

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric
Company (U 39 E) for Authority to Increase
Revenue Requirements to Recover the Costs
to Upgrade its SmartMeter™ Program

Application No. 07-12-009
(Filed December 11, 2007)

**COMMENTS OF THE UTILITY REFORM NETWORK
IN RESPONSE TO ALJ RULING OF 9/22/20**



Marcel Hawiger, Energy Attorney
THE UTILITY REFORM NETWORK

115 Sansome Street, Suite 900
San Francisco, CA 94104
Phone: (415) 929-8876 ex. 311
Fax: (415) 929-1132
Email: marcel@turn.org

October 15, 2010

**OPENING COMMENTS OF THE UTILITY REFORM NETWORK
IN RESPONSE TO ALJ RULING OF 9/22/20**

Pursuant to the direction and schedule provided in the Administrative Law Judge's Ruling issued on September 22, 2010, the Utility Reform Network (TURN) provides these opening comments on "what the Commission should do concerning the City and County of San Francisco Petition in light of the Structure Report."

TURN provides the following summary recommendations for next steps to address the concerns enunciated by CCSF in light of the Structure Report:

- The Commission should allow parties time to review the Structure Report, obtain any data used by Structure in doing its evaluation, and (if necessary) provide testimony concerning any analytical weaknesses or problems with the Report. TURN suggests that a prehearing conference be held to ascertain the intent of any party to conduct such an analysis and determine a proper procedural schedule. TURN is still in the process of reviewing the Structure Report and cannot at this time propose a schedule for testimony and/or hearings.¹
- The Commission should ensure that PG&E is separately tracking any incremental costs incurred in a) fixing the problems identified in its semi-annual reports due to erroneous meter reads, faulty equipment or faulty installation and b) responding to customer complaints associated with smart meters. TURN is concerned that any future request by PG&E seeking cost recovery of any costs

¹ TURN appreciates that the Structure Report was released on September 2, 2010.

Regrettably, most staff time in September was occupied both with scheduled proceedings as well as with unexpected work due to the San Bruno explosion.

above the authorized reasonableness cap include an accurate accounting of costs incurred due to equipment malfunction or installation problems.

October 15, 2010

Respectfully submitted,

/S/ Marcel Hawiger

Marcel Hawiger
Energy Attorney
The Utility Reform Network
115 Sansome Street, Suite 900
San Francisco, CA 94104
Phone: (415) 929-8876 x 311
Fax: (415) 929-1132
Email: marcel@turn.org