

AMENDED IN ASSEMBLY APRIL 27, 2004

AMENDED IN ASSEMBLY APRIL 14, 2004

AMENDED IN ASSEMBLY MARCH 26, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2803

Introduced by Assembly Member Jerome Horton

February 20, 2004

An act to add Section 1701.7 to the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

AB 2803, as amended, Jerome Horton. Public Utilities Commission: hearings.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities and can establish its own procedures, subject to statutory limitations or directions and constitutional requirements of due process. Existing law requires the commission to determine whether a proceeding requires a quasi-legislative, an adjudication, or a ratesetting hearing.

This bill would require ~~that when~~, *if* the commission determines that a ratesetting or quasi-legislative case requires a hearing, *that* the assigned commissioner or administrative law judge designate in the scoping memorandum ~~the whether there is a need to perform an economic impact analysis; and if~~. *The bill would require the assigned commissioner or the assigned administrative law judge, in determining whether an economic impact analysis is necessary, to assess whether the ratemaking or quasi-legislative case is likely to affect prescribed*

elements of economic significance. The bill would require, if the assigned commissioner or the assigned administrative law judge determines that an economic impact analysis that is needed necessary, to include that the findings of the analysis be included as a part of the final written decision.

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 1701.7 is added to the Public Utilities
2 Code, to read:
3 1701.7. (a) If the commission determines that a ratemaking
4 or quasi-legislative case requires a hearing pursuant to Section
5 1701.1, the assigned commissioner or the assigned administrative
6 law judge shall designate in the scoping memorandum ~~the whether~~
7 ~~there is a need to perform an economic impact analysis. If a~~
8 ~~determination is made~~ *In determining whether an economic*
9 *impact analysis is necessary, the assigned commissioner or the*
10 *assigned administrative law judge shall assess whether the*
11 *ratemaking or quasi-legislative case is likely to affect employment,*
12 *capital investment, infrastructure deployment, public safety, or*
13 *any other element determined to be of economic significance. If the*
14 *assigned commissioner or the assigned administrative law judge*
15 *determines that an economic impact analysis is—required*
16 *necessary, the findings of the analysis shall be included as a part*
17 *of the final written decision.*
18 (b) Any additional cost to the commission resulting from the
19 implementation of subdivision (a) shall not be borne by ratepayers
20 or the General Fund.

