

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

Order Instituting Rulemaking on the Commission's
Own Motion to Adopt New Safety and Reliability
Regulations for Natural Gas Transmission and
Distribution Pipelines and Related Ratemaking
Mechanisms.

Rulemaking 11-02-019
(Filed February 24, 2011)

**COMMENTS OF THE UTILITY REFORM NETWORK ON PROPOSED
WHISTLEBLOWER PROTECTION REGULATIONS**



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COMMENTS OF THE UTILITY REFORM NETWORK ON PROPOSED WHISTLEBLOWER PROTECTION REGULATIONS

Pursuant to the Assigned Commissioner Ruling (“ACR”) of March 14, 2012 in this rulemaking, The Utility Reform Network (“TURN”) submits these comments on the workshop report and proposed Whistleblower Protection regulations filed on July 23, 2012. TURN agrees with the ACR that it would serve in the public interest for all California natural gas public utility employees to be able to provide the Commission with information concerning unsafe conditions without fearing employment retaliation from the utility,¹ and agrees with the workshop report that the Commission has the authority to adopt whistleblower regulations in order to protect utility employees from such retaliation.² TURN, therefore, appreciates and supports the regulations proposed in the workshop report but provides the following comments and concerns.

1. The notice provided in section 301.1 of Subpart G should be modified to provide greater clarity.

The notice required by proposed section 301.1 contains information about the Commission’s responsibilities and policies to promote safety and the equally important statement that the reader has a right to report unsafe conditions. TURN agrees that this information should be posted in a prominent physical location on utility property and on the utilities’ websites. However, as written, the notice buries the Commission’s contact information deep in the middle of the text. If the purpose of the notice is to ensure that

¹ Ruling of the Assigned Commissioner Granting, on an interim basis, the motion of The Utility Workers Union of America, and adopting procedures for a proposed regulation regarding whistleblower protections, R.11-02-019, March 14, 2012, p. 5.

² Workshop report and proposed regulations regarding whistleblower protections, R.11-02-019, July 23, 2012, pp. 6-8.

employees are made aware that the Commission has a Whistleblower Hotline and can find the contact information, burying the information in the middle of a three-paragraph notice is unlikely to catch anyone's eye. The notice should be modified to start with the statement "Report unsafe conditions to the Public Utilities Commission by calling the Whistleblower Hotline at 1(800) 649-7570 or by email at fraudhotline@cpuc.ca.gov!" This sentence should be in bold at the very top of the notice prior to and separated from the proposed three paragraphs.

Additionally, while the noticed explains that employees have a right to report unsafe conditions, it does not inform the reader that employers cannot retaliate for such actions. The notice should, therefore, be modified to explicitly state that the utilities are prohibited from retaliating against an employee who reports unsafe conditions.

August 10, 2012

Respectfully submitted,

By: _____/S/_____
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