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**Public Utilities Commission of the State of California**  
*William Ahern, Executive Director*

Headquarters

505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2782

Southern California Office

320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013  
(213) 576-7000

Website: <http://www.cpuc.ca.gov>

Calendar Archive: [http://www.cpuc.ca.gov/daily\\_calendar\\_archive/](http://www.cpuc.ca.gov/daily_calendar_archive/)

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**Daily Calendar**  
**Monday, December 22, 2003**

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/ Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications

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**Summaries of Decisions and Resolutions for the Commission Meeting of December 4, 2003, are included in this calendar.**



**The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities.**

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

E-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)  
toll-free: 1-866-849-8390  
Voice: 415-703-2074

FAX: 415-355-5404 (Attn.: Public Advisor)  
TTY: 1-866-836-7825 (toll-free)  
1-415-703-5282

**REGULAR COMMISSION BUSINESS MEETINGS**

January 8, 2004	10 am	San Francisco
January 22, 2004	10 am	San Francisco
February 11, 2004	10 am	San Francisco

**COMMISSION RATESETTING DELIBERATIVE MEETINGS**

(Not Open to the Public)

*Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.*

January 5, 2004	1:30 pm	San Francisco
January 16, 2004	1:30 pm	San Francisco
February 6, 2004	1:30 pm	San Francisco

**OTHER COMMISSION MEETINGS****NONE****NOTICES****Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4<sup>th</sup> Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

**Charge for Commission Documents**

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

**Commission Resources Available for Rental**

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

**SUBSCRIPTION INFORMATION****Subscription to Daily Calendar, Commission Meeting Agenda, and Draft Agenda Items**

For information contact: California Public Utilities Commission  
 Attention: Poly Arca  
 505 Van Ness Avenue, Room 1003  
 San Francisco, CA 94102  
 Phone: (415) 703-1798  
 E-mail: pol@cpuc.ca.gov

**COMMISSIONER OFFICE HOURS**

NONE

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**PUBLIC MEETING & WORKSHOPS**

NONE

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**NOTICE OF DRAFT RESOLUTIONS  
(Pursuant to PU Code § 311(g))**

**Draft Resolution Increasing Household Goods Carrier Maximum Rates Available**

A draft resolution (TL-19036) of the Consumer Protection and Safety Division that increases the household goods carrier maximum rates contained in Maximum Rate Tariff 4 will be on the January 8, 2004 Commission meeting agenda. It is now available for public review and comment. For details on how to obtain a copy of the draft and file comments on it, refer to the notice that was published on this matter in the December 4, 2003 Daily Calendar. It is available through the Daily Calendar Archives on the Commission's web site:

<http://www.cpuc.ca.gov/cyberdocs/Libraries/WEBPUB/Common/agSearchDsp.asp>

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After Resolution E-3842, Kenwood requested CPUC to allow them to erect a new riser pole on the opposite side of Highway 12, on Caltran's right-of-way, in order to accept underground service. An electric line would string from this riser pole to an existing power pole on Kunde Vineyard.

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**NEW FILINGS**

NONE

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

12/18/03

**R03-09-006** - Order Instituting Rulemaking on the Commission's own motion for the purpose of considering policies and rules governing utility construction contracting processes; **Petition for Modification of R03-09-006 by Calaveras Telephone Company, Cal-Ore Telephone Co., Ducor Telephone Company, Evans Telephone Company, Foresthill Telephone Co., Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Company, Pinnacles Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, Volcano Telephone Company, and Winterhaven Telephone Company.**

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**DRAFT DECISIONS \* PROPOSED DECISIONS \* ALTERNATES \* PRESIDING OFFICER'S DECISION \*  
ARBITRATOR'S REPORTS**

12/19/03

**A02-07-021** - In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will convey Water Rights in the Culver City Customer Service Area; **Proposed Decision of ALJ Walker.**

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**ADVICE LETTER FILINGS**

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

To protest a filing, mail the original letter/telegram to the Chief of the appropriate division (i.e., "Chief, [Energy, Telecommunications or Water] Division"), to be received no later than 20 days after the date the Advice Letter was filed.

"Effective TBD" means that the date is to be determined by further Commission action. A date listed as "anticipated effective" may be subject to change. An Advice Letter Supplement is not a new filing, and there is no protest period unless indicated.

12/11/03	Telecom 180	COX CALIFORNIA TELCOM II, LLC., ICB contracts ( <b>effective TBD</b> )
12/12/03	Telecom 10691	VERIZON CALIFORNIA, INC., ICB Contract - Customer Requests Confidentiality. ( <b>effective TBD</b> )
12/17/03	Energy 2451E	PACIFIC GAS & ELECTRIC COMPANY, Revision to Preliminary Statement Part K, Energy Commission Tax ( <b>anticipated effective 01/01/04</b> )
12/17/03	Energy 2452E	PACIFIC GAS & ELECTRIC COMPANY, Electric refund plan-electric deferred refund account ( <b>anticipated effective 01/26/04</b> )
12/17/03	Telecom 2829	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Contract ( <b>effective TBD</b> )
12/17/03	Telecom 2830	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Amended Contract ( <b>effective TBD</b> )
12/18/03	Energy 3324G	SOUTHERN CALIFORNIA GAS COMPANY, Further Extension of Participation in California Utility Exchange ( <b>anticipated effective 01/27/04</b> )
12/18/03	Telecom 24435	PACIFIC BELL, Amendment No. 3 with Talk America, Inc. ( <b>effective TBD</b> )
12/18/03	Telecom 24438	PACIFIC BELL, Express contract ( <b>effective TBD</b> )
12/18/03	Telecom 24439	PACIFIC BELL, contract for HICAP, DDD-VPP, C8, CC, PRI, PBX, CTX, LOCAL AND ZONES 1, 2, 3 services ( <b>effective TBD</b> )
12/18/03	Telecom 28	TELSCAPE COMMUNICATIONS, INC., Introduce new long distance and ZUM Zone 3 rate plans ( <b>effective TBD</b> )

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**ADVICE LETTER SUSPENSIONS (Pursuant to M-4801, 04/19/01)**

To inquire about a suspension, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

**NONE**

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**ADVICE LETTER PROTESTS**

To inquire about a protest, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

12/18/03                      Energy 2502G                      PACIFIC GAS & ELECTRIC COMPANY, El Paso Settlement Memorandum Account (Core Aggregation Customers) **Protest by SPURR.**

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**MISCELLANEOUS TRANSPORTATION ITEMS**  
**Filings with Consumer Protection and Safety Division**  
**December 22, 2003**

11/13/03	TCP 17052-B	Alliance Limousine West DBA Alliance Limousine; Mailing Address: 6399 Wilshire Blvd. #716, Los Angeles CA 90068; Terminal Address: Same; Tel. No: 323-782-0110; Application filed for Class B Charter-Party authority.
11/24/03	TCP 17075-B	Tony Hui and Irene Wen DBA Tours and Charter; Mailing Address: P O Box 2500, El Cerrito CA 94530; Terminal Address: 7108 C St., El Cerrito CA 94530; Tel No: 510-508-3389; Application filed for Class B Charter-Party authority.
11/24/03	TCP 17076-A	CLS Transportation Los Angeles, LLC DBA CLS Worldwide Services; Mailing Address: 15303 Ventura Blvd., Sherman Oaks CA 91403; Terminal Address: 151 West 98th St, Los Angeles CA 90045; Tel. No: 800-266-2557; Application filed for Class A Charter-Party authority.
11/24/03	TCP 17077-A	CLS Transportation San Francisco, LLC; DBA CLS Worldwide Services; Mailing Address: 1369 Lowrie Ave., South San Francisco CA 94080; Terminal Address: Same; Tel. No: 800-431-1993; Application filed for Class A Charter-Party authority.
11/26/03	TCP 17093-A	Discover West, LLC; Attn: Masami Izaki; Mailing Address: 6533 N. Muscatel Ave., San Gabriel CA 91775; Terminal Address: 405 S. Hewitt St., Los Angeles CA 90013; Tel. No: 636-524-3237; Application filed for Class A Charter-Party authority.
12/10/03	TCP 17125-B	Casanova Limousines Inc DBA Casanova Limousines Attn: Gonzalo Casanova, CEO; Mailing Address: 3607 Taft St., Riverside Ca 92503; Terminal Address: Same; Tel. No: 877-785-0675; Application filed for Class B Charter-Party authority.

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

<u>Date Filed</u>	<u>Subject</u>
November 5, 2003	Notice of filing of a letter request by Western Wireless to be designated as Eligible Telecommunications Carriers (ETCs) in certain parts of Imperial County for purposes of federal universal service support. Protests or comments should be made within 20 days from the date this notice first appear in this Daily Calendar and should be sent to Telecommunications Division, Hassan Mirza, 3 <sup>rd</sup> Floor, 505 Van Ness Avenue, San Francisco, CA 94102. To obtain a copy of this letter request, please contact Leon M. Bloomfield, Esq. at (510) 625-8250 or forward a request to Wilson & Bloomfield LLP, Attorney at Laws, 1901 Harrison Street, Suite 1630, Oakland, CA 94612. If you have any questions about this letter request, you may contact Hassan Mirza at 415-703-1638.

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**TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS**

12/12/03 ALJ Patrick	<b>A.02-11-044</b> - In the Matter of the Application of SAN GABRIEL VALLEY WATER COMPANY (U337W) for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division to increase revenues by \$11,573,200 or 39.1% in 2003, \$3,078,400 or 7.3% in 2004, \$3,078,400 or 6.8% in 2005, and \$3,079,900 or 6.4% in 2006.
12/12/03 ALJ Thorson	<b>A.03-01-034</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and <b>A.03-01-035</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and <b>A.03-01-036</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and <b>A.03-01-037</b> - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District.
12/16/03 ALJ McVicar	<b>A.03-03-029</b> - Application of San Diego Gas & Electric Company for Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective January 1, 2004. (U 902-E)

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**ADJOURNMENTS \* RESETTINGS \* HEARINGS CONCLUDED**

ALJ Vieth	<b>A.03-10-057</b> - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief, <b>Prehearing Conference held and concluded</b>
ALJ Simon	<b>C.02-11-011</b> - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, <b>Evidentiary Hearing held and submitted upon the receipt of the Opening Briefs due 1/23/04 and Reply Briefs due 2/17/04</b>
ALJ Barnett	<b>C.03-12-012</b> - Dean B. Lumibao, Complainant, vs. Verizon Wireless, Defendant,

**Expedited Complaint Proceeding Hearing originally set in Los Angeles reset to Newport Beach****REMOVALS FROM CALENDAR**

NONE

**NEW SETTINGS**

**1/15/04**                    **C.03-07-031 (PHC)** - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,  
2:00 p.m.                    **Commission Courtroom, San Francisco**  
ALJ Thomas  
Comr Brown

**1/23/04**                    **R.01-08-028 (PHC)** - Order Instituting Rulemaking to Examine the Commission's Future Energy Efficiency Policies, Administration and Programs,  
10:00 a.m.                    **Commission Courtroom, San Francisco**  
ALJ Gottstein  
Comr Kennedy

**LAW AND MOTION**

Law and Motion Hearings are held before Administrative Law Judge Sarah R. Thomas and Peter Allen at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

**12/22/03**                    NONE SCHEDULED  
10:00 a.m.

**12/29/03**                    NONE SCHEDULED  
10:00 a.m.

**1/5/04**                      NONE SCHEDULED  
10:00 a.m.

**FINAL ORAL ARGUMENTS (FOA)**

NONE

**HEARINGS**

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

**(PHC)** = Prehearing Conference  
**(EH)** = Evidentiary Hearing

**(ECP)** = Expedited Complaint Procedure  
**(OSC)** = Order to Show Cause

**(CA)** = Closing Argument  
**(LM)** = Law & Motion

**(PPH) = Public Participation Hearing**  
**(IAM) = Initial Arbitration Meeting**  
**(M) = Mediation**

**(WS) = Workshop**  
**(FPH) = Full Panel Hearing**  
**(AH) = Arbitration Hearing**

**(OA) = Oral Argument**

- 1/5/04**  
 2:00 p.m.  
 ALJ TerKeurst  
 Comr Lynch  
**I.00-11-001 (PHC)** - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,  
**Commission Courtroom, San Francisco**
- 1/6/04**  
 10:00 a.m.  
 ALJ O'Donnell  
 Comr Brown  
**R.03-03-017 (PHC)** - Order Instituting Rulemaking on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and  
**I.03-03-018** - Order Instituting Investigation on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and  
**C.00-01-017** - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants,  
**Commission Courtroom, San Francisco**
- 1/7/04**  
 9:00 a.m.  
 ALJ Fukutome  
 Comr Peevey  
**A.03-10-022 (Forecast Phase) (EH)** - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,  
**Commission Courtroom, San Francisco**
- 1/7/04**  
 10:00 a.m.  
 ALJ Thomas  
 Comr Wood  
**A.03-10-039 (AH)** – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,  
**Commission Courtroom, San Francisco**  
**(also January 8)**
- 1/8/04**  
 1:00 p.m.  
 ALJ Allen  
 Comr Peevey  
**A.03-10-044 (PHC)** - Application of Pacific Gas and Electric Company (U 39 M) for Authorization to Sell its Kern Facility Pursuant to Public Utilities Code Section 851 and Executive Order D-44-01,  
**Commission Courtroom, San Francisco**
- 1/8/04**  
 1:30 p.m.  
 ALJ Grau  
 Comr Brown  
**R.03-09-029 (PHC)** - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755,  
**Commission Courtroom, San Francisco**
- 1/9/04**  
 9:00 a.m.  
 ALJ Vieth  
 Comr Wood  
**C.03-09-027 (EH)** - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs. Southern California Edison Company, Defendant,  
**Commission Courtroom, San Francisco**
- 1/12/04**  
 10:00 a.m.  
 ALJ Terkeurst  
 Comr Lynch  
**A.02-09-043 (EH)** - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project,  
**Commission Courtroom, San Francisco**  
**(also January 13 - 16 and January 20 – 23) (Note: January 20 at 10:00 a.m. and the remaining days at 9:00 a.m.)**

- 1/12/04**  
10:00 a.m.  
ALJ Fukutome  
Comr Lynch  
**A.03-05-035 (EH)** - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006,  
**Commission Courtroom, San Francisco**  
**(Also January 13 - 16)**
- 1/12/04**  
4:00 p.m. &  
7:00 p.m.  
ALJ Walker  
Comr Brown  
**A.01-10-047 (PPH)** - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,  
**Oxnard City Hall Council Chamber, 305 West 3<sup>rd</sup> Street, Oxnard, CA**
- 1/13/04**  
9:00 a.m.  
ALJ Walker  
Comr Brown  
**A.01-10-047 (EH)** - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,  
**Oxnard City Hall Council Chamber, 305 West 3<sup>rd</sup> Street, Oxnard, CA**  
**(also January 14 - 16)**
- 1/13/04**  
9:30 a.m.  
ALJ Duda  
Comr Peevey  
**R.93-04-003 (Verizon UNE Phase) (WS)** - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and  
**I.93-04-002** - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,  
**San Francisco Civic Center Complex, 455 Golden Gate Avenue, Hearing Room 9, San Francisco, CA**  
**(also January 14 - 15)**
- 1/15/04**  
2:00 p.m.  
ALJ Thomas  
Comr Brown  
**C.03-07-031 (PHC)** - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,  
**Commission Courtroom, San Francisco**
- 1/20/04**  
10:00 a.m.  
ALJ Allen  
Comr Brown  
Comr Lynch  
**A.00-11-038 (EH)** - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and  
**A.00-11-056** - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and  
**A.00-10-028** - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527,  
**Commission Courtroom, San Francisco**  
**(Also January 21 – 23 at 9:00 a.m.)**
- 1/20/04**  
10:00 a.m.  
ALJ Koss  
Comr Peevey  
**C.03-08-030 (TELEPHONIC -PHC)** – County of Los Angeles, Complainant, vs. Union Pacific Railroad Company, Defendant,  
**Commission Room 5041A, San Francisco**
- 1/20/04**  
10:00 a.m.  
ALJ Pulsifer  
Comr Kennedy  
**R.95-04-043 (PHC)** - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,  
**Commission Courtroom, San Francisco**
- 1/20/04**  
1:00 p.m.  
ALJ Koss  
Comr Brown  
**C.03-07-040 (PHC)** - City of Anaheim, Complainant, vs. Union Pacific Railroad Company, Defendant,  
**Commission Courtroom, San Francisco**

- 1/21/04**  
10:00 a.m.  
ALJ McKenzie  
Comr Lynch  
**A.01-06-043 (PHC)** - In the Matter of the Application of Pacific Gas and Electric Company (U 39 M) for Approval of Leases to Allow CalPeak Power, LLC to Site Generator Plants on Utility Owned Land Adjacent to Substations, and  
**A.01-07-031** - Application of Pacific Gas and Electric Company on an Expedited Basis for Exemption under Section 853 for Easements on PG&E Land Allowing Delta Energy Center, LLC to Maintain an Electric Transition Structure for the Delta Project and CPN Pipeline to Maintain Gas Facilities for the Delta Project and the Los Medanos Energy Center Project, or in the Alternative for Approval of Easements under Section 851. (U 39 M),  
**Commission Courtroom, San Francisco**
- 1/21/04**  
10:00 a.m.  
ALJ Economie  
Comr Brown  
**C.03-11-019 (TELEPHONIC PHC)** - Francis J. Belanger, dba J&S Machine, Complainant, vs. Southern California Edison Company, Defendant,  
**Commission Room 5113, San Francisco**
- 1/21/04**  
10:00 a.m.  
ALJ Reed  
**C.03-11-024 (ECP)** - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,  
**Commission Courtroom, San Francisco**
- 1/22/04**  
10:00 a.m.  
ALJ Patrick  
**C.03-12-020 (ECP)** - Alex Rouell, Complainant, vs. Pacific Bell Telephone Company dba SBC California, Defendant,  
**Commission Courtroom, San Francisco**
- 1/22/04**  
10:00 a.m.  
ALJ Bushey  
Comr Brown  
**I.03-08-017 (PHC)** - Investigation on the Commission's own motion into the fatal accident at the North Street Crossing (MP 220.50) in the City of Selma, Fresno County, on June 6, 2003, and order to show cause why this crossing should not be closed,  
**Commission Courtroom, San Francisco**
- 1/23/04**  
10:00 a.m.  
ALJ Gottstein  
Comr Kennedy  
**R.01-08-028 (PHC)** - Order Instituting Rulemaking to Examine the Commission's Future Energy Efficiency Policies, Administration and Programs,  
**Commission Courtroom, San Francisco**
- 1/26/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Lynch  
**A.02-07-050 (EH)** - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service,  
**Commission Courtroom, San Francisco**  
**(January 27 – 30 and February 2 – 3)**
- 1/26/04**  
10:00 a.m.  
ALJ Pulsifer  
Comr Kennedy  
**R.95-04-043 (EH)** - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,  
**Commission Courtroom, San Francisco**  
**(also January 27 – 30 and February 2 – 6 at 9:00 a.m.)**
- 1/27/04**  
1:30 p.m.  
ALJ Bushey  
Comr Wood  
**A.03-04-025 (PHC)** - In the Matter of the Application of San Gabriel Valley Water Company (U 377 W) for Authority to Implement a Low-Income Rate in Its Los Angeles Division in Compliance with Decision 02-10-058 in Application 01-10-028,  
**Commission Courtroom, San Francisco**
- 1/28/04**  
5:30 p.m.  
ALJ Malcolm  
Comr Kennedy  
**A.03-03-043 (PHC)** - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Viejo System Project,  
**Mission Viejo City Hall Council Chamber, 200 Civic Center, Mission Viejo, CA**

- 1/29/04**  
1:00 p.m.  
ALJ Patrick  
**C.03-12-022 (ECP)** - Alvin O. Rogers, Complainant, vs. Verizon Wireless, Defendant,  
**Department of General Services, Building & Property Management – Staff Room, 100 Paseo de San Antonio, Room 106, San Jose, CA**
- 2/4/04**  
10:00 a.m.  
ALJ Thomas  
Comr Wood  
**A.03-10-039 (EH)** – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,  
**Commission Courtroom, San Francisco**  
**(also February 5)**
- 2/5/04**  
10:00 a.m.  
ALJ Walwyn  
Comr Peevey  
**R.01-10-024 (SDG & E RFP) (PHC)** - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,  
**Commission Courtroom, San Francisco**
- 2/9/04**  
9:30 a.m.  
ALJ Simon  
Comr Wood  
**A.02-01-031 (EH)** - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara,  
**Commission Courtroom, San Francisco**  
**(Also February 10 –11)**
- 2/9/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Lynch  
**A.03-07-036 (EH)** - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006,  
**Commission Courtroom, San Francisco**  
**(Also February 10 – 11 and February 23 – 24)**
- 2/9/04**  
10:00 a.m.  
ALJ Pulsifer  
Comr Kennedy  
**R.95-04-043 (EH)** - Order Instituting Rulemaking on the Commission’s Own Motion into Competition for Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission’s Own Motion into Competition for Local Exchange Service,  
**Commission Courtroom, San Francisco**  
**(also February 10 – 11, 13 and February 17 – 18))**
- 2/9/04**  
10:00 a.m.  
ALJ Walwyn  
Comr Peevey  
**R.01-10-024 (SDG & E RFP) (EH)** - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,  
**Commission Courtroom, San Francisco**  
**(also February 10 – 11, 13 and February 17 – 20)**
- 2/10/04**  
9:00 a.m. -  
3:00 p.m.  
ALJ Thorson  
Comr Kennedy  
**A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Courtroom, San Francisco**

- 2/17/04**  
10:00 a.m.  
ALJ Thomas  
Comr Brown  
**C.03-07-031 (EH)** - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,  
**Commission Courtroom, San Francisco**  
**(also February 18 – 20 and February 23 – 25)**
- 2/18/04**  
2:00 p.m.  
ALJ Barnett  
Comr Wood  
**C.01-01-032 (PHC)** - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and  
**C.01-01-051** - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and  
**C.01-09-011** - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant,  
**Commission Courtroom, San Francisco**
- 2/20/04**  
12:00 noon  
ALJ Barnett  
**C.03-12-012 (ECP)** - Dean B. Lumibao, Complainant, vs. Verizon Wireless, Defendant,  
**City Utilities Yard – Administration Conference Room, 949 West 16<sup>th</sup> St., Newport Beach, CA**
- 2/23/04**  
10:00 a.m.  
ALJ Walker  
Comr Brown  
**C.02-07-044 (EH)** – The Utility Consumers’ Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants,  
**Commission Courtroom, San Francisco**  
**(also February 24 – 27)**
- 2/23/04**  
12:00 noon  
ALJ Barnett  
**C.03-11-028 (ECP)** - Stephen L. Winke and Andrea J. Schlang, Complainant, vs. Myoma Dunes Mutual Water Company, Defendant,  
**Palm Springs City Hall – West Conference Room, 3200 E. Tahquitz Canyon Way, Palm Springs, CA**
- 2/24/04**  
2:00 p.m.  
ALJ Barnett  
Comr Wood  
**A.02-05-004 (PHASE 2) (PHC)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and  
**I.02-06-002** - Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,  
**Commission Courtroom, San Francisco**
- 3/1/04**  
10:00 a.m.  
ALJ Barnett  
Comr Wood  
**A.02-05-004 (PHASE 2) (EH)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and  
**I.02-06-002** - Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,  
**Commission Courtroom, San Francisco**  
**(also March 2 - 4; March 8 - 11; and March 15 – 18)**
- 3/1/04**  
9:00 a.m.  
ALJ Vieth  
Comr Wood  
**A.03-10-006 (EH)** - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its Metropolitan Service Area,  
**Commission Courtroom, San Francisco**  
**(also March 2 – 5)**
- 3/3/04**  
10:00 a.m.  
ALJ Mattson  
Comr Kennedy  
**A.03-09-008 (PHC)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and  
**A.03-09-031 (PHC)** - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,  
**Commission Courtroom, San Francisco**

- 3/18/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Peevey
- R.03-10-003 (EH)** - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation,  
**Commission Courtroom, San Francisco**  
**(also March 19)**
- 3/19/04**  
10:00 a.m. -  
12:00 p.m.  
ALJ Thorson  
Comr Kennedy
- A.03-10-017 (PHC)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Courtroom, San Francisco**
- 3/22/04**  
3:00 p.m. -  
5:00 p.m.  
ALJ Thorson  
Comr Kennedy
- A.03-10-017 (WS)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Room 5012, San Francisco**
- 3/23/04**  
9:00 a.m. -  
3:00 p.m.  
ALJ Thorson  
Comr Kennedy
- A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Courtroom, San Francisco**  
**(also March 24 – 26 and March 29 - 30)**

- 3/29/04**  
10:00 a.m.  
ALJ TerKeurst  
Comr Lynch
- I.02-11-040 (EH)** - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and  
**I.03-02-033** - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities,  
**Commission Courtroom, San Francisco**  
**(also March 30, April 1 - 2; April 5 - 9; April 19 - 23; and April 26 - 30)**
- 4/7/04**  
11:00 a.m.  
ALJ Malcolm  
Comr Peevey
- R.03-08-018 (PHC)** - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges,  
**Commission Courtroom, San Francisco**
- 4/12/04**  
9:30 a.m.  
ALJ Simon  
Comr Kennedy
- A.03-01-013 (EH)** - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, and  
**A.03-07-049** - Application of the Pasadena Avenue Monterey Road Committee and City of South Pasadena for Variance of General Order 75-C, and  
**A.03-07-050** - In the Matter of the Application of the City of South Pasadena for Approval of Ordinance 2121 Relating to Limitations of Train Speeds Pursuant to Section 7658 of the California Public Utilities Code,  
**Commission Courtroom, San Francisco**  
**(also April 13 - 16)**
- 4/12/04**  
10:00 a.m.  
ALJ Fukutome  
Comr Peevey
- A.03-10-022 (Reasonableness Phase) (EH)** - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,  
**Commission Courtroom, San Francisco**  
**(also April 13 - 16)**
- 4/20/04**  
9:30 a.m.  
ALJ Simon  
Comr Brown
- C.03-10-030 (EH)** - U.S. TelePacific Corp. (U-5721-C), Complainant, vs. Verizon California, Inc. (U-1002-C), Defendant,  
**Commission Courtroom, San Francisco**
- 6/7/04**  
10:00 a.m.  
ALJ TerKeurst  
Comr Lynch
- I.00-11-001 (EH)** - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,  
**Commission Courtroom, San Francisco**  
**(also June 8 - 11 and June 14 - 18)**
- 6/14/04**  
9:30 a.m.  
ALJ Duda  
Comr Peevey
- R.93-04-003 (Verizon UNE Phase) (EH)** - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and  
**I.93-04-002** - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,  
**Commission Courtroom, San Francisco**  
**(also June 15 - 18)**

**7/7/04**  
10:00 a.m.  
ALJ Mattson  
Comr Kennedy

**A.03-09-008 (PHC)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and  
**A.03-09-031 (PHC)** - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,  
**Commission Courtroom, San Francisco**

**7/12/04**  
9:00 a.m.  
ALJ Mattson  
Comr Kennedy

**A.03-09-008 (EH)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and  
**A.03-09-031 (EH)** - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,  
**Commission Courtroom, San Francisco**  
**(Also July 13 – 16; July 19 – 23; and July 26 – 30)**

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**DECISION SUMMARIES**

D03-12-001 12/02/2003	A.88-03-024	SOUTHERN CALIFORNIA EDISON COMPANY for an order to issue debt securities of an Edison affiliate, to finance its fuel oil, nuclear fuel, and coal inventories in an aggregate principal amount not to exceed \$900,000,000. <b>Corrects an error in D03-11-017.</b>
D03-12-002 12/04/2003	C.02-06-037	SAUL MARTINEZ vs. Southern California Edison Company, for an Order (1) that complainant does not owe to defendant the sum of \$19,726.64 or any other sum; (2) that defendant commence to provide electric and/or gas service to complainant forthwith; and (3) to the extent that any form of damages can be awarded to complainant for defendant's unreasonable conduct herein. <b>Reopens this proceeding to order the distribution to the complainant of the sum of \$19,105.81 deposited with the Commission pursuant to Public Utilities Code Section 1702.2. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-003 12/04/2003	R.01-10-024	CPUC Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. <b>The March 3, 2003 petition for modification of D02-12-069 filed by SCE is granted in part, as set forth. In all other respects, SCE's petition is denied. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-004 12/04/2003	A.03-07-030	SOUTHERN CALIFORNIA EDISON COMPANY to issue, sell, and deliver one or more series of Debt Securities and to guarantee the obligations of others in respect of the issuance of Debt Securities, the total aggregate principal amount of such indebtedness and guarantees not to exceed \$3.0 billion; to execute and deliver one or more indentures; to sell, lease, assign, mortgage, or otherwise dispose of or encumber utility property; to issue, sell and deliver in one or more series, an aggregate amount not to exceed \$300 million par or

		stated value of Cumulative Preferred Stock--\$25 Par Value, Cumulative Preferred Stock--\$100 Par Value, Preference Stock or any combination thereof and for an exemption from the Commissions Competitive Bidding Rule. <b>Granted as set forth. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-005 12/04/2003	A.00-07-031	PACIFIC GAS AND ELECTRIC COMPANY for certain findings regarding the settlement agreement and general release made May 1, 2000 by and between South San Joaquin Irrigation District and Pacific Gas and Electric Company. <b>Dismisses the application without prejudice. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-006 12/04/2003	A.03-08-002	COMMUNITY REDEVELOPMENT AGENCY OF UNION CITY for an order authorizing the sale and conveyance of a certain parcel of land in Alameda County pursuant to Public Utilities Code Section 851. <b>Grants the application and defers decision on allocation of the gain on sale from the property between PG&amp;E's shareholders and ratepayers to the upcoming generic rulemaking on gain on sale issues. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-007 12/04/2003	A.03-05-035	SAN JOSE WATER COMPANY (U 168-W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006. <b>Interim decision. Grants the request of San Jose Water Company to establish interim rates for water service effective January 1, 2004. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-008 12/04/2003	A.02-11-028	PACIFIC GAS AND ELECTRIC COMPANY Compliance Application proposing terms under which noncore gas consumers may elect core gas service in compliance with Ordering Paragraph 3 of Resolution G-3318. <b>Grants to the extent as set forth. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-009 12/04/2003	R.01-10-024	CPUC Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. <b>Awards Natural Resources Defense Council \$9,005 in compensation for its substantial contribution to D02-12-074. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-010 12/04/2003	C.99-01-039	GREENLINING INSTITUTE vs. Pacific Bell, for undisclosed untariffed charges for voicemail services. <b>Clarifies D03-10-061. (Comr. Lynch, being</b>

		<b>necessarily absent, did not participate).</b>
D03-12-011 12/04/2003	I.00-11-052	PUC - QWEST COMMUNICATIONS/LCI INT'L Investigation on the Commission's own motion into the operations, practices, and conduct of Qwest Communications Corporation (Qwest), U-5335-C and its wholly owned subsidiary, LCI International Telecommunications Corporation, doing business as Qwest Communications Services (LCIT), U-5270-C to determine whether Qwest and LCIT have violated the laws, rules and regulations governing the manner in which California consumers are switched from one long distance carrier to another and billed for long distance telephone services. <b>Clarifies D03-10-062. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-012 12/04/2003	A.03-09-010	DHILLON, HARJIT S. for the authority to operate as a passenger stage corporation between points in Alameda County, Santa Clara County, San Mateo County, Marin County, Contra Costa County, San Joaquin County, and City and County of San Francisco, and Oakland International Airport, San Francisco Airport and San Jose International Airport. <b>Granted as set forth. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-013 12/04/2003	A.03-09-038	INLAND EXPRESS SHUTTLE, INC. for authority to establish Zone of Rate Freedom of Operations as a passenger stage corporation. <b>Granted as set forth. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-014 12/04/2003	R.99-10-025	PUC Order Instituting Rulemaking into distributed generation. <b>Grants \$20,962.47 to Utility Consumers' Action Network and \$13,418.75 to Natural Resources Defense Council for their substantial contributions to D03-02-068. The Utility Reform Network is awarded \$108,319.75 for its substantial contributions to D01-07-027 and D03-02-068. This proceeding is closed. (Comr. Lynch, being necessarily absent, did not participate).</b>
D03-12-015 12/04/2003	A.00-11-038 A.00-11-056 A.00-10-028	THE UTILITY REFORM NETWORK for modification of Resolution E-3527. <b>Addresses the expanded registration and re-application requirements of electric service providers as mandated by Assembly Bill 117. (Comrs. Wood and Lynch dissent).</b>
D03-12-016 12/04/2003	A.03-07-002 A.03-07-003 A.03-07-014 A.03-07-017 A.03-07-019 A.03-07-025 R.01-08-027	CPUC - ENERGY Order Instituting Rulemaking on the Commission's Proposed Policies and Programs Governing Low-Income Assistance Programs. <b>Final Opinion: 2004 low-income energy efficiency (LIEE) programs for small and multi-jurisdictional utilities and planning process for 2005 low-income assistance. A03-07-002, A03-07-003, A03-07-014, A03-07-017, A03-07-019, and A03-07-025 are closed, and R01-08-027 remains open. R98-07-037 shall</b>

**remain open until further Commission order.**

D03-12-017 12/04/2003	A.03-02-001	ZEPHYR COMMUNICATIONS, LLC for a Certificate of Public Convenience and Necessity to Provide Competitive Local Exchange, resold IntraLATA and InterLATA Telephone Service including Hi-Speed Data Service. <b>Granted as set forth. This proceeding is closed. (Comr. Wood will file a dissent).</b>
D03-12-018 12/04/2003	A.01-09-012	CITY OF SAN DIEGO for an order authorizing modification of an existing at-grade crossing on three light rail vehicle tracks and one heavy rail track of the Metropolitan Transit Development Board, and one heavy rail track of the Burlington Northern and Santa Fe Railway Company, at Park Boulevard, in the City of San Diego, San Diego County, California. <b>Grants approval to close Eighth Avenue at-grade crossing and construct Park Boulevard at-grade crossing, with conditions. This proceeding is closed. (Comr. Lynch will file a concurrence).</b>
D03-12-019 12/04/2003	R.01-05-046	CPUC Rulemaking on the Commission's own motion to comply with the mandates of Senate Bill 1712. <b>Denies the rehearing of D03-08-012. This proceeding is closed.</b>
D03-12-020 12/04/2003	A.02-03-059	PACIFIC BELL TELEPHONE COMPANY (U 1001-C), for Arbitration with Pac-West Telecomm, Inc. (U 5266-C) pursuant to Section 252(b) of the Telecommunications Act of 1996. <b>Denies rehearing of D03-05-031. This proceeding is closed.</b>
D03-12-021 12/04/2003	A.02-06-024	VERIZON CALIFORNIA INC. Petition for Arbitration of an Interconnection Agreement with Pac-West Telecomm, Inc. (U 5266-C) pursuant to Section 252(b) of the Telecommunications Act of 1996. <b>Denies rehearing of D03-05-075. This proceeding is closed.</b>
D03-12-022 12/04/2003	A.99-12-013	SOUTHERN CALIFORNIA EDISON COMPANY for authority under Public Utilities Code Section 851 or for an order confirming that the Commission lacks jurisdiction under Section 851 to review transfers of purely FERC-Jurisdictional facilities and dismissing the application. <b>Denies rehearing of D00-05-008. This proceeding is closed.</b>
D03-12-023 12/04/2003	R.02-11-039	PUC - SDG&E, Edison et al. Rulemaking to implement the provisions of Public Utilities Code Section 761.3 enacted by Chapter 19 of the 2001-02 Second Extraordinary Legislative Session. <b>Modifies and denies rehearing of D03-09-002.</b>
D03-12-024 12/08/2003	A.03-09-044	EXPERTISE TECHNOLOGY INNOVATION, INC. for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>

D03-12-025 12/08/2003	A.03-10-025	PACIFIC TELECOM SERVICES, LLC for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-12-026 12/08/2003	A.03-09-034	GLOBAL TOUCH TELECOM, INC. for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-12-027 12/08/2003	A.03-09-033	EWI HOLDINGS, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-12-028 12/08/2003	A.03-09-024	NETWORK PTS, INC. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. <b>Granted as set forth. This proceeding is closed.</b>
D03-12-029 12/05/2003	C.03-07-041	<b>(ECP)</b> - LAX, MARTIN vs. AT&T Communications of California, Inc., for improper charges for an amount to exceed \$10,000.00. <b>Dismissed. This proceeding is closed.</b>
D03-12-030 12/05/2003	R.97-10-016 I.97-10-017	PUC Commission Order Instituting Investigation, on the Commission's Own Motion into monitoring performance of operations support systems. <b>Corrects errors in the Appendices to D03-07-035.</b>
D03-12-031 12/10/2003	C.03-10-023	<b>(ECP)</b> - COX, VICKI L. vs. Pacific Bell Telephone Company dba SBC California, for improper charges in the amount of \$520.00. <b>Dismissed. This proceeding is closed.</b>
D03-12-032 12/10/2003	C.03-10-036	<b>(ECP)</b> - ROBBINS, ARTHUR J. vs. Comcast Phone of California, LLC (formerly, AT&T Broadband Phone of California, LLC), for inappropriate services. <b>Dismissed. This proceeding is closed.</b>
D03-12-033 12/15/2003	A.03-09-011	COLUMBIA VENTURES BROADBAND LLC for grant of authority pursuant to Public Utilities Code Sections 851 and 854 necessity to consummate a transfer of control of CTC Communications Corp. <b>Authorizes transfer of control. This proceeding is closed.</b>
D03-12-034 12/15/2003	A.01-12-040	VERIZON CALIFORNIA INC. (U 1002 C) to Recategorize its National Directory Assistance and Operated Assisted Services from Category II to Category III [Public Version] <b>Dismissed. This proceeding is closed.</b>

**Commissioners Present:**  
**Michael R. Peevey, President**  
**Carl W. Wood**  
**Geoffrey F. Brown**  
**Susan P. Kennedy**

**Commissioner Loretta M. Lynch**  
**being necessarily absent, did not participate.**

- 12/4/03 ALJ-176-3124 Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure. **Adopted as set forth in the attachments.**
- E-3814 Advice Letter 1680-E of Southern California Edison Company. Request for approval of one power purchase agreement contributing toward procurement of at least an additional one percent of the utility's annual electric sales from renewable energy resources irrespective of the utility's residual net short. **(Granted as set forth. (Comr. Lynch abstained. Comr. Brown dissented.)**
- E-3843 Pacific Gas and Electric Company Advice Letter (AL) 2393-E, Southern California Edison Company AL1717-E, and San Diego Gas & Electric Company AL 1508-E. Resolution resolving implementation issues regarding the tariff changes to the rules governing the rights and obligations of Direct Access (DA) customers to switch between bundled and DA service, as adopted in D03-05-034, the "Switching Order". **Approved with modifications. The protests of AREM/WPTF, Callaway Golf, Hitachi, and SBC are granted to the extent specified and in all other respects denied. (Comr. Wood will file a dissent.)**
- E-3850 Advice Letter 1748-E of Southern California Edison Company. Requests approval of the investment management agreements with Alliance Capital Management L.P. and State Street Global Advisors. **Granted as set forth.**
- E-3858 SBC Pacific Bell (SBC). Requests authority for deviation from California Public Utility Code Section 320 and authority to add approximately 1200 feet of aerial cable along Highway 116 on existing telephone poles in Sonoma County from Foothill Drive to Monte Cristo Avenue. Highway 116 is within a county and state scenic corridor. **Granted as set forth.**
- ST-66 Los Angeles to Pasadena Metro Blue Line Construction Authority (PBLCA). Resolution granting PBLCA authority, on behalf of Los Angeles County Metropolitan Transportation Authority, to deviate from the high platform station personnel-refuge area clearance requirements of General Order 143-B on the Pasadena Gold Line. It allows reduced unobstructed personnel-refuge area clearance at Chinatown Station Platform for track No. 1 without adversely affecting the safety function of the personnel-refuge area under the platform. **Adopted as set forth.**
- T-16785 Eden I & R, Inc. Requests authority to use the 2-1-1 dialing code for health and human services information and referral service in Alameda County. **Granted as forth.**
- T-16791 Advice Letter 10613 of Verizon California Inc. (Verizon). Resolution approving an Interconnection Agreement between Verizon and Global NAPs California, Inc. in accordance with the provisions of General Order

96-A and Resolution ALJ-181. **Adopted as set forth.**

T-16792 Advice Letter (AL) 323, Supplemented by AL 323A, 323B, and 323C of Kerman Telephone Company. Requests authority to establish a New Promotional Campaigns schedule (Schedule A-6) to its tariff reflecting the offering of new or optional services during promotional periods with waived or discounted tariffed non-recurring charges. **Granted as set forth.**

T-16796 Advice Letter 10619 of Verizon California Inc. (Verizon). Resolution approving an Interconnection Agreement between Verizon and Tel West Communications, LLS. in accordance with the provisions of General Order 96-A and Resolution ALJ-181. **Adopted as set forth.**

T-16797 Advice Letter 24244 of SBC California (SBC). Resolution approving an Interconnection Agreement between SBC and Nevada Wireless, LLC in accordance with the provisions of General Order 96-A and Resolution ALJ-181. **Adopted as set forth.**

TL-19035 SCX, Inc. Requests authority to place its vessel common carrier certificate in voluntary suspension for a period of up to two years. **Granted as set forth.**

W-4439 Advice Letter 1554 of California Water Service Company, Los Altos-Suburban District. Resolution authorizing an offset rate increase producing additional annual revenues of \$753,700 or 5.8% for increases in the cost of purchased water and pump tax. **Adopted as set forth.**

W-4440 Advice Letter No. 41 of Little Bear Water Company, Inc. Resolution authorizes a surcharge for water testing costs producing an overall increase in annual revenues of \$4,086 or 1.14%. **Granted as set forth.**

W-4441 Advice Letter 37-W of Rio Plaza Water Company, Inc. Resolution authorizing a rate base offset of \$18,338 or 9.49% for capital improvements and an increase of \$1,560 or 0.8% for the recovery of an increase in pump assessments for a total annual revenue increase of \$19,898 or 10.29%. **Granted as set forth.**

W-4442 Del Oro Water Company, Magalia District. Resolution authorizing a general rate increase in rates producing \$29,668 or 21.2% in additional annual revenue. **Granted as set forth in the appendices.**

W-4443 Kenwood Village Water Company. Resolution authorizing a general rate increase producing additional annual revenue of \$42,240 or 22.6% in 2003. **Granted as set forth in the appendices.**

#### SPECIAL RESOLUTIONS

12/5/03 T-16807 All Telecommunications Carriers. Resolution authorizing deviations to General Order 96A advice letter filings pursuant to Resolution M-4809, June 19, 2003. **Adopted as set forth in the attachments.**

T-16808 Verizon California Inc. Advice Letter 10644 and 10644-A. Requests authority to revise Schedule California Public Utilities Commission (Cal. P.U.C.) No. B-4, Discount Calling Plans, and Schedule Cal. P.U.C. No. K-5, Resale Services, to withdraw offerings for Term Discount Calling Plans for which there are no

customers with these services, and no orders for the services are pending.  
**Granted as set forth.**

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### NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

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### NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

NONE

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### NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

12/15/03	R01-10-024	Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development.
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**Summary:** On December 10, 2003, Barry Lovell of Berry Petroleum, member of the California Cogeneration Council (CCC), met with David Gamson, advisor to Cmmr. Brown, in San Francisco. Also present were Aaron Johnson, advisor to Cmmr. Lynch, David Hermanson of Sithe Energies, Inc. (member of the CCC), Lisa Cottle and Jerry Bloom of White & Case LLP, attorneys for the CCC, and R. Thomas Beach of Crossborder Energy, consultant for the CCC. The CCC representatives discussed the three proposed decisions (PDs) issued in this proceeding, and stated that there is a critical need to extend the interim standard offer one contracts beyond the end of this year. The CCC representatives stated further that the Commission should remove its findings in the PDs regarding short-run avoided cost prices. Lastly, the CCC representatives urged the Commission to removed language from the PDs that would condition the utilities' obligation to buy from qualifying facilities (QF) on the utilities' own determination of their need for QF power.

**Filer: California Cogeneration Council**

**Contact: Enoch H. Chang**

**Phone: (415) 544-1100**

12/15/03	I02-04-026	Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.
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**Summary:** On December 11, 2003, Theresa Mueller, Deputy City Attorney, City and County of San Francisco (City), met with Cmmr. Wood in San Francisco. Also present was David Campos, Deputy City Attorney for the City. Mueller and Campos indicated the City's position that the settlement proposed by Pacific Gas and Electric Company (PG&E) and the Commission's staff is too rich and is bad for ratepayers. Mueller and Campos also indicated that the City likes Cmmr. Wood's alternate because the numbers upon which it is predicated reduce the negative impact on ratepayers and provide a more realistic assessment of what is actually necessary for PG&E to come out of bankruptcy. Mueller and Campos also noted that the City's preferred outcome would be for the Commission to adopt a combination of Cmmr. Wood's alternate and a Dedicated Rate Component and observed that this approach strikes the right balance between protecting ratepayers and ensuring PG&E's financial viability.

**Filer: City and County of San Francisco**

**Contact: David Campos**

**Phone: (415) 554-6549**

12/16/03	A98-01-014	San Diego Gas & Electric Company, for authority to implement a distribution performance-based ratemaking mechanism.
	A95-06-002	Southern California Gas Company, for authority to adopt its proposed performance-based regulation for base rates to be effective January 1, 1997.
	A96-10-038	Pacific Enterprises, Enova Corporation, Mineral Energy Company, B Mineral Energy Sub, and G Mineral energy Sub, for approval of a plan of merger of Pacific Enterprises, and Enova Corporation with and into B Mineral Energy Sub (Newco Pacific Sub) and G Mineral Energy Sub (Newco Enova Sub), the wholly-owned subsidiaries of a newly created holding company, Mineral Energy Company.

**Summary:** On December 11, 2003, Lee Schavrien, Vice President of Regulatory Affairs, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (together, the Sempra Energy Utilities (SEU)), met with Julie Fitch, advisor to Pres. Peevey, and Ross LaJeunesse, advisor to Cmmr. Kennedy, in two separate meetings in San Francisco. Schavrien stated that the proposed decision inappropriately bifurcates the incentive component of the PBR Performance Indicators for 2004 from the indicators themselves. Schavrien explained that the justification used to extend the performance indicators applies equally to the incentive component and that both should be extended.

**Filer: Southern California Gas Company and San Diego Gas & Electric Company**

**Contact: Renee LeCamus**

**Phone: (415) 202-9986**

12/16/03	A98-01-014	San Diego Gas & Electric Company, for authority to implement a distribution performance-based ratemaking mechanism.
	A95-06-002	Southern California Gas Company, for authority to adopt its proposed performance-based regulation for base rates to be effective January 1, 1997.
	A96-10-038	Pacific Enterprises, Enova Corporation, Mineral Energy Company, B Mineral Energy Sub, and G Mineral energy Sub, for approval of a plan of merger of Pacific Enterprises, and Enova Corporation with and into B Mineral Energy Sub (Newco Pacific Sub) and G Mineral Energy Sub (Newco Enova Sub), the wholly-owned subsidiaries of a newly created holding company, Mineral Energy Company.
	A02-12-027	Southern California Gas Company, for authority to update its gas revenue requirement and base rates.
	A02-12-028	San Diego Gas & Electric Company (U 902-M), for authority to update its gas and electric revenue requirement and base rates.

**Summary:** On December 11, 2003, Debra L. Reed, President of San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (together, the Sempra Energy Utilities (SEU)), met with Cmmr. Wood in San Francisco. Also present were Steve Weissman and Manuel Ramirez, advisors to Cmmr. Wood, and Lee Schavrien, SEU Vice President of Regulatory Affairs. Reed stated that the proposed PBR decision inappropriately bifurcates the incentive component of the PBR Performance Indicators for 2004 from the indicators themselves. Schavrien explained that the justification used to

extend the performance indicators applies equally to the incentive component and that both should be extended.

**Filer: Southern California Gas Company and San Diego Gas & Electric Company**  
**Contact: Renee LeCamus Phone: (415) 202-9986**

12/16/03            A01-10-011            Pacific Gas and Electric Company, (U 39 G), Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016.

**Summary:** On December 11, 2003, Brian Cragg, representing Duke Energy North America, LLC and Duke Energy Trading and Marketing, LLC (collectively, "Duke") met with Roosevelt Grant, advisor to Cmmr. Peevey, in San Francisco. Also present were Drew Cluff of Duke and Karen Lang from MRW & Associates. Cragg discussed the effects of the backbone-level rate recommended in Cmmr. Peevey's alternate. Cragg noted that the backbone-level rate would have detrimental effect on competition among electric generators, and would put Duke at a competitive disadvantage compared to its direct rivals. Cragg also stated that the backbone level rate creates an incentive for existing customers to duplicate PG&E's facilities to connect to the backbone. Cragg described the long-term incentives the backbone-level rate creates regarding the siting of electric generation plants along the backbone and how clustering plants along the backbone would create congestion for electric transmission and would require customers to bear additional costs for upgrades required to move power to the load center.

**Filer: Duke Energy North America, LLC and Duke Energy Trading and Marketing, L.L.C.**  
**Contact: Melinda LaJaunie Phone: (415) 392-7900**

12/16/03            R01-05-047            Order instituting rulemaking on the Commission's own motion to determine whether baseline allowances for residential usage of gas and electricity should be revised.

**Summary:** On December 11, 2003, Lee Schavrien, Vice President of Regulatory Affairs, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (together, the Sempra Energy Utilities (SEU)), met with Ross LaJeunesse, advisor to Cmmr. Kennedy, in San Francisco. Schavrien stated that SDG&E interprets AB 1 to apply to SDG&E's commodity rate. Schavrien explained that the proposed decision (PD) would move away from cost causation and could increase cost shifting for ten to twenty years. Schavrien added that conclusions in the PD about prior rate changes are outside the scope of this proceeding and that affected customers were not properly noticed that such changes would be considered.

**Filer: San Diego Gas & Electric Company and Southern California Gas Company**  
**Contact: Renee Le Camus Phone: (415) 202-9986**

12/16/03            A02-12-027            Southern California Gas Company, for authority to update its gas revenue requirement and base rates.  
                           A02-12-028            San Diego Gas & Electric Company (U 902-M), for authority to update its gas and electric revenue requirement and base rates.

**Summary:** On December 11, 2003, Lee Schavrien, Vice President of Regulatory Affairs, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (together, the Sempra Energy Utilities (SEU)), met with Ross LaJeunesse, advisor to Cmmr. Kennedy, in San Francisco. Schavrien discussed SEU's motion for an interim rate increase or, in the alternative, a memorandum account. Schavrien stated that CEU supports the memorandum account proposed decision which will enable the Commission to true-up its final decision of SEU's 2004 cost of service applications to the revenues received at that point in time. Schavrien stated that this decision must be issued before January 1, 2004.

**Filer: Sempra Energy Utilities, Southern California Gas Company, and San Diego Gas & Electric Company**  
**Contact: Renee Le Camus Phone: (415) 202-9986**

**Summary:** On December 11, 2003, Debra L. Reed, President of San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (together, the Sempra Energy Utilities (SEU)), met with

Cmmr. Wood in San Francisco. Also present were Steve Weissman and Manuel Ramirez, advisors to Cmmr. Wood, and Lee Schavrien, SEU Vice President of Regulatory Affairs. Reed discussed SEU's motion for an interim rate increase or, in the alternative, a memorandum account. Schavrien stated that CEU supports the memorandum account proposed decision which will enable the Commission to true-up its final decision of SEU's 2004 cost of service applications to the revenues received at that point in time. Schavrien stated that this decision must be issued before January 1, 2004.

**Filer: Sempra Energy Utilities, Southern California Gas Company, and San Diego Gas & Electric Company**

**Contact: Renee Le Camus**

**Phone: (415) 202-9986**

12/16/03

I02-04-026

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.

**Summary:** On December 16, 2003, Truman Burns of the Office of Ratepayer Advocates (ORA) met with Cmmr. Brown in San Francisco. Also present were Chris Danforth for the ORA and David Gamson and Peter Hanson, advisors to Cmmr. Brown. Written materials (attached to the notice) were used. Burns discussed ORA's recommended changes to the Proposed Settlement Agreement, and noted newspaper article 'PG&E rethinks executive bonuses'. Danforth discussed the factual error contained in PG&E's allegation, relied upon by all alternate decisions (except the Cmmr. Lynch's alternate), that the settlement would require it to absorb 40 percent of its legal damages. Danforth stated that PG&E would absorb zero percent on a nominal basis. Danforth also presented proposed changes to Cmmr. Brown's alternate that would correct this error and make the alternate internally consistent.

**Filer: Office of Ratepayer Advocates - Cagen**

**Contact: Rosario Espino**

**Phone: (415) 703-1858**

**Summary: LATE FILED.** On December 10, 2003, Scott Rafferty, counsel for the Peninsula Ratepayers' Association, had a telephone conversation with Steven Weissman, advisor to Cmmr. Wood; and, as a result of the conversation, on December 11, 2003, Scott Rafferty sent a letter (attached to the notice) to Steven Weissman. During the conversation, Rafferty discussed the improper exclusion of evidence and the refusal to determine eligibility for intervenor compensation.

**Filer: Peninsula Ratepayer's Association**

**Contact: Scott Rafferty**

**Phone: (650) 969-5463**

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