

Decision 98-12-041 December 17, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company,
a California corporation, for a permit to construct
the Northern Geysers Area Reinforcement
Project, pursuant to General Order 131-D.
(U 39 E)

Application 98-06-039
(Filed June 17, 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 that the above-entitled matter is a ratesetting proceeding that was expected to go to hearing. By an assigned Commissioner's ruling dated August 13, 1998, the assigned Commissioner, Commissioner Neeper, 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 December 17, 1998, San Francisco, California.

RICHARD A. BILAS

President

P. GREGORY CONLON

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners