

ALJ/ANG/jva

Mailed 7/23/98

Decision 98-07-061 July 23, 1998

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U 338-E) To Adopt Incentive Based Ratemaking Mechanisms Specified in D.96-09-045 and D.96-11-021.

Application 97-12-047
(Filed December 31, 1997)

**ORDER PURSUANT TO RULE 6.5 OF THE RULES
OF PRACTICE AND PROCEDURE**

Rule 6.5(b) of the Rules of Practice and Procedure addresses changes in the preliminary determination on need for hearing in a proceeding and provides that:

- (b) If the assigned Commissioner, pursuant to Rules 6(a)(3), 6(c)(2), or 6(d), changes the preliminary determination on need for hearing, the assigned Commissioner's ruling shall be placed on the Commission's Consent Agenda for approval of that change.

Pursuant to Rules 4(b)(2) and 6(d), on February 5, 1998, Commissioner Henry Duque issued an Assigned Commissioner's Ruling (ACR) preliminarily determining that the above-entitled matter is a ratesetting proceeding expected to go to hearing. This was confirmed in the scoping memo issued by ACR on March 11, 1998. However, by ACR dated July 10, 1998, Commissioner Duque found that the need for hearing determination should be changed.

We have considered the preliminary determinations in this matter and the most recent Assigned Commissioner's Ruling.

IT IS ORDERED that:

1. This proceeding does not require that hearings be held.
2. Under Rule 6.6, this order is a final determination that a hearing is not needed in this proceeding.
3. Ex Parte communications shall be permitted, as provided in Rule 7(e). In all other respects, the rules and procedures in Article 2.5 of the Commission's Rules shall cease to apply to this proceeding. However, the proposed schedule and scope of issues contained in the scoping memo, as amended, shall continue to apply, except that the dates established for testimony and hearings are no longer relevant.

This order is effective today.

Dated July 23, 1998, at San Francisco, California.

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