
Public Utilities Commission of the State of California

Public Agenda 3239

Thursday, August 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>
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)
Monday, November 16, 2009 (San Francisco)	Thursday, October 29, 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.
- 5, 15, 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**
[8722] **Res ALJ-176-3239 - Preliminary categorizations and hearing determinations 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**
[8474] **R06-02-013 - Order Instituting Rulemaking to integrate procurement policies and consider long-term procurement plans**
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);
Agenda 3238, Item 3 7/30/2009 (Staff)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393745

Consent Agenda - Orders and Resolutions (continued)

3 (Rev.) Res W-4762 - Dunnigan Water Works (DWW)

[8476]

This resolution authorizes general rate increases for DWW producing additional annual revenues of \$35,215 or 81% in water revenues and \$24,878 or 39.88% in sewer revenues for test year 2009.

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);

Agenda 3238, Item 4 7/30/2009 (Staff)

08/14/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=394694

4 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);

Agenda 3238, Item 5 7/30/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393925

5 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 Bemserfer)

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

Agenda 3238, Item 9 7/30/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=392972

Consent Agenda - Orders and Resolutions (continued)

6

[8672]

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

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.

Agenda 3238, Item 28 7/30/2009 (Grueneich)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395682

7

[8617]

A08-10-003 - San Diego Gas & Electric Company

This decision denies San Diego Gas & Electric Company'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.

Agenda 3238, Item 6 7/30/2009 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=394142

Consent Agenda - Orders and Resolutions (continued)

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

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);

Agenda 3238, Item 10 7/30/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393526

9 **R07-12-015 - Adopts General Order 103-A**

[8667] 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.

Agenda 3238, Item 50 7/30/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393522

Consent Agenda - Orders and Resolutions (continued)

10

[8635]

Res EGPB-8 - Final Report on the audit of the Delta Energy Center Power Plant

This resolution approves the Final Report on the audit of the Delta Energy Center (Delta), performed by the Electric Generation Performance Branch of the Consumer Protection and Safety Division (CPSD-EGPB), and authorizes public disclosure of the Final Audit Report. The Final Audit Report orders Delta to upgrade their plant emergency assembling areas by posting additional directional signage and maps, adding a public announcement system, and developing a system to ensure contractors are adequately trained and certified.

PROPOSED OUTCOME:

(1) Calpine will complete corrective actions to bring the 860 Megawatt (MW) Delta into compliance with General Order 167 (GO167), the operation and maintenance standards for The Commission-jurisdictional power plants; A CPSD audit found 21 GO 167 violations, including burn and other hazards, out-of-date procedures and plant drawings, and overdue safety drills and other emergency preparations.

(2) Delta will develop procedures to prepare the plant and train personnel for emergencies. The plant will conduct emergency evacuation drills.

(3) Delta will insulate hot surfaces in the heat recovery steam generator and on the blow-down tanks;

(4) The Plant will divert hazardous exhaust fumes away from workers and work areas;

(5) Delta will stabilize and secure high pressure storage cylinders for hydrogen gas;

(6) Delta will update the chemistry manual, diagrams for cooling towers, chemical injection system, safety valves, and water sampling systems.

(7) Delta will verify contractor qualifications and certification, and identify hazardous waste specialists;

(8) Delta will clear and maintain storm drains.

ESTIMATED COST:

Cost information not available; not required by GO 167.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=386323

11 (Rev.)

[8678]

A05-08-021 - Adopts Settlement Agreement Resolving Rule 1 Rehearing Controversies

I06-03-001 - Related matters. **PROPOSED OUTCOME:**

(1) Adopts a Settlement Agreement that resolves Rule 1 rehearing controversies over the sufficiency of San Gabriel Valley Water Company's disclosure of facts about an affiliate transaction by setting in place a firm and definite set of rules and procedures to avoid any similar controversies in the future.

(2) Closes the proceeding

ESTIMATED COST:

None.

(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.

08/12/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=390849

Consent Agenda - Orders and Resolutions (continued)

12 Res E-4259 - San Diego Gas & Electric Company (SDG&E)

[8684]

PROPOSED OUTCOME:

(1) This resolution approves an amendment to SDG&E's renewable energy procurement contract with NaturEner Glacier Wind Energy 2, LLC, pursuant to California's Renewables Portfolio Standard program.

(2) The amendment results in an increase to the contract price. (Advice Letter 2089-E filed on June 1, 2009.)

ESTIMATED COST:

Increase to the previously approved power purchase agreement costs. Additional cost recovery authorized.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395662

13 Res T-17207 - Authorizes California High Cost Fund-A funds for California Environmental Quality Act review of Siskiyou Telephone's Eddy Gulch Rural Telecommunications Infrastructure Grant Project

[8694]

PROPOSED OUTCOME:

Approval of funds to conduct California Environmental Quality Act review of the Siskiyou Telephone Company Eddy Gulch Project for Rural Telecommunications Infrastructure Grant Program.

ESTIMATED COST:

The estimated cost to conduct the California Environmental Quality Act review is \$345,000.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=394414

14 Res T-17210 - Adopts the California Advanced Services Fund Budget of \$25 million for Fiscal Year (FY) 2010-11 to comply with Public Utilities Code Section 270(b)

[8695]

PROPOSED OUTCOME:

This resolution would adopt a budget of \$25 million for the California Advanced Services Fund program expenses for FY 2010-11.

ESTIMATED COST:

This resolution would allow \$25 million to be spent from the California Advanced Services Fund for FY 2010-11.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=394613

Consent Agenda - Orders and Resolutions (continued)

15 **I02-06-003 - Resolves all outstanding issues and provides closure of Reparations Funds A and B**
[8698]

PROPOSED OUTCOME:

- (1) Revise Ordering Paragraph 1 of Decision (D) 08-02-015, which directed the claims administrator to pay the Utility Consumers' Action Network's second intervenor compensation award from the residue of Fund B, to instead authorize reimbursement to AT&T Mobility LLC (AT&T), since AT&T paid the award directly prior to the issuance of D08-02-015;
- (2) Once all additional monies due to the claims administrator have been paid from the \$600,000 deposited by AT&T for this purpose, return the balance remaining, if any, to AT&T.
- (3) Calculation of the balance due to AT&T shall exclude the \$61,783.09 paid for telephone support from another source, pursuant to D08-02-015;
- (4) Distribute to the Telecommunications Consumer Protection Fund the residual balances in Funds A and B, which total approximately \$1.9 million (as of the period ending May 31, 2009). These balances represent monies in Fund A and Fund B that cannot be repaid to customers and are not subject to escheatment, together with all otherwise unallocated interest.
- (5) Closes the proceeding.

ESTIMATED COST:

None foreseen; decision resolves outstanding issues related to balances remaining in reparations funds upon the conclusion of claims administration and the escheatment process.

(Comr Peevey - ALJ Vieth)

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

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391708

16 **Res W-4779 - Del Oro Water Company – Strawberry District**
[8699]

This resolution authorizes a surcharge of \$2.61 per service connection per month, for twelve months, for recovery of \$11,820.87 for emergency water supply preparedness expenses recorded in a memorandum account.

(Advice Letter (AL) 224 filed on May 4, 2009, and supplemented by AL 224-A filed on May 27, 2009.)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395814

17 **Res W-4780 - Sereno Del Mar Water Company**
[8704]

This resolution authorizes a general rate increase producing additional annual revenue of \$7,366 or 7.30% in test year 2009 and \$10,732 or 9.90% for escalation year 2010.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=396027

Consent Agenda - Orders and Resolutions (continued)

18 **Res T-17213 - Approval of Fiscal Year (FY) 2010-2011 California High Cost Fund-A
Administrative Committee Fund Expense Budget**
[8705]

PROPOSED OUTCOME:

Approval of California High Cost Fund-A Administrative Committee Fund Expense Budget in the amount of \$57.591 million for the FY 2010-2011.

ESTIMATED COST:

California High Cost Fund-A budget for FY 2010-2011 is estimated to be \$57.591 million.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=394397

19 **Res E-4266 - Pacific Gas and Electric Company (PG&E)**
[8707]

PROPOSED OUTCOME:

This resolution approves cost recovery for two power purchase agreements (PPAs) resulting from bilateral negotiations between PG&E and BrightSource Energy, Inc., pursuant to California's Renewables Portfolio Standard Program. Any proceeds from the Royalty Agreement entered into by PG&E and BrightSource Energy, Inc. in connection with these PPAs will be credited to PG&E's Energy Resource Recovery Account for the benefit of PG&E's ratepayers. (Advice Letter 3458-E filed on May 13, 2009)

ESTIMATED COST:

Actual costs are confidential at this time.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395445

20 **Res T-17214 - Adopts a California Teleconnect Fund budget for Fiscal Year (FY) 2010-11
and raises the cap on total discounts available to California Community Colleges**
[8708]

PROPOSED OUTCOME:

- (1) Approves a California Teleconnect Fund budget for FY 2010-11 and;
- (2) Approves an increase of the cap on total CTF-discounts available to California Community Colleges.

ESTIMATED COST:

For FY 2010-11, the estimated cost of the California Teleconnect Fund is \$69.907 million.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395538

Consent Agenda - Orders and Resolutions (continued)

21 **Res ALJ-238 - Air Ride Moving & Storage Appeal of Citation No. FC-252 issued pursuant**
[8709] **to Resolution ALJ-187**

PROPOSED OUTCOME:

Citation FC-252 is affirmed in part and amended in part.

ESTIMATED COST:

- (1) Carrier will pay at least \$1,260.60 in customer refunds and fines.
 - (2) General Fund will receive \$400 from fine paid to Commission by Appellant.
- Pub. Util. Code § 311 – This item was mailed for Public Comment.*

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395819

22 **Res T-17212 - Sets Fiscal Year (FY) 2010-2011 Deaf and Disabled Telecommunications**
[8710] **Program (DDTP) budget at the same level (\$69.03 million) as FY 2009-2010 and changes**
Consumer Advisory Board structure

Establishes the DDTP Equipment and Service Budget for the 2010-2011 FY Budget and makes structural changes to the DDTP Consumer Advisory Boards.

PROPOSED OUTCOME:

- (1) Sets the DDTP budget for FY 2010-2011 at \$69.03 million;
- (2) Makes structural changes to the DDTP Consumer Advisory Boards effective January 1, 2010;
- (3) Authorizes Communication Division staff to prepare a subsequent Resolution to implement the broad policy and governance changes adopted in this Resolution, and specifically, to address any necessary modifications to the existing DDTP Committee Charters adopted in Decision 03-06-070.

ESTIMATED COST:

Up to \$69.03 million.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395119

23 **Res ALJ-240 - Ratification of assigned Commissioner's Ruling recategorizing Complaint (C)**
[8715] **08-04-037, as consolidated with Application (A) 09-03-007, to ratesetting pursuant to Rule**
7.5

PROPOSED OUTCOME:

- (1) This resolution approves the Assigned Commissioner's Ruling in the Joint Ruling regarding Recategorization and Scoping Memo that C08-04-037, which was originally categorized as adjudicatory, should be recategorized to ratesetting, pursuant to Rule 7.5.
- (2) C08-04-037 has previously been consolidated with A09-03-007, which has been categorized as ratesetting.

ESTIMATED COST:

None foreseen.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391507

Consent Agenda - Orders and Resolutions (continued)

24 **Res ALJ-239 - Grants extension of confidential treatment of information in a formal record, and closing the proceeding**
[8716]

PROPOSED OUTCOME:

(1) Grants extension of confidential treatment of information in Application 03-11-027.

(2) Closes the proceeding.

ESTIMATED COST:

None

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391377

25 **A09-04-023 - Approves Southern California Gas Company (SoCalGas) and San Diego Gas & Electric Company's (SDG&E) 2009-2010 Winter Hedging Program**
[8719]

PROPOSED OUTCOME:

(1) SoCalGas and SDG&E are authorized to begin gas hedging activities for the 2009-2010 Winter Hedging Program.

(2) Closes the proceeding.

ESTIMATED COST:

Maximum Hedging Cost is \$7 per SoCalGas' and SDG&E's Core customer.

(Comr Bohn - ALJ DeBerry)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=389078

26 (Rev.) **Res W-4781 - Golden State Water Company (GSWC)**
[8720]

This resolution approves, with modifications, the Division of Water & Audits' disposition of Golden State Water Company's (GSWC) Advice Letters (AL) 1326-W, 1327-W, 1328-W, 1329-W, 1330-W, and 1332-W. This resolution also approves GSWC's pending Als 1335-W and 1336-W.

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

08/19/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395989

Consent Agenda - Orders and Resolutions (continued)

27 **A09-05-020 - Grants Certificate of Public Convenience and Necessity to provide Limited Facilities-Based Local Exchange and Interexchange Telecommunications Services**
[8721]

PROPOSED OUTCOME:

(1) Cruzio Media, Inc. is granted a certificate of public convenience and necessity to provide limited facilities-based and resale local exchange telecommunications services in the Pacific Bell Telephone Company and Verizon California Inc. territories, as well as authority to offer interexchange, interLATA, and intraLATA services statewide, subject to the terms and conditions set forth in the Order.

(2) Closes this proceeding.

ESTIMATED COST:

None beyond carrier specific rates to customers.

(Comr Chong - ALJ Ryerson)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=390949

28 **R06-02-012 - Order Extending Statutory Deadline**
[8723]

Order Instituting Rulemaking to develop additional methods to implement the California Renewables portfolio standard program.

PROPOSED OUTCOME:

The deadline for concluding this proceeding is extended to October 27, 2009.

ESTIMATED COST:

None.

(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=391805

29 **A09-04-025 - Catalina Freight Line, Inc. to Increase Vessel Common Carrier Rates (Applicants)**
[8727]

PROPOSED OUTCOME:

(1) Grants Applicants the authority to increase rates for its vessel common carrier freight service between Los Angeles Harbor and points on Santa Catalina Island;

(2) Closes the proceeding.

ESTIMATED COST:

Users of the service will pay additional shipping charges of approximately \$650,000 per year.

(Exam Clark)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=391683

Consent Agenda - Orders and Resolutions (continued)

30 **A09-05-022 - Sally Wood Williams and Mark Samuel Williams (Applicants) for a Passenger Stage Corporation Certificate**
[8728]

PROPOSED OUTCOME:

(1) Grants Applicants the authority to operate as a passenger stage corporation specializing in the transportation of children between points in the Cities of Atherton, Menlo Park, Palo Alto, and Redwood City, 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=391666

31 **A09-06-002 - Arrive Alive, LLC (Applicant) for a Passenger Stage Corporation Certificate**
[8729]

PROPOSED OUTCOME:

(1) Grants Applicant the authority to operate as a scheduled passenger stage corporation between points in the City of San Diego and between Isla Vista and Santa Barbara, 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=391384

32 **A09-06-007 - Grants a Certificate of Public Convenience and Necessity to Provide Resold and Limited Facilities-Based Local Exchange Services and Interexchange Services**
[8731]

PROPOSED OUTCOME:

(1) Grants a certificate of public convenience and necessity to provide resold and limited facilities-based local exchange services and interexchange services.

(2) Closes the proceeding.

ESTIMATED COST:

None.

(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=392769

Consent Agenda - Orders and Resolutions (continued)

33

[8733]

A09-05-017 - Pacific Gas and Electric Company and Power and Water Resources Pooling Authority for approval of Nonbypassable Charge Agreement

Pacific Gas and Electric Company (PG&E) and Power and Water Resources Pooling Authority (PWRPA) applies for approval of agreement whereby PWRPA would pay a lump-sum on behalf of PWRPA customers who owe nonbypassable charges under PG&E Electric Rate Schedule E-NWDL.

PROPOSED OUTCOME:

(1) Approves the proposed "Nonbypassable Charge Agreement" jointly sponsored by PG&E and PWRPA.

(2) Closes the proceeding.

ESTIMATED COST:

PWRPA customers will pay a lump-sum amount of \$3,398,603 under PG&E Electric Rate Schedule E-NWDL in four installments. To the extent that the actual Energy Cost Recovery Amount charge in 2010-2012 differs from the amount reflected in the lump-sum amount, the installment payments will be adjusted accordingly.

(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=392588

34

[8734]

Res E-4267 - Pacific Gas and Electric Company

PROPOSED OUTCOME:

This resolution approves an Encroachment Agreement between PG&E and Jason and Kimberly Wohlwend pursuant to Public Utilities Code Section 851. (Advice Letter 3475E, filed on June 11, 2009.)

ESTIMATED COSTS:

None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395543

35

[8735]

Res E-4270 - Pacific Gas and Electric Company

PROPOSED OUTCOME:

Approves a 20 year Lakeshore Resort Lease Agreement between PG&E and Mr. and Mrs. Dewitt Henderson pursuant to Public Utilities Code Section 851. (Advice Letter 3471E, filed on June 6, 2009.)

ESTIMATED COSTS:

Not applicable.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395542

Consent Agenda - Orders and Resolutions (continued)

- 36 (Rev.)** **Res T-17208 - Approves Southern California Edison Company's lease of six dark fiber lines to Tata Communications**
[8737]
- PROPOSED OUTCOME:
Grants approval pursuant to Public Utilities Code Section 851 to Southern California Edison Company to lease six specific fibers to Tata Communicaitons. This lease was executed on March 26, 2009 and covers a period of five years. (Advice Letter 71, filed April 6, 2009)
- ESTIMATED COST:
Southern California Edison Company expects to receive a net present value of \$1.382 million dollars over a five year period from this lease.
- 08/13/2009 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=396053
- 37** **C07-12-030 - Decision Further Extending Statutory Deadline**
[8738]
- C08-02-009 - Related matters.
- PROPOSED OUTCOME:
This decision extends the statutory deadline an additional 180 days.
- ESTIMATED COST:
None.
(Comr Simon - ALJ Reed)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=392861
- 38** **A09-05-023 - Approves indirect transfer of control of NextG Networks of California, Inc.**
[8740]
- PROPOSED OUTCOME:
(1) Approves an indirect transfer of control of NextG Networks of California, Inc. (NextG) to Madison Dearborn Partners LLC (MDP) through a merger of Nodes Merger Corporation, a Delaware corporation, into NextG Networks, Inc., the corporate parent of NextG;
(2) After the merger, investment funds controlled by MDP will collectively hold 61% of NextG Networks, Inc., and other investors will hold the rest;
(3) The merger will not result in any change in the rates charged or services offered in California by NextG, which will continue to be bound by the terms and conditions of the decisions granting it Certificates of Public Convenience and Necessity, Decision (D) 03-01-061 and D07-04-045;
(4) The proposed merger is exempt from further California Environmental Quality Act review, because the indirect change of control will have no significant effect upon the environment.
(5) Closes this proceeding.
- ESTIMATED COST:
None foreseen.
(Comr Chong - ALJ McKenzie)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393078

Consent Agenda - Orders and Resolutions (continued)

39 R06-05-028 - Order Extending Deadline for Resolving Rulemaking

[8744]

PROPOSED OUTCOME:

Extends statutory deadline for 60 days.

ESTIMATED COST:

None.

(Comr Chong - ALJ Bushey)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393848

40 R06-04-010 - Order Extending Statutory Deadline

[8755]

By this decision, the statutory deadline for resolving this proceeding is extended to October 27, 2009.

(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=394097

Consent Agenda - Intervenor Compensation Orders

- 41** **A07-02-026 - Compensation to Californians For Renewable Energy \$19,411.57 for its**
[8633] **substantial contributions to Decision 08-05-028**
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 Decision 08-05-028.
(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.
Agenda 3238, Item 42 7/30/2009 (Bohn)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395830
- 42 (Rev.)** **R08-01-005 - Compensation to The Utility Reform Network for Substantial Contributions to**
[8691] **Decision 08-11-033**
PROPOSED OUTCOME:
(1) Awards The Utility Reform Network \$93,379.86 in compensation for its substantial contributions to Decision 08-11-033.
(2) Closes the proceeding.
ESTIMATED COST:
Payment of \$93,379.86 will be made from the intervenor compensation fund, which is funded by Commission user fees.
(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.
08/11/2009 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E23446

Consent Agenda - Intervenor Compensation Orders (continued)

43 **R06-02-013 - Compensation to Californians for Renewable Energy for substantial**
[8688] **contributions to Decision (D) 06-07-029, D07-06-022, D07-12-052, and D08-11-008**

PROPOSED OUTCOME:

(1) Awards Californians for Renewable Energy \$17,655 in compensation for its substantial contributions to Decision (D) 06-07-029, D07-06-022, D07-12-052 and D08-11-008.

(2) Closes this proceeding.

ESTIMATED COST:

Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company will pay \$17,655, plus interest, based on their California-jurisdictional revenues for the 2007 calendar year.

(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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395671

44 **R07-11-001 - Compensation to Community Environmental Council for Substantial**
[8717] **Contribution to Decision 08-10-025**

PROPOSED OUTCOME:

Awards Community Environmental Council \$4,716.75 in compensation for its substantial contributions to Decision 08-10-025.

ESTIMATED COST:

Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Gas Company will pay the awarded amount, plus interest, based on the utilities' respective California-jurisdictional gas revenues for the 2008 calendar year.

(Comr Peevey - ALJ Yacknin)

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=392355

Consent Agenda - Intervenor Compensation Orders (continued)

45 **I02-04-026 - Compensation to The Utility Reform Network for Substantial Contribution to Decision 04-02-062 and Resolution E-3862**
[8724]

PROPOSED OUTCOME:

- (1) Awards The Utility Reform Network \$18,445 in compensation for its substantial contribution to Decision 04-02-062 and Resolution E-3862.
- (2) Closes the proceeding.

ESTIMATED COST:

Ratepayer of Pacific Gas and Electric Company will pay \$18,445, plus interest, effective May 6, 2009.

(Comr Peevey - ALJ Econome)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=392036

46 **R07-05-025 - Compensation to Consumer Federation of California for Substantial Contributions to Decision 08-11-056**
[8751]

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

- (1) Awards Consumer Federation of California \$49,573.13 in compensation for its substantial contribution to Decision 08-11-056.
- (2) This proceeding remains open for consideration of subsequent Phase II(a)(2) issues.

ESTIMATED COST:

Ratepayers of Pacific Gas and Electric Company, Southern California Edison and San Diego Gas & Electric Company will pay \$49,573.13, 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 Quasi-Legislative.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393585

Consent Agenda - Intervenor Compensation Orders (continued)

47

[8752]

A07-12-029 - Compensation to The Utility Reform Network for its substantial contributions to Decision 09-03-031

PROPOSED OUTCOME:

(1) Awards The Utility Reform Network \$10,182 in compensation for its substantial contribution to Decision 09-03-031.

(2) This proceeding remains open to address Phase II issues.

ESTIMATED COST:

The ratepayers of Southern California Edison Company will pay The Utility Reform Network \$10,182, plus interest, effective August 4, 2009.

(Comr Peevey - ALJ Long)

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393071

Regular Agenda

Regular Agenda - Energy Orders

48

[8639]

R08-03-008 - Adopts cost-benefit methodology for distributed generation

Order Instituting Rulemaking regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

PROPOSED OUTCOME:

- (1) Adopts a methodology for assessing the costs and benefits of distributed generation (DG), which includes customer-owned generation facilities such as solar photovoltaics, wind turbines, biogas, fuel cells, microturbines, small gas turbines, internal combustion engines, and combined heat and power cogeneration plants;
- (2) Directs that the adopted methodology be used immediately to assess ratepayer supported DG programs, i.e., the Self-Generation Incentive Program (SGIP) and the California Solar Initiative (CSI);
- (3) The methodology is designed to reflect the costs and benefits of DG facilities from various perspectives and employs existing data as inputs immediately, which can be modified in the future with the development of more precise economic values;
- (4) The Commission's Energy Division is directed to oversee the application of this methodology by hiring an independent entity to perform a cost-benefit analysis for the SGIP and CSI programs using the methodology adopted in this decision. The work should be funded by the administrative budgets for SGIP and CSI, respectively.

ESTIMATED COST:

This decision imposes no additional costs on utilities or ratepayers because both the SGIP and CSI programs have funds set aside in their existing administrative budgets to perform the cost-benefit work directed by this decision.

(Comr Peevey - ALJ Duda)

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

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=394788

Regular Agenda - Energy Orders (continued)

49 (Rev.) A08-06-001 - Adopts Demand Response Activities and Budgets for 2009 through 2011

[8669]

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 2009-2001 period.
 - (f) Continues existing cost recovery mechanisms for demand response funding.
- (3) Closes these proceedings.

ESTIMATED COST:

- (1) This decision approves total funding of \$349,509,463 for the utilities' demand response programs in 2009-2011.
- (2) The budget for each utility is:
 - (a) SCE: \$188,806,349, of which \$38,773,160 is for new aggregator contracts.
 - (b) PG&E: \$109,060,072.
 - (c) SDG&E: \$51,643,042.

(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.

Agenda 3238, Item 45 7/30/2009 (Peevey)

08/11/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=396039

Regular Agenda - Energy Orders (continued)

50 (Rev.) **A08-03-002 - Southern California Edison Company 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 Southern California Edison Company's (SCE) 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) Based on SCE's June 2009 update of its projected forecast of revenue requirements, the system average increase for bundled-service customers is projected to be 7.93% over December 2008 average rates.
- (2) Average percentage increases by customer rate group are projected to be as follows:
 - (a) Residential customers (10.68%);
 - (b) Lighting, small and medium power customers (7.53%);
 - (c) Large power customers (4.8%);
 - (d) Agriculture and pumping customers (7.73%);
 - (e) Street lighting customers (6.81%).

(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 3238, Item 24 7/30/2009 (Staff)

08/14/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=396032

51 **R08-12-009 - Establishes Commission's processes and criteria for review of Smart Grid projects and investments by investor-owned utilities seeking Recovery Act funding from the US Department of Energy**
[8713]

PROPOSED OUTCOME:

Establishes Commission processes and adopts criteria for review of Smart Grid projects and investments by investor-owned utilities seeking Recovery Act funding from the US Department of Energy.

ESTIMATED COST:

No costs to government or ratepayers result from this decision.

(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=395988

Regular Agenda - Energy Orders (continued)

52 **R08-11-005 - Phase 1 – Measures to Reduce Fire Hazards in Southern California Before the 2009 Fall Fire Season**
[8714]

PROPOSED OUTCOME:

- (1) Implements measures for electric transmission and distribution lines and related communication facilities to reduce fire hazards in Southern California before the start of the 2009 fall fire season.
- (2) The measures we adopt today generally apply to those geographic areas in Southern California defined as “Extreme and Very High Fire Threat Zones.” We also adopt a few statewide measures. We direct all entities subject to these measures to use all reasonable means to implement the measures before the 2009 fall fire season starts.
- (3) We find that each cost-of-service regulated utility is entitled to recover reasonable costs prudently incurred to comply with the measures adopted today.
- (4) In phase 2 of this proceeding, we will continue our review of fire hazards related to electric transmission and distribution lines and related communication facilities and consider additional measures to address fire safety on a statewide basis.

ESTIMATED COST:

Unknown; will be determined in phase 2.

(Comr Simon - ALJ Kenney)

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=395979

53 (Rev.) **R_____ - Order Instituting Rulemaking on the Commission’s own motion to consider alternative-fueled vehicle infrastructure, tariffs, and policies to support California’s greenhouse gas emissions reduction goals**
[8765]

PROPOSED OUTCOME:

- (1) Opens a rulemaking to consider consistent, near-term changes to tariffs, infrastructure, and policies regarding light-duty passenger alternative-fueled vehicles, and possibly other electric vehicle classes and natural gas vehicles.
- (2) The rulemaking will:
 - (a) Consider consistent policies and standards to guide and encourage development of electric vehicle metering, home electric vehicle charging infrastructure, commercial and public charging infrastructure, tariff schedules, and incentive programs;
 - (b) Be informed by Commission and State policy goals, including reducing greenhouse gas emissions, reducing petroleum consumption, improving electricity system asset utilization, expanding the use of renewable energy, and ensuring electric service reliability; and
 - (c) Coordinate with other governmental entities with interests in this area, and encourage their input and participation.

ESTIMATED COST:

Not known at this time.

08/13/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395964

Regular Agenda - Energy Orders (continued)

54 **A08-12-021 - Consideration of a Temporary Restraining Order Related to San Diego Gas & Electric Company's Power Shut-Off Plan**
[8769]

PROPOSED OUTCOME:

Consider whether to issue a temporary restraining order to enjoin San Diego Gas & Electric Company from implementing its "Power Shut-Off Plan" prior to the Commission's issuance of a final decision in Application 08-12-021.

ESTIMATED COST:

None foreseen.

(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=395795

Regular Agenda - Energy Resolutions and Written Reports**55**

[8520]

Res E-4242 - Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company**PROPOSED OUTCOME:**

(1) Adopts, with modifications, the Qualifying Facility (QF) Standard Offer Contracts proposed by Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE) and San Diego Gas & Electric Company (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);

Agenda 3238, Item 47 7/30/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=393595

Regular Agenda - Energy Resolutions and Written Reports (continued)

56
[8718]

Res E-4251 - San Diego Gas & Electric Company requests to increase funding for its charitable Neighbor-to-Neighbor Customer Assistance Program. Also, Southern California Gas Company requests to increase funding for its charitable Gas Assistance Fund Customer Assistance Program

PROPOSED OUTCOME:

(1) Approves San Diego Gas & Electric Company's (SDG&E) request to transfer \$1 million from its over-collected Rate Design Settlement Account and \$0.3 million from its over-collected Post-2005 Gas Energy Efficiency Balancing Account to augment Neighbor-to-Neighbor Program.

(2) Approves Southern California Gas Company's (SoCalGas) request to transfer \$3 million from its over-collected Self Generation Program Memorandum Account to augment its Gas Assistance Fund program. (SDG&E Advice Letter (AL) 2065-E/1842-G and SoCalGas AL 3963-G filed on February 20, 2009 respectively.)

ESTIMATED COST:

None.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395828

Regular Agenda - Communication Resolutions and Reports

57

[8712]

Res T-17211 - Adopts California High Cost Fund – B Budget of \$50.935 million for Fiscal Year 2010-11 to comply with Public Utilities Code section 273(a)

PROPOSED OUTCOME:

This resolution would adopt the budget of \$50.935 million for the California High Cost Fund - B program expenses for Fiscal Year 2010-2011.

ESTIMATED COST:

This resolution would allow \$50.935 million to be spent from the CHCF-B fund for Fiscal Year 2010-2011.

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395498

Regular Agenda - Legal Division Matters**58**

[8750]

FERC Docket No. RM8-13-000

Transmission Relay Loadability Reliability Standard – FERC Docket No. RM8-13-000. The Federal Energy Regulatory Commission (FERC) proposes to approve Reliability Standard PRC-023-1 developed by the North American Electric Reliability Corporation. The proposed Reliability Standard requires certain transmission owners, generator owner, and distribution providers to set protective relays according to specific criteria in order to ensure that the relays reliably detect and protect the electric network from all fault conditions, but do not limit transmission loadability or interfere with system operators' ability to protect system reliability.

The Commission has provided comments to FERC on previous proposed adoptions of Reliability Standards. In this case, the Commission staff seeks authority to address one particular issue raised by the proposed Reliability Standard, specifically, that the proposed standard would apply to all facilities at the 100kV level and above, as well as to all generation units larger than 30 MW. These proposed applicability criteria would greatly expand the definition of the Bulk Electric System, far beyond a level need to assure the reliable operation of that system, at significant potential additional cost to ratepayers.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=395064

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

59

[8748]

Commissioner Grueneich Report

Discussion and action regarding the appointment to the Commission's Low Income Oversight Board (LIOB) of Ortensia Lopez and Louise Perez as public representatives and Allan Rago as the private contractor representative. The 11-member LIOB advises the Commission on low-income electric, gas, and water customer issues and serves as a liaison for the Commission to low-income ratepayers and representatives.

Regular Agenda - Management Reports and Resolutions

60

[8741]

Director Clark Report

Designation of Consumer Protection and Safety Division investigators authorized to exercise the limited powers of a peace officer within the scope of their duties as specified in Penal Code Section 830.11 and Pub. Util. Code Section 308.5. This matter will be presented before the Commission for discussion and action.

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

61 Conference with Legal Counsel - Application for Rehearing

[8725]

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.

62 R07-05-025 - Conference with Legal Counsel – Application for Rehearing

[8746]

Disposition of Application for Rehearing of Decision (D) 08-11-056, filed by CALifornians for Renewable Energy, Inc. In D08-11-056, the Commission adopted a plan to facilitate the removal of the Department of Water Resources from its role of supplying electric power to retail customers.
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

64

[8726]

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