

ASSEMBLY BILL

No. 2748

Introduced by Assembly Member Gatto

February 19, 2016

An act to relating to the Aliso Canyon Gas Storage Facility.

LEGISLATIVE COUNSEL'S DIGEST

AB 2748, as introduced, Gatto. Aliso Canyon Gas Storage Facility: leak: claims for damage to property.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations. The Public Utilities Act prohibits any gas corporation from beginning the construction of, among other things, a line, plant, or system, or of any extension thereof, without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require that construction. Pursuant to existing law, the commission issued a certificate of public convenience and necessity to Southern California Gas Company for the Aliso Canyon Gas Storage Facility.

Existing law establishes the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation and authorizes the State Oil and Gas Supervisor, with the approval of the Director of Conservation, to adopt rules and regulations that may be necessary to carry out the purposes for which the division was established. Pursuant to its existing authority, the supervisor has adopted onshore well regulations that are applicable, in part, to gas storage facilities.

Existing law defines a nuisance as anything injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property, as specified. Existing law defines a public nuisance as a

nuisance that affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and makes every public nuisance a private nuisance as to those affected by it. Existing law provides that the abatement of a nuisance does not prejudice the right of any person to recover damages for its past existence.

This bill would state the intent of the Legislature to enact legislation that would facilitate the resolution of claims for property damage against Southern California Gas Company growing out of a major leakage of natural gas at its Aliso Canyon Gas Storage Facility that commenced in October 2015, in order to achieve just results while avoiding clogging the courts.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation that would facilitate the resolution of claims for property
- 3 damage against Southern California Gas Company growing out
- 4 of a major leakage of natural gas at its Aliso Canyon Gas Storage
- 5 Facility that commenced in October 2015, in order to achieve just
- 6 results while avoiding clogging the courts.

O