

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Application of San Diego Gas & Electric Company (U 902 E) for Authorization to Recover Costs Related to the 2007 Southern California Wildfires Recorded in the Wildfire Expense Memorandum Account (WEMA)	A.15-09-010 (Filed September 25, 2015)
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**PROTEST OF SAN DIEGO CONSUMERS' ACTION NETWORK (SDCAN) TO  
APPLICATION OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902-M)  
FOR AUTHORITY TO RECOVER COSTS**

Michael Shames  
Jennifer Betts  
San Diego Consumers' Action Network  
6975 Camino Amero  
San Diego, CA 92111  
(619) 393-2224  
michael@sandiegocan.org

October 23, 2015

## **I. INTRODUCTION**

Pursuant to Rule 2.6 of the Commission's Rules of Practice and Procedure, San Diego Consumers' Action Network (SDCAN) hereby protests San Diego Gas & Electric Company's (SDG&E) Application requests that the California Public Utilities Commission ("Commission") permit it to recover costs related to the 2007 wildfires recorded in the Wildfire Expense Memorandum Account (WEMA).

On September 25, 2015, SDG&E filed its application. Pursuant to Rule 2.6 of the Commission's Rules of Practice and Procedure, SDCAN submits this protest to SDG&E application. Rule 2.6 requires that protests be filed within 30 days of the date the notice of the filing of the application first appeared in the Commission's calendar. Accordingly, this protest is timely.

## **II. GROUNDS FOR PROTEST**

SDCAN avers that SDG&E's request for authorization to increase their revenue requirements, as presented in this application, should be rejected as the Applicant has failed to take full responsibility for causing the fires. As the applicant, SDG&E bears the burden of proving that it is entitled to the revenue requirement it seeks in its application, and must affirmatively establish the reasonableness of each and every proposal within its application.

While SDCAN is still in the preliminary stage of its investigation and analysis, it expects to present evidence in its prepared testimony and through evidentiary hearings showing that SDG&E negligently failed to properly maintain its distribution and transmission system and thus should not merit recovery of 90% of the wildfire costs. SDCAN will also show that the utility sought to conceal its negligent infrastructure design and maintenance by aggressively preventing litigating the utility's negligence in civil court. Instead, SDG&E required that any and all settlements with its customers exclude liability issues and be restricted to damages only. SDCAN will further present evidence that SDG&E sought to hide evidence of its negligent complicity in the cause of the wildfires and destroyed relevant evidence that would reveal

SDG&E's errors. For these reasons, SDG&E is not legally entitled to 90% recovery of wildfire costs.

### **III. EFFECT OF APPLICATION ON PROTESTANT**

SDCAN is a non-profit consumer advocacy organization, and been recognized by the CPUC as representing the interests of residential and small commercial customers of California's utility companies before this Commission. SDCAN's articles of incorporation specifically authorize our representation of the interests of residential customers. The instant application harms the interests of the SDG&E's residential and small commercial ratepayers, whose interests SDCAN represents, by seeking authorization to collect from ratepayers charges that are unjust and unreasonable. SDCAN's articles of incorporation specifically authorize its representation of the interests of such customers. The instant application harms the interests of SDG&E's residential and small commercial ratepayers, whose interests SDCAN represents.

Respectfully submitted,

Dated: October 23, 2015

/s/

Michael Shames, Esq.  
Jennifer Betts, Esq.  
San Diego Consumers' Action Network  
6975 Camino Amero  
San Diego, CA 92111  
(619) 393-2224  
michael@sandiegocan.org