

PUBLIC UTILITIES COMMISSION

Office of Governmental Affairs

770 L Street, Suite 1050
Sacramento, CA 95814
(916) 327-3277

June 22, 2009

The Honorable Alex Padilla, Chair
Senate Energy, Utilities & Communications Committee
State Capitol, Room 4040
Sacramento, CA 95814

RE: AB 1315 (Ruskin) – As Amended May 5, 2009 – Oppose
Status: Senate EU&C Hearing – June 30, 2009

Dear Senator Padilla:

On May 21, 2009, the California Public Utilities Commission (CPUC or Commission) voted unanimously to oppose AB 1315, as amended, which would reverse legislative action taken less than 10 years ago to make the Commission more accountable to the Legislature and Governor. Specifically, this bill would no longer have the Governor designate the president of the CPUC, but rather the commissioners would select the CPUC's president from among themselves. Also, it would provide that the general counsel and the executive director of the CPUC shall operate as directed by the Commission rather than as directed by the president of the CPUC.

In 1999, Senator Peace successfully passed SB 33, which gave the Governor the authority to designate the CPUC president, and the president the authority to direct the performance of the CPUC's general counsel and executive director. The reason for this change was to make the CPUC more accountable to the Administration and the Legislature, and more efficient in the execution of its Constitutional and statutory mandates.

AB 1315 would undermine the institutional accountability and efficiency that has been achieved by placing the executive director and general counsel under the president's direction. By setting priorities and directing executive management, the president can facilitate the effective management of limited staff resources and promote the timely resolution of regulatory business before the Commission.

Nor would changing the method of selecting the CPUC's president accomplish the author's intent of reducing the Governor's influence and making the CPUC more accountable to the Legislature. Rather, having the commissioners select a president from among themselves would most likely foster a Commission that is more insulated from Sacramento. The Governor's authority to designate the President ensures that the Commission has a connection to the policies and politics of Sacramento.

If you have any questions or wish to discuss this matter further, please do not hesitate to call me at (916) 327-8441.

Sincerely,



PAMELA C. LOOMIS
Director

Attachment

cc: The Honorable Ira Ruskin, Member, California State Assembly
Members, Senate Energy, Utilities & Communications Committee
Randy Chinn, Senate Energy, Utilities & Communications Committee
Wade Teasdale, Republican Caucus/Policy
John Moffatt, Chief Deputy Legislative Secretary, Office of Governor Arnold Schwarzenegger