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# ***Public Utilities Commission of the State of California***

## ***Public Agenda 3243***

***Thursday, October 29, 2009 10:00 a.m.***

***San Francisco, California***

### **Commissioners**

**Michael R. Peevey, President**

**John A. Bohn**

**Rachelle B. Chong**

**Dian M. Grueneich**

**Timothy Alan Simon**

*For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.*

Website: <http://www.cpuc.ca.gov>

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### **Scheduled Commission Meetings**

**505 Van Ness Avenue, San Francisco**

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (10 a.m.) <b><i>Open to the Public</i></b>
Monday, November 16, 2009 (San Francisco)	Thursday, October 29, 2009 (San Francisco)
Monday, November 30, 2009 (San Francisco)	Friday, November 20, 2009 (San Francisco)
Monday, December 14, 2009 (San Francisco)	Thursday, December 03, 2009 (San Francisco)
Friday, January 15, 2010 (San Francisco)	Thursday, December 17, 2009 (San Francisco)
Monday, February 01, 2010 (San Francisco)	Thursday, January 21, 2010 (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.***

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**PUBLIC COMMENT**

**The following items are not subject to public comment:**

- All items on the closed session agenda.
- 33, 39, 41

**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**

**Item                      Preliminary Categorizations and Hearing Determinations for  
1                              Recently Filed Formal Applications**

[8932]

**Res ALJ 176-3243**

**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.

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition to Modify Decision 07-12-052**

**2**

[8474]

**R06-02-013**

Order Instituting Rulemaking to integrate procurement policies and consider long-term procurement plans.

**PROPOSED OUTCOME:**

- ® 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.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402181](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402181)

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

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

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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);  
Agenda 3239, Item 2 8/20/2009 (Staff);  
Agenda 3240, Item 2 9/10/2009 (Staff);  
Agenda 3241, Item 2 9/24/2009 (Staff);  
Agenda 3242, Item 2 10/15/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Citation Program for Renewables Portfolio Standard**  
**3**                         **Non-Compliance**

[8670]

**Res E-4257**

**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.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403261](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403261)

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

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Agenda 3238, Item 26 7/30/2009 (Staff);

Agenda 3240, Item 6 9/10/2009 (Staff);

Agenda 3241, Item 3 9/24/2009 (Staff);

Agenda 3242, Item 3 10/15/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Clarifies the Rules of the Community Choice Aggregation  
4**                    **Opt-Out Provisions, as Set Forth in the Statute**

[8768]

**Res E-4250**

**PROPOSED OUTCOME:**

- ® Clarifies the rules of the Community Choice Aggregation opt-out provisions, as set forth in the Statute.
- ® Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company are directed to modify their tariffs.
- ® Pacific Gas & Electric Company is directed to implement remedial measures.
- ® This Resolution was initiated by the Commission's Energy Division Staff. No Advice Letter was submitted concerning this issue.

**ESTIMATED COST:**

- ® No cost impact.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402415](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402415)

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

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Agenda 3240, Item 20 9/10/2009 (Staff);

Agenda 3241, Item 9 9/24/2009 (Staff);

Agenda 3242, Item 7 10/15/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Grants a Nondominant Local and Interexchange Carrier**  
**5**                            **Certificate of Public Convenience and Necessity**

[8811]

**A09-03-016**

Application of ADMA Telecom, Inc. for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.

**PROPOSED OUTCOME:**

- ® Provides California telecommunications customers with a choice of a new nondominant local and interexchange carrier.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Chong - ALJ Galvin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403050](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403050)

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

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

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Agenda 3242, Item 10 10/15/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California American Water Company Increase in Distribution**  
**6**                            **System Improvement Charge Surcharge**

[8832]

**Res W-4790**, Advice Letter (AL) 763 filed June 23, 2009 and Supplemental AL 763-A filed August 18, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes California American Water Company to increase its Distribution System Improvement Charge surcharge to water rates of customers of the Los Angeles Division from 4.29% to 4.89% for the period of March to May, 2009.

**ESTIMATED COST:**

® \$236,200.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402153](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402153)

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

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Agenda 3242, Item 13 10/15/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Proposal Regarding**  
**7**                            **Customer Option to Place Distribution System Equipment**  
[8841]                    **Underground**

**Res E-4241**, Advice Letter SCE 2334-E, filed on March 27, 2009 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves with modifications Southern California Edison Company's (SCE) request to delete the option for customers to have distribution system equipment installed underground.
- ® Requires a cost cap when SCE decides to relocate existing underground equipment to above ground.
- ® Requires SCE to better define when equipment may no longer be installed underground in projects in progress.
- ® Requires SCE to consult with the Building Industry Association about transition terminology and schedules.
- ® Directs SCE to file a Supplement to this Advice Letter.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403091](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403091)

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

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Agenda 3242, Item 16 10/15/2009 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California-American Water Company Memorandum**  
**8**                         **Accounts**

[8843]

**Res W-4793**, Advice Letter 796, filed on August 18, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Denies the utility's request to establish two memorandum accounts.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403603](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403603)

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

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Agenda 3242, Item 17 10/15/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item 9**                    **Determines Ratemaking Treatment for Rural Telephone Bank Stock Dissolution Proceeds**

[8848]

**A07-12-026**

Application of Calaveras Telephone Company, Cal-Ore Telephone Co., Ducor Telephone Company, Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, Volcano Telephone Company, and Winterhaven Telephone Company for Ratemaking Determination regarding Dissolution of Rural Telephone Bank.

**PROPOSED OUTCOME:**

- ® Ratepayers and the California High Cost Fund A provided the funds to acquire Rural Telephone Bank stock and will be credited with the redemption proceeds.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$3.6 million in aggregate rate relief.

(Comr Chong - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402244](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402244)

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

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

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Agenda 3242, Item 19 10/15/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Pacific Gas and Electric Company's Request for Approval of**  
**10**                        **its Hedging Plan Revisions**

[8874]

**Res E-4276**, Advice Letter (AL) 3482-E filed on June 26, 2009, and AL 3492-E filed on July 10, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Approves Pacific Gas and Electric Company (PG&E) proposals to revise its hedging plan for its electric portfolio, including changes to:

- ® the types of procurement products which are pre-authorized;
- ® the brokerages and exchanges with whom PG&E is authorized to deal;
- ® guidelines for hedging; and
- ® guidelines for responding to changes in the company's liquidity position.
- ® PG&E's proposals are approved.

**ESTIMATED COST:**

® None

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402423](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402423)

Agenda 3242, Item 35 10/15/2009 (Simon)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition of The Utility Reform Network for a Rulemaking  
11                    Regarding Arrearage Management and Shutoff Prevention**

[8864]

**P09-06-022**

**PROPOSED OUTCOME:**

® Denies the petition of The Utility Reform Network for a rulemaking or investigation to address arrearage management and shutoff prevention for residential customers of the major jurisdictional electric and natural gas utilities.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ O'Donnell)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403111](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403111)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Decision Modifying Decision 06-12-030 and Decision**  
**12**                        **08-04-023**

[8868]

**R05-06-040**

Order Instituting Rulemaking to implement Senate Bill No. 1488 (2004 Cal. Stats., Ch. 690 (Sept. 22, 2004)) relating to confidentiality of information.

**PROPOSED OUTCOME:**

- ® Modifies Decision (D) 06-12-030 and D08-04-023 regarding conditions of access to market sensitive information.
- ® Closes the Proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Grueneich - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E25304](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E25304)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Rural Water Company General Rate Reduction**

**13**

[8872]

**Res W-4794**

**PROPOSED OUTCOME:**

® Authorizes a general rate reduction in annual revenue relative to current approved gross revenues.

**ESTIMATED COST:**

® Reduction in revenue of \$116,871 or 17.4%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403491](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403491)

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

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**Item Cypress Ridge Sewer Company General Rate Increase**

**14**

[8873]

**Res W-4795**

**PROPOSED OUTCOME:**

® Authorizes a general rate increase producing additional revenue for Test Year 2008.

**ESTIMATED COST:**

® Additional revenue of \$98,628 or 29.8%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403482](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403482)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Pacific Gas and Electric Company's Nuclear**  
**15**                        **Decommissioning Trust Funds**

[8875]

**Res E-4268**, Advice Letter 3483-E, filed on June 29, 2009. - Related matters.

**PROPOSED OUTCOME:**

- ® Approves with modifications, Pacific Gas and Electric Company's (PG&E) request for authorizaton to disburse up to \$57.3 million from the Humboldt Bay Power Plant Unit 3 Nuclear Decommissioning Trusts (Trusts) for specific projects in preparation for decommissioning.
- ® Clarifies that the reasonableness review of PG&E's actual expenditures made using the disbursement shall be performed according to the procedure approved by the Commission in PG&E's 2009 Nuclear Decommissioning Cost Triennial Proceeding Application 09-04-007.
- ® PG&E shall pay costs for decommissioning activities before receiving reimbursement from the Trusts.

**ESTIMATED COST:**

- ® The authorized \$57.3 million comes from already collected decommissioning funds.
- ® This resolution does not increase PG&E's revenue requirements.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403075](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403075)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Settlement of Phase Two Issues in the Cost Allocation**  
**16**                        **Proceeding**

[8876]

**A08-02-001**

In the Matter of the Application of San Diego Gas & Electric Company and Southern California Gas Company for Authority to Revise Their Rates Effective January 1, 2009, in Their Biennial Cost Allocation Proceeding.

**PROPOSED OUTCOME:**

® Grants the June 2, 2009 joint motion to adopt the Settlement Agreement of the Phase Two issues, and adopts the terms and conditions of the Settlement Agreement except for the filing of additional briefs on the issue of whether shareholders should be at risk in the future for gas throughput.

® The rates shown in Appendix B and Appendix C are authorized and shall be allocated to each customer class as shown.

® Closes the proceeding.

**ESTIMATED COST:**

® Allocates the previously authorized gas revenue requirement of \$1.685 billion to Southern California Gas Company's customers.

® Allocates the previously authorized gas revenue requirement of \$280.57 million to San Diego Gas & Electric Company's customers.

(Comr Simon - ALJ Wong)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403553](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403553)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Del Oro Water Company - Magalia District General Rate  
17                    Increase**

[8877]

**Res W-4797**

**PROPOSED OUTCOME:**

® Authorizes a general rate increase in Test Year 2009.

**ESTIMATED COST:**

® Additional annual revenue of \$16,640 or 10.33%.

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

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**Item                    Warring Water Service, Inc. General Rate Increase  
18**

[8878]

**Res W-4796**

**PROPOSED OUTCOME:**

® Authorizes a general rate increase to produce additional annual revenue for Test Year 2009.

**ESTIMATED COST:**

® Additional revenue of \$52,756 or 11.8%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403509](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403509)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition for Modification of Decision 07-01-040**  
**19**

[8880]

**A05-04-015**

In the Matter of the Application of Southern California Edison Company for a Certificate of Public Convenience and Necessity Concerning the Devers-Palo Verde No. 2 Transmission Line Project.

**PROPOSED OUTCOME:**

® Grants Southern California Edison Company's (SCE) Petition for Modification of Decision (D.) 07-01-040 to authorize construction of the California-only elements of the Devers-Palo Verde No. 2 transmission project to support renewable generation in the Riverside County, contingent upon approval by the Board of Directors of the California Independent System Operator Corporation of the California-only project.

® Closes the proceeding.

**ESTIMATED COST:**

® SCE's estimate of the maximum reasonable and prudent cost of construction of the California-only project is \$686 million.

® Pursuant to D.07-01-040, SCE is directed to file an advise letter updating these cost estimates as engineering progresses.

(Comr Grueneich - ALJ Kolakowski)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E25272](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E25272)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Gill Ranch Storage, LLC's and Pacific Gas and Electric**  
**20**                        **Company's Request to Construct and Operate a Gas**  
[8882]                    **Storage Facility**

**A08-07-032**, A08-07-033 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves Gill Ranch Storage, LLC's (GRS') and Pacific Gas and Electric Company's (PG&E's) applications for certificates of public convenience and necessity to construct and operate the Gill Ranch Gas Storage Project, a competitive natural gas storage facility;
- ® Approves PG&E's request for a permit to construct an electric substation and a 115 kilovolt electric power line to provide electric service to the project.
- ® As a result of this Decision, GRS and PG&E will offer up to 20 billion cubic feet of competitive natural gas storage services to non-core customers.
- ® Approves the settlement agreement between the Division of Ratepayer Advocates, Lodi Gas Storage, LLC, GRS, and PG&E which resolves concerns about project ownership, preferential treatment, and cross-subsidization, and establishes reporting and disclosure requirements.
- ® Closes the Proceeding.

**ESTIMATED COST:**

- ® The project is estimated to cost \$200 to \$225 million. However, the project will not serve core ratepayers, and core customers will not bear project costs.
- ® PG&E has the burden of justifying the reasonableness of any of its project costs that may be sought for recovery in gas transmission and storage rates.
- ® PG&E is fully at risk for all costs deemed unreasonable in any subsequent review of PG&E's share of project costs.

(Comr Simon - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402735](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402735)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Denying Motion to Adopt Contested Settlement and  
21                        Dismissing Application**

[8883]

**A08-11-009**

Application of California Water Service Company, a California corporation, for authorization to require the current or future owners of the parcels known as the "Trend Homes properties" to pay a \$40,000 developer contribution; and to reimburse Dwight Nelson with that \$40,000 payment.

**PROPOSED OUTCOME:**

- ® Finds that parties have not shown that proposed settlement agreement is reasonable in light of record, consistent with law, and in public interest.
- ® Rejects the Proposed settlement agreement.
- ® Findings based on legal conclusions, that the application does not support relief requested by Cal Water.
- ® Dismisses the application.
- ® Closes the Proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Bohn - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403457](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403457)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Adopting June 25, 2009 Settlement and Approving  
22                        of the Contractual Arrangement Between Applicants**

[8884]

**A08-12-006**

In the Matter of the Application of Southern California Gas Company, Pacific Gas and Electric Company, and Southwest Gas Corporation for Approval of Wholesale Transportation and Exchange Agreements and Related Relief.

**PROPOSED OUTCOME:**

- ® Adopts the terms of the settlement agreement dated June 25, 2009 and offered by all parties to this proceeding.
- ® Approves a wholesale transportation agreement between Southern California Gas Company (SoCalGas) and Southwest Gas Corporation.
- ® Approves an exchange gas delivery agreement between SoCalGas and Pacific Gas and Electric Company.
- ® Approves certain capital improvements, estimated to cost \$1.3 million, to SoCalGas' Pisgah Meter Station.
- ® Approves the related capital charges, operation and maintenance charges, and rate base treatment of these capital improvements.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Capital costs of approximately \$1.3 million, related operation and maintenance, and increased contract rates.

(Comr Bohn - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403456](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403456)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Correcting Attachment F of Decision 08-11-031**  
**23**

[8888]

**A08-05-022**, A08-05-024, A08-05-025, A08-05-026 - Related matters.

Application of Pacific Gas and Electric Company for Approval of the 2009-2011 Low Income Energy Efficiency and California Alternate Rates for Energy Programs and Budget.

**PROPOSED OUTCOME:**

® Clarifies the cost-effectiveness analysis of the replacement central air conditioner measure for the Low Income Energy Efficiency Program.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E25308](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E25308)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    The Sea Ranch Water Company General Rate Increase**  
**24**

[8891]

**Res W-4798**

**PROPOSED OUTCOME:**

® Authorizes a general rate increase producing additional annual revenue in Test Year 2009.

**ESTIMATED COST:**

® Additional annual revenue of \$444,660 or 49.5%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403563](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403563)

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

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**Item                    Procedures to Issue Citations to Water and Sewer Utilities**  
**25**

[8910]

**Res W-4799**

**PROPOSED OUTCOME:**

® Delegates authority to staff, as designated by the Executive Director, for enforcing compliance by water and sewer utilities with the Commission's orders and the Public Utilities Code.

**ESTIMATED COST:**

® Cost based on specified violations and maximum penalty schedules.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403530](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403530)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Modification to Decision 06-07-027**

**26**

[8901]

**A05-06-028**

Application of Pacific Gas and Electric Company for Authority to Increase Revenue Requirements to Recover the Costs to Deploy an Advanced Metering Infrastructure.

**PROPOSED OUTCOME:**

- ® Grants uncontested petition to modify a reporting date.
- ® Critical Peak Pricing seasonal reporting to coincide with reporting other Demand Response programs' electric load impacts.
- ® Closes the Proceeding.

**ESTIMATED COST:**

- ® No Cost to Ratepayers.

(Comr Peevey - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=399817](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=399817)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Authority to Construct Grade-Separated Pedestrian-Rail**  
**27**                        **Crossing**

[8903]

**A09-04-017**

Application of the San Diego Association of Governments to construct a crossing at separated grades adjacent and parallel to Grossmont Center Drive between Grossmont Transit Center and the commercial area immediately to the southeast, and over the tracks of the San Diego Metropolitan Transit System in the City of La Mesa, County of San Diego, California.

**PROPOSED OUTCOME:**

- ® Grants San Diego Association of Governments authorization to construct grade-separated pedestrian-rail crossing above the tracks of the San Diego Metropolitan Transit System;
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Discretionary project, not within scope of applicant request.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=399906](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=399906)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Authority to Construct a new Grade-Separated Highway-Rail**  
**28**                        **Crossing**

**(Rev.)**

[8904]

**A09-03-031**

**PROPOSED OUTCOME:**

® Grants County of Napa (County) authority to construct a grade-separated overcrossing at the extension of Devlin Road and one temporary private at-grade crossing across the track of the Union Pacific Railroad in the County.

® Closes the proceeding.

**ESTIMATED COST:**

® Discretionary project, not within scope of applicant request.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401225](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401225)

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

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10/23/2009 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

**Item                    West Coast Voice & Data, Inc. Certificate of Public  
29                    Convenience and Necessity**

[8907]

**A09-07-020**

**PROPOSED OUTCOME:**

® Grants West Coast Voice and Data, Inc. a certificate of public convenience and necessity to provide Limited Facilities-Based and Resold Local Exchange and Interexchange Services.

® Closes the Proceeding.

**ESTIMATED COST:**

® None

(Comr Chong - ALJ MacDonald)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=400718](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=400718)

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

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**Item                    Initiation of a new Rulemaking for Resource Adequacy  
30**

[8908]

**R\_\_\_\_\_**

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Annual Local Procurement Obligations.

**PROPOSED OUTCOME:**

® Initiates new rulemaking for resource adequacy.

® This is the successor to Rulemaking 08-01-025.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403575](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403575)

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Consent Agenda - Orders and Resolutions (continued)

**Item                   Adopts Settlement Agreement and Grants Application for  
31                   Registration**

[8909]

**A08-09-020**

In the Matter of the Application of Cheap2Dial Telephone, LLC for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.

**PROPOSED OUTCOME:**

- ® Adopts an All-party Settlement Agreement.
- ® Grants Application for Registration as an interexchange carrier.
- ® Closes the Proceeding.

**ESTIMATED COST:**

- ® Fiscal Impact—Applicant is directed to pay \$10,282.57 in fines/penalties and outstanding surcharges, fees, and interests.

(Comr Chong - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=398063](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=398063)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Adopting Settlement Agreement in General Rate  
32                        Case of Sierra Pacific Power Company**

[8911]

**A08-08-004**

Application of Sierra Pacific Power Company to, Among Other Things, Increase its Authorized Revenues for Electric Service in 2009, Establish Marginal Costs, Allocate Revenue, and Design Rates.

**PROPOSED OUTCOME:**

- ® Adopts all-party settlement in Sierra Pacific Power Company's (Sierra's) 2008 General Rate Case.
- ® Closes the Proceeding.

**ESTIMATED COST:**

- ® Approves \$5.5 million increase to Sierra's Revenue Requirement and \$400,000 for Energy Efficiency Programs in California.

(Comr Bohn - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403516](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403516)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**33**

[8912]

**I08-11-007**

Investigation on the Commission's Own Motion into the Operations and Practices of Cox Communications and San Diego Gas & Electric Company Regarding the Utility Facilities linked to the Guejito Fire of October 2007.

**PROPOSED OUTCOME:**

® Extends Statutory Deadline 180 days until May 6, 2010.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Reed)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401493](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401493)

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

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**Item                    TC Telephone LLC's Request for Limited Eligible  
34                    Telecommunications Carrier Status**

[8915]

Res T-17231, Advice Letter 9, filed July 1, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Grant limited eligible telecommunications carrier status to TC Telephone LLC.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=398930](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=398930)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Request for Certification as the 2-1-1 Service Provider for**  
**35**                        **Nevada County**

[8918]

**Res T-17148**

**PROPOSED OUTCOME:**

® Approves Private Industry Council of Butte County, Inc.'s (PICBC) application to become 2-1-1 provider for Nevada County.

**ESTIMATED COST:**

® No cost to calling party.

® Expenses for telecommunications services connected with 2-1-1 are included in the fees charged by the information and referral service provider to PICBC.

® PICBC's funding for provision of 2-1-1 service to Nevada County comes from the Nevada County 2-1-1 Community Board, made up of 12 agencies and five Nevada county departments.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401602](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401602)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Authority to Construct two Grade-Separated Highway-Rail**  
**36**                        **Crossings**

[8919]

**A09-08-014**

Application of the City of Sacramento to construct a new grade separated overcrossing at 5th Street, a new grade separated overcrossing at 6th Street, a new west pedestrian/bicycle tunnel (grade separated undercrossing) to extend from the south side of track relocation right-of-way to the north side of the CSRM track, and a new central tunnel (grade separated undercrossing) from the north side of the existing depot to the top of the new central tunnel north access all in the vicinity of Mile Post No. 88.5 in the Roseville Service Unit Martinez Subdivision of the Union Pacific Railroad in an unincorporated area of the City of Sacramento, State of California.

**PROPOSED OUTCOME:**

- ® Grants City of Sacramento authority to construct two new grade-separated highway-rail crossings.
- ® Grants authority to construct two new grade-separated pedestrian tunnels across the tracks of the Union Pacific Railroad in the City of Sacramento.
- ® Closes proceeding.

**ESTIMATED COST:**

- ® Discretionary project, not within scope of applicant request.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401582](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401582)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Authority to Construct at Grade Double Diamond  
37 Tracks-Over -Tracks Crossing**

**(Rev.)**

[8920]

**A09-08-015**

Application of the City of Sacramento to construct a new double diamond crossing at the two Union Pacific Railroad mainline tracks east of the Sacramento River and west of I-5 in the vicinity of Milepost No. 88.74 in the Roseville Service Unit Martinez Subdivision of the Union Pacific Railroad in an unincorporated area of the City of Sacramento, State of California.

**PROPOSED OUTCOME:**

- ® Grants City of Sacramento authority to construct a new/relocated at-grade double diamond track-over-track Crossing of the tracks of the Union Pacific Railroad in an unincorporated area of the City of Sacramento.
- ® Closes the Proceeding.

**ESTIMATED COST:**

- ® Discretionary project, not within scope of applicant request.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401584](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401584)

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

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10/26/2009 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Bass Lake Water Company Order Authorizing Borrowing  
38                        and to Encumber Assets to Secure Debt**

[8921]

**Res W-4800**, Advice Letter 53-W filed on July 2, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes Bass Lake Water Company to borrow the total amount of \$588,660 from Plumas Bank.

® Authorizes to encumber its assets in connection with the debt.

**ESTIMATED COST:**

® Loan carries an interest rate of 6.5% for 10 years.

® The capital improvements funded by the borrowing have been previously ratebased.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403532](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403532)

**Item                    Decision Extending Statutory Deadline  
39**

[8923]

**I08-11-006**

Investigation on the Commission's Own Motion into the Operations and Practices of San Diego Gas & Electric Company regarding the Utility Facilities linked to the Witch and Rice Fires of October 2007.

**PROPOSED OUTCOME:**

® Extends statutory deadline 180 days until May 6, 2010.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Reed)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401574](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401574)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Approving Settlement**

**40**

[8929]

**A09-02-020**

Application of Pacific Gas And Electric Company to Recover Costs Related to the 2008 Wildland Fires Recorded in the Catastrophic Event Memorandum Account Pursuant to Public Utility Code Section 454.9.

**PROPOSED OUTCOME:**

® Approves a settlement between Pacific Gas and Electric Company and Division of Ratepayer Advocates to allow recovery of \$11.09 million through the Catastrophic Event Memorandum Account for 2008 Wildland Fires.

® Closes the Proceeding.

**ESTIMATED COST:**

® \$5.92 million in revenue requirement in 2010.

(Comr Bohn - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401330](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401330)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**41**

[8930]

**C06-12-011**

Eric and Sandi Archibek vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

® Extends statutory deadline for resolving adjudicatory matter.

**ESTIMATED COST:**

® None

(Comr Bohn - ALJ Koss)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401717](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401717)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Deadline**

**42**

[8931]

**R06-05-028**

Order Instituting Rulemaking on the Commission's own Motion to review the telecommunications public policy programs.

**PROPOSED OUTCOME:**

® Decision extends statutory deadline for resolving rulemaking.

**ESTIMATED COST:**

® None.

(Comr Chong - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401562](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401562)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Granting Permit to the Seventh Standard  
43                        Substation Project**

[8938]

**A09-03-004**

**PROPOSED OUTCOME:**

® Grants request of Pacific Gas and Electric Company (PG&E) for a permit to construct the Seventh Standard Substation Project which will serve the City of Shafter, a northwestern portion of the City of Bakersfield, and portions of rural Kern County.

® The Proposed Project includes the following primary components:

® a new, three-bank 115/21 kilovolt (kV) low-profile distribution substation (at ultimate build out);

® six to nine distribution circuits (at ultimate build out) as a combination of overhead conductors and underground cable in conduit;

® approximately 1000 feet of overhead double-circuit 115kV power line on three tubular steel poles, running within the access road from the existing Rio Bravo-Kern Oil 115 kV Power Line that parallels Seventh Standard Road and ending at the substation; and

® a 700-foot paved access road to the substation from Seventh Standard Road.

® Approval is subject to PG&E's compliance with the Mitigation Monitoring Plan which is part of the Final Mitigated Negative Declaration (MND) prepared under the California Environmental Quality Act (CEQA).

® Final MND meets the requirements of CEQA.

® The proceeding is closed.

**ESTIMATED COST:**

® General Order 131-D, Section IX.B.1.f. does not require a detailed estimate of cost in applications for permits to construct power lines between 50 kV and 200kV, and PG&E did not submit a cost estimate.

(Comr Grueneich - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=401608](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401608)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**44**

[8941]

**R06-04-010**

Order Instituting Rulemaking to examine the Commission's post-2005 energy efficiency policies, programs, evaluation, measurement, and verification, and related issues.

**PROPOSED OUTCOME:**

® Extends Statutory Deadline for this Rulemaking from October 27, 2009 to December 26, 2009.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403773](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403773)

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

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**Item                    Disclosure of Records of an Investigation**

**45**

[8942]

**Res L-386**

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of the derailment of San Francisco Municipal Transit Agency Cable Car #12 that occurred on July 13, 2008.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403474](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403474)

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

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**Consent Agenda - Intervenor Compensation Orders****Item                    Compensation to The Utility Reform Network for Substantial  
46                        Contributions to Decision 09-03-025**

[8889]

**A07-11-011**, I08-01-026 - Related matters.

Application of Southern California Edison Company for Authority to, Among Other Things, Increase its Authorized Revenues for Electric Service in 2009, And to Reflect that Increase in Rates

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$783,581.81 in compensation for its substantial contributions to Decision 09-03-025.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company will pay \$783,581.81, plus interest effective August 1, 2009.

(Comr Peevey - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402092](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402092)*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

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Agenda 3242, Item 42 10/15/2009 (Peevey)

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item**                    **Compensation to Green Power Institute for Substantial**  
**47**                        **Contribution to Decision 08-10-037**

[8898]

**R06-04-009**

Order Instituting Rulemaking to Implement the Commission's Procurement Incentive Framework and to Examine the Integration of Greenhouse Gas Emissions Standards into Procurement Policies.

**PROPOSED OUTCOME:**

® Awards Green Power Institute \$39,637 in compensation for its substantial contribution to Decision 08-10-037.

**ESTIMATED COST:**

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company and San Diego Gas & Electric Company will pay the awarded amount of \$39,637, plus interest, based on their California-jurisdictional electric revenues for the 2008 calendar year.

(Comr Peevey - ALJ TerKeurst)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=397012](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=397012)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item**                    **Compensation to Utility Consumers' Action Network for**  
**48**                        **Substantial Contributions to Decision 08-12-058**

[8900]

**A.06-08-010**

In the Matter of the Application of San Diego Gas & Electric Company for a Certificate of Public Convenience and Necessity for the Sunrise Powerlink Transmission Project.

**PROPOSED OUTCOME:**

® Awards Utility Consumers' Action Network \$1,076,694.25 in compensation for substantial contributions to Decision 08-12-058.

**ESTIMATED COST:**

® Ratepayers of San Diego Gas & Electric Company will pay \$1,076,694.25, plus interest, effective April 25, 2009.

(Comr Grueneich - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403790](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403790)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item**                    **Compensation to Center for Biological Diversity for**  
**49**                        **Substantial Contributions to Decision 08-12-058**

[8913]

**A06-08-010**

In the Matter of the Application of San Diego Gas & Electric Company for a Certificate of Public Convenience and Necessity for the Sunrise Powerlink Transmission Project.

**PROPOSED OUTCOME:**

® Awards Center for Biological Diversity \$694,202.75 in compensation for substantial contributions to Decision 08-12-058.

**ESTIMATED COST:**

® Ratepayers of San Diego Gas & Electric Company will pay \$694,202.75, plus interest, effective May 9, 2009.

(Comr Grueneich - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=398545](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=398545)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item**                    **Compensation to The Utility Reform Network for Substantial**  
**50**                        **Contributions to Decisions (D) 07-01-039, D08-03-015, and**  
[8917]                    **D08-10-037**

**R-06-04-009**

Order Instituting Rulemaking to Implement the Commission's Procurement Incentive Framework and to Examine the Integration of Greenhouse Gas Emissions Standards into Procurement Policies.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$57,498.61 in compensation for its substantial contribution to Decision (D) 07-04-039, D08-03-015, and D08-10-037.

**ESTIMATED COST:**

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and San Diego Gas & Electric Company will pay the awarded amount of \$57,498.61, plus interest, based on their California-jurisdictional electric revenues for the 2008 calendar year.

(Comr Peevey - ALJ TerKeurst)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403786](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403786)

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

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## Regular Agenda

### Regular Agenda - Energy Resolutions and Written Reports

#### Item Moorpark-Newbury 66 kV Subtransmission Line

51

[8518]

**Res E-4243**, Advice Letter 2272-E, filed on October 2, 2008 - Related matters.

#### **PROPOSED OUTCOME:**

- ® Affirms a prior Executive Director's Action Resolution E-4225 findings related to Southern California Edison's (SCE's) proposed Moorpark-Newbury 66 kV Subtransmission line.
- ® Finds that: (1) SCE complied with the notice requirements for the proposed construction of facilities; (2) The proposed facilities were exempt from Permit to Construct requirements; (3) Facts claimed in protests to Executive Director's Action Resolution did not support a finding that General Order 131-D exemption criteria applied.
- ® Dismisses protests.

#### **ESTIMATED COST:**

- ® Moorpark-Newbury 66kV Subtransmission Line was filed as Advice Letter 2272-E Notice of Proposed Construction Project Pursuant to General Order 131-D; therefore, no cost information is provided or required for Permits to Construct.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402431](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402431)

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

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Agenda 3235, Item 25 6/4/2009 (Staff);  
Agenda 3236, Item 43 6/18/2009 (Staff);  
Agenda 3237, Item 32 7/9/2009 (Staff);  
Agenda 3240, Item 46 9/10/2009 (Staff);  
Agenda 3241, Item 38 9/24/2009 (Staff);  
Agenda 3242, Item 46 10/15/2009 (Staff)

Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item**                    **Pacific Gas and Electric Company, San Diego Gas & Electric**  
**52**                        **Company, and Southern California Edison Company**  
 [8520]                    **Qualifying Facilities Contracts**

**Res E-4242**, Advice Letter (AL) PG&E AL 3197-E, SDG&E AL 1958-E and SCE AL 2200-E, filed on January 14, 2008, Supplemental AL 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 AL PG&E AL 3197-E-B, et al. - Related matters.

**PROPOSED OUTCOME:**

® 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).

® 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.

**ESTIMATED COST:**

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

® These contracts will form part of the utilities' procurement costs for electricity.

® 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.

® 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.

® 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.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=402435](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402435)

*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);  
 Agenda 3239, Item 55 8/20/2009 (Staff);  
 Agenda 3240, Item 47 9/10/2009 (Staff);  
 Agenda 3241, Item 39 9/24/2009 (Staff);  
 Agenda 3242, Item 47 10/15/2009 (Staff)

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Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item**                    **Pacific Gas and Electric Company and Southern California**  
**53**                        **Edison Company Departing Service Charges**

[8804]

**Res E-4226**, PG&E Advice Letter (AL) 3446-E, Filed on April 2, 2009; and SCE AL 2320-E, Filed on February 9, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Clarifies that New World Generation Charges do not apply to Customer Generation or Municipal Departing Load.

® Clarifies that Vintaged Cost Responsibility Surcharge (beginning with the 2009 vintage) will be effective for non-exempt customers departing bundled service on or after the effective date of this resolution.

® The Power Charge Indifference Adjustment shall vary by customer class in the same proportion as ongoing Competition Transition Charges.

**ESTIMATED COST:**

® No cost impact.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403510](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403510)

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

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Agenda 3241, Item 42 9/24/2009 (Staff);

Agenda 3242, Item 49 10/15/2009 (Staff)

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Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item**                    **San Diego Gas & Electric Company Request to Establish a**  
**54**                        **Memorandum Account**

[8896]

**Res E-4281**, Advice Letter 2101-E Filed on August 4, 2009 - Related matters.

Establishment of memorandum account for correcting infractions of General Order 95 by communication infrastructure providers on joint poles owned by San Diego Gas and Electric Company.

**PROPOSED OUTCOME:**

® Denies San Diego Gas & Electric Company's Request to establish a Pole Attachment Communication Maintenance Memorandum Account.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403245](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403245)

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

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**Regular Agenda - Communication Orders****Item                    Joint Application of Frontier Communications Corporation  
55                        and Verizon Communications, Inc.**

[8940]

**A09-06-005****PROPOSED OUTCOME:**

® Approves the transfer of 13 California telephone exchanges from Verizon Communications Inc. and its subsidiaries to Frontier Communications Corporation and its subsidiaries.

® Approves a settlement between the telephone companies and the Division of Ratepayer Advocates and The Utility Reform Network, which protects the public from rate increases and service deterioration for a period of one year.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403049](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403049)

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

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**Regular Agenda - Communication Resolutions and Reports****Item California Advanced Services Fund Application for  
56 Broadband Providers**

[8879]

**Res T-17233****PROPOSED OUTCOME:**

® Adopts application requirements and guidelines for non-licensed broadband providers applying for California Advanced Services Fund grant money in conjunction with an application for American Recovery and Reinvestment Act funding to support broadband infrastructure.

**ESTIMATED COST:**

® None

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403573](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403573)

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

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**Item Funding for the Inyo Networks Inc., Last Mile Project from  
57 the California Advanced Services Fund**

[8887]

**Res T-17229****PROPOSED OUTCOME:**

® Conditionally adopts California Advanced Services Fund (CASF) funding for Inyo Networks, Inc., Last Mile Project in Mono, Inyo, Kern, and San Bernardino Counties.

® The project is contingent on Inyo receiving an American Recovery and Reinvestment Act grant for 80% of the total project cost.

**ESTIMATED COST:**

® \$2,247,308 from the CASF, which represents 10% of the total project cost.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403133](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403133)

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

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Regular Agenda - Communication Resolutions and Reports (continued)

**Item**                    **Funding for Citizens Telecommunications Company from**  
**58**                        **California Advanced Services Fund**

[8890]

**Res T-17234**

**PROPOSED OUTCOME:**

® Conditionally adopts California Advanced Services Fund (CASF) funding for Citizens Telecommunications Co. of California's Alturas Middle Mile Project extending fiber for 74 miles along State Highway 299.

® The project is contingent on Citizens receiving an America Recovery and Reinvestment Act grant for 80% of the total project cost.

**ESTIMATED COST:**

® \$225,918 from the CASF which represents 10% of the total project cost.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403588](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403588)

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

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Regular Agenda - Communication Resolutions and Reports (continued)

**Item**                    **TracFone Wireless, Inc. Request for Eligible  
59**                    **Telecommunication Carrier Designation**

[8892]

**Res T-17235**, Advice Letter (AL) 1, filed August 20, 2008; Supplemental AL (SAL) 1A, filed December 16, 2008; SAL 1B, filed March 2, 2009; SAL 1C, filed March 16, 2009; SAL 1D, filed July 24, 2009; and SAL 1E, filed September 16, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Denies the request of TracFone Wireless, Inc. (TracFone) to be designated as an Eligible Telecommunication Carrier for the purpose of receiving federal Lifeline support.

® Directs the Communications Division to prepare an Order Instituting Investigation and Order to Show Cause why TracFone should not be ordered to pay all outstanding user fees and surcharges, applicable interest and penalties.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403522](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403522)

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

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Regular Agenda - Communication Resolutions and Reports (continued)

**Item**                    **Fundings for The California Broadband Cooperative of**  
**60**                         **California's Digital 395 Middle Mile Project From the**  
[8893]                    **California Advanced Services Fund**

**Res T-17232**

**PROPOSED OUTCOME:**

® Construction of middle-mile broadband project in underserved area along US Highway 395 in Mono, Inyo, Kern and San Bernardino Counties under the California Advanced Services Fund (CASF) program.

**ESTIMATED COST:**

® \$10,149,422 from the CASF representing 10% of the total project cost.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403012](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403012)

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

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**Regular Agenda - Legal Division Matters****Item                    Comments Before Federal Communications Commission  
61                        Regarding Broadband Deployment**

[8905]

**GN Docket No. 09-47; GN Docket No. 09-51; GN Docket No. 09-137; NBP Public Notice #5, DA 09-2093**

In the Matters of International Comparison and Consumer Survey Requirements In the Broadband Data Improvement Act, GN Docket No. 09-47; A National Broadband Plan for Our Future, GC Docket No. 09-51; Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act, GN Docket No. 09-137; NBP Public Notice #5, DA 09-2093

The Federal Communications Commission (FCC) seeks comment on identifying and remedying barriers to broadband deployment and adoption on Tribal lands. The FCC intends for these comments to contribute to and facilitate its development of a National Broadband Plan. Staff requests authority to submit comments to the FCC identifying projects on tribal lands the California Public Utilities Commission has funded through the Rural Telecommunications Infrastructure (AB 140) program.

**Item                    Comments Before Federal Communications Commission  
62                        Regarding Broadband Technology**

[8906]

**GN Docket No. 09-47; GN Docket No. 09-51; GN Docket No. 09-137; NBP Public Notice #7, DA 09-2122**

In the Matters of International Comparison and Consumer Survey Requirements In the Broadband Data Improvement Act, GN Docket No. 09-47; A National Broadband Plan for Our Future, GC Docket No. 09-51; Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act, GN Docket No. 09-137; NBP Public Notice #7, DA 09-2122

The Federal Communications Commission seeks comment about how governments at all levels promote broadband deployment and adoption, and how digital technologies and broadband deployment can improve civic engagement, government at all levels, and the lives and welfare of residents and businesses. Staff requests authority to submit comments identifying the ways in which California has employed broadband technology to improve the lives of its residents. Specific examples include the California Advanced Services Fund, the California Teleconnect Fund, the Deaf and Disabled Telecommunications Program, and telemedicine projects.

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Regular Agenda - Legal Division Matters (continued)

**Item**                    **Comments Before the Federal Energy Regulatory**  
**63**                        **Commission Regarding Transmission Planning Processes**  
[8939]                    **Under Order No. 890**

**FERC Docket No. AD09-8-000**

In Order No. 890, the Federal Energy Regulatory Commission (FERC) directed all transmission providers to develop a transmission planning process. In September of this year, FERC held three regional technical conferences to:

- ® Determine the progress and benefits realized by each transmission provider's transmission planning process.
- ® Examine whether existing transmission planning processes adequately consider needs and solutions on a regional or interconnection-wide basis to ensure adequate and reliable supplies at just and reasonable rates.
- ® Explore whether existing processes are sufficient to meet emerging challenges to the transmission system, such as the integration of large amounts of location-constrained generation, and the interconnection of distributed energy resources.

In the October 8, 2009 Notice establishing this Docket, FERC expressed concern, based on the comments it received at the three regional technical conferences, that there appears to be a lack of consistency across existing transmission planning processes regarding the treatment of certain types of resources. For example, FERC was concerned that planning transmission facilities necessary to meet state renewable resource requirements must be integrated with existing transmission planning processes that are based on metrics or tariff provisions focused on reliability or in some cases production cost savings. The California Public Utilities Commission previously provided comments to FERC on various issues relating to transmission planning processes, especially in connection with the FERC Docket that led to the adoption of Order No. 890. However, the concerns raised in FERC's October 9 Notice go beyond the scope of what was addressed in Order No. 890, and appear to raise some issues that staff would like to comment on, which have not been the subject of previous Commission authorizations. Accordingly, staff seeks Commission authority to address such issues.

## **Regular Agenda - Legislative and Other Matters**

## **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

**Item                    Conference with Legal Counsel - Application for Rehearing**

**64**

[8925]

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.*

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**Item                    Conference with Legal Counsel - Application for Rehearing**

**65**

[8916]

**A09-03-006**

Disposition of application for rehearing of Resolution T-17184, filed by Calaveras Telephone Company. Resolution T-17184 involves the Calaveras' General Rate Case through Advice Letter No. 303.

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

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**Item                    Conference with Legal Counsel - Application for Rehearing**

**66**

[8922]

**A0612005; A0612020; A0701004; A0701017; A0701044; A0702007; A0702017; A0703004;  
A0705012; A0705013**

Disposition of Applications for Rehearing of D. 09-02-031, filed by Los Angeles Unified School District and United Community Association, Inc. and Neighbors for Smart Rail. The decision involves Exposition Metro Line Construction Authority's application for authority to construct rail crossing at Farmdale Avenue and at Harvard Boulevard in Los Angeles.

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

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**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.*

**Item                      Conference with Legal Counsel - Initiation of Litigation****67**

[8924]

**I.**\_\_\_\_\_

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

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

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

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## **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**

**Item Conference with Legal Counsel - Existing Litigation**

**68**

[8926]

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

California Independent System Operator Corporation, FERC Docket No. ER06-615, also known as Market Redesign and Technology Update (MRTU).

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

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**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*