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Sent: 3/26/2012 11:39:47 AM
To: Prosper, Terrie D. (terrie.prosper@cpuc.ca.gov)
Cc:
Bcc:
Subject: CPUC Proposal Aims to Improve Public Access to Documents: CPUC Information Alert

CPUC Information Alert: CPUC Proposal Aims to Improve Public Access to Documents

The California Public Utilities Commission (CPUC) has issued a proposal that would improve and streamline the process for the public to access documents received or generated by the CPUC.

The CPUC's regulations for public access to CPUC records, as outlined in General Order 66-C, are outdated and cumbersome, and often delay rather than facilitate access to records requested under the California Public Records Act.

The Draft Resolution takes a fresh look at outdated rules that impede the CPUC's ability to share documents with the public it serves, and would allow the CPUC to provide the public with more immediate access to documents. In addition, by updating the CPUC's regulations governing public access to CPUC records; establishing procedures for more uniform processing of records requests and requests for confidential treatment of documents provided to the CPUC; and improving access to records on the CPUC's website, the CPUC could substantially streamline public access to records and information.

The Draft Resolution is available at
http://docs.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/162152.pdf.

Comments are due April 11, 2012. The Draft Resolution is scheduled to come before the CPUC for a vote on May 10, 2012.

Improving Access to Documents in the Draft Resolution

Improvements to the public records process in the Draft Resolution include:

- Instead of permitting a company to identify documents filed with the CPUC as confidential, in a manner that requires the CPUC to take explicit action to release the documents, the CPUC will treat documents as public information unless a company can show why its documents should be subject to a disclosure exemption.
- The CPUC will automatically disclose to the public and post on its website records of completed safety related investigations upon the conclusion of the CPUC's investigation, as opposed to requiring a vote of the CPUC in order to make such documents public.
- The CPUC will create a comprehensive online index that describes the records maintained by the CPUC and explains whether, and how, they may be located.
- The CPUC will create an online database of requests received by the CPUC to treat documents as confidential and the CPUC's decision regarding those requests.
- The CPUC will create an online safety portal to house safety related records and information. The portal will describe the CPUC's safety jurisdiction and inspection, investigation, and enforcement activities; and provide access to a wide range of safety related records received or generated by the CPUC.

Automatically Disclosing Documents

The safety related reports the CPUC intends to disclose to the public and post to its website on a routine basis without requiring a vote of the CPUC, as was previously required, include:

- Reports of gas incidents required by federal regulations and CPUC rules;
- Quarterly summary reports summarizing all CPUC reportable and non-reportable gas leak-related incidents submitted to the CPUC;
- Annual safety reports required by federal regulations and the CPUC;
- Pipeline strength testing failure reports required by federal regulations and the CPUC;
- Change in Maximum Allowable Operating Pressure reports required by General Order 112-E;
- Mobilehome park annual reports, inspection reports, and citation records related to the CPUC's enforcement of federal pipeline safety standards for mobilehome park operators;
- Propane operator annual reports, inspection reports, and citation records related to the CPUC's enforcement of federal pipeline safety standards for propane operators; and,
- Applications submitted to the CPUC by railroads proposing changes to rail crossings.

Accessing Documents Under the Draft Resolution

The CPUC's Public Records Office responds to public records requests. Contact the Public Records Office at:

CPUC Public Records Office

Legal Division

505 Van Ness Ave., San Francisco, CA 94102

Fax: 415-703-2262

The CPUC encourages, but does not require, requests for records to be made in writing. When requests are made orally, the CPUC may confirm the request in writing to ensure it has correctly understood the request and to expedite the request.

In order to help the CPUC provide records promptly, requesters should provide specific information about the records they seek. When a record cannot be identified by name, the requester should attempt to be as specific as possible in describing the record, based on its content. When a request is not sufficiently specific, CPUC staff will help the requester to identify the information, describe how the records are maintained and their physical location, and provide suggestions on how to overcome any practical barriers to disclosure.

When copies of records are requested, the CPUC will, within 10 days of receipt of the request, provide copies of any documents in the CPUC's possession that are responsive to the request, with the exception of any documents, or portions of documents, the CPUC has determined are exempt from disclosure under the California Public Records Act, or inform the requester of the status of the request.

Please let me know if you have any questions.

Terrie

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