

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, Law, 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)

**JOINT RESPONSE
OF THE DIVISION OF RATEPAYER ADVOCATES
AND THE UTILITY REFORM NETWORK TO THE CONSUMER PROTECTION
AND SAFETY DIVISION'S MOTION FOR PROCEDURES GOVERNING APPEALS**

THOMAS J. LONG
Legal Director

THE UTILITY REFORM NETWORK
115 Sansome Street, Suite 900
San Francisco, CA 94104
Phone: (415) 929-8876
Fax: (415) 929-1132
E-Mail: TLong@turn.org

July 23, 2013

KAREN PAULL
TRACI BONE
Attorneys for the Division of Ratepayer
Advocates

CALIFORNIA PUBLIC UTILITIES
COMMISSION
505 Van Ness Avenue
San Francisco, CA 94102
Phone: (415) 703-2048
E-Mail: tbo@cpuc.ca.gov

Pursuant to Rule 11.1(e) of the Commission’s Rules of Practice and Procedures (“Rules”), the Division of Ratepayer Advocates (“DRA”) and The Utility Reform Network (“TURN”) (collectively “Consumer Parties”) file this Joint Response to the July 8, 2013 Consumer Protection and Safety Division’s (“CPSD”) Motion for procedural rulings governing the above-captioned proceedings (“San Bruno Investigations”).

The CPSD Motion recognizes that it is possible that one to four Presiding Officer Decisions (“PODs”) may be issued in the San Bruno Investigations in a very short time span, and that these PODs may be appealed or reviewed pursuant to Rule 14.4.¹ It explains that “parties may face immense workloads under short time constraints” and that this issue is compounded by the fact that Rule 14.4 does not set any page limits.² As a result, parties could end up preparing appeals, replies, and other pleadings totaling hundreds, if not thousands, of pages. CPSD’s concern is not hypothetical. Both CPSD and PG&E have submitted several opening and reply briefs the San Bruno Investigations exceeding 100 pages each. This does not account for the voluminous attachments to the briefs, or the intervenors’ briefs.

To address this concern, CPSD reasonably proposes that for all Rule 14.4 related pleadings, the Commission adopt the 14,000 word limit set forth in Rule 8.204(c) of the California Appellate Rules Relating to the Supreme Court and Courts of Appeal, which is similar to Rule 32(a)(7)(B) and (C) of the Federal Rules of Appellate Procedure. Such an approach – mirroring the rules of both state and federal courts of appeal - would ensure parties’ due process rights, while requiring parties “to write more concise appeals or responses.”³ CPSD further proposes that counsel for each party must sign a certificate certifying the number of words in the pleading and that attachments should not exceed 10 pages, absent a showing of good cause that additional attachments are necessary.

¹ CPSD Motion, p. 4.

² CPSD Motion, p. 4.

³ CPSD Motion, p. 5.

TURN and DRA fully support these requests in the CPSD Motion and urge that a ruling on these requests be made prior to issuance of the first POD in the San Bruno Investigations.

Respectfully submitted,

/s/ THOMAS J. LONG

Thomas J. Long

Legal Director
The Utility Reform Network
115 Sansome Street, Suite 900
San Francisco, CA 94104
Phone: (415) 929-8876
Fax: (415) 929-1132
E-Mail: TLong@turn.org

KAREN PAULL
TRACI BONE

/s/ TRACI BONE

Traci Bone

Attorneys for the Division of
Ratepayer Advocates

California Public Utilities
Commission
505 Van Ness Avenue
San Francisco, CA 94102
Phone: (415) 703-2048
E-Mail: tbo@cpuc.ca.gov

July 23, 2013