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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of The Nevada Hydro Company for a Certificate of Public Convenience and Necessity for the Talega-Escondido/Valley-Serrano 500 kV Interconnect Project.

Application 10-07-001
(Filed July 6, 2010)

**ADMINISTRATIVE LAW JUDGE'S RULING
REGARDING MOTION TO COMPEL, MOTION TO ACCEPT LATE-FILED
COMMENTS, AND PHASE 1 SCHEDULE**

1. Summary

This ruling addresses the Motion to Compel, filed by Forest Residents Opposing New Transmission Lines on April 13, 2011, as well as the Motion to Accept Late-Filed Comments on Phase 1 Scoping Memo, filed by the Center for Biological Diversity on March 22, 2011. I also adjust the procedural schedule for Phase 1 of this proceeding.

2. Motion to Compel

On April 13, 2011, Forest Residents Opposed to New Transmission Lines (FRONTLINES) filed and served its Motion to Compel Southern California Edison (SCE) to provide certain information related to SCE's proposed Alberhill project (Application 09-09-022). On the same date, FRONTLINES also filed and served a ruling requesting that SCE's response time be shortened from ten days to six days, pursuant to Rule 11.1(e). On April 14, 2011, SCE filed its opposition

to this request. On April 15, FRONTLINES filed and served its reply to SCE's response, with my permission.

Pursuant to California Environmental Quality Act requirements, Commission staff is currently defining the scope of the Environmental Impact Report, including the alternatives to be considered to The Nevada Hydro Company's (Nevada Hydro) proposed project. The comment period for the scoping process closes on April 29, 2011. On April 18, 2011, by electronic mail, I informed parties that I concluded that it was reasonable to consider the Motion to Compel and any response that SCE may have in a timely manner, and I granted the FRONTLINES motion for a shortened response time. I directed SCE to file and serve its response by close of business on April 20, 2011, and directed FRONTLINES to file and serve a reply, should it wish to do so, by close of business on April 21, 2011.

SCE filed and served a Status Report on April 20, 2011 indicating that all discovery issues had been resolved. FRONTLINES filed and served a response on April 21, 2011 stating that it continued to have concerns regarding confidentiality of certain documents. I held a conference call with the parties on April 22, 2011. Based on the parties' agreements, the Motion to Compel is moot.

As indicated in the Scoping Memo Ruling issued on January 19, 2011, we expect parties to work together to resolve discovery disputes cooperatively and that parties must respond to data requests and other information requests in a timely fashion. I remind parties that Alternative Dispute Resolution (ADR) is available when parties cannot resolve such discovery disputes. Parties should contact the assigned Administrative Law Judge (ALJ) or ALJ Jean Vieth, the ADR Coordinator, to request that a neutral mediator or facilitator be assigned.

3. Motion for Acceptance of Late-Filed Comments

On March 22, 2011, the Center for Biological Diversity (CBD) filed and served its Motion to Accept Late-Filed Comments on the Phase 1 Scoping Memo. CBD served its comments on February 11, 2011, but an administrative error prevented the comments from being properly filed. San Diego Gas & Electric Company filed and served a response supporting CBD's request. No party is prejudiced by CBD's request. Therefore, I grant CBD's motion and direct the Commission's Docket Office to accept the Late-Filed Comments on the Phase 1 Scoping Memo.

4. Schedule for Phase 1

As set forth in the Scoping Memo Ruling for Phase 1, the Presiding Officer may revise the schedule as necessary. I now anticipate that the proposed decision on Phase 1 issues will be issued in late May or early June and will be targeted for a June or July agenda.

Therefore, **IT IS RULED** that:

1. The discovery issues raised in the Motion to Compel, filed and served by Forest Residents Opposed to New Transmission Lines on April 13, 2011, have been resolved and the Motion to Compel is therefore moot.

2. The Motion for Acceptance of Late-Filed Comments on Phase 1 Scoping Memo, filed and served by Center for Biological Diversity on March 22, 2011, is granted.

3. As the Presiding Officer, I modify the schedule for Phase 1 of Application 10-07-001. I anticipate issuing the proposed decision on Phase 1 matters by May or June 2011, with the proposed decision targeted to be considered by the Commission in June or July 2011.

4. Parties shall respond to data requests and other information requests in a timely fashion. To the extent that discovery disputes cannot be resolved informally, I urge parties to use Alternative Dispute Resolution to resolve such matters and to provide enough time to avail themselves of these services

Dated April 25, 2011, at San Francisco, California.

/s/ ANGELA K. MINKIN

Angela K. Minkin
Administrative Law Judge