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G-37, Proceedings of the California Public Utilities Commission - and of the Other Equivalent Governmental Utilities Regulatory Agencies

November 30, 1977

I. REFERENCE

California Administrative Code, Title 20, Chapter 1, "Public Utilities Commission," Rules of Practice and Procedure.

II. PURPOSE

This Bulletin contains procedures concerning the active participation involving official, on-the-record presentations in the proceedings of the California Public Utilities Commission (PUC), or equivalent regulatory activities of other governmental utilities agencies, by staff of University campuses or other administrative units acting on behalf of the University. Adherence to the procedures will assure:

- A. that necessary legal and other services are provided to University participants before and during presentations to the PUC or equivalent agencies; and
- B. that appearances and presentations by campus or other administrative unit representatives will be consistent with University policy and interest on the particular regulatory matter.

III. GENERAL

The PUC is a constitutionally-created, quasi-judicial body which has jurisdiction over matters concerning the operations and rates charged by private utilities companies which serve the public throughout the state. The University's use of natural gas, electricity, and telecommunications services is subject to PUC decisions affecting these services. Customarily, the PUC holds hearings, under rules governing admission of testimony and rights of parties, to take testimony from interested parties as part of its decision-making process; such testimony may be a major influence in shaping the commission's final decision. Other governmental agencies, such as municipal utilities, conduct their regulatory proceedings in a similar manner.

With the rapid and continuing rise of utility costs and the probability of service curtailment because of supply shortages, it is becoming increasingly important for the University to be more active in such proceedings in order to protect its interests. Cases may involve a single campus or administrative unit, more than one unit, or they may involve the University at large.

Independent or uncoordinated participation by University representatives may compromise subsequent University options for appeals or other actions in these regulatory matters.

IV. PROCEDURES

- A. University participation in PUC proceedings, or the equivalent, should be with the assistance of the General Counsel of The Regents. Responsible staff should communicate with the General Counsel's office and with the Systemwide office concerned with facilities operations or telecommunications in advance of the hearing or proceeding in order to allow time for review, comment, and preparation of appropriate legal advice or presentation.

- B. Invitations to any University facility from a serving utility agency or company or the PUC, or self-initiated proposals by a facility to participate in any regulatory proceedings, should be coordinated in such manner. Official University representation which might become a matter of record should be avoided without such coordination.
- C. Coordination with General Counsel and Systemwide is not necessary for communication with the PUC, or equivalent agencies, for routine informational purposes (such as determination of hearing dates or for requests for copies of decisions) or for spectator attendance at hearings or proceedings without active participation.
- D. It is recommended that each campus or administrative unit have a coordinator for PUC (or regulatory agency) matters.

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