

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 OFFICE OF RATEPAYER ADVOCATES ON THE
ALTERNATE PROPOSED DECISION IMPOSING SANCTIONS ON PACIFIC GAS
AND ELECTRIC COMPANY FOR VIOLATION OF RULE 1.1 OF THE
COMMISSION'S RULES OF PRACTICE AND PROCEDURE**

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Pursuant to Rule 14.3 of the Commission's Rules of Practice and Procedure, the Office of Ratepayer Advocates (ORA) files these Comments on the Alternate Proposed Decision (Alternate PD) of Commissioner Ferron, filed November 4, 2013, imposing sanctions on Pacific Gas and Electric Company (PG&E) for violation of Rule 1.1 of the Commission Rules of Practice and Procedure (Rule 1.1).

The Alternate PD properly resolves the issues of PG&E's Rule 1.1 violations identified in the August 19, 2013 Order to Show Cause,¹ and corrects the legal, factual, and technical errors in the PD. (See ORA's Comments on the Proposed Decision of Administrative Law Judge Bushey, filed on November 19, 2013.) Among other things, the Alternate PD would avoid the PD's serious error of adopting a methodology that allows calculation of Rule 1.1 violations from the day that the utility claims to have concluded its own investigation into a matter, and only then discloses material information to the Commission. There is no basis for this counting methodology in Commission decisions; a utility should disclose material information to the Commission immediately, especially when it involves public safety.

For these reasons, and the other reasons sets forth in ORA's Comments on the PD, the Alternate PD should be adopted by the Commission.

Respectfully submitted,

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¹ Ruling Of Chief Administrative Law Jude And Assigned Administrative Law Judge Directing Pacific Gas And Electric Company To Show Cause Why It Should Not Be Sanctioned By The Commission For Violation Of Rule 1.1 Of The Commission's Rules Of Practice And Procedure.