



## **SOUTHWEST GAS CORPORATION**

Andrew V. Hall, Associate General Counsel/Legal Affairs

October 26, 2020

### **Via Email**

Acting Executive Director Rachel Peterson  
[rachel.peterson@cpuc.ca.gov](mailto:rachel.peterson@cpuc.ca.gov)  
California Public Utilities Commission  
505 Van Ness Avenue  
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Re: Comments of Southwest Gas Corporation on Draft Resolution No. M-4846

Dear Executive Director Peterson:

Pursuant to Rule 14.5 of the Rules of Practice and Procedure (Rules) of the California Public Utilities Commission (Commission), Southwest Gas Corporation (Southwest Gas or Company) hereby submits its comments on Draft Resolution M-4846 (Draft Resolution), which proposes the Commission Enforcement and Penalty Assessment Policy (Draft Enforcement Policy) reflected in Appendix A to the Draft Resolution. Southwest Gas appreciates the efforts of the Commission and offers the following comments with respect to Section 6(c) of the Draft Enforcement Policy (Notice of Violation).

Section 6(c) of the Draft Enforcement Policy sets forth the appropriate actions the applicable Industry Division Staff may take in response to a regulated entity's response to a Notice of Violation after reviewing the regulated entity's response. Specifically, pursuant to Section 6(c), Staff may take any appropriate action including any of the following actions:

- i. Send the regulated entity a draft Proposed Administrative Consent Order and negotiate a proposed settlement for Commission review;
- ii. Request that the regulated entity provide additional information; or
- iii. Take the next appropriate enforcement action.

However, the proposed appropriate actions do not account for the circumstance in which Staff is satisfied by the utility's response and no enforcement action is required. Southwest Gas proposes that an additional appropriate action be added to the preceding list, which would have Staff send the responding utility notice that its response satisfies any concerns set forth in Staff's Notice of Violation. It would be



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beneficial for a regulated entity to have notice that its response satisfies Staff's Notice of Violation and to have a written response from Staff for the responding party's file. Accordingly, Southwest Gas proposes the following modification, noted in bold letters, to Staff's list of appropriate actions:

- i. Send the regulated entity a draft Proposed Administrative Consent Order and negotiate a proposed settlement for Commission review;
- ii. Request that the regulated entity provide additional information;
- iii. Take the next appropriate enforcement action; **or**
- iv. send the responding utility notice that its response satisfies any concerns set forth in Staff's Notice of Violation.**

Southwest Gas appreciates the opportunity to submit these comments.

Sincerely,

Andrew V. Hall  
Associate General Counsel

cc: Valerie Ontiveroz  
California Regulatory Manager  
[valerie.ontiveroz@swgas.com](mailto:valerie.ontiveroz@swgas.com)

Service list of Notice of Amendments to the  
Commission's Rules of Practice and Procedure



**SOUTHWEST GAS CORPORATION**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the “**SOUTHWEST GAS CORPORATION’S COMMENTS TO DRAFT RESOLUTION M-4846**” to the attached service lists in GO-96-B and the Commission’s Rules of Practice and Procedure for the Notice of Amendments to the Commission’s Rules of Practice and Procedure.

Dated October 26, 2020.

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