

Decision 91-04-074 APRIL 24, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for a Certificate of Public Convenience and Necessity to Construct and Operate an Expansion of its Existing Natural Gas Pipeline System.

ORIGINAL

Application 89-04-033 (Filed April 14, 1989)

ORDER DIRECTING STAY OF DECISION 90-12-119

Five petitions for rehearing of Decision (D.)90-12-119 have been filed by Altamont Gas Transmission Company (Altamont), Amoco Canada Petroleum Company, Ltd., Kern River Gas Transmission Company (Kern River), the Attorney General of California, Daniel E. Lundgren, and TURN. Altamont, Kern River, and the Attorney General have raised issues concerning the California Environmental Quality Act (CEQA), Public Resources Codes Sections 21000 et seq.

CEQA judicial challenges are subject to a short 30-day statute of limitations. (Pub. Resources Code §21167.) In this case, the 30-day period began on April 8, 1991, the date the rehearing applicants were legally able to pursue an appeal in the California Supreme Court by deeming the rehearing applications to be denied. (Pub. Util. Code §1733(b).)

Because we require additional time to consider all rehearing contentions and related issues, we will stay D.90-12-119 pending resolution of the rehearing petitions and direct the Commission Advisory and Compliance Division (CACD) to withdraw the Notice of Determination (NOD) filed with the Office of Planning and Research (OPR).

Therefore, IT IS ORDERED that:

1. D.90-12-119 is stayed until further order of the Commission.

2. CACD is directed to withdraw the NOD filed after D.90-12-119 was issued. This order is effective today.

Dated April 24, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
NORMAN D. SHUMWAY
Commissioners

Commissioner Daniel Wm. Fessler being necessarily absent, did not participate.

I CERTIFY THAT THIS DECISION WAS APPROVED BY THE ABOVE COMMISSIONERS TODAY

NEP J. Spillman, Executive Director