

## PUBLIC UTILITIES COMMISSION

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October 24, 2022

California Court of Appeal  
Second Appellate District, Division One  
Ronald Reagan State Building  
300 S. Spring Street, 2nd Floor, North Tower  
Los Angeles, CA 90013

**Subject: *Southern California Gas Company v. California Public Utilities Commission, California Court of Appeal, Second Appellate District, Division One (Case No. B310811)***

To the Honorable Justices of the California Court of Appeal, Second Appellate District, Division One:

Respondent California Public Utilities Commission (Commission) respectfully writes to address the issue of proposed ordering paragraphs that the Court raised at oral argument on October 19, 2022. While the Commission believes that its lawful order should be affirmed, it nevertheless wants to comply with the Court's direction to be informed of the Commission's comments on petitioner's proposed order. Despite the good faith efforts of both counsel, we were unable to reach consensus on the inclusion of the Commission's comments in petitioner's submission to the Court on October 21, 2022.

Accordingly, we are providing those comments to the Court through this letter. The comments were provided to petitioner prior to its filing on Friday, October 21, 2022:

As the Commission communicated to petitioner, petitioner's proposed order goes beyond the prayer for relief articulated in its petition at pages 31-32 as well as applicable law. Public Utilities Code section 1758(a) authorizes the Court to affirm or set aside

the underlying Commission Resolution. The Court's statutorily limited review of the Commission's decisions does not permit the Court to direct the Commission's regulatory program in the manner petitioner suggests.

Included in its comments, the Commission provided petitioner with proposed ordering paragraph language that was responsive to the Court's request. Petitioner included that language as Attachment B to its filing on October 21, 2022. The Commission also relayed to petitioner its view that no further ordering paragraphs beyond the Commission's provided language would be necessary in order to remand this matter.

The Commission does not object to petitioner responding to this letter or to any further briefing that the Court may request.

Respectfully submitted,

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