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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2020 (U 39 M)	Application 18-12-009 (Filed December 13, 2018)

SAN DIEGO GAS & ELECTRIC COMPANY (U 902-M), SOUTHERN CALIFORNIA GAS COMPANY (U 904-G), AND SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) JOINT RESPONSE TO MOTION OF THE UTILITY REFORM NETWORK TO SHORTEN TIME FOR RESPONSES TO PETITION FOR MODIFICATION OF DECISION 20-12-005 TO REQUIRE PACIFIC GAS AND ELECTRIC COMPANY TO PRESENT AN INFLATION-CONSTRAINED ALTERNATIVE PROPOSAL IN ITS UPCOMING GENERAL RATE CASE

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BEFORE THE PUBLIC UTILITIES COMMISSION
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I. INTRODUCTION

Pursuant to Rule 11.1(e) of the Rules of Practice and Procedure of the California Public Utilities Commission ("Commission"), San Diego Gas & Electric Company ("SDG&E"), Southern California Gas Company ("SoCalGas") and Southern California Edison Company ("SCE")[1] respectfully submit their joint response to The Utility Reform Network's ("TURN") Motion to Shorten Time for Responses to Petition for Modification of Decision 20-12-005 filed on March 24, 2021.[2]

By its Motion, TURN asks that the period for all interested parties to respond to its Petition for Modification ("PFM") be shortened from 30 to 15 days, thus making responses due on **Thursday, April 8, 2021**. SDG&E, SoCalGas and SCE object to TURN's request for an order shortening time on the grounds that: (1) the fifteen day response period proposed is

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[1] SDG&E and SoCalGas were granted party status in this proceeding on February 11, 2019. SCE became a party to this proceeding on January 17, 2019 by virtue of filing a response to PG&E's application.

[2] Counsel for SDG&E/SoCalGas confirms that SCE has authorized him to submit this Response jointly on SCE's behalf, pursuant to Commission Rule of Practice and Procedure 1.8(d).

insufficient time for all interested parties to review, analyze and respond to the significant and potentially precedent-setting relief sought in TURN's PFM; (2) there is no justification or urgency for resolving TURN's PFM on an expedited basis; and (3) SDG&E, SoCalGas and SCE would be unduly prejudiced by such expedited treatment as the PFM could significantly impact their future GRC filings.

As TURN notes, concurrently with the PFM it has filed a substantively similar *Motion to Require PG&E to Present an Inflation-Constrained Alternative Proposal in its Upcoming GRC* in A.20-06-012 (which is Pacific Gas and Electric Company's ("PG&E") pending Risk Assessment and Mitigation Phase (RAMP) proceeding.)[3] To the extent that it is appropriate to require responses to both the PFM and the RAMP motion on the same day, as TURN suggest, SDG&E, SoCalGas and SCE request that the last day for the response to the RAMP motion be extended to April 23, 2021, the date that the response to TURN's PFM is currently due. Extending the deadline to respond to the RAMP motion would avoid unnecessary duplicative and inefficient efforts by the parties and Commission staff and would minimize the risk of inconsistent rulings.

II. TURN'S MOTION SHOULD BE DENIED

A. Fifteen Days Is Insufficient Time for All Interested Parties to Address the Significant and Potentially Precedent-Setting Relief Sought in the PFM

By its PFM, TURN seeks an order requiring PG&E to include in its General Rate Case ("GRC") an alternative proposal that limits the increase in spending by the rate of inflation (*i.e.*, the Consumer Price Index (CPI).)[4] SDG&E, SoCalGas and SCE strongly object to such a proposed requirement on numerous substantive and procedural grounds and should be afforded

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[3] Motion at p. 2.

[4] Motion at p. 1.

appropriate time to formulate and file their responses to address their concerns. The relief TURN's PFM seeks involves broad, statewide issues affecting all utilities, and therefore, they should be given adequate time to review and respond. Indeed, TURN is explicit that it intends to make its proposal universal and applicable to all major California utilities.[5] SDG&E, SoCalGas and SCE are also concerned that the expedited response period is insufficient time to allow other interested parties in PG&E's 2019 GRC to raise any concerns they may have.

For example, TURN's request appears to undermine well-established cost-of-service ratemaking principles that could potentially impact the utilities' ability to provide clean, safe and reliable energy. Forcing utilities to present a rate proposal in their GRCs that limits the growth in spending to the CPI completely ignores the true costs of making necessary investments on behalf of and providing service to customers, and could potentially hinder the utilities' ability to comply with the Commission and the State's various safety and environmental mandates (such as wildfire mitigation mandates and green-house-gas emission reduction goals under AB 32). TURN's requested relief implicates major, broad policy issues that should be addressed on a Statewide basis, not in an individual utility's GRC, and certainly not on an expedited basis in resolving a PFM seeking to change a recent final Commission decision approving a broad-based settlement. Additionally, TURN's PFM appears to be procedurally improper as it would require the utility to develop, substantiate and present TURN's preferred proposal as part of the utility's initial application. The Commission should not require utilities to present TURN's alternate proposals for them, as part of the utility's affirmative showing.[6]

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5 *See* PFM at p. 3, FN 5.

6 These are only a few examples of the concerns that SDGE, SoCalGas and SCE have regarding the PFM. The utilities expect to assert numerous additional issues in their substantive response to the PFM.

Given the significant impact that TURN's request would have on all utilities across the State, it is imperative that the Commission be fully informed about all the adverse consequences that would flow from granting TURN's request before issuing its Decision. SDG&E, SoCalGas and SCE would appreciate having normal thirty-day response period provided by Rule 16.4 to fully formulate and present their respective positions.

B. There is No Need to Expedite the PFM

TURN argues that expedited resolution of this PFM is in the public interest as it will provide additional information for the record in the GRC.[7] However, PG&E's GRC is not scheduled to be filed until June 30, 2021. Given that PG&E's GRC is not due until three months from now, there is no justification for cutting in half the amount of time that interested parties have in responding to the PFM. Nothing will be gained by ordering a shortened time-period for interested parties to respond to the PFM. Rather, as explained below, the benefit (if any) of an expedited proceeding is clearly outweighed by the potential prejudice to all interested parties.

C. SDG&E, SoCalGas and SCE Would be Unduly Prejudiced by an Order Shortening Time to Respond

TURN argues that no party would be prejudiced by an order shortening time as it has concurrently filed a similar *Motion to Require PG&E to Present an Inflation-Constrained Alternative Proposal in its Upcoming GRC* in A.20-06-012 (which is PG&E's pending RAMP proceeding.)[8] Because PG&E's response to the RAMP Motion is due on April 8th, and because both motions raise similar issues, TURN argues that responses to both motion should be due on the same date.[9]

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7 Motion p. 1.

8 Motion at p. 2.

9 *Id.*

However, neither SDG&E, SoCalGas nor SCE are currently parties to PG&E's RAMP proceeding, and it is not likely that proceeding is the appropriate venue for resolution of TURN's request. Utility-specific RAMP proceedings are intentionally limited venues designed to assess "consistency with the Commission directives and the utility's prior Safety Model Assessment Proceeding … [and inform] the basis of [a utility-specific] assessment of its safety risks in its … General Rate Case (GRC) filing."[10] Yet, as noted above, TURN's requested relief goes well beyond a PG&E specific GRC, well beyond a safety-related risk assessment, and could have profound impacts on SDG&E, SoCalGas and SCE's future GRC filings and the California utility regulatory compact writ at large. Indeed, TURN explicitly states in Footnote 5 of the PFM that it "intends to make a similar request for California's other large energy utilities in an appropriate docket."[11] Given that the PFM has the potential to be precedent-setting across all State utilities, SDG&E, SoCalGas and SCE would be unduly prejudiced if they were not afforded the opportunity to fully and thoroughly review and respond to TURN's PFM within the normal 30-day time period allotted by Rule 16.4.

TURN argues that the shortened time period to respond to its PFM is appropriate because PG&E's response to its RAMP motion is due on April 8, 2021. Given the importance of the issue, however, it would be appropriate for the Commission to allow a 30-day response time on both the RAMP motion and PFM to enable the parties to provide a complete and thoughtful response to TURN's proposal. Allowing all interested parties the full 30-day time period to prepare their responses to TURN's PFM and the RAMP Motion would not prejudice TURN (or any other party) in any way.

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[10] D.20-10-004 at p. 2 (Decision Closing SCE 2018 RAMP).

[11] PFM at p. 3.

III. CONCLUSION

For all the foregoing reasons, SDG&E, SoCalGas and SCE respectfully submit that TURN's Motion for an Order Shortening Time be denied and that all interested parties be given the full 30-day period to respond to the PFM as allowed by Rule 16.4(f).

Respectfully submitted,

/s/ Roger A. Cerda[12]

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12 Signed on behalf of SCE consistent with Rule 1.8(d).