

From: Wong, John S.

Sent: 12/17/2010 2:12:44 PM

atrowbridge@daycartermurphy.com (atrowbridge@daycartermurphy.com);
pinney@capp.ca (pinney@capp.ca); cassandra.sweet@dowjones.com
To: (cassandra.sweet@dowjones.com); mrw@mrwassoc.com (mrw@mrwassoc.com);
rothenergy@sbcglobal.net (rothenergy@sbcglobal.net); jheckler@levincap.com
(jheckler@levincap.com); julien.dumoulin-smith@ubs.com (julien.dumoulin-
smith@ubs.com); jdibble@calpine.com (jdibble@calpine.com);
Yim@ZimmerLucas.com (Yim@ZimmerLucas.com); doug.vanbrunt@credit-
suisse.com (doug.vanbrunt@credit-suisse.com); McLafferty, Daniel
(/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=MDM8); Orr, Carl
(GT&D) (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=CDO1); Klein,
Nicholas (/O=PG&E/OU=Corporate/cn=Recipients/cn=NXKI); Dowdell, Jennifer
(/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=JKD5); RegRelCPUCCases
(/O=PG&E/OU=Corporate/cn=Recipients/cn=RegRelCPUCCases); filings@a-
klaw.com (filings@a-klaw.com); klatt@energyattorney.com
(klatt@energyattorney.com); ek@a-klaw.com (ek@a-klaw.com);
marcie.milner@shell.com (marcie.milner@shell.com); michael.alexander@sce.com
(michael.alexander@sce.com); JLSalazar@SempraUtilities.com
(JLSalazar@SempraUtilities.com); peteresposito@earthlink.net
(peteresposito@earthlink.net); william.tomlinson@el Paso.com
(william.tomlinson@el Paso.com); bday@sparkenergy.com
(bday@sparkenergy.com); eva_neufeld@transcanada.com
(eva_neufeld@transcanada.com)

Cc:

Bcc:

Subject: FW: E-Mail ruling concerning PG&E's Motion for Order Extending Deadlines and
Notice of Prehearing Conference in I.10-11-013

To the Service List in A.09-09-013:

The below note is for your information and concerns the Rancho Cordova explosion in
Order Instituting Investigation 10-11-013.

From: Wong, John S.

Sent: Friday, December 17, 2010 2:02 PM

To: 'EFL5@pge.com'; 'mlw3@pge.com'; 'hayley@turn.org'; 'marcel@turn.org';
'JLSalazar@SempraUtilities.com'; 'mshames@ucan.org'; 'austin.yang@sfgov.org'; 'bts1@pge.com';
'NXKI@pge.com'; 'cem@newsdata.com'; 'dgenasci@DayCarterMurphy.com'; 'jsw@cpuc.ca.gov'; Morris,
Harvey Y.; Clark, Richard W.

Subject: E-Mail ruling concerning PG&E's Motion for Order Extending Deadlines and Notice of Prehearing Conference in I.10-11-013

To the Respondent (PG&E) and the service list in I.10-11-013:

On December 10, 2010, PG&E filed its "unopposed motion for order extending deadlines." Attached to the motion was a December 10, 2010 "Stipulation for Order Extending Deadlines" that was executed between PG&E's counsel and counsel for the Commission's Consumer Protection and Safety Division (CPSD), and a "[Proposed] Order Extending Deadlines."

PG&E's motion requests that certain deadlines contained in the Order Instituting Investigation (OII) be extended. The new dates requested by PG&E were agreed to in the stipulation between PG&E and CPSD. PG&E's motion seeks an order setting the OII deadlines for the written report and information requested (as set forth at pages 11-13 of the OII) as follows:

Item A December 17, 2010

Items B-E, L Rolling production, beginning on Dec. 17, 2010, with the information most recent and most pertinent to Rancho Cordova, and continuing until completion on or before February 17, 2011. (Names and titles of people preparing data response will be provided contemporaneously as part of each data response.)

Item F February 17, 2011

Items G-L, M.2 March 17, 2011 (Names and titles of people preparing each portion of the report and witnesses to the information provided therein will be specified for each portion of the report.)

Item M.1 As part of the stipulation with CPSD, PG&E has agreed to reimburse the Commission for CPSD's costs.

As of today, no responses to PG&E's motion have been received.

The OII contemplates, among other things, a prehearing conference, evidentiary hearings, the filing of a written "report no later than December 17, 2010 providing the information required and specified in this order," and possible fines/penalties/other forms of relief. The OII also provides that for good cause shown, the deadline may be extended.

After a review of the OII, PG&E's motion, possible objections to documents, procedural processing, and consulting with the assigned Commissioner, this e-mail ruling grants the request for extension as follows:

Item A December 17, 2010

Items B-E, L Rolling production, beginning on Dec. 17, 2010, with the information most recent and most pertinent to Rancho Cordova, and continuing until completion on or before February 17, 2011. (Names and titles of people preparing data response will be provided contemporaneously as part of each data response.)

Item F February 17, 2011

Items G-L, M.2 February 17, 2011 (Names and titles of people preparing each portion of the report and witnesses to the information provided therein will be specified for each portion of the report.)

Also, as part of the stipulation with CPSD, PG&E has agreed to reimburse the Commission for CPSD's costs.

In reviewing the OII, the OII contemplates that the written report and the information requested in the OII be filed with the Commission. That raises the issue of what kind of format the written report and the accompanying documents, should look like, as well as whether the written report and documents should be filed with the Commission. Since the information requested in the OII is likely to consist of many documents, this e-mail ruling directs the following:

1. The written report shall contain the information requested in paragraphs labeled A, B, I, J, L and M, and shall be served as set forth below on February 17, 2011.
2. The written report shall contain a summary of the information requested in paragraphs labeled F, G and H.
3. The written report shall provide a summary description of the information requested in paragraphs C, D, E and K, and a list of all the documents that have been provided in response to those paragraphs.
4. The written report and the documents that are to be provided in paragraphs C,D, E and K are to be served on the Commission's Executive Director, Richard Clark of CPSD, the attorney for CPSD, Julie Fitch of the Energy Division, Commissioner Simon, and the assigned Administrative Law Judge (two complete sets for the ALJ).
5. The written report, and a letter addressed to the service list in this proceeding, stating that the documents required by paragraphs C, D, E and K will be provided upon request to a party (subject to a confidentiality agreement if needed). The written report and the letter is to be served on the OII service list.
6. At an appropriate time, probably at the evidentiary hearing, I will mark and move the PG&E written report and the documents provided in response to the OII into evidence, and will entertain objections to the admission of the written report and documents at that time.

This e-mail ruling also sets a prehearing conference (PHC) in this matter for Tuesday, March 1, 2011 at 10 am at the Commission's hearing room in San Francisco. The purpose of the PHC is to discuss the

scope of issues in this proceeding, whether an evidentiary hearing is needed, the establishment of the procedural schedule including the evidentiary hearing dates, and other related matters.

Since the OII “invites interested parties to actively participate in this proceeding as it involves important safety and other policy matters that will benefit from the expertise, participation, and evidence of other parties,” this e-mail ruling will also be separately served on the service list in PG&E’s gas transmission and storage services application in A.09-09-013.

A written ruling confirming the above e-mail ruling will be issued in the next week or so.

John S. Wong

Administrative Law Judge

California Public Utilities Commission

415 703-3130