
Public Utilities Commission of the State of California

Public Agenda 3205

Thursday, December 20, 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, January 07, 2008 (San Francisco)	Thursday, December 20, 2007 (San Francisco)
Monday, January 28, 2008 (San Francisco)	Thursday, January 10, 2008 (San Francisco)
Friday, February 08, 2008 (San Francisco)	Thursday, January 31, 2008 (San Francisco)
Monday, February 25, 2008 (San Francisco)	Thursday, February 14, 2008 (San Francisco)
	Thursday, February 28, 2008 (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
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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 22, 23, 25, 38

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.

Consent Agenda - Orders and Resolutions

1 A05-12-002 - Pacific Gas and Electric Company.

[7119]

For authority, among other things, to increase rates and charges for electric and gas service effective on January 1, 2007. I06-03-003 - Related matters. This decision awards The Utility Reform Network \$436,920.55 in compensation for its substantial contributions to D06-06-014 and D07-03-044 and \$27,883.10 in compensation for its substantial contributions to D07-05-058. These proceedings remain open.

(Comr Bohn - ALJ Kenney)

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

Agenda 3203, Item 30 11/16/2007 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304288

2 Res ALJ 176-3205

[7219]

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://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309037

Consent Agenda - Orders and Resolutions (continued)

3

A07-04-001 - Southern California Edison Company (SCE).

[7124]

This decision finds that for the Record Period January 1, 2006, through December 31, 2006, SCE's (1) recorded fuel expenses and energy expenses were reasonable, (2) contract administration, dispatch of generation resources, and related spot market transactions complied with Standard of Conduct Four in SCE's Commission approved procurement plan, and (3) SCE's other operations subject to Commission review were reasonable. SCE is authorized to recover the revenue requirement associated with an under-collection accrued in four memorandum accounts authorized by the Commission. This under-collection reflects and passes through to customers only increased costs to SCE for the services and commodities that it furnishes (Rule 3.2(a)(10)). Compared to revenue at present rates as of April 2007, the revenue increase is \$4.863 million, or 0.04% in 2008. An average residential customer using 700 kilowatt-hours per month in the summer would see an increase of 4¢ per month, from \$97.00 to \$97.04. This proceeding is closed.

(Comr Peevey - ALJ Patrick)

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

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

Agenda 3204, Item 10 12/6/2007 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=306491

4

Res EGPB-4

[7133]

This resolution approves the Final Report on the Audit of the Oakland Power Plant, performed by the Electric Generation Performance Branch (EGPB) of the Consumer Protection and Safety Division, and authorizes public disclosure of the Final Audit Report. The Final Audit Report (Appendix A to EGPB-4) is attached to the public version of the Final Resolution. No formal enforcement action is recommended.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307816

5

Res EGPB-5

[7134]

This resolution approves the Final Report on the Audit of the Moss Landing Power Plant, performed by the Electric Generation Performance Branch (EGPB) of the Consumer Protection and Safety Division, and authorizes public disclosure of the Final Audit Report. The Final Audit Report (Appendix A to EGPB-5) is attached to the public version of the Final Resolution. No formal enforcement action is recommended.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307818

Consent Agenda - Orders and Resolutions (continued)

- 6**
[7141] **A07-06-010 - Southern California Telephone Company.**
This decision grants a certificate of public convenience and necessity pursuant to Pub. Util. Code § 1001 to provide limited facilities-based and resold competitive local exchange and interexchange services, subject to the terms and conditions set forth below. This proceeding is closed.
(Comr Chong - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=298915
- 7**
[7155] **Res T-17127**
This resolution adopts a Deaf and Disabled Telecommunications Program (DDTP) Fund surcharge rate of 0.20% effective January 1, 2008. This revised surcharge rate shall remain in effect until further revised by the Commission. All certificated telecommunications carriers shall assess this DDTP Fund surcharge rate of 0.20% on their end-user's billings rendered on January 1, 2008 and thereafter.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307708
- 8**
[7159] **Res T-17128**
This resolution adopts a surcharge rate of 0.13% for the California High Cost Fund-A Administrative Committee Fund effective January 1, 2008.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307374
- 9**
[7167] **A06-12-005 - Exposition Metro Line Construction Authority (Applicant).**
A06-12-020, A07-01-004, A07-01-017, A07-01-044, A07-02-007, A07-02-017, A07-03-004, A07-05-012, and A07-05-013 - Related matters. This decision authorizes Applicant to construct thirty-six new rail crossings along the proposed Exposition Boulevard Corridor Light Rail Transit Line in Los Angeles County. Twenty-six of these crossings will be constructed at-grade, and the other 10 crossings will be grade-separated. This consolidated proceeding remains open to address A07-05-013, for a proposed crossing at Farmdale Ave., and to receive further comment on the need for hearing regarding the proposed crossing at Harvard Blvd. requested in A06-12-020.
(Comr Simon - ALJ Koss)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308493

Consent Agenda - Orders and Resolutions (continued)

10 **R06-07-010 - Order Instituting Rulemaking to Consider the Annual Revenue Requirement
[7172] Determination of the California Department of Water Resources.**

At the request of the California Department of Water Resources (DWR), this decision allocates DWR's revised 2008 revenue requirement determination, using the allocation methodology adopted in D05-06-060, to Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company.

(Comr Peevey - ALJ Wong)

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

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307974

11 **Res E-4133**

[7175]

This resolution finds that an interim bond of \$100,000 is sufficient for San Joaquin Valley Power Authority to post with the Commission as part of its Community Choice Aggregation registration packet pursuant to D05-12-041. The methodology for calculating the amount of this bond will be revisited by the Commission in the near future.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308852

12 **A07-06-015 - D. J. Nelson Trust (Applicant) dba Fruitridge Vista Water Company
[7178] (Company).**

This decision grants Applicant the authority to transfer the Company's system to Cook Endeavors, a California corporation, effective immediately. The Commission finds that the proposed transaction will not materially affect the Company's facilities or service, and the Commission therefore concludes that granting this application would not be adverse to the public interest. This proceeding is closed.

(Comr Bohn - ALJ Ryerson)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304361

13 **Res T-17116 - Foresthill Telephone Company (Foresthill).**

[7179]

This resolution approves a Compensation Agreement between Foresthill and Pac-West Telecomm, Inc., pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 279 filed October 3, 2007)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304231

Consent Agenda - Orders and Resolutions (continued)

- 14**
[7180] **Res T-17117 - Kerman Telephone Company (Kerman).**
This resolution approves a Compensation Agreement between Kerman and Pac-West Telecomm, Inc., pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 358 filed October 3, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304229
- 15**
[7181] **Res T-17118 - Verizon California, Inc. (Verizon).**
This resolution approves an Interconnection Agreement between Verizon and Syniverse Technologies, Inc., pursuant to Section 252 of the Telecommunication Act of 1996. (Advice Letter 11961 filed September 27, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304222
- 16**
[7182] **Res T-17119 - Winterhaven Telephone Company (Winterhaven).**
This resolution approves a Commercial Mobile Radio Service Interconnection Agreement between Winterhaven and NTCH-CA, Inc., pursuant to Section 252 of the Telecommunication Act of 1996. (Advice Letter 194 filed October 9, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304208
- 17**
[7183] **Res E-4140 - Pacific Gas and Electric Company (PG&E).**
This resolution approves PG&E's Advice Letter (AL) seeking authority under Public Utilities Code Section 851 to sell and convey to the City of Bakersfield certain streetlight facilities in the City. This resolution has been prepared pursuant to Res ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (Advice Letter 3080-E filed July 6, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304483
- 18**
[7184] **Res E-4130 - Pacific Gas and Electric Company (PG&E).**
This resolution approves PG&E's Advice Letter (AL) seeking approval under Public Utilities Code Section 851 to consent to Warren Sauer, L. Sue Sauer, John Edward Greenwood, Beth Greenwood, and Ryan Sauer (collectively the Grantees) use of PG&E's exclusive easement to use, an existing road, known as Atkins road, as an access road. This resolution has been prepared pursuant to a pilot program specified in Res ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (Advice Letter 3134-E filed October 10, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308490

Consent Agenda - Orders and Resolutions (continued)

- 19** **(ECP) C07-06-012 - Gary Schultz (Complainant) vs. Southern California Edison Company.**
[7185] The Complainant was billed under the wrong tariff. This decision orders the Complainant's bill be recomputed under correct tariff. This proceeding is closed.
 (Comr Grueneich - ALJ Barnett)
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=300974
- 20** **Res T-17126 - Citizens Telecommunications Company of Golden State dba Frontier Communications of Golden State (Golden State).**
[7186] This resolution approves Golden State's request to grandfather the 50% employee discount program associated with the Frontier Choices Residential bundled service offerings. (Advice Letter 206 filed October 18, 2007)
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=300579
- 21** **Res T-17125 - Citizens Telecommunications Company of Tuolumne dba Frontier Communications of Tuolumne (Tuolumne).**
[7187] This resolution approves Tuolumne's request to grandfather the 50% employee discount program associated with the Frontier Choices Residential bundled service offerings. (Advice Letter 193 filed October 18, 2007)
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=302022
- 22** **C06-12-011 - Eric and Sandi Archibek vs. Southern California Edison Company.**
[7188] The 12-month statutory deadline for resolving this proceeding is extended to March 23, 2008.
 (Comr Bohn - ALJ Koss)
 Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304418
- 23** **C07-08-025 - Pac-West Telecomm, Inc. (Complainant) vs. PAETEC Communications, Inc. (Defendant).**
[7189] The decision grants the Complainant and Defendants' joint motion to dismiss C07-08-025 with prejudice. This proceeding is closed.
 (Comr Simon - ALJ Bemederfer)
 Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=303190

Consent Agenda - Orders and Resolutions (continued)

- 24** **Res E-4142 - San Diego Gas & Electric Company (SDG&E).**
[7191] This Resolution approves SDG&E's Advice Letter (AL) 1921-E seeking authority under Public Utilities Code Section 851 to sell a portion of its distribution facilities on the University of San Diego Campus to the University. This resolution has been prepared pursuant to Resolution ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (AL 1921-E filed August 17, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308910
- 25** **C00-05-010 - Rita Boppana vs. Southern California Gas Company (Defendent).**
[7195] C00-05-011 and C00-05-012 - Related matters. This decision adopts all provisions of the Settlement Agreement presented by the Defendant and the Grassroots Coalition outlining principles for the process and reporting by the Defendant on the status of the Playa Del Rey natural gas storage operations with respect to the effects the operations have on the neighboring community. These proceedings are closed.
(Comr Bohn - ALJ Brown)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=302583
- 26** **Res T-17131 - Pacific Bell Company dba AT&T California (AT&T).**
[7197] This resolution approves AT&T's request to sell land located at 7912 Potrero Avenue, El Cerrito, California. This resolution is in accordance with provisions of General Order 96-B and Res ALJ-202. (Advice Letter 30954 filed September 21, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308115
- 27** **A06-03-005 - Pacific Gas and Electric Company (PG&E).**
[7198] To Revise its Electric Marginal Costs, Revenue Allocation, and Rate Design. This decision adopts an Addendum to the Supplemental Settlement Agreement on Streetlight Rate Design Issues (Streetlight Settlement) that was adopted by and appended to D07-09-004. The Addendum provides PG&E additional flexibility to implement certain elements of the Streetlight Settlement.
(Comr Chong - ALJ Fukutome)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=305052

Consent Agenda - Orders and Resolutions (continued)

- 28**
[7199] **A00-11-038 - Southern California Edison Company.**
For Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs. A00-11-056 and A00-10-028 - Related matters. This decision awards The Utility Reform Network \$100,104.64 in compensation for its substantial contributions to D02-10-063, D02-11-074, D02-12-045, D03-02-036, D03-09-018, D03-12-015, D04-01-028, D04-01-049, D04-05-054, and D04-12-014 regarding the allocation of the California Department of Water Resources' revenue requirements. Application (A) 00-11-038, A00-11-056, A00-10-028 are closed.
(Comr Peevey - ALJ Wong)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=303045
- 29**
[7200] **A07-08-030 - Lamia H. Issa and Sam Maamo dba Oakland Airporter (Applicants).**
This decision authorizes Applicants to operate as a passenger stage corporation between points in Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Solano Counties, on the one hand, and San Francisco, Oakland, and San Jose International Airports, on the other hand; and to establish a zone of rate freedom. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=303916
- 30**
[7201] **A07-06-017 - SuperShuttle of San Francisco, Inc. (Applicant).**
This decision authorizes Applicant to modify its passenger stage corporation operation to include scheduled service from San Francisco to San Francisco International Airport. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=305007

Consent Agenda - Orders and Resolutions (continued)

31 (Rev.) **Res E-4139 - Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) (Collectively the Respondents).**
[7202]

This Resolution authorizes the Respondents' request to modify their respective Energy Resource Recovery Accounts to record the costs associated with participation in the Western Renewable Energy Generation Information System. These advice letters are approved. (PG&E Advice Letter (AL) 3023-E filed March 30, 2007, AL 3023-E-A filed June 18, 2007, and AL 3023-E-B filed December 3, 2007); SCE AL 2117-E filed April 10, 2007 and AL 2117-E-A filed June 18, 2007; SDG&E AL 1189-E filed April 18, 2007 and AL 1189-E-A filed June 18, 2007)

12/18/2007 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308571

32 **Res E-4143 - Pacific Power (PacifiCorp).**
[7203]

This resolution approves PacifiCorp's Advice Letter (AL) 351-E to sell its Goose Creek-Decker Transmission Line to Basin Electric Power Cooperative. This resolution has been prepared pursuant to a pilot program specified in Resolution ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (AL 351-E filed August 27, 2007)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=305963

33 **Res E-4144 - Pacific Gas and Electric Company (PG&E).**
[7204]

This resolution approves PG&E's Advice Letter (AL) seeking authority under Public Utilities Code Section 851 to grant the County of Santa Cruz a non-exclusive easement to construct and maintain a sidewalk for public use within a portion of PG&E electric substation fee property located in the Live Oak Area in Santa Cruz California. This resolution has been prepared pursuant to a pilot program specified in Res ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (AL 3154E filed November 7, 2007)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308919

34 **Res T-17098 - Citizens Telecommunications Company of California, Inc. dba Frontier Communications of California (Frontier).**
[7206]

This resolution approves one Interconnection Agreement between Frontier and MCImetro Access Transmission Services, LLC, pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 1003 filed October 30, 2007)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=306254

Consent Agenda - Orders and Resolutions (continued)

- 35**
[7207] **Res T-17099 - Happy Valley Telephone Company (Happy Valley).**
This resolution approves a Commercial Mobile Radio Service Interconnection Agreement between Happy Valley and Charter Fiberlink, pursuant to Section 252 of The Telecommunications Act of 1996. (Advice Letter 300 filed October 23, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=306258
- 36**
[7208] **Res T-17100 - AT&T California (AT&T).**
This resolution approves a Commercial Mobile Radio Service Interconnection Agreement between AT&T and Crossroads Wireless Holding, LLC, pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 31284 filed November 7, 2007)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=306260
- 37**
[7209] **A05-06-004 - Pacific Gas and Electric Company.**
For approval of the 2006–2008 Energy Efficiency Programs and Budget. A05-06-011, A05-06-015, A05-06-016 - Related matters. This decision awards \$ 57,747.43 to The Utility Reform Network in compensation for its substantial contributions to D05-09-043, including the post-D05-09-043 compliance phase, D05-11-011, and D06-12-013. This represents a small decrease from the requested amount of \$58,162.91. The decrease reflects the Commission's finding that certain claimed hours did not correspond to work contributing to the resolution of issues in these decisions. A05-06-004, A05-06-011, A05-06-015, and A05-06-016 are closed.
(Comr Grueneich - ALJ Gottstein)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308088
- 38**
[7210] **C07-01-007 - Harbor City Estates, LLC vs. Southern California Gas Company.**
This decision grants an extension pursuant to Public Utilities Code § 1701.2(d) of the twelve-month deadline for resolution of an adjudicatory proceeding. The new deadline is July 7, 2008.
(Comr Bohn - ALJ Kolakowski)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=306152

Consent Agenda - Orders and Resolutions (continued)

- 39**
[7212] **A07-10-007 - San Diego Gas & Electric Company (SDG&E).**
Expedited application of SDG&E under the Energy Resource Recovery Account (ERRA) Trigger Mechanism. This decision requires SDG&E to refund its ERRA overcollection, estimated to be \$55.5 million, to ratepayers starting January 1, 2008. Application 07-10-007 is closed.
(Comr Simon - ALJ Gamson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309040
- 40**
[7213] **A07-09-022 - Cottage Springs Water Company (CSWC).**
This decision grants authority to CSWC to sell and transfer the water system located in Calaveras County to Cottage Springs Estate, LLC. This proceeding is closed.
(Exam Kahlon)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=305020
- 41**
[7218] **A97-04-039 - San Diego Gas & Electric Company (SDG&E).**
For an Order Under Section 701 of the Public Utilities Code Granting SDG&E Permission to Use Financial Energy Commodity Derivative Transactions. This decision closes Application 97-04-039, which has become moot with the passage of time. This proceeding is closed.
(Comr Peevey - ALJ Hecht)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=305526
- 42**
[7221] **A07-10-009 - MobilePro Corp., American Fiber Network, Inc. (AFN) and United Systems Access, Inc. (USAI) (Collectively the Applicants).**
This decision grants the request of the Applicants, pursuant to Public Utilities Code § 854(a), to consummate a transaction whereby USAI will acquire indirect control of AFN. Although the proposed transaction will result in a change of ownership of AFN, no transfer of certificates, assets, or customers will occur as an immediate consequence of the proposed transaction. AFN will continue to provide service to its existing customers pursuant to its authorizations under the same rates, terms, and conditions. Accordingly, this transaction will be transparent to the customers of AFN. This proceeding is closed.
(Comr Chong - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308313

Consent Agenda - Orders and Resolutions (continued)

- 43** **A07-09-004 - Race Telecommunications Inc. (Applicant).**
[7222] This decision grants the Applicant a certificate of public convenience and necessity pursuant to Pub. Util. Code § 1001 to provide limited facilities-based and resold competitive local exchange and interexchange services, subject to the terms and conditions set forth below. This proceeding is closed.
(Comr Simon - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304479
- 44** **A07-10-010 - ConocoPhillips Pipeline Company (Conoco) and Crimson California Pipeline L.P. (Crimson) (Collectively the Applicants).**
[7223] This decision grants the Applicants' request to transfer pipeline assets from Conoco to Crimson. This proceeding is closed.
(Comr Simon - ALJ Bemederfer)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=305257
- 45** **A07-04-003 - WesPac Pipelines – Los Angeles LLC (Applicant).**
[7226] This interim decision declares the Applicant to be a common carrier pipeline corporation, and thus a public utility, subject to the jurisdiction of the Commission.
(Comr Simon - ALJ Ryerson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=306555

Regular Agenda

Regular Agenda - Energy Orders

- 46**
[6956] **A05-06-006 - Pacific Gas and Electric Company (PG&E).**
For approval of 2006–2008 demand response programs and budgets. A05-06-008; A05-06-017; A07-07-022 - Related matters. The Commission modifies Res E-4079 to define “hard-to-reach customers” for purposes of customer eligibility in the Business Energy Coalition (BEC) demand response program as customers that have never enrolled in a PG&E demand response program and have rejected participation in at least one PG&E demand response program other than the BEC. This proceeding is closed.
(Comr Chong - ALJ Yacknin)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3200, Item 8 10/4/2007 (Staff);
Agenda 3201, Item 4 10/18/2007 (Peevey);
Agenda 3202, Item 3 11/1/2007 (Peevey);
Agenda 3203, Item 32 11/16/2007 (Peevey)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308297
- 46a**
[7149] **ALTERNATE TO ITEM 6956**
This alternate decision differs from the proposed decision in that it defines “hard-to-reach customers” eligible for the Business Energy Coalition demand response program to include customers that are enrolled in other demand response programs but have never participated in a Pacific Gas and Electric Company demand response event.
(Comr Peevey)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308657

Regular Agenda - Energy Orders (continued)

- 47 (Rev.)** **A07-05-003 - Southern California Edison Company (SCE).**
[7130] For authorized cost of capital for utility operations for 2008. A07-05-007, A07-05-008 - Related matters. This decision establishes the 2008 ratemaking return on common equity (ROE) of 11.50% for SCE which results in an 8.75% return on rate base (ROR), an 11.10% for San Diego Gas & Electric Company resulting in an 8.40% ROR, and an 11.35% ROE for Pacific Gas and Electric Company resulting in an 8.79% ROR. This proceeding remains open to consider cost of capital mechanisms to replace annual ROE applications.
(Comr Bohn - ALJ Galvin)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3204, Item 31 12/6/2007 (Staff)
12/13/2007 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309174
- 48** **A07-01-024 - Southern California Edison Company (SCE).**
[7136] For approval of embedded Energy Efficiency Pilot Programs for 2007-2008. A07-01-026, A07-01-029, A07-01-030 - Related matters. This decision approves one-year pilot programs, evaluations, and studies for Pacific Gas and Electric Company, SCE, Southern California Gas Company, and San Diego Gas & Electric Company. This decision modifies some programs, evaluations, and studies proposed by the applicant utilities. A07-01-024, A07-01-026, A07-01-029, and A07-01-030 are closed.
(Comr Grueneich - ALJ Weissman)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308624
- 49** **A06-11-005 - Pacific Gas and Electric Company (PG&E).**
[7146] This decision allows PG&E to recover the settlement amount for 2005-2006 New Year's Storms' costs recorded in a Catastrophic Event Memorandum Account (CEMA). The adopted electric revenue requirement is \$12,138,000, including interest through December 31, 2010, franchise fees, and uncollectibles, to be collected in rates beginning January 1, 2008, with \$9,333,000 collected in rates in 2008, \$1,431,000 in 2009, and \$1,374,000 in 2010. PG&E will record the CEMA revenue requirement in its Distribution Revenue Adjustment Mechanism (\$11,460,000) and to the Utility Generation Balancing Account (\$503,000) for rate recovery through the Annual Electric True-up advice letter. This decision also resolves PG&E's ex parte violations. This proceeding is closed.
(Comr Bohn - ALJ Long)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308048

Regular Agenda - Energy Orders (continued)

- 50**
[7158] **R07-01-042 - Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the Low Income Energy Efficiency Programs of California's Energy Utilities.**
A07-05-010 - Related matters. This decision updates and expands the Commission's policy direction for the Low Income Energy Efficiency programs provided by the Commission's regulated energy utilities. It is a companion to D07-10-032 which sets the stage for the next generation of energy efficiency in California. A07-05-010 is closed.
(Comr Grueneich - ALJ Malcolm)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308933
- 51**
[7164] **R06-02-013 - Order Instituting Rulemaking to Integrate Procurement Policies and Consider Long-Term Procurement Plans.**
This decision reviews, critiques and adopts, with modifications, Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company's Long-Term Procurement Plans (LTPP), for the 10-year period 2007 – 2016, and provides guidance to the utilities on preparing their next LTPPs.
(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://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309018
- 52**
[7173] **A06-12-009 - San Diego Gas & Electric Company (SDG&E).**
For authority to update its gas and electric revenue requirement and base rates effective on January 1, 2008. A06-12-010, I07-02-013 - Related matters. This decision authorizes the creation of Memorandum Account to collect any shortfall, or refund any decrease, for SDG&E and Southern California Gas Company. The Memorandum Accounts are effective February 1, 2008.
(Comr Bohn - ALJ Long)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308083

Regular Agenda - Energy Orders (continued)

52a**ALTERNATE TO ITEM 7173**

[7174]

Commissioner Bohn's alternate proposed decision authorizes San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) to establish memorandum accounts to track the potential revenue shortfall or over-collection between currently effective rates and the final rates adopted in this proceeding. The final decision will determine the forecast calendar year 2008 test year revenue requirements for both companies; however the Commission will determine the effective date for the memorandum account after considering further comments on whether delays to this proceeding were caused by SDG&E and SoCalGas.

(Comr Bohn)

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

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307921

Regular Agenda - Energy Resolutions and Written Reports

- 53**
[7086] **Res E-4127 - Pacific Gas and Electric Company (PG&E).**
PG&E proposes to institute a new Demand Response resource called the Cafeteria Style Menu program. (Advice Letter 3085-E, filed July 13, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3203, Item 36 11/16/2007 (Staff);
Agenda 3204, Item 33 12/6/2007 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307064
- 54**
[7150] **Res E-4137 - Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), Pacific Power, Sierra Pacific, Mountain Utilities (MU), and Golden State Water Company (GSWC) operating as Bear Valley Electric Service (BVES) (Collectively Respondents).**
This resolution approved with modifications Respondents' proposed Tariffs for Purchase of Eligible Renewable Generation. (PG&E Advice Letter (AL) 3100-E and 3098-E filed August 3, 2007, SCE AL 2148-E filed August 2, 2007, SDG&E AL 1918-E submitted August 2, 2007, Pacific Power AL 350-E filed August 3, 2007, Sierra Pacific's AL 331-E filed August 3, 2007, MU AL 73-E filed August 14, 2007, and BVES AL 219-E filed August 13, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=303766
- 55**
[7151] **Res E-4131 - Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE), on behalf of all California Solar Initiative (CSI) Program Administrators, including the California Center for Sustainable Energy.**
This resolution approves the proposed revisions to the CSI Program Handbook that address non-photovoltaic (non-PV) technologies. The inclusion of these revisions will allow qualifying non-PV technologies to participate in the CSI program. (PG&E Advice Letter (AL) 3060-E and SCE AL 2130-E, both filed June 1, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308984
- 56**
[7192] **Res E-4132 - Pacific Gas and Electric Company (PG&E).**
This resolution approves with modifications PG&E's request for the three renewable resource procurement contracts resulting from its 2006 Renewable Portfolio Standard solicitation. (Advice Letter (AL) 3074-E filed June 27, 2007, Supplemental AL 3074-E-A filed October 9, 2007, and Supplemental AL 3074-E-B filed November 29, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308877

Regular Agenda - Energy Resolutions and Written Reports (continued)

57 (Rev.) Res E-4138 - Pacific Gas and Electric Company (PG&E).

[7214]

This resolution approves with modifications PG&E's request for a renewable resource procurement contract resulting from its 2005 Renewable Portfolio Standard solicitation. (Advice Letter (AL) 3092-E filed July 25, 2007 and Supplemental AL 3092-E-A filed November 30, 2007)

12/18/2007 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309038

Regular Agenda - Communication Orders**58** **R06-06-028 - Order Instituting Rulemaking into the Review of the California High Cost Fund B Program.**
[7156]

This decision adopts an allocation of \$100 million for support of broadband deployment projects in accordance with the principles and processes under the California Advanced Fund program, as adopted herewith.

(Comr Chong - ALJ Pulsifer)

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

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309259

59 **P07-07-009 - California Association of Competitive Telecommunications Companies (CalTel).**
[7215]

R_____ - Related matters. By this order, the Commission grants CalTel's petition, subject to the scope and schedule outlined herein. CalTel asks the Commission to open a proceeding to consider whether it should adopt substantive or procedural rules related to local telephone carriers' retirement of copper telephone wiring.

(Comr Chong - ALJ Thomas)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308347

Regular Agenda - Water/Sewer Orders**60**

[6998]

A06-07-017 - California Water Service Company (Cal Water).

For an order authorizing Cal Water to increase rates charged for water service in the Bakersfield district in fiscal years 2007-2008, 2008-2009, and 2009-2010. A06-07-018, A06-07-019, A06-07-020, A06-07-021, A06-07-022, A06-07-023, A06-07-024 - Related matters. This decision resolves the general rate case applications for eight districts.

(Comr Bohn - ALJ Walwyn)

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

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

Agenda 3201, Item 28 10/18/2007 (Staff);

Agenda 3202, Item 38 11/1/2007 (Bohn);

Agenda 3203, Item 41 11/16/2007 (Simon);

Agenda 3204, Item 39 12/6/2007 (Chong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=308098

61

[7117]

R_____ - Order Instituting Rulemaking on the Commission's own motion to revise General Order 103.

This Order Instituting Rulemaking is being issued in order to revise and update General Order 103, rules governing water service including minimum standards for design and construction.

Agenda 3203, Item 42 11/16/2007 (Chong);

Agenda 3204, Item 40 12/6/2007 (Chong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=307055

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

62

Commissioner Grueneich Report

[7211]

Approval of two public representative nominations: Jose Atilio Hernandez and Faith Bautista to the Commission's Low Income Oversight Board.

Regular Agenda - Management Reports and Resolutions

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

- 63** **Conference with Legal Counsel - Applications for Rehearing**
 [7059] 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.
- 64** **A07-09-002 - Conference with Legal Counsel - Application for Rehearing**
 [7153] Disposition of Application for Rehearing of Resolution E-4064 (the Resolution), filed by Merced Irrigation District, Modesto Irrigation District, California Municipal Utilities Association, Northern California Power Agency, City of Hercules, and Rancho Cucamonga Municipal Utility. The Commission adopted the Resolution on August 23, 2007. The Resolution approved Pacific Gas and Electric Company's Advice Letter (AL) 2483-E-A/E-B and Southern California Edison Company's AL 1979-E-A with modifications. These advice letters proposed tariffs to implement the billing and collection of the Cost Responsibility Surcharge and other non-bypassable charges applicable to new Municipal Departing Load.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
 Agenda 3204, Item 45 12/6/2007 (Staff)
- 65** **A07-02-019 - Conference with Legal Counsel - Application for Rehearing**
 [7154] Disposition of Application for Rehearing of D.07-09-026 filed by the Angeles Chapter of the Sierra Club and Friends of the Santa Clara River (collectively, Applicants). In D.07-09-026, the Commission authorized MW Housing Partners III, L.P. (MWHP) to acquire a 50% indirect control over Valencia Water Company (Valencia) through a transfer of half of Lennar Corporation's and half of LNR Property Corporation's respective 50% indirect control over Valencia to MWHP.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
 Agenda 3204, Item 46 12/6/2007 (Staff)

Closed Session - Applications for Rehearing (continued)

66

[7220]

A06-01-005 - Conference with Legal Counsel - Application for Rehearing

Disposition of application for rehearing of D07-08-030 filed by the Commission's Division of Ratepayer Advocates (DRA). D07-08-030 is a Phase I decision in the California-American Water Company's (Cal-Am) general rate case (GRC) for its Los Angeles District for test year 2007 and attrition years 2008 and 2009. In part, the challenged decision approves an amended settlement between Cal-Am and the DRA. D07-08-030 discusses two methods proposed by Cal-Am for Phase 2 of the proceeding for increasing conservation and reducing financial risk: a Water Revenue Adjustment Mechanism (WRAM) and a Modified Cost Balancing Account (MCBA), as well as including a discussion of the Commission's preference for a Conservation Loss Adjustment Mechanism (CLAM).

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

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

68

[7061]

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

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.

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