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Cc:
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Subject: E-Mail Ruling re: Evidentiary Hearing in R.11-03-006 Scheduled for Monday
October 3, at 1:30 pm

To the Parties and Service List in R.11-02-006:

Yesterday, I sent out the below e-mail regarding the evidentiary hearing (EH) that is scheduled for this Monday, October 3, 2011 at 1:30 pm. The purpose of that evidentiary hearing is to hear testimony about the allocation of the Sempra Settlement Funds and the allocation of the Continental Forge Discount. The e-mail from yesterday asked the parties to send an e-mail to me (and the service list) by noon today as to whether they agreed that these two issues can be resolved based on the opening briefs filed by PG&E, SCE, and SDG&E, and whatever reply briefs that may be filed today. Yesterday's e-mail was sent to determine whether the EH for October 3 should proceed or not.

I received three separate e-mails from counsel representing PG&E, SCE, and SDG&E, who agree that those two issues can be resolved based on the arguments contained in the briefs, and that the October 3 EH is not needed. No other e-mails were received in response to my e-mail from yesterday.

Since the three electric utilities all agree that the two issues can be resolved on the basis of the

arguments contained in the opening briefs (as well as any reply briefs that may be filed today), and because these three utilities are the parties whose interests are most affected by these two issues, this e-mail ruling rules that the EH that is scheduled to take place this coming Monday, October 3 at 1:30 pm in San Francisco is **cancelled and taken off calendar**. Accordingly, there is no need to appear on Monday, October 3, 2011.

Today's e-mail ruling will be confirmed in a future written ruling or in a Commission decision.

To avoid e-mail bounceback, this e-mail ruling is being sent out to the R.11-02-006 in groups of 25.

John S. Wong for ALJ Seaneen Wilson

ALJ

California Public Utilities Commission

415 703-3130

From: Wong, John S.

Sent: Thursday, September 29, 2011 2:20 PM

To: dcarroll@downeybrand.com; bernardo@braunlegal.com; abb@eslawfirm.com; rvn@a-klaw.com; dlf@cpuc.ca.gov; fvr@cpuc.ca.gov; yee@cpuc.ca.gov; jsw@cpuc.ca.gov; jf2@cpuc.ca.gov; kpp@cpuc.ca.gov; kar@cpuc.ca.gov; kho@cpuc.ca.gov; lwt@cpuc.ca.gov; rwc@cpuc.ca.gov; smw@cpuc.ca.gov; scr@cpuc.ca.gov; jpacheco@water.ca.gov; mwofford@water.ca.gov; grehal@water.ca.gov; jgeorge@water.ca.gov; millsr@water.ca.gov

Subject: FW: Evidentiary Hearing in R.11-03-006 Currently Scheduled for Monday October 3, at 1:30 pm

To the Parties and Service List in R.11-03-006:

Currently, an evidentiary hearing (EH) has been noticed for this coming Monday, October 3, at 1:30 pm at the Commission's hearing room in San Francisco. The purpose of that EH is to have the parties present testimony on the allocation of the Sempra Settlement Funds and the allocation of the Continental Forge Discount. (See 9/7/11 Scoping Memo).

As you may know, ALJ Wilson is out sick and is unlikely to preside over the Oct. 3, 2011 EH. She has asked me to sit in for her.

I received a call this afternoon, shortly after the note below was sent, from PG&E's counsel,

Mr. Buchsbaum. Mr. Buchsbaum mentioned that the EH may not be necessary since all of the utilities who filed opening briefs on these two issues may be in agreement that the two issues can be resolved on the basis of what the parties have presented in their opening briefs, and whatever reply briefs that may be filed tomorrow.

Based on Mr. Buchsbaum call, this e-mail is being sent out to the parties to determine whether all the parties to this proceeding agree that the two issues about the Sempra Settlement Funds and the Continental Forge Discount can be adjudicated based on the opening briefs that were filed, and whatever reply briefs may be filed tomorrow. If the parties agree that these two issues can be resolved based on the briefs, the EH for October 3 would not be needed and would be taken off calendar. Whether or not those two issues can be resolved with the proposed decision on the 2012 revenue requirement will be up to ALJ Wilson.

Please send an e-mail to me, and to the service list in R.11-03-006, by noon tomorrow on whether or not you agree that these two issues can be resolved based on the briefs that have been filed and may be filed tomorrow. I will then issue an e-mail ruling tomorrow afternoon on whether the EH on October 3 will proceed or if it will be taken off calendar.

This e-mail is being sent out in groups of 25 to avoid bounceback.

ALJ John S. Wong

CPUC

415 703-3130