

Decision 00-05-005 May 4, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Southern California Edison Company (U 338-E) for Authority to Take Certain Actions Necessary to Transfer Certain Generation-Related Employees and Assets to a Nonutility Operation and Maintenance Affiliate.

Application 99-08-030
(Filed August 11, 1999)

**ORDER PURSUANT TO RULE 6.5
CHANGING HEARING DESIGNATION**

Rule 6.5(b) of the Rules of Practice and Procedure concerning changes in the need for hearing or preliminary categorization of a proceeding provides:

“if the assigned Commissioner, pursuant to Rules 6(a)(3), 6(c)(2), or 6(d), changes the preliminary determination or 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 in Resolution ALJ 176-3022, dated September 2, 1999, preliminarily determined that the above-entitled matter was a ratesetting proceeding expected to go to hearing. Following protests from The Office of Ratepayer Advocates and The Utility Reform Network, the assigned Administrative Law Judge (ALJ) issued an order, pursuant to Rule 49, requiring the parties to meet and confer and file a joint case management statement. The parties submitted a joint case management statement that set forth an outline with the main components of a settlement agreement combined with a request for time to prepare a detailed joint recommendation.

On December 13, 1999, the parties submitted the joint recommendation that resolved all outstanding issues in this proceeding. Based on that settlement,

the matter no longer needs a hearing. We are changing our preliminary determination in this matter and now resolve that the proceeding does not require that hearings be held.

The draft decision of the ALJ in this matter was mailed to the parties in accordance with Pub. Util. Code § 311(g) and Rule 77.1 of the Rules of Practice and Procedure. No comments were received.

O R D E R

IT IS ORDERED that:

1. This proceeding does not require that hearing be held.
2. Under Rule 6.6, this order is a final determination that a hearing is not needed in this proceeding. 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.

This order is effective today.

Dated May 4, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners