

Decision 97-12-077 December 16, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIARulemaking to Consider the Commission's
Compliance with the Energy Policy Act of 1992.Rulemaking 93-06-001
(Filed June 3, 1993)**O P I N I O N****ORIGINAL**

The National Energy Policy Act of 1992 (EPAAct) requires state public utility commissions to consider various standards which are added to the Public Utility Regulatory Policies Act of 1978 (PURPA) and the Public Utility Holding Company Act of 1935 (PUHCA). We instituted Rulemaking (R.) 93-06-001 as our vehicle for EPAAct compliance. Decision (D.) 93-11-068 (52 CPUC 2d 167) addressed wholesale power purchase standards (Section 712 of EPAAct). D.93-12-022 (52 CPUC 2d 390) addressed the Section 712 standard concerned with the impact of purchased power on utility cost of capital. D.95-12-007 addressed standards related to integrated resource planning and energy efficiency for electric and gas utilities (Sections 111 and 115), exempt wholesale generators and affiliated transactions (Section 711), and investment in foreign utilities (Section 715), and various other standards. Many of the issues addressed in R.93-06-001 have been considered or resolved in other proceedings, including the electric restructuring rulemaking (R.94-04-031/Investigation (I.) 94-04-032). This proceeding therefore should be closed. We stated in both D.93-11-068 and D.95-12-077 that findings in this proceeding are made within the current regulatory framework. If we find that certain EPAAct standards should be incorporated within the revised regulatory structure, we will implement that finding in a broader generic proceeding to be designated or on a utility-specific basis.

Findings of Fact

1. D.93-11-068, D.93-12-022, and D.95-12-077 considered various standards under the current regulatory framework, which EPAAct added to PURPA and PUHCA.

R.93-06-001 ALJ/ANG/wav

2. Many of the issues raised in R.93-06-001 have been considered or resolved in other proceedings, including electric restructuring (R.94-04-031/1.94-04-032).

Conclusion of Law

The Commission should close R.93-06-001.

O R D E R

IT IS ORDERED that Rulemaking 93-06-001 is closed.

This order is effective today.

Dated December 16, 1997, at San Francisco, California.

P. GREGORY CONLON
President

JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners