
Public Utilities Commission of the State of California

Public Agenda 3212

Thursday, April 24, 2008 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

John A. Bohn will participate remotely, see next page.

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, May 12, 2008 (San Francisco)	Thursday, April 24, 2008 (San Francisco)
Friday, May 23, 2008 (San Francisco)	Thursday, May 15, 2008 (San Francisco)
Monday, June 09, 2008 (San Francisco)	Thursday, May 29, 2008 (San Francisco)
Monday, June 23, 2008 (San Francisco)	Thursday, June 12, 2008 (San Francisco)
	Thursday, June 26, 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
(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.

Commissioner Bohn will not be present in San Francisco for the April 24, 2008, Commission Meeting. Therefore, pursuant to Government Code Section 11123(b)(1) **NOTICE IS HEREBY GIVEN** that Commissioner Bohn will participate by teleconference in the Commission Meeting from the following publicly accessible location:

Commissioner Bohn
Administrative Conference Room, Building 1
EPRI Knoxville Office
942 Corridor Park Blvd.
Knoxville, TN 37932

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 18, 19

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

Res ALJ 176-3212

[7516]

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=328009

2

A07-10-014 - AboveNet Communications, Inc. (Applicant).

[7463]

Pursuant to Pub. Util. Code § 1001, Applicant seeks to expand its certificate of public convenience and necessity (CPCN) to obtain authority to provide full facilities based local exchange services and rely upon an expedited process for environmental review for certain proposed construction projects. The Commission grants the requested authority to expand Applicant's CPCN to include full facilities-based services, subject to the requirements and conditions stated below. The Commission also specifies a procedure to be followed if Applicant seeks to pursue full facilities-based construction activities that involve potential exemptions from environmental review under the California Environmental Quality Act, Public Resources Code §§ 21000 et seq. The exemption procedure is limited to full facilities-based construction projects not exceeding five miles. This proceeding is closed. (Comr Simon - ALJ DeAngelis)

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

Agenda 3211, Item 35 4/10/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327872

Consent Agenda - Orders and Resolutions (continued)

- 3** **A07-01-045 - Southern California Edison Company (SCE).**
[7432] This decision approves, in part and on an interim basis, SCE's request to add, delete and make revisions to the Direct Access service fees. This proceeding is closed.
(Comr Peevey - ALJ Smith)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3211, Item 10 4/10/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=321269
- 4** **Res ALJ-213 - S&S Tool and Supply, Inc. (S&S)**
[7427] Resolution on Appeal of S&S of Clearinghouse Determination of Status Under General Order (GO) 156. The proposed Resolution sustains the appeal and finds S&S, to be an eligible woman-owned business enterprise under GO 156. This appeal is closed.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3211, Item 7 4/10/2008 (Peevey)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=326298
- 5** **A07-02-023 - California-American Water Company.**
[7423] For an Interest Rate of 8.33% for Allowance for Funds Used During Construction for its San Clemente Dam Memorandum. This decision retains the 90-day commercial paper rate for the San Clemente Dam project memorandum account. 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.
Agenda 3211, Item 6 4/10/2008 (Bohn)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=326514
- 6** **R08-03-008 - Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.**
[7473] This decision grants in part the petition of FuelCell Energy to raise the cap on incentives in the Self-Generation Incentive Program (SGIP). Qualifying fuel cell and wind distributed generation projects may receive incentives up to 3 megawatts in 2008 and 2009 using unspent SGIP funds from prior years. This proceeding remains open.
(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 Quasi-Legislative.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=326796

Consent Agenda - Orders and Resolutions (continued)

7 (Rev.) 04/22/2008 - Moved to item (58) under Regular Agenda/Water/Sewer Resolutions and Reports
[7496] section on the agenda.

8 **R07-01-041 - Order Instituting Rulemaking Regarding Policies and Protocols for Demand**
[7500] **Response Load Impact Estimates, Cost-Effectiveness Methodologies, Megawatt Goals and**
 Alignment with California Independent System Operator Market Design Protocols.
This decision adopts protocols for estimating the Load Impacts of demand response (DR) activities. These protocols shall be used in the preparation of the 2009-2011 DR activity and budget applications due on June 1, 2008.
(Comr Chong - 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://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327960

9 **Res W-4683 - Point Arena Water Works, Inc. (PAWW).**
[7501] This resolution authorizes a Water Right Memorandum Account Fee of \$333 per lot for new service connections to be credited to the Water Right Memorandum Account related to PAWW's Water Right Permit Application Nos. 25442 and 30892 with the State Water Resources Control Board. (Advice Letter 55 filed November 14, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327730

10 **R06-07-010 - Order Instituting Rulemaking to Consider the Annual Revenue Requirement**
[7504] **Determination of the California Department of Water Resources (DWR).**
This decision allocates DWR's 2008 supplemental determination of its revenue requirement, using the allocation methodology adopted in Decision 05-06-060, 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=327334

Consent Agenda - Orders and Resolutions (continued)

- 11**
[7507] **Res E-4162**
- This resolution proposes a modification to the California Solar Initiative (CSI) Program Handbook that addresses the eligibility of solar water heating with the non-photovoltaic technologies component of the CSI. The inclusion of these modifications is an effort to conform the CSI Program to Commission Decision 06-01-024.
- Pub. Util. Code § 311 – This item was mailed for Public Comment.*
- http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327766
-
- 12**
[7508] **R06-05-027 - Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.**
- This decision regards Sustainable Conservation's request for intervenor compensation in the amount of \$30,394.50 for contributions to Decision 07-07-027. The claim is denied on the basis that Sustainable Conservation fails to establish significant financial hardship. Sustainable Conservation has made significant contributions to the Commission's work, however, and the Commission welcomes its continued participation, as explained in the order. The proceeding remains open.
- (Comr Peevey - ALJ Mattson)
- 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=E11900
-
- 13**
[7526] **Res W-4685 - Mountain Mesa Water Company.**
- This resolution authorizes a rate base offset revenue increase producing an increase in gross annual revenues of \$113,300.00 or 88.5%.
- http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=325793
-
- 14**
[7530] **A08-01-010 - Dynalink Communications, Inc. (Applicant).**
- This decision grants Applicant a certificate of public convenience and necessity pursuant to Pub. Util. Code § 1001 to provide resold local exchange service as a competitive local carrier and interexchange telecommunications services, subject to the terms and conditions set forth in the decision. The application is unopposed. 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=320618

Consent Agenda - Orders and Resolutions (continued)

- 15** **Res ALJ- 218**
[7531] This resolution approves the change of the preliminary determination made earlier by the Commission in Resolution ALJ 176-3201, dated October 18, 2007, regarding the need for an evidentiary hearing in Application 07-10-012 of Alisal Water Corporation doing business as Alco Water Service.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=325932
- 16** **R06-02-013 - Order Instituting Rulemaking to Integrate Procurement Policies and Consider Long-Term Procurement Plans.**
[7535] This decision awards Aglet Consumer Alliance \$38,759.54 in compensation for its substantial contributions to the Procurement Review Groups of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company. Rulemaking 06-02-013 remains open.
(Comr Peevey - ALJ Brown)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=314117
- 17** **R07-09-008 - Order Instituting Rulemaking to establish the California Institute for Climate Solutions.**
[7550] Order Correcting Error to correct various typographical and inadvertent errors in Decision 08-04-039.
(Comr Peevey - ALJ Brown)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=328168
- 18 (Rev.)** **C06-03-023 - Pacific Bell Telephone Company dba AT&T California vs. Cbeyond Communications, LLC, Covad Communications Company, and Arrival Communications, Inc.**
[7552] This decision extends the 12-month statutory deadline for resolving this proceeding to June 1, 2008.
(Comr Chong - ALJ Ryerson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
04/23/2008 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=328099

Consent Agenda - Orders and Resolutions (continued)

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[7553]

C06-03-023 - Pacific Bell Telephone Company dba AT&T California (AT&T or Complainant) vs. Cbeyond Communications, LLC, Covad Communications Company, and Arrival Communications, Inc. (Defendants).

This decision resolves a complaint by AT&T against certain competitive local exchange carriers regarding findings of non-impairment. Under Telecommunication Act of 1996 and subsequent rulings, a system was established to facilitate competition in providing telecommunications services, in part requiring incumbent carriers to lease specified network elements to competitors at prices established by a certain methodology. Subsequent federal rulings determined that certain network elements were not required to be leased and others only leased if, based on specified criteria, competitors would be "impaired" absent their continued availability. A procedure was established to designate wire centers as unimpaired and to challenge such designations. The Commission affirms Complainant's determination that a California wire center is non-impaired and delisted under the TRRO and criteria in 47 CFR § 51.319 (a)(4) and (a)(5), effective as of March 11, 2005, where that determination has not been challenged by the self-certifications of the defendants. The Commission denies Complainant's request for a declaration that non-impairment designations challenged by the defendants are non-impaired, but the Commission grants leave for Complainant to restudy and redesignate those wire centers in accordance with the Commission's order. Case 06-03-023 is closed.

(Comr Chong - ALJ Ryerson)

Pub. Util. Code § 1701.2(c), allows this modified Presiding Officer's Decision to be considered in Closed Session.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327740

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[7554]

Res L-361

This resolution authorizes the disclosure of certain records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of automobile and train collisions on Wilmington Avenue in the City of Carson, California.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=326851

Regular Agenda

Regular Agenda - Energy Orders

21 (Rev.) A07-12-032 - San Joaquin Valley Power Authority (SJVPA).

[7512]

This decision modifies Resolution E-4013 by granting SJVPA's application requesting that the Commission delete Section 20 of the utilities' Community Choice Aggregation (CCA) Service Agreements relating to joint and several liabilities of members participating in a CCA program through a joint powers agency. The Commission directs Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company to remove from their tariffs and service agreements any requirement or condition of service that imposes joint and several liabilities on the members of a CCA joint powers agency for the debts and obligations of that joint powers agency. This proceeding is closed.

(Comr Peevey - ALJ Yip-kikugawa)

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

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

04/23/2008 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=328031

Regular Agenda - Energy Resolutions and Written Reports**22**

[7442]

Res E-4119 - Pacific Gas and Electric Company (PG&E).

This resolution approves PG&E's Advice Letter 3078-E submitted to adopt a Reliability Performance Incentive Mechanism (RPIM) reward of \$151,899 for performance year 2006. When it files for its third and final performance year 2007, PG&E is to use the same method of including and excluding outages from the RPIM indices as it did for years 2006 and 2005. Consistent with Resolution E-4003, the 2006 reward results of the RPIM shall be recovered through PG&E's Distribution Revenue Adjustment Mechanism (DRAM). PG&E shall file an internal audit of the data that supports its RPIM filing to confirm that the error rate remains low. (Advice Letter 3078-E filed July 2, 2007)

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

Agenda 3211, Item 52 4/10/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=328057

23

[7521]

Res E-4164 - Pacific Gas and Electric Company (PG&E).

This resolution approves PG&E's request for a renewable procurement contract, which concerns consolidation of existing capacity, contract extensions, added capacity and a hedging plan. This contract is approved with modification. (Advice Letter (AL) 3211-E filed February 15, 2008, and AL 3211-E-A filed March 21, 2008)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=328092

Regular Agenda - Communication Orders

- 24 (Rev.)** **R05-04-005 - Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the Regulation of Telecommunications Utilities.**
[7467]
- The Commission finds that Pacific Bell Telephone Company, doing business as AT&T California (AT&T), has provided evidence that supports some modifications that it has made to its Tariff Rule 12 through AT&T Advice Letters 28800 and 28982. However, the Commission also finds that AT&T should file a further Advice Letter modifying its Tariff Rule 12 in one respect. Specifically, AT&T must file a modification to its current Tariff Rule 12 to require AT&T customer service representatives to explain to customers seeking new service the difference between flat rate and measured rate for basic service and to disclose the monthly cost of each before marketing bundled services to such customers. (Comr Chong - ALJ Bemserfer)
- Pub. Util. Code § 311 – This item was mailed for Public Comment.*
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
04/21/2008 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327368
- 25** **A07-06-018 - North American Numbering Plan.**
[7444]
- For Relief of the 760 Numbering Plan Area. This decision denies the requested all services overlay in 760 area code and orders a two-way geographic split to create a new 442 area code. 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.
Agenda 3211, Item 58 4/10/2008 (Simon)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=326034
- 26** **A07-12-018 - North American Numbering Plan Administrator.**
[7494]
- This decision grants the application filed by the North American Numbering Plan Administrator on behalf of the telecommunications industry, requesting approval of an all-services distributed overlay for the 818 numbering plan area, which currently utilizes the 818 area code. The overlay will provide additional numbering resources to meet the demand for telephone numbers. Implementation of the overlay shall commence immediately. This proceeding is closed.
- (Comr Simon - ALJ O'Donnell)
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=327333

Regular Agenda - Communication Resolutions and Reports**27****Res T-17142**

[7509]

This resolution reduces the California Teleconnect Fund (CTF) surcharge rate from 0.130% to 0.079% effective June 1, 2008 until further revised by the Commission. All certificated communications carriers shall assess the revised CTF surcharge rate of 0.079% on their end-user's bills rendered for intrastate telecommunications services on June 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=327811

Regular Agenda - Water/Sewer Orders**28**

[7502]

A07-01-036 - California-American Water Company (Cal Am).

To decrease revenues for water service in its Coronado District by \$73,100.00 or 0.46% in 2008 and increase revenues by \$266,200.00 or 1.67% in 2009 and \$260,900.00 or 1.61% in 2010.

A07-01-037, A07-01-038, A07-01-039 - Related matters. This decision adopts the revenue requirement for Cal Am's Larkfield and Sacramento Districts. It adopts the Settlement filed by Cal Am and DRA, a Return on Equity of 10.15%, and partially consolidates the Larkfield and Sacramento Districts.

(Comr Bohn - ALJ Rochester)

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=322335

28a

[7503]

ALTERNATE TO ITEM 7502

A07-01-037, A07-01-038, A07-01-039 - Related matters. This alternate decision differs from the proposed decision in that it does not adopt any consolidation plan for the Larkfield and Sacramento districts.

(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=323465

Regular Agenda - Water/Sewer Resolutions and Reports

58 (Rev.)

Res W-4682 - California Water Service Company (CWS).

[7496]

This resolution denies CWS authorization to require payment of \$40,000 from the owner of Trend Home Properties. (Advice Letter 1843 filed December 14, 2007)

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

04/22/2008 - This item appeared as (7) under Consent Agenda/Orders and Resolutions section on the agenda distributed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327664

Regular Agenda - Legislative and Other Matters

- 29** **AB 1755 (Fuentes)**
[7392] Electricity: rates: transmission assets.
 Agenda 3210, Item 36 3/13/2008 (Staff);
 Agenda 3211, Item 64 4/10/2008 (Staff)
- 30** **AB 1807 (Fuentes)**
[7537] Renewable electric generation facilities: feed-in tariffs.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327380
- 31** **AB 1920 (Huffman)**
[7538] Solar and wind generating resources: net metering.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327381
- 32** **AB 2136 (Mendoza)**
[7475] Prepaid calling cards.
 Agenda 3211, Item 66 4/10/2008 (Staff)
- 33** **AB 2195 (Brownley)**
[7478] Rail transit.
 Agenda 3211, Item 67 4/10/2008 (Staff)
- 34** **AB 2307 (Price)**
[7485] Telephone services: change in telephone service provider.
 Agenda 3211, Item 68 4/10/2008 (Staff)
- 35** **AB 2385 (Ruskin)**
[7539] Telecommunications: mobile telephony services: release of subscriber information.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327253
- 36** **AB 2404 (Salas)**
[7540] Energy efficiency: water efficiency programs.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327231

Regular Agenda - Legislative and Other Matters (continued)

- 37** **AB 2466 (Laird)**
[7541] Government energy producers.
- 38** **AB 2674 (Emmerson)**
[7542] Joint powers agreements: investor-owned water utilities.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327268
- 39** **AB 2791 (Blakeslee)**
[7543] Energy: Waste Heat and Carbon Emissions Reduction Act.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327388
- 40** **AB 2820 (Huffman)**
[7544] Renewable energy resources.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327384
- 41** **AB 2885 (De La Torre)**
[7484] Mobile telephone service: prepaid service.
Agenda 3211, Item 73 4/10/2008 (Staff)
- 42** **AB 3058 (Committee on Utilities & Commerce)**
[7545] Electric power contracts: just and reasonable charges.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327285
- 43** **SB 1389 (Padilla)**
[7546] Public utilities: telephone corporations: acquisitions.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327227
- 44** **SB 1438 (Padilla)**
[7481] Smart grid systems.
Agenda 3211, Item 74 4/10/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=326617

Regular Agenda - Legislative and Other Matters (continued)

45 **SB 1536 (Dutton)**
[7547] Electrical restructuring: Power Exchange.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=327335

46 **SB 1714 (Negrete McCleod)**
[7548] Renewable electric generation facilities.

47 **SB 1759 (Perata)**
[7549] Energy: renewable energy.

Regular Agenda - Commissioner's Reports

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

- 48** **Conference with Legal Counsel - Application for Rehearing**
 [7380] 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.
- 49** **R06-03-004 - Conference with Legal Counsel - Application for Rehearing**
 [7495] Disposition of Application for Rehearing of Decision (D.) 07-12-007, filed by Californians for Renewable Energy (CARE). This decision awarded the Consumer Federation of California (CFC) and CARE \$39,810.98 in compensation for their substantial contributions to D.06-08-028. This amount is \$25,942.90 less than the \$65,753.88 originally requested by CARE due to reductions to the hours claimed by CARE and adjustments to the requested hourly rates for CARE attorneys.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
 Agenda 3211, Item 78 4/10/2008 (Staff)
- 50** **R06-06-028 - Conference with Legal Counsel - Application for Rehearing**
 [7522] Disposition of application for rehearing filed by The Utility Reform Network (TURN) of Decision 07-09-020. The interim decision adopts preliminary reforms to the California High Cost Fund-B mechanism (B-Fund) Program.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
- 51** **A07-01-028 - Conference with Legal Counsel - Application for Rehearing**
 [7527] Disposition of application for rehearing of Resolution ALJ-195, filed by Western Power Trading Forum. Resolution ALJ-195 established dispute resolution procedures for information requests made by staff to public utilities and other non-utility entities.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

52 **R05-04-005 - Conference with Legal Counsel – Application for Rehearing**
[7528] R98-07-038 - Related matters. Disposition of Application for Rehearing of Decision (D.) 07-09-018 filed by the Utility Reform Network. D.07-09-018 clarified rules for advice letters under the Uniform Regulatory Framework and adopted procedures for detariffing.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

53 **R05-04-005 - Conference with Legal Counsel – Application for Rehearing**
[7529] R98-07-038 - Related matters. Disposition of Applications for Rehearing of Decision (D.) 07-09-018 filed by Cox California Telcom, LLC, dba Cox Communications (Cox) and D.07-09-019 filed by Cox. D.07-09-018 clarified rules for advice letters under the Uniform Regulatory Framework (URF) and adopted procedures for detariffing. D.07-09-019 adopted Telecommunications Industry Rules for General Order 96-B. D.07-09-019 is a companion decision to D.07-09-018 and reflects the changes the Commission made to rules governing telecommunications carriers in its URF rulemaking.
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.

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[7299]

I _____ - Conference with Legal Counsel - Initiation of Litigation

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions is not commenced.)

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

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

Agenda 3207, Item 35 1/31/2008 (Staff);

Agenda 3209, Item 42 2/28/2008 (Staff);

Agenda 3210, Item 47 3/13/2008 (Staff);

Agenda 3211, Item 80 4/10/2008 (Staff)

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.

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[7465]

Docket No. 2007-OE-02 - Conference with Legal Counsel - Initiation of Litigation

Southwest Area National Interest Electric Transmission Corridor, U.S. Department of Energy Docket No. 2007-OE-02.

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

Agenda 3211, Item 81 4/10/2008 (Staff)

Closed Session - Federal

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[7384]

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