

The California Public Utilities Commission (CPUC) sets the rates and, to a large extent, the terms of service of the state's publicly owned utilities, including electrical and natural gas utilities. By practical necessity and, in some instances, statutory requirement, the CEC works closely with and influences the work of the CPUC.

Statute obligates the president of the CPUC to appear annually before the relevant legislative committees. The conditions that led the Legislature to require the president of the CPUC to appear before it seem to be unique to the CPUC at the time the requirement was created: the CPUC faced a persistent workload backlog and, according to long-time legislative staff, the then-president of the CPUC ignored legislative requests to appear before policy committees.

This committee is unaware of similar workload issues at the CEC; nor is this committee aware of any reluctance on the part of CEC leadership or staff to appear before or report to the Legislature. It is not clear why legislative oversight of the CEC could not be achieved by a standing request by the policy committees of each house that the CEC appear annually before them, similar to the practice of legislative budget committees.

The author contends the statutory requirement is required because:

The authority and responsibility of the California Energy Commission have expanded significantly, yet its oversight by the Legislature has not appropriately kept up with that growth...Given its growth in size and purview, it is now unique among similar state agencies in its lack of an 'appear and report' requirement.

There have been several attempts to place in statute the requirement that the chair of the CEC appear before the Legislature; however, none of those attempts passed both houses of the Legislature. The committee is aware of neither support for, nor opposition to, this bill.

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