
Public Utilities Commission of the State of California

Public Agenda 3229

Friday, February 20, 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>
Monday, March 09, 2009 (San Francisco)	Thursday, March 12, 2009 (San Francisco)
Monday, March 23, 2009 (San Francisco)	Thursday, March 26, 2009 (San Francisco)
Monday, April 13, 2009 (San Francisco)	Thursday, April 16, 2009 (San Francisco)
Monday, May 04, 2009 (San Francisco)	Thursday, May 07, 2009 (San Francisco)
Monday, May 18, 2009 (San Francisco)	Thursday, May 21, 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.
- 23, 27, 53

Public Comment:

Re 50: Hank Ryan, Small Business California, Capitoca, CA

Re 51:

Gus Colgain, Calif. Mobile Home Owners Resources & Action Assoc., Alviso, CA

Jose Pecho, NAFFAA, Walnut Creek, CA

L.B. Tatum, Los Angeles Metropolitan Churches, Los Angeles, CA

Len Canty, Black Economic Council, Oakland, CA

Orson Aguilar, Greenlining Institute, Oakland, CA

Rev. Richard Williams III, Victory Inst. Baptist Church, LA Metropolitan Churches, Hawthorne, CA

Re 56:

Kathleen Moxon, Redwood Coast Reeval Action, Bayside, CA

Sean McLaughlin, Access Humboldt, Eureka, CA

Re 57:

Kathleen Moxon, Redwood Coast Reeval Action, Bayside, CA

Perter Pennekamp, Humbolt Area Foundation, Bayside, CA

Sean McLaughlin, Access Humboldt, Eureka, CA

Re 58:

Kathleen Moxon, Redwood Coast Reeval Action, Bayside, CA

Perter Pennekamp, Humbolt Area Foundation, Bayside, CA

Randal MacDonald, Comptche Broadband Committee, Comptche, CA

Consent Agenda

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

Consent Agenda - Orders and Resolutions

1

Res ALJ-176-3229

[8294]

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=372546

Consent Agenda - Orders and Resolutions (continued)

2
[8124] **A08-01-004 - Suburban Water Systems (Applicant).**
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);
Agenda 3228, Item 2 1/29/2009 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370756

3
[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.
Agenda 3228, Item 4 1/29/2009 (Chong)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373923

3a (Rev.)
[8319] **ALTERNATE TO ITEM 8149**
Res ALJ-230 The Alternate Draft Resolution of Commissioner Chong affirms the fine of \$1,750 that was imposed on Air Ride for 124 counts of violations of Maximum Rate Tariff 4 and Public Utilities Code Sections 5139 and 5143 that occurred during the period January 1, 2008 through February 29, 2008. The Alternate Draft Resolution also finds that Air Ride should be re-audited within six months, based on the evidence at the hearing that Air Ride still had failed to comply with the Commission's requirements. In contrast to the draft Resolution, the Alternate Draft Resolution does not reduce the fine of \$1,750 that was originally imposed on Air Ride.
(Comr Chong)
02/17/2009 - This item was not listed on the agenda distributed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373088

Consent Agenda - Orders and Resolutions (continued)

4 **A08-07-038 - Everycall Communications, Inc. dba All American Home Phone dba Local USA**
[8233] **(Applicant).**

For a Certificate of Public Convenience and Necessity to Offer Resold and Limited Facilities-Based Local Exchange and Interexchange Telecommunications Services. This decision dismisses the application for failure to prosecute. Applicant failed to respond to a letter dated October 10, 2008, from the assigned administrative law judge requesting information regarding Applicant's fitness to provide service. 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=368305

5 **A07-12-029 - Southern California Edison Company (SCE).**
[8246]

This decision allocates the costs and resource adequacy benefits of SCE's four peaker units, which are owned and operated by SCE, to SCE's bundled service customers. The issue of whether the requested costs are just and reasonable will be determined in a subsequent decision. This proceeding remains open.

(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.

6 **A08-06-016 - Southern California Gas Company (Applicant).**
[8247]

This decision awards \$6,521,814 to Applicant based on its management of gas acquisitions during Year 14 of the Gas Cost Incentive Mechanism. This proceeding is closed.

(Comr Chong - ALJ Lakritz)

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=372729

7 **Res L-372**
[8254]

This resolution authorizes the disclosure of certain records concerning the California Utilities Commission Consumer Protection and Safety Division's investigation of a March 3, 2006, railroad incident at Alma Street and East Meadow Drive in Palo Alto, California.

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

Consent Agenda - Orders and Resolutions (continued)

- 8**
[8257] **Res E-4199**
This resolution sets a limitation on total costs expended above the market price referent for Bear Valley Electric Service Company, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company's renewable power purchase agreements from competitive solicitations. This resolution adopts eligibility criteria and guidelines for approving requests for above-market costs of renewable energy contracts negotiated through a competitive solicitations. *Pub. Util. Code § 311 – This item was mailed for Public Comment.*
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373590
- 9**
[8259] **Res E-4228 - Pacific Gas and Electric Company (PG&E).**
This resolution approves with modifications PG&E's new electric tariff Net Energy Metering Service for City and County of San Francisco Municipal Load served by Hetch Hetchy and Solar Generators. (Advice Letter 3363-E filed, November 17, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373232
- 10**
[8261] **Res E-4222 - Pacific Gas and Electric Company (PG&E).**
This resolution approves without modification a renewable resource procurement contract with a new renewable facility, which resulted from PG&E's 2005 Renewables Portfolio Standard solicitation. (Advice Letter 3367-E filed, November 21, 2008)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=372802
- 11**
[8262] **A07-12-010 - California-American Water Company (Applicant).**
For an Order Authorizing a Special Conservation Program and Modifications to its Rate Design in its Monterey District, and Authorization to Increase its Rates for Water Service in its Monterey District. This decision adopts two settlements between the Applicant, the Commission's Division of Ratepayer Advocates, and the Monterey Peninsula Water Management District (MPWMD). These settlements revise the initial stages, Stages 1-3, of Applicant's Conservation and Rationing Rule 14.1 (Rule 14.1) to (1) include Applicant's three Highway 68 subsystems in conservation requirements, (2) adopt interim emergency rates for these subsystems, and (3) provide for the sharing of confidential customer usage data with the MPWMD. This proceeding remains open.
(Comr Bohn - ALJ Walwyn)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369641

Consent Agenda - Orders and Resolutions (continued)

- 12** **A08-08-005 - Global Connect Telecommunication, Inc. (Applicant).**
[8263] 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, subject to the terms and conditions set forth in the order. 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=367716
- 13** **Res E-4229 - Pacific Gas and Electric Company (PG&E).**
[8264] This resolution approves with conditions PG&E's renewable energy procurement contract with High Plains Ranch II, LLC. The contract, which results from PG&E's 2007 Renewable Portfolio Standard solicitation, concerns a new solar photovoltaic project. (Advice Letter 3318-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=373371
- 14** **Res E-4232 - Golden State Water Company (GSWC).**
[8270] This resolution approves GSWC's request for exemption from the long term procurement plan requirements set forth in Public Utilities Code Section 454.5 for its Bear Valley Service Electric Service Division. (Advice Letter 224-E filed, August 22, 2008)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369866
- 15** **Res W-4741 - Bass Lake Water Company.**
[8271] This resolution approves an order authorizing a rate base offset increase in rates producing additional gross annual revenues of \$122,648 or 24.35%. (Advice Letter 49-W-A filed, December 8, 2008)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373221
- 16** **A08-02-020 - Payma Management System, LLC dba Access Shuttle (Applicant).**
[8272] This decision authorizes Applicant to extend its passenger stage corporation certificate to include service to Los Angeles and additional points in San Diego County; 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=369503

Consent Agenda - Orders and Resolutions (continued)

- 17** **A08-04-034 - Procoro N. Lopez dba El Rapido (Applicant).**
[8273] This decision authorizes Applicant to operate as a passenger stage corporation between San Ysidro and Riverside, and named intermediate points in San Diego and Riverside Counties 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=368182
- 18** **A08-09-015 - Marco and Sara Villagomez dba Amadeus Limousine and Shuttle and Amadeus Limousine and Shuttle, Inc. (Applicants).**
[8274] This decision authorizes Applicants to transfer their passenger stage corporation certificate to Amadeus Limousine & Shuttle, Inc., a California Corporation. 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=368163
- 19** **A08-09-025 - The Bounce SD, Inc. (Applicant).**
[8275] This decision authorizes Applicant to operate as a passenger stage corporation between points in the Cities of San Diego, Chula Vista, and Del Mar 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=369608
- 20** **A08-10-006 - The Wine Line, LLC (Applicant).**
[8276] This decision authorizes Applicant to operate as a passenger stage corporation serving wineries along State Highway 46 and other points in San Luis Obispo County 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=367888

Consent Agenda - Orders and Resolutions (continued)

- 21** **A08-11-004 - iNETWORKS GROUP, INC. (Applicant).**
[8277] This decision grants Applicant a Certificate of Public Convenience and Necessity to offer resold and non-facilities based local exchange Telecommunication Services, an expansion of previously authorized activities. This proceeding is closed.
(Comr Chong - ALJ Darling)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368610
- 22** **R06-02-012 - Order Instituting Rulemaking to Develop Additional Methods to Implement the California Renewables Portfolio Standard Program.**
[8278] Public Utilities Code Section 1701.5 provides that ratesetting proceedings shall be resolved within 18 months of the date the scoping memo is issued, unless the scoping memo sets a later date. The Commission may also, upon making a written determination that the deadline cannot be met, including findings as to the reason, issue an order extending the deadline. The Second Amended Scoping Memo and Ruling of the Assigned Commissioner (February 25, 2008) set a date of December 31, 2008 for the resolution of this proceeding. Decision 08-12-048 extended the deadline to March 1, 2009. This decision further extends the deadline, as allowed by Section 1701.5(a), to April 30, 2009. This proceeding remains open.
(Comr Peevey - ALJ Simon)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370502
- 23** **I08-07-012 - Investigation on the Commission's Own Motion Into the Operations and Practices of NextG Networks of California, Inc.**
[8279] This decision approves a settlement agreement between NextG Networks of California, Inc. and the Commission's Consumer Protection and Safety Division.
(Comr Bohn - ALJ Bemserfer)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=366821

Consent Agenda - Orders and Resolutions (continued)

- 24**
[8280] **A08-12-001 - Vanco Direct USA, LLC (Applicant).**
This decision grants Applicant's request for a transfer of ownership and control of Vanco Direct USA, LLC to Capital Growth Acquisition, Inc. No protests have been filed. Applicant holds certificates of public convenience and necessity to provide interLATA and intraLATA telecommunications services in California as a switchless reseller and to provide resold local exchange telephone service. Capital Growth Aquisitions, Inc. has made the required fitness showing. Applicant will continue to provide service to its existing telecommunications customers under currently applicable rates, terms, and conditions. This proceeding is closed.
(Comr Chong - ALJ Vieth)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370512
- 25**
[8282] **Res E-4223 - Pacific Gas and Electric Company (PG&E).**
This resolution approves without modification PG&E's request to extend the delivery term of its power purchase agreements with three biomass generators of electricity: Madera Power, LLC, Community Renewable Energy Services, Inc., and Sierra Power Corporation pursuant to the Renewables Portfolio Standard. (Advice Letter (AL) 3368-E filed, November 24, 2008 and Supplemental AL 3368-E-A filed, January 5, 2009)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371535
- 26**
[8283] **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 approves settlement agreements between the California Association of Competitive Telecommunications Companies and Pacific Bell Telephone Company dba AT&T California and Verizon California Inc. relating to the process for future re-examination of the rates for Unbundled Network Elements. This proceeding remains open.
(Comr Peevey - ALJ Duda)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369308
- 27**
[8286] **C08-03-001 - Pacific Bell Telephone Company dba AT&T California vs O1 Communications Inc.**
Pursuant to Public Utilities Code Section 1701.2(d), this decision extends the 12-month deadline applicable to this adjudicatory proceeding from March 4, 2009 to March 4, 2010. This proceeding remains open.
(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=370503

Regular Agenda

Regular Agenda - Communication Resolutions and Reports

- 56**
[8249] **Res T-17183 - Willits Online LLC, and its subsidiary Rural Broadband Now! LLC.**
This resolution approves funding for the Laytonville Broadband Project from the California Advanced Services Fund amounting to \$54,000 for Willits Online LLC and its subsidiary, Rural Broadband Now! LLC.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=374874
- 57**
[8250] **Res T-17187 - Broadband Associates International Inc.**
This resolution approves funding from the California Advanced Services Fund amounting to \$7,830,720 to Broadband Associates International, Inc., for the Highway 299 Broadband Network project.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373570
- 58**
[8251] **Res T-17195 - AT&T California (AT&T).**
This resolution approves funding for AT&T California Advanced Services Fund Unserved Area Applications amounting to \$255,068.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373560

Regular Agenda - Water/Sewer Orders**59**

[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.

Agenda 3228, Item 68 1/29/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=374219

Regular Agenda - Transportation/Rail Safety Orders**60**

[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);

Agenda 3228, Item 70 1/29/2009 (Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370922

Regular Agenda - Transportation/Rail Safety Orders (continued)

60a**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.

Agenda 3228, Item 70a 1/29/2009 (Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373782

Regular Agenda - Legislative and Other Matters

- 61** **AB 64 (Krekorian)**
[8310] Energy: Renewable Energy Resources: Generation and Transmission. This bill would require a Renewable Portfolio Standard of 35% by 2020, and create the Renewable Infrastructure Authority for the permitting and financing of renewable generation and transmission facilities.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=372846
- 62** **SB 14 (Simitian)**
[8311] Utilities: Public Utilities Commission: Energy: Renewable Energy Resources: Rates. This bill would increase the renewables portfolio standard to 33% by 2020 and makes several changes to the program. This bill would also make changes to the California Public Utilities Commission's governance structure, energy utilities tiered rates, the California Alternate Rates for Energy program, and direct access provisions, among other things.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=372807

Regular Agenda - Commissioner's Reports**63**

[8303]

Commissioner Grueneich Report

Discussion and action regarding appointment of Len Canty to the public representative position on the Commission's Low-Income Oversight Board. Mr. Canty is the founder of the Black Economic Council and devotes much of his time to furthering its goals. A voice for the low income communities – particularly minority communities— Mr. Canty is very active in his Oakland, California neighborhood.

64 (Rev.)

[8308]

Commissioner Grueneich Report

Approval of two Memoranda of Understanding (MOU's): the first with the Forum of Regulators in India, the California Energy Commission, and the Lawrence Berkeley National Labs and; the second with the Delhi Energy Regulatory Commission, the California Energy Commission, and the Lawrence Berkeley National Labs. Both MOUs are agreements for cooperation and information exchange on energy efficiency and demand side management policies and programs.

02/13/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373021

Regular Agenda - Management Reports and Resolutions

65

[8304]

Director Clark Report

Consumer Protection and Safety Division requests authority to disclose the Commission staff investigation of the collision between two San Francisco Municipal Transportation Agency light rail vehicles on June 14, 2008. The report includes; a factual description of the accident, antecedent events and accident consequences, analysis of potential causes, and recommendations to improve the safety of operations.

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

- 66** **Conference with Legal Counsel - Applications for Rehearing**
 [8266] 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.
- 67** **A06-12-009 - Conference with Legal Counsel - Application for Rehearing**
 [8234] A06-12-010, I07-02-013 - Related matters. Disposition of Applications for Rehearing of Decision (D) 08-07-046, filed by the Greenlining Institute (Greenlining), and Division of Ratepayer Advocates (DRA) and The Utility Reform Network (TURN). D08-07-046 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.
 Agenda 3228, Item 76 1/29/2009 (Staff)

Closed Session - Applications for Rehearing (continued)

68

[8242]

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

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, D06-06-066 as modified by D07-05-032 (Modified D06-06-066). In D06-12-030, the Commission defines the terms market participant, non-market participant and reviewing representative. D06-12-030 further assigns some, but not all, of the parties who submitted comments in R05-06-040 to the categories of market or non-market participants. D06-12-030 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, D06-12-030 expands the process adopted in Modified D06-06-066, 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. D06-12-030 further adopts rules for who may be a reviewing representative. Among other things, D06-12-030 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.

Agenda 3228, Item 78 1/29/2009 (Staff)

69

[8298]

A06-12-005 - Conference with Legal Counsel - Application for Rehearing

Disposition of application for rehearing of Decision (D.) 08-07-028, filed by Los Angeles Unified School District (LAUSD). D.08-07-028 is a decision denying a petition for modification of D.07-12-029. In D.07-12-029, the Commission authorized construction of 36 of 38 proposed rail crossings along the Exposition Boulevard Corridor Light Rail Transit Line in Los Angeles County, including an at-grade crossing at Western Avenue (Western). In their petition for modification, LAUSD requested that the Commission rescind the authorization for the at-grade Western crossing and order evidentiary hearings regarding Western. In D.08-07-028 the Commission determined that LAUSD did not demonstrate good cause to reopen the proceeding with respect to Western, and denied the petition for modification.

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

Closed Session - Initiation of Litigation - Non-Federal

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

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

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

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

Closed Session - Initiation of Litigation - Federal

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

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

Closed Session - Federal

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[8265]

FERC Docket No. ER06-615 and Related Items. - 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

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

- 28**
[8288] **Res W-4742 - West San Martin Water Works (West San Martin).**
This resolution approves an order authorizing a general rate increase for West San Martin, producing an increase of \$103,668 or 31.53% in test year 2009.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371135
- 29**
[8289] **Res T-17193 - AT&T California (AT&T).**
This resolution approves an Interconnection Agreement between AT&T and PhoneCo, LP, pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 34130 filed, November 26, 2008)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368008
- 30**
[8290] **P08-10-005 - California Cotton Ginners' Association (CCGA).**
This decision grants a joint motion filed by Pacific Gas and Electric Company (PG&E) and CCGA to dismiss a petition for adoption of a regulation filed by CCGA pursuant to Public Utilities Code Section 1708.5. The petition had urged the adoption of a regulation providing for an Optimal Billing Program (OBP) for PG&E's large agricultural customers. Under the terms of the joint motion, within 30 days after dismissal of the petition without prejudice, PG&E will file an advice letter allowing up to 50 customers served under PG&E's AG-5C and AG-5F tariffs to opt into an OBP. Such customers will be able to designate the start date and end date of their billing cycles to coincide with the start date and end date of their high seasonal production cycles. The parties estimate that the revenue impact on PG&E of this OBP will be about \$300,000. This proceeding is closed.
(Comr Bohn - ALJ McKenzie)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369742
- 31**
[8291] **R06-04-010 - Order Instituting Rulemaking to Examine the Commission's post-2005 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.**
This decision again extends the statutory deadline by 60 days for this proceeding until April 30, 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=371631

Consent Agenda - Orders and Resolutions (continued)

32 Res T-17194 - AT&T California (AT&T).

[8292] This resolution approves an Interconnection Agreement between AT&T and TeleQuality Communications Inc., pursuant to Section 252 of the Telecommunications Act of 1996. (Advice Letter 34074 filed, November 20, 2008)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=367125

33 Res W-4743 - San Gabriel Valley Water Company (San Gabriel).

[8295] This resolution authorizes sale of certain assets of San Gabriel to Sam's Club Real Estate Trust. (Advice Letter 363 filed, June 30, 2008)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371740

34 A08-12-010 - Pacific Gas and Electric Company (PG&E) and Peninsula Christian Fellowship Church (Church).

[8296] This decision grants the application of PG&E and the Church for Commission authorization under Public Utilities Code Section 851 for PG&E to convey .488 acres of land (Property) located in the City of San Bruno (City), San Mateo County to the Church. The Church plans to use the Property in conjunction with an adjacent .61 acre parcel to construct townhomes, the Cedar Grove Development Project, which was approved by the City on June 30, 2008. PG&E will reserve the necessary easement rights over all the Property for its current and future utility purposes. The Commission approves the accounting treatment for financial proceeds as consistent with the Commission's Decision (D) in the Gain-on-Sale Rulemaking, D06-05-041, and the Commission finds the environmental review already conducted and approved by the City as Lead Agency is adequate for approval of this application. This proceeding is closed.

(Comr Grueneich - ALJ Brown)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371497

35 Res W-4744 - Del Oro Water Company, Strawberry District (DOWC).

[8299] This resolution authorizes a general rate increase for DOWC producing additional annual revenues of \$71,042 or 31.98% for test year 2009.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371837

Consent Agenda - Orders and Resolutions (continued)

- 36** **A08-12-002 - Crimson California Pipeline, L.P. (Applicant).**
[8300] This decision grants the Applicant a rate increase of approximately \$4.13 million on its Line 600 and Line 700 pipeline systems. This proceeding is closed.
(Comr Peevey - ALJ Bemserfer)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370698
- 37** **Res W-4745 - Klein Homes Water Company (Klein Homes).**
[8301] This resolution authorizes Klein Homes to recover an Unanticipated Repair Cost Memorandum Account and its Purchased Water Balancing Account and transfers that authorization to San Jose Water Company if it buys Klein Homes. (Advice Letter 5, filed, February 4, 2009).
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373104
- 38** **A04-04-042 - San Diego Gas & Electric Company (Applicant).**
[8309] This decision grants the Petition for Modification of Decision (D.) 04-08-028 filed by the Applicant to request Commission approval of an Amendment to a electric resource contract, known as the Hodges Agreement, between the Applicant and the San Diego County Water Authority (Water Authority), whereby the Applicant purchases capacity from the Water Authority's proposed 40 megawatt Lake Hodges-Olivenhain Pumped Hydroelectric Storage Facility. The Commission issued D.04-08-028 on August 19, 2004, approving the application to enter into the Hodges Agreement with the Water Authority with an operational date of January 2008. Due to a confluence of events, there has been a delay in the operational date and the project is not yet on-line. The Amendment to the Hodges Agreement extends the operational date in exchange for delay damages and expanded rights under the Hodges Agreement that will benefit the Applicant's consumers. The Commission adopts the proposed Amendment to the Hodges Agreement (Attachment A). This proceeding is closed.
(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=368273

Consent Agenda - Intervenor Compensation Orders**39**

[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 (D.) awards Utility Consumers' Action Network \$460,324.00 in compensation for its substantial contributions to D.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);

Agenda 3228, Item 43 1/29/2009 (Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373904

40 (Rev.)

[8203]

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 Disability Rights Advocates \$76,945.11 in compensation for its substantial contribution to A06-12-009, A06-12-010, and I07-02-013. The award represents a decrease of 24% from the amount requested. Today's award 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 3228, Item 47 1/29/2009 (Staff)

02/19/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=374605

Consent Agenda - Intervenor Compensation Orders (continued)

41 **R05-04-005 - Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the Regulation of Telecommunications Utilities.**
[8230]

This decision (D.) awards \$231,973.31 in compensation to The Utility Reform Network (TURN) for its substantial contributions to D.07-09-018, D.07-09-019, and D.08-04-057. The award is \$8,383.25 less than the amount in TURN's amended request. The reductions to TURN's request are due to work that did not substantially contribute to the cited decisions and an hourly rate adjustment in the compensation amount requested for one of TURN's representatives. The first two decisions address issues that affect all providers of telecommunications services in California, so the award to TURN for its work related to those two decisions will be paid from the Commission's Intervenor Compensation Fund. The third decision addresses issues specific to AT&T California (AT&T), so the award to TURN for its work on that decision will be paid by AT&T. This proceeding remains open. (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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=368550

42 **A07-07-001 - California Water Service Company (Applicant).**
[8255]

For an order authorizing Applicant to increase rates charged for water service in its Chico, East Los Angeles, Livermore, Los Altos-Suburban, Mid-Peninsula, Salinas, Stockton, and Visalia Districts for years 2008, 2009 and 2010. This decision (D.) awards intervenor compensation in the amount of \$10,560 to Arthur Mangold for his substantial contributions to D.08-07-008. The award represents a 52.5% reduction from the requested amount, to reflect reductions for lack of substantial contribution and excessive hours. This proceeding is closed.

(Comr Bohn - ALJ Thomas)

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=371564

43 **R07-09-008 - Order Instituting Rulemaking to establish the California Institute for Climate Solutions.**
[8258]

This decision (D.) awards National Resources Defense Council intervenor compensation of \$14,238.13 for substantial contribution to D.08-04-039 as modified by D.08-04-054 and denies compensation to California Council on Science and Technology because it is not a "customer" and is ineligible to claim intervenor compensation. 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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373484

Consent Agenda - Intervenor Compensation Orders (continued)

**44 (Rev.) R06-05-028 - Rulemaking on the Commission's Own Motion To Review the
[8260] Telecommunications Public Policy Programs.**

This decision (D.) awards Latino Issues Forum \$14,370.73 in compensation for its substantial contributions to D.08-06-020. The award reflects a decrease of \$23,783.64 from the original request of \$38,154.37 required by the Commission's policies on reasonableness, duplication, and substantial contribution.

(Comr Chong - ALJ Bushey)

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

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

02/13/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=369552

**45 R06-02-013 - Order Instituting Rulemaking to Integrate Procurement Policies and Consider
[8287] Long-Term Procurement Plans.**

This decision (D) awards \$99,194.04 to Aglet Consumer Alliance in compensation for its substantial contributions to D07-12-052. Today's award will be paid by Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company. This proceeding remains open pending resolution of related issues.

(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=374840

**46 (Rev.) R04-04-003 - Order Instituting Rulemaking to Promote Policy and Program Coordination
[8302] and Integration in Electric Utility Resource Planning.**

R04-04-025 - Related matters. This decision (D.) awards Union of Concerned Scientists \$19,776.37 in compensation for its substantial contributions to D.06-02-032. This award represents a decrease of \$47.48 from the amount requested because of removal of one unjustified expense. Today's award will be paid by Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company.

(Comr Peevey - ALJ Brown)

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

02/17/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=370617

Consent Agenda - Intervenor Compensation Orders (continued)

47

A07-12-021 - Pacific Gas and Electric Company (PG&E).

[8306]

For authority to enter into Long-Term Natural Gas Transportation Arrangements with Ruby Pipeline. This decision (D.) awards \$26,251 to The Utility Reform Network (TURN) for its substantial contributions to D.08-11-32. The amount awarded is \$402 (1.5%) less than TURN requested due to the disallowance of time spent on a matter that has not yet been decided by the Commission. Today's award will be paid by Pacific Gas and Electric Company.

(Comr Simon - ALJ Kenney)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371395

Regular Agenda

Regular Agenda - Energy Orders

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

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);

Agenda 3228, Item 51 1/29/2009 (Grueneich)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373874

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

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);

Agenda 3228, Item 52 1/29/2009 (Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371871

Regular Agenda - Energy Orders (continued)

50 **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 the 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);

Agenda 3228, Item 53 1/29/2009 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=374190

51 (Rev.) **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 \$4.644 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 23.9% increase over the 2006 authorized revenue requirement of \$3.749 billion, a 13.1% increase over SCE's 2006 recorded base revenues of \$4.106 billion, a 7.1% increase over the projected revenue at present rates of \$4.334 billion, and an 10.78% reduction from the 2009 revenue requirement requested by SCE of \$5.205 billion, which represented a 20.1% increase over the projected revenues at present rates. The adopted methodology for calculating post-test year revenue requirement results in a revenue requirement for 2010 of \$4.783 billion and for 2011 of \$4.927 billion. As a result of our decision today, SCE's projected total company revenue requirement for 2009 is approximately \$12.4 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);

Agenda 3228, Item 54 1/29/2009 (Peevey)

02/13/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=374187

Regular Agenda - Energy Orders (continued)

51a (Rev.)

[8132]

ALTERNATE TO ITEM 8129

I08-01-026 - Related matters. This alternate decision authorizes a \$4.864 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 29.75% increase over the 2006 authorized revenue requirement of \$3.749 billion, a 18.64% increase over SCE's 2006 recorded revenue requirement of \$4.106 billion, a 12.22% increase over the projected revenues at present rates of \$4.334 billion, and a 6.55% reduction from the 2009 revenue requirement requested by SCE of \$5.205 billion, which represented a 20.1% increase over revenues at present rates. The adopted methodology for calculating post-test year revenue requirement results in an approximate revenue requirement for 2010 of \$5.109 billion and for 2011 of \$5.368 billion. As a result of today's alternate decision, SCE's projected total company revenue requirement for 2009 is approximately \$12.5 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);

Agenda 3228, Item 54a 1/29/2009 (Peevey)

02/13/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=374214

52

[8207]

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

By this decision, the Commission authorizes Applicant to proceed with its proposed SmartMeter Program Upgrade at a cost of \$472,810,000, 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.

Agenda 3228, Item 55 1/29/2009 (Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373895

Regular Agenda - Energy Orders (continued)

53 **C07-01-007 - Harbor City Estates, LLC (Complainant) vs Southern California Gas**
[8307] **Company (Defendant).**

Complainant seeks an order that Defendant accept transfer of Harbor City's submetered gas system pursuant to Public Utilities Code Sections 2791-2799. This modified Presiding Officer's Decision finds that the System meets the requirements set forth in Section 2794 and has a value of \$132,544, and orders Defendant to complete the transfer as set forth in Sections 2791-2799. This proceeding is closed.

(Comr Bohn - ALJ Kolakowski)

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=369851

Regular Agenda - Energy Resolutions and Written Reports

- 54** **Res E-4123 - Pacific Gas & Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E).**
[7988]
- This resolution requests approval of filers' respective tariffs containing modified Community Choice Aggregation (CCA) Cost Responsibility Surcharge (CRS) calculations pursuant to Decision (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);
Agenda 3228, Item 57 1/29/2009 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=371541
- 55** **Res E-4227 - Southern California Edison Company (SCE).**
[8217]
- 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.
Agenda 3228, Item 59 1/29/2009 (Pub. Util. Code §311(e))
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373236
- 55a** **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. Furthermore, 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.
Agenda 3228, Item 59a 1/29/2009 (Pub. Util. Code §311(e))
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373812