

**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, 2012)

**COMMENTS OF THE UTILITY REFORM NETWORK ON THE PROPOSED
DECISION IN COMPLIANCE WITH PUBLIC UTILITIES CODE SECTIONS
961 AND 963, AND AMENDING GENERAL ORDER 112-E TO ADD
WHISTLEBLOWER PROTECTIONS**



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December 10, 2012

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DECISION IN COMPLIANCE WITH PUBLIC UTILITIES CODE SECTIONS 961
AND 963, AND AMENDING GENERAL ORDER 112-E TO ADD
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Pursuant to Rule 14.3 of the Commission’s Rules of Practice and Procedure, The Utility Reform Network (“TURN”) submits these comments on the Proposed Decision in Compliance with Public Utilities Code Sections 961 and 963, and Amending general Order 112-E to Add Whistleblower Protections (“PD”), mailed on November 19, 2012. TURN is generally supportive of the PD and confines these comments to the proposed Whistleblower Protections.

TURN appreciates and supports the regulations proposed in the workshop to add whistleblower protections to General Order 112-E report but provides the following comments and concerns.

1. The notice required in proposed 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 with the PD that this information should be posted in a prominent physical location on utility property and on the utilities’ websites. However, as written, the notice is full of statutory language and “legalese” and buries the Commission’s contact information deep in the middle of the dense paragraph. If the purpose of the notice is to ensure that employees are made aware that the Commission has a Whistleblower Hotline and to ensure that employees can readily find the Commission’s contact information, burying the information in the middle of 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 paragraph. At a very minimum, the notice should at least break up the dense paragraph into multiple, easier to read paragraphs.

- 2. The notice required in proposed section 301.1 of Subpart G should be modified to explicitly state that a Utility could not retaliate against an employee for reporting unsafe conditions.**

Additionally, while the notice eventually, after a verbose description of the Commission's responsibilities, explains that employees have a right to report unsafe conditions, it does not inform the reader that employers cannot retaliate for such actions. The PD would modify General Order 112-E to explicitly state that the utility has no right to retaliate against an employee for notifying the Commission of unsafe conditions but fails to require that the notice to employees include this very relevant information. The notice should, therefore, be modified to explicitly state that the utilities are prohibited from retaliating against an employee who reports unsafe conditions.

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Respectfully submitted,

By: /S/
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