

Decision 98-06-064 June 18, 1998

**ORIGINAL**

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Teresa LeGault,

Complainant,

vs.

Pacific Gas and Electric Company,

Defendant.

Case 94-03-035  
(Filed March 14, 1994)

Teresa LeGault, for herself, complainant.  
Minami, Lew & Tamaki, by Donald K. Tamaki,  
Attorney at Law, for Pacific Gas and Electric  
Company, defendant.

**OPINION**

**Procedure**

Teresa LeGault (LeGault or complainant) complains that Pacific Gas and Electric Company (PG&E or defendant) does not have or is not following an emergency plan with respect to the 36-inch natural gas pipeline which runs underground adjacent to her residence in Bear Valley Springs.

Following the resolution of several procedural issues, a duly noticed public hearing was held on August 16, 1995 in Los Angeles. During the course of hearing, PG&E offered to present a community open house in complainant's vicinity regarding the safety of the gas line and emergency plans in the event of fire, earthquake, or other natural disaster. LeGault accepted defendant's offer, and the hearing was continued to a later date to allow LeGault to attend the

community open house and advise the Administrative Law Judge (ALJ) whether further hearing was requested.

On November 9, 1995 the community open house was held by PG&E, and attended by approximately 40 people. PG&E presented speakers on safety maintenance procedures under General Order (GO) 112-D, existing procedures for gas pipeline emergencies, defendant's outreach efforts to provide pipeline safety information to its customers, and the process of acquisitions of utility rights-of-way.

Complainant attended the community open house and, on January 30, 1996, wrote to the ALJ setting forth her continuing concerns respecting pipeline safety issues. The ALJ then requested the Commission's Utilities Safety Branch (USB) to investigate complainant's contentions and report its findings. On November 15, 1996 the USB report regarding Case 94-03-035 was received by the parties and entered into the record. No violations of law or Commission regulations were found by USB.

On March 4, 1997 a prehearing conference was held in Los Angeles at which it was determined that a further evidentiary hearing was not required. The matter was submitted for decision upon the filing of a closing brief by complainant and a reply brief by defendant on April 17, 1997.

### Discussion

LeGault complains that PG&E does not have or is not following an emergency plan with respect to the 36-inch natural gas pipeline which runs underground adjacent to her residence in Bear Valley Springs.

At hearing it was agreed that PG&E would conduct a community open house in complainant's area to explain its emergency plan pursuant to GO 112-D and related pipeline safety issues. The agreed-upon public meeting was held and attended by complainant and her neighbors.

At the request of the ALJ, the Commission's USB investigated LeGault's concerns and issued its report finding no violations of law or Commission regulations respecting PG&E's pipeline emergency plans.

At further hearing, complainant acknowledged that she had no proof of PG&E being in violation of existing law, but stated that she believed that changes in the law are necessary. LeGault recommends that California's recording laws be amended to provide specific disclosure of 36-inch natural gas pipelines rather than the existing general easement description.

Complainant also endorses the findings of the Seismic Safety Commission, Report to the Governor, Executive Order W-78-94, concerning earthquake safety matters.

#### **Findings of Fact**

1. LeGault complains that PG&E does not have or is not following an emergency plan with respect to the 36-inch natural gas pipeline which runs underground adjacent to her residence.
2. There is insufficient evidence that complainant's allegation is true.
3. Investigation by the Commission's USB found no violations of law or regulations.
4. This is a complaint case not challenging the reasonableness of rates or charges, and so this decision is issued in an "adjudicatory proceeding" as defined in Public Utilities Code § 1757.1.

#### **Conclusion of Law**

The complaint should be dismissed.

**O R D E R**

**IT IS ORDERED** that:

1. The complaint is dismissed.
2. This docket is closed.

This order becomes effective 30 days from today.

Dated June 18, 1998, at San Francisco, California.

**RICHARD A. BILAS**  
President  
**P. GREGORY CONLON**  
**JESSIE J. KNIGHT, JR.**  
**HENRY M. DUQUE**  
**JOSIAH L. NEEPER**  
Commissioners