

Decision 07-07-004 July 12, 2007

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to revise the time schedules for the Rate Case Plan and fuel offset proceedings.

Rulemaking 87-11-012
(Filed November 13, 1987)

OPINION MODIFYING ENERGY RATE CASE PLAN

1. Summary

This decision, on our own motion, modifies the requirements previously established in Decision (D.) 93-07-030 regarding the filing of a Notice of Intent (NOI) to file a General Rate Case (GRC), including the need to file the NOI and the number of copies required. The decision also modifies the number of copies required to be filed of the application, to recognize the advent of electronic service and filing and in order to better conform to the current Rules of Practice and Procedure. Conforming changes to reflect these updates have been made throughout the Rate Case Plan itself.

2. Background

On September 13, 2006, the Commission adopted new Rules of Practice and Procedure that reduced the number of copies required for formal filings. Prior rule revisions had implemented rules for electronic service of documents. On February 16, 2006, the Commission adopted Resolution ALJ-188, which established interim rules governing electronic filing, allowing parties to file their formal documents electronically, instead of in hard copy. With these changes, it

is time to consider, on our own motion, revising the procedures associated with filing, service, and number of copies of the NOI to file a GRC and the application itself.

3. Revisions to the Energy Utility Rate Case Plan

Appendix A to the Proposed Decision contained the version of the Rate Case Plan adopted in D.93-07-030. The number of copies and service requirements for the NOI to file a GRC and application itself were not consistent with the requirements of the Rules of Practice and Procedure and resulted in production of unneeded copies, wasting precious natural resources.

Appendix A attached to this decision now incorporates revisions to the current energy utility rate case plan that were proposed to bring the Rate Case Plan into conformance with the current Rules of Practice and Procedure. We adopt the following changes:

- Utilities will serve, but not file, their NOI to file a GRC. Verification of service will be made by letter upon the Chief Administrative Law Judge (ALJ), with an attached service list. The utility will serve seven copies of the NOI and proposed testimony, and three copies of workpapers on the Division of Ratepayer Advocates (DRA).
- GRC applications will be filed, consistent with the requirements of the Commission's Rules of Practice and Procedure and/or Resolution ALJ-188, depending on mode of filing. In addition to the standard requirements of the Rules, two hard copies of application and testimony will be served on the Chief ALJ, and seven copies of application and testimony and three copies of workpapers will be served upon the DRA project manager.

4. Comments on Proposed Decision

The proposed decision of Commissioner Peevey and Assistant Chief Administrative Law Judge Cooke in this matter was mailed to the parties in

accordance with Section 311 of the Pub. Util. Code and Rule 14.2(a) of the Commission's Rules of Practice and Procedure. Comments were filed on July 2, 2007 by Southern California Edison Company. No reply comments were filed. Minor changes to the decision and Appendix have been made to conform the filing and service requirements for revenue requirements and rate design elements of the Rate Case Plan.

5. Assignment of Proceeding

Michael R. Peevey is the assigned Commissioner and Michelle Cooke is the assigned ALJ in this proceeding.

Findings of Fact

1. The energy Rate Case Plan schedule and requirements were last modified in 1993.
2. The Rules of Practice and Procedure have been updated to modify the requirements for number of copies and service requirements since 1993.
3. It is appropriate to modify the Rate Case Plan as it relates to the NOI to File a GRC and GRC Application to conform to new filing requirements and allow for a streamlined pre-application process.

Conclusion of Law

Because it results in the reduction of unneeded copies and saves natural resources, it is in the public interest to modify the electric Rate Case Plan for the limited purpose of conforming the pre-application and application requirements to recent changes in the Rules of Practice and Procedure.

O R D E R

IT IS ORDERED that:

1. The Energy Rate Case Plan set forth in Appendix A is adopted and replaces Appendix B adopted in Decision 89-01-040, as modified by D.93-07-030.

2. Rulemaking 87-11-012 is closed.

This order is effective today.

Dated July 12, 2007, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

JOHN A. BOHN

RACHELLE B. CHONG

TIMOTHY ALAN SIMON

Commissioners

[D0707004/R8711012 Peevey/Cooke Attachment A](#)