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

Order Instituting Investigation and Ordering Pacific Gas and Electric Company to Appear and Show Cause Why It Should not be Sanctioned for Violations of Article 8 and Rule 1.1 of the Rules of Practice and Procedure and Public Utilities Code Sections 1701.2 and 1701.3.

Investigation 15-11-015  
(Filed November 19, 2015)

**ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S  
RULING DIRECTING PARTIES TO ENGAGE IN MEET AND CONFER  
PROCESS AND SETTING PREHEARING CONFERENCE**

On November 23, 2015, the Commission initiated this proceeding for the purpose of determining sanctions to be imposed on Pacific Gas and Electric Company (PG&E) for a series of well-documented violations of the Commission's regulations and California law regarding *ex parte* contacts. The Commission's decision listed eight proceedings in which PG&E had filed notices of "Improper" *ex parte* contacts between PG&E's officials and decision-makers at this Commission.<sup>1</sup>

The Commission set out the specific issues for this proceeding:

1. To determine what sanctions should be imposed, pursuant to Pub. Util. Code §§ 701, 2107 and 2108, on PG&E for its admitted violations of Rule 8 of the Commission's Rules of

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<sup>1</sup> The proceedings are: Rulemaking (R.) 09-01-019, R.11-02-019, Application (A.) 09-12-020, A.09-09-021, A.09-12-002, A.10-02-028, A.14-02-008, I.14-02-008, and Investigation 12-01-007.

Practice and Procedure (Rules) and Pub. Util. Code §§ 1701.2(c) and 1701.3(c),

2. To determine whether PG&E's admitted violations of Rule 8 and Pub. Util. Code §§ 1701.2(c) and 1701.3(c) also constitute violations of Rule 1.1 of the Commission's Rules and, if so, what sanctions should be imposed for these violations pursuant to Pub. Util. Code §§ 701, 2107 and 2108; and,
3. To consider allegations of ex parte violations and requests for sanctions set forth by the City of San Bruno in motions filed on July 28, 2014, and November 10, 2014.<sup>2</sup>

### **Meet and Confer Process**

The parties are directed to engage in a substantive and detailed meet and confer process to develop an efficient procedural schedule proposal to resolve the issues identified in the Commission's decision. As set forth in that decision, the evidentiary record is well-developed on the factual issues to be addressed in this proceeding including admissions of the underlying violations by PG&E. Where the factual evidentiary record is complete, the parties should articulate issues of policy or law that remain pending and create a proposed briefing schedule. Where additional factual evidence is needed in the record but the underlying facts are not disputed, the parties should consider a factual stipulation or other means to move undisputed factual information into the evidentiary record and propose a schedule for doing so.

The parties should also identify and articulate any disputed issues of material fact on which evidentiary hearings are required. A schedule to address any such issues should also be proposed.

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<sup>2</sup> I.15-11-015 at 4-5.

Finally, the parties should file and serve a Meet and Confer Process report setting forth the result of their efforts no later than January 29, 2016.

**Prehearing Conference (PHC)**

A PHC will be convened as follows:

Tuesday, February 2, 2016 - 10:00 am  
Commission Hearing Rooms  
505 Van Ness Avenue  
San Francisco, California

The respondent must, and other parties may, attend the PHC. All parties in attendance should be prepared to discuss the results of the Meet and Confer Process and to set the schedule for the remainder of the proceeding.

**Commission Staff Representation**

The Commission's Safety and Enforcement Division and the Office of Ratepayer Advocates should coordinate their representation in this proceeding and notify other parties no later than January 15, 2016, as to how Commission Staff will be represented in this proceeding.

This ruling will be served on both the Director of the SED and the Director of the Office of Ratepayer Advocates.

**Motions for Party Status**

The following unopposed motions for party status are granted: City of San Carlos, City of San Bruno and The Utility Reform Network.

**IT IS SO RULED.**

Dated January 8, 2016, at San Francisco, California.

/s/ KENNETH KOSS for  
Michael Picker  
Assigned Commissioner

/s/ MARIBETH A. BUSHEY  
Maribeth A. Bushey  
Administrative Law Judge