

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

Application of Pacific Gas and Electric  
Company Proposing Cost of Service and Rates  
for Gas Transmission and Storage Services for  
the Period 2011-2014 (U39G)

Application 09-09-013  
(Filed September 18, 2009)

**PACIFIC GAS AND ELECTRIC COMPANY'S (U39G)  
OPPOSITION TO JOINT MOTION REQUESTING PARTY STATUS**

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Dated: March 28, 2011

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**I. INTRODUCTION**

On March 18, 2011, the National Asian American Coalition, the Latino Business Chamber of Greater Los Angeles, and the Black Economic Council (“Joint Movants”) filed their Joint Motion Requesting Party Status (“Joint Motion”) in this proceeding. That Joint Motion should be denied.

**II. OPPOSITION**

As the Commission is aware, Pacific Gas and Electric Company (“PG&E”) filed its 2011 Gas Transmission and Storage (“GT&S”) Rate Case on September 18, 2009. The application was publically noticed, including bill inserts sent to all customers. During the summer of 2010, 18 public participation hearings were held addressing this and PG&E’s General Rate Case application. On August 20, 2010, PG&E was joined by all other participants in this proceeding except for San Diego Gas & Electric Company (“SDG&E”) and Southern California Gas Company (“SoCalGas”), to file the “Joint Motion of Settlement Parties for Approval of Gas Accord V Settlement.” Thereafter, an evidentiary hearing on the issues raised by SDG&E and SoCalGas was held on October 25 and 26, 2010. The evidentiary record in this proceeding closed at the end of hearings. Opening Briefs were filed on November 10, 2010 and Reply

Briefs were filed on November 19, 2010. The disputed issues raised by SDG&E and SoCalGas were fully heard and briefed. Thereafter, on March 15, 2011, the Assigned Administrative Law Judge issued his Proposed Decision resolving all issues in this proceeding.

At this late date, there is simply no basis for granting Joint Movants party status. The only justification offered by Joint Movants for the lateness of their request is their “lack of detailed technical expertise.” While Joint Movants argue that “the proceeding for which we are now filing commenced well before the San Bruno explosion of September 9, 2010, or the Commission’s OIR of February 24, 2011,” nowhere do Joint Movants explain why they could not have intervened shortly after September 9, 2010 when the San Bruno explosion occurred. As the Commission knows, the ALJ issued a ruling on September 15, 2010 which asked for comments on whether the proposed settlement was adequate in light of the pipeline safety concerns raised by the San Bruno explosion. Joint Movants did not intervene or offer comments. After receiving comments, the ALJ issued a revised scoping ruling on October 15, 2010 which, among other things, added a new safety phase to the proceeding to address the safety concerns raised by the San Bruno explosion. Again, Joint Movants offer no explanation for why they did not intervene in this proceeding following the October 15, 2010 revised scoping ruling.

For Joint Movants to wait, as they have here, until well after the evidentiary record has closed and a Proposed Decision has been issued, should not be rewarded with party status. In addition, the only thing the Joint Motion mentions concerning what Joint Movants would do if party status were conferred on them is an intention to “conduct a comprehensive survey of PG&E’s customers . . . .” There is no mention of when such a survey would begin or how long it would take to complete. Any delay in a Commission decision on the Gas Accord V Settlement will be to the detriment of all settling parties.

Moreover, there is no need for such a survey. As the Proposed Decision correctly reflects, the “Gas Accord V Settlement has been entered into by many different parties who represent a broad range of interests in the natural gas market place. These interests include DRA, which represents customers as a whole, as well as TURN, who represents the interests of residential and small commercial customers. Other settlement parties include representatives of large commercial customers, industrial customers, wholesale customers, electric generators, and CTAs.” Proposed Decision at pp. 21-22. In addition, the Gas Accord V Settlement comprises a careful balancing of interests. While some rates go up under Gas Accord V, others decrease. For example, settled rates for backbone transmission services for 2011 under Gas Accord V are in some instances lower than 2010 adopted backbone rates. Nothing in the Joint Movants’ Joint Motion suggests why their constituents’ interests are not already fully represented by the settling parties. And, it bears emphasizing, that even after the San Bruno explosion, none of the settling parties suggested to this Commission that the Gas Accord V Settlement should be delayed in any way as a result of the San Bruno explosion.

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**CERTIFICATE OF SERVICE BY ELECTRONIC MAIL OR U.S. MAIL**

I, the undersigned, state that I am a citizen of the United States and am employed in the City and County of San Francisco; that I am over the age of eighteen (18) years and not a party to the within cause; and that my business address is Pacific Gas and Electric Company, Law Department B30A, 77 Beale Street, San Francisco, CA 94105.

I am readily familiar with the business practice of Pacific Gas and Electric Company for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence is deposited with the United States Postal Service the same day it is submitted for mailing.

On the 28th day of March 2011, I caused to be served a true copy of:

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**[XX]** By Electronic Mail – serving the above via e-mail transmission to each of the parties listed on the official service list for A.09-09-013 with an e-mail address.

**[XX]** By U.S. Mail – by placing the above for collection and mailing, in the course of ordinary business practice, with other correspondence of Pacific Gas and Electric Company, enclosed in a sealed envelope, with postage fully prepaid, addressed to those parties listed on the official service list for A.09-09-013 without an e-mail address.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 28th day of March, 2011 at San Francisco, California.

*/s/ Amy S. Yu*

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AMY S. YU