
Public Utilities Commission of the State of California

Public Agenda 3190

Thursday, April 12, 2007 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

John A. Bohn

Rachelle B. Chong

Dian M. Grueneich

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

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

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, April 30, 2007 (San Francisco)	Thursday, May 03, 2007 (San Francisco)
Monday, May 21, 2007 (San Francisco)	Thursday, May 24, 2007 (San Francisco)
Monday, June 04, 2007 (San Francisco)	Thursday, June 07, 2007 (San Francisco)
Monday, June 18, 2007 (San Francisco)	Thursday, June 21, 2007 (San Francisco)
Monday, July 09, 2007 (San Francisco)	Thursday, July 12, 2007 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 21, 58, 61

Public Comment:

Re 4:

- Alfredo Golin Guzman, Salinas, CA
- Carlos Vega, Lupe, Salinas, CA
- Desiderio Barrozo, Salinas, CA
- Esperanza Villalobos, La Union del Pueblo Entero, Salinas, CA
- Estela Perez, San Jerardo Coop. Director, Salinas, CA
- Guadalupe Castillo, Salinas, CA
- Jose Castaneda, Boardmember, Alisal Union School District, Salinas, CA
- Juan D. Martinez, Hartnell College Board Member and Teamsters Local 890, Salinas, CA
- Jyl Lutes, Councilmember, City of Salinas, Salinas, CA
- Mariela Rodriguez, Salinas, CA
- Sergio Sanchez, Councilmember, City of Salinas, Salinas, CA
- Silvia Huerta, Salinas, CA
- Sonia M. Lopez, Salinas, CA

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

- 1 Res TL - 19087**
[6350] This resolution approves issuance of charter-party carrier certificates pursuant to Section 5374(b) of the Public Utilities Code.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271825
- 2 Res ALJ 176-3190**
[6351] Ratification of preliminary determination of category for proceedings initiated by application. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273376

Consent Agenda - Orders and Resolutions (continued)

- 3**
[6243] **Res W-4628 - Tahoe Park Water Company.**
This resolution authorizes a general rate increase producing additional annual revenue of \$140,155 or 67.8% in 2006.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3185, Item 15 1/11/2007;
Agenda 3187, Item 3 2/15/2007 (Staff);
Agenda 3189, Item 3 3/15/2007 (Staff)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=272368
- 4 (Rev.)**
[6254] **Res W-4630**
This resolution affirms Water Division's ministerial disposition of Alisal Water Corporation - Salinas District's (Alco) Advice Letter No. 107 for expansion of service area contiguous to the existing service area map but directs staff to propose an Order Instituting Investigation and potentially limit Alco's service area.
(Exam Coughlan)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3186, Item 5 1/25/2007 (Bohn);
Agenda 3187, Item 4 2/15/2007 (Peevey);
Agenda 3188, Item 3 3/1/2007 (Staff);
Agenda 3189, Item 1 3/15/2007
04/11/2007 - This revision was not shown on the Agenda mailed to the public.
- 5 (Rev.)**
[6324] **A05-09-018 - Telecom House Incorporated.**
For a certificate of public convenience and necessity (CPCN) to provide resold local exchange service in California. This decision grants the application for expansion of its existing CPCN to operate as a resale provider of competitive local exchange services, subject to certain terms and conditions, in the State of California. However, the Commission notes that Applicant has a history of failure to timely file reports and pay fees as required by the terms of its CPCN. If Applicant fails to comply with the terms of its CPCN or with applicable legal or regulatory requirements in the future, the Commission shall initiate proceedings to revoke Applicant's CPCN. This proceeding is closed.
(Comr Peevey - ALJ Prestidge)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3187, Item 18 2/15/2007 (Staff);
Agenda 3189, Item 4 3/15/2007 (Staff)
04/11/2007 - This revision was not shown on the Agenda mailed to the public.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273834

Consent Agenda - Orders and Resolutions (continued)

- 6**
[6357] **A07-01-016 - Sun Microwave, Inc.**
This decision grants a certificate of public convenience and necessity authorizing the provision of limited facilities-based and resold local exchange and interexchange services in this state. This proceeding is closed.
(Comr Bohn - ALJ Prestidge)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271766
- 7**
[6386] **R93-04-003 - 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.**
I93-04-002 - Related matters. This decision grants Verizon California Inc.'s (Verizon) request to restructure the rates for switching, multiplexing and dark fiber to reflect how Verizon currently provisions and bills for those elements. This decision clarifies that the rate adopted for an Integrated Services Digital Network loop is in addition to the deaveraged loop rate. This decision rejects Verizon's request to place delisted elements in a separate appendix but has included footnotes to show which elements are no longer unbundled network elements.
(Comr Peevey - ALJ Duda)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3189, Item 8 3/15/2007 (Peevey)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270476
- 8**
[6413] **R03-10-003 - Order Instituting Rulemaking to implement portions of AB 117 concerning community choice aggregation.**
This decision adopts certain modifications to the cost responsibility surcharge (CRS) charged by Southern California Edison Company to the City of Cerritos, which by statute is subject to the CRS applied to Community Choice Aggregators. These changes are consistent with those adopted in D06-07-030 for the CRS applied to direct access customers and municipal departing load customers. This proceeding is closed.
(Comr Peevey - ALJ Malcolm)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273449

Consent Agenda - Orders and Resolutions (continued)

9 **R01-08-028 - Order Instituting Rulemaking to examine the Commission's future energy efficiency policies, administration and programs.**

[6416]

This decision awards the Natural Resources Defense Council \$22,163.22 in compensation for its substantial contribution to the Program Advisory Group and Peer Review Group established in D05-01-055.

(Comr Peevey - ALJ Gottstein)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269079

10 **I00-11-001 - Order Instituting Investigation into implementation of Assembly Bill 970 regarding the identification of electric transmission and distribution constraints, and related matters affecting the reliability of electric supply.**

[6419]

This decision awards The Utility Reform Network \$20,139.55, the total amount requested, in compensation for its substantial contributions to D03-07-033, D04-06-013, and D05-07-040.

Today's award payment will be allocated to the affected utilities based on their California-jurisdictional electric revenues for the 2005 calendar year. This proceeding is closed.

(Comr Peevey - ALJ TerKeurst)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3189, Item 22 3/15/2007 (Staff)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270490

11 (Rev.) **A05-06-006 - Pacific Gas and Electric Company.**

[6422]

For approval of 2006-2008 demand response programs and budgets. A05-06-008, A05-06-017 - Related matters. This decision awards \$40,231.60 to The Utility Reform Network, \$38,658.16 to Aglet Consumer Alliance, and \$24,596.26 to San Francisco Community Power for substantial contributions made to D06-03-024.

(Comr Chong - ALJ Malcolm)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3189, Item 24 3/15/2007 (Staff)

04/05/2007 - This revision was not shown on the Agenda mailed to the public.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271234

Consent Agenda - Orders and Resolutions (continued)

- 12**
[6435] **A99-09-053 - Pacific Gas and Electric Company (PG&E).**
This decision dismisses the 1999 application of PG&E for authority to market value and divest certain hydroelectric generating facilities and related assets since the application is moot; now that appeal of the bankruptcy settlement has been exhausted and mutual releases have been executed, there are no remaining legal bars to dismissal. This proceeding is closed.
(Comr Peevey - ALJ Vieth)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271392
- 13**
[6438] **A02-06-028 - The League of California Cities (League).**
The decision denies the Petition for Modification of Resolution E-3757, filed by the League on June 18, 2002, on the grounds that the issues presented by the petition were heard and resolved in another proceeding. This proceeding is closed.
(Comr Peevey - ALJ Hecht)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267903
- 14**
[6441] **A06-11-015 - Balboa Island Ferry, Inc.**
This decision authorizes Applicant to increase fares. Applicant offers ferry service between Balboa Island and the Balboa Peninsula, in the City of Newport Beach. Individual one way fares will increase to \$1.00 for pedestrians; \$1.25 for bicyclists; and \$2.00 for vehicles (with driver). Children will be offered discounted fares. The application is unopposed. This proceeding is closed.
(Comr Bohn - ALJ Koss)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=265614
- 15**
[6442] **A06-05-022 - CloseCall America, Inc.**
This decision dismisses the application for a certificate of public convenience and necessity authorizing the provision of facilities-based and resold local exchange and interexchange services in this state, based on Applicant's failure to complete the application. This proceeding is closed.
(Comr Bohn - ALJ Prestidge)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269032

Consent Agenda - Orders and Resolutions (continued)

- 16**
[6443] **A06-10-010 - Access2Go, Inc.**
This decision grants a certificate of public convenience and necessity authorizing the provision of resold local exchange and private line services in this state. A06-10-010 is closed.
(Comr Chong - ALJ Prestidge)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=264237
- 17**
[6449] **A05-10-035 - California Water Service Company (CWS).**
For authority to implement a Low-Income Ratepayers Assistance Program in compliance with D03-09-021 in A01-09-062. This decision grants the Petition for Modification of D06-11-053 filed by CWS. D06-11-053 adopted a Low Income Ratepayer Assistance (LIRA) Program for CWS for all 24 of its ratemaking districts. Granting the petition clarifies certain elements of the LIRA program authorized in D06-11-053, but does not impact the discounts offered to eligible customers or the surcharges assessed on non-eligible customers to fund the program. A05-10-035 is closed.
(Comr Bohn - ALJ Koss)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266089
- 18**
[6451] **C06-06-030 - Peter W. Huebner and 26 Other Ratepayers Similarly Situated vs. R.R. Lewis Water Company.**
This decision dismisses the complaint filed by the Complainants against Defendant, on the grounds that the complaint is overly vague and constitutes an improper collateral attack on Resolution W-4569. This proceeding is closed.
(Comr Bohn - ALJ Prestidge)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273124
- 19**
[6453] **A06-03-027 - Dunnigan Water Works (DWW).**
This decision grants a certificates of public convenience and necessity to operate as a public utility, and extend existing water and sewer systems in the Township of Dunnigan, Yolo County. This decision allows DWW to continue current monthly water and sewer flat rates. This proceeding is closed.
(Comr Bohn - ALJ DeBerry)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269035

Consent Agenda - Orders and Resolutions (continued)

20 **R06-02-013 - Order Instituting Rulemaking to integrate procurement policies and consider long-term procurement plans.**
[6454]

This decision addresses the Petition to Modify Decision 06-07-029 filed by Southern California Edison Company (SCE). SCE requests approval to solicit in its current on-going standard-track request for offers (RFO) up to an additional 500 megawatts (MW) of power purchase agreements (PPA) with terms of up to 20 years from new generation facilities. SCE also seeks to extend the cost allocation methodology (CAM) adopted in D06-07-029 for these PPAs for the duration of their contract term. The Commission grants SCE's request to solicit an additional 500 MW in the standard-track of its open RFO, in addition to the 1,500 MW authorized in D06-07-029, and modify the 10-year limit on the CAM adopted in D06-07-029 by allowing SCE the option to continue the CAM by filing an advice letter in the ninth year of the PPA seeking an extension, with justification, of up to an additional 10 years. This proceeding is closed.

(Comr Peevey - ALJ Brown)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

21 **C00-11-018 - The Division of Ratepayer Advocates vs. Pacific Bell Telephone Company.**
[6455]

This decision denies the Petitions to Modify Decision 01-12-021 filed by AT&T California (AT&T) and the Division of Ratepayer Advocates. AT&T's petition sought to eliminate the Out of Service Standards and penalty mechanism adopted in D01-12-021, while DRA sought to modify that reporting system. This proceeding is closed.

(Comr Peevey - ALJ Jones)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273538

22 (Rev.) **A06-04-012 - Pacific Gas and Electric Company (PG&E).**
[6457]

For approval of long-term request for offer results and for adoption of cost recovery and ratemaking mechanisms. This decision awards Aglet Consumer Alliance \$26,432.14, reduced from its requested award of \$53,740.01, in compensation for its contribution to D06-11-048. This proceeding is closed.

(Comr Peevey - ALJ Yacknin)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

04/09/2007 - This revision was not shown on the Agenda mailed to the public.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273835

Consent Agenda - Orders and Resolutions (continued)

23 **R04-04-003 - Order Instituting Rulemaking to promote policy and program coordination and integration in electric utility resource planning.**
[6458]

This decision grants in part and denies in part the petition by Southern California Edison Company (SCE) and Pacific Gas and Electric Company (PG&E) to modify D04-12-048. SCE and PG&E requested two changes related to periodic report filings by utilities on their Energy Resource Recovery Accounts (ERRA): changing the filing requirement from monthly to quarterly and reducing the amount of required supporting documentation. This decision denies the request to change the monthly filing to quarterly filings, but grants the request that the utilities only supply a breakdown of costs with their ERRA monthly filings and make all supporting documentation available to the Commission's Utility Audit, Finance and Compliance Branch upon request.

(Comr Peevey - ALJ Brown)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=272996

24 **Res E-4072 - Pacific Gas and Electric Company (PG&E).**
[6460]

This Resolution approves PG&E's Advice Letter (AL) with modifications relating to how PG&E shall seek recovery of the amounts recorded in the proposed Land Conservation Plan Implementation Account. (AL 2954-E, filed December 15, 2006.)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273424

25 **A00-06-046 - Pacific Gas and Electric Company (PG&E).**
[6461]

This decision dismisses this application by which PG&E sought authority in 2000 to share benefits of operating its Diablo Canyon Nuclear Plant. Other developments, including PG&E's bankruptcy filing, overtook this application and it is now moot. Now that the PG&E bankruptcy settlement is final, all appeals exhausted and mutual releases executed, there is no legal bar to dismissing this application. Eligible parties may request intervenor compensation, as provided by statute and the Commission's Rules of Practice and Procedure. This proceeding is closed.

(Comr Peevey - ALJ Barnett)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271319

Consent Agenda - Orders and Resolutions (continued)

- 26**
[6475] **Res E-4069 - San Diego Gas & Electric Company (SDG&E).**
This resolution approves with modification SDG&E's request to revise the applicability sections of certain residential (Domestic) and nonresidential (General Service) tariffs so that future customer assignment to applicable electric rates is based on end-use. (Advice Letter 1862-E, filed January 5, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273104
- 27**
[6476] **R03-08-018 - Order Instituting Rulemaking to review policies concerning intrastate carrier access charges.**
This decision extends the access charge policy adopted in D06-04-071 to mid-size, small and competitive local exchange carriers. This proceeding is closed.
(Comr Peevey - ALJ Bushey)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E3732
- 28**
[6478] **A05-06-029 - Pacific Gas and Electric Company (PG&E).**
For approval of an agreement concerning certain generation assets known as “Contra Costa 8” pursuant to a settlement and release of claims agreement approved by the Commission on January 14, 2005, for authority to recommence construction, and for adoption of cost recovery and ratemaking mechanisms related to the acquisition, completion, and operation of the assets. This decision awards Californians for Renewable Energy, Inc. \$24,629 in compensation for its substantial contribution to D06-06-035. This proceeding is closed.
(Comr Peevey - ALJ Brown)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267695
- 29**
[6479] **Res W-4636 - Erskine Creek Water Company, Inc.**
This resolution authorizes rate base offset revenue increase in the amount of \$28,713 or 5.1%. (Advice Letter 72-W, filed January 22, 2007)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=272215

Consent Agenda - Orders and Resolutions (continued)

30 A06-11-006 - Southern California Edison Company (SCE).

[6480] This decision authorizes SCE, under Public Utilities Code §851, to lease to Amazing Jakes of Redondo Beach, LLC, a 3.03 acre site located on a portion of SCE's El Nido-Sepulveda-Culver subtransmission right-of-way in the City of Redondo Beach. The site will be used for a vehicle parking lot. The application is unopposed. This proceeding is closed.

(Comr Peevey - ALJ Patrick)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273418

31 Res T-17076 - Verizon California, Inc. (Verizon).

[6482] This resolution approves an interconnection agreement between Verizon and Globtel, Inc., pursuant to Section 252 of the Telecommunications Act of 1996, and in accordance with the provision of General Order 96-A, and Resolution ALJ-181. (Advice Letter 11771, filed February 14, 2007)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270284

Regular Agenda

Regular Agenda - Legislative and Other Matters

- 68** **AB 690 (Jones)**
[6497] Corporations: rates.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=272738
- 69** **AB 826 (Levine)**
[6517] Telco: Customer service.
- 70** **AB 946 (Krekorian)**
[6512] Electricity: AB 1969 expansion.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=272070
- 71** **AB 985 (Saldana)**
[6521] Environment: judicial review.
- 72** **AB 1077 (Lieber)**
[6510] State Air Resources Board: plug-in hybrid electric vehicles.
- 73** **AB 1157 (Ruskin)**
[6520] PUC Commissioners.
- 74** **AB 1223 (Arambula)**
[6511] Public utilities: net energy metering.
- 75** **AB 1234 (Wolk)**
[6501] Real property: furnaces.
- 76** **AB 1428 (Gagliani)**
[6509] Net metering for bio-mass self generation.
- 77** **AB 1435 (Salas)**
[6496] Charges: conservation rate structure.
- 78** **AB 1470 (Huffman)**
[6505] Solar Hot Water and Efficiency Act of 2007.

Regular Agenda - Legislative and Other Matters (continued)

- 79** **AB 1532 (Parra)**
[6508] Eligible resource recovery projects pilot program.
- 80** **AB 1613 (Blakeslee)**
[6506] Subsidies for CHP DG; change to loading order.
- 81** **AB 1647 (De La Torre)**
[6516] Video service: customer service standards.
- 82** **AJR 3 (Dymally)**
[6500] Low-income home energy assistance.
- 83** **SB 312 (Kehoe)**
[6519] PUC: access to filings.
- 84** **SB 411 (Simitian)**
[6504] Renewable energy resources - 33%.
- 85** **SB 428 (Dutton)**
[6499] Electrical corporations: interruptible tariffs.
- 86** **SB 757 (Ridley-Thomas)**
[6515] CA Teleconnect Fund Administrative Committee Fund.
- 87** **SB 780 (Wiggins)**
[6514] Telco: rates.
- 88** **SB 1013 (Padilla)**
[6513] Telco: universal service.
- 89** **SB 1036 (Perata)**
[6503] Renewable energy resources - SEPs.
- 90** **SR 3 (Kehoe)**
[6498] Relative to low-income home energy assistance.

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

- 91** **Executive Director Larson Report**
[6474] Stewardship Council Update.

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

- 92** **Conference with Legal Counsel - Applications for Rehearing**
 [6352] Compilation of applications for rehearing recently filed with the Commission.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
- 93** **A07-01-008 - Conference with Legal Counsel - Application for Rehearing**
 [6494] Disposition of application for rehearing of Resolution E-3999 filed jointly by Merced Irrigation District and Modesto Irrigation District (Applicants). Resolution E-3999 approved, with modifications, Advice Letter (AL) 2433-E-C filed by Pacific Gas and Electric Company and AL 1980-E filed by Southern California Edison Company. These advice letters proposed tariffs which would allow for the billing and collection of charges applicable to transferred municipal departing load.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
- 94** **C06-04-026 - Conference with Legal Counsel - Application for Rehearing**
 [6524] Disposes of the request for stay or suspension of D07-01-004 pending ruling on application for rehearing by Global NAPs California, Inc. (Global NAPs). D07-01-004 granted the motion of Cox California Telecom, LLC (Cox) for summary judgment, ordering Global NAPs to pay Cox the sum of \$985,439.38, plus interest on overdue amounts at the rate of one and one-half percent per month. Global NAPs' request for stay requests that the Commission stay the effective date of D07-01-004 for 60 days, or until the Commission has ruled on the rehearing application.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
- 95** **A06-11-007 - Conference with Legal Counsel - Application for Rehearing**
 [6534] Disposition of application for rehearing of D07-01-041 jointly filed by the Division of Ratepayer Advocates and The Utility Reform Network and the application for rehearing filed by Californians for Renewable Energy, Inc. D07-01-041 approved a power purchase agreement between Southern California Edison Company and Long Beach Generation, LLC.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

96

[6542]

Conference with Legal Counsel - Threatened Litigation

Re proposed settlement of threatened state court litigation.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Federal

97

FERC Docket No. ER06-615 - Conference with Legal Counsel - Existing Litigation

[6353]

California Independent System Operator Corporation, FERC Docket No. ER06-615, also known as Market Redesign and Technology Update (MRTU).

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

98

[6204]

FERC Docket Nos. EL00-95 & -98, et al.; 9th Cir. Nos. 01-71051 & 01-71934 et al.; PG&E et al v AZ Electric Power Coop., et al, US Dist. Ct, Eastern District CA No. 2:06CV-00559-MCE-KJM; SDG&E et al v AZ Electric Power Coop, et al, US Dist. Ct, ED CA No. 2:06CV-0592

FERC Docket Nos. EL00-95 and EL00-98, et al.; Ninth Circuit Nos. 01-71051 and 01-71934, and related dockets; Pacific Gas and Elec. Co., et al. v. Arizona Elec. Power Coop., et al., United States District Court, Eastern District of California No. 2:06-CV-00559-MCE-KJM; and San Diego Gas and Elec. Co., et al v. Arizona Elec. Power Coop., et al., United States District Court, Eastern District of California No. 2:06-CV-0592.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Agenda 3184, Item 69 12/14/2006 (Staff);

Agenda 3185, Item 41 1/11/2007;

Agenda 3186, Item 48 1/25/2007 (Staff);

Agenda 3187, Item 63 2/15/2007 (Staff);

Agenda 3188, Item 39 3/1/2007;

Agenda 3189, Item 55 3/15/2007 (Staff)

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session

101

[6574]

Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or changes brought against the employee by another person of employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session.

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

32 Res W-4637 - San Jose Water Company.

[6483] This resolution authorizes rate base offset revenue increase of \$1,567,646 or 0.88%. (Advice Letter 376, filed February 1, 2007)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269330

33 A06-12-008 - MCI Communications Services, Inc.; Teleconnect Long Distance Services & Systems Company dba Telecom*USA; and TTI National, Inc.

[6484]

For Modification of Decision 99-02-038 to exempt NDIECs from the obligation to keep books and records in accordance with Uniform System of Accounts (USOA). The relief granted to applicant was previously granted to a subgroup of non-dominant interexchange carriers (NDIECs) in D99-02-038. In that decision, the Commission granted an exemption from the USOA requirements to competitive local carriers providing both local and interexchange service because they do not provide monopoly services. The Commission did not include all competitive carriers such as pure, non-dominant interexchange carriers because the long distance services provided by such carriers were outside the scope of the local competition docket in which the decision was issued. The Commission now modifies D99-02-038 to exempt purely NDIEC carriers from the USOA. This proceeding is closed.

(Comr Chong - ALJ Rochester)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269133

34 A06-10-021 - Hafte Hailu Desta & NEW AIRPORT SHUTTLE.

[6485]

This decision authorizes Applicant to operate as a passenger stage corporation between points in Alameda, Monterey, San Francisco, San Mateo, Santa Clara, and Santa Cruz Counties, on the one hand, and San Francisco, Oakland, and San Jose International Airports, on the other hand. This proceeding is closed.

(Exam Clark)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271048

Consent Agenda - Orders and Resolutions (continued)

- 40**
[6491] **A04-08-018 - Southern California Gas Company.**
To establish regulatory authority over the access for natural gas provided by California gas producers. This decision extends by 60 days the deadline for resolving this proceeding. The new date for resolving this proceeding is June 29, 2007.
(Comr Peevey - ALJ Wong)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270677
- 41**
[6492] **A04-12-004 - San Diego Gas & Electric Company and Southern California Gas Company.**
For authority to integrate their gas transmission rates, establish firm access rights, and provide off system gas transportation services. This decision awards The Utility Reform Network \$87,958.29 in compensation for its substantial contributions to D06-04-033 and D06-12-031. This proceeding remains open.
(Comr Peevey - ALJ Wong)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270255
- 42**
[6493] **R05-09-006 - Order Instituting Rulemaking concerning broadband over power line deployment by electric utilities in California.**
This decision grants intervenor compensation awards of \$28,987.90 to Greenlining Institute, \$15,933.24 to Disability Rights Advocates, and \$64,391.75 to The Utility Reform Network. These awards are made for each intervenor's substantial contributions to D06-04-070. Payment of these awards will be made from the Commission's intervenor compensation program fund. This proceeding is closed.
(Comr Chong - ALJ Allen)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273403
- 43**
[6495] **ALJ-200**
This resolution approves the changes of the preliminary determinations made earlier by the Commission regarding the need for hearing in R06-04-010.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271464

Consent Agenda - Orders and Resolutions (continued)

- 44** **Res W-4638 - Del Oro Water Company, Inc., Pine Flat and Pine Mountains Districts.**
[6522] This resolution authorizes a rate base offset revenue increase producing an increase in gross annual revenues of \$32,784 or 52.93% in the Pine Flat District and \$10,695 or 37.14% in the Pine Mountain District. (Advice Letter 152, filed September 12, 2006)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271634
- 45** **A07-03-001 - ConnectTo Communications Inc.**
[6523] For approval to amend its certificate of public convenience and necessity under Public Utility Code §1001 to expand its authority to provide competitive limited facilities-based local exchange telecommunications services. By this decision, the Commission grants the requested authority subject to terms and conditions. This proceeding is closed.
(Comr Simon - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269783
- 46** **Res W-4639 - Mar Vista Water Company, Inc.**
[6525] This resolution authorizes a rate base offset revenue increase of \$2,036 or 1.52%. (Advice Letter (AL) 35-W, filed January 19, 2007, and supplemental ALs 35-W-A and 35-W-B filed March 12, 2007 and March 26, 2007, respectively.)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271714
- 47** **R06-10-005 - Rulemaking for Adoption of a General Order and Procedures to implement the Digital Infrastructure and Video Competition Act of 2006.**
[6528] This decision is brought on the Commission' own motion to modify D07-03-014, which adopted a General Order and Procedures to implement the Digital Infrastructure and Video Competition Act of 2006. (AB 2987, Ch. 700, Stats. 2006).
(Comr Chong - ALJ Sullivan)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273421

Consent Agenda - Orders and Resolutions (continued)

48 **A06-11-017 - California Moving and Storage Association.**
[6529] The maximum rates contained in Maximum Rate Tariff 4 for household goods packing containers are increased an average of 54%, which makes them equivalent to the rates contained in the federal HGB 400 series tariff that applies to interstate moves. Labor charges to pack and unpack containers, excluding mattress cartons, are increased an average of 47% to bring them to 60% of the federal tariff level. Labor charges to pack and unpack mattress cartons are increased an average of 71% to bring them to 40% of the federal tariff level.
This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271941

49 **R06-05-027 - Ordering Instituting Rulemaking to continue implementation and administration of California renewables portfolio standard program.**
[6530] This decision awards the Green Power Institute \$29,622 in compensation for its substantial contributions to D06-10-050. The amount awarded is the amount requested. This proceeding remains open to address specific additional matters.
(Comr Peevey - ALJ Mattson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273367

50 **A04-12-029 - Alliance Group Services, Inc.**
[6531] This decision grants a certificate of public convenience and necessity (CPCN) to Alliance Group Services, Inc. (AGS) to provide interexchange telecommunications services on a statewide basis. Owing to AGS's prior regulatory history before the Commission, the application was originally filed under protest and pursuant to the direction of the Executive Director. The Consumer Protection and Safety Division (CPSD) then protested the application. Following an alternative dispute resolution process, AGS and CPSD filed a settlement agreement, which the Commission approved in D06-09-009. Under the terms of the settlement agreement, CPSD agreed to withdraw its protest, and AGS agreed to, among other things, cooperate with the Commission and to seek the instant CPCN. AGS must continue to abide by the terms of the settlement agreement as a condition of the operating authority granted. This proceeding is closed.
(Comr Peevey - ALJ McKenzie)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=272731

Consent Agenda - Orders and Resolutions (continued)

- 51** **Res E-4077 - Pacific Gas and Electric Company (PG&E).**
[6532] This resolution approves a tolling agreement between PG&E and Mirant Delta LLC for electricity and capacity from the Pittsburg and Contra Costa Facilities. (Advice Letter 2874-E, filed August 4, 2006)
- http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271961
-
- 52** **A07-01-001 - Southern California Edison Company (SCE).**
[6536] This decision approves a 20-year renewable resource power purchase agreement for up to 4.34 megawatts between SCE and MM Tajiguas Energy LLC.
A07-01-001 is closed.
(Comr Peevey - ALJ Kolakowski)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271471
-
- 53** **A07-01-003 - Southern California Edison Company (SCE).**
[6543] This decision grants SCE's request for approval of a renewables portfolio standard power purchase agreement with Imperial Valley Resource Recovery Company, LLC. The contract will provide SCE with eligible renewable energy from a biomass facility located near Imperial, California for a term of 10 years. The project's capacity is 16.4 megawatts with an expected on-line date within 12 months of Commission approval. A07-01-003 is closed.
(Comr Peevey - ALJ Fukutome)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270935
-
- 54** **A06-12-024 - InSite Connect LLC and Western States Teleport, Inc.**
[6544] This decision grants the application of InSite Connect LLC (InSite Connect) for approval of the transfer of control of Western States Teleport, Inc. (U 6457 C) to InSite Connect.
A06-12-024 is closed.
(Comr Chong - ALJ Lakritz)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271900

Consent Agenda - Orders and Resolutions (continued)

- 55**
[6546] **A05-12-029 - City of Sacramento (City).**
This decision grants the request of the City to modify the 21st Street at-grade highway-rail crossings over the tracks of the Sacramento Regional Transit District and the Union Pacific Railroad Company in Sacramento County. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270228
- 56**
[6547] **A07-02-002 - RCN Telecom Services, Inc.**
This decision authorizes Applicant to discontinue the provision of local exchange and interexchange services and cancels Applicant's certificate of public convenience and necessity. The decision also affirms the Administrative Law Judge's March 5, 2007 ruling designating Pacific Bell as the default carrier for Applicant's remaining customers who have not selected another carrier. A07-02-002 is closed.
(Comr Chong - ALJ Smith)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271711
- 100 (Rev.)**
[6448] **A06-12-006 - Pac-West Telecomm, Inc. (Pac-West) and Pac-West Acquisition Company (PWAC).**
This decision grants the application of Applicants to transfer the control of Pac-West to PWAC. The Commission also finds that Applicants violated Section 852 because Pac-West transferred non-voting stock to PWAC without first obtaining Commission approval and impose a penalty of \$2500 for this violation. This proceeding is closed.
(Comr Grueneich - ALJ Prestidge)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3189, Item 38 3/15/2007 (Staff)
04/05/2007 - This item was not listed on the agenda distributed to the public.
04/05/2007 - This revision was not shown on the Agenda mailed to the public.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E4383

Regular Agenda

Regular Agenda - Energy Orders

- 57**
[6456] **A05-03-015 - San Diego Gas & Electric Company (SDG&E).**
This decision approves a Settlement Agreement among SDG&E, Division of Ratepayer Advocates, and Utility Consumers' Action Network regarding SDG&E's Advanced Metering Infrastructure (AMI) project. The Settlement provides that \$572 million will be spent to install AMI meters and communication technology for all SDG&E customers between 2007 and 2011. The decision finds the Settlement Agreement to be cost-effective, and consistent with the law, reasonable in light of the whole record and in the public interest. This proceeding is closed.
(Comr Grueneich - ALJ Gamson)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273381
- 58**
[6459] **C05-07-001 - William Arterberry, dba Farm ACW vs. San Diego Gas & Electric Company.**
Defendant billed complainant \$118,474 for electric charges between January 2001 and July 2005. Complainant disputes all charges because he is a cogenerator exempt from nuclear decommissioning, public purpose program, and competition transition charges, pursuant to Public Utilities Code §372. Held: Complainant is an exempt cogenerator liable only for standby charges of \$16,235. This proceeding is closed.
(Comr Peevey - ALJ Barnett)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273171

Regular Agenda - Energy Resolutions and Written Reports

- 59** **Res E-4078 - San Diego Gas & Electric Company (SDG&E).**
[6477] This resolution approves in part the Second Amendment to the Alternative Energy Resource Contract in Compliance with D06-11-049. (Advice Letter 1871-E, filed February 1, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273727
- 60** **Res E-4074 - Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E).**
[6452] This resolution approves PG&E's and SCE's implementation plans for 2007 Automated Demand Response (Auto DR), and rejects SDG&E's Auto DR implementation plan. (PG&E Advice Letter (AL) 2963-E, filed January 2, 2007, SCE AL 2083-E filed December 29, 2006, and SDG&E AL 1860-E filed January 2, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273681

Regular Agenda - Telecommunication Orders

- 61** **C05-11-011 - Utility Consumers' Action Network vs. SBC Communications, Inc., dba Pacific Bell Telephone Company, and related entities.**
[6270]
- C05-11-012 - Related matters. This decision determines that an agent of AT&T California (AT&T) and an agent and attorney of Cox Communications (Cox) engaged in impermissible ex parte communications with personal advisors of three Commission offices with the intent of influencing substantive issues in pending adjudications (where ex parte bans had been imposed). This decision determines that, in violation of the Public Utilities Code and our Rules of Practice and Procedure, impermissible ex parte violations have occurred and the Commission should impose sanctions including a fine of \$40,000 each against AT&T and Cox.
- (Comr Bohn - ALJ Thorson)
- Pub. Util. Code § 311 – This item was mailed for Public Comment.*
- Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.*
- Agenda 3186, Item 37 1/25/2007 (Peevey);
Agenda 3187, Item 49 2/15/2007 (Bohn);
Agenda 3188, Item 24 3/1/2007 (Bohn)
- http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=274279
-
- 62** **A06-05-031 - NextG Networks of California, Inc. (NextG).**
[6414]
- This decision authorizes the full facilities-based local exchange services and expedited environmental review consistent with D06-04-063 and D06-04-067. This decision also orders an investigation to determine whether NextG violated its limited-facilities based authority granted in D03-01-061 by engaging in ground-disturbing activity. This proceeding is closed.
- (Comr Chong - ALJ Grau)
- Pub. Util. Code § 311 – This item was mailed for Public Comment.*
- Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*
- http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273605
-
- 63** **R_____ - Rulemaking on the Commission's own motion into reliability standards for telecommunications emergency backup power systems and emergency notification systems pursuant to Assembly Bill 2393.**
[6450]
- With this decision, the Commission initiates a rulemaking addressing standards for telecommunications backup power systems and emergency notification systems pursuant to Assembly Bill 2393.
- Agenda 3189, Item 44 3/15/2007 (Chong)
- http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273767

Regular Agenda - Water/Sewer Orders

64 (Rev.)
[6359]

A05-08-021 - San Gabriel Valley Water Company, Fontana Division (San Gabriel).

I06-03-001 - Related matters. In D04-07-034, San Gabriel was authorized to increase rates subject to refund depending on the Commission's decision in this application regarding the allocation between ratepayers and shareholders of the gains from sales of property, condemnation awards, contamination awards, and inverse condemnation awards. This decision finds that San Gabriel misapplied Pub. Util. Code § 790 and as a consequence appropriated \$6,672,371 of money which should have been allocated to ratepayers. To rectify this misappropriation and punish for affiliate transaction violations, the Commission has reduced rates by \$2,128,800 in Test Year 2006-2007; reduced rate base as of July 17, 2004 by \$4,054,100; refunded to ratepayers \$1,481,100; and fined San Gabriel \$60,000. A05-08-021 and I06-03-001 are closed.

(Comr Bohn - ALJ Barnett)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3188, Item 26 3/1/2007 (Staff);

Agenda 3189, Item 45 3/15/2007 (Staff)

04/06/2007 - This revision was not shown on the Agenda mailed to the public.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=271717

64a
[6360]

ALTERNATE TO ITEM 6359

I06-03-001 - Related matters. D04-07-034 authorized San Gabriel Valley Water Company (San Gabriel) to increase rates subject to refund depending on the allocation between ratepayers and shareholders from the sales of property, condemnation awards, and inverse condemnation awards. This decision finds that Pub. Util. Code Section 790 should not be applied with respect to the proceeds San Gabriel received related to compensation for contamination and as a consequence San Gabriel retained \$1,570,421 which should have been allocated to ratepayers. To rectify this, the alternate decision has reduced ratebase by \$1,570,421 and recomputed rates back to July 17, 2004, resulting in a minimum refund of \$719,100. Allocation of other sales and awards is deferred pending resolution in R04-09-003. San Gabriel is ordered to pay a fine of \$60,000 for affiliate transaction violations.

(Comr Bohn)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3188, Item 26a 3/1/2007 (Staff);

Agenda 3189, Item 45a 3/15/2007 (Staff)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273851

Regular Agenda - Legal Division Matters

65

WC Docket No. 07-21, 05-342 CC Docket No. 80-286

[6549]

The FCC is inviting comment on a petition by AT&T and its affiliates for forbearance from various FCC rules and requirements, including rules on cost allocation, jurisdictional separations, cost apportionment, and affiliate transactions. WC Docket No. 07-21, 05-342, CC Docket No. 80-286.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=273101

Regular Agenda - Legislative and Other Matters

66 **AB 231 (Eng)**
[6518] Emergency Telephone Users Surcharge Act.

67 **AB 533 (Galgiani)**
[6502] Local publicly-owned electric utilities: cost responsibility surcharge.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=272063