

Decision 19-01-046 January 31, 2019

**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, 2017. (U39M).

Application 15-09-001

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

This decision extends the statutory deadline in this proceeding to August 9, 2019.

**1. Background**

Public Utilities Code Section 1701.5(a)<sup>1</sup> provides that ratesetting cases must be resolved within 18 months of the date the Scoping Memo is issued unless the Commission makes findings why that statutory deadline cannot be met and issues an order extending the 18-month deadline. Pursuant to Public Utilities Code Section 1701.5(b), the Commission may also specify in a Scoping Memo a resolution date later than 18 months, if the Scoping Memo includes reasons for the necessity of a later date.

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<sup>1</sup> Application 15-09-001 was initiated prior to changes made to Pub. Util. Code § 1701.5(a). These changes only apply to cases filed after December 31, 2016.

The latest Scoping Memo issued in this proceeding on August 10, 2016, established the deadline for resolving this proceeding as February 9, 2018. The Commission has previously extended the statutory deadline of this proceeding. On August 9, 2018, the Commission issued Decision (D.) 18-08-014 to extend the statutory deadline to February 9, 2019.

On May 11, 2017, the Commission adopted D.17-05-013, approving with several modifications a comprehensive settlement in the proceeding and resolving contested issues. However, this proceeding remained open pending determination of whether settling parties would accept the modifications of the settlement ordered by the Commission, as well as disposition of two compliance items required by the decision:

- a. filing and service by Pacific Gas and Electric Company (PG&E) of the SmartMeter Update calculations as instructed in Section 5 of the decision; and
- b. filing and service by PG&E of the Rule 20A audit plan described in Section 4.1.3.7 of the decision.

Settling parties timely filed a “Notice to Accept Alternative Terms to the August 3, 2016 Settlement Agreement” on May 26, 2017. PG&E timely filed and served the compliance items listed above on July 10, 2017. The second compliance item listed above was resolved by the Commission in D.18-03-022. A proposed decision addressing the SmartMeter Update compliance item has not yet been issued. Consequently, parties would not have time to comment on a proposed decision, and the Commission would not have time to consider and issue a final decision, before the February 9, 2019 deadline. Therefore, an extension of the statutory deadline in this proceeding to August 9, 2019, is necessary.

## **2. 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 on proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, pursuant to this rule, the otherwise applicable 30-day period for public review and comment is waived.

## **3. Assignment of Proceeding**

Michael Picker is the assigned Commissioner and Stephen C. Roscow is the assigned Administrative Law Judge in this proceeding.

## **Findings of Fact**

1. The current statutory deadline for resolving Application 15-09-001 is February 9, 2019.
2. An extension of time until August 9, 2019, is necessary to issue and allow the public comment and Commission action on a proposed decision addressing one outstanding compliance items from D.17-05-013.

## **Conclusions of Law**

1. The statutory deadline imposed by Public Utilities Code Section 1701.5(a) should be extended to August 9, 2019.
2. This order should be effective immediately.

**IT IS ORDERED** that the statutory deadline in this proceeding is extended to August 9, 2019.

This order is effective today.

Dated January ,31, 2019 at Sacramento, California.

MICHAEL PICKER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners