

CPUC Public Agenda 3331 Thursday, February 27, 2014, 9:30 a.m. San Francisco, CA



Commissioners:
Michael R. Peevey
Michel Peter Florio
Catherine J.K. Sandoval
Carla J. Peterman
Michael Picker





Safety and Emergency Information

- The restrooms are located at the far end of the lobby outside of the security screening area.
- In the event of an emergency, please calmly proceed out of the exits. There are four exits total. Two exits are in the rear and two exits are on either side of the public speakers area.
- In the event of an emergency and the building needs to be evacuated, if you use the back exit, please head out through the courtyard and down the front stairs across McAllister.
- If you use the side exits you will end up on Golden Gate Ave. Please proceed around the front of the building to Van Ness Ave and continue on down to the assembly point.
- Our assembly point is between the War Memorial Building and the Opera Building (House) which is on Van Ness Ave, located between McAllister and Grove.



Public Comment



- Per Resolution ALJ-252, any member of the public who wishes to address the CPUC about matters before the Commission must sign up with the Public Advisor's Office table before the meeting begins. If an individual has signed up using the electronic system on the Commission's website, they must check in with the Public Advisor's Office on the day of the meeting, by the sign-up deadline.
- Once called, each speaker has up to 3 minutes at the discretion of the Commission President, depending on the number of speakers the time limit may be reduced to 1 minute.
- A sign will be posted when 1 minute remains.
- A bell will ring when time has expired.
- At the end of the Public Comment Section, the Commission President will ask if there are any additional individuals who wish to speak. Individuals who wish to speak but did not sign up by the deadline, will be granted a maximum of one minute to make their comments.

The following items are NOT subject to Public Comment:

➤ Items: 18, 28 and 29

➤ All items on the Closed Session Agenda





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Agenda Changes



- Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each CPUC meeting.
- Items on Today's Consent Agenda are: <u>1, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37.</u>
- Any Commissioner, with consent of the other Commissioners, may request an item from the Regular Agenda be moved to the Consent Agenda prior to the meeting.
- Items 40, and 42. from the Regular Agenda has been added to the Consent Agenda.
- Any Commissioner may request an item be removed from the Consent Agenda for discussion on the Regular Agenda prior to the meeting.

Items 21, have been moved to the Regular Agenda.

- None have been withdrawn.
- The following items have been held to future Commission Meetings:

Held to 3/13/14: 2, 3, 4, 7, 8, 24, 38, 41, and 43.

Held to 3/27/14: **39.**





Regular Agenda

- Each item on the Regular Agenda (and its alternate if any) will be introduced by the assigned Commissioner or CPUC staff and discussed before it is moved for a vote.
- For each agenda item, a summary of the proposed action is included on the agenda; the CPUC's decision may, however, differ from that proposed.
- The complete text of every Proposed Decision or Draft Resolution is available for download on the CPUC's website: www.cpuc.ca.gov.
- Late changes to agenda items are available on the Escutia Table.





Regular Agenda – Water/Sewer Resolutions and Reports

Item #21 [12751] - Standard Practice U-40 "Instruction for Water Conservation, Rationing and Service Connection Moratoria"

Res W-4976

PROPOSED OUTCOME:

 Adopts Standard Practice U-40-W, which prescribes the process to establish Tariff Rule 14.1, by which water utilities can introduce voluntary conservation measures.

SAFETY CONSIDERATIONS:

• It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Public Utilities Code Section 451 to take all actions "... necessary to promote the safety, health, comfort and convenience of its patrons, employees, and the public.

ESTIMATED COST:

None.





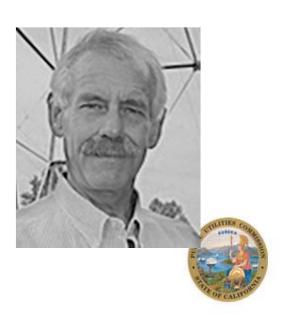
Commissioners' Reports













Management Reports







Regular Agenda – Management Reports and Resolutions

Item #44 [12790] Chief Administrative Law Judge Clopton Report

Administrative Law Judges Division 2013 Annual Report and Accomplishments.





2013 Accomplishments

Administrative Law Judges Division







ALJ Division Mission

The ALJ Division provides an independent forum that ensures fair, unbiased, reasoned, and efficient disposition of proceedings and embraces new technology and work practices to continually improve our procedures.





Judicial Responsibility and Independence

- The Judge (if designated as Presiding Officer in adjudicatory and ratesetting cases), shall administer the proceeding and take evidence in accordance with the Rules of Practice and Procedure (Pub. Util. Code § 311(b-c) and §1701.1-1701.4)
 - Commission decisions must be supported by "substantial evidence in light of the whole record." (Pub. Util. Code § 1757)
- The Judge (if designated as Presiding Officer) must prepare the proposed decision. (Pub. Util. Code § 311(d) and 1701.1- 1701.4)
- Pursuant to Gov. Code §11475 et seq., the Judge is subject to most of the Code of Judicial Ethics, including Canon 1, "A judge shall uphold the integrity and independence of the judiciary."
 - The Judicial Code defines "independence" as "a judge's freedom from influence or controls other than those established by law."



Judicial Responsibility and Independence

- A judge must hear and decide all matters assigned to the judge. (Canon 3(B)1.)
- A judge must be faithful to the law regardless of partisan interests, public clamor, or fear of criticism, and shall maintain professional competence in the law. (Canon 3(B)2.)
- A judge must dispose of all judicial matters fairly, promptly, and efficiently. (Canon 3(B)8.)
- The duties and responsibilities of the judge can not be delegated to staff "advisors."



TIMELINESS OF 2013 PROCEEDINGS

	Resolved	Resolved Timely	Resolved Late	Currently Active	Total
Not Subject to Hearing	178	178	0	96	274
ECPs	43	43	0	26	69
Subject to Hearings- Timely	32	32	0	0	32
Subject to Hearings- Not Timely	All proceedings were resolved timely				
Subject to Hearings- Currently Active	0	0	0	174	174
Petitions for Rulemaking	5	5	0	4	9
Total	258	258	0	300	558





Statutory Compliance

- The Legislature has established guidelines of 60 or 90 days depending on certain circumstances between the issuance of a proposed decision and the adoption of a final decision by the Commission.
- In 2013, the Commission considered 29 proposed decisions in proceedings subject to these guidelines.
 - The Commission adopted 23 final decisions.
 - In 19 instances, the final decision was adopted within the guidelines.
 - In four instances, the final decision was issued later than the period specified in the guidelines.
 - Six proposed decisions are currently on the Commission's agenda.





Expedited Complaint Procedure (ECP)

- ECPs are small complaint cases handled under special procedures analogous to "small claims" court.
- The Commission has established a more aggressive timeline for these cases and established an informal 132-day target for this type of proceeding to be resolved.
- In 2013, 43 of these 69 cases were resolved. All 43 resolved matters met the 12 months legislative mandate.
- 26 proceedings remain active.





Formal Proceedings Subject to Hearings – Timely Resolved

- In 2013, the Commission timely resolved 32 proceedings that were subject to evidentiary hearings.
 - 23 were categorized as Ratesetting.
 - 1 was categorized as Quasi-Legislative
 - 8 were categorized as Adjudicatory.

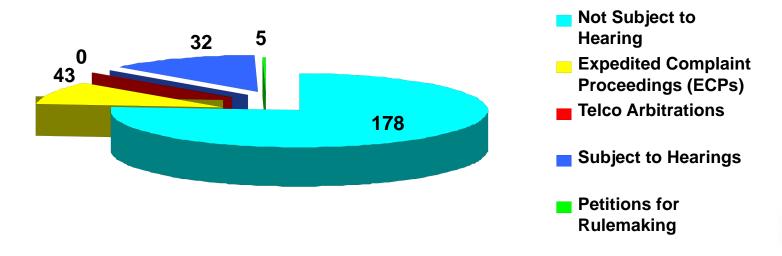




Accomplishments

 In 2013, all formal proceedings were timely resolved, for the 4th consecutive year.

2013 Timeliness of Proceedings Resolved





Summary

- In 2013, 558 proceedings were active.
- 258 proceedings were timely resolved.
- This is the fourth consecutive year, since the reporting periods initiated in 1998, that the Commission achieved 100% compliance with the deadlines for proceeding resolution.
- The Commission remains committed in complying with the Legislative Timelines.





Issuance of Presiding Officer Decisions and Proposed Decisions

- The Commission issued 8 presiding officer decisions and 26 proposed decisions in such proceedings.
- Out of these 34 decisions, 22 (65%) were issued within the mandatory 60-day and 90-day timelines.
- This reflects a 17% decline from last year.
- During 2013, the ALJ Division reached a historic low of only 33 full-time judges.
- Given our docket of over 350 open formal proceedings, we do not foresee the ability to achieve better results in meeting the guidelines until we are fully staffed at 40 full time judges.



Accomplishments

 In 2013, we held 50 days of Public Participation Hearings in the following cities:

Bakersfield

Carmel-by-the-Sea

Carson City

Chico

Commerce

Costa Mesa

Dixon

Eureka

Fresno

Guerneville

King City

Lake Isabella

Lancaster

Livermore

Los Angeles

Lucerne

Marysville

Monterey

Oakland

Rancho Cordova

Redding

Riverside

Salinas

San Bruno

San Diego

San Francisco

San Jose

San Luis Obispo

San Mateo

Santa Clarita

Santa Rosa

Soledad

Stockton



Tomales

Visalia



Leadership on Critical Decisions

ALJ Division Judges produced numerous significant decisions in 2013. Highlights include:

- Long Term Procurement (R.12-03-014): Decision authorizing SCE long term procurement for Southern California long term reliability
- San Onofre Nuclear Generating Station Outage Investigation (I.12-10-013): Proposed Decision involving reasonable operating expenses in 2012 following shutdown of the two nuclear units.
- Renewable Portfolio Standard (R.11-05-005):
 Decision on a revised and expanded feed-in tariff for Distributed Generation projects 3 MW or less





Leadership on Critical Decisions

- Natural Gas Safety and Reliability (R.11-02-019):
 Decision establishing maximum operating pressure on PG&E's natural gas transmission Line 147
- Energy Customer Data Access (A.12-03-002): Decision enabling PG&E, SCE and SDG&E customers to provide energy consumption data to third parties and participate in the national "Green Button" initiative to download critical energy use information
- SDG&E and SoCalGas General Rate Case: Decision involving \$3.6 billion revenue requirement for the two companies



Leadership on Critical Decisions

Other significant decisions:

- Deaf and Disabled Telecommunications Program (R.13-03-008): Decision implementing the provision of Speech Generating Devices pursuant to Assembly Bill 136
- Roadway Worker Protections for Transit Agencies (R.09-01-020): Decision adopting General Order 175
- Biomethane Safety Standards (R13-02-008): Decision adopting safety standards for biomethane in gas pipelines as required by Assembly Bill 1900





Intervenor Compensation Audit

State Auditor's report on the Intervenor Compensation Program validated the important work of the Program finding that:

- The Commission "has a process in place to ensure that intervenors meet the statutory requirements before it awards them compensation for work."
- The Audit Report found that the process ensures intervenors:
 - 1) are customers of a utility, or represent customers,
 - 2) demonstrate significant financial hardship, and
 - 3) have made a substantial contribution to a Commission decision



Intervenor Compensation Audit

The State Auditor's Report validated the current program by finding:

- The Commission "has a robust process for determining whether the costs and expenses intervenors claim are reasonable, as state law requires."
- Specifically, the Audit Report found the Intervenor Compensation Program "robust" because it:
 - Requires submittal of detailed time logs and documentation,
 - Adjusts claims for inefficient work and excessive hours,
 - and reduces awards for inappropriately high hourly rates, excessive hours, and lack of substantial contribution





Intervenor Compensation Audit

ALJ Division has implemented recommendations from the State Auditor's Report:

- Determined cause of lack of compliance with 75 Day deadline and pursuing actions to rectify
- Issued guidelines to ensure the utilities and staff pay correct interest on awards
- Developed formal procedures to verify and document the qualifications and conflicts of intervenor attorneys/experts
- Implemented procedures to ensure NOI rulings issued within 30 days
- Taken action to ensure accuracy of award database
- Held workshop on continue efforts toward completing comprehensive market rate study





Intervenor Compensation

- In 2013, the Division authored 89 decisions awarding a total of \$9.1 million to 37 different intervenors for their substantial contributions to Commission Decisions.
- This represents a 100% increase over 2012 figures
- This increase was achieved with reassignment of Judges and staff resources to Icomp, which is not a sustainable long term solution.
- The program continues to see significant increases in award requests and numbers of intervenors (avg. 19 awards per year 1984-1997; avg. 66 awards per year 2008 to 2012)





Innovations in Case Management

- Initiated monthly meeting of Judges leading interrelated cases on energy policy
- Judges discuss proceeding milestones and identify overlapping issues
- Meetings advance procedural goals of ensuring timely and coordinated progress in all related cases
- Proceedings include power procurement, renewable energy policies, demand response, residential rate design, energy efficiency programs, energy storage, GHG policies, electric vehicle rules, California Solar Initiative, net energy metering and distributed generation



Compliance Ordering Paragraphs (COPs)

- The ALJ Division continues to work with IT staff and liaisons from all industry divisions on the design and implementation of the COPs project.
- Purpose of COPs:
 - A tool to automate the tracking and reporting of compliance with the Commission's regulatory orders.
 - COPS will identify the ordering paragraphs in Commission decisions that create a compliance obligation for a utility.
 - Commission staff will track, monitor and report on the compliance activities.
- Design, system test and deployment expected to be complete by late 2014/early 2015.





Accomplishments - ADR

- With Judge Jean Vieth as Alternative Dispute Resolution (ADR) coordinator, we provided trained ALJs as mediators and facilitators in 7 different disputes or workshops.
- Since 2009, we have used the ADR process to help resolve 117 cases; a 75% settlement rate.
- Two new judges were trained as mediators in 2013; a total of 24 judges are now trained neutrals.



Accomplishments – Training

Training Conducted in 2013:

- Methods for scoping safety considerations into all proceedings.
- 8 new Judges in 2013 received National Judicial College training on administrative law fair hearing and other classes
- Pairing of new Judges with more senior Judges fosters mentoring
- Ongoing training on technical issues (e.g., Overview of CAISO markets), writing skills, Commission procedures, and hearing room practices for all our Judges





Accomplishments



Promotions

- Judge Tim Sullivan to Assistant Chief Administrative Law Judge
- Judge Richard Smith to Assistant Chief Administrative Law Judge
- Sasha Lippman to Intervenor Compensation Staff Services Manager
- Shonta Bryant to STAR Unit Supervisor
- Patricia Chinn-Gambale to Legal Analyst in Docket Office





Accomplishments – Leadership

- Docket Office Advisors
 - Judges David Gamson and John Wong;
 Judges Robert Mason and Amy Yip-Kikugawa
 will take over for 2014
- Alternative Dispute Resolution Coordinator
 - Judge Jean Vieth





Accomplishments - Leadership

- Training and Professional Development
 - Judges Katherine MacDonald and Seaneen Wilson
- Law and Motion
 - Judges Melanie Darling and Hallie Yacknin.





Accomplishments - Leadership

- Student Interns Coordinators
 - Judges W. Anthony Colbert, Jeanne McKinney, and Pat Tsen
- Food From the Bar Coordinators Raised Over \$10,000 for the San Francisco Food Bank
 - Judge Irene Moosen co-chaired the campaign with Legal Division, with support from Judges Edmister, Dudney, Yip-Kikugawa and Wilson



Accomplishments - Leadership

- Intervenor Compensation Advisors
 - Judges Kelly Hymes and Julie Halligan
- ALJ STAR Unit Advisors
 - Judges Regina DeAngelis, Anne Simon and Linda Rochester





Accomplishments By Support Staff

The accomplishments of the Division would not occur without the hard work of all ALJ Division support staff:

- **STAR** Preparation of all decisions and rulings, internal distribution to Commissioners Offices, web-publishing and service to parties
- ALJ Front Office Agenda preparation, Document Management,
 Case Monitoring
- Calendar Clerk Daily Calendar and Hearing Scheduling
- Docket Office Review of all formal filings for acceptance





Accomplishments By Support Staff

- Process Office Agenda Processing and distribution of all formal decisions, service list maintenance
- Central Files Maintenance of formal files of all proceedings; provides public and staff access to these materials
- Reporting Prepares transcripts for all hearings and public participation hearings; reported 22,574 "Daily Transcripts" pages in 2013
- We continue to fill job openings amongst our support staff as high turnover and low pay have complicated staffing for these key positions





Accomplishments -- Real Time Reporting

- The ALJ Hearing Reporters will begin the real-time reporting of selected hearings in 2014.
- Judges will be able to scroll back on their computer screens to verify testimony, marking of exhibits, time limits.
- Parties will be able to locate words and phrases instantly for recross and rebuttal examinations, as well as locate the marking of exhibits.
- Witnesses will be able to read the computer screen in the event they need clarification of the record.
- ALL WHO ARE HEARING CHALLENGED WILL BE ABLE TO RELY ON THE COMPUTER SCREEN TO PARTICIPATE IN PROCEEDINGS.





Chief Judge Karen Clopton

- Awarded Silver SPUR Award in October 2013 for promoting active public discourse, integrity and transparency in government for over two decades.
- Appointed Vice Chair of State Bar of California Council on Access and Fairness

Assistant Chief Judge Tim Sullivan

 Chaired a panel at UC Berkeley School of Law on Renewable Energy and Smart Grid. The panel discussed the technological, consumer, and privacy impacts of Smart Grid Technologies.





- Judges Regina DeAngelis, Dave Gamson, Melissa Semcer and Hallie Yacknin
 - Represented the ALJ Division at the Energy Bar Association Western Chapter Meeting for a "Meet the CPUC Judges" event where they responded to questions regarding effective practice at the CPUC.
- Judge Jeanne McKinney
 - Featured panelist on discussion of confidentiality practices and procedure at June CCPUC workshop
- Judge Gary Weatherford
 - Spoke on panel regarding water quality and contamination at NARUC June 2013 meeting
 - Three of his paintings were juried into 2 Mill Valley art gallery shows





- Judge Maribeth Bushey
 - Elected to San Rafael City Council November 2013
 - Panelist at UC Davis School of Law Symposium on Alternative Dispute Resolution and Implicit Bias
- Judge Karl Bemesderfer
 - Panelist at CCPUC on Section 851 and 854 issues
- Judge Douglas Long
 - Earned Certificate in Judicial Development
 Administrative Law Adjudication Skills, National Judicial College, April 2013.





Judge Patricia Miles

 Nominated to serve on American Bar Association Judicial Division, National Conference of the Administrative Law Judiciary, Executive Committee

Judge Katherine MacDonald

Whittier Law School Judicial Officer of the Year.

Judge W. Anthony Colbert

- Mentor for DeAnza High School Law Academy in Richmond, California, working with 10th and 11th grade students interested in law or a legal career.
- Judge for the ABA National Appellate Advocacy Competition in San Francisco.





Program Mission:

- Provide educational and potential employment opportunities for law students and college students
- Interns include current law students, college students, and recent law graduates working as law clerks. Interns worked year round, including 2 in spring 2013 and 6 in summer 2013. During Fall 2013, we had 2 interns who worked part time for school credit and 3 full time law clerks.



- TOTAL NUMBER OF 2013 INTERNS: 12
 - 2 College Students
 - 7 Law Students
 - 3 Law School Graduates





Schools Represented:

Law Schools:

- University of California, Los Angeles School of Law
- University of San Francisco School of Law
- University of California, Hastings College of Law

Colleges:

- University of California, Los Angeles
- University of California, Santa Cruz





Significant Projects:

- Legal Research memoranda on issues such as burden of proof and intervenor compensation eligibility.
- Assisted the Judges in completing more than a dozen intervenor compensation decisions.
- Legal Research on ride-share programs in California and nationwide, issues related to the Chino Hills transmission line, and time-of-use rate structures.
- Assisted Judges preparing decisions on the California Lifeline Program, Greenhouse Gas (GHG) allowance revenues, and energy efficiency programs.
- Assisted in the planning and hosting of the 2013 National Conference of Regulatory Attorneys annual meeting.





Interns in the World

Significant Accomplishments by Former ALJ Division Interns

- 2011 legal intern Sasha Lippman is now supervisor of the intervenor compensation program.
- 2011 legal intern Garrett Toy is participating in the Capital Fellows Program in Sacramento.
- 2013 legal intern Molly Kagel has accepted a permanent position with the National Labor Relations Board in Los Angeles.
- 2013 legal intern Christina Burke-Browning was awarded a scholarship from the John Mercer Langston Bar Association for 2014.
- 2013 legal intern Carmen King will be a law clerk at Morrison & Foerster for summer 2014.





Conclusions: ALJ Division 2013

- Continues strong performance concerning deadlines and statutory processes controlling deadlines
- Responds to declining resources with focus on decisions
- Receives praise from external audit of Intervenor Compensation Program administration and implements improvements
- Makes major contributions to California policies affecting utilities and infrastructure
- Develops Divisional Leaders, Professional Leaders, and Leaders of Tomorrow





Achieving ALJ Division Vision

Just, reasoned, efficient, and innovative resolution of matters in a manner that ensures integrity, due process and transparency, and respects the dignity of all participants.







Regular Agenda – Management Reports and Resolutions

Item #44 [12790] Chief Administrative Law Judge Clopton Report

Administrative Law Judges Division 2013 Annual Report and Accomplishments.





Management Reports







CSID Brochure Series



Loreen McMahon Director, CSID

Karen Miller Public Advisor

California Public Utilities Commission

February 27, 2014









www.cpuc.ca.gov





The Role of the California Public Utilities Commission

The California Public Utilities Commission (CPUC) was founded in the California Constitution in 1911 to protect California businesses and residents from the adverse effects of monopolies.

The CPUC is headed by five Commissioners who are appointed by the Governor and confirmed by the California State Senate to serve staggered six year terms. Together, as a body, the Commissioners meet at least once a month and decide (by vote) matters before the CPUC

The Commissioners make all policy, procedural, and other decisions for the agency.

The Work of the CPUC

The CPUC has oversight of privately-owned electric, natural gas, and water corporations, wireless and wireline communications companies, rail and rail transit safety, for-hire shuttle and limousine services, and moving companies of household goods. This oversight focuses on the following:

- Promoting innovation to provide services at reasonable rates with a commitment to environmental enhancement and a healthy California economy.
- Promoting availability of services for everyone, including discounted services for low income consumers.
- Approving and inspecting utility infrastructure to ensure safe and reliable delivery of electricity, natural gas, and communications services to homes and businesses.
- Certifying operation of movers of household goods and of for-hire limousines and shuttles.
- Approving and inspecting rail and rail transit operations and infrastructure with a strong commitment to safety.

- Protecting against fraud or abuse in a competitive communications marketplace.
- Investigating allegations of fraud, abuse, and safety violations. The CPUC may order corrective action, administer fines, and shut down unsafe operations or bad performers.
- Ensuring that investor-owned water utilities deliver clean, safe, and reliable water to their customers at reasonable rates.
- Informing consumers about issues that impact them and encouraging public participation through bill inserts, notices, media, public meetings, and interaction with community organizations.









California Public Utilities Commission

Consumer Service & Information Division



Funding

The CPUC receives its funding from surcharges on utility bills and from the transportation companies it regulates. The surcharge covers all of the CPUC's expenses, consumer programs, and helps offset the high costs of providing communications services in hard-to-serve areas of the state. The budget is submitted annually to the California State Legislature and Governor for approval.

For More Information:

- The CPUC publishes brochures, decisions, reports, press releases, and formal proceeding documents on its website at www.cpuc.ca.gov.
- Use the Subscription Service or service lists to receive specific information and to follow proceedings.
- The CPUC's Public Advisor's Office can answer questions about participating in proceedings and can help you file informal
 comments. For information, call 866-849-8390 or visit the Public Advisor's webpage on the CPUC website.
- The CPUC's Consumer Affairs Branch (CAB) can help you with disputes and questions about your utility bill. For more
 information, call CAB at 800-649-7570 or visit the CAB webpage on the CPUC website at: www.cpuc.ca.gov/cab.







Follow CPUC Proceedings!

Scan the code to see the CPUC's meetings, hearings, and events calendar.



3 Types of Proceedings

ESETTING - Sets or investigates rates es. Includes applications from utilities nal complaints that challenge the leness of rates.

SI-LEGISLATIVE - Proceedings can ed by legislation, petition, or by the establish policy or rules affecting a regulated entities. May be resolved documents submitted and without

DICATORY - Investigates possible of state law and/or CPUC order or ludes formal complaints against entities. May be resolved based on s submitted and without hearings.

Proceeding Basics

Proceedings of the California Public Utilities Commission (CPUC) are a formal judicial process used to evaluate a variety of requests related to the industries that the CPUC regulates. A proceeding can be a request, complaint, or application by a person, group, or company, or it can be a CPUC initiated investigation or rulemaking, etc. The purpose of proceedings is to establish an evidentiary record on which CPUC decisions will be based. Here is an example of the general progression of an application:

- An application is filed with the CPUC: notice of it is posted in the Daily Calendar, accessible on the CPUC website. It is often sent to the service list of similar proceedings. The application is categorized and a Commissioner and judge are assigned.
- Generally, interested parties have 30 days from the date the application is noticed in the Daily Calendar to formally file a protest
- When it is initially determined that a hearing is needed, a Prehearing Conference (PHC) is scheduled 45 to 60 days from the initiation of the proceeding or as soon as practical. If it is determined that hearings are not needed, then no PHC is scheduled.
- At or after the PHC, a scoping memo will be issued, which outlines the schedule and the issues to be addressed.

- A proceeding may be conducted entirely through a written comment/reply comment process, or conducted through an evidentiary hearing process, which includes testimony (subject to crossexamination), briefs, and comments.
- Both processes result in a proposed decision from the judge, which is based on the evidentiary record.
- · A proposed decision is subject to a 30 day period for public review and comment prior to being voted on by the CPUC Commissioners, unless it is not contested.
- An alternate decision can be filed at any time by any Commissioner prior to the vote on a decision. There can also be multiple alternate decisions up for vote.
- The adopted decision is implemented according to the direction and time frame in the ordering paragraphs. The proceeding is then closed.



Public Participation Information Series #1



California Public Utilities Commission

Consumer Service & Information Division





rmation

provides an overview of CPUC practices. Anyone who would like to participate in a CPUC proceeding must follow the CPUC's Rules of Practice and Procedure. available at: http://www.cpuc.ca.gov/rpp/.

Ex Parte Communications

Ex parte communications are any communications between a decision-maker and a person with an interest in a matter before the CPUC. Ex parte communications concern substantive, but not procedural issues, which occur outside of a public hearing. workshop, or other public meeting or outside the official record of the proceeding. Ex parte communications are:

- · Prohibited in Adjudicatory Proceedings.
- Permitted in Ratesetting Proceedings with certain restrictions and requirements.
- Permitted in Quasi-legislative Proceedings without restrictions or reporting requirements.

More information is available in the Ex Parte Communications at the CPUC brochure and on the CPUC website.





Voting Meeting

Specifics

JC meets in public where the Commissioners and vote on proposed policies, rules, and other

Contact Information for the Public Advisor's Office

E-mail: public.advisor@cpuc.ca.gov Toll-free: 866-849-8390 or 415-703-2074

TTY: 866-836-7825

Address:

CPUC Public Advisor's Office 505 Van Ness Avenue San Francisco, CA 94102

02/06/14

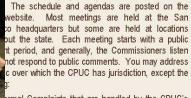
Comment Session, which assure as many people as possible can speak within the limited timeframe in an organized manner.

- . To ensure that you will have an opportunity to speak, you must sign up the day of the meeting at the Public Advisor's table before the meeting begins.
- . Individuals who sign up by the start of the meeting may have up to three minutes to speak. However, the speaking time may be adjusted depending on the number of speakers present.
- · People arriving after the meeting starts but before the Public Comment Session ends are given only one minute to speak.
- No speakers will be accommodated after the Public Comment Session has closed.
- Individuals with a shared position are encouraged to select a spokesperson for their group.
- The order of speakers is based on the speaker sign-in order but public officials may be taken out of order.

- . Signs brought by public speakers can be no larger than 8 1/2 by 11 inches in size. Signs with sticks or any other type of handle are prohibited.
- · Speakers may provide copies of their comments for distribution to the Commissioners and/or Executive
- · With the exception of representatives of public officials, written comments from people who cannot attend may not be read at the meeting but may be given to the Public Advisor for distribution.
- · Attendees may not distribute written materials inside the meeting room.
- The CPUC and state police retain the right to remove disruptive attendees from the meeting.
- . The CPUC reserves the right to override the above rules in the case of an emergency or unforeseen circumstances.

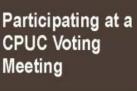


To keep the flow of a California Public Utilities Commission (CPUC) voting meeting, rules are used to facilitate the Public These rules are posted on the CPUC website; some of them follow:



ormal Complaints that are handled by the CPUC's nsumer Affairs Branch.

ense matters that have been to hearing. ns on the Closed Session section of the agenda. ceedings to which you are a party. ner adjudicatory matters, such as formal complaints.



Public Participation Information Series #2



California Public Utilities Commission

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www.cpuc.ca.dov

eed an interpreter or other special accommodations. the Public Advisor's Office at least three business uays before the meeting. Reasonable accommodations are provided free of charge. You also may be given additional time to speak, to account for the time needed to provide the accommodation at the podium.

The Agenda Order

- · Public Comment Session is held first.
- Announcement of any items to be held to a later meeting because the Commissioners are not ready to vote on those items.
- The Commissioners vote on items on the Consent Agenda as a single block. Items on the Consent Agenda are not individually discussed.
- The Commissioners discuss the matters on the Regular Agenda and vote on them one by one.
- . Finally, Commissioners' and staff reports on important work not necessarily part of the CPUC's formal process are presented.





Public Participation Hearings

fornia Public Utilities Commission (CPUC) often ublic Participation Hearings (PPHs) to give the chance to learn about, or express their opinions as before the CPUC. For example, when a utility increase rates or to construct transmission lines, ay be held in the area that will be impacted by the

presides over the PPH, and occasionally, a ommissioner may attend. At the beginning of the e judge will provide an overview of the CPUC process. The judge may ask the applicant (the most cases) or CPUC staff to describe what is apposed to the audience.

Participating at Public Participation Hearings and Workshops

PPHs and workshops are free and open to the public. No advance reservations are necessary to attend, but you must sign up if you wish to speak. Public comment is encouraged and is considered by the Commissioners and judges in their decisions. Although the CPUC considers PPH's as part of the formal process, it is important to understand that comments, and even material that you submit, do not have the same weight in decision-making as testimony from a formal "party."

PPH and workshop schedules are posted in the CPUC Daily Calendar, which can be accessed from the main website: www.cpuc.ca.gov.

Speaking at a PPH

- Elected officials attending a PPH are usually allowed to speak first.
- If a large number of people sign up to speak, the judge may set a time limit in order to allow everyone a chance to speak.
- There will be a CPUC court reporter present to record your comments for the record.
- Attendees are expected to be respectful of others' opinions and behave as one would in a traditional courtmon

What to Expect at a Workshop

- The CPUC schedules public hearings and workshops for parties, special interest groups, and industry experts to discuss or plan specific items related to a proceeding or CPUC program.
- Occasionally, there is a portion of time set aside for anyone from the public to speak or ask questions.
- You may contact the Public Advantage of the State of



Public Participation Information Series #3

Participating at CPUC
Public Participation
Hearings and Workshops



California
Public Utilities
Commission

Consumer Service & Information Division



Hearings are Open to Everyone

The CPUC can provide language interpreters and/or American Sign Language interpreters at a CPUC event. Please send a request to the Public Advisor's Office at least three business days before the event. The CPUC will provide these services for free for whomever needs them.

CPUC's Public Advisor's Office Facilitates PPHs

Public Advisor's Staff.

- Signs up people who wish to speak.
- Answers questions about the CPUC and decision-making processes.
- Provides information on proceedings, such as how to follow the scheduling, how to receiproceeding, how to make comments, and how to become a formal party to a proceeding
- Explains how and when to provide written comments.
- Answers other CPUC-related questions.

Tips about Attending a PPH

Most CPUC proceedings schedule PPHs to specifically involve the public and solicit the views of those who may be affected by CPUC decisions. If you plan to attend a PPH, please consider the following:

- If you wish to speak, we recommend you arrive at least 15 minutes early to sign up to speak.
- Speakers need to be present to sign up to speak.
 You cannot sign up others or yield your time to someone else.
- If you have written your speech, please bring a copy for the judge and another for the court reporter.
- · You do not have to speak, you may just listen.
- Usually, the judge will not answer questions but will refer you to a utility representative or CPUC staff.
- For safety purposes, signs of any size that are mounted on sticks are not allowed in any room where a hearing or workshop is taking place; neither are signs larger than 8 1/2 by 11 inches, whether mounted or not.







Party's Rights and Responsibilities

to be an attorney to be a formal eeding. Those granted "party" status the same rights, responsibilities, and her parties, including the applicant, if

vidence and witnesses to strengthen your

from other parties.

nt motions, petitions, objections, and briefs.

oilities are:

esses available for cross-examination have presented testimony.

ments on all parties.

data and information requests from

Public Participation Information Series #4

How to Become a Party in a CPUC Proceeding

Becoming a Party

Participating as a Party

There are specific rules about the California Public Utilities Commission (CPUC) proceedings that are important to know, such as the issues a proceeding will cover, the length of time a proceeding will take, and the manner in which a record will be developed. For example, there may be hearings where testimony will be heard and cross-examined or the judge may base the decision solely upon submission of written documents.

When becoming a party to a proceeding, you must adhere to the proceeding schedule and follow the rules regarding document formats and submission deadlines. There is formal courtroom etiquette that everyone must follow throughout the proceeding. There are also specific rules related to conversations between parties and decision-makers. These "ex parte" rules are discussed in more detail in the CPUC's Rules of Practice and Procedure.

Guidelines and assistance regarding formal participation are provided by reading the CPUC's Rules of Practice and Procedure, by the Docket Office, and by calling the Public Advisor's Office.

This brochure is part of the CPUC Public Advisor's Office Public Participation Information Series. The brochures in the series are:

- # 1 Understanding a CPUC Proceeding
- #2 Participating at a CPUC Voting Meeting
- #3 Participating at CPUC Public Participation Hearings and Workshops
- # 4 How to Become a Party in a CPUC Proceeding
- #5 CPUC Intervenor Compensation Program
- #6 Ex Parte Communications at the CPUC

Become a Party to a Proceeding by:

- · Filing an application, petition, or complaint.
- Being a defendant to a complaint or a respondent to an investigation or rulemaking.
- Filing a protest or response to an application or petition, or filing comments in a rulemaking.
- Entering an appearance at a Prehearing Conference or hearing.
- · Filing a motion to become a party.

A Person Seeking Party Status Must:

- Fully disclose the persons or entities in whose behalf the filing, appearance, or motion is made, and fully disclose the interest of such persons or entities in the proceeding.
- Show that the contentions will be pertinent to the proceeding issues. The judge may grant party status, or where circumstances warrant, deny party status or may limit the degree to which a party may participate.



California Public Utilities Commission

Consumer Service & Information Division





ns all communications in a proceeding,
decisions, transcripts, testimony, informal
vidence, etc. The Formal File can be

viewed in the Central Files at the CPUC San Francisco headquarters. Also, an electronic "Docket Card" is available on the CPUC website. The Docket Card includes rulings, decisions, and formally filed documents, but does not include testimony, transcripts, or informal correspondence.

Filing Formal Documents online with E-File

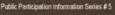
Anyone interested in becoming a party should become familiar with the Electronic Filing (E-Filing) System. E-filing allows you to file documents in formal proceedings at the CPUC from your office using a web-based application. The CPUC has a guide that explains the e-filing process. This guide is available online at http://www.cpuc.ca.gov/puc/efiling.

Answers to frequently asked questions (FAQs) about filing formal documents are available online: http://docs.cpuc.ca.gov/ word_pdf/REPORT/117474.pdf.









CPUC Intervenor Compensation Program



Intervene in Formal **Proceedings**

alifornia Public Utilities Commission uses a formal process (such as or comments) to determine issues, as utility rates, requests to provide and consumer programs. Those who participate in this formal process are 'parties." Some parties, who meet requirements, may request to become nors. Intervenors who contribute antly to a proceeding may be financially sated for their time and materials.

Intervenor Compensation

The Program

The California Public Utilities Code allows qualified individuals or groups that participate in CPUC proceedings to request compensation. The Intervenor Compensation Program allows financial resources for certain individuals or groups to bring their concerns and interests related to utilities to the CPUC during formal proceedings.

The program provides after-the-fact funding to groups or individuals who have a financial hardship and who have made substantial contributions to a decision adopted by the CPUC.

Compensation is awarded after a decision is issued. The program does not compensate complainants in their own complaint cases.

To qualify:

First, you must obtain party status prior to, or as part of, filing a Notice of Intent (NOI) to claim Intervenor Compensation. Please see the brochure Becoming A Party and the CPUC's Rules of Practice and Procedure.

Stay Informed

It's easy to stay informed through the CPUC automated Service Lists and Subscription Service and through information posted on the CPUC website.

Service Lists

Every proceeding at the CPUC has an individual contact list, called a service list, that is used to distribute copies of all proceeding documents. If you become a "party" to a proceeding, you will be automatically added to the proceeding's party service list. Others are added to the "Information Only" or the "State Service" lists upon written request to the CPUC Process Office.

Subscription Service

Subscribe to this free service and select and follow the items of interest to you, such as a particular proceeding, industry, or type of document. You will receive e-mails when documents are published on the CPUC website that are associated with formal proceedings, resolutions, materials related to CPUC voting meetings, and press releases. The notification provides a link to the identified document, rather than sending you a large attachment.

Daily Calendar

Provides information on CPUC hearings, meetings, etc.

Docket Card

Contains all rulings, decisions, and formally filed documents for each proceeding.







California Public Utilities Commission

Consumer Service & Information Division



Funding Source for Intervenor Compensation

Intervenor compensation is paid by public utilities from monies collected from utility rate payers. The CPUC exercises discretion in awarding compensation as amounts paid to intervenors can cause a utility to increase its rates to cover the award.

FILING RULES AND GUIDELINES:

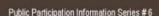
All filings related to Intervener Compensation must follow the rules and requirements set out in the Intervenor Compensation Program Guide and Instructions. For more information about the Intervenor Compensation Program, including forms, instructions, and filing requirements, go to the Intervenor Compensation Website at www.cpuc.ca.gov/ PUC/IntervenorCompGuide/. If you have additional questions, contact the Program Coordinator at 415-355-5574 or via e-mail at lcompcoordinator@cpuc.ca.gov or contact the Public Advisor's Office at 866-849-8390.











Ex Parte
Communications
at the CPUC



Equal Access

CPUC proceedings follow specific legal procedures to ensure due process. The procedures include how and when someone may communicate substantive matters with "decision-makers." The rules ensure that all parties in a proceeding have access to the same information and have the opportunity to respond to the communication.

Naturally, questions such as what is a proceeding's schedule or where will a hearing be held are not matters of substance and can be asked of anyone.

What are Ex Parte Communications?

Ex Parte Defined

Ex parte communications are an oral or written communication, about an issue before the CPUC, that is stated or provided outside the formal proceeding process. The communication is between an "interested person" and a CPUC "decision-maker" as identified below:

- A "decision-maker" can be the Commissioners, Chief Administrative Law Judge, Assistant Chief Judge, and the judge(s) assigned to the proceeding.
- An "interested person" includes parties, agents or employees of parties, participants in hearings, persons with financial interests in the proceeding, or any representative of any organization who intends to influence the decision of a Commissioner on a matter before the CPUC.

Communicating with CPUC Decision-makers

If you are a formal party to a proceeding, you need to be familiar with rules of ex parte communications, which occur with a CPUC decision-maker outside the formal proceeding. Ex parte communications may be fully permitted, permitted with certain restrictions, or fully prohibited depending on the proceeding. Please read Article 8 of the CPUC's Rules of Practice and Procedure to learn more about the rules and requirements of ex parte communications.

- rules) ex parte communications are permitted.
- Ratesetting (where the CPUC may change a utility's rates) - ex parte communications may be allowed, subject to the Rules under Article 8 of the CPUC's Rules of Practice and Procedure, available on the CPUC website. Different types of ex parte communications may include, but are not limited to:
 - Oral "All Party" meetings.
 - Individual oral meetings if all other parties are granted individual meetings.
 - Written communications, provided that the individual serves copies of the documents on all parties the same day as the contact with the decision maker.



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Follow Ex Parte Rules

Interested persons must carefully follow rules regarding ex parte communications, which are set forth in Article 8 of the Rules of Practice and Procedure. This aids the CPUC in developing a complete proceeding record. People who violate the rules may be subject to sanctions.

Reporting Ex Parte Communications

Ex parte communications that must be reported must follow Rule 8.3 of the CPUC's Rules of Practice and Procedure. To summarize:

- A notice of ex parte communication must be filed within three business days of the communication.
- The notice must describe when and where an ex parte communication occurred, who the decision-maker was, and any
 other people present.
- The notice must also describe the interested person's communication and include copies of any documents provided.



CPUC Assistance with

Formal Complaints

Through the Formal Complaint process, the

California Public Utilities Commission (CPUC) can order the utility to take corrective action on

a variety of issues, including an adjustment to a

customer's bill. The CPUC can also order reparations (if a service, which has been paid

for, has not been provided) and impose fines.

Before filing a Formal Complaint customers

may try to resolve the complaint informally. For

more information, read the Resolving an Issue with a Utility: The CPUC's Informal Process

Filing a Formal Complaint

Formal Complaint Process

 Fill out the form for filing a Formal Complaint provided on the CPUC website at www.cpuc.ca.gov/PUC/aboutus/Divisions/ CSID/Public+Advisor/ or request a paper copy at the Public Advisor's Office.

- 2. Submit the completed form to the CPUC Docket Office by mail at: 505 Van Ness Avenue, San Francisco, CA 94102
- 3. The Docket Office will notify you if there are errors and explain how to correct them.
- 4. When accepted, the complaint will be assigned a case number that must be included on all correspondences.
- 5. The Docket Office will mail a copy of the Formal Complaint to the defendant utility with instructions to answer.
- The utility will send you a copy of its answer to your complaint.
- 7. The judge will schedule a Prehearing Conference (PHC) to set a hearing schedule.
- 8. After the PHC, a hearing will be held to present evidence.
- If the complaint is an Expedited Complaint (is less than \$10,000), the hearing will be within 30 days, there will be r reporter and a hearing transcript is not prepared, and attorneys may not represent either party.
- 10. If the complaint is a Regular Formal Complaint (is over \$10,000) or requested to be considered as a Regular Complainant, there may be a court reporter and a hearing transcript and attorneys may represent the parties.
- 11. The judge will issue a Presiding Officer's Decision (POD).
- 12. If either party appeals the POD, it will be submitted for review and vote by the Commission.
- 13. If there is no appeal, the POD becomes the final decision.

California Public Utilities Commission

Consumer Service & Information Division



Privacy Notice

brochure.

All Formal Complaints filed with the CPUC become public record and may be posted on the CPUC website. Therefore, any information you provide in the Formal Complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, e-mail address, and the facts of your case, may be available online for later public viewing.



It is important to note that the CPUC is not allowed to award damages for such things as personal injury, property damage, emotional distress, or loss of wages or profits. To request compensation for damages, the customer must file a claim in a civil court.

Contact Information for the Consumer Affairs Branch

Online: www.cpuc.ca.gov/cab Toll-free: CAB Hotline (800) 649-7570

Mail: Consumer Affairs Branch

CPUC - CSID

505 Van Ness Avenue

San Francisco, CA 94102

02/06/14





Resolving an Issue with a Utility: The CPUC's Informal Process





3 Easy Steps

Step 1. Contact Your Utility

Before submitting an informal complaint to the CPUC's Consumer Affairs Branch (CAB), please first give your utility an opportunity to resolve your complaint by calling the utility's customer service department, whose phone number is listed on your utility bill. The utility will usually resolve your complaint, but if you are dissatisfied with the resolution, you may move on to Step 2 and contact CAB.

When calling your utility, make sure to write down the representative's name, the date of the call, and what was discussed.

Resolving an Issue with a Regulated Utility

Step 2. Call the Consumer Affairs Branch

A CAB Representative will assist you, but before you call, have your utility bill handy and be ready to write down who you speak with and what is said. The CAB Representative will need some information to help you; so, the representative may ask for the following:

- The name the account is billed to
- · Your name, if different from the account holder's name.
- · Account number (especially if it is an energy account).
- A phone number where you can be reached.
- · Your address.
- Description of the dispute. It helps if you can provide the chronological order of what happened, such as the date of the charges and the date the charges were billed.

In most cases, the CAB Representative will connect you with a special office at your utility that helps consumers who contact the CPUC with informal complaints. The CAB and utility staff will assist you in resolving your dispute.

Step 3. Submit a Written Complaint

You may write to CAB if you disagree we company's resolutions during Step 1 and St the complaint is too complex to handle with a CAB Representative may ask you to wrecomplaint and send it to CAB.

In your written complaint, please include the requested in Step 2, copies of the bills disputed charges, and any other related document as copies of receipts for payment.

You can mail your complaint to the address this brochure or use the online form at www

The CAB Representative will use this is submit an informal complaint with your utile evaluate the utility's response in light of relates. Most cases are resolved within 90 d will send you a letter advising you of the related regarding your issue.



This brochure provides an overview of CPUC practices. Anyone who would like to participate in a CPUC proceeding must follow the CPUC's Rules of Practice and Procedure, available

at: http://www.cpuc.ca.gov/rpp/

Formal and Informal Resolution Series #2

Filing a Formal Complaint & Alternative Dispute Resolution at the CPUC



California Public Utilities Commission

Consumer Service & Information Division

Assisting Consumers With Utility Disputes

The Consumer Affairs Branch (CAB) of the CPUC can be the consumer's first option at the CPUC when seeking help with a utility dispute. CAB assists consumers and the utility company by providing a neutral evaluation of the dispute.

Appealing a Resolution

If you are not satisfied with the resolution of your informal complaint, there are still more options available throu process, although they may become more complex and time-consuming. These two options are administered Administrative Law Judges:

- 1. Use the Alternative Dispute Resolution process, which is conducted by a judge.
- 2. File a Formal Complaint with the CPUC, which will be heard before a judge.





Management Reports







Regular Agenda – Management Reports and Resolutions

Item #45 [12735]

Report and Discussion by Safety and Enforcement Division on Recent Safety Program Activities







PG&E Metcalf Incident and Substation Security



Raymond Fugere, PE
Safety and Enforcement Division







Agenda

Objective: Provide an overview of the April 16, 2013

Metcalf Incident and Substation Security

- Overview of Event
- Damage to PG&E
- Post Event Actions
- Next Steps







Event summary

- 0058 Hours
 - AT&T Fiber Cut
- 0107 Hours
 - Level 3 Line Cut
- 0137 Hours
 - Fence Alarm Activated
- 0138 Hours
 - Initial Transformer System Alarm
- 0141 Hours
 - 911 Call Shooting
- 0151 Hours
 - Police Arrive On Scene

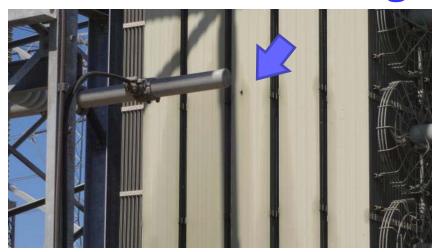








Damage at Scene





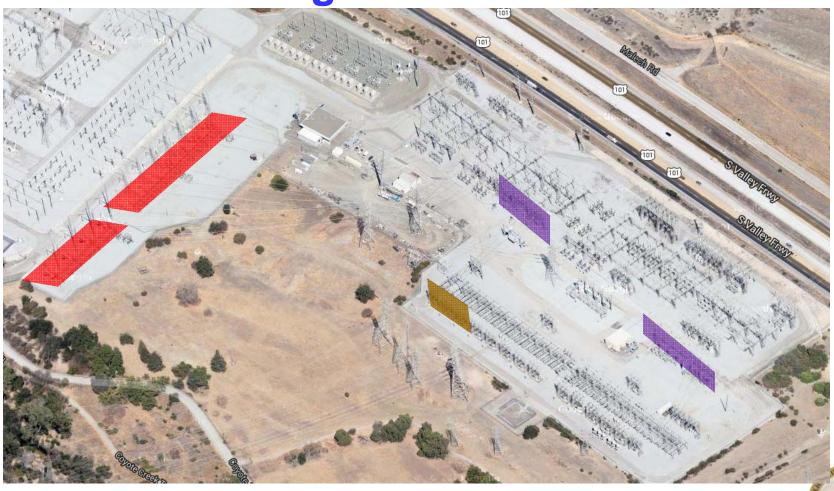








Damage to Substation







Damage to Facilities

- 500kV Yard
 - 10 transformers
- 230kV Yard
 - 7 transformers
- 115kV Yard
 - 6 circuit breakers
- Total of 52,000 gallons of oil
- \$15.4 in restoration costs
- No outages







SED Interactions With Substations

- 2013 Launched Substation Audit Program
 - Focused on Non-FERC jurisdictional substations
 - Audit utility versus current programs
 - Have found some security issues
- Prior Incidents
 - Copper Theft
 - Trespassing
 - Equipment Failures







Post Event

- Immediate:
 - Restoration
 - Investigation (FBI)
 - Security at critical substations, Vegetation
- Long Term:
 - Evaluation of current internal security measures
 - Cameras , Lighting, Fences
 - Enhanced Intrusion Detection
 - Evaluation of external security measures
 - Coordination with Law Enforcement
 - Coordination with Communication Companies







Next Steps

- Monitor FERC/NERC
- Examine:
 - Changing Security requirements for Substations
 - Revising GO 166: Emergency Preparedness
 - New Mexico Training For Police Offices

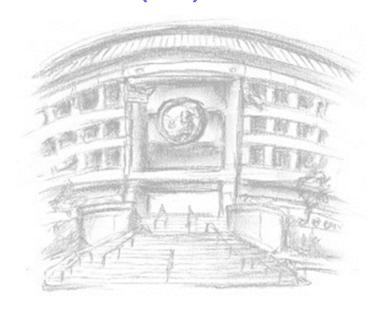






Thank You!

Raymond Fugere raymond.fugere@cpuc.ca.gov Office: (213) 576-7015







Regular Agenda – Management Reports and Resolutions

Item #45 [12735]

Report and Discussion by Safety and Enforcement Division on Recent Safety Program Activities





Management Reports







The CPUC Thanks You For Attending Today's Meeting

The Public Meeting is adjourned.

The next Public Meeting will be:

March 13, 2014, at 9:30 a.m. in San Francisco, CA



