
Public Utilities Commission of the State of California

Public Agenda 3228

Thursday, January 29, 2009 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>
Friday, February 13, 2009 (San Francisco)	Thursday, January 29, 2009 (San Francisco)
Monday, March 09, 2009 (San Francisco)	Friday, February 20, 2009 (San Francisco)
Monday, March 23, 2009 (San Francisco)	Thursday, March 12, 2009 (San Francisco)
Monday, April 13, 2009 (San Francisco)	Thursday, March 26, 2009 (San Francisco)
Monday, May 04, 2009 (San Francisco)	Thursday, April 16, 2009 (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.
- 13, 32, 36, 40, 49

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-176-3228

[8201]

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=366628

2

A08-01-004 - Suburban Water Systems (Applicant).

[8124]

For Authority to Increase Rates Charged for Water Service for the years 2009-2011. This decision authorizes Applicant to increase rates for the years 2009-2011 in the following amounts: for year 2009, 11.08% increase with an amount of \$5,570,563; for year 2010, 2.70% increase with an estimate amount of \$1,508,585; for year 2011, 2.22% increase with an estimate amount of \$1,280,008. This decision also approves a related settlement agreement between Suburban and the Commission's Division of Ratepayer Advocates. As a result of the settlement, the rates authorized today are approximately 18% less than the rates initially requested. This proceeding is closed.

(Comr Bohn - ALJ Koss)

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

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

Agenda 3227, Item 17 12/18/2008 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=362977

Consent Agenda - Orders and Resolutions (continued)

- 3**
[8127] **A08-06-017 - San Diego Gas & Electric Company (Applicant).**
For Expedited Approval of the Miramar Energy Facility II Project (MEF II). This decision approves the request of Applicant for a project with MEF II for an Engineering, Procurement and Construction contract with Wellhead Services, Inc. and a contract with General Electric for the supply of a simple cycle gas-fired combustion turbine with a capacity of approximately 46.5 megawatts to provide peaking energy and capacity. The MEF II project will interconnect to the Applicant's system via the existing Miramar substation that also serves the Miramar Energy Facility I Project unit that is on the same site and was brought on-line in summer 2005. Applicant owns the Miramar site, as well as the turbine/generator, and offered the MEF II project to the market for a competitive bid on a turnkey basis in its 2008 Peaker Request for Offers. Upon completion, the project will be owned and operated by Applicant. Applicant is authorized to collect full cost recovery in rates for MEF II. This proceeding is closed.
(Comr Peevey - ALJ Brown)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3227, Item 18 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370242
- 4**
[8149] **Res ALJ-230**
This resolution affirms Field Citation 195 issued to Air Ride Moving & Storage, Inc. but reduces the fine by \$500.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370703
- 5**
[8178] **A04-08-018 - Southern California Gas Company (Applicant).**
To Establish Regulatory Authority Over the Access for Natural Gas Provided by California Gas Producers. Applicant filed a petition to modify Decision 07-08-029 by expanding the monitoring of non-hydrogen sulfide constituents on a four to eight minute interval to California-produced gas that is connected to Applicant's transmission line. Based on the information contained in Applicant's petition, the Commission declines to rule on the petition at this point in time. Instead, the Commission will reopen the proceeding to take additional evidence on two issues raised by Applicant's petition. This proceeding remains open.
(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=365321

Consent Agenda - Orders and Resolutions (continued)

6**Res ALJ-225**

[8185]

This resolution dismisses a \$1,500 penalty assessed for late delivery of Sempra Energy Solutions LLC's August 2008 Month-Ahead Resource Adequacy Compliance Filing.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370610

7**A08-09-011 - Southern California Edison Company (Applicant).**

[8186]

The Commission authorizes Applicant an increase of \$330.8 million to its 2009 Energy Resource Recovery Account (ERRA) revenue requirement. While the adopted 2009 forecast reflects a significant reduction in the cost of natural gas, an ERRA revenue requirement increase is needed to offset undercollection in the balancing account. The Commission also authorizes Applicant to consolidate into one advice letter filing all pending Commission-authorized Applicant's revenue requirements from other proceedings to avoid multiple rate changes. 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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=367454

8**Res ALJ-231**

[8187]

This resolution approves the assigned Commissioner's ruling changing the preliminary determination of "no need for a hearing" to "the need for a hearing" in A08-06-006 filed by Southern California Gas Company and San Diego Gas & Electric Company.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365082

9**Res E-4224 - Pacific Gas and Electric Company (PG&E).**

[8188]

This resolution approves with certain exceptions PG&E's Advice Letter (AL) 3336-E seeking approval under Public Utilities Code Section 851 to sell its non-operating Kern Power Plant facility, associated equipment, and approximately 120-acres of the 152-acre facility property, located within the City of Bakersfield, to World Oil Corp. 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 3336-E filed September 4, 2008)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369239

Consent Agenda - Orders and Resolutions (continued)

- 10**
[8191] **A08-09-019 - Southern California Edison Company (SCE).**
SCE filed this application for a Test Year 2009 General Rate Case (GRC) for its Santa Catalina Island gas service. SCE seeks a \$0.751 million increase over 2009 estimated present rate revenues. SCE requests that the proposed gas base rate increase be fully reflected in gas customers' rates effective January 1, 2009. Because SCE agreed to delay the filing of this GRC for over a year to accommodate the Division of Ratepayer Advocates, the Commission will authorize SCE to establish a memorandum account to record the difference between the revenues beginning on the effective date of this decision until a final decision is issued. This proceeding remains open.
(Comr Bohn - ALJ Barnett)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366027
- 11**
[8193] **A08-07-030 - Vaya Telecom, Inc (Applicant).**
This decision grants Applicant a Certificate of Public Convenience and Necessity pursuant to Public Utilities Code Section 1001 to provide limited facilities-based and resold competitive local exchange and interexchange services. 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=358536
- 12**
[8195] **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.**
This decision adopts a budget of \$83 million for the Commission's Self Generation Incentive Program (SGIP) in 2009. The SGIP budget for 2010 and 2011 will be set later in 2009 after the Commission performs further review of prior years' unspent SGIP funds and program participation rates. Other aspects of SGIP operation, including the administrative budget, budget allocations between the utilities, and allocation of funds between renewable and non-renewable projects, will continue unchanged based on previous Commission guidance. Finally, the decision directs San Diego Gas & Electric Company to extend its contract with the California Center for Sustainable Energy for SGIP administration in the San Diego area through December 31, 2011.
(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=367113

Consent Agenda - Orders and Resolutions (continued)

- 13**
[8196] **(ECP) C08-08-018 - Eric and Sarah Kubly (Complainants) vs. William Lawrence Ostrom aka Larry Ostrom, Ostrom Family Trust, dba R.R. Lewis Small Water Company (Defendant).**
The Defendant is ordered to refund the full amount of the connection fee paid by Complainants within thirty (30) days of the effective date of this decision. This proceeding is closed.
(Comr Bohn - ALJ Ryerson)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365428
- 14**
[8197] **Res E-4219**
This resolution confirms the President of the Commission's selection of William F. Conway, Arnold Gundersen, and Peter Lam for consideration by the California Energy Commission for appointment to the July 1, 2009 vacancy on the Diablo Canyon Independent Safety Committee.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369232
- 15**
[8198] **A04-12-004 - San Diego Gas & Electric Company, Southern California Gas Company and Southern California Edison Company (SCE).**
For Authority to Integrate Their Gas Transmission Rates, Establish Firm Access Rights, and Provide Off-System Gas Transportation Services. SCE seeks to modify Decision 06-12-031 by adding language to clarify how tolling agreements should be treated under Step 2 of the open season for firm access rights. The Commission grants SCE's petition. This proceeding is closed.
(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=367436
- 16**
[8202] **A07-04-009 - Pacific Gas and Electric Company (PG&E).**
For approval of 2008-2010 Air Conditioning Direct Load Control Program. This decision grants Petition to Modify Decision 08-02-009, authorizing PG&E to accelerate installation of air conditioning direct load control devices. This proceeding is closed.
(Comr Chong - ALJ Bemserfer)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365229

Consent Agenda - Orders and Resolutions (continued)

- 17**
[8204] **Res E-4221 - Pacific Gas and Electric Company (PG&E).**
This resolution addresses PG&E's request for approval of one contract for procurement of renewable energy resources resulting from PG&E's Power Purchase Agreement with Topaz Solar Farms, LLC. (Advice Letter 3313-E filed, August 14, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370488
- 18**
[8205] **A08-05-028 - Skynet Communications, Inc. (Applicant).**
By this decision, the Commission denies the motions of Applicant for leave to withdraw its application for registration as an interexchange carrier telephone corporation pursuant to Public Utilities Code Section 1013. The Commission also rejects Applicant's argument that it is not required to register with the Commission pursuant to Section 1013 for the reasons that its telephone prepaid debit cards are marketed to the international market, the Commission lacks jurisdiction, and the de minimus intrastate revenue Applicant receives is generated by visitors to the state who simply find use of an international phonecard a matter of convenience. The registration is approved. This proceeding is closed.
(Comr Chong - ALJ Patrick)
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=370336
- 19**
[8206] **Res W-4733 - Golden State Water Company (GSWC).**
This resolution addresses an order authorizing GSWC to enter into a \$7,352,632 contract for a new customer information/customer relationship management system (CIS/CRM), to file a Tier 3 rate base offset not exceeding \$6,014,574 for the CIS/CRM system when the CIS/CRM system is used and useful, and to track in a memorandum account additional costs up to \$2,612,583 to be requested by an advice letter (AL) if uncontested or in an application if contested. (AL 1297-W filed, October 16, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370020

Consent Agenda - Orders and Resolutions (continued)

- 20**
[8208] **A08-11-018 - Hillview Water Company (Applicant).**
This decision modifies Decision 05-09-031, at the request of Applicant, to authorize changes to the previously approved refinancing of the utility's short-and long-term debt by substituting a new lender, reducing the total loan amount, and providing better repayment terms for Applicant's ratepayers. This proceeding is closed.
(Comr Bohn - ALJ Vieth)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366379
- 21**
[8213] **Res TL 19096**
This resolution adjusts the rates in Maximum Rate Tariff 4, governing the transportation of used household goods and personal effects by household goods carriers.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366986
- 22**
[8215] **Res L-371**
This resolution authorizes the disclosure of certain records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of fires in California.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370750
- 23**
[8216] **Res G-3430 - Pacific Gas and Electric Company (PG&E).**
This resolution approves PG&E's Advice Letter (AL) 2978-G requesting the approval of a proposed sale of limited sole-customer public utility facilities, including a quitclaim of a gas distribution easement and sale of accompanying gas main and associated appurtenances to the State of California, Department of Corrections and Rehabilitation. (AL 2978-G filed December 17, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369244
- 24**
[8218] **A06-02-028 - Siskiyou Telephone Company.**
For Arbitration of a Compensation Agreement with Cingular Wireless Pursuant to 47 C.F.R. § 20.11(e). A06-02-029, A06-02-030, A06-02-031, A06-02-032, A06-02-033, A06-02-034, A06-02-035, A06-02-036, A06-02-037, A06-02-038, A06-02-040 - Related matters. This decision approves Interconnection Agreements between certain Wireless carriers and certain Small Local Exchange Carriers. This proceeding is closed.
(Comr Chong - ALJ Bemserfer)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370704

Consent Agenda - Orders and Resolutions (continued)

- 25**
[8219] **Res W-4734 - California American Water Company (Cal Am), Los Angeles Division.**
This resolution conditionally approves Cal Am's request to put into place a Distribution System Improvement Charge (DSIC), as requested in revised Advice Letter (AL) No. 694, AL 703, and AL 707. Pursuant to Decision (D.) 07-08-030, as modified by D.08-10-045, Cal Am, seeks to place into effect a DSIC and associated tariffs, related to the completion of certain infrastructure projects. (AL 694 filed May 30, 2008, AL 703 filed August 13, 2008, AL 707 filed September 29, 2008.)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=367057
- 26**
[8223] **A08-10-010 - Marin Airporter (Applicant).**
For Authority to obtain a new Zone of Rate Freedom (ZORF) in Local Tariff No. 1-B CA P.U.C. No. 3 containing rates and fares for transportation of passengers and their baggage and the performance of specified services related thereto, as authorized by Section 452.2, Public Utilities Code and for authority to depart from the terms of Section 491 of said code when accomplishing such publication. This decision authorizes Applicant to increase fares for its passenger stage corporation service and to continue to apply a ZORF that was authorized by Decision 95-06-042. 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=366285
- 27**
[8224] **A08-11-003 - Mammoth Mountain Ski Area and Mammoth Mountain Ski Area, LLC.**
This decision authorizes Mammoth Mountain Ski Area to transfer its passenger stage corporation certificate to Mammoth Mountain Ski Area, LLC. 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=365897
- 28**
[8225] **A08-11-008 - Ram J. Giri dba Napa Airporter (Applicant).**
Applicant is authorized to operate as a passenger stage corporation between points in Napa, Solano, Sonoma, and Yolo Counties, on the one hand, and San Francisco, Oakland, and Sacramento 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=365985

Consent Agenda - Orders and Resolutions (continued)

- 29** **Res W-4737 - Del Oro Water Company (DOWC), Country Estates District.**
[8227] This resolution addresses an order authorizing a general rate increase producing additional annual revenue of \$3,741 or 3.91% in 2009 for DOWC, Country Estates District.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=367972
- 30** **Res W-4735 - Hat Creek Water Company (Hat Creek).**
[8228] This resolution addresses an order authorizing a general rate increase, producing additional annual revenues of \$4,582 or 26.6% in test year 2009 for Hat Creek.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=367280
- 31** **Res W-4736 - Little Bear Water Company (Little Bear).**
[8229] This resolution addresses an order authorizing a general rate increase to produce additional annual revenue of \$142,146 or 33.6% in test year 2007 for Little Bear.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365146
- 32** **C08-03-018 - Joan E. Richardson, Steve Pegram, Carl J. Meir, Kathleen Thayer, Tracey Raybon, John L. Barnes, Donald H. Dawson, Patricia O. King, Jerry Amiss, James H. Pelley, Dorothy Reed, James Vitale, and others similarly situated (Complainants) vs Phillip and Linda Shuey, dba Shell Canyon Water Company (Defendants).**
[8231] Public Utilities Code § 1701.2(d) provides that adjudication cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 12-month deadline is March 24, 2009. Because settlement discussions proved fruitless and a hearing is necessary, this order extends the statutory deadline until September 24, 2009.
(Comr Bohn - ALJ Barnett)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365488
- 33** **Res W-4738 - Beasore Meadows Water Company (BMWC).**
[8232] This resolution addresses an order authorizing BMWC recovery costs associated with repair of water tank producing additional revenue of \$10,691 or \$137.06 spread over three years. (Advice Letter 10 filed January 7, 2009)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370489

Consent Agenda - Orders and Resolutions (continued)

- 34**
[8235] **Res W-4740 - Klein Homes Water Company (Klein).**
This resolution addresses an order authorizing a general rate increase, for Klein producing additional annual revenues of \$6,566 or 18.1% for test year 2008.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368026
- 35**
[8236] **Res W-4739 - California American Water Company (Cal Am).**
This resolution addresses an order authorizing a rate base offset increase in rates producing additional gross annual revenues of \$353,861 or 1.06% for Cal Am. (Advice Letter 709 filed October 6, 2008)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368479
- 36**
[8240] **C08-02-013 - O1 Communications Inc. vs Verizon California, Inc.**
Pursuant to Public Utilities Code Section 1701.2(d), this decision extends the 12-month deadline applicable to this adjudicatory proceeding from February 15, 2009 to February 15, 2010.
(Comr Chong - ALJ McKenzie)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368879
- 37**
[8241] **A08-09-021 - California Department of Transportation (Caltrans).**
This decision grants Caltrans the authority to remove and reconstruct five grade-separated highway rail-crossing of I-215 freeway and BNSF Railway Company's Cajon Subdivision railroad tracks, in the City and County of San Bernardino. The crossings are identified as Ninth Street, Baseline Street, 16th Street, Massachusetts Avenue, and Highland Avenue. 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=362987
- 38**
[8244] **A08-05-036 - San Diego Gas & Electric Company (SDG&E).**
The Commission approves SDG&E's 2007 Energy Resource Recover Account compliance filing. The Commission finds that SDG&E's utility retained fuel procurement, administration of its power purchase agreements, and its least-cost dispatch activities for the Record Period beginning January 1, 2007 and ending December 31, 2007, were reasonable and prudent. The approval of this application does not result in a rate change for SDG&E ratepayers. 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=366679

Consent Agenda - Orders and Resolutions (continued)

- 39** **R06-04-010 - Order Instituting Rulemaking to Examine the Commission's post-2005 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.**
[8245]
- This decision extends the statutory deadline for this rulemaking until March 1, 2009. This proceeding remains open.
(Comr Grueneich - ALJ Gamson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370419
- 40** **C07-12-030 - Fones4All Corporation vs Pacific Bell Telephone Company dba AT&T California.**
[8252]
- C08-02-009 - Related matters. This order extends the statutory deadline 180 days pending the outcome of Fones4All Corporation's bankruptcy proceeding and the presiding officer's decision on any unresolved issues in the consolidated docket. These proceedings remain open.
(Comr Simon - ALJ Reed)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369171
- 41** **A08-09-014 - Champion Broadband California, LLC and CBC Broadband Holdings, LLC (Joint Applicants).**
[8253]
- This decision grants Joint Applicants' request to transfer the Certificate of Public Convenience and Necessity, operating assets, operating authorities, customer base, and accounts of Champion Broadband California, LLC to CBC Broadband Holdings, LLC under Public Utilities Code Sections 851 and 854. This proceeding is closed.
(Comr Simon - ALJ Farrar)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370630
- 42** **A08-05-011 - Belmont Telecom, Inc. (Applicant).**
[8256]
- This decision grants Applicant a Certificate of Public Convenience and Necessity to provide inter – and intra – local access and transport area services in California as a non-dominant interexchange carrier. 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=367223

Consent Agenda - Intervenor Compensation Orders

- 43**
[8051] **A05-03-015 - San Diego Gas & Electric Company.**
For Adoption of an Advanced Metering Infrastructure Deployment Scenario and Associated Cost Recovery and Rate Design. This decision awards Utility Consumers' Action Network \$460,324.00 in compensation for its substantial contributions to Decision 07-04-043, a decrease of \$5,967 from the amount originally requested. This proceeding is closed.
(Comr Grueneich - ALJ Gamson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3225, Item 30 11/21/2008 (Chong);
Agenda 3226, Item 33 12/4/2008 (Staff);
Agenda 3227, Item 52 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368233
- 44**
[8174] **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 \$34,206.05 in compensation to the Community Environmental Council (CE Council) for its substantial contributions to Decision (D.) 07-01-039 and D.07-09-017. This represents a decrease of \$4,767.50 from the amount requested due to a lack of substantial contribution on the issue of lifecycle net emissions, failure to justify the contribution of CE Council's research associate, and failure to justify certain expenses. This proceeding remains open.
(Comr Peevey - ALJ Lakritz, ALJ TerKeurst)
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=368495
- 45**
[8179] **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 awards Utility Consumers' Action Network (UCAN) \$586,488.00 in compensation for its substantial contributions to Decision 08-07-046. This represents a reduction of \$24,113.61 from the amount requested due to miscalculations by UCAN, an adjustment in the hourly rate for one of its experts, and reductions for excess hours. Today's award payment will be paid by SDG&E and Southern California Gas Company. These proceedings remain open to address other matters.
(Comr Bohn - ALJ Long)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3227, Item 57 12/18/2008 (Peevey)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369129

Consent Agenda - Intervenor Compensation Orders (continued)

46 **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.**
[8190]

This decision awards Community Environmental Council (CE Council) \$39,411.00 in compensation for its substantial contributions to Decision (D.) 08-03-018. This represents a decrease of \$3,901.25 from the amount requested due to a reduction in the hourly rate requested for Tamlyn Hunt in 2008 and to correct a miscalculation by CE Council in the number of hours reported by Hunt. This award will be paid from the intervenor compensation program fund, pursuant to D.00-01-020. This proceeding remains open to consider remaining issues in Phase 1 and Phase 2.

(Comr Peevey - ALJ Lakritz, ALJ TerKeurst)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=356140

47 **A06-12-009 - San Diego Gas & Electric Company (SDG&E).**
[8203]

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 awards Disability Rights Advocates \$74,885.11 in compensation for its substantial contribution to A.06-12-009, A.06-12-010, and I.07-02-013. The award represents a decrease of 26% from the amount requested. Today's award payment will be paid by SDG&E and Southern California Gas Company. This proceeding remains open to address other matters.

(Comr Bohn - ALJ Long)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=367979

48 **A06-12-009 - San Diego Gas & Electric Company (SDG&E).**
[8220]

For authority to update its gas and electric revenue requirement and base rates effective January 1, 2008. A06-12-010, I07-02-013 - Related matters. This decision awards Aglet Consumer Alliance \$99,902.82 in compensation for its substantial contributions to Decision 08-07-046. This represents a decrease of 7% from the amount requested due to the disallowance of travel compensation and related expenses. Today's award will be paid by SDG&E and Southern California Gas Company. This proceeding remains open to address other matters.

(Comr Bohn - ALJ Long)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=364627

Consent Agenda - Intervenor Compensation Orders (continued)

49

C07-03-006 - Carole Dominguez vs Pacific Gas and Electric Company (PG&E).

[8248]

This decision awards Robert Sarvey \$14,028.75 in compensation for his substantial contribution to Decision 08-02-001. The award is reduced by \$525.00 (3.6%) to disallow clerical work. Today's award will be paid by PG&E. A Settlement Agreement between the parties resolved all issues in the complaint, and closes the proceeding.

(Comr Simon - ALJ Prestidge)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365355

Regular Agenda

Regular Agenda - Energy Orders

50 **A07-07-015 - Pacific Gas and Electric Company (PG&E) and San Diego Gas & Electric Company (SDG&E).**
[7564]

This decision authorizes Emerging Renewable Resource Programs (ERRP) for PG&E and SDG&E, and allows PG&E and SDG&E to expend up to \$30 million and \$15 million, respectively for a period of two years. The decision provides ERRP oversight through the Energy Division, assisted by consultants and approves ERRP spending for the University of California Merced Solar Center, a wastewater bio-methane project, and a wave energy project. This proceeding is closed.

(Comr Simon - ALJ DeBerry)

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

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

Agenda 3214, Item 25 5/29/2008 (Simon);

Agenda 3216, Item 37 6/26/2008 (Staff);

Agenda 3218, Item 29 7/31/2008 (Staff);

Agenda 3219, Item 37 8/21/2008 (Peevey);

Agenda 3220, Item 30 9/4/2008 (Chong);

Agenda 3221, Item 29 9/18/2008 (Peevey);

Agenda 3222, Item 23 10/2/2008 (Staff);

Agenda 3223, Item 32 10/16/2008 (Staff);

Agenda 3224, Item 51 11/6/2008 (Simon);

Agenda 3225, Item 36 11/21/2008 (Pub. Util. Code §311(e));

Agenda 3227, Item 58 12/18/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366323

Regular Agenda - Energy Orders (continued)

50a ALTERNATE TO ITEM 7564

[8118]

Today's alternate decision denies without prejudice the proposed Emerging Renewable Resource Programs (ERRP). ERRP would have allowed Pacific Gas and Electric Company (PG&E) and San Diego Gas & Electric Company to expend up to \$30 million and \$15 million, respectively, on external costs for a period of two years. The decision, nonetheless, authorizes assessment expenditures for the WaveConnect project of up to \$2 million. The three projects proposed concurrently with the establishment of ERRP could potentially aid the state in its efforts to increase renewable generation and decrease greenhouse gas emissions. However, as currently conceived, ERRP represents a significant ratepayer investment with an uncertain return, and therefore would expose ratepayers to greater risk in an adverse economy when we are already asking them to fund an increasing number of policy programs. Moreover, ERRP is also too narrowly designed, involving only two Investor Owned Utilities (IOUs). If such a program is to successfully address statewide goals, it should include all IOUs, Independent Energy Producers, and other relevant market participants.

While the ERRP program is flawed, this decision recognizes the importance of its goals, and in particular, the need to further investigate the potential of ocean energy. California is singularly situated to harvest a potentially enormous supply of baseload renewable generation. While there are a number of projects moving forward globally, no meaningful ocean energy project is currently in production along California's coast. In order to ensure that ratepayer funds are spent on the most promising and most effective technologies, a means of testing competing options should be established. Accordingly, this decision authorizes PG&E to spend up to \$2 million in funds to cover the expenditures necessary pursue the first year of WaveConnect, described in 5.3, while Energy Division continues to examine the project. This proceeding is closed.

(Comr Simon)

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

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

Agenda 3225, Item 36a 11/21/2008 (Pub. Util. Code §311(e));

Agenda 3227, Item 58a 12/18/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370739

Regular Agenda - Energy Orders (continued)

51 **R06-02-012 - Order Instituting Rulemaking to Develop Additional Methods to Implement**
[8058] **the California Renewables Portfolio Standard Program.**

This decision authorizes the use of unbundled and tradable renewable energy credit (TRECs) for compliance with the California renewables portfolio standard (RPS) program. It also delineates the structure and rules for a TREC market and for the integration of TRECs into the RPS flexible compliance system. The use of TRECs for RPS compliance will provide more options and flexibility for RPS-obligated load-serving entities to comply with RPS mandates in both the near and longer term. It will also provide additional resources and incentives for the development of RPS-eligible generation over time. This proceeding is closed.

(Comr Peevey - ALJ Simon)

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

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

Agenda 3226, Item 37 12/4/2008 (Simon);

Agenda 3227, Item 59 12/18/2008 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366202

52 **R04-04-003 - Order Instituting Rulemaking to Promote Policy and Program Coordination**
[8120] **and Integration in Electric Utility Resource Planning.**

R04-04-025 - Related matters. This decision addresses a joint petition filed by the Independent Energy Producers Association, and the Cogeneration Association of California, the Energy Producers and Users Coaliton and the California Cogeneration Council (collectively, QF Parties) to modify Decision (D.) 08-007-048. The Commission denies QF Parties' request to suspend the November 2008, filings for retroactive true-up of the Market Index Formula. The Commission also declines to adopt QF Parties' request to revise the procedures for any future adjustments to short-run avoided cost (SRAC) payments. Although the Commission denies QF Parties' Petition, the Commission modifies D.08-07-048 to clarify the procedures for retroactive true-up of SRAC payments. The Commission believes that these procedures, as modified, provide the regulatory certainty that QF Parties maintain is necessary to ensure continued operation of QFs in California.

(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.

Agenda 3227, Item 63 12/18/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369963

Regular Agenda - Energy Orders (continued)

53 **A07-12-006 - San Diego Gas & Electric Company, Southern California Gas Company, and Pacific Gas and Electric Company (collectively Applicants).**
[8125]

This decision denies the joint request of Applicants, to change the cost allocation methods by which their natural gas customers are charged for the costs of their public purpose programs from the various cost allocation method currently in use to a single cost allocation method. This proceeding is closed.
(Comr Simon - 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 3227, Item 64 12/18/2008 (Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369644

54 **A07-11-011 - Southern California Edison Company (SCE).**
[8129]

For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2009, And to Reflect That Increase In Rates. I08-01-026 - Related matters. This decision authorizes a \$4.743 billion base revenue requirement for test year 2009 for SCE. The Commission finds that the authorized revenue requirement provides SCE with sufficient funding to provide safe and reliable service at just and reasonable rates. The adopted revenue requirement represents a 26.5% increase over the 2006 authorized revenue requirement of \$3.749 billion, a 15.5% increase over SCE's 2006 recorded revenue requirement of \$4.106 billion, a 9.42% increase over the projected revenue requirement at present rate levels of \$4.334 billion, and a 8.88% reduction from the 2009 revenue requirement requested by SCE of \$5.205 billion, which represented a 20.1% increase over the revenue requirement at present rates. The adopted methodology for calculating post-test year revenue requirement results in a revenue requirement for 2010 of \$4.885 billion and for 2011 of \$5.032 billion. This decision also authorizes a 22% increase in SCE's rate base.

In 2006, the authorized rate base was \$10.4 billion. Today, the Commission increases the authorized rate base to \$12.7 billion. As a result of our decision today, SCE's projected total company revenue requirement for 2009 is approximately \$12.468 billion. This proceeding is closed.

(Comr Peevey - ALJ DeAngelis)

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

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

Agenda 3227, Item 65 12/18/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366595

Regular Agenda - Energy Orders (continued)

54a**ALTERNATE TO ITEM 8129**

[8132]

I08-01-026 - Related matters. This alternate decision authorizes a \$4.889 billion base revenue requirement for test year 2009 for Southern California Edison Company (SCE). The alternate decision finds that the authorized revenue requirement provides SCE with sufficient funding to provide safe and reliable service at just and reasonable rates. The adopted revenue requirement represents a 30.4% increase over the 2006 authorized revenue requirement of \$3.749 billion, a 19.1% increase over SCE's 2006 recorded revenue requirement of \$4.106 billion, a 12.8% increase over the projected revenue requirement at present rate levels of \$4.334 billion, and a 6.1% reduction from the 2009 revenue requirement requested by SCE of \$5.205 billion, which represented a 20.1% increase over the revenue requirement at present rates. The adopted methodology for calculating post-test year revenue requirement results in an approximate revenue requirement for 2010 of \$5.118 billion and for 2011 of \$5.367 billion. This alternate decision also authorizes a 22.8% increase in SCE's rate base. In 2006, the authorized rate base was \$10.4 billion. Today, this alternate decision increases the authorized rate base to \$12.8 billion. As a result of this alternate decision today, SCE's projected total company revenue requirement for 2009 is approximately \$12.614 billion. This proceeding is closed.

(Comr Peevey)

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

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

Agenda 3227, Item 65a 12/18/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366468

55**A07-12-009 - Pacific Gas and Electric Company (Applicant).**

[8207]

By this decision, the Commission authorizes Applicant to proceed with its proposed SmartMeter Program Upgrade at a cost of \$495,205,000, subject to the conditions and costs specified in this decision, and to increase revenue requirements to recover the related costs. The principal components of this electric meter upgrade include an integrated load-limiting connect/disconnect switch, a home area network gateway device and an advanced solid state meter. With the authorization of the upgrade to Applicant's previously authorized advanced metering infrastructure program, the devices and functionalities are now comparable to that previously authorized for San Diego Gas & Electric Company and Southern California Edison Company. This proceeding is closed.

(Comr Chong - ALJ Fukutome)

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=370685

Regular Agenda - Energy Orders (continued)

56 (Rev.) **R_____ - Order Instituting Rulemaking to Examine the Commission's Energy Efficiency Risk/Reward Incentive Mechanism.**
[8243]

This Order Instituting Rulemaking will consider changes to the Commission's energy efficiency risk/reward incentive mechanism developed in Decision 07-09-043 and other decisions, both for energy efficiency activities in 2006 through 2008 and for 2009 and beyond. This Rulemaking supercedes Rulemaking 06-04-010 for these purposes.

01/22/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368547

Regular Agenda - Energy Resolutions and Written Reports

- 57**
[7988] **Res E-4123 - Pacific Gas & Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E).**
This resolution requests approval of filers' respective tariffs containing modified Community Choice Aggregation (CCA) Cost Responsibility Surcharge (CRS) calculations pursuant to D.07-01-025, D.07-04-007 and D.07-05-005.
(Advice Letters 3002-E (PG&E), 1881-E (SDG&E), and 2109-E (SCE), filed March 12, 2007. SCE filed supplemental AL 2109-E-A on May 14, 2007, replacing AL 2109-E in its entirety.)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3224, Item 57 11/6/2008 (Staff);
Agenda 3225, Item 42 11/21/2008 (Staff);
Agenda 3227, Item 66 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366457
- 58**
[8212] **Res E-4220 - Pacific Gas & Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) (collectively Applicants).**
Applicants are authorized to modify the trigger condition for the Base Interruptible Program. (Advice Letter (AL) 3360-E filed on November 12, 2008 by PG&E, AL 2288-E filed November 12, 2008 by SCE, and AL 2040-E filed November 12, 2008 by SDG&E)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370428
- 59**
[8217] **Res E-4227 - Southern California Edison Company (SCE).**
This resolution approves in part and denies in part SCE's request to establish a memorandum account and recover up to \$30 million in costs for a California Integrated Gasification Combined Cycle study. (Advice Letter 2274-E filed October 10, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=367029

Regular Agenda - Energy Resolutions and Written Reports (continued)

59a (Rev.) ALTERNATE TO ITEM 8217

[8269] Res E-4227 -A

Southern California Edison Company (SCE). This resolution approves in part and denies in part Advice Letter (AL) 2274-E. The Commission approves SCE's request to establish a memorandum account to record up to \$30 million in costs for the Hydrogen Energy California (HECA) study. Further, the Commission approves SCE's request to authorize recovery of certain costs recorded in the HECAMA via this resolution. SCE may recover costs stemming from SCE's participation in Phase I of the HECA study, up to \$17 million.

(Comr Peevey)

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

01/21/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369824

Regular Agenda - Communication Orders**60**

[7729]

R93-04-003 - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for network Architecture Development of Dominant Carrier Networks.

I93-04-002 - Related matters. This decision determines that the adopted Unbundled Network Element (UNE) reexamination process will apply to Pacific Bell Telephone Company dba AT&T California (AT&T), as well as Verizon California Inc. (Verizon). A price cap mechanism is adopted for annual updates to the UNE rates adopted for Verizon and AT&T, but the Commission finds that § 252 of the Telecommunications Act of 1996 requires the state to conduct periodic cost-study proceedings to update UNE rates, based on the Total Element Long Run Incremental Cost (TELRIC) methodology. A schedule is established for future TELRIC costing proceedings for AT&T and Verizon, and the use of the HM 5.3 model is mandated for use in those costing proceedings. This proceeding remains open.

(Comr Peevey - ALJ Duda)

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

Agenda 3218, Item 38 7/31/2008 (Staff);

Agenda 3222, Item 30 10/2/2008 (Staff);

Agenda 3226, Item 43 12/4/2008 (Peevey);

Agenda 3227, Item 68 12/18/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366342

Regular Agenda - Communication Resolutions and Reports

- 61**
[8075] **Res T-17184 - Calaveras Telephone Company, Inc. (Calaveras).**
This resolution authorizes California High Cost Fund -A support for Calaveras of \$1,943,960 with an overall Intrastate Rate of Return of 10.00% for test year 2009, resulting in an Intrastate revenue of \$6,177,181. (Advice Letter No. 303 filed, December 21, 2007)
Agenda 3226, Item 45 12/4/2008 (Staff);
Agenda 3227, Item 69 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370789
- 62**
[8077] **Res T-17157 - Ducor Telephone Company (Ducor).**
This resolution authorizes California High Cost Fund-A support for Ducor of \$2,434,584 with an overall Intrastate Rate of Return of 10.00% for test year 2009, resulting in an Intrastate revenue of \$3,981,993. (Advice Letter (AL) 318, AL 318A filed, December 19, 2007 and July 21, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3226, Item 46 12/4/2008 (Staff);
Agenda 3227, Item 70 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369306
- 63**
[8088] **Res T-17158 - Pinnacles Telephone Company (Pinnacles).**
This resolution authorizes California High Cost Fund-A support for Pinnacles of \$245,181, with an overall Intrastate Rate of Return of 10.00% for test year 2009. resulting in an Intrastate revenue of \$775,798. (Advice Letter (AL) Nos. 231, AL 231A Filed, December 19, 2007, and July 21, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3226, Item 47 12/4/2008 (Staff);
Agenda 3227, Item 71 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369303
- 64**
[8139] **Res T-17133 - Cal-Ore Telephone Company (Cal-Ore).**
This resolution authorizes California High Cost Fund-A (CHCF-A) support for Cal-Ore of \$455,461 with an overall Intrastate Rate of Return of 10.00% for test year 2009, resulting in an Intrastate revenue of \$3,593,720. (Advice Letter No. 320 filed, December 27, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3227, Item 72 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369302

Regular Agenda - Communication Resolutions and Reports (continued)

- 65**
[8140] **Res T-17132 - Ponderosa Telephone Company (Ponderosa).**
This resolution authorizes California High Cost Fund-A (CHCF-A) support for Ponderosa of \$3,576,223, with an overall Intrastate Rate of Return of 10.00% for test year 2009, resulting in an Intrastate revenue of \$15,255,024. (Advice Letter (AL) No. 374, filed, December 28, 2007 and AL No. 374A, filed, June 10, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Agenda 3227, Item 73 12/18/2008 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369304
- 66**
[8222] **Res T-17140 - Sunesys, LLC. (Sunesys).**
This resolution authorizes Sunesys' request to deploy an aerial fiber optic strand and related facilities on existing utility poles along Highway 9 in Santa Clara County. (Advice Letter 12 filed August 29, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369207
- 67**
[8211] **Res T-17181**
This resolution adopts a California High Cost Fund-A support for each of the 17 Small Local Exchange Carriers for Calendar Year 2009.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368373

Regular Agenda - Water/Sewer Orders**68**

[8199]

A08-05-002 - California Water Service Company (Cal Water).

For Authority to Establish its authorized Cost of Capital for the period from January 1, 2009 through December 31, 2011. A08-05-003, A08-05-004 - Related matters. This decision adopts 2009 Cost of Capital and a return on equity for Cal Water, California American Water Company, and Golden State Water Company. These proceedings remain open.

(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=E18699

Regular Agenda - Water/Sewer Resolutions and Reports

69

Res W-4732

[8200]

This resolution addresses citations to enforce compliance with the Commission's orders and the Public Utilities Code and procedures for appeal of citations.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=365936

Regular Agenda - Transportation/Rail Safety Orders**70**

[8050]

A06-12-005 - Exposition Metro Line Construction Authority.

A06-12-020, A07-01-004, A07-01-017, A07-01-044, A07-02-007, A07-02-017, A07-03-004, A07-03-012, A07-03-013 - Related matters. The Exposition Metro Line Construction Authority filed the 10 subject applications in this consolidated proceeding requesting authority to construct 38 rail crossings along the new Exposition Boulevard Corridor Light Rail Transit Line in Los Angeles County. Interim Decision (D.) 07-12-029 authorized construction of 36 of the 38 crossings. Today's decision addresses the two remaining crossings, at Farmdale Avenue and Harvard Boulevard, requested in Application (A.) 07-05-013 and A.06-12-020, respectively. Both crossings are located in the City of Los Angeles adjacent to school sites. A.07-05-013, for an at-grade crossing at Farmdale Avenue, is denied. Grade-separated crossings provide a higher level of safety than at-grade crossings and the Commission finds here that it is practicable to construct a grade-separated pedestrian bridge and close Farmdale to vehicular traffic. The application for a grade-separated pedestrian tunnel crossing at Harvard Boulevard, one of the 11 crossings requested in A.06-12-020, also is denied. The Commission finds that the proposed Harvard Boulevard crossing would not comply with the Americans with Disabilities Act, and further that it would not provide an adequate level of general public access or safety. The Commission finds that a pedestrian bridge at Harvard would provide a better alternative. Today's decision also adds environmental impacts to the list of issues the Commission will use as criteria for judging practicability. These consolidated proceedings remain open to allow the applicant to amend its applications regarding Farmdale Ave. and Harvard Blvd. (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.

Agenda 3225, Item 20 11/21/2008 (Staff);

Agenda 3226, Item 12 12/4/2008 (Simon);

Agenda 3227, Item 74 12/18/2008 (Chong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370128

Regular Agenda - Transportation/Rail Safety Orders (continued)

70a

ALTERNATE TO ITEM 8050

[8214]

A06-12-020, A07-01-004, A07-01-017, A07-01-044, A07-02-007, A07-02-017, A07-03-004, A07-03-012, A07-03-013 - Related matters. The Exposition Metro Line Construction Authority filed the 10 subject applications in this consolidated proceeding requesting authority to construct 38 rail crossings along the new Exposition Boulevard Corridor Light Rail Transit Line in Los Angeles County. Interim Decision (D.) 07-12-029 authorized construction of 36 of the 38 crossings. This alternate proposed decision addresses the two remaining crossings, at Farmdale Avenue and Harvard Boulevard, requested in Application (A.) 07-05-013 and A.06-12-020, respectively. Both crossings are located in the City of Los Angeles adjacent to school sites. Commissioner Chong's proposed alternate decision approves the application for a grade-separated crossing over the existing Harvard tunnel, as requested by the Applicant. The alternate proposed decision also denies the proposed at-grade crossing at Farmdale (Dorsey High). The proposed alternate decision leaves the flyover and the pedestrian overcrossing as options. Additional language regarding the California Environmental Quality Act and the Commission's legal authority is also included.

(Comr Chong)

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=370519

71

R_____ - Order Instituting Rulemaking to Consider Roadway Worker Protections by Transit Agencies in California.

[8210]

This Order Instituting Rulemaking will consider California Transit Agencies' Roadway Worker Protections.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370507

Regular Agenda - Legislative and Other Matters

72 (Rev.)

Legislative Proposals

[8239]

- 1) Modify Public Utilities Code Section 781 to encourage installation of water meters.
- 2) Create a narrow exception in the Bagley-Keene Act to permit Deaf and Disabled Telecommunications Program Advisory Board members to conduct teleconference meetings.
- 3) Create the Clean Distributed Energy Resources program for incentives for ultra-clean technologies.

01/20/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369405

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

- 73** **Conference with Legal Counsel - Applications for Rehearing**
 [8192] 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.
- 74** **R93-04-003 - Conference with Legal Counsel - Application for Rehearing**
 [8167] I93-04-002 - Related matters. Disposition of Application for Rehearing of Decision (D.) 06-03-025 filed by Verizon California Inc. (Verizon). In D.06-03-025, the Commission adopted final unbundled network element rates and price floors for Verizon.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
 Agenda 3227, Item 78 12/18/2008 (Staff)
- 75** **C07-11-018 - Conference with Legal Counsel - Application for Rehearing**
 [8221] Disposition of Application for Rehearing of Decision (D.) 08-09-027 filed by Global NAPS California, Inc. (GNAPs). In D.08-09-027 the Commission directed GNAPs to pay Pacific Bell Telephone Company d/b/a AT&T California (AT&T) approximately \$18.5 million through December 2007, plus any accrued charges, for interconnection and transport services AT&T provides to GNAPs under a joint interconnection agreement.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
- 76** **A06-12-009 - Conference with Legal Counsel - Application for Rehearing**
 [8234] Disposition of Applications for Rehearing of D.08-07-046, filed by the Greenlining Institute (Greenlining), and Division of Ratepayer Advocates (DRA) and The Utility Reform Network (TURN). D.08-07-046 involves the Test Year 2008 general rate cases for San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas). The Commission adopted a settlement on many of the issues.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

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R04-04-003 - Conference with Legal Counsel - Application for Rehearing

[8237]

R04-04-025 - Related matters. Disposition of Application for Rehearing of Decision (D.) 08-07-048, filed jointly by the Cogeneration Association of California and the Energy Producers and Users Coalition. In D.07-09-040, the Commission adopted specific policies and pricing mechanisms applicable to the electric utilities' purchase of energy and capacity from Qualifying Facilities pursuant to the Public Utilities Regulatory Policy Act of 1978 (16 U.S.C. § 824a-3). Several parties filed rehearing applications of D.07-09-040. D.08-07-048 modified D.07-09-040 in several respects, and denied rehearing of D.07-09-040, as modified.

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

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R05-06-040 - Conference with Legal Counsel - Application for Rehearing

[8242]

Disposition of applications for rehearing filed by Californians for Renewable Energy (CARE), Independent Energy Producers Association (IEP), and jointly by the Cogeneration Association of California (CAC) and the Energy Producers and Users Coalition (EPUC) of Decision (D.) 06-12-030. The underlying proceeding, Rulemaking (R.) 05-06-040, concerns implementation of Senate Bill (SB) 1488 and resolves questions posed by an earlier decision in this docket, D.06-06-066 as modified by D.07-05-032 (Modified D.06-06-066). In D.06-12-030, the Commission defines the terms market participant, non-market participant and reviewing representative. D.06-12-030 further assigns some, but not all, of the parties who submitted comments in R.05-06-040 to the categories of market or non-market participants. D.06-12-030 also adopts a process that protects the confidentiality of market sensitive information submitted to the Commission in accordance with Public Utilities Code section 454.5, subdivision (g). This process is applicable whether the confidential market sensitive information is sought via a request pursuant to the California Public Records Act (CPRA) or pursuant to discovery in certain Commission proceedings. In addition, D.06-12-030 expands the process adopted in Modified D.06-06-066, as it pertains to Commission proceedings, to permit a limited discovery process for reviewing representatives of active market participant parties to access confidential market sensitive information provided such parties agree to abide by the Commission's confidentiality requirements. D.06-12-030 further adopts rules for who may be a reviewing representative. Among other things, D.06-12-030 also prohibits simultaneous representation in various Commission proceedings by attorneys, expert witnesses, and/or consultants of parties that are non-market and market participants.

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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[8209]

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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.

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[8238]

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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.

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

81 **FERC Docket No. ER06-615 and Related Items. - Conference with Legal Counsel- Existing**
[8189] **Litigation**

FERC Docket No. ER06-615 and Related Items. 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