



**FILED**

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

Resolution ALJ 176-3237  
Administrative Law Judge Division  
July 9, 2009

**RESOLUTION**

RESOLUTION ALJ 176-3237. Preliminary determinations of category and need for hearing for proceedings initiated by application pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

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Senate Bill (SB) 960 (Leonard, ch. 96-0856) requires, among other things, that the Commission categorize proceedings and determine the need for hearing for purposes of determining the applicable restrictions on ex parte communications and other applicable rules. The rules implementing these requirements are found, for the most part, in Articles 7 and 8 of the Commission's Rules of Practice and Procedure.

Rule 7.1 requires the Commission to preliminarily determine, for a proceeding initiated by application, the proceeding's category and whether the proceeding requires a hearing. The Commission has reviewed the initial pleading of the utility applicants and makes the preliminary determinations of category and need for hearing as shown in the attached Preliminary Determination Schedule, consistent with the requirements of Rule 7.1.

No public review or comment is required for this resolution pursuant to Rule 14.7.

**IT IS ORDERED** that:

1. The category and need for hearing for each proceeding initiated by application listed in the attached Schedule of Preliminary Determinations are preliminarily determined, as noted.

ALJ/smj

2. This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on July 9, 2009, the following Commissioners voting favorably thereon:

/s/ PAUL CLANON

PAUL CLANON  
Executive Director

MICHAEL R. PEEVEY  
President  
DIAN M. GRUENEICH  
JOHN A. BOHN  
RACHELLE B. CHONG  
TIMOTHY ALAN SIMON  
Commissioners

## PRELIMINARY DETERMINATION SCHEDULE

Resolution ALJ 176-3237 (7/9/09)

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING
<b>A09-06-008</b> City of Cerritos, Application of the City of Cerritos for a Determination of Rights under Assembly Bill (AB) 80 and Modification of the AB 80 Agreement.	Ratesetting	Ratesetting	NO
<b>A09-06-009</b> PENINSULA CORRIDOR JOINT POWERS BOARD (CALTRAIN), Application of Peninsula Corridor Joint Powers Board (Caltrain) requesting Authority for Variances from Portions of General Order 95.	Ratesetting	Ratesetting	NO
<b>A09-06-014</b> Southern California Gas Company, In the Matter of the Application of Southern California Gas Company (U 904 G) Regarding Year 15 (2008-2009) of its Gas Cost Incentive Mechanism.	Ratesetting	Ratesetting	NO
<b>A09-06-015</b> The Ponderosa Telephone Co., Application of The Ponderosa Telephone Co. (U1014C) for Modification of Resolution T-17132.	Ratesetting	Ratesetting	NO
<b>A09-06-016</b> Cal-Ore Telephone Co, Calaveras Telephone Company, Ducor Telephone Company, Foresthill Telephone Co., Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Co., Pinnacles Telephone Co., Sierra Telephone Company, Inc., The Ponderosa Telephone Co., The Siskiyou Telephone Company, Volcano Telephone Company, Winterhaven Telephone Company. Application For Modification of Resolution T-17002.	Quasi- legislative	Ratesetting	NO
<b>A09-06-017</b> Calaveras Telephone Company, Application of Calaveras Telephone Company (U1014C) for Modification of Resolution T-17184.	Ratesetting	Ratesetting	NO
<b>A09-06-021</b> BAREVOX, INC., Application of Barevox, Inc. for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO

## PRELIMINARY DETERMINATION SCHEDULE

Resolution ALJ 176-3237 (7/9/09)

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING
<b>A09-06-023</b> Merced Irrigation District, Modesto Irrigation District, Pacific Gas and Electric Company, Application of Pacific Gas and Electric Company (U 39 E), Modesto Irrigation District, and Merced Irrigation District For Approval Of Nonbypassable Charge Agreement.	Ratesetting	Ratesetting	NO
<b>A09-06-024</b> COMMUNICATION TELEFONICAS LATINAS CORP., Application of Communication Telefonicas Latinas Corp for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO
<b>A09-06-026</b> Southern California Edison Company, In the Matter of the Application of Southern California Edison Company (U338E) for Authority to Lease Available Land on the West Lugo-Mira Loma Transmission Right-of-Way to RVSA, LLC, a Limited Liability Company.	Ratesetting	Ratesetting	NO
<b>A09-06-027</b> CALIFORNIA DEPARTMENT OF TRANSPORTATION, Application of the California Department of Transportation for an Order authorizing the construction of a single grade separation structure on Carmenita Road (Proposed CPUC No. 001BK-501.20-A) (per General Order 26-D) over both Route 5 and one rail line operated by the Union Pacific Railroad; relocation of the existing grade crossing approximately 30 ft. to the east of present location to Carmenita Place (per General Order 75-D); and resurfacing the Arctic Circle grade crossing (CPUC No.001BK-501.18- C, DOT No.748126B) with concrete panel (per General Order 75-D), located in the City of Santa Fe Springs, County of Los Angeles, State of California.	Ratesetting	Ratesetting	NO
<b>A09-06-028</b> RIEL VENTURES, dba DIABLO KID CHAUFFER, Application of Riel Ventures, a California corporation, doing business as Diablo Kid Chauffer for Authority to operate as an on call Passenger Stage Corporation between points along State Route 24 from Orinda, California to Interstate 680 and to and from Pleasant Hill, California along Interstate 680 to Interstate 580 to Livermore, California; and to establish a Zone of Rate Freedom (ZORF).	Ratesetting	Ratesetting	NO

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Resolution ALJ 176-3237 (7/9/09)

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING
<b>A09-07-001</b> California Water Service Company, In the Matter of the application of California Water Service Company, (U60W), a California corporation, for an order 1)authorizing it to increase rates for water service by \$70,592,000 or 16.75% in test year 2011, 2) authorizing it to increase rates on January 1, 2012 by \$24,777,000 or 5.04% and January 1, 2013 by \$24,777,000 or 4.79% in accordance with the Rate Case Plan, and 3) adopting other related rulings and relief necessary to implement the Commission's ratemaking policies.	Ratesetting	Ratesetting	NO
<b>A09-07-002</b> California-American Water Company, In the Matter of the Application of California-American Water Company (U210W) for an Order Authorizing a Balancing Account to Track and Recover the Increased Pension and Other Post-Employment Benefits Costs Incurred Due to the Severe Downturn in the Financial Markets.	Ratesetting	Ratesetting	NO
<b>A09-07-003</b> FREEDOM TELECOMMUNICATIONS, INC. (U7110C), Application of Freedom Telecommunications, Inc. (U7110C) to Expand its existing Certificate of Public Convenience and Necessity to include Full Facilities-Based Telecommunications Services.	Ratesetting	Ratesetting	NO
<b>A09-07-004</b> CVC CLEC, LLC, Application of CVC CLEC, LLC for Authority to operate as a Provider of Limited Facilities Based Local Exchange and Interexchange Telecommunications Service within the State of California.	Ratesetting	Ratesetting	NO
<b>A09-07-005</b> NEW HORIZONS COMMUNICATIONS CORPORATION (U6896C), NEW HORIZONS COMMUNICATIONS OF CALIFORNIA CORP. (U7133C), Joint Application of New Horizons Communications Corporation (U6896C) and New Horizons Communications of California Corp. (U7133C) for Approval to Transfer the CLC Certificate of New Horizons Communications of California Corp. to New Horizons Communications Corporation.	Ratesetting	Ratesetting	NO

**PRELIMINARY DETERMINATION  
SCHEDULE**

Resolution ALJ 176-3237 (7/9/09)

<b>NUMBER TITLE</b>	<b>PROPOSED CATEGORY</b>	<b>PRELIM. CATEGORY</b>	<b>HEARING</b>
<b>A09-07-006</b> KWANG WEON BAE, Application of Kwang Weon Bae to Expand his PSC Certificate #20458 to include specific points in and between the Counties of Santa Clara and Los Angeles; and to establish a Zone of Rate Freedom (ZORF).	Ratesetting	Ratesetting	NO
<b>A09-07-007</b> UNITED TELECOM, INC., In the Matter of the Application of United Telecom, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO