

Decision 98-09-026 September 3, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U-338-B) for Order Approving Contract Restructuring Agreement between Southern California Edison Company, on the one hand, and City National Bank as Trustee for the Westwind Association, Frederick W. Noble and Wind Turbine Equipment Company, on the other hand.

ORIGINAL

Application 98-05-040
(Filed May 20, 1998)

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

Rule 6.5 of the Rules of Practice and Procedure concerning changes in the need for hearing or preliminary categorization of a proceeding 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 Rule 6.1, the Commission has preliminarily determined in Resolution ALJ 176-2996 dated July 2, 1998, that the above-entitled matter is a ratesetting proceeding that was expected to go to hearing. By an assigned Commissioner's ruling dated August 11, 1998, the assigned Commissioner, Commissioner Conlon, found that the need for hearing determination should be changed.

We have considered our preliminary determinations in this matter and the 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 shall continue to apply.

This order is effective today.

Dated September 3, 1998, at San Francisco, California.

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