
Public Utilities Commission of the State of California

Public Agenda 3245

Thursday, December 3, 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, 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)
Monday, March 08, 2010 (San Francisco)	Thursday, February 25, 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.
- 23, 26, 29

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**

[9028]

Res ALJ-176-3245

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=406512

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);
 Agenda 3244, Item 2 11/20/2009 (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=406533

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);
Agenda 3244, Item 3 11/20/2009 (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=406496

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);

Agenda 3244, Item 4 11/20/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **California-American Water Company Memorandum**
5 **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=407395

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);

Agenda 3244, Item 6 11/20/2009 (Bohn)

Consent Agenda - Orders and Resolutions (continued)

Item **Determines Ratemaking Treatment for Rural Telephone**
6 **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=406522

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);

Agenda 3244, Item 7 11/20/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Petition of The Utility Reform Network for a Rulemaking**
7 **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=406516

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);

Agenda 3244, Item 8 11/20/2009 (Simon)

Consent Agenda - Orders and Resolutions (continued)

Item **Decision Modifying Decision 06-12-030 and Decision**
8 **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=406524

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);

Agenda 3244, Item 9 11/20/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 9 **Chevron Pipeline Company's Request to Remove the New Kettleman Station Truck Unloading Facility From its Public Utility Accounts**
[8947]

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=406594

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

Agenda 3244, Item 25 11/20/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Park Water Company General Rate Increase

10

(Rev.)

[8950]

A09-01-001

In the Matter of the Application of Park Water Company for Authority to Increase Rates Charged for Water Service by \$1,479,580 or 5.99% in 2010, \$503,371 or 1.91% in 2011, and \$643,923 or 2.40% in 2012.

PROPOSED OUTCOME:

® Finds the settlement filed on July 15, 2009 (Settlement Agreement) in this proceeding reasonable in light of the whole record, consistent with the law, and in the public interest under Rule 12.1(d) of the Commission's Rules of Practice and Procedure. As a result, the Settlement Agreement is adopted and Park Water Company (Park Water) is authorized to increase its rates in 2010, 2011, and 2012. This decision also incorporates additional amounts approved by the Commission in Advice Letters 210-W and 211-W.

® Approves a rate increase over present rates for Test Year 2010 is \$515,173 or 2.03%. The adopted revenue requirement at proposed rates for Test Year 2010 of \$26,828,000 and the resulting return on rate base is 9.12%.

® Approves estimated rate increases for escalation years 2011 and 2012. These rate increases include capital costs and operations & maintenance expenses for improvement to water quality at Park Water's Well 9D.

® Closes the proceeding.

ESTIMATED COST:

® \$26,828,000 for 2010 and additional amounts for 2011 and 2012.

(Comr Bohn - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406579

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

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

11/30/2009 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item **Golden State Water Company's Tariff Modifications to**
11 **Establish the Shell Agreement Memorandum Account**
[8981]

Res E-4280, Advice Letter 232-E filed on July 8, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves, with modifications, Golden State Water Company's request to add Part U to its Preliminary Statement, which establishes the Shell Agreement Memorandum Account to record unrealized gains or losses from its Shell Purchased Power Agreement.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406950

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

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's 2008 Energy Resource
12 Recovery Account Compliance**

[8984]

A09-02-008

Application of Pacific Gas and Electric Company for Review of Entries to the Energy Resource Recovery Account And Compliance Review of Fuel Procurement for Utility Retained Generation, Administration of Power Purchase Contracts, and Least Cost Dispatch of Electric Generation Resources for the Record Period of January 1 through December 31, 2008.

PROPOSED OUTCOME:

- ® This decision finds that Pacific Gas and Electric Company's (PG&E) fuel procurement, administration of power purchase agreements, and least-cost dispatch power activities in 2008 were reasonable and prudent.
- ® PG&E's procurement-related revenue and expenses recorded in its Energy Resource Recovery Account Compliance balancing account for 2008 were also reasonable and prudent.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Bohn - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407098

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 Southern California Edison Company Conveyance of a
13 Lease to RVSA, LLC**

[8988]

A09-06-026

In the Matter of the Application of Southern California Edison Company for Authority to Lease Available Land on the West Lugo-Mira Loma Transmission Right-of-Way to RVSA, LLC, a Limited Liability Company.

PROPOSED OUTCOME:

- ® Grants the unopposed application of Southern California Edison Company (SCE) for Commission authorization under Public Utilities Code Section 851 for SCE to convey a 20-year lease of property located on SCE's West Lugo-Mira Loma transmission right-of-way (ROW) in the City of Ontario to RVSA, LLC (RVSA).
- ® RVSA plans to operate a boat and recreational vehicle storage facility on the site.
- ® As a condition of approval of this application, requires SCE to apply for prior Commission authorization pursuant to Section 851 and to undergo any required California Environmental Quality Act review if RVSA, or any other entity to which the lease is transferred, assigned, encumbered, subleased, or mortgaged, decides to utilize the property for another purpose, and SCE approves of this change of use.
- ® As a condition of approval of this application, requires SCE to obtain prior Commission authorization pursuant to Section 851 for the proposed assignment, transfer, encumbrance, sublease, or mortgage of the lease by RVSA to any party that would alter the terms of the existing lease.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.
- ® As a result of entering into this proposed lease, SCE will obtain substantial revenues from rent paid by RVSA.
- ® This lease will also benefit SCE ratepayers, because the rent paid by RVSA will be treated as Other Operating Revenue for ratemaking purposes, and SCE ratepayers will therefore be credited with 30% of the rent revenues.

(Comr Grueneich - ALJ Prestidge)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404364

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 **Correction of Errors in Decision 08-12-058 and Decision**
14 **09-07-024**

[8989]

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:

- ® Decision corrects, on the Commission's own motion, an internal, procedural ambiguity in Ordering Paragraph 13 of Decision (D) 08-12-058 regarding filing of status reports.
- ® Corrects two inadvertent calculation errors in D08-12-058 and in D09-07-024, which denied rehearing of D08-12-058. These corrections remove inconsistencies in the analysis that underlies the decisions but do not affect the rationale for the Commission's ultimate determination to approve construction of the Final Environmentally Superior Southern Route alternative for the Sunrise Powerlink Project; that determination remains unchanged.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Grueneich - ALJ Vieth)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404398

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 **Pacific Gas and Electric Company's Request for Two**
15 **Renewable Power Purchase Agreements with Shell Energy**
[8992] **North America**

Res E-4291, Advice Letter 3477-E filed on June 17, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for two Pacific Gas and Electric Company's short-term renewable energy power purchase agreements (PPAs) with Shell Energy North America (US), L.P.

® The PPAs and associated hedging strategy are approved without modification, contingent upon a compliance filing.

ESTIMATED COST:

® Costs of this contract are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407389

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

Item **Del Oro Water Company, Arbuckle District General Rate**
16 **Increase**
[8995]

Res W-4805

PROPOSED OUTCOME:

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

ESTIMATED COST:

® Increase in revenue of \$13,543 or 52.2% in Test Year 2009.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407526

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

Consent Agenda - Orders and Resolutions (continued)

**Item California Department of Water Resources Revenue
17 Requirement Determination**

[8997]

R09-06-018

Order Instituting Rulemaking to Consider the Annual Revenue Requirement Determination of the California Department of Water Resources.

PROPOSED OUTCOME:

® Allocates the California Department of Water Resources' (DWR) revised 2010 revenue requirement determination to the electricity customers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company.

ESTIMATED COST:

® DWR's revised 2010 revenue requirement determination of \$3.022 billion is allocated to electricity customers, which consists of \$2.126 billion for DWR's 2010 energy costs and \$896 million in bond charges related to DWR's power contracts.

(Comr Peevey - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E26168

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 Tahoe Cedars Water Company Surcharge to Recover Cost
18 of Construction of a New Well**

[9023]

Res W-4808, Advice Letter 40 filed on August 17, 2009 - Related matters.

PROPOSED OUTCOME:

® Authorizes a surcharge of \$47.96 per year for four years.

ESTIMATED COST:

® Total cost recovery of \$221,738.69.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404659

**Item Order Extending Statutory Deadline
19**

[9024]

R05-12-013

Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resource Adequacy Requirements Program.

PROPOSED OUTCOME:

® Extends the deadline for resolving the proceeding by 60 days.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Wetzell)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404441

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

Consent Agenda - Orders and Resolutions (continued)

Item **Change in Preliminary Determination Regarding Hearing in**
20 **A09-09-019 - Pacific Gas and Electric Company**

[9026]

Res ALJ-243

PROPOSED OUTCOME:

® Changes preliminary determination regarding hearing of proceeding to not requiring a hearing.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404858

Item **Sacramento Transportation Systems, Inc. to Extend its**
21 **Passenger Stage Corporation Certificate**

[9033]

A09-10-011

PROPOSED OUTCOME:

® Grants the application of Sacramento Transportation Systems, Inc. dba SuperShuttle of Sacramento to extend its passenger stage corporation certificate to include scheduled service between Sacramento International Airport and points in Napa County, and to establish a zone of rate freedom.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404831

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

Consent Agenda - Orders and Resolutions (continued)

Item **Petition to Modify Decision 09-07-019 and General Order**
22 **133-C**

[9040]

R02-12-004

Order Instituting Rulemaking on the Commission's Own Motion into the Service Quality Standards for All Telecommunications Carriers and Revisions to General Order 133-B.

PROPOSED OUTCOME:

- ® Grants petition to modify Decision 09-07-019 and General Order 133-C to limit reporting to customer trouble reports to local exchange services provided to residential and small business customers (those with five or fewer lines).
- ® Closes the proceeding.

ESTIMATED COST:

- ® Costs to comply with General Order 133-C should remain the same or decrease.

(Comr Chong - ALJ Grau)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404697

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

23

[9041]

I09-01-018

Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company, Cellco Partnership LLP d/b/a Verizon Wireless, Sprint Communications Company LP, NextG Networks of California, Inc. and Pacific Bell Telephone Company d/b/a AT&T California and AT&T Mobility LLC, Regarding the Utility Facilities and the Canyon Fire in Malibu of October 2007.

PROPOSED OUTCOME:

® Extends statutory deadline 12 months until January 31, 2011.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Reed)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405392

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

**Item Pacific Gas and Electric Company Seeking Authority to
24 Authorize Encroachment**

[9042]

Res E-4303, Advice Letter 3480E filed on June 24, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves an Encroachment Agreement between Pacific Gas and Electric Company and Rawah Properties, LLC pursuant to Public Utilities Code Section 851.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407423

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company and Marina Coast Water**
25 **District Order to Authorize a Permanent, Non - Exclusive**
[9044] **Easement**

A09-09-002

PROPOSED OUTCOME:

- ® Authorizes Pacific Gas and Electric Company to grant Marina Coast Water District an easement for an underground recycled water pipeline pursuant to Pub. Util. Code § 851.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Grueneich - ALJ Grau)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407020

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

26

[9051]

C08-06-018

XO Communications Services, Inc. vs. Fones4All Corporation.

PROPOSED OUTCOME:

® Extends statutory deadline 180 days, until June 15, 2010, pursuant to Pub. Util. Code § 1701.2(d).

ESTIMATED COST:

® None.

(Comr Simon - ALJ Reed)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405514

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

Item New Order Instituting Rulemaking

27

[9054]

R_____

Order Instituting Rulemaking to examine whether the current procedures for processing applications to obtain or transfer a passenger stage corporation certificate, to acquire or control a passenger stage corporation, and to establish a zone of rate freedom should be revised.

PROPOSED OUTCOME:

® Opens new rulemaking to simplify procedures for processing passenger stage corporation applications.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403471

Consent Agenda - Orders and Resolutions (continued)

Item **Two New Grade-Separated Crossings Over the Track of the**
28 **Burlington Northern Santa Fe Railway Company**

[9060]

A09-07-030

PROPOSED OUTCOME:

® Grants County of Merced authority to construct two new grade-separated crossings across the track and right-of-way of the Burlington Northern Santa Fe Railway Company at the proposed Campus Parkway Expressway in the County.

® Closes proceeding.

ESTIMATED COST:

® Discretionary project, not within scope of applicant request.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=405350

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

29

[9065]

C08-12-007

Richard S. Calone vs. Point Arena Water Works, Inc.

PROPOSED OUTCOME:

® Extends the statutory deadline to resolve this complaint proceeding to December 3, 2010.

ESTIMATED COST:

® None.

(Comr Bohn - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406225

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

Regular Agenda

Regular Agenda - Energy Orders

Item 30 Policies and Procedures for Purchase of Excess Electricity Under Assembly Bill 1613

[8987]

R08-06-024

Order Instituting Rulemaking on the Commission's Own Motion into Combined Heat and Power Pursuant to Assembly Bill 1613.

PROPOSED OUTCOME:

- ® Adopts the policies and procedures to implement Assembly Bill 1613.
- ® Determines that customers to be allocated costs and benefits under this program shall include bundled service customers and customers receiving electric service from electric service providers or community choice aggregators.
- ® Adopts a 500 megawatt (MW) interim cap on amount of excess electricity to be purchased under the program.
- ® Determines price for excess electricity shall be based on the costs of a combined cycle gas turbine and comprised of a fixed and a variable component.
- ® Includes a 10% location bonus applied to eligible combined heat and power (CHP) located in high-value areas and a pass through of any greenhouse gas compliance costs.
- ® Adopts a standard contract to be offered to all eligible CHP up to 20 MW, and a simplified contract to be offered to eligible combined heat and power systems that export up to 5 MW.
- ® Adopts Energy Division staff's proposed changes to the standard and simplified contracts, with some modifications.

ESTIMATED COST:

- ® Unknown.
- ® Cost will depend on the actual price of contracts entered into under this program.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E26077

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 - Energy Orders (continued)

Item **Compensation Awarded to The Greenlining Institute for**
31 **Substantial Contribution to Decision 08-07-046**

[8990]

A06-12-009, A06-12-010, I07-02-013 - Related matters.

Application of San Diego Gas & Electric Company for Authority to update its Gas and Electric Revenue Requirement and Base Rates effective on January 1, 2008.

PROPOSED OUTCOME:

® Awards The Greenlining Institute \$12,186.01 in compensation for its substantial contribution to Decision 08-07-046.

® Closes the proceeding.

ESTIMATED COST:

® Ratepayers of San Diego Gas & Electric Company and Southern California Gas Company will each pay 50% of the awarded amount of \$12,186.01, plus interest.

(Comr Bohn - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407050

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

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

Regular Agenda - Energy Orders (continued)

**Item Southern California Edison Company's Tehachapi
32 Renewable Transmission Project**

[8993]

A07-06-031

PROPOSED OUTCOME:

- ® Grants Certificate of Public Convenience and Necessity for the Tehachapi Renewable Transmission Project (Segments 4-11) (TRTP).
- ® Certifies Environmental Impact Report.
- ® Imposes mitigation measures and conditions.
- ® Finds overriding considerations for approving the TRTP.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$1,522,920,000 construction costs without financing costs.
- ® \$1,784,740,000 (estimated) total cost.

(Comr Grueneich - ALJ Kolakowski)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E26171

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

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

Regular Agenda - Energy Orders (continued)

Item **Southern California Edison Company's Support of the**
33 **Hydrogen Energy California**

[8996]

A09-04-008

Application of Southern California Edison Company For Authorization to Recover Costs Necessary to Co-Fund a Feasibility Study of a California Integrated Gasification Combined Cycle with Carbon Capture and Storage.

PROPOSED OUTCOME:

- ® Approves application.
- ® Finds the anticipated costs to be reasonable.
- ® Authorizes recovery of up to \$30 million for Southern California Edison Company's (SCE) participation in feasibility studies.
- ® Approves SCE's plan for disclosing the results of studies to the public.
- ® Finds that SCE has met all conditions set forth for this application in Resolution E-4227A.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Rates will increase by \$30 million.

(Comr Peevey - ALJ Sullivan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407194

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

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

Regular Agenda - Energy Resolutions and Written Reports**Item Moorpark-Newbury 66 kV Subtransmission Line****34**

[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=406596

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);
Agenda 3244, Item 64 11/20/2009 (Peevey)

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item 35
Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company
Qualifying Facilities Contracts
 [8520]

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=406600

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);

Agenda 3244, Item 65 11/20/2009 (Staff)

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item **Pacific Gas and Electric Company Requests Approval of a**
36 **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=406567

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

Agenda 3244, Item 66 11/20/2009 (Simon)

Regular Agenda - Communication Orders**Item Guidelines for Customer Education Programs Regarding
37 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=407397

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

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

Agenda 3244, Item 67 11/20/2009 (Chong)

Regular Agenda - Communication Resolutions and Reports**Item TracFone Wireless, Inc. Request for Eligible
38 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=404285

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

Agenda 3243, Item 59 10/29/2009 (Simon)

Regular Agenda - Communication Resolutions and Reports (continued)

Item **Fundings for The California Broadband Cooperative of
39**
[8893] **California's Digital 395 Middle Mile Project From the
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);

Agenda 3244, Item 69 11/20/2009

Item **ALTERNATE TO ITEM 8893**
39a
[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=407031

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

Agenda 3244, Item 69a 11/20/2009

Regular Agenda - Communication Resolutions and Reports (continued)

Item **Funding for California Valley Broadband Middle and Last
40** **Mile Project From California Advanced Services Fund**

[9002]

Res T-17245

PROPOSED OUTCOME:

® Adopts California Advanced Services (CASF) contingent funding for the California Valley Broadband Middle and Last Mile Project.

ESTIMATED COST:

® \$8,216,583 from the CASF which represents 10% of the total project cost of \$82,165,826 to provide broadband service in the Sacramento, Solano, San Joaquin, Stanislaus, Merced, Madera and Fresno Counties.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=404113

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

Regular Agenda - Legal Division Matters**Item** **Comments Before Federal Communications Commission**
41 **Regarding the Federal Universal Service Program and**
[9050] **Intercarrier Compensation Policies****GN Docket No. 09-47 et. al.**

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 #19, DA 09-2419.

® The Federal Communications Commission (FCC) seeks comment on the federal universal service program and intercarrier compensation policies, in an effort to explore various policy options that would further the goal of making broadband service universally available in the U.S.

® In this public notice, the FCC seeks comment on the size of the Universal Service Fund (Fund), the contribution methodology for the Fund, transitioning from the current high-cost support mechanism to one that would support broadband deployment, and other related issues.

® Staff seeks authority to file comments.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406905

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**

42

[9055]

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**

43

[8922]

A06-12-005; A06-12-020; A07-01-004; A07-01-017; A07-01-044; A07-02-007; A07-02-017; A07-03-004; A07-05-012; A07-05-013

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);

Agenda 3244, Item 80 11/20/2009 (Simon)

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**44**

[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.

Agenda 3243, Item 67 10/29/2009 (Simon)

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

45

[9056]

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.

Item Conference with Legal Counsel - Existing Litigation

46

[9013]

FERC Docket No. ER06-615 and Related Items

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

Agenda 3244, Item 82 11/20/2009 (Peevey)

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