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ALJ/PVA/eg3 6/19/2019

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation and Order to Show Cause on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Locate and Mark Practices and Related Matters.

Investigation 18-12-007

ADMINISTRATIVE LAW JUDGE'S RULING ESTABLISHING PROCEDURAL SCHEDULE AND SETTING EVIDENTIARY HEARINGS

Summary

This ruling establishes a procedural schedule for this proceeding and sets dates for evidentiary hearings.

1. Background

At a pre-hearing conference (PHC) held on April 4, 2019, the assigned Commissioner and Administrative Law Judge (ALJ) encouraged the Commission's Safety and Enforcement Division (SED) and Pacific Gas and Electric Company (PG&E) to engage in negotiations to reach a partial stipulation in order to possibly streamline the proceeding. To allow the parties time to negotiate, a second PHC was set for May 29, 2019, at which time the parties were to address whether a stipulation had been reached and to propose a corresponding procedural schedule.¹

¹ See, May 7, 2019 *Assigned Commissioner's Scoping Memo and Ruling* (Scoping Memo) at 7-8. SED and PG&E had previously proposed schedules at the April 4, 2019 PHC.

At the second PHC held on May 29, 2019, the parties indicated that they had met once, on May 2, 2019, had a second meeting scheduled for June 10, 2019, had not reached a stipulation, and did not have an updated schedule to propose, but could propose an updated schedule after their June 10, 2019 meeting.²

On June 12, 2019, PG&E and SED submitted a proposed schedule.³ The schedule proposed by PG&E and SED is:

SED Opening Testimony ⁴	July 30, 2019
Intervenor Opening Testimony	August 30, 2019
PG&E Reply Testimony	October 25, 2019
SED Rebuttal Testimony	November 27, 2019
Evidentiary Hearings begin	December 11, 2019

In addition, the parties caveat this proposal, stating that if additional time is necessary to achieve a settlement, PG&E and SED may seek to modify this schedule.

2. Schedule

The parties' proposed schedule, while providing all parties generous amounts of time to prepare testimony, is too lengthy, particularly since this Order Instituting Investigation was initiated in December 2018.

Accordingly, the schedule for this proceeding is:

SED Opening Testimony ⁵	July 17, 2019
Intervenor Opening Testimony	August 9, 2019

² Transcript v. PHC – 2 at 53-59.

³ *Safety and Enforcement Division's and Pacific Gas and Electric Company's Joint Status Report Regarding Status of Settlement Negotiations and Proposed Schedule for Further Proceedings.*

⁴ And opening of discovery on SED.

⁵ And opening of discovery on SED.

PG&E Reply Testimony	September 11, 2019
SED Rebuttal Testimony	October 2, 2019
Evidentiary Hearings	October 21-25, 2019

While the parties are free to continue to negotiate, they should not have an expectation that requests for extra time will be granted.

3. Hearings

Evidentiary hearings are set for October 21 through October 25, 2019, beginning at 10:00 a.m., at the California Public Utilities Commission Courtroom, 505 Van Ness Avenue, San Francisco, California, 94102.

IT IS RULED that:

1. The schedule for this proceeding is as set forth above.
2. Evidentiary hearings are set for October 21 through October 25, 2019, beginning at 10:00 a.m., at the California Public Utilities Commission Courtroom, 505 Van Ness Avenue, San Francisco, California, 94102.

Dated June 19, 2019, at San Francisco, California.

/s/ PETER V. ALLEN
Peter V. Allen
Administrative Law Judge