

ORIGINAL

Decision No. 88270 DEC 20 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the matter of the adoption of regulations governing the safety and construction of a liquefied natural gas terminal in the State of California.

OII No. 1
(Filed October 18, 1977)

Investigation on the Commission's own motion into the impact of the decline in natural gas available to California from traditional sources and the need for and timing of deliveries from supplemental supply projects.

Case No. 10342
(Filed June 7, 1977)

In the Matter of the Application of Western LNG Terminal Associates, a general partnership, and of a Joint Application of Western LNG Terminal Associates, Pacific Gas and Electric Company and Pacific Lighting Service Company, California corporations, for a permit authorizing the construction and operation of an LNG terminal pursuant to Section 5550 et seq. of the Public Utilities Code.

Application No. 57626
(Filed October 14, 1977)

ORDER GRANTING STAFF MOTION TO WAIVE PORTIONS OF RULE 17.1 OF THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE

The Commission staff on November 23, 1977 moved that the Commission, pursuant to Rule 87, waive subsections (c), (d), (f)(9), and (g)(3) of Rule 17.1 of the Commission's Rules of Practice and Procedure and institute different provisions for OII No. 1, Case No. 10342, and Application No. 57626. The assigned administrative law

judges, pursuant to Rule 65, referred the motion to the Commission for decision. For the reasons stated in its motion, it is apparent that if the motion is not granted the Commission's EIR process will not be completed until about August 4, 1978. The Legislature has mandated that the Commission decide the application for the permit by July 31, 1978. Further reasons setting forth good cause for the deviations from Rules 17.1(c), (d), (f)(9), and (g)(3) are set forth in the motion.

Therefore, IT IS ORDERED that pursuant to Rule 87 the following deviations are authorized in the above proceedings:

1. Applicants are not required to prepare and file Environmental Data Statements as required by Rule 17.1(c) and (d). Rule 17.1(c) and (d) are suspended because the Commission staff will issue a Draft EIR in January 1977.

2. Hearings on the Draft EIR may be commenced less than sixty days after the Draft EIR is available. Rule 17.1(f)(9) is suspended because a sixty-day wait before commencement of public hearings after the Draft EIR becomes available may delay proceedings.

3. Exceptions and replies to the Final EIR pursuant to Rules 80 and 81 will not be received. Rule 17.1(g)(3) is suspended because to require exceptions and replies to exceptions to the Final EIR would delay final submission by at least thirty-five days.

The above suspension of rules is applicable to any other Commission matter which may be consolidated with the three proceedings considered herein.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20th day of DECEMBER, 1977.

Rolant Batyminich
President

William J. Lyons

Verizon L. Sturgeon

Clarence D. Travalle

Commissioners

Commissioner Clair T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.