

125 FERC ¶ 61,084
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
Philip D. Moeller, and Jon Wellinghoff.

Pacific Gas and Electric Company

Docket Nos. ER07-1213-000
ER07-1213-001
ER07-1213-002
ER08-267-000
ER08-267-001

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued October 22, 2008)

1. On September 2, 2008, Pacific Gas and Electric Company (PG&E) filed an offer of Settlement and Stipulation (Settlement) concerning PG&E's proposed changes to its wholesale and retail electric transmission rates under its Transmission Owner Tariff (TO Tariff), and proposed changes to rates and conditions of service for four of PG&E's Existing Transmission Contract (ETC) customers. On September 3, 2008, PG&E filed an Errata to the Settlement. The Settlement resolves all of the issues in the captioned proceedings.
2. On September 4, 2008, the California Public Utilities Commission (CPUC) filed comments in support of the Settlement, and on September 10, 2008, Commission Trial Staff (Trial Staff) filed comments in support of the Settlement. No other comments were filed. On September 18, 2008, the Presiding Administrative Law Judge certified the Settlement to the Commission as uncontested.¹
3. The Settlement is fair, reasonable and in the public interest and is hereby approved. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. The Commission retains the right to investigate the rates, terms and conditions under the just and reasonable and not unduly discriminatory or preferential standard of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2006).

¹ *Pacific Gas and Electric Company*, 124 FERC ¶ 63,023 (2008).

4. The tariff sheets and rate schedule sheets submitted as part of the Settlement are properly designated, accepted for filing and made effective as specified in the Settlement.²

5. As described in the Settlement, PG&E will make the refunds necessary to reflect the rates provided in the Settlement. PG&E will also file a refund report with the Commission within 30 days of the date on which PG&E has provided refunds to all customers.

6. Requests for rehearing in Docket Nos. ER07-1213-001, ER07-1213-002 and ER08-267-001 are moot in light of the Settlement. This order terminates Docket Nos. ER07-1213-000, ER07-1213-001, ER07-1213-002, ER08-267-000 and ER08-267-001.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

² *Designation of Electric Rate Schedule Sheets*, Order No. 614, FERC Stats. & Regs., ¶ 31,096 (2000).