



California Public Utilities Commission Committee on Finance and Administration



Report on Strategic Directive 13

Decision-Making Process

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Strategic Directive 13

Decision-Making Process

The CPUC commits to a decision-making process that is impartial, fair, consistent, and transparent, maintains integrity at all levels, and adheres to the law. Within its jurisdictional authority, the CPUC will:

1. Ensure that commissioners are actively engaged in the decision-making process;
2. Implement procedures, practices, and rules for Commission decision-making that are consistent, understandable, and accessible to the public, interested persons, and parties;
3. Enable and encourage the parties, the public, and governmental entities to participate actively in developing the record in Commission proceedings;
4. Ensure decision-making documents in the administrative record are logged and available to the public to the extent allowed by law, and that accessibility to the record is regularly assessed and enhanced.





Strategic Directive 13

Decision-Making Process

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1) Commissioners are Actively Engaged

- The Commissioners have been holding more regular Ratesetting Deliberative Meetings to work through difficult issues.
- The Commissioners have been actively engaged in their own proceedings, including chairing or participating in workshops, PPHs and Advisory Boards meetings





1) Commissioners are Actively Engaged

Examples:

- Rulemaking 15-03-010, Order Instituting Rulemaking to Identify Disadvantaged Communities in the San Joaquin Valley and Analyze Economically Feasible Options to Increase Access to Affordable Energy in those Disadvantaged Communities.
 - The Commission has recently held an All Party Meeting in Fresno with PPHs in Fresno and Tulare with remote access in Bakersfield and Modesto.
 - Community Outreach Meetings have been held in the communities of La Grand, La Vina, Allensworth, Seville, Lenare, Fairmead, Cantua Creek, California City, Alpaugh, West Goshen, Ducor





1) Commissioners are Actively Engaged

Examples:

- Investigation 17-06-027, Order Instituting Investigation into the Creation of a Shared Database or Statewide Census of Utility Poles and Conduit in California.
 - PPH in San Bernardino
- Rulemaking 15-06-009, Order Instituting Rulemaking Regarding Policies, Procedures and Rules for Regulation of Physical Security for the Electric Supply Facilities of Electric Corporations Consistent with PU Code Section 364 and to Establish Standards for Disaster and Emergency Preparedness Plans for Electrical Corporations and Regulated Water Companies Pursuant to PU Code Section 768.6.
 - Disaster and Emergency Preparedness Workshop in San Diego





1) Commissioners are Actively Engaged

Examples:

- Rulemaking 18-07-005, Order Instituting Rulemaking to Consider New Approaches to Disconnections and Reconnections to Improve Energy Access and Contain Costs.
 - Disconnections Workshop in Riverside.
- Upcoming Commission Workshops on impacts of De-Energization on Vulnerable Customers and First Responders; December 14, 2019 in Santa Rosa and January 9, 2019 in Calabasas.





Strategic Directive 13 – Decision-Making Process

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2) Rules, Procedures, Practices

The Rules of Practice and Procedure are

- Published in California Code of Regulations.
 - *(20 CCR ch. 1)*
- Available on Commission's web site.
 - *(Proceedings tab)*
- Cited in Scoping Memos in every proceeding.





2) Rules, Procedures, Practices

Rules of Practice and Procedure are reviewed and revised regularly to:

- Respond to new legislation (e.g., ex parte rules changes).
- Respond to new technology (e.g., e-mail service; e-filing of documents).
- Respond to Commission initiatives (e.g., Accessibility project of Policy and Governance Committee).
 - Changes are proposed and adopted pursuant to Administrative Procedure Act (Gov't Code section 11340 et seq.).
 - Only Commission action governed by APA





2) Rules, Procedures, Practices

Procedures and Practices promote accessibility and understanding.

- Commission "Discuss and Hold" for items on voting meeting agenda
- Cover letter with instructions for comments on each proposed decision
- Public comment on draft resolutions from staff (e.g., General Order 96-B, section 7)





2) Rules, Procedures, Practices

Information on procedures is available on the Commission's website.

Examples:

- **Intervenor Compensation program**
(<http://www.cpuc.ca.gov/icomp>)
- **Practitioner's Page**
(http://www.cpuc.ca.gov/practitioner_page)
- **Subscription service**
(<http://subscribecpuc.cpuc.ca.gov>)





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3) Enable and Encourage Parties and the Public

- The Commissioner Committee on Policy and Governance has spearheaded the Commission's inquiry into encouraging the parties, the public, and governmental entities to participate in developing the record in Commission proceedings.
- When holding its regular Business meetings throughout the state, the Commission has actively scheduled PPHs, and Workshops in the local community and has scheduled meetings with local government officials.





3) Enable and Encourage Parties and the Public

- The Commission has recently held Workshops to address the Accessibility of CPUC Proceedings which evaluated current efforts and looked at improvements in outreach
- The Commission implemented a Pilot PPH Program aimed at better informing the public of pending energy and water major rate cases to obtain more public participation and public comment that can be used in the Commission's decision-making process.





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4) Ensure Documents in the Record are Available

Docketing

- Docket Card on Commission's website reflects all filed documents in each formal proceeding (*Proceedings tab*)
 - Approximately 50 submissions per day
 - 2017 had 11,615 total documents submitted with 2,644 rejected, and 8,870 accepted for filing.
- Instructions for e-filing available on Commission's web site
 - (*Proceedings tab*)





4) Ensure Documents in the Record are Available

Docketing

- Rule 1.14.(d) provides an opportunity to correct errors in submissions for filing after review and notification by Docket Office staff.
- Telephone help from Docket Office staff is available for all filing inquiries.
 - Approximately 20 calls per day





4) Ensure Documents in the Record are Available

Assessing and Enhancing Accessibility:

- Regularly reviewing Docket Card features and functioning
- Developing new features for online accessibility through Docket Card providing:
 - Supporting documents in formal proceedings (e.g., testimony)
 - Transcripts of public participation hearings, prehearing conferences, evidentiary hearings
 - Online public comments form for proceedings





4) Ensure Documents in the Record are Available

Limited Need for Old Style

- Central Files maintains files with paper documents.
 - Open to public on weekday mornings for inspection and copying of documents.
 - Fills orders submitted through online order form
 - *Transparency tab*
- Confidential documents are filed and maintained as paper documents or mixed-media submissions.





Compliance with Strategic Directive-13

CPUC staff believe the organization is substantially in compliance with SD-13.





Questions?

