge (ALJ) or Assigned Commissioner (AC) rulings and several decisions. We identify the primary authorities below.

12/14/2000	Oral prehearing conference ruling of ALJ Gottstein, requires reports 1 <sup>st</sup> of each month on permitting and construction status for identified transmission line upgrade projects, on status of interconnection studies, and on whether projects involve utility-constructed facilities that require CPUC review and approval.
2/14/2001	AC Lynch's scoping memo and ruling, reiterates 12/14/2000 ALJ oral ruling.
3/27/2001	Decision (D.) 01-03-077, extends reporting period for reports already required; also requires information on (1) whether a completed transmission upgrade has resolved the transmission constraint it was intended to address and (2) progress of remedial action schemes taken to improve transmission access and the system's ability to meet electricity demands.
12/28/2001	ALJ Gottstein's ruling, extends reporting period for reports already required.
4/2/2002	ALJ Gottstein's ruling, requires augmentation of reports to update status information on all transmission projects identified in D.01-03-077, Table 4, and any projects within the 2002-2005 timeframe identified since the issuance of D.01-03-077; specifically requires an update of project cost information and applicability of General Order 131-D; also requires development of a consistent tabular format for summarizing project status regarding environmental review, need assessment, and status of construction.
1/29/2003	ALJ Gottstein's ruling, requires information regarding renewable resource projects and potential related transmission upgrades to be added to the monthly reports.
6/9/2004	D.04-06-010, orders quarterly updates on the status of certificate applications for transmission or distribution facilities required by a specific generator but not considered to be gen-tie.

On June 1, 2006, SCE, SDG&E, and PG&E filed a joint motion in which they request that these transmission reporting requirements be discontinued.

### **Discussion**

The reports from PG&E, SDG&E, and SCE contain information which the Commission requires to accomplish its oversight responsibilities. The Commission incorporates the information in several internal reports prepared for tracking purposes and uses it in preparing the joint agency Energy Action Plan (EAP). The Commission also uses the information in responding to inquiries from the Governor's office, members of the California Legislature, and the public.

The reports continue to be necessary and, thus, the utilities' joint motion to discontinue them should be denied. However, our experience to date suggests that quarterly reporting (on the first business day of January, April, July, and October of each year) should prove adequate. Reducing the reporting frequency from monthly (for most of the information) to quarterly (for all of the information) will reduce the compliance burden on the utilities without injuring our regulatory obligations. Today's decision will become effective some time after the beginning of the third quarter of 2006 (July) and before the beginning of the fourth quarter (October). Once today's decision becomes effective, the utilities may discontinue monthly reporting and the next reports thereafter will be due at the beginning of the fourth quarter. As October 1, 2006 falls on a Sunday, the due date for fourth-quarter reporting will be the first business day of the month, October 2, 2006.

This proceeding remains open solely to serve as a repository for the utilities' reports. In order to close this proceeding, we will change the destination for the reports. Beginning with the reports due on October 2, 2006,

rather than filing the reports with the Commission's Docket Office, we direct the utilities to send the reports to the attention of the Director of the Commission's Energy Division (energy\_enotice@cpuc.ca.gov). We will continue to require the utilities to serve the reports, subject to any present or continuing confidentiality agreements, on persons or entities listed on the final service list for this proceeding who remain eligible to receive copies of the reports today. Those who no longer wish to receive service, or who have address changes to report, should contact the utilities directly, rather than the Commission's Process Office. We authorize the utilities to serve the reports by electronic means, alone (i.e., no paper copies necessary), on all recipients who have provided email addresses or who do so in the future.

Organizationally, the utilities' reports are relatively standard at present, though SCE does not provide information regarding cancelled projects and tends to carry information forward for a shorter period of time than PG&E or SDG&E. The utilities should continue to use their current reporting formats except to the extent provided in this order.

All reports should continue to include both narrative and matrix portions. The narrative should continue to describe new developments. In addition to projects currently listed, the matrix should list and describe, in the current columnar format, each new transmission project starting at the time it is first presented in periodic stakeholder meetings sponsored by the California Independent System Operator leading up to its Annual Transmission Expansion Plan for the utility, or successor planning document, and no later than the time it is first listed in such plan. The matrix should list each project for four quarterly reports after project completion or final disposition, including projects placed on-hold or cancelled at any point before completion. PG&E may discontinue

appending tables summarizing results of its renewable generation solicitations, since status reports regarding Renewable Portfolio Standard project development currently are provided in other proceedings.

Given the competitive sensitivity of project-specific costs, the utilities may provide project cost information in one of two formats. Where recipients of the report are persons subject to Pub. Util. Code § 583 (the Commission and Commission staff) or a private confidentiality agreement, the report shall contain a project-specific cost (for example, \$31 million).<sup>1</sup> Otherwise, the report may describe costs as a range (for example, \$10-50 million).

The contents of the reports and the timeline for submitting and serving them may be modified by Commission decision or by an ALJ or AC ruling in a subsequent but related proceeding.

### **Comments on Draft Decision**

The draft decision of the ALJ in this matter was mailed to the parties in accordance with § 311(g)(1) and Rule 77.7 of the Commission Rules of Practice and Procedure. SCE filed comments on the draft decision. Consistent with SCE's request, we have modified the draft decision to clarify the intended structure of the quarterly reports.

---

<sup>1</sup> Pub. Util. Code § 583 provides:

"No information furnished to the commission by a public utility, or any business which is a subsidiary or affiliate of a public utility, or a corporation which holds a controlling interest in a public utility, except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding. Any present or former officer or employee of the commission who divulges any such information is guilty of a misdemeanor."

### **Assignment of Proceeding**

Michael R. Peevey is the Assigned Commissioner and Charlotte F. TerKeurst is the assigned ALJ in this proceeding.

### **Findings of Fact**

1. The reports from PG&E, SDG&E, and SCE identified herein contain information which the Commission requires to undertake its oversight responsibilities but reducing the reporting frequency from monthly (for most of the information) to quarterly (for all of the information) should prove adequate.
2. The utilities' reports should be further standardized to better meet the Commission's needs.

### **Conclusions of Law**

1. Quarterly reporting will not injure the Commission's regulatory obligations.
2. The joint motion of SCE, SDG&E, and PG&E requesting that their transmission reporting requirements be discontinued should be denied.
3. Monthly reporting should be replaced with quarterly reporting once this decision becomes effective.
4. The revised reporting requirements adopted herein may be modified by Commission decision or by an ALJ or AC ruling in a subsequent but related proceeding.
5. The order should be effective today, so that the revised reporting requirements may be implemented expeditiously.

## **ORDER**

### **IT IS ORDERED** that:

1. Beginning on October 2, 2006, and on the first business day of each quarter of every year thereafter, Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE) shall submit to the attention of the Director of the Energy Division of the California Public Utilities Commission ([energy\\_enotice@cpuc.ca.gov](mailto:energy_enotice@cpuc.ca.gov)) the reports ordered by Decision (D.) 01-03-077, D.04-06-010, and all related rulings in Investigation (I.) 00-11-001. PG&E, SDG&E, and SCE shall serve the reports on all persons or entities listed on the final service list for this proceeding who remain eligible to receive copies of the reports today, subject to Pub. Util. Code § 583 or any applicable confidentiality agreements or protective orders. Persons who no longer wish to receive service, or who have address changes to relay, should contact the utilities directly. Electronic service may be used as the exclusive method for serving all persons for whom an email address is available now or in the future.

2. All reports shall continue to include both narrative and matrix portions. The narrative portion shall continue to describe all new developments since the last report. The matrix portion shall list and describe, in the current columnar format, all transmission projects starting from the time each is first presented as a transmission project in the periodic stakeholder meetings of the California Independent System Operator leading up to the Annual Transmission Expansion Plan for the utility, or successor planning document. The matrix shall list and describe each project for four quarterly reports after project completion or final disposition, including projects placed on-hold or cancelled at any point before completion. Cost information shall be provided in one of two formats (either as

a project-specific cost or as a range) depending upon the identity of the report recipient, as discussed in the body of this decision.

3. PG&E may discontinue appending to its reports identified in Ordering Paragraph 1 tables summarizing results of its renewable generation solicitations.

4. The contents of the reports identified in Ordering Paragraph 1 and the timeline for submitting and serving them may be modified by Commission decision or by an ALJ or AC ruling in a subsequent but related proceeding.

5. The joint motion of SCE, SDG&E, and PG&E requesting that their transmission reporting requirements be discontinued is denied.

6. This order is effective today; effective today, monthly preparation, filing and service of the reports identified in Ordering Paragraph 1 shall be discontinued.

7. Investigation 00-11-001 is closed.

Dated September 7, 2006, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
GEOFFREY F. BROWN  
DIAN M. GRUENEICH  
JOHN A. BOHN  
RACHELLE B. CHONG  
Commissioners