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04-16-09

04:59 PM

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ 176-3232
Administrative Law Judge Division
April 16, 2009

RESOLUTION

RESOLUTION ALJ 176-3232. 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.

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.

PRELIMINARY DETERMINATION SCHEDULE

Resolution ALJ 176-3232 (4/16/09)

NUMBER TITLE	PROPOSED CATEGORY	PRELIM CATEGORY	HEARING
A09-03-021 CITY OF MENDOTA, Application of the City of Mendota for Authority to construct an at-grade pedestrian Crossing along the prolongation of 2nd Street across the tracks of the Union Pacific Railroad Company in the City of Mendota, Fresno County.	Ratesetting	Ratesetting	NO
A09-03-025 CITY OF SAN JOSE, SANTA CLARA VALLEY TRANSPORTATION AUTHORITY, Application of the City of San Jose for an Order authorizing construction of a grade-separated pedestrian/bicycle crossing (CPUC No.001E-58.70) over tracks of the Union Pacific Railroad Company (MP 55.35-Coast Subdivision) and over State Route 82 (Monterey Road) near Blossom Hill Road in the City of San Jose, County of Santa Clara.	Ratesetting	Ratesetting	NO
A09-03-026 TGEC COMMUNICATIONS CO., INC., WEST COAST VOICE & DATA, INC., Joint Application of TGEC Communications Co., LLC (U5809C) for Approval of Transfer of Ownership to West Coast Voice & Data, Inc.	Adjudicatory	Ratesetting	NO
A09-03-028 DTS of CA, Inc., Application of DTS of CA, Inc. for a Certificate of Public Convenience and Necessity to Construct Telecommunications Facilities and to Provide Local Exchange and Interexchange Service to Unserved Territories in California.	Ratesetting	Ratesetting	NO
A09-03-029 CERTAIN COMMUNICATIONS CORPORATION, Application of Certain Communications Corporation for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO
A09-03-030 TCO Network, Inc., In the Matter of the Application of TCO Network, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold Local Exchange Telecommunications Services within California.	Ratesetting	Ratesetting	NO

PRELIMINARY DETERMINATION SCHEDULE

Resolution ALJ 176-3232 (4/16/09)

NUMBER TITLE	PROPOSED CATEGORY	PRELIM CATEGORY	HEARING
A09-03-031 COUNTY OF NAPA, Application of the County of Napa to construct a new grade-separated overcrossing at the extension of Devlin Road in the vicinity of Mile Post No. 62.6 in the Napa Subdivision of the Union Pacific Railroad in an unincorporated area of the County of Napa, State of California.	Ratesetting	Ratesetting	NO
A09-03-032 LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, In the Matter of the Application of the Los Angeles County Metropolitan Transportation Authority for an order authorizing the construction of a two lane grade separated roadway crossing for an extension of the Bus Rapid Transit Orange Line above and across the tracks operated by Southern California Regional Rail Authority, Union Pacific Railroad and Amtrak at Mile Post 445.73 in Chatsworth, City and County of Los Angeles.	Ratesetting	Ratesetting	NO
A09-03-033 TELCO EXPERTS, LLC, In the Matter of the Application of Telco Experts, LLC for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.	NDIEC Registration Application	Ratesetting	NO
A09-04-001 Pacific Gas and Electric Company, Application of Pacific Gas and Electric Company for Approval of a Power Purchase Agreement with Mariposa Energy, LLC. (U39E)	Ratesetting	Ratesetting	YES
A09-04-002 Southern California Edison Company, Application of Southern California Edison Company (U338E) for a Commission finding that its Procurement-Related and Other Operations for the Record Period January 1 through December 31, 2008 complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account and Other Regulatory Accounts; and for Recovery of \$35.796 Million Recorded in Four Memorandum Accounts.	Ratesetting	Ratesetting	YES
A09-04-003 GREAT OAKS WATER COMPANY (U162W), Application of Great Oaks Water Company (U162W) for an Order authorizing it to postpone filing of a General Rate Case for twelve months until July 1, 2010.	Ratesetting	Ratesetting	NO

PRELIMINARY DETERMINATION SCHEDULE

Resolution ALJ 176-3232 (4/16/09)

NUMBER TITLE	PROPOSED CATEGORY	PRELIM CATEGORY	HEARING
A09-04-004 LITTLE BEAR WATER COMPANY, INC., Petition of Little Bear Water Company, Inc. (U 214 W) Requesting Modification of Resolution No. W-4736 Dated January 29, 2009.	Ratesetting	Ratesetting	NO
A09-04-005 DONATUS BERNARD INYANG, dba AGILE SHUTTLE TRANSPORTATION SERVICES, Application to Transfer Agile Transportation Shuttle Service Inc. and PSC -19676 to Donatus Bernard Inyang, doing business as Agile Shuttle Transportation Services.	Ratesetting	Ratesetting	NO
A09-04-006 DRA/OBIORA/CPUC, THE UTILITY REFORM NETWORK, Application of the Division of Ratepayer Advocates and The Utility Reform Network for Rehearing of Resolution E-4227A Approving in Part and Denies in Part Southern California Edison's Request to Establish a Memorandum Account and Recover up to \$30 Million in Costs For a California IGCC Study.	Ratesetting	*	NO
A09-04-007 Pacific Gas and Electric Company, Application of Pacific Gas and Electric Company in its 2009 Nuclear Decommissioning Cost Triennial Proceeding (U39E).	Ratesetting	Ratesetting	YES
A09-04-008 Southern California Edison Company, Application of Southern California Edison Company (U338E) For Authorization to Recover Costs Necessary to Co-Fund a Feasibility Study of a California IGCC with Carbon Capture and Storage.	Ratesetting	Ratesetting	YES
A09-04-009 San Diego Gas & Electric Company, Southern California Edison Company, Joint Application of Southern California Edison Company (U338E) and San Diego Gas & Electric Company (U902E) for the 2009 Nuclear Decommissioning Cost Triennial Proceeding to Set Contribution Levels for the Companies' Nuclear Decommissioning Trust Funds and Address Other Related Decommissioning Issues.	Ratesetting	Ratesetting	YES

* Application for Rehearing of Resolution is assigned to Legal Division. Categorization/Need for Hearing will be addressed as necessary if the Commission subsequently grants rehearing.

**PRELIMINARY DETERMINATION
SCHEDULE**

Resolution ALJ 176-3232 (4/16/09)

NUMBER TITLE	PROPOSED CATEGORY	PRELIM CATEGORY	HEARING
A09-04-010 Southern California Edison Company, In the Matter of the Application of Southern California Edison Company (U338E) for a Certificate of Public Convenience and Necessity to Construct the Walnut Creek Energy Park 230 kV Transmission Line.	Ratesetting	Ratesetting	NO
A09-04-011 EXELON CORPORATION, EXELON XCHANGE CORPORATION, Application of Exelon Corporation and Exelon Xchange Corporation for Authority to Acquire Indirect Control and Ownership of NRG Energy Center San Francisco LLC (U909H).	Ratesetting	Ratesetting	NO