

126 FERC ¶ 61,126  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

February 19, 2009

In Reply Refer To:

Southern California Edison Company  
Docket Nos. ER09-446-000, ER08-1343-000,  
ER08-1353-000, ER09-187-000,  
ER09-187-001, EL09-19-000  
(Consolidated)

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Reference: Accepting and Suspending Proposed Tariff Sheets, Establishing Hearing  
and Settlement Judge Proceedings, and Consolidating Proceedings

Dear Ms. Cole and Mr. Morgans:

1. On December 22, 2008, Southern California Edison Company (SoCal Edison) proposed revisions to rate sheets in its Transmission Owner Tariff to reflect annual updates and rate adjustments previously accepted by the Commission in other dockets. Specifically, SoCal Edison states that it has modified the transmission revenue requirement (TRR) and associated transmission rates for retail and wholesale customers to reflect the annual update to the transmission revenue balancing account adjustment (TRBAA) accepted in Docket No. ER09-167, adjustments to the construction work in progress (CWIP) revenue requirement ordered in Docket No. ER09-187 and the impact of terminating an existing transmission contract (ETC) with the Imperial Irrigation District in Docket No. ER09-196. SoCal Edison proposes to change the effective date of the tariff sheets from October 1, 2008 to March 1, 2009 and thus requests that the Commission accept the revised tariff sheets to become effective March 1, 2009.

2. SoCal Edison explains that this filing relates to several other Commission proceedings. Initially, in Docket ER08-1343, SoCal Edison proposed increases to its TRR and transmission rate levels. At the same time in Docket ER08-1353, SoCal Edison proposed to change the rates of several of its ETCs. The Commission consolidated these two dockets and established hearing and settlement procedures.<sup>1</sup> Shortly thereafter, SoCal Edison made three additional filings involving annual updates to its TRBAA in Docket No. ER09-167, CWIP rate incentives in Docket No. ER09-187 and cancelling its ETC with Imperial Irrigation District in Docket No. ER09-196. The Commission accepted SoCal Edison's annual update to its TRBAA and its cancellation of the ETC by delegated letter orders.<sup>2</sup> In Docket No. ER09-187 the Commission issued an order consolidating the CWIP rate incentives with the ongoing proceedings in ER08-1343 and ER08-1353, and also instituted an investigation under section 206 of the Federal Power Act<sup>3</sup> that was consolidated with the other proceedings.<sup>4</sup>

3. Notice of SoCal Edison's filing was published in the *Federal Register* with comments due on or before January 14, 2009.<sup>5</sup> Timely, unopposed motions to intervene and comments were filed by the California Department of Resources State Water Project (State Water Project), the City of Los Angeles Department of Water and Power (LADWP), and the M-S-R Public Power Agency (M-S-R). The Modesto Irrigation District and the City of Santa Clara, doing business as Silicon Valley Power, and the City of Redding, California, filed separate timely motions to intervene, and adopted and incorporated M-S-R's comments as their own. SoCal Edison filed an answer to the motions and comments.

4. LADWP and M-S-R state that the Commission should consolidate this proceeding with the previously consolidated proceedings in Docket Nos. ER08-1343, ER08-1353, ER09-187 and EL09-19. The parties generally support consolidation because this

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<sup>1</sup> *Southern California Edison Co.*, 124 FERC ¶ 61,308 (2008).

<sup>2</sup> *Southern California Edison Co.*, Docket No. ER09-167-000 (December 9, 2008) (unpublished letter order); *Southern California Edison Co.*, Docket No. ER09-196-000 (November 8, 2008) (unpublished letter order).

<sup>3</sup> 16 U.S.C. § 824e (2006).

<sup>4</sup> *Southern California Edison Co.*, 125 FERC ¶ 61,329 (2008) (consolidating most issues raised in ER09-187 with the ER08-1343-000, *et al.* proceedings, but referring SoCal Edison's proposed return on equity to a paper hearing proceeding in Docket No. ER08-375-000).

<sup>5</sup> 74 Fed. Reg. 1670 (2009).

proceeding has common issues of law and fact with the previously consolidated proceedings and because consolidation will promote efficiency. In its answer, SoCal Edison agrees with the intervenors that the Commission should consolidate this proceeding with the other proceedings.

5. The State Water Project states that it has previously objected to SoCal Edison's proposed increase to its CWIP return on equity, an issue in Docket No. ER08-375, and it maintains its objection.

6. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure,<sup>6</sup> the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure,<sup>7</sup> prohibits an answer to a protest unless otherwise ordered by the decisional authority. We will accept SoCal Edison's answer because it has provided information that assisted us in our decision-making process.

7. Our preliminary analysis indicates that SoCal Edison's proposed tariff sheets have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. Therefore, we will accept these sheets, suspend them for a nominal period, make them effective on March 1, 2009, subject to refund, and set them for hearing and settlement judge procedures. Given the common issues of law and fact, we will also consolidate this docket with the ongoing proceedings in Docket Nos. ER08-1343-000, *et al.*

The Commission orders:

(A) SoCal Edison's proposed tariff sheets are hereby accepted and suspended for a nominal period, made effective on March 1, 2009, subject to refund, and set for hearing and settlement judge procedures, as discussed in the body of this order.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and regulations under the Federal Power Act (18 C.F.R. Chapter I), a public hearing shall be held concerning the justness and reasonableness of the SoCal Edison's proposed tariff sheets.

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<sup>6</sup> 18 C.F.R. § 385.214 (2008).

<sup>7</sup> 18 C.F.R. § 385.213(a)(2).

(C) These proceedings are hereby consolidated for purposes of settlement, hearing, and decision with the ongoing proceeding in Docket Nos. ER08-1343-000, *et al.*

(D) The settlement judge or presiding judge, as appropriate, designated in Docket Nos. ER08-1343-000, *et al.*, shall determine the procedures best suited to accommodate consolidation.

By direction of the Commission. Commissioner Kelliher is not participating.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.