

Decision 08-11-022 November 6, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's Own Motion into the Practices of Southern California Edison Company to Determine the Violations of the Laws, Rules and Regulations Governing Performance Based Ratemaking, its Monitoring and Reporting to the Commission, Refunds to Customers and Other Relief, and Future Performance Based Ratemaking for this Utility.

Investigation 06-06-014
(Filed June 15, 2006)

ORDER EXTENDING STATUTORY DEADLINE

Summary

Public Utilities Code Section 1701.2(d) provides that adjudication cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 12-month deadline was June 15, 2007.

In Decision (D.) 07-06-008, we authorized a six-month extension of deadline to December 20, 2007 because of complexity of the record: ten days of hearings, 107 exhibits, thousands of pages of transcripts, briefs and exhibit pages to review and consider.

In D.07-11-044 we authorized a further extension of the deadline to December 19, 2008 to consider the proposed final decision in Phase 1 of this investigation. That final decision was issued September 18, 2008 in D.08-09-038.

This OII requires the resolution of additional issues, to be heard in Phase 2, necessitating further evidentiary hearings, briefs, and a proposed decision, which

cannot be accomplished by December 19, 2008. Therefore, a further extension of the deadline is needed. Because of the foregoing reasons, a 12-month extension order is required.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of draft decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, the otherwise applicable period for public review and comment on an extension order is being waived.

Assignment of Proceeding

Michael R. Peevey is the assigned Commissioner and Robert Barnett is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. This adjudicatory proceeding commenced on June 15, 2006.
2. The normal 12-month statutory deadline for resolving this proceeding is June 15, 2007, which was extended to December 20, 2007 by D.07-06-008, and further extended to December 19, 2008 by D.07-11-044.
3. An extension for resolving this proceeding is required because of the time needed to resolve the issues raised in Phase 2 of this OIL.

Conclusion of Law

Effective immediately, the statutory deadline imposed by Public Utilities Code Section 1701.2(d) should be extended for an additional period of 12 months.

IT IS ORDERED that the statutory deadline in this proceeding is further extended until December 17, 2009.

This order is effective today.

Dated November 6, 2008, at San Francisco, California.

MICHAEL R. PEEVEY

President

DIAN M. GRUENEICH

JOHN A. BOHN

RACHELLE B. CHONG

TIMOTHY ALAN SIMON

Commissioners