

AMENDED IN SENATE JULY 2, 2003
AMENDED IN ASSEMBLY MAY 28, 2003
AMENDED IN ASSEMBLY MAY 8, 2003
AMENDED IN ASSEMBLY APRIL 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1735

**Introduced by Committee on Utilities and Commerce (Reyes
(Chair), Calderon, Campbell, Canciamilla, Diaz, Jerome
Horton, La Malfa, Levine, Maddox, Nunez, Richman, and
Ridley-Thomas)**

March 5, 2003

An act to add ~~Section 1701.5~~ *Sections 1701.5 and 1701.6* to the
Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1735, as amended, Committee on Utilities and
Commerce. Public Utilities Commission: ratesetting and
quasi-legislative cases.

(1) Under the Public Utilities Act, the Public Utilities Commission
has regulatory authority over public utilities and is authorized to
conduct investigations and conduct proceedings. Existing law
authorizes the commission to determine whether a proceeding requires
a hearing, and if so, to determine whether the matter requires a
quasi-legislative, an adjudication, or a ratesetting hearing, authorizes
the commission to assign one or more commissioners and
administrative law judges to oversee cases, and prescribes separate

procedures for proceedings that the commission determines are either quasi-legislative, adjudication, or ratesetting cases. *The assigned commissioner or administrative law judge is required to schedule a prehearing conference and to issue a scoping memo that describes the issues to be considered and the applicable timetable for resolution.* Adjudication matters are required to be resolved within 12 months of initiation unless the commission makes findings why that deadline cannot be met and issues an order extending that deadline. In a ratesetting or quasi-legislative hearing, the commission is required to issue a final decision not later than 60 days after the issuance of a proposed decision, except that under extraordinary circumstances the commission may extend the time for issuance of a final decision for a reasonable period.

This bill would require the commission to resolve *the issues in the scoping memo* in a ratesetting or quasi-legislative case within 18 months of the date of filing *the scoping memo is issued*, unless the commission makes a written determination that the deadline cannot be met and issues an order extending that deadline.

(2) *Existing law requires the commission to develop, publish, and annually update an annual work plan access guide that describes the scheduled ratemaking proceedings and other decisions that may be considered by the commission during the calendar year, as prescribed. Existing uncodified law requires the commission to annually submit a report to the Legislature on the number of cases where resolution exceeded the time periods prescribed in scoping memos and the days that commissioners presided in hearings.*

This bill would require that the president of the commission to appear annually before the appropriate policy committees of the Legislature to report on the annual work plan access guide and to report on the number of cases where resolution exceeded the time periods prescribed in scoping memos and the days that commissioners presided in hearings.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1701.5 is added to the Public Utilities
- 2 Code, to read:
- 3 1701.5. ~~The commission shall resolve a ratesetting or~~
- 4 ~~quasi-legislative case within 18 months of the date of filing~~ *In a*

1 *ratesetting or quasi-legislative case, the commission shall resolve*
2 *the issues raised in the scoping memo within 18 months of the date*
3 *the scoping memo is issued, unless the commission makes a written*
4 *determination that the deadline cannot be met, including findings*
5 *as to the reason, and issues an order extending the deadline.*

6 SEC. 2. *Section 1701.6 is added to the Public Utilities Code,*
7 *to read:*

8 1701.6. (a) *The president of the commission shall annually*
9 *appear before the appropriate policy committees of the Senate and*
10 *Assembly to report on the annual work plan access guide of the*
11 *commission required pursuant to Section 321.6.*

12 (b) *The president of the commission shall annually appear*
13 *before the appropriate policy committees of the Senate and*
14 *Assembly to report on the annual report of the commission on the*
15 *number of cases where resolution exceeded the time periods*
16 *prescribed in scoping memos and the days that commissioners*
17 *presided in hearings, pursuant to Section 13 of Chapter 856 of the*
18 *Statutes of 1996.*

