
Public Utilities Commission of the State of California

Public Agenda 3244

Friday, November 20, 2009 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

John A. Bohn

Rachelle B. Chong

Dian M. Grueneich

Timothy Alan Simon

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

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

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, 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 at 9:30 AM)
Monday, February 01, 2010 (San Francisco)	Thursday, January 21, 2010 (San Francisco)
Monday, February 22, 2010 (San Francisco)	Thursday, February 04, 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.

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.
- 31, 34, 39, 47, 49, 57

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

[8985]

ALJ 176-3244

PROPOSED OUTCOME:

® Ratification of preliminary determination of category for proceedings initiated by applications. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

ESTIMATED COST:

® None.

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=404243

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);
 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);
 Agenda 3243, Item 2 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Clarifies the Rules of the Community Choice Aggregation
3** **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=404181

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

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

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

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

Agenda 3243, Item 4 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **California American Water Company Increase in Distribution
4** **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=404111

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

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

Agenda 3243, Item 6 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Southern California Edison Company's Proposal Regarding**
5 **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=404182

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

Agenda 3242, Item 16 10/15/2009 (Peevey);
Agenda 3243, Item 7 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **California-American Water Company Memorandum**
6 **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=404127

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

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

Agenda 3243, Item 8 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Determines Ratemaking Treatment for Rural Telephone**
7 **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=403767

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

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

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

Agenda 3243, Item 9 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item 8 Petition of The Utility Reform Network for a Rulemaking
 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=406075

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

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

Agenda 3243, Item 11 10/29/2009 (Grueneich)

Consent Agenda - Orders and Resolutions (continued)

Item **Decision Modifying Decision 06-12-030 and Decision**
9 **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=403604

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

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

Agenda 3243, Item 12 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Rural Water Company General Rate Reduction

10

[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=406261

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

Agenda 3243, Item 13 10/29/2009 (Peevey)

Item Cypress Ridge Sewer Company General Rate Increase

11

[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%.

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

Agenda 3243, Item 14 10/29/2009 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

Item **Settlement of Phase Two Issues in the Cost Allocation**
12 **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=405912

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

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

Agenda 3243, Item 16 10/29/2009 (Bohn)

Consent Agenda - Orders and Resolutions (continued)

Item Petition for Modification of Decision 07-01-040

13

[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 the approval by California Independent System Operator Corporation.

® Closes the proceeding.

ESTIMATED COST:

® SCE's estimate of the maximum reasonable and prudent cost of construction of the California-only project is \$526.3 million to 536.6 million, depending on the route.

® 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=405916

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

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

Agenda 3243, Item 19 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Decision Denying Motion to Adopt Contested Settlement and**
14 **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=404105

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

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

Agenda 3243, Item 21 10/29/2009 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

Item Decision Correcting Attachment F of Decision 08-11-031
15

[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=406309

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

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

Agenda 3243, Item 23 10/29/2009 (Grueneich)

Consent Agenda - Orders and Resolutions (continued)

**Item Adopts Settlement Agreement and Grants Application for
16 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=405424

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

Agenda 3243, Item 31 10/29/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Kelly John Brooks and Connie Lynne Brooks Consent to**
17 **use Southern California Edison Company's Exclusive**
[8914] **Easement**

Res E-4284, Advice Letter 2373-E filed on August 20, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves Southern California Edison Company's (SCE) Advice Letter 2373-E seeking approval under Public Utilities Code Section 851 to consent to Kelly John Brooks and Connie Lynne Brooks, as Trustees of the Kelly John Brooks and Connie Lynne Brooks Family Trust use of SCE's exclusive easement to use, keep, maintain and repair an existing dwelling for residential purposes that is encroaching upon certain SCE property located in Shaver Lake, CA.

® This resolution has been prepared pursuant to a pilot program specified in Resolution ALJ-202 granting expedited treatment to utility proposals meeting certain requirements.

ESTIMATED COST:

® \$500.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=401525

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Terminals LLC, Pacific Energy Group LLC, and**
18 **Plains Marketing, L.P. Change of Ownership as Part of an**
 [8928] **Internal Reorganization**

A09-05-019

PROPOSED OUTCOME:

® Approves the transfer of Pacific Terminals LLC (Pacific), a public utility operating in California, from Pacific Energy Group LLC (PEG) to Plains Marketing, L.P. (Plains) as part of an internal corporate reorganization, pursuant to Public Utilities Code Section 854.

® Ultimate ownership and control of Pacific will remain with Plains All American Pipeline, L.P., the parent company of both PEG and Plains.

® Approves the change of Pacific's name to "Plains West Coast Terminals, LLC."

® Closes the proceeding.

ESTIMATED COST:

® No estimated costs are foreseen.

(Comr Bohn - ALJ Prestidge)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=400719

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

Item **Disclosure of Records of an Investigation**
19

[8933]

Res L-384

Authorizes the disclosure of records of the Commission Consumer Protection and Safety Division's investigation of a train-pedestrian incident that occurred on April 19, 2008, at the San Bruno Caltrain Station in San Bruno, California. CPUC Crossing Number 105E-11.60-D, FRA/DOT Crossing Number 922713E.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405762

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

Consent Agenda - Orders and Resolutions (continued)

Item Disclosure of Records of an Investigation

20

[8936]

Res L-385

Authorizes the disclosure of records of the Commission Consumer Protection and Safety Division's investigation of an incident and a buried gas pipeline that had been struck by a farm implement that occurred on April 3, 2009, at the Huntington Farms property located in Salinas, California.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405775

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

Item Vessel Common Carriers Adjustment of Fares and Rates

21

[8937]

Res TL-19097

PROPOSED OUTCOME:

® Grants the request of Blue & Gold Fleet, L.P., Catalina Freight Line, Harbor Bay Maritime, Inc., and Star & Crescent Boat Company to authorize vessel common carriers to adjust their fares and rates within a "zone of reasonableness" that has an upper limit of 20% above currently authorized base fares and rates.

ESTIMATED COST:

® No immediate impact on fares and rates.

® If fuel prices increase, however, the increases will likely be passed on to the users of vessel common carrier services.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405660

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

Consent Agenda - Orders and Resolutions (continued)

Item **Operating Authority Revocation of Licenses for Telephone Corporations**
22

[8943]

Res T-17228

PROPOSED OUTCOME:

® Revokes the operating authorities held by certain telephone corporations for failure to comply with Public Utilities Code Section 401 and following, specifically the filing of Public Utilities Commission Reimbursement Account Reports and the remitting of applicable fees.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406046

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

Item **San Diego Gas & Electric Company's Renewable Energy Power Purchase Agreement With NaturEner Rim Rock Wind Energy, LLC**
23
[8945]

Res E-4277, Advice Letter 2088-E filed on May 29, 2009. - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for a San Diego Gas & Electric Company renewable energy power purchase agreement with NaturEner Rim Rock Wind Energy, LLC.

® The agreement is approved without modifications.

ESTIMATED COST:

® Actual costs of this contract are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405747

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

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Power Purchase
24 Agreements with PacifiCorp**

[8946]

Res E-4285, Advice Letter (AL) 3526-E and AL 3527-E filed on September 18, 2009 respectively - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for two Pacific Gas and Electric Company short-term renewable energy power purchase agreements (PPA) with PacifiCorp.

® The PPA's are approved with modifications, subject to a compliance filing.

ESTIMATED COST:

® Actual costs of these PPA's are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406204

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

**Item Chevron Pipeline Company's Request to Remove the New
25 Kettleman Station Truck Unloading Facility From its Public
[8947] Utility Accounts**

Res O-0050, Advice Letter 40 filed on June 12, 2009 - Related matters.

PROPOSED OUTCOME:

® Chevron Pipeline Company's (CPL) request is approved.

® CPL shall refund to customers the difference between the depreciated cost of the facility and the sales price.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405983

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

Consent Agenda - Orders and Resolutions (continued)

Item **Fundings for IP Networks, Inc. Project from the California**
26 **Advanced Services Fund**

[8948]

Res T-17227

PROPOSED OUTCOME:

® Under the California Advanced Services Fund (CASF) program, construction of a 121-mile fiber cable system interconnecting existing substations in underserved areas in Humboldt and Trinity Counties along Highway 36.

ESTIMATED COST:

® \$4,212,982 from the CASF representing 40% of the total project cost.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405951

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

Consent Agenda - Orders and Resolutions (continued)

**Item Kwang Weon Bae to Revise his Passenger Stage
27 Corporation Certificate**

[8949]

A09-07-006

PROPOSED OUTCOME:

- ® Grants the application of Kwang Weon Bae to revise his passenger stage corporation certificate to include scheduled service between the Cities of Santa Clara and Los Angeles.
- ® Establishes a zone of rate freedom.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None foreseen.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402439

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

Consent Agenda - Orders and Resolutions (continued)

Item Angels Flight Railway Company System Safety Program Plan

28

[8951]

Res ST-105

PROPOSED OUTCOME:

® Grants approval of Angels Flight Railway Company's (AFRC) System Safety Program Plan (SSPP).

® General Order 164-D requires each rail transit agency obtain Commission approval of its initial SSPP before it begins revenue operations.

® The AFRC SSPP is a document that details AFRC's safety policies, objectives, responsibilities, and procedures.

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405415

Consent Agenda - Orders and Resolutions (continued)

Item Angels Flight Railway Company's System Security Plan

29

[8952]

Res ST-106

PROPOSED OUTCOME:

- ® Grants approval of Angels Flight Railway Company's (AFRC) System Security Plan (SSP).
- ® General Order 164-D requires each rail transit agency obtain Commission approval of its initial SSP before it begins revenue operations.
- ® The AFRC SSP is a document that details AFRC's security policies, objectives, responsibilities, and procedures.

ESTIMATED COST:

- ® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405417

Item Los Angeles County Metropolitan Transportation Authority

30

Variance from General Order 143-B

[8953]

Res ST-107

PROPOSED OUTCOME:

- ® Grants Los Angeles County Metropolitan Transportation Authority's request, dated September 14, 2009, for a permanent variance to General Order 143-B, Section No. 9.06 c (2) Side Clearance requirements of 18 inches for the area between Lorena Street and Indiana Avenue for the pedestrian fence to be reduced to 17 inches track.

ESTIMATED COST:

- ® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405418

Consent Agenda - Orders and Resolutions (continued)

Item Closing Investigation on Commission's own Motion

31

[8955]

108-07-012

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of NextG Networks of California, Inc.

PROPOSED OUTCOME:

® Closes docket on Commission's own motion.

ESTIMATED COST:

® None.

(Comr Bohn - ALJ Bemmesderfer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402209

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

Consent Agenda - Orders and Resolutions (continued)

Item **Petition for Modification of Calculation of Annual**
32 **Procurement Target for Renewables Portfolio Standard**
[8958] **Compliance**

R06-02-012, R08-08-009 - Related matters.

Order Instituting Rulemaking to Develop Additional Methods to Implement the California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

® The Joint Petitioners' Petition for Modification of Commission Decision (D) 06-10-019 and D06-10-050 is granted in part.

® The calculation of the annual procurement target (APT) of renewable energy procurement for compliance with the California renewables portfolio standard (RPS) is changed prospectively.

® For 2010 and any later years in which the APT for RPS compliance is 20% of retail sales, the calculation will be based on the current year's retail sales, rather than the prior year's retail sales as provided in D06-10-019 and D06-10-050.

® Since D07-07-025 modified the calculations for APT set out in D06-10-019, on our own motion we make conforming modifications to D07-07-025, but do not modify D06-10-019.

® We also make conforming modifications to D08-05-029 on our own motion.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406015

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Closing Rulemaking on Commission's Own Motion

33

[8959]

R05-04-005

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

PROPOSED OUTCOME:

® Closes Docket on Commission's Own Motion.

ESTIMATED COST:

® None.

(Comr Chong - ALJ Bemmesderfer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406058

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Dismisses Complaint for Failure to State a Cause of Action
34

[8960]

C09-06-013

Howard Paul Shore vs. Southern California Gas Company.

PROPOSED OUTCOME:

- ® The complaint is dismissed for failure to state a cause of action.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Grueneich - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E25826

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

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

Item Llano Del Rio Water Company General Rate Increase
35

[8961]

Res W-4801

PROPOSED OUTCOME:

- ® Authorizes a general rate increase to produce additional annual revenue.

ESTIMATED COST:

- ® Increase in revenue of \$14,818 or 9.0% in Test Year 2009.

- ® \$49,670 or 27.7% for escalation Year 2010.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406041

Consent Agenda - Orders and Resolutions (continued)

Item Rogina Water Company General Rate Increase

36

[8962]

Res W-4802

PROPOSED OUTCOME:

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

ESTIMATED COST:

® Increase in revenue of \$99,155 or 16.24%.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406011

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

**Item Advice Letters Filed Pursuant to Standard Practice,
37 Instructions for Water Conservation and Rationing and
(Rev.) Service Connection Moratoria**

[8963]

Res W-4803

PROPOSED OUTCOME:

® This resolution requires modifications to California American Water Company's pending Advice Letters (AL) 766-W, AL 767-W, AL 769-W, AL 770-W, AL 771-W, AL 772-W, AL 773-W, AL 774-W, AL 775-W, AL 784-W, AL 786-W, AL 800-W, AL 801-W, and AL 802-W.

ESTIMATED COST:

® No cost impact.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406293

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

11/19/2009 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item **Fundings for Ponderosa Cablevision Auberry Project from**
38 **the California Advanced Services Fund**

[8964]

Res T-17236

PROPOSED OUTCOME:

® Adopts California Advanced Services Fund (CASF) contingent funding for the Ponderosa Cablevision Auberry Project in the unserved areas of Fresno County.

ESTIMATED COST:

® \$405,613 from the CASF which represents 10% of the total project cost of \$4,056,126 to provide broadband service in the unserved areas of Fresno County area.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405716

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

Consent Agenda - Orders and Resolutions (continued)

Item Complaint Alleging Unfair Monthly Billing Cycles

39

[8965]

C09-05-011

Jerome D. Monkarsch vs. Southern California Gas Company.

PROPOSED OUTCOME:

- ® Complaint dismissed for failure to state cause of action.
- ® Defendant's billing cycles are in conformity with its tariffs and Commission decision.
- ® Closes the Proceeding.

ESTIMATED COST:

- ® None.

(Comr Grueneich - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402677

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Funding for University Corporation at Monterey Bay Central
40** **Cost Broadband Consortium Middle Mile Project from the
[8966]** **California Advanced Services Fund**

Res T-17240

PROPOSED OUTCOME:

® Construction of a 428-mile fiber middle-mile backbone in the tri-county area of Monterey Bay, under the California Advance Services Fund (CASF) program.

ESTIMATED COST:

® \$4,975,009 from the CASF representing 10% of the total project cost (an American Recovery and Reinvestment Act applicant).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406040

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

Item **Advice Letter Filed Pursuant to Standard Practice,
41** **Instructions for Water Conservation and Rationing and
[8967]** **Service Connection Moratoria**

Res W-4804

PROPOSED OUTCOME:

® Approves Del Oro Water Company's Advice Letter 241-C and adopts tariff Schedule 14.1-RI, as modified.

ESTIMATED COST:

® Cost will be determined when tariff Schedule 14.1-RI is activated and implemented.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406230

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

Consent Agenda - Orders and Resolutions (continued)

**Item Funding for Siskiyou Telephone Company from the
42 California Advanced Services Fund**

[8968]

Res T-17237

PROPOSED OUTCOME:

® Adopts California Advanced Services Fund (CASF) funding for the Siskiyou Telephone Company underserved areas of Siskiyou County.

ESTIMATED COST:

® \$2,621,824 from the CASF which represents 40% of the total project cost of \$4,987,978 to provide broadband service in the underserved areas of Siskiyou County.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405713

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

Consent Agenda - Orders and Resolutions (continued)

Item **Day-to-Day Extension of ClimateSmart Program and Tariff**
43 **Option**

[8969]

A09-05-016

Application of Pacific Gas and Electric Company for a Two-Year Extension of the ClimateSmart (TM) Program and Tariff Option.

PROPOSED OUTCOME:

® Grants request of Pacific Gas and Electric Company (PG&E) for a day-to-day extension of the ClimateSmart Program from January 1, 2010 until the Commission resolves PG&E's application to extend the ClimateSmart Program until December 31, 2011.

® Authorizes PG&E to expend up to \$20,000 per month of the unspent administrative and marketing funds collected from ratepayers for administrative expenses.

ESTIMATED COST:

® \$20,000 per month.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406054

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Decision Modifying Decision 09-05-019

44

[8970]

A08-05-002, A08-05-003, A08-05-004 - Related matters.

Application of California Water Service Company for Authority to Establish its authorized Cost of Capital for the period from January 1, 2009 through December 31, 2011.

PROPOSED OUTCOME:

® California American Water Company is authorized to prospectively record in its temporary interest rate balancing account, on a monthly basis, the \$88,958 difference between the forecast interest rate and the actual interest rate on \$35,000,000 of debt issued on November 26, 2008.

® This authority begins on the effective date of this decision and terminates upon either the adoption of a new cost of capital for California American Water Company or other specific order of this Commission.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Bohn - ALJ Long)

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Funding for Nevada County Connected Middle Mile Project**
45 **of Nevada County Economic Resource Council from**
[8971] **California Advanced Services Fund**

Res T-17242

PROPOSED OUTCOME:

® Adopts California Advanced Services Fund (CASF) contingent funding for the Nevada County Connected Middle Mile Project in underserved areas of Nevada County.

ESTIMATED COST:

® \$1,312,747 from the CASF which represents 10% of the total project cost of \$13,127,468 to provide broadband service in the Nevada County area.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405125

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

Item **Funding for Cazadero and Timber Cove Areas of the Sea**
46 **Ranch Project of Verizon California, Inc. from California**
[8972] **Advanced Services Fund**

Res T-17238

PROPOSED OUTCOME:

® Construction of new fiber optic line extending in the Timber Cove wire center with connection with AT&T's Monte Rio wire center and other facilities.

ESTIMATED COST:

® \$654,840 from the California Advanced Services Fund representing 40% of the total project cost.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402189

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

47

[8974]

C08-01-007

CommPartners, LLC vs. AT&T California, Inc.

PROPOSED OUTCOME:

® Extends statutory deadline until January 7, 2010.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Reed)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406059

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

Consent Agenda - Orders and Resolutions (continued)

Item **Full Facilities-Based Local Exchange Authority and
48** **Expedited Environmental Review for Certain Projects**

[8977]

A09-07-003

PROPOSED OUTCOME:

- ® Grants the unopposed application of Freedom Telecommunications, Inc. (Applicant) to expand its existing certificate of public convenience and necessity to authorize the provision of full facilities-based competitive local exchange services.
- ® Grants Applicant authorization to utilize an expedited 21-day process for environmental review by Energy Division staff for certain projects that potentially fall within statutory or categorical exemptions to the California Environmental Quality Act (CEQA).
- ® This expedited review process is limited to full facilities-based construction projects which are potentially exempt from CEQA and which do not exceed five miles in length.
- ® Requires Applicant to apply to the Commission for approval of any projects that are not exempt from the requirements of CEQA and to undergo appropriate environmental review by the Commission before commencing construction.
- ® Closes the proceeding.

ESTIMATED COST:

- ® No estimated costs are foreseen.

(Comr Chong - ALJ Prestidge)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=400510

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

49

[8978]

C07-12-030, C08-02-009 - Related matters.

Fones4All Corporation vs. Pacific Bell Telephone Company dba AT&T California.

PROPOSED OUTCOME:

® Extends Statutory Deadline 180 days, until August 2, 2010.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Reed)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402911

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

**Item Mobil Pacific Pipeline Company Rate Increase for
50 Transportation Service**

[8980]

Res O-0051, Advice Letter 18 filed on August 6, 2009. - Related matters.

PROPOSED OUTCOME:

® Mobil Pacific Pipeline Company's request to increase the existing tariff rate from \$0.1168/barrel (bbl) to \$0.2292/bbl is approved.

ESTIMATED COST:

® \$307,695.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403136

Consent Agenda - Orders and Resolutions (continued)

**Item Southern California Edison Company's Reports Under its
51 Performance Based Ratemaking**

[8986]

Res E-4282, Advice Letter (AL) 1608-E-C, AL 1697-E-B, and AL 2376-E, all filed on August 21, 2009. - Related matters.

PROPOSED OUTCOME:

® Approves Southern California Edison Company's (Edison) Performance Reports of Years 2001, 2002, and 2003.

® Edison's reports are in compliance with Decision (D) 96-09-092, D02-04-055, D08-09-038, and D09-05-027.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406210

Consent Agenda - Orders and Resolutions (continued)

Item **Redwood Telephone, LLC Certificate of Public Convenience
and Necessity**

52

[8991]

A09-08-011

In the Matter of the Application of Redwood Telephone, LLC for a Certificate of Public Convenience and Necessity to Provide Limited Facilities-Based and Resale Competitive Local Telecommunications Service in the Service Territories of AT&T California, Verizon California, SureWest Telephone Company and Citizens Telephone Company.

PROPOSED OUTCOME:

- ® Grants Certificate of Public Convenience and Necessity to Redwood Telephone, LLC.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Chong - ALJ MacDonald)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403191

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

Consent Agenda - Orders and Resolutions (continued)

Item **Ratification of Change to Preliminary Determinations in**
53 **Application 09-07-002 - California-American Water Company**

(Rev.)

[9003]

Res ALJ-242

PROPOSED OUTCOME:

® Changes the preliminary determination of this proceeding from “No hearings needed” to “Hearings needed.”

ESTIMATED COST:

® None

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404199

11/12/2009 - This revision was not shown on the Agenda mailed to the public.

Item **Rogina Water Company, Inc. to use Proceeds of a Loan**
54

[9006]

Res W-4806, Advice Letter No. 54 filed on October 5, 2009 - Related matters.

PROPOSED OUTCOME:

® Authorizes Rogina Water Company, Inc. to use approximately \$106,000 of the proceeds of a loan authorized by Resolution W-4620, for a new water plant project.

ESTIMATED COST:

® \$106,000 plus interest on the loan.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402892

Consent Agenda - Orders and Resolutions (continued)

Item **Authority to Construct an At-Grade Crossing on Mojave**
55 **Street**

[9007]

A09-07-012

Application granting authority for the City of Hesperia to construct a railroad lead track and siding track across Mojave Street, within the City of Hesperia, California.

PROPOSED OUTCOME:

- ® Grants City of Hesperia authorization to construct the at-grade Highway-Rail Crossing of Mojave Street;
- ® 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=402576

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

Consent Agenda - Orders and Resolutions (continued)

Item **Authority to Construct a Grade-Separated Overpass of**
56 **Carmenita Road**

[9008]

A09-06-027

Application of the California Department of Transportation for an order authorizing the construction of a single grade separation structure on Carmenita Road over both Route 5 and one rail line operated by the Union Pacific Railroad; relocation of the existing grade crossing approximately 30 ft to the east of the present location to Carmenita Place; and resurfacing the Arctic Circle grade crossing with concrete panel, located in the City of Santa Fe Springs, County of Los Angeles, State of California.

PROPOSED OUTCOME:

- ® Grants Caltrans authorization to construct the grade-separated Carmenita Road highway-rail crossing above the Union Pacific Railroad Company tracks, relocate and rename the existing Carmenita Road at-grade crossing, and modify the at-grade crossing of Arctic Circle.
- ® 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=403455

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

Consent Agenda - Intervenor Compensation Orders**Item Compensation Awarded to Utility Consumers' Action
57 Network for Substantial Contributions to Decision 09-05-044**

[8975]

C07-08-033

Utility Consumers' Action Network vs. AT&T Mobility LLC dba New Cingular Wireless PCS, LLC, fka Cingular Wireless and related entities collectively, AT&T.

PROPOSED OUTCOME:

® Awards Utility Consumers' Action Network \$73,250.75 in compensation for its substantial contributions to Decision 09-05-044.

® Closes the proceeding.

ESTIMATED COST:

® Ratepayers of New Cingular Wireless PCS, LLC and its Wireless Affiliates will pay \$73,250.75, plus interest, effective September 15, 2009.

(Comr Simon - ALJ Walwyn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=400842

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item **Compensation Awarded to L. Jan Reid for Substantial**
58 **Contributions to Decision 09-06-018**

[9014]

R08-08-009

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

® Awards L. Jan Reid \$14,106.25 in compensation for his substantial contributions to Decision 09-06-018.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company will pay the awarded amount of \$14,106.25, plus interest, based on their California-jurisdictional electric revenues for the 2009 calendar year.

(Comr Peevey - ALJ Mattson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403490

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item **Compensation Awarded to Aglet Consumer Alliance for**
59 **Substantial Contribution to Decision 07-02-011, Decision**
[9021] **08-05-029 and Decision 09-06-050**

R06-02-012, R08-08-009 - Related matters.

Order Instituting Rulemaking to Develop Additional Methods to Implement the California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

® Awards Aglet Consumer Alliance \$15,985.80 in compensation for its substantial contributions to Decisions (D) 07-02-011, D08-05-029, and D09-06-050.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company will pay the awarded amount of \$15,985.80, plus interest, based on their California-jurisdictional electric revenue for the 2007 calendar year.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403858

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item **Compensation Awarded to The Utility Reform Network for**
60 **Substantial Contribution to Decision 08-06-031 and Decision**
[8976] **09-06-028**

R08-01-025

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

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$71,105.72 in compensation for substantial contribution to Decision (D) 08-06-031 and D09-06-028.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company shall pay \$71,105.72, plus interest, effective November 4, 2009.

(Comr Peevey - ALJ Wetzell)

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item **Compensation Awarded to Consumer Federation of**
61 **California for Substantial Contributions to Decision**
[8973] **09-03-024**

A07-12-006

Joint Application of San Diego Gas & Electric Company, Southern California Gas Company, and Pacific Gas and Electric Company to Reallocate the Costs of Natural Gas Public Purpose Programs and Other Mandated Social Programs Among Customer Classes.

PROPOSED OUTCOME:

® Awards Consumer Federation of California \$87,358.70 for its Substantial Contributions to Decision 09-03-024.

ESTIMATED COST:

® Ratepayers of San Diego Gas & Electric Company, Southern California Gas Company, and Pacific Gas and Electric Company will pay \$87,358.70, plus interest, based of their 2008 California-jurisdictional gas revenues.

(Comr Simon - ALJ Galvin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=400724

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item **Compensation Awarded to Greenlining Institute for**
62 **Substantial Contributions to Decision 09-03-025**

[8927]

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 Greenlining Institute \$141,771.75 in compensation for its substantial contributions to Decision 09-03-025.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company will pay \$141,771.75, plus interest, effective July 25, 2009.

(Comr Peevey - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406308

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

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

Regular Agenda

Regular Agenda - Energy Orders

Item New Order Instituting Rulemaking

63

[8998]

R_____

Order Instituting Rulemaking to Examine the Commission's Post-2008 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.

PROPOSED OUTCOME:

® This Order Instituting Rulemaking replaces Rulemaking (R) 06-04-010, the Rulemaking to Examine the Commission's Post-2005 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues for Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company, and Pacific Gas & Electric Company.

® R06-04-010 expired in 2008, and has been extended several times pending the Commission's action on the utilities' 2010 to 2012 energy efficiency portfolios and other matters.

® The Order opens a new energy efficiency rulemaking to replace R06-04-010.

ESTIMATED COST:

® No estimated costs are foreseen.

Regular Agenda - Energy Resolutions and Written Reports**Item Moorpark-Newbury 66 kV Subtransmission Line
64**

[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=404074

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

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);
Agenda 3243, Item 51 10/29/2009 (Staff)

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item **Pacific Gas and Electric Company, San Diego Gas & Electric**
65 **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=404197

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);

Agenda 3243, Item 52 10/29/2009 (Staff)

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item **Pacific Gas and Electric Company Requests Approval of a**
66 **Renewable Power Purchase Agreement**

[8956]

Res E-4286, Advice Letter 3449-E filed on April 10, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for a power purchase agreement (PPA) resulting from bilateral negotiations between Pacific Gas and Electric Company and Solaren Corporation, pursuant to California's renewables portfolio standard program.

® The PPA is approved with conditions.

ESTIMATED COST:

® Actual costs are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405830

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

Regular Agenda - Communication Orders**Item Guidelines for Customer Education Programs Regarding
67 Backup Power Systems**

[8944]

R07-04-015

Order Instituting Rulemaking on the Commission's Own Motion into Reliability Standards for Telecommunications Emergency Backup Power Systems and Emergency Notification Systems Pursuant to Assembly Bill 2393.

PROPOSED OUTCOME:

- ® Adopts guidelines for customer education programs for facilities-based providers of telephony services (service providers) who provide service to residential customers using coaxial cable or fiber-optic cable to the customer's building that requires backup power on the customer's premises.
- ® Directs service providers to enhance their existing customer education programs to meet the guidelines.
- ® Requires service providers to make an advice letter filing within 180 days detailing their customer education programs.
- ® Closes proceeding.

ESTIMATED COST:

- ® No significant cost.

(Comr Simon - ALJ O'Donnell)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405835

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

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

Regular Agenda - Communication Resolutions and Reports

**Item Funding for the Mother Lode Broadband Project of Rapid
68 Link Inc. and Mother Lode Internet for Underserved Areas**

[8855]

Res T-17225

PROPOSED OUTCOME:

® Adopts California Advanced Services Funding (CASF) for Mother Lode Broadband Project in underserved areas covering Alpine, Amador, Calaveras, Tuolumne, and Mariposa Counties.

ESTIMATED COST:

® \$3,110,064 from the CASF which represents 40% of the total project cost to provide a new level of speed throughout the Mother Lode region.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402298

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

Agenda 3242, Item 51 10/15/2009 (Staff)

Regular Agenda - Communication Resolutions and Reports (continued)

Item **Fundings for The California Broadband Cooperative of**
69 **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=404054

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

Agenda 3243, Item 60 10/29/2009 (Chong)

Item **ALTERNATE TO ITEM 8893**
69a
[8999]

PROPOSED OUTCOME:

® Adopts contingent fundings for the California Broadband Cooperative of Californias's Digial 395 Middle Mile Project.

ESTIMATED COST:

® \$19,294,717 from the CASF representing 19% of the total project.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404429

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

Regular Agenda - Communication Resolutions and Reports (continued)

Item **Funding for the Race Telecommunications Inc., Last Mile**
70 **Project from the California Advanced Services Fund**

[8957]

Res T-17241

PROPOSED OUTCOME:

® Conditionally adopts California Advanced Services Fund (CASF) funding for Race Telecommunications, Inc. (RACE), Last Mile project in Kern County.

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

ESTIMATED COST:

® \$9,500,864 from the CASF, which represents 10% of the total project cost.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405879

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

Regular Agenda - Water/Sewer Orders

Item San Jose Water Company General Rate Case

71

[8934]

A09-01-009

In the Matter of the Application of San Jose Water Company for an Order authorizing it to increase rates charged for water service by \$36,207,000 or 18.44% in 2010, by \$15,171,000 or 6.52% in 2011, and by \$19,899,000 or 8.10% in 2012.

PROPOSED OUTCOME:

- ® Authorizes a general rate increase, and brings San Jose Water Company's (SJWC) Mountain District service charges equal to the service charges in effect for all of SJWC's remaining customers.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Additional annual revenue of \$18,597,000, or 9.24% in test year 2010.

(Comr Bohn - ALJ Galvin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405781

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

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

Regular Agenda - Transportation/Rail Safety Resolutions and Reports

Item **Air Ride Moving & Storage Appeal of Citation No. FC-252**
72 **Issued Pursuant to Resolution ALJ-187**

[8709]

Res ALJ-238

PROPOSED OUTCOME:

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

ESTIMATED COST:

® Carrier will pay at least \$1,260.60 in customer refunds and fines.

® General Fund will receive \$400 from fine paid to Commission by Appellant.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402095

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

Agenda 3239, Item 21 8/20/2009 (Bohn);

Agenda 3240, Item 8 9/10/2009 (Bohn);

Agenda 3241, Item 5 9/24/2009 (Chong);

Agenda 3242, Item 5 10/15/2009 (Pub. Util. Code §311(e))

Regular Agenda - Transportation/Rail Safety Resolutions and Reports (continued)

Item **ALTERNATE TO ITEM 8709**
72a
(Rev.)
[8935]

PROPOSED OUTCOME:

- ® Citation FC-252 is affirmed in part and amended in part.
- ® Unlike the proposed resolution, the Alternate orders Air Ride to refund the full amount due to the customer under our regulations, \$2641, and fines Air Ride \$500.

ESTIMATED COST:

- ® Carrier will pay at least \$2641 in customer refunds and fines.
- ® General Fund will receive \$500 from fine paid to the Commission by Appellant.

(Comr Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=402246

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

Agenda 3242, Item 5a 10/15/2009 (Pub. Util. Code §311(e))

11/12/2009 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Transportation/Rail Safety Resolutions and Reports (continued)

Item **Deviation of General Order 26-D at I Street Crossing for**
73 **Sacramento Railyards Project**

(Rev.)

[8954]

Res SX-94

PROPOSED OUTCOME:

® Approves deviation from General Order 26-D for overhead clearances at I Street crossing in the City of Sacramento.

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405420

11/13/2009 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legal Division Matters

Item	Comments Before the Federal Energy Regulatory
74	Commission

[9025]

FERC Docket AD09-10

Request for Commission approval to file comments at the Federal Energy Regulatory Commission (FERC) in response to FERC proposal "Possible Elements of a National Action Plan on Demand Response.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405688

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

Item **Pacific Gas and Electric Company Smart Meter Deployment**
75 **in San Joaquin Valley**
(Rev.)
[9018]

Commissioner's Report - President Peevey

Request approval to utilize PU Code Section 632 for the Commission to enter into a contract(s) for independent testing of Smart Meters, and related software, by a third-party technical expert(s) because of extraordinary circumstances that justify expedited contracting for consultant or advisory services, resulting from the public concerns raised about the deployment of PG&E's Smart Meters in San Joaquin Valley.

11/17/2009 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Management Reports and Resolutions**Item Biannual Report****76**

[9017]

Executive Director Clanon Report

Pacific Forest and Watershed Lands Stewardship Council Biannual report to the California Public Utilities Commission.

**Item Designation to Exercise the Limited Powers of a Peace
77 Officer**

[8979]

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.

Item Request to Disclose Accident Investigation Report**78**

[9019]

Director Clark Report

The Consumer Protection and Safety Division requests authority to disclose the Commission staff investigation of a fatal injury to a Sacramento Regional Transit District (SRTD) wayside worker struck by an SRTD light-rail vehicle on July 24, 2008. The report includes a factual description of the accident, antecedent events and accident consequences, analysis of potential causes, and recommendations to improve the safety of operations.

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

Item Conference with Legal Counsel - Application for Rehearing

79

[8982]

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.

Item Conference with Legal Counsel - Application for Rehearing

80

[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.

Agenda 3243, Item 66 10/29/2009 (Staff)

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

Item Conference with Legal Counsel - Existing Litigation

81

[8983]

FERC Docket No. ER06-615 and Related Items

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

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

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

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

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

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