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# *Public Utilities Commission of the State of California*

## *Results of Public Agenda 3193*

*Meeting Held on Thursday, June 7, 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**

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

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### **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, June 18, 2007 (San Francisco)	Thursday, June 21, 2007 (San Francisco)
Monday, July 09, 2007 (San Francisco)	Thursday, July 12, 2007 (San Francisco)
Monday, July 23, 2007 (San Francisco)	Thursday, July 26, 2007 (San Francisco)
Monday, August 20, 2007 (San Francisco)	Thursday, August 23, 2007 (San Francisco)
Friday, August 31, 2007 (San Francisco)	Thursday, September 06, 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.*

For further information contact the Public Advisor  
(415) 703-2074 E-mail: [public.advisor@cpuc.ca.gov](mailto: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; these are HEX and EX items.**
- 

**Public Comment:**

**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.*

**Orders and Resolutions**

- 1**  
[6470]      **Res TL-19091**  
This resolution approves issuance of charter-party carrier certificates pursuant to Section 5374(b) of the Public Utilities Code.  
**Outcome Approved**  
Res TL-19091  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 2**  
[6471]      **Res ALJ 176-3193**  
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.  
**Outcome Approved**  
[Res ALJ 176-3193](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

**3**

[6454]

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

This decision addresses the Petition to Modify D06-07-029 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)

Agenda 3190, Item 20 4/12/2007 (Staff);

Agenda 3191, Item 5 5/3/2007 (Staff);

Agenda 3192, Item 4 5/24/2007

**Outcome Held (6/21/07, Consent Agenda.)**

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)

**4**

[6576]

**A06-05-029 - AboveNet Communications fka Metromedia Fiber Network Services, Inc. (AboveNet).**

This decision denies the application of AboveNet for modification of D00-09-039. This proceeding is closed.

(Comr Peevey - ALJ Thomas)

Agenda 3192, Item 10 5/24/2007

**Outcome Signed**

[D07-06-001](#)

Yes: (Bohn, Chong, Grueneich, Peevey, Simon)

No: (none)

Abstain: (none)

Absent: (none)

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- 5**  
[6599]      **Res W-4647 - San Jose Water Company.**  
This resolution authorizes the acquisition of Redwood Mutual Water Company, now San Jose's Mountain District, and authorizes rate increases to finance plant improvements for Mountain District. (Advice Letter 372, filed December 1, 2006)  
Agenda 3192, Item 16 5/24/2007  
**Outcome Held (6/21/07, Consent Agenda.)**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 6**  
[6620]      **Res M-4819**  
This resolution sets fee levels for the 2007-08 fiscal year for electric, gas, heat, telecommunications and water and sewer system corporations. The revised fees will provide sufficient revenues and an appropriate reserve in the Public Utilities Commission Utilities Reimbursement Account.  
**Outcome Approved**  
[Res M-4819](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 7**  
[6623]      **Res E-4093 - Pacific Gas and Electric Company.**  
This resolution requests authority to establish a Market Redesign and Technology Upgrade (MRTU) Memorandum Account to record its incremental costs associated with the California Independent System Operator's MRTU initiative. Approved with modifications. (Advice Letter 2981-E-A, filed April 13, 2007, which supersedes entirely Advice Letter 2981-E, filed February 9, 2007)  
**Outcome Approved**  
[Res E-4093](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

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- 8**  
[6624]      **A97-10-024 - Southern California Edison Company.**  
For authority to recover capital additions to its fossil generating facilities made between January 1, 1997 and March 31, 1998. This decision denies The Utility Reform Network's Petition for Modification of D99-03-055. This decision finds that the issues raised by the Petition are moot, and therefore this proceeding should be closed.  
(Comr Peevey - ALJ DeBerry)  
**Outcome Signed**  
[D07-06-002](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 9**  
[6625]      **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 addresses the March 9, 2007 petition for modification of D06-12-031 filed by the Southern California Generation Coalition (SCGC). SCGC's petition is granted with respect to its request to eliminate the five-year monthly average in Step 2 of the open season process, but is denied with respect to SCGC's request to change the contract term in Step 3 of the open season process for existing capacity.  
(Comr Peevey - ALJ Wong)  
**Outcome Signed**  
[D07-06-003](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 10**  
[6630]      **A06-06-032 - San Diego Gas & Electric Company (SDG&E).**  
For approval of Low-income Assistance Programs for Program Years 2007 and 2008. A06-06-033; A06-06-034; A06-07-001 - Related matters. This decision grants a petition to modify Decision D06-12-038 filed by SDG&E and Pacific Gas and Electric Company and a similar one filed by Richard J. Heath and Associates. As requested by the petitions, this decision defers for one year a competitive bid process for third-party administration of low income energy efficiency programs on the basis that changing the process at this time may cause program disruptions without providing offsetting benefits, and makes other minor modifications to D06-12-038. This proceeding is closed.  
(Comr Grueneich - ALJ Malcolm)  
**Outcome Signed**  
[D07-06-004](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
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- 11**  
[6637]      **A06-07-002 - Valencia Water Company (Valencia).**  
This decision grants application of Valencia for an order authorizing it to increase rates for water service to realize increased revenues of \$2,402,000 in a test year beginning July 1, 2007, \$708,000 in a test year beginning July 1, 2008, and \$660,000 in a test year beginning July 1, 2009 and for other changes and additions to its tariff. This proceeding is closed.  
(Comr Bohn - ALJ Bemesderfer)  
**Outcome Held (6/21/07, Consent Agenda.)**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 12**  
[6638]      **I05-09-005 - Order Instituting Investigation to facilitate proactive development of transmission infrastructure to access renewable energy resources for California.**  
On September 8, 2005, the Commission opened this Order Instituting Investigation to proactively examine and improve the Commission's transmission planning and permitting processes as they relate to renewable resources and to ensure that California has the necessary transmission infrastructure in place in order to meet its renewable resource goals. This proceeding was intended to build on the progress made in I00-11-001 and R04-04-026. I05-09-005 is closed.  
(Comr Grueneich - ALJ Weissman)  
**Outcome Signed**  
[D07-06-005](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 13**  
[6642]      **A06-06-026 - Pacific Gas and Electric Company (PG&E).**  
This decision resolves this application by PG&E, which seeks the Commission's approval of a proposal to modify PG&E's customer bills. The Commission herein grants PG&E's application with several conditions put forth by consumer groups and representatives of the disabled community. This proceeding is closed.  
(Comr Bohn - ALJ Malcolm)  
**Outcome Held (6/21/07, Consent Agenda. Further consideration.)**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)

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- 14**  
[6650]            **Res E-4095**  
This resolution adopts revisions to the charter governing the structure of the Low Income Oversight Board (LIOB), as recommended by the members of the LIOB.  
**Outcome Approved**  
[Res E-4095](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 15**  
[6651]            **Res E-4052 - Southern California Edison Company (SCE).**  
This resolution requests Commission approval to establish a Renewable Transmission Feasibility Study Costs Memorandum Account to record up to \$6 million to study the feasibility of accessing new renewable resources. This resolution approves SCE's request with modifications. Specifically, SCE is authorized to establish a renewable transmission memorandum account and record costs, up to \$1.5 million in Phase 1, and up to \$4.5 million in Phase 2, subject to pre-approval after Phase 1. (Advice Letter (AL) 2062-E, filed November 22, 2006 and Supplemental AL 2062-E-A filed April 2, 2007 to replace AL 2062-E in its entirety.)  
**Outcome Held (6/21/07, Consent Agenda.)**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 16**  
[6674]            **R06-04-009 - Order Instituting Rulemaking to Implement the Commission's Procurement Incentive Framework and to Examine the Integration of Greenhouse Gas Emissions Standards into Procurement Policies.**  
This decision awards \$50,627 in compensation to the Green Power Institute for its substantial contributions to D07-01-039.  
(Comr Peevey - ALJ Gottstein)  
**Outcome Signed**  
[D07-06-006](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

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- 17**  
[6680]      **A07-02-025 - Catalina Classic Cruises, Inc. (Applicant).**  
This decision authorizes Applicant to increase passenger fares for its vessel common carrier service between the Ports of Long Beach and Los Angeles and Santa Catalina Island. The increases range between 6% and 19.7%. This proceeding is closed.  
(Exam Clark)  
**Outcome Signed**  
[D07-06-007](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 18**  
[6682]      **Res E-4094 - San Diego Gas & Electric Company (SDG&E).**  
This resolution authorizes SDG&E to enter into contracts with private vendors to implement Phase I of its Advanced Metering Infrastructure (AMI) Project as requested. (Advice Letter 1890-E, filed April 18, 2007)  
**Outcome Approved**  
[Res E-4094](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 19**  
[6689]      **Res T-17085 - SureWest Telephone (SureWest).**  
This resolution requests approval of a Commercial Mobile Radio Service (CMRS) Interconnection Agreement, between SureWest and MetroPCS California, LLC (U-3079-C) pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 1360, filed April 23, 2007)  
**Outcome Approved**  
[Res T-17085](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

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- 20**  
[6690]      **Res T-17086 - SureWest Telephone (SureWest).**  
This resolution requests approval of an interconnection agreement, between SureWest and XO Communications Services, Inc. (U-5553-C), pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 1361, filed April 23, 2007)  
**Outcome Approved**  
[Res T-17086](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 21**  
[6691]      **Res W-4649 - Little Bear Water Company (Little Bear).**  
This resolution grants interim Consumer Price Index-Urban rate relief for Little Bear to increase rates for sewer service by \$5,314 or 2.4% in 2007. (Advice Letter 18-S, filed April 13, 2007)  
**Outcome Approved**  
[Res W-4649](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 22**  
[6692]      **Res W-4650 - Little Bear Water Company (Little Bear).**  
This resolution grants interim Consumer Price Index-Urban rate relief for Little Bear to increase rates for its water service by \$9,486 or 2.4% in 2007. (Advice Letter 48, filed April 13, 2007)  
**Outcome Approved**  
[Res W-4650](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

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- 23**  
[6698]      **P06-12-012 - United Transportation Union.**  
Petition for rulemaking to modify General Order 118 to limit the size of ballast on railroad right-of-way. This decision extends the period of time for consideration of this petition by 75 days until August 27, 2007, pursuant to Public Utilities Code Section 1708.5(b)(2) and sets a deadline of June 1, 2007 for parties to report on the progress of on-going meet and confer sessions or submit any agreement reached.  
(Comr Grueneich - ALJ Rochester)  
**Outcome Withdrawn**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 24**  
[6700]      **I06-06-014 - Investigation on the Commission's Own Motion into the Practices of the Southern California Edison Company to Determine the Violations of the Laws, Rules, and Regulations Governing Performance Based Ratemaking, its Monitoring and Reporting to the Commission, Refunds to Customers and Other Relief, and Future Performance Based Ratemaking for this Utility.**  
This decision allows the time to resolve this investigation to be extended for six months to December 20, 2007 because of complexity of the case.  
(Comr Peevey - ALJ Barnett)  
**Outcome Signed**  
[D07-06-008](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 25**  
[6702]      **A06-12-030 - Cal-Ore Communications, Inc. (Cal-Ore).**  
This decision grants Cal-Ore a certificate of public convenience and necessity under Pub. Util. Code §1001 for authority to provide limited facilities-based and resold local exchange telecommunications services. This proceeding is closed.  
(Comr Chong - ALJ O'Donnell)  
**Outcome Signed**  
[D07-06-009](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

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- 26**  
[6705]      **A07-02-021 - Cost Plus Communications, LLC. (CostPlus).**  
This decision grants Cost Plus a certificate of public convenience and necessity pursuant to Pub. Util. Code §1001 to provide limited facilities-based and resold competitive local exchange services and interexchange services subject to the terms and conditions set forth. The application is unopposed. A07-02-021 is closed.  
(Comr Simon - ALJ Patrick)  
**Outcome Signed**  
[D07-06-010](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 27**  
[6719]      **A05-05-023 - Southern California Edison Company.**  
To establish marginal costs, allocate revenues and design rates. This decision grants The Utility Reform Network \$38,269.30, and The Vote Solar Initiative \$42,821.76, for their substantial contributions to D06-06-067. This proceeding is closed.  
(Comr Bohn - ALJ DeBerry)  
**Outcome Signed**  
[D07-06-011](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 28**  
[6720]      **A07-03-007 - Telecom Management, Inc. dba Pioneer Telephone (Telecom).**  
Telecom seeks a certificate of public convenience and necessity under Pub. Util. Code §1001 for authority to provide resold local exchange services as a competitive local carrier. By this decision, the Commission grants the requested authority. This proceeding is closed.  
(Comr Simon - ALJ Patrick)  
**Outcome Signed**  
[D07-06-012](#)  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

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## Regular Agenda

### Energy Orders

- 29**                    **C05-12-004 - Chevron Products Company vs. Equilon Enterprises LLC, dba Shell Oil Products US, and Shell Trading (US) Company.**  
[6570]                    This decision grants the Defendants' Motion for Summary Adjudication finding that Defendant Equilon Enterprises LLC is not operating its 20-inch heated pipeline as a common carrier. C05-12-004 is closed.  
(Comr Peevey - ALJ Bemesderfer)  
Agenda 3192, Item 45 5/24/2007  
**Outcome Held (6/21/07.)**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 29a**                    **ALTERNATE TO ITEM 6570**  
[6572]                    This alternate decision grants Complainant's Motion for Summary Adjudication finding that Defendant Equilon Enterprises LLC is operating its 20-inch heated pipeline as a common carrier. C05-12-004 is closed.  
(Comr Peevey)  
Agenda 3192, Item 45a 5/24/2007  
**Outcome Held (6/21/07.)**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 30**                    **R04-04-003 - Order Instituting Rulemaking to promote policy and program coordination and integration in electric utility resource planning.**  
[6609]                    R04-04-025 - Related matters. This decision adopts specific policies and pricing mechanisms applicable to the electric utilities' purchase of energy and capacity from Qualifying Facilities (QFs). Specifically, the Commission adopts 1) a Market Index Formula as an updated short-run avoided cost formula, 2) new contract options for expired QF contracts and new QF contracts, 3) prospective QF contract provisions, and 4) an entry procedure for new QFs. These proceedings are closed.  
(Comr Peevey - ALJ Brown)  
**Outcome Held (7/12/07.)**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)

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- 31**  
[6640]      **A06-05-007 - Pacific Gas and Electric Company (PG&E).**  
This decision resolves the application of PG&E for approval of its proposal to develop confidential plans for purchasing hedging and other financial instruments that concern its core gas supplies. This decision rejects a settlement filed by PG&E, The Utility Reform Network, the Division of Ratepayer Advocates and Aglet Consumers Alliance. This decision also denies PG&E's application and finds that, if it seeks authority to purchase hedging instruments without any liability, it should file a separate application with a specific plan for our approval. A06-05-007 is closed.  
(Comr Peevey - ALJ Malcolm)  
**Outcome Withdrawn**  
Yes: (none)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 31a**  
[6641]      **ALTERNATE TO ITEM 6640**  
This decision approves the settlement agreement filed by Pacific Gas and Electric Company, Division of Ratepayer Advocates, The Utility Reform Network, and Aglet Consumers Alliance for a long term hedging program for core natural gas supplies.  
(Comr Peevey)  
**Outcome Signed (Comr. Simon will file a concurrence.)**  
D07-06-013  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)
- 32**  
[6677]      **R06-03-004 - Order Instituting Rulemaking Regarding Policies, Procedures and Rules for California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.**  
This decision grants a petition for modification and stays implementation of the California Solar Initiative time variant pricing requirement until the Commission develops time-of-use tariffs that meet the criteria in Pub. Util. Code §2851(a)(4).  
(Comr Peevey - ALJ Duda)  
**Outcome Signed**  
D07-06-014  
Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
No: (none)  
Abstain: (none)  
Absent: (none)

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**Energy Resolutions and Written Reports****33**

[6622]

**Res G-3397 - Southern California Gas Company (SoCalGas) and San Diego Gas & Electric Company (SDG&E).**

SoCalGas and SDG&E submit for approval by the Commission revisions to their tariff schedules in compliance with D06-09-039 related to Gas Rules Nos. 30 and 39 and to their Interconnection and Operational Agreements. SoCalGas' and SDG&E's requests are approved with modifications. (SoCalGas Advice Letter (AL) 3675, filed November 1, 2006; SDG&E AL 1652-G, filed November 1, 2006)

**Outcome Approved**

Res G-3397

Yes: (Bohn, Chong, Grueneich, Peevey, Simon)

No: (none)

Abstain: (none)

Absent: (none)

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**Communication Orders****34**

[6270]

**C05-11-011 - Utility Consumers' Action Network vs. SBC Communications, Inc., dba Pacific Bell Telephone Company, and related entities.**

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)

Agenda 3186, Item 37 1/25/2007 (Peevey);

Agenda 3187, Item 49 2/15/2007 (Bohn);

Agenda 3188, Item 24 3/1/2007 (Bohn);

Agenda 3190, Item 61 4/12/2007 (Chong);

Agenda 3191, Item 48 5/3/2007 (Chong)

**Outcome Held (6/21/07.)**

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)

## Water/Sewer Orders

**35**

[6629]

### **A06-01-005 - California-American Water Company.**

This decision resolves the revenue requirement phase of the general rate case application of California-American Water Company for its Los Angeles district test year 2007 and attrition years 2008 and 2009.

(Comr Bohn - ALJ Walwyn)

**Outcome Held (6/21/07. Further consideration.)**

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)

**Legal Division Matters****36**

[6695]

**WC Docket No. 07-38**

The Federal Communications Commission (FCC) is inviting comment on how it can continue to acquire the information it needs to develop and maintain appropriate broadband policies. In particular, the FCC is seeking input on how to best obtain sufficient information about the availability and deployment of broadband services, how it can improve the data it collects about wireless broadband services, whether it should modify the speed tier information it currently collects, and how it can best collect information about voice-over-Internet Protocol subscribership.

**Outcome Approved-Staff Recommendation**

WC Docket No. 07-38

Yes: (Bohn, Chong, Grueneich, Peevey, Simon)

No: (none)

Abstain: (none)

Absent: (none)

## Legislative and Other Matters

**37**                    **AB 1435 (Salas)**  
[6496]                Charges: conservation rate structure.  
                         Agenda 3190, Item 77 4/12/2007 (Staff);  
                         Agenda 3191, Item 54 5/3/2007 (Staff);  
                         Agenda 3192, Item 60 5/24/2007  
**Outcome Held (6/21/07.)**  
                         Yes: (none)  
                         No: (none)  
                         Abstain: (none)  
                         Absent: (none)

**38**                    **SB 412 (Simitian)**  
[6666]                CA Energy Commission (CEC): Liquefied Natural Gas (LNG) terminals.  
                         Agenda 3192, Item 63 5/24/2007  
**Outcome Held (6/21/07.)**  
                         Yes: (none)  
                         No: (none)  
                         Abstain: (none)  
                         Absent: (none)

## 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*

### Applications for Rehearing

- 40**                    **R06-03-004 - Conference with Legal Counsel - Applications for Rehearing**  
 [6684]                    Disposition of Application for Rehearing of D06-12-033, filed by Consumer Federation of California of D06-12-033. This decision modified earlier decisions in order to conform the terms of the California Solar Initiative to the recently enacted Senate Bill 1.  
**Outcome Signed**  
 D07-06-015  
 Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
 No: (none)  
 Abstain: (none)  
 Absent: (none)
- 41**                    **A05-07-024 - Conference with Legal Counsel - Applications for Rehearing**  
 [6686]                    Disposes of the application for the rehearing of D06-03-014 in A05-07-024 filed by Pacific Bell dba SBC California (now AT&T California). D06-03-014 determined which routine network modifications AT&T California must perform for competitive local exchange carriers when requested.  
**Outcome Signed**  
 D07-06-016  
 Yes: (Bohn, Chong, Grueneich, Peevey, Simon)  
 No: (none)  
 Abstain: (none)  
 Absent: (none)