

California Public Utilities Commission

Draft for Purpose of Discussion Only

DRAFT LIST OF STATUTORY AUTHORITIES AND GOVERNANCE POLICIES

Updated Draft – January 6, 2016

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 – [draft discussed 9/30/2015, 10/21/2015, ready for inclusion in final governance policy binder](#)
- b. COMMISSION BUSINESS MEETING PROCEDURES (Commission Memorandum CR-2, 10/03/2002)
- c. COMMISSIONER CODE OF CONDUCT (~~pending-adopted by Commission 10/1/2015~~)
- d. COMMISSIONER JOB DESCRIPTION (~~pending-adopted by Commission 10/1/2015~~)
- 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 ([draft posted 6/17/2015 at http://www.cpuc.ca.gov/PUC/Commissioner_Committee_Meetings.htm](#))
 - iv. Charter of the Policy and Governance Committee
- f. [INDIVIDUAL COMMISSIONER AND FIVE-MEMBER COMMISSION COMMENTS TO STATE AND FEDERAL AGENCIES – draft discussed 11/2/2015, revised draft forthcoming](#)
- g. ~~INDIVIDUAL COMMISSIONER COMMENTS TO STATE AND FEDERAL AGENCIES~~
- h. COMMISSIONER TRAINING AND ORIENTATION – [draft discussed 11/4/2015, ready for inclusion in final governance policy binder](#)

III. COMMISSION POLICIES AND PRIORITIES FOR DIRECT REPORTS -STAFF DELEGATIONS

- a. *Unity of Control – [concept discussed 9/30/2015, awaiting further consideration](#)*
- b. [DELEGATION TO COMMISSION POLICIES AND PRIORITIES FOR THE EXECUTIVE DIRECTOR – draft discussed 12/2/2015, ready for inclusion in final governance policy binder](#)
 - 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 COMMISSION POLICIES AND PRIORITIES FOR THE GENERAL COUNSEL – draft forthcoming~~
 - ~~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 COMMISSION POLICIES AND PRIORITIES FOR THE CHIEF ADMINISTRATIVE LAW JUDGE – draft forthcoming~~
 - ~~i. Operations of the Administrative Law Judge Division~~
 - ~~ii. Administrative Law Judge role when appointed as presiding officer~~
- e. ~~DELEGATION TO COMMISSION POLICIES AND PRIORITIES FOR THE INTERNAL AUDITOR – draft forthcoming~~
 - ~~i. Operations of the Internal Audit Unit~~
 - ~~ii. Internal Audit Charter (adopted 5/21/2015)~~
- f. ~~COMMISSION EVALUATIONS OF DIRECT REPORTS ON THE EXECUTIVE DIRECTOR'S PERFORMANCE~~
- ~~g. EVALUATING THE GENERAL COUNSEL'S PERFORMANCE~~
- ~~h. EVALUATING THE CHIEF ADMINISTRATIVE LAW JUDGE'S PERFORMANCE~~
- ~~i.g. EVALUATING THE INTERNAL AUDITOR'S PERFORMANCE~~

IV. COMMISSION-APPROVED POLICIES AFFECTING REGULATED INDUSTRIES

- a. SAFETY POLICY (adopted 7/10/2014)

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