

California Public Utilities Commission

Draft for Purpose of Discussion Only

DRAFT LIST OF STATUTORY AUTHORITIES AND GOVERNANCE POLICIES

Draft for Policy & Governance Committee Meeting September 30, 2015

Italicized text means a written policy does not exist

“Commission” means the 5-member body

“Commissioner” means an individual Commissioner

“CPUC” means the 1000-employee agency

- I. KEY AUTHORITIES AND STATUTES ADDRESSING GOVERNANCE OF THE COMMISSION**
- a. CONSTITUTIONAL PURPOSE OF THE COMMISSION (Cal. Const. Art. XII)
 - b. CONSTITUTIONAL AUTHORITY OF COMMISSIONERS (Cal. Const. Art. XII)
 - c. APPOINTMENT AND CONFIRMATION OF COMMISSIONERS (Cal. Const. Art. XII Sec. 1)
 - d. REMOVAL OF A COMMISSIONER (Cal. Const. Art. XII Sec. 2)
 - e. DESIGNATION OF THE PRESIDENT (Pub. Util. Code sec. 305)
 - f. GOVERNANCE ROLES OF THE PRESIDENT
 - i. Direction of the Executive Director (Pub. Util. Code sec. 305)
 - ii. Direction of the General Counsel (Pub. Util. Code sec. 305)
 - g. GOVERNANCE ROLES OF THE COMMISSIONERS
 - i. Appointment of the Executive Director (Pub. Util. Code sec. 308(a))
 - ii. Appointment of the General Counsel (Pub. Util. Code sec. 307(a))
 - h. ESTABLISHMENT OF PROCEDURAL RULES (Cal. Const. Art. XII)
 - i. CATEGORIZATION OF PROCEEDINGS (Pub. Util. Code sec. 1701.1(a))
 - j. ASSIGNMENT OF PROCEEDINGS (Pub. Util. Code sec. 1701.1(b))
 - k. DETERMINATION OF PRESIDING OFFICER IN ADJUDICATORY MATTERS (Pub. Util. Code sec. 1701.2(a))
 - l. DETERMINATION OF PRESIDING OFFICER IN RATESETTING MATTERS (Pub. Util. Code sec. 1701.3(a))
 - m. ASSIGNED COMMISSIONER ROLE IN QUASI-LEGISLATIVE MATTERS (Pub. Util. Code sec. 1701.4(a))
 - n. COMMISSION DECISIONS IN ADJUDICATORY PROCEEDINGS (Pub. Util. Code sec. 1701.2(a))
 - o. COMMISSION DECISIONS IN RATESETTING PROCEEDINGS (Pub. Util. Code sec. 1701.3(e))
 - p. COMMISSION DECISIONS IN QUASI-LEGISLATIVE PROCEEDINGS (Pub. Util. Code sec. 1701.4(d))
 - q. REGULATORY AUTHORITY OF THE COMMISSION (Pub. Util. Code sec. 701)

II. COMMISSION GOVERNANCE POLICIES

- a. *COMMISSION GOVERNANCE PURPOSE*
- b. COMMISSION BUSINESS MEETING PROCEDURES (Commission Memorandum CR-2, 10/03/2002)
- c. COMMISSIONER CODE OF CONDUCT (pending 2015)
- d. COMMISSIONER JOB DESCRIPTION (pending 2015)
- e. COMMISSIONER COMMITTEES
 - i. Memorandum addressing Commissioner Committees (2/12/2015)
 - ii. Charter of the Finance and Administration Committee
 - iii. Charter of the Modernization Committee
 - iv. Charter of the Policy and Governance Committee
- f. *COMMISSION COMMENTS TO STATE AND FEDERAL AGENCIES*
- g. *INDIVIDUAL COMMISSIONER COMMENTS TO STATE AND FEDERAL AGENCIES*
- h. *COMMISSIONER TRAINING AND ORIENTATION*

III. COMMISSION-STAFF DELEGATIONS

- a. *Unity of Control*
- b. DELEGATION TO THE EXECUTIVE DIRECTOR
 - i. *Direction and operation of divisions*
 - ii. *Development of budget*
 - iii. *Human resources hiring, termination, and development*
 - iv. *Contracting*
 - v. *Procurement*
 - vi. *Investigations and enforcement*
 - vii. *Interagency coordination and agreements*
 - viii. *Preparation and delivery of reports to the California Legislature*
 - ix. *Authority to represent the Commission on legislative proposals*
- c. DELEGATION TO THE GENERAL COUNSEL
 - i. *Operations of the Legal Division*
 - ii. *Commission representation in California and Federal courts*
 - iii. *Commission representation before State and Federal agencies*
 - iv. *Advisory role within formal Commission proceedings*
- d. DELEGATION TO THE CHIEF ADMINISTRATIVE LAW JUDGE

- i. Operations of the Administrative Law Judge Division*
 - ii. Administrative Law Judge role when appointed as presiding officer*
 - e. DELEGATION TO THE INTERNAL AUDITOR
 - i. Operations of the Internal Audit Unit*
 - ii. Internal Audit Charter (05/21/2015)*
 - f. EVALUATING THE EXECUTIVE DIRECTOR'S PERFORMANCE*
 - g. EVALUATING THE GENERAL COUNSEL'S PERFORMANCE*
 - h. EVALUATING THE CHIEF ADMINISTRATIVE LAW JUDGE'S PERFORMANCE*
 - i. EVALUATING THE INTERNAL AUDITOR'S PERFORMANCE*

IV. COMMISSION-APPROVED POLICIES AFFECTING REGULATED INDUSTRIES

- a. SAFETY POLICY (Commission Memorandum, 07/10/2014)

V. COMMISSION-APPROVED STRATEGIC DIRECTIVES *(to be developed during strategic planning process)*