

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

Order Instituting Rulemaking to
Develop a Risk-Based Decision-Making
Framework to Evaluate Safety and
Reliability Improvements and Revise the
General Rate Case Plan for Energy
Utilities.

R.13-11-006
(Filed November 14, 2013)

**SECOND ROUND REPLY COMMENTS OF THE
COALITION OF CALIFORNIA UTILITY EMPLOYEES
ON REVISIONS TO THE RATE CASE PLAN**

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Pursuant to the Scoping Memo and Ruling of the Assigned Commissioner and Administrative Law Judge issued May 15, 2014 (“Scoping Memo”), the Coalition of California Utility Employees (“CUE”) offers these Second Round Reply Comments on the Revisions to the Rate Case Plan.

I. INTRODUCTION

The Scoping Memo scheduled two rounds of comments on the Refined Straw Proposal. This second round of comments focuses on proposals to revise the Rate Case Plan to “promote more efficient and effective management of the overall rate case process.”¹ CUE supports the Commission’s desire to more efficiently manage the rate case process and receive input from parties. Several parties submitted thoughtful proposals to streamline the GRC process in order to reduce the

¹ Scoping Memo, p. 6.

complexity of the proceedings and ultimately get a timely decision. These comments support the following proposals:

Eliminate the NOI

As discussed in our Opening Comments on the OIR and First Round Opening Comments, and in several parties' Second Round Opening Comments, the NOI phase is not effective and no longer serves its original purpose. CUE supports eliminating the NOI phase altogether, as proposed by the IOUs and EPUC.² However, if the Commission decides to retain the NOI, SCE's proposals to eliminate both the 60-day waiting period before utilities can file their application and the requirement to cure deficiencies identified by ORA should be approved.³ That way, the NOI period will not affect timing and allow the utilities to file their applications and let the GRC litigation process begin immediately.

Continue the 3-year GRC Cycle

As CUE discussed in our Opening Comments on the OIR, the interval between GRCs should remain the same, with one IOU filing its GRC application each year. The cycle should remain on a three year schedule. Otherwise, any proposal other than a six-year cycle will result in multiple GRCs for the large IOUs in some years. This results in a strain to both the Commission staff and intervenors

² PG&E's Second Round Opening Comments, Appendix B; SCE Second Round Opening Comments, p. 5; SDG&E and SoCal Gas Second Round Opening Comments, p. 2; EPUC Second Round Opening Comments, p. 9.

³ SCE's Second Round Opening Comments, p. 6.

participating in those GRCs. ORA and TURN are the only parties recommending moving to a 4-year cycle.⁴ The Commission should maintain the 3-year GRC cycle.

Streamline Activities Surrounding Initial Application Filing

Several parties recommend streamlining the activities surrounding the initial filing. PG&E recommends setting a calendar date for the submitting the utility's GRC application.⁵ PG&E also proposes assigning the Commissioner, ALJ(s), and ORA team before the application is filed in order to facilitate work as soon as the utility files.⁶ These are all good ideas. CUE also supports PG&E's proposal to eliminate the protest period.⁷ This too makes sense because the purpose of a protest is to determine if there are contested issues that need evidentiary hearings,⁸ a foregone conclusion in a GRC.

Several parties propose scheduling the Prehearing Conference within 30-40 days after the application is filed. SCE recommends then issuing the Scoping Memo within 20 days after the Prehearing Conference.⁹ All of these measures will speed up the overall process, put a schedule in place, and set a path for a timely decision.

⁴ TURN recommends moving to a 4-year cycle if the Commission keeps PG&E's GRC and GT&S proceedings separate. TURN Second Round Opening Comments, p. 7.

⁵ PG&E Second Round Opening Comments, p. 3.

⁶ *Id.*

⁷ *Id.*

⁸ Rule 2.6 of Pub. Util. Commission Rules of Practice and Procedure.

⁹ SCE Second Round Opening Comments, p. 14.

Assign Two Administrative Law Judges to GRC Proceedings

Both ORA and PG&E propose assigning two ALJs to each GRC proceeding in order to divide the workload.¹⁰ The Commission is currently using this approach with SCE's current GRC application.¹¹ This should continue. It would be much faster, as well as more humane, to split the burden of producing a proposed decision among two people.

II. CONCLUSION

CUE appreciates that the Commission is using this OIR as an opportunity to streamline and promote more efficient rate case proceedings, and respectfully requests that the Commission consider the CUE's proposals as described in these comments and the First Round comments.

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Respectfully submitted,

/s/

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¹⁰ PG&E Second Round Opening Comments, p. 4; ORA Second Round Opening Comments, p. 2.

¹¹ A.13-11-003.