

ALJ/VDR/tcg

Mailed 3/4/99

Decision 99-03-012 March 4, 1999

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Utility Audit Company, Inc.,

Complainant,

vs.

Southern California Gas Company,

Defendant.

Case 98-02-044
(Filed February 26, 1998)

ORDER EXTENDING STATUTORY DEADLINE

Public Utilities (Pub. Util.) Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 12-month deadline for resolving this matter was February 26, 1999.

Due to the § 1701.2(d) statutory deadline, there is a need to act on this matter immediately, and this constitutes an unforeseen emergency situation for purposes of Pub. Util. Code § 311(g)(2) (See Rule 81 (g) of the Commission's Rules of Practice and Procedure). Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise 30-day period for public review and comment is being waived.

Findings of Fact

1. This proceeding was initiated on February 26, 1998.
2. Based upon the 12-month statutory deadline, this proceeding must be resolved on or before February 26, 1999, unless this date is extended.

3. An extension of the 12-month statutory deadline is needed to accommodate the parties' agreement to resolve this matter in accordance with the result in Case (C.) 97-02-015, another proceeding involving the same parties and similar issues. The parties have advised the presiding officer that they intend to withdraw their complaint in accordance with D.98-09-061 in C.97-02-015.

Conclusion of Law

The 12-month statutory deadline imposed by Pub. Util. Code § 1701.2(d) should be extended until this proceeding is dismissed.

IT IS ORDERED that the 12-month statutory deadline in this proceeding, February 26, 1999, is extended until further order.

This order is effective today.

Dated March 4, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEPPER
Commissioners