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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, 2017. (U39M)

Application 15-09-001
(Filed September 1, 2015)

**E-MAIL RULING GRANTING 2-WEEK DELAY IN HEARING SCHEDULE
AND RELATED PROCEDURAL DEADLINES**

Dated June 3, 2016, at San Francisco, California.

/s/ STEPHEN C. ROSCOW

Stephen C. Roscow
Administrative Law Judge

From: Roscow, Stephen C.

Sent: Friday, June 03, 2016 3:59 PM

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Cc: ALJ_Support ID; ALJ Docket Office; ALJ Process

Subject: A.15-09-001: E-Mail Ruling Granting 2-week Delay in Hearing Schedule and related procedural deadlines

To the Service List in A.15-09-001:

This E-Mail Ruling grants the joint request of Pacific Gas and Electric Company (PG&E), the Office of Ratepayer Advocates (ORA) and The Utility Reform Network (TURN) for a two-week delay in evidentiary hearings. Other procedural deadlines dependent on the commencement of hearings are also extended by two weeks.

The Joint Request

Evidentiary hearings in this proceeding had been scheduled to begin on Monday, June 13, 2016 and proceed for 3 weeks, ending Friday, July 1. On June 2, 2016 PG&E, ORA and TURN sent an e-mail to the assigned ALJ and the Service List, jointly seek a two-week delay in the commencement of hearings in order to continue settlement

discussions. TURN and PG&E provided advance notice of this request to all parties in the case that have submitted testimony.

Opposition to the Joint Request

On June 3, 2016 the Alliance for Nuclear Responsibility (A4NR) sent an e-mail to the assigned ALJ and the Service List, opposing and objecting to the joint request for several reasons:

- the proposed postponement prejudices A4NR's preparations for hearings, particularly the scheduling of its witnesses and supporting experts which was based upon the schedule in the December 1, 2015 Scoping Memo; and
- the uncertain extent of the postponement sought of "at least" two weeks may pose additional prejudice to A4NR if the rescheduled hearings can only be held during a period when A4NR's participants may be unavailable.

A4NR requests that PG&E should still be required to file its Case Management Statement on June 8th, albeit with additional information "describing the discussions it has held, the issues which have been discussed, the nature of the settlement reached among the three parties, the manner in which it proposes to involve other parties in settlement discussions, if at all, and the manner in which it proposes to have the Commission consider the settlement." The question of postponement could then be discussed by parties at the originally-scheduled Day 1 of hearings, June 13.

Discussion

The December 1, 2015 Scoping Memo in this proceeding anticipated that parties would engage in settlement discussions during May and June 2016, so this request for a delay in hearings is consistent with the direction provided in the Scoping Memo.

A4NR's objections do not provide sufficient basis to deny the joint request, with the exceptions noted below. PG&E, ORA and TURN have acted consistently with the Commission's Rules of Practice and Procedure regarding settlements (Article 12, "Settlements") and those rules protect the procedural rights of other parties in this proceeding. For example, the Rules provide for a formal settlement conference with notice and opportunity to participate provided to all parties; filing of comments and reply comments on any settlement that may be filed; and hearings on the settlement. Finally, the Rules provide that the Commission will not approve settlements, whether contested or uncontested, unless the settlement is reasonable in light of the whole record, consistent with law, and in the public interest.

Therefore, evidentiary hearings shall now be scheduled to begin 2 weeks later than originally scheduled. The first day of hearings is now set as Monday, June 27. This week was already included in the schedule adopted in the December 1, 2015 Scoping Memo. A second week of hearings shall now be scheduled for the following week, Tuesday July 5 through Friday July 8, 2016. Due to existing commitments on the

Commission's Hearing Calendar as well as the Public Participation Hearings previously scheduled in this proceeding, the next available dates for evidentiary hearings are August 3 – 12. Those dates have been reserved for evidentiary hearings in this proceeding as well.

To acknowledge the concerns expressed by A4NR, and given that these changes to the schedule will impact the summer months and possibly overlap with vacations planned by parties and witnesses in this proceeding, the assigned ALJ and active parties shall make every effort to flexibly accommodate the scheduling needs of parties and witnesses, should such issues present themselves.

Finally, the deadlines determined in the December 1, 2015 Scoping Memo for (1) submission of parties' cross-examination estimates to PG&E and (2) filing and service of the case management statement by PG&E are adjusted to match the new hearing schedule determined in this Ruling:

- Submission of parties' cross-examination estimates to PG&E: June 20, 2016
- PG&E files and serves case management statement: June 22, 2016

PG&E is not required to provide the additional information requested by A4NR in the case management statement, only the information required by the Scoping Memo.

THE DOCKET OFFICE SHALL FORMALLY FILE THIS RULING.

Stephen C. Roscow
Administrative Law Judge
California Public Utilities Commission
415-703-1053