

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Implement
Portions of AB 117 Concerning Community
Choice Aggregation.

Rulemaking 03-10-003
(Filed October 2, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING
CHANGING DATES FOR HEARINGS AND TESTIMONY**

This ruling makes minor changes in the schedule of this proceeding following an informal motion, sent electronically to all parties, by the City and County of San Francisco (CCSF). CCSF's motion was unopposed but explicitly supported by Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), the Commission's Office of Ratepayer Advocates, the City of Chula Vista, the City of Los Angeles, and the City of Moreno Valley.

CCSF proposes to extend by one week the dates for reply testimony, rebuttal testimony, hearings, and briefs. CCSF requests this change in schedule because PG&E's workpapers were not available to the parties until April 22, 2004. Given the volume of testimony already submitted, and the volume of material expected from PG&E, CCSF believes the existing schedule would not provide adequate time to review this material and draft responses. CCSF would add three days of evidentiary hearings on the basis that about 25 witnesses have submitted testimony.

SDG&E proposes to increase the number of hearing days to ten and to begin hearings on June 2 rather than June 1 so that parties do not need to travel on Memorial Day. SDG&E also proposes that rebuttal testimony be due May 20

to provide adequate time to review the large amounts of opening testimony and respond to it. SCE and PG&E support these minor changes to CCSF's proposed schedule and no party opposed them.

In view of the amount and nature of testimony already submitted in this proceeding, CCSF's proposed schedule changes are reasonable with SDG&E's minor modifications.

SDG&E requests a date-certain for its witness, Wendy Keilani, before June 4. This ruling schedules Ms. Keilani's testimony to commence June 2.

In response to an informal inquiry by SDG&E, this ruling confirms that parties do not need to serve paper copies of testimony (except to those parties who request paper copies) if they serve copies electronically.

On April 19, 2004, Local Power filed "comments" on issues scheduled for evidentiary hearings in this case. The Commission is not accepting filed comments on related issues at this time. Local Power may present these comments as testimony if it presents a witness or witnesses to sponsor them. In that case, other parties may submit rebuttal on those comments and cross-examine the witness or witnesses. If Local Power declines to provide a witness to sponsor the comments, the Commission will disregard the comments. To the extent the comments reflect the evidentiary record or advocate certain policy outcomes or legal interpretations, Local Power may file the comments or portions of them as a brief following hearings.

The new schedule in this proceeding is as follows:

Reply Testimony	May 7
Rebuttal Testimony	May 20
Evidentiary Hearings	June 2-June 14

The Commission will schedule dates for opening and reply briefs at the evidentiary hearings.

IT IS RULED that the schedule in this proceeding is changed as set forth herein. The Commission will conduct hearings in its Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California, commencing June 2, 2004, at 10 a.m.

Dated April 26, 2004, at San Francisco, California.

 /s/ KIM MALCOLM
Kim Malcolm
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Changing Dates for Hearings and Testimony on all parties of record in this proceeding or their attorneys of record.

Dated April 26, 2004, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.