

AMENDED IN SENATE APRIL 26, 2004

AMENDED IN SENATE MARCH 30, 2004

SENATE BILL

No. 1488

Introduced by Senator Bowen

February 19, 2004

An act to amend Section 583 of the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

SB 1488, as amended, Bowen. Public Utilities Commission: public information.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Every public utility is required to furnish such reports as the commission may require. No information furnished to the commission by a public utility, except those matters specifically required to be open to public inspection, are open to public inspection or made public except by order of the commission or a commissioner in the course of a hearing or proceeding. Any present or former officer or employee of the commission who divulges any information in violation of these provisions is guilty of a misdemeanor.

This bill would provide that all information furnished to the commission by a public utility, except those matters specifically required to be closed to public inspection, are open to public inspection and may not be withheld from public inspection except by order of the commission or a commissioner in the course of a hearing or proceeding. The bill would authorize the commission to order that certain categories of information be confidential if the commission finds that the public interest served by not disclosing the information clearly outweighs the

public interest served by disclosure. The bill would further provide that any present or former officer or employee of the commission who divulges information made confidential by the commission is guilty of a misdemeanor.

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 583 of the Public Utilities Code is
- 2 amended to read:
- 3 583. (a) All information furnished to the commission by a
- 4 public utility, or any business which is a subsidiary or affiliate of
- 5 a public utility, or a corporation which holds a controlling interest
- 6 in a public utility, except those matters specifically required to be
- 7 closed to public inspection by this part, shall be open to public
- 8 inspection and may not be withheld from public inspection except
- 9 on order of the commission, or by the commission or a
- 10 commissioner in the course of a hearing or proceeding.
- 11 (b) The commission may, by order, designate certain categories
- 12 of information as confidential, if it finds that the public interest
- 13 served by not disclosing the information clearly outweighs the
- 14 public interest served by disclosure of the information.
- 15 (c) Any present or former officer or employee of the
- 16 commission who divulges information made confidential by the
- 17 commission is guilty of a misdemeanor.
- 18 (d) Nothing in this section ~~requires~~ *authorizes* disclosure of
- 19 information that is exempt from disclosure under the California
- 20 Public Records Act (Chapter 3.5 (commencing with Section 6250)
- 21 of Division 7 of Title 1 of the Government Code).

