

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company to Determine Violations of Public Utilities Code Section 451, General Order 112, and Other Applicable Standards, Laws, Rules and Regulations in Connection with the San Bruno Explosion and Fire on September 9, 2010.

I.12-01-007  
(Filed January 12, 2012)

(Not Consolidated)

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Facilities Records for its Natural Gas Transmission System Pipelines.

I.11-02-016  
(Filed February 24, 2011)

(Not Consolidated)

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company's Natural Gas Transmission Pipeline System in Locations with Higher Population Density.

I.11-11-009  
(Filed November 10, 2011)

(Not Consolidated)

**MOTION OF THE CONSUMER PROTECTION AND SAFETY DIVISION, ON  
BEHALF OF ALL ACTIVE PARTIES, FOR EXTENSION OF TIME IN  
PROCEEDINGS IN ORDER TO FACILITATE NEGOTIATIONS TOWARD A  
STIPULATED OUTCOME**

Pursuant to Rule 11.1 and Rule 11.6 of the Commission's Rules of Practice and Procedure and to the presiding Administrative Law Judges' instructions on Thursday, November 15, 2012, the Consumer Protection and Safety Division (CPSD) hereby files this motion for an extension of all procedural dates and activities in the three above-captioned Order Instituting Investigation (OII) proceedings, in order to facilitate good-faith negotiations among the parties toward a stipulated outcome. Before filing this motion, pursuant to Rule 11.6, CPSD has contacted and has worked out the proposed schedule with all of the active parties in these three proceedings (i.e., CPSD, DRA, TURN, The City and County of San Francisco, The City of

San Bruno and PG&E). CPSD is authorized to state that they support the following Proposed Schedule.

Proposed Schedule

Classification OII (I.11-11-009) opening briefs: 12/17/12

Classification OII (I.11-11-009) reply briefs: 1/11/13

Evidentiary hearings in Recordkeeping OII (I.11-02-016)  
and San Bruno OII (I.12-01-007) postponed to first available date on or after 1/7/13

Intervenor financial analysis testimony served (in all three OII proceedings): 12/17/12

PG&E financial analysis testimony (in all three OII proceedings): 1/11/13

Evidentiary hearings on financial analysis (in all three OII proceedings): first available date on or after 2/11/13 (sufficient time in this schedule was always provided to allow for discovery and rebuttal testimony).<sup>1</sup>

As indicated in CPSD's previous email on November 14, 2012, at this point in time, CPSD is not requesting an extension of time in the OIR proceeding (i.e., R.11-02-019). Therefore, the parties in that OIR proceeding should still file their comments on the Proposed Decision involving PG&E's PSEP under the current schedule with opening comments due today, November 16, 2012.

Good cause exists to grant this request. In recent months, the parties in these three proceedings have commenced negotiations that have the potential to produce a stipulated outcome, with appropriate remedies for consumers. But the pendency of ongoing proceedings, particularly evidentiary hearings, is impeding the ability of the parties to engage fully in such negotiations. The requested extension of all procedural dates and activities will provide time and space in the participants' schedules to allow negotiations to proceed unimpeded with the distraction of ongoing litigation. While there is no guarantee a negotiated solution will emerge, it is clear the effort would be worthwhile. CPSD requests that discovery in the pending OIIs continue.

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<sup>1</sup> This Proposed Schedule provides for approximately one month extension for all of the existing procedural dates except for some adjustments in light of the holidays, such as PG&E's financial analysis testimony now being due on January 11, 2013.

CPSD, previously filed on November 14, 2012 the same Proposed Schedule in an email and requested that this extension be made effective promptly due to the otherwise imminent deadlines in these proceedings. CPSD further requests that the extensions remain in effect until at least December 12, 2012, at which point CPSD on behalf of the active parties would provide a status report to the Assigned Commissioners and Assigned ALJs as to the progress in the negotiations.

Finally, given the press of time and the lack of any prospect of prejudice to any party, CPSD requests a prompt email by the Assigned ALJs indicating how they will rule on this motion.

Respectfully submitted,

/s/ HARVEY Y. MORRIS

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November 16, 2012