

ASSEMBLY BILL

No. 1387

**Introduced by Assembly Member Cogdill
(Coauthor: Assembly Member Pescetti)**

February 23, 2001

An act to add Section 785.6 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1387, as introduced, Cogdill. Public utilities: natural gas.

(1) Existing law authorizes the Public Utilities Commission to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or service to be furnished, imposed, observed, and followed by all gas corporations.

This bill would require a gas corporation to approve or deny a request by a gas producer to connect a developed gas well to a utility pipeline within 21 days of the request. The bill would authorize the gas producer to file a complaint with the commission if the gas corporation does not comply with these provisions. The bill would require the commission to convene an arbitration hearing no later than 14 days after a complaint has been filed and to issue a final ruling in the matter no more than 14 days after completion of the hearing. The bill would require all counties to take action on all permit applications related to natural gas wells, natural gas pipelines, and natural gas well interconnections within 21 days. By imposing new duties on counties, the bill would create a state-mandated local program. Because a violation of the Public Utilities Act is a crime under existing provisions of law, this bill would create a state-mandated local program by expanding the definition of a crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. Section 785.6 is added to the Public Utilities
2 Code, to read:

3 785.6. (a) A gas corporation shall approve or deny a request
4 by a gas producer to connect a developed gas well to a utility
5 pipeline within 21 days of the request.

6 (b) A gas producer may file a complaint with the commission
7 if the gas corporation does not comply with this section. The
8 commission shall convene an arbitration hearing no later than 14
9 days after a complaint has been filed. The commission shall issue
10 a final ruling in the matter no more than 14 days after completion
11 of the hearing.

12 (c) All counties shall take action on all permit applications
13 related to natural gas wells, natural gas pipelines, and natural gas
14 well interconnections within 21 days.

15 SEC. 2. No reimbursement is required by this act pursuant to
16 Section 6 of Article XIII B of the California Constitution for
17 certain costs that may be incurred by a local agency or school
18 district because in that regard this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section 17556 of
21 the Government Code, or changes the definition of a crime within



1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

3 However, notwithstanding Section 17610 of the Government
4 Code, if the Commission on State Mandates determines that this
5 act contains other costs mandated by the state, reimbursement to
6 local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code. If the statewide cost of the
9 claim for reimbursement does not exceed one million dollars
10 (\$1,000,000), reimbursement shall be made from the State
11 Mandates Claims Fund.

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