

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

Application of Pacific Gas and Electric Company for
Authority, Among Other Things, to Increase Rates and
Charges for Electric and Gas Service Effective on
January 1, 2014.

(U 39 M)

Application No. 12-11-009
(Filed November 15, 2012)

And Related Matter.

Investigation 13-03-007
(Filed July 29, 2010)

**PACIFIC GAS AND ELECTRIC COMPANY'S
RESPONSE TO MOTION FOR ORAL ARGUMENT**

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July 15, 2014

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Pursuant to Rule 11.1(e) of the Rules of Practice and Procedure of the California Public Utilities Commission (Commission or CPUC), Pacific Gas and Electric Company (PG&E or the Company) respectfully submits this response to the Alliance for Nuclear Responsibility's (A4NR's) Motion Requesting Opportunity to Make a Final Oral Argument (Motion).

A4NR is the only party seeking oral argument. A4NR seeks 20 minutes, including questions and answers. A4NR asks to address three topics: (i) A4NR's recommendation that the Commission condition its approval of certain funding to an accelerated plan for moving spent fuel to dry cask storage; (ii) A4NR's recommendation that PG&E's Long Term Seismic Program should be funded and scrutinized through the Diablo Canyon Interim Seismic Studies Balancing Account; and (iii) a revisiting of the Administrative Law Judge's (ALJ's) striking of A4NR's prepared testimony.^{1/}

For the record, A4NR's arguments have no merit. A4NR's first two issues have been extensively briefed and addressed in the parties' comments on the Proposed Decision.^{2/} The Proposed Decision has correctly decided those issues. A4NR's third issue is also without merit. Contrary to

1/ Motion, pp. 1-2.

2/ A4NR Opening Brief, p. 17; A4NR Opening Comments, pp. 10-13; PG&E Reply Brief, pp. 6-37 to 6-43; PG&E Opening Comments, pp. 15-16; and PG&E Reply Comments, pp. 3-4.

A4NR's claims, PG&E's motion to strike A4NR's testimony, which the ALJ granted, in part, provides ample rationale for the ALJ's ruling.

PG&E's main interest here is administrative efficiency. The Commission's pending Order Instituting Ratemaking (OIR) into the General Rate Case Plan seeks to "more efficiently manage the complexity and duration of the GRC proceedings" and to "promote more efficient and effective management of the overall rate case process."^{3/} The Commission should heed that call here and ensure that A4NR's request does not delay the proceeding. To that end, PG&E recommends the following measures in order to ensure that the Commission remains on pace to vote on the proposed decision at the August 14, 2014 Business Meeting:

- The scope of oral argument should be limited to the issues raised by A4NR;
- The following ground rules should be adopted:
 - A4NR should present its arguments first, limited to no more than 20 minutes;
 - PG&E would then respond to A4NR, limited to an equivalent amount of time;
 - A4NR should be instructed that any presentation materials should not include material outside of the evidentiary record; and
 - Any presentation materials should be distributed to the service list 48 hours in advance of oral argument.
- Any oral argument should be scheduled so as not to delay an August 14, 2014 vote on the proposed decision.

I. ORAL ARGUMENT SHOULD BE LIMITED TO THE ISSUES RAISED BY A4NR

The January 22, 2013 Scoping Memo for this proceeding, as modified by the ALJ's October 3, 2013 Ruling, required parties to identify "the subjects to be addressed at oral argument, the amount of time requested, any recommended procedure and order of presentations, and all other relevant matters."^{4/}

3/ R.13-11-006, November 14, 2013, p. 1.

4/ Assigned Commissioner's Ruling and Scoping Memo (January 22, 2013), p. 8.

As mentioned above, A4NR was the only party seeking oral argument. Since no other party has sought oral argument and identified any additional subjects to be addressed, the scope of the oral argument should be limited to the issues raised by A4NR. Doing so will lead to administrative efficiency and limit the need for attendance to those with an interest in those specific issues.

II. GROUND RULES ON ORDER, TIMING AND MATERIALS SHOULD BE ADOPTED

Order of Argument: Given A4NR's request for oral argument, in this instance, PG&E recommends that A4NR be given the opportunity to argue first. PG&E would then respond.

Timing: A4NR requested "a total of 20 minutes, inclusive of time for any questions from Commissioners."^{5/} PG&E seeks an equivalent amount of time to respond.

Presentation Materials: A4NR "requests permission to use PowerPoint slides in addition to paper handouts."^{6/} In order to ensure that such slides and handouts do not include material outside the evidentiary record, PG&E requests a clear ground rule that A4NR is prohibited from raising issues and presenting material that has not been admitted into the record, including, but not limited to, testimony that was stricken by the ALJ. Further, in order to streamline the oral argument and minimize the possibility of disputes, PG&E requests a rule requiring all participants to circulate any presentation materials that they intend to use in the oral argument to the service list 48 hours prior to the oral argument. This would be similar to the approach adopted in this proceeding for cross-examination materials.^{7/}

III. ORAL ARGUMENT SHOULD NOT DELAY A FINAL DECISION

As mentioned above, the Commission's pending OIR seeks to lessen the administrative burden of GRCs and to promote more timely decisions. Similarly, the evidence in this proceeding highlights

5/ Motion, p. 2.

6/ Motion, p. 2.

7/ Assigned Commissioner's Ruling and Scoping Memo (January 22, 2013), Appendix D, p. 3 (requiring parties to share cross-examination exhibits before 8:00 pm the prior day).

