

**UNITED STATES OF AMERICA 100 FERC ¶ 63,006  
FEDERAL ENERGY REGULATORY COMMISSION**

San Diego Gas & Electric Company,  
Complainant,

v.

Docket No. EL00-95-045

Sellers of Energy and Ancillary Service Into  
Markets Operated by the California  
Independent System Operator Corporation  
and the California Power Exchange,  
Respondents.

Investigation of Practices of the California  
Independent System Operator and the  
California Power Exchange

Docket No. EL00-98-042

**ORDER CONCERNING CALIFORNIA PARTIES LETTER REQUEST**

(Issued July 19, 2002)

1. By a letter dated July 17, 2002, the Attorney General of the State of California, on behalf of the California Parties, requested that in the event that more than the five days of hearing scheduled in San Francisco, California are needed to adjudicate issues 2 and 3, the hearing should be continued and completed in San Francisco, California. As noted, the request is in the form of a letter and not a petition and was not noticed to the public as required by Commission regulations. My recommendation to the Chief Judge to authorize a hearing in California with regard to issues 2 and 3, the “who owes what to whom” issues, was based upon the participants views that, at most, not more than five days of hearing would be required to adjudicate those issues, that many of the participants desired that the 5-day hearing be held in San Francisco in order to provide an opportunity for a large segment of the population with a significant interest in the case to see their government at work first hand, and that many other participants believed that in the interest of administrative and judicial economy, all hearings should be held at the Commission, and that it was necessary to also consider the Commission’s limited budgetary resources and fiscal constraints for the current fiscal year. On balance, I concluded that it would be in the public interest to allocate not more than five days of hearing on these important issues to a local hearing and, on that basis, recommended and

the Chief Judge approved a 5-day hearing at San Francisco, California. I have advised the participants on several occasions that in the event that additional days of hearing are required, the hearing would be continued to and resumed as soon as practical at the Commission. Every effort should be made to stipulate the issues and achieve trial stipulations that will facilitate adjudication and conclusion of the hearing on issues 2 and 3 within the 5-day period that all agreed was needed for this purpose. It is too early to understand whether circumstances may require additional days of hearing. In any event, I find and conclude that there is no material change in circumstances that prompted my recommendation to the Chief Judge that, on balance, it was necessary and appropriate to convene a 5-day local hearing. Consequently, if additional days of hearing are needed beyond the five days currently allocated and scheduled, the hearing on issues 2 and 3 will be continued to and concluded at the Commission as promptly as possible.

Bruce L. Birchman  
Presiding Administrative Law Judge