
Public Utilities Commission of the State of California

Public Agenda 3238

Thursday, July 30, 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, August 17, 2009 (San Francisco)	Thursday, July 30, 2009 (San Francisco)
Friday, September 04, 2009 (San Francisco)	Thursday, August 20, 2009 (San Francisco)
Monday, September 21, 2009 (San Francisco)	Thursday, September 10, 2009 (San Francisco)
Friday, October 09, 2009 (San Francisco)	Thursday, September 24, 2009 (San Francisco)
Monday, October 26, 2009 (San Francisco)	Thursday, October 15, 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
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 9, 31, 36, 37

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**
[8650] **Res ALJ 176-3238 - Preliminary categorization and hearing determination for recently filed formal applications.**
PROPOSED OUTCOME:
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.
ESTIMATED COST:
None.
- 2**
[8473] **Res W-4763 - Alisal Water Corporation, Salinas District (Alco).**
This resolution authorizes Alco a surcharge of \$2.78 for twenty-four months for recovery of its Order Instituting Investigation Memorandum Account for a total of \$580,873.56 and in compliance with the United States District Court orders, a sur-credit of \$1.02 for twenty-four months for a total of \$212,000. (Advice Letter 120 filed, October 27, 2008)
Agenda 3233, Item 19 5/7/2009 (Staff);
Agenda 3234, Item 8 5/21/2009 (Staff);
Agenda 3237, Item 5 7/9/2009 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391159

Consent Agenda - Orders and Resolutions (continued)

3 **R06-02-013 - Order Instituting Rulemaking to integrate procurement policies and consider long-term procurement plans.**
[8474]

This decision (D) declines to modify D07-12-052 defining the inclusion of qualified facilities in the Long Term Procurement Planning process as only a “planning assumption.” The Commission believes planning is a preliminary step before actual procurement of energy. No one energy source is only included as a planning assumption. There is a presumption that including qualified facilities in the planning process will result in procuring energy and capacity from qualified facilities. This proceeding is closed.

(Comr Peevey - 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 3234, Item 14 5/21/2009 (Staff);

Agenda 3235, Item 2 6/4/2009 (Simon);

Agenda 3236, Item 5 6/18/2009 (Staff);

Agenda 3237, Item 2 7/9/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391175

4 **Res W-4762 - Dunnigan Water Works (DWW).**
[8476]

This resolution authorizes general rate increases for DWW producing additional annual revenues of \$37,795 or 87% in water revenues and \$27,112 or 43.46% in sewer revenues for test year 2008.

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

Agenda 3234, Item 15 5/21/2009 (Staff);

Agenda 3235, Item 3 6/4/2009 (Staff);

Agenda 3236, Item 6 6/18/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387917

5 **Res W-4768 - Suburban Water Systems (Suburban).**
[8614]

This resolution rejects Suburban's request to establish a holding company proceeding memorandum account and an affiliate transaction rules proceeding memorandum account. (Advice Letters (AL) 262-W and AL 263-W, filed on April 24, 2009, respectively.)

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

Agenda 3237, Item 12 7/9/2009 (Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391166

Consent Agenda - Orders and Resolutions (continued)

- 6** **A08-10-003 - San Diego Gas & Electric Company (SDG&E)**
[8617] This decision denies SDG&E's application for approval of the Celerity Distributed Generation Supply contract. This proceeding is closed.
(Comr Bohn - ALJ Farrar)
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=E22389
- 7** **A07-05-003 - Denies Petition for Modification of Decision (D) 08-05-035.**
[8624] A07-05-007, A07-05-008 - Related matters. PROPOSED OUTCOME:
(1) This decision denies Southwest Gas Company's (Southwest) petition to add Southwest as a named energy utility subject to the major energy utilities multi-year cost of capital mechanism adopted by D08-05-035.
(2) This proceeding is closed.
ESTIMATED COST:
None foreseen.
(Comr Bohn - ALJ Galvin)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391055
- 8** **Res W-4769 - Golden State Water Company (Golden State).**
[8634] This resolution affirms Division of Water and Audits' ministerial disposition of Golden State's Advice Letter (AL) No. 1319-W. (AL 1319-W filed on March 4, 2009)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393024

Consent Agenda - Orders and Resolutions (continued)

9 **C08-11-002 - Cox California Telcom, LLC (Complainant) vs. Pacific Centrex Services, Inc. (Defendants).**
[8646]

This decision orders payment of termination charges and imposes sanctions for violation of Rule 1.1 of the Commission's Rules of Practice and Procedure.

PROPOSED OUTCOME:

- (1) Defendants to pay Complainant \$268,066.96 plus late payment charges;
- (2) Defendants to pay fine of \$10,000 for violation of Rule 1.1 of the Commission's Rules of Practice and Procedure.
- (3) Closes the proceeding.

ESTIMATED COST:

- (1) \$268,066.96 plus late payment charges awarded to Complainant,
 - (2) Defendants to pay fine of \$10,000.
- (Comr Chong - ALJ Bemesserfer)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=388875

10 **A09-03-026 - Authorizes transfer of ownership of TGEC Communications Co., LLC. (TGEC) to West Coast Voice & Data, Inc. (West Coast).**
[8647]

PROPOSED OUTCOME:

- (1) Approves transfer Ownership of TGEC to West Coast.
- (2) Closes the proceeding.

ESTIMATED COST:

None.

(Comr Chong - ALJ Barnett)

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

Agenda 3237, Item 23 7/9/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391080

11 **Res E-4255 - Pacific Gas and Electric Company (PG&E).**
[8652]

PROPOSED OUTCOME:

- (1) Approves an amendment to PG&E's renewable energy procurement contract with Hatchet Ridge Wind LLC, pursuant to California's renewable portfolio standard program.
- (2) Approves the amendment results in an extension of the new wind facility's commercial online date by one year. (Advice Letter 3452-E filed on April 27, 2009)

ESTIMATED COST:

None beyond the previously approved power purchase agreement costs.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393018

Consent Agenda - Orders and Resolutions (continued)

12 **R87-11-012 - Denies Southern California Gas Company's (SoCalGas) request for approval of a Petition to Modify Decision 97-07-054.**
[8653]

A95-06-002 - Related matters. Commission Rulemaking to revise time schedule for Rate Case Plan and Fuel Offset proceedings; Recommendations filed by 1-11-88 with Certificate of Service.

PROPOSED OUTCOME:

(1) Denies SoCalGas' petition to immediately suspend its Market Indexed Capital Adjustment Mechanism.

(2) Closes these proceedings.

ESTIMATED COST:

None foreseen.

(Comr Peevey - ALJ Galvin)

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=392298

13 **Res W-4772 - Del Oro Water Company (DOWC).**
[8655]

This resolution authorizes DOWC a surcharge to recover an increase in water quality expenses producing an increase in annual revenue of \$728.00 in Ferndale District, \$936 in Lime Saddle District, \$364.70 in Pine Flat District, \$156.50 in Pine Mountain District, \$415.00 in River Island District, \$521.00 in Strawberry District, and \$415.00 in Walnut Ranch District. (Advice Letter (AL) 225 filed on May 11, 2009 and Supplemental AL 225-A filed on June 4, 2009)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387926

14 **Res W-4773 - Del Oro Water Company (DOWC).**
[8656]

This resolution authorizes DOWC a surcharge to recover an increase in water quality expenses producing an increase in annual revenue of \$2,062 in Ferndale District; \$4,891 in Lime Saddle District, \$3,390 in Pine Flat District, \$2,182 in Pine Mountain District, \$6,398 in River Island District; \$4,009 in Strawberry District, and \$1,359 in Walnut Ranch District. (Advice Letter (AL) 226, filed on May 11, 2009 and Supplemental AL 226-A filed on June 4, 2009)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387980

Consent Agenda - Orders and Resolutions (continued)

15 **A09-03-015 - Grants a Nondominant Interexchange Carrier Certificate of Public
[8657] Convenience and Necessity.**

PROPOSED OUTCOME:

(1) Decision grants Alliance Global Networks LLC a certificate of public convenience and necessity to operate as a switchless reseller of inter – Local Access and Transport Area (LATA), and to the extent authorized by Decision 94-09-065, switchless intra – LATA telecommunications services offered by communication common carriers in California subject to the conditions set forth in this decision.

(2) Closes the proceeding.

ESTIMATED COST:

None beyond the tariffed charges to its applicants' customers and incurred surcharges.

(Comr Chong - ALJ Galvin)

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=388952

16 **A08-10-014 - Pacific Gas and Electric Company (PG&E) and Lamar Central Outdoor, LLC
[8658] Master Signboard Agreement under Public Utilities Code Section 851.**

PROPOSED OUTCOME:

(1) Grants approval pursuant to Public Utilities Code Section 851 to PG&E to sign a master signboard agreement with Lamar Central Outdoor, LLC;

(2) Denies the requested expedited review process for individual signboards; and

(3) Closes the proceeding.

ESTIMATED COST:

PG&E expects to receive an estimated \$1.3 million in fees for the 10-year period of the Master Signboard Agreement plus renewals depending on the actual number of site licenses entered into by parties.

(Comr Chong - ALJ Kim)

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=E22907

Consent Agenda - Orders and Resolutions (continued)

- 17** **Res E-4258 - Pacific Gas and Electric Company's (PG&E) Nuclear Decommissioning Trust funds for Humboldt Bay Power Plant (HBPP) Unit 3.**
[8659]
- PROPOSED OUTCOME:
 (1) Approves PG&E's request for Commission general authorization to gain access to Interim Disbursement funds from the HBPP Unit 3 Nuclear Decommissioning Trusts;
 (2) Denies without prejudice PG&E's request seeking Commission approval of a modified procedure for reviewing and determining the reasonableness of HBPP Unit 3 decommissioning expenditures and;
 (3) Refers this matter to Application 09-04-007, PG&E's Nuclear Decommissioning Cost Triennial Proceeding. (Advice Letter 3444-E filed on March 27, 2009)
- ESTIMATED COST:
 None foreseen.
- Pub. Util. Code § 311 – This item was mailed for Public Comment.*
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=392876
- 18** **R05-12-013 - Order Extending Statutory Deadline for Resolution of Proceeding.**
[8660]
- Order Instituting Rulemaking to consider refinements to and further development of the Commission's Resource Adequacy Requirements Program.
- PROPOSED OUTCOME:
 Extends the deadline for resolving the proceeding for 60 days.
- ESTIMATED COST:
 None foreseen.
- (Comr Peevey - ALJ Wetzell)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387724
- 19** **A09-02-016 - Grants a Certificate of Public Convenience and Necessity for Monterey Transportation, LLC (Applicant).**
[8661]
- PROPOSED OUTCOME:
 (1) Grants to Applicant a certificate of public convenience and necessity to operate as an on-call passenger stage corporation to transport passengers within Monterey County and between points in Monterey County and the San Francisco, Oakland and San Jose International Airports and the San Jose Amtrak Station.
 (2) Closes the proceeding.
- ESTIMATED COST:
 Varied zone-based charges to customers to be filed subsequently by tariff.
 (Comr Simon - ALJ Weatherford)
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=E22981

Consent Agenda - Orders and Resolutions (continued)

- 20**
[8662] **A09-05-001 - Interim decision authorizing a limited prospective memorandum account for the Cost of Capital Litigation Costs of Valencia Water Company, San Gabriel Valley Water Company, and Suburban Water Systems.**
A09-05-002, A09-05-003, A09-05-004, A09-05-005, A09-05-007 - Related matters.
PROPOSED OUTCOME:
This decision grants authority to Valencia Water Company, San Gabriel Valley Water Company, and Suburban Water Company to establish a limited memorandum account to track the incremental costs of participation in the 2010 base year cost of capital proceeding.
ESTIMATED COST:
Unknown.
(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=E22922
- 21**
[8663] **Res W-4774 - California American Water Company, Los Angeles Division (Cal-Am).**
This resolution approves with modifications Cal-Am's request to update its Distribution System Improvement Charge rate, as requested in revised Advice Letter (AL) No. 716. (AL 716 originally filed on December 19, 2008 and revised on June 18, 2009)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393074
- 22**
[8664] **Res W-4775 - California American Water Company, Los Angeles Division (Cal Am).**
This resolution approves with modifications Cal Am's request to update its Distribution System Improvement Charge rate, as requested in revised Advice Letter (AL) 742. (AL 742 originally filed on April 2, 2009 and revised on June 18, 2009.)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393076
- 23**
[8665] **Res W-4776 - California American Water Company, Los Angeles Division (Cal-Am).**
This resolution approves with modifications Cal-Am's request to recover the under-collection recorded in the Distribution System Improvement Charge balancing account of \$337,308, as requested in revised Advice Letter (AL) No. 743. (AL 743 originally filed on April 7, 2009 and revised on June 18, 2009)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393079

Consent Agenda - Orders and Resolutions (continued)

24 **A08-03-002 - Southern California Edison Company (SCE) 2009-2012 Marginal Cost, Revenue Allocation, and Rate Design.**
[8666]

A07-12-020 - Related matters. PROPOSED OUTCOME:

- (1) Approves six settlement agreements to establish marginal costs, allocate revenues, and design rates for service provided to SCE's customers for service in 2009 – 2012;
- (2) Orders SCE to file by September 1, 2010 an application proposing additional dynamic pricing rates for its customers;
- (3) Denies request to revise SCE's agricultural criteria;
- (4) Denies a motion to disqualify the assigned Commissioner; and
- (5) Closes the proceeding.

ESTIMATED COST:

- (1) The bundled-service average shall increase by 13.4% over December 2008 average rates.
- (2) Average percentage increases by customer rate group shall be as follows: residential customers (16.1%); lighting, small and medium power customers (13.2%); large power customers (10.1%); agriculture and pumping customers (13.3%); street lighting customers (10.9%).

(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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E22938

25 **R08-12-009 - Modifies Rulemaking (R) 08-12-009.**
[8668]

Order Instituting Rulemaking to consider Smart Grid Technologies Pursuant to Federal Legislation and on The Commission's own Motion to actively guide policy in California's development of a Smart Grid System.

PROPOSED OUTCOME:

- (1) This decision modifies R08-12-009 to excuse PacifiCorp, dba Pacific Power, Sierra Pacific Power Company, Bear Valley Electric Service and Mountain Utilities from mandatory participation in this proceeding.
- (2) These utilities, however, will be bound by the outcome.

ESTIMATED COST:

- (1) No effect on costs to government.
- (2) Some lower costs to affected utilities.

(Comr Chong - ALJ Sullivan)

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=393196

Consent Agenda - Orders and Resolutions (continued)

26**Res E-4257**

[8670]

PROPOSED OUTCOME:

This Resolution initiates a citation program authorizing the Commission Staff to penalize load serving entities for non-compliance with mandatory filing deadlines and reporting requirements of the Renewables Portfolio Standard.

ESTIMATED COST:

None.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=388856

27**Res W-4777 - Sonoma Springs Water Company, LLC (Sonoma Springs).**

[8671]

This resolution authorizes Sonoma Springs a general rate increase producing additional annual revenue of \$11,638 or 110.2% in 2009.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=388691

28**A06-01-012 - Denies Pacific Gas and Electric Company's (PG&E) Petition for Modification of Decision (D) 06-12-032 and Ruling on Motion to File Portion of ClimateSmart 2008 Annual Report Under Seal.**

[8672]

PROPOSED OUTCOME:

- (1) Denies PG&E's Petition for Modification of D06-12-032, which authorized ClimateSmart Program and required all portions of annual reports, including emissions reduction contracts, to be publicly filed.
- (2) PG&E did not establish new issue of law or fact sufficient to permit filing of redacted contracts where the Commission explicitly required all portions of Annual Reports, including contracts, to be public for 3-year term of demonstration period for benefit of public.
- (3) Motion For Leave to File Under Seal denied because D06-12-032 requires unredacted copies to be filed and no cause shown to modify the Commission's decision.
- (4) Closes this proceeding.

ESTIMATED COST:

None foreseen.

(Comr Grueneich - ALJ Darling)

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=389809

Consent Agenda - Orders and Resolutions (continued)

29 **A06-12-032 - Southern California Edison Company's (SCE) application for a permit to construct the Kimball Substation Project.**
[8679]

PROPOSED OUTCOME:

(1) This decision grants SCE a permit to construct the Kimball Substation Project in the City of Chino, California, allowing SCE to construct additional transmission capacity serving the Cities of Chino, Ontario and unincorporated western Riverside County to ensure that customer electrical demand can be met safely and reliably without overloading the existing electric facilities serving the area.

(2) Closes the proceeding.

ESTIMATED COST:

(1) SCE estimates the cost to construct the project is \$13.3 million. Under the Commission's General Order 131-D, SCE is not required to make a detailed showing on costs for a permit to construct.

(2) SCE also will incur undetermined costs to comply with the adopted mitigation measures.

(Comr Grueneich - ALJ Smith)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=392744

30 **A09-04-010 - Southern California Edison Company's (SCE) application for a certificate of public convenience and necessity to construct the Walnut Creek Energy Park 230 kilovolt transmission line.**
[8680]

PROPOSED OUTCOME:

(1) Grants certificate of public convenience and necessity for SCE to construct the Walnut Creek Energy Park 230 kilovolt transmission line.

(2) Closes the proceeding.

ESTIMATED COST:

None to ratepayers because the cost of the transmission line will be paid by the developer. The estimated cost of the transmission line and related facilities is \$719 million.

(Comr Grueneich - ALJ Farrar)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=388575

31 **C08-08-008 - Extends a 12-month deadline. Utility Consumers' Action Network (Complainant) vs MPower Communications Corp. (Defendant).**
[8682]

Pursuant to Pub. Util. Code § 1701.2(d), this decision extends the 12-month deadline applicable to this adjudicatory proceeding from August 12, 2009 until August 12, 2010.

(Comr Simon - ALJ McKenzie)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=390746

Consent Agenda - Orders and Resolutions (continued)

32 **Res G-3437 - Pacific Gas and Electric Company (PG&E) requests approval of special agreement with Chevron U.S.A. Incorporated (Chevron) and Praxair Incorporated (Praxair).**
[8683]

PROPOSED OUTCOME:

(1) Approves a special service agreement PG&E entered into with Chevron and Praxair which will provide natural gas service to Praxair; and

(2) Approves the request by PG&E to deviate from its Gas Rules Numbers 10, 16, 17 and 17.1. (Advice Letter 3018-G filed on May 12, 2009.)

ESTIMATED COST:

None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391156

33 **A09-02-014 - Grants the application of Public Wireless, Inc. for a Certificate of Public Convenience and Necessity in order to provide full facilities-based and resold competitive local exchange, access and interexchange service.**
[8685]

PROPOSED OUTCOME:

(1) Public Wireless, Inc. seeks a certificate of public convenience and necessity in order to provide full facilities-based and resold competitive local exchange, access, and nondominant interexchange services.

(2) The certificate is granted.

(3) Closes this proceeding.

ESTIMATED COST:

Costs are unknown at this time.

(Comr Chong - ALJ Barnett)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380363

34 **A09-03-018 - Samho Tour, Inc.'s application for a Passenger Stage Corporation Certificate.**
[8687]

PROPOSED OUTCOME:

Grants the application of Samho Tour, Inc. to operate as a scheduled passenger stage corporation between Koreatown in the City of Los Angeles and Los Angeles International Airport, and to establish a zone of rate freedom;

(2) Closes the proceeding.

ESTIMATED COST:

None foreseen.

(Exam Clark)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386956

Consent Agenda - Orders and Resolutions (continued)

- 35** **Res W-4778 - North Gualala Water Company.**
[8689] Resolution granting North Gualala Water Company's request for authority to borrow an additional \$400,000, under the Safe Drinking Water State Revolving Fund Loan Program; to encumber utility assets in connection with the loan; and to institute a surcharge to pay off the loan.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393209
- 36** **C08-08-006 - Order Extending Statutory Deadline.**
[8692] Qwest Communications Company, LLC (Complainant) vs MCImetro Access Transmission Services, LLC, et al (Defendants)
PROPOSED OUTCOME:
Extends statutory deadline from August 1, 2009 to August 1, 2010.
ESTIMATED COST:
None.
(Comr Simon - ALJ Bushey)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391326
- 37** **C08-08-026 - Order Extending Statutory Deadline.**
[8693] Utility Consumers' Action Network (Complainant) vs Sprint Telephony PCS, LP and related entities collectively "Sprint" (Defendant).
PROPOSED OUTCOME:
This decision extends statutory deadline from August 25, 2009, to August 25, 2010.
ESTIMATED COST:
None
(Comr Grueneich - ALJ Bushey)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393249
- 38** **A05-06-039 - Modifies Decision 06-09-013, At-Grade Crossing of South Santa Fe Avenue over North County Transit District Railroad Tracks in the County of San Diego (County).**
[8700] PROPOSED OUTCOME:
(1) Grants County authorization to modify its crossing design for construction of the South Santa Fe Avenue at-grade highway-rail crossing over the tracks of the North County Transit District;
(2) Closes the proceeding.
ESTIMATED COST:
Discretionary project, not within scope of applicant request.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391694

Consent Agenda - Orders and Resolutions (continued)

39 **I _____ - Establishment of the Grade Separation Priority List for Fiscal Years**
[8701] **2010-2011 and 2011-2012.**

PROPOSED OUTCOME:

(1) Establishes a Grade Separation Priority List for the fiscal years 2010-2011 and 2011-2012 of existing crossings at grade of city streets, county roads or state highways in need of separation, or existing separations in need of alterations or reconstruction in accordance with Section 2452 of the Streets and Highways Code.

ESTIMATED COST:

Not within the scope of this proceeding.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391486

40 **A09-02-015 - Conversion of a private at-grade crossing to a public at-grade crossing at the**
[8702] **future extension of Campus Drive, in the City of Hanford.**

PROPOSED OUTCOME:

(1) Grants City of Hanford (City) authority to convert an existing private at-grade crossing to a public at-grade crossing at the future extension of Campus Drive across the track and right-of-way of the Union Pacific Railroad in the City.

(2) Closes proceeding.

ESTIMATED COST:

Discretionary project, not within scope of applicant request.

(Exam Clark)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391643

Consent Agenda - Intervenor Compensation Orders

- 41** **R06-05-027 - Compensation to Sustainable Conservation for substantial contributions to Decision (D) 07-07-027.**
[8616]
- Order Instituting Rulemaking to continue implementation and administration of California Renewables Portfolio Standard Program.
- PROPOSED OUTCOME:
- (1) Awards Sustainable Conservation \$21,482.75 in compensation for its substantial contributions to D07-07-027.
- (2) Closes the proceeding.
- ESTIMATED COST:
- Payment will be made by Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company based on their proportional gas and electric revenues for 2007.
- (Comr Peevey - ALJ Division)
- Pub. Util. Code § 311 – This item was mailed for Public Comment.*
- Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*
- Agenda 3237, Item 27 7/9/2009 (Staff)
- http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391222
-
- 42** **A07-02-026 - Compensation to Californians For Renewable Energy \$19,411.57 for its substantial contributions to Decision (D) 08-05-028.**
[8633]
- Southern California Edison Company's (SCE) application for approval of results of Fast Track of its New Generation request for Offers and for Cost Recovery.
- PROPOSED OUTCOME:
- (1) Awards Californians For Renewable Energy \$19,411.57 for its substantial contributions to D08-05-028.
- (2) Closes the proceeding.
- ESTIMATED COSTS:
- (1) Ratepayers of SCE will pay \$19,411.57, plus interest.
- (Comr Peevey - ALJ Division)
- 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=391519

Consent Agenda - Intervenor Compensation Orders (continued)

43 **R05-04-005 - Compensation to The Utility Reform Network (TURN) for its substantial**
[8674] **contributions to Decision (D) 08-09-015.**

Order Instituting Rulemaking on the Commission's own Motion to Assess and Revise the Regulation of Telecommunications Utilities.

PROPOSED OUTCOME:

Awards \$182,201.82 in compensation to TURN for its substantial contributions to D08-09-015, a decrease of \$9,146.10 (9.5%) from the amount requested due to excessive hours, duplication of efforts and unproductive effort.

ESTIMATED COST:

Payment from the Intervenor Compensation Fund, which is funded by Commission user fees. (Comr Chong - ALJ Bemserfer)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=389853

44 **R07-05-025 - Compensation to The Utility Reform Network (TURN) for Substantial**
[8696] **Contributions to Decision (D) 08-11-056.**

Rulemaking Regarding Whether, or Subject to what Conditions, the Suspension of Direct Access may be Lifted Consistent with Assembly Bill 1X and Decision 01-09-060.

PROPOSED OUTCOME:

Awards TURN \$26,112 in compensation for its substantial contributions to D08-11-056.

ESTIMATED COST:

Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company shall pay \$26,112, plus interest, based on their California-jurisdictional electric revenues for the 2008 calendar year.

(Comr Peevey - ALJ Pulsifer)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=390235

Regular Agenda

Regular Agenda - Energy Orders

45

[8669]

A08-06-001 - Adopts Demand Response Activities and Budgets for 2009 through 2011.

A08-06-002, A08-06-003 - Related matters. PROPOSED OUTCOME:

(1) Adopts programs, pilots, budgets, and related policies for the Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), and San Diego Gas & Electric Company (SDG&E) demand response activities in 2009-2011.

(2) Outcomes include the following:

(a) Approves continuation of a variety of demand response programs, some with modifications.

(b) Approves demand response pilots related to testing of new demand response technologies and other issues.

(c) Approves funding for the evaluation, measurement, and verification of demand response activities.

(d) Sets new requirements for demand response program settlement baseline calculation and concurrent participation in two demand response programs.

(e) Modifies rules for fund-shifting among approved demand response programs and requesting new activities or funding during the 2009-2011 period.

(f) Continues existing cost recovery mechanisms for demand response funding.

(3) Closes these proceedings.

ESTIMATED COST:

(1) This decision approves total funding of \$334,494,472 for the utilities' demand response programs in 2009-2011.

(2) The budget for each utility is:

(a) SCE: \$202,818,998, of which \$66,407,177 is for new aggregator contracts.

(b) PG&E: \$89,380,000.

(c) SDG&E: \$42,295,474.

(Comr Chong - ALJ Hecht)

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

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E22977

Regular Agenda - Energy Orders (continued)

46

[8673]

P09-04-022 - Order granting petition for Rulemaking and Instituting Rulemaking to adopt rules to account for settlement monies allocated to Core Gas Ratepayers.

R_____ - Related matters. PROPOSED OUTCOME:

(1) Grants the petition for rulemaking and opens a new rulemaking to examine how the net settlement proceeds from the "Pipeline Cases" and "Price Indexing Cases" should be allocated to the core gas customers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southwest Gas Corporation.

(2) Closes petition.

ESTIMATED COST:

(1) No costs to customers as a result of granting the petition and opening the new rulemaking.

(2) The new rulemaking is expected to lower the rates of core gas customers.

(Comr Simon - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=387949

Regular Agenda - Energy Resolutions and Written Reports**47**

[8520]

Res E-4242 - Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE).**PROPOSED OUTCOME:**

(1) Resolution adopts, with modifications, the Qualifying Facility (QF) Standard Offer Contracts proposed by PG&E, SCE and SDG&E. Upon adoption, there will be one QF Standard Offer Contract across all three electric Investor Owned Utilities (IOUs).

(2) The new contract may be signed by new and existing QFs with expired contracts in addition to QFs pursuing other contracting methods such as participating in an IOU's Request for Offer process or negotiating a bilateral contract.

(Advice Letter (AL) PG&E AL 3197-E, SDG&E AL 1958-E and SCE AL 2200-E, filed on January 14, 2008, Supplemental Advice Letters PG&E AL 3197-E-A, SDG&E AL 1958-E-A and SCE AL 2200-E-A, filed on July 11, 2008, and Supplemental Advice Letters PG&E AL 3197-E-B, SDG&E AL 1958-E-B, and SCE AL 2200-E-B, filed on December 10, 2008)

ESTIMATED COST:

(1) Adoption of this resolution does not imply any specific cost, however, upon adoption, the utilities may enter into contracts with new or existing QFs.

(2) These contracts will form part of the utilities' procurement costs for electricity.

(3) It is impossible to know in advance the total cost of those contracts, but in the past, QF power has represented no more than 20% of the utilities' portfolio.

(4) Contracts executed with existing QFs should not result in any additional costs as the utilities were already purchasing power from these QFs in the past.

(5) Contracts signed with new QFs will represent new incremental expenditures, but this spending will be offset by the reduced need for new generation as a result of contracting with the new QF.

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

Agenda 3235, Item 26 6/4/2009 (Staff);

Agenda 3236, Item 44 6/18/2009 (Staff);

Agenda 3237, Item 33 7/9/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391229

Regular Agenda - Communication Resolutions and Reports

48 **Res T-17206 - Revokes eighty three (83) Wireless Identification Registrations (WIRs) for**
[8654] **failure to comply with Public Utilities Code Section 401.**

PROPOSED OUTCOME:

This resolution revokes eighty three (83) WIRs issued to Commercial Mobile Radio Service Providers for failure to comply with Public Utilities Code Section 401 and following specifically the filing of Public Utilities Commission Reimbursement Account Reports and the remitting of applicable fees.

ESTIMATED COST:

None.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=392995

Regular Agenda - Water/Sewer Orders

49

[8618]

A08-05-002 - Settlement on the Base Year 2009 Cost of Capital Adjustment Mechanism for California Water Service Company, California American Water Company, and Golden State Water Company.

A08-05-003, A08-05-004 - Related matters.

PROPOSED OUTCOME:

- (1) Adopts a settlement for an adjustment mechanism for subsequent years to the base year 2009 ratemaking return on common equity for California Water Service Company, California American Water Company, and Golden State Water Company;
- (2) Determines there are no further actions necessary at this time to reflect the impact of the financial market dislocation on the 2009 base year return on equity; and
- (3) Closes these proceedings.

ESTIMATED COST:

Unknown; the adopted Water Cost of Capital Adjustment Mechanism adjusts the return on equity based on changes to a Moody's bond index. For example, a plus or minus 5 basis point change in the return on equity results in a respective change of approximately 3 basis points to the after-tax cost of capital for each applicant.

(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 3237, Item 44 7/9/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391188

50

[8667]

R07-12-015 - Adopts General Order 103-A.

Order Instituting Rulemaking on the Commission's Own Motion to revise General Order 103.

PROPOSED OUTCOME:

- (1) Updates and revises General Order 103, the rules governing water service and the minimum standards for the operation, maintenance, design and construction of water and wastewater systems;
- (2) Adopts General Order 103-A in its place.
- (3) Closes this proceeding.

ESTIMATED COST:

Uncertain at this time. Specific costs will be determined during the Utilities' general rate case proceedings.

(Comr Bohn - ALJ Reed)

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=E22956

Regular Agenda - Other Utility Orders

51

[8686]

R_____ - Order Instituting Rulemaking to review and potentially amend GO 156, consider measures to promote economic efficiencies of expanded supplier base and examine workforce composition.

PROPOSED OUTCOME:

- (1) Adopts a rulemaking to review and potentially amend GO 156,
- (2) Considers measures to promote economic efficiencies of expanded supplier base,
- (3) Develops green energy procurement, and
- (4) Examines workforce composition.

ESTIMATED COST:

Not known at this time.

Regular Agenda - Legislative and Other Matters

52 (Rev.)

AB 1555 (V. Manuel Perez)

[8681]

This bill would establish for the purposes of meeting the match requirement of the American Recovery and Reinvestment Act of 2009, any entity offering broadband service shall be eligible to apply to participate in the California Advanced Service Fund.

(Legislative Subcommittee Recommendation: Support)

07/21/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=392068

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

- 53** **Conference with Legal Counsel - Application for Rehearing**
 [8675] 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.
- 54** **A07-01-024 - Conference with Legal Counsel - Application for Rehearing.**
 [8651] A07-01-026, A07-01-029, A07-01-030 - Related matters. Disposition of application for Rehearing of Division of Ratepayer Advocates of Decision (D) 08-11-057, the decision modifying D07-12-050 to authorize funding for pilot operational energy efficiency programs to be undertaken with Commission regulated water utilities.
 Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
- 55** **A07-12-021 - Conference with Legal Counsel - Application for Rehearing.**
 [8677] Disposition of application for rehearing of Decision (D) 09-05-012, filed by Californians for Renewable Energy (CARE). In D09-05-012, the Commission awarded \$8,116 to CARE for its substantial contributions to D08-11-032, involving the Ruby Pipeline. The Commission disallowed compensation on the issue of whether there was evidence regarding improper influence.
 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

**57 FERC Docket No. ER06-615 and Related Items - Conference with Legal Counsel - Existing
[8676] 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