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

## ***Public Agenda 3247***

***Thursday, January 21, 2010 10:00 a.m.***

***San Francisco, California***

**Commissioners**

**Michael R. Peevey, President**

**John A. Bohn**

**Dian M. Grueneich**

**Timothy Alan Simon**

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

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

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### **Scheduled Commission Meetings 505 Van Ness Avenue, San Francisco**

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (10 a.m.) <b><i>Open to the Public</i></b>
Monday, February 01, 2010 (San Francisco)	Thursday, February 04, 2010 (San Francisco)
Monday, February 22, 2010 (San Francisco)	Thursday, February 25, 2010 (San Francisco)
Monday, March 08, 2010 (San Francisco)	Thursday, March 11, 2010 (San Francisco)
Monday, April 05, 2010 (San Francisco)	Thursday, April 08, 2010 (San Francisco)
Monday, April 19, 2010 (San Francisco)	Thursday, April 22, 2010 (Los Angeles)

*\*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  
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**PUBLIC COMMENT**

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

- All items on the closed session agenda.
- 22, 35

**Public Comment:**

Re 7: Ivette Rosales, Union City, CA

Re 44: Claudia Eyzaguirre, Vote Solar, San Francisco, CA

**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**

<b>Item</b>	<b>Preliminary Categorizations and Hearing Determinations for</b>
<b>1</b>	<b>Recently Filed Formal Applications</b>

[9117]

**Res ALJ 176-3247**

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

® None.

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Consent Agenda - Orders and Resolutions (continued)

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

**2**

[8474]

**R06-02-013**

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

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412718](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412718)

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

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

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Agenda 3234, Item 14 5/21/2009 (Staff);  
Agenda 3235, Item 2 6/4/2009 (Simon);  
Agenda 3236, Item 5 6/18/2009 (Staff);  
Agenda 3237, Item 2 7/9/2009 (Staff);  
Agenda 3238, Item 3 7/30/2009 (Staff);  
Agenda 3239, Item 2 8/20/2009 (Staff);  
Agenda 3240, Item 2 9/10/2009 (Staff);  
Agenda 3241, Item 2 9/24/2009 (Staff);  
Agenda 3242, Item 2 10/15/2009 (Staff);  
Agenda 3243, Item 2 10/29/2009 (Staff);  
Agenda 3244, Item 2 11/20/2009 (Staff);  
Agenda 3245, Item 2 12/3/2009 (Staff);  
Agenda 3246, Item 2 12/17/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item 3 Clarifies the Rules of the Community Choice Aggregation Opt-Out Provisions, as Set Forth in the Statute**

[8768]

**Res E-4250**

**PROPOSED OUTCOME:**

® Directs Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to modify their Community Choice Aggregation (CCA) tariffs and clarifies rules that are intended to:

- ® Describe when customers may opt-out of CCA service.
- ® Prevent utilities from refusing to sell electricity to CCAs.
- ® Prevent utilities from offering goods, services, or programs as an inducement for a local government not to participate in a CCA.

**ESTIMATED COST:**

® No impact on utilities' revenue requirements.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=409854](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=409854)

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

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Agenda 3240, Item 20 9/10/2009 (Staff);  
Agenda 3241, Item 9 9/24/2009 (Staff);  
Agenda 3242, Item 7 10/15/2009 (Staff);  
Agenda 3243, Item 4 10/29/2009 (Staff);  
Agenda 3244, Item 3 11/20/2009 (Staff);  
Agenda 3245, Item 3 12/3/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Proposal Regarding**  
**4**                            **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=406559](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406559)

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

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Agenda 3242, Item 16 10/15/2009 (Peevey);  
Agenda 3243, Item 7 10/29/2009 (Staff);  
Agenda 3244, Item 5 11/20/2009 (Peevey)

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=407667](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407667)

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

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

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

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

Agenda 3245, Item 5 12/3/2009 (Staff)

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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 or the California High Cost Fund A credited with the Rural Telephone Bank Stock redemption proceeds.
- ® Applicants ordered to Show Cause why they should not be fined for failing to disclose receipt of Rural Telephone Bank Stock redemption proceeds.

**ESTIMATED COST:**

- ® Jurisdictional portion of 30 million in aggregate rate relief.

(Comr Peevey - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412558](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412558)

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

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

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

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

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

Agenda 3245, Item 6 12/3/2009 (Staff);

Agenda 3246, Item 4 12/17/2009 (Staff)

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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=412689](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412689)

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

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

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

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

Agenda 3245, Item 7 12/3/2009 (Staff);

Agenda 3246, Item 5 12/17/2009 (Staff)

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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=412705](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412705)

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

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

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

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

Agenda 3245, Item 8 12/3/2009 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item 9 Funding for The Sea Ranch Project of Verizon California, Inc.  
from California Advanced Services Fund**

**(Rev.)**

[8972]

**Res T-17238**

**PROPOSED OUTCOME:**

® Construction of new fiber optic line extending in The Sea Ranch wire center which will provide broadband service to areas The Sea Ranch, Cazadero and Timber Cove.

**ESTIMATED COST:**

® \$1,872,017 from the California Advanced Services Fund representing 40% of the total project cost.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=409399](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=409399)

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

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Agenda 3244, Item 46 11/20/2009 (Staff);

Agenda 3246, Item 7 12/17/2009 (Staff)

01/14/2010 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

**Item Lake Forest Water Company Memorandum Account**

**10**

[9076]

**Res W-4815**, Advice Letter (AL) 40-W filed on July 28, 2009 and AL 40-W-B filed on November 24, 2009  
- Related matters.

**PROPOSED OUTCOME:**

® Authorizes a surcharge of \$39.87 semi-annually for three years for Water Quality Memorandum Account and an increase of \$55,037 or 38.5% for an offset rate base increase.

**ESTIMATED COST:**

® Recovery of \$42,905 from Water Quality Memorandum Account.

® \$55,037 or 38.5% increase for purchased water, power, and rate base offsets.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=409320](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=409320)

Agenda 3246, Item 40 12/17/2009 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item                    Extension of an Interconnection Agreement Between Sprint  
11                        Communications Company, L.P. and AT&T California**

[9089]

**A09-06-006**

In the Matter of the Application of Sprint Communications Company L.P., for Commission Approval of an Amendment Extending its Existing Interconnection Agreement for Three Years with the Pacific Bell Telephone Company d/b/a AT&T California pursuant to the Merger Commitment Voluntarily Created and Accepted by AT&T, Inc. (AT&T), as a Condition of Securing Federal Communications Commission Approval of AT&T's Merger with BellSouth Corporation.

**PROPOSED OUTCOME:**

- ® Grants Sprint Communications Company, L.P.'s application for an order directing AT&T California to extend their current interconnection agreement for an additional three years.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Bemserfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412396](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412396)

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

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

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**Item                    Disclosure of Records of an Investigation**

**12**

[9091]

**Res L-390**

Authorizes disclosure of records of the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a gas leak explosion that occurred on December 24, 2008, at Paulte Way in Rancho Cordova, California.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=411552](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=411552)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Entelegent Solutions, Inc. Certificate of Public Convenience  
13                        and Necessity**

[9105]

**A09-07-024**

In the Matter of the Application of Entelegent Solutions, Inc. for a Certificate of Public Convenience and Necessity to Operate as a Provider of Facilities-Based and Resold Local Exchange Service within in the State of California.

**PROPOSED OUTCOME:**

- ® Grants certificate of public convenience and necessity to Entelegent Solutions, Inc.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ MacDonald)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=406199](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406199)

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

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**Item                    Disclosure of Records of an Investigation  
14**

[9106]

**Res L-388**

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an October 1, 2008 incident involving San Francisco Municipal Transportation Agency that occurred on the Muni J Church line in San Francisco, California.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=411992](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=411992)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Disclosure of Records of an Investigation**

**15**

[9107]

**Res L-389**

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division investigation concerning a January 11, 2009, Amtrak train-pedestrian incident that occurred in a railroad tunnel in Chatsworth, California.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=411994](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=411994)

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

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**Item Del Oro Water Company General Rate Increase**

**16**

[9111]

**Res W-4821**

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

® Additional revenue of \$23,122 or 5.15%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412274](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412274)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Del Oro Water Company, Inc., Pine Flat District General Rate  
17                    Increase**

[9112]

**Res W-4822**

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

® Additional revenue of \$26,486 or 28.2%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412250](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412250)

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

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**Item                    General Order 103-A Minimum Standards for Repairs  
18**

[9113]

**Res W-4823**

**PROPOSED OUTCOME:**

® Revises the disinfection requirement for water mains established in General Order 103-A, Section II.3.C.5, and changes the reference from Public Utilities Code Section 781 to 781.5 to reflect the changes approved in Assembly Bill 975.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412390](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412390)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Los Angeles County Metropolitan Transportation Authority**  
**19                        Permanent Variance to General Order 143-B**

[9114]

**Res ST-108**

**PROPOSED OUTCOME:**

® Grants Los Angeles County Metropolitan Transportation Authority's (LACMTA) request, dated November 10, 2009, for a permanent variance to General Order 143-B, Section No. 9.06 c (1) Side Clearance requirements for all future LACMTA high-level station platform projects, including on its existing Metro Red and Purple Lines subway system platforms, for the installation of Between-Car-Barrier units to meet the requirements of 49 CFR Part 38.

**ESTIMATED COST:**

® Not within the scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=408220](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=408220)

**Item                    Los Angeles County Metropolitan Transportation Authority**  
**20                        Variance From General Order 143-B**

[9115]

**Res ST-109**

**PROPOSED OUTCOME:**

® Grants Los Angeles County Metropolitan Transportation Authority's request, dated November 10, 2009, for a variance to General Order 143-B, Section No. 9.05 Emergency Walkway for the Mechanically Stabilized Earth 101 Aerial Overpass at the crossover tracks near the intersection of Temple and Alameda Streets.

**ESTIMATED COST:**

® Not within the scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=408640](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=408640)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Final Report on the 2009 Safety Review of the North County  
21**                    **Transit District**

[9116]

**Res ST-110**

**PROPOSED OUTCOME:**

® Grants approval of North County Transit District Safety Review Report dated November 13, 2009.

**ESTIMATED COST:**

® Not within the scope of this resolution.

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

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**Item**                    **Order Dismissing Complaint**  
**22**

[9118]

**(ECP) C09-08-017**

Christopher Douglas vs. Pacific Gas and Electric Company.

**PROPOSED OUTCOME:**

® Case dismissed for lack of prosecution.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=410837](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=410837)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Funding for Broadband Associates, Int. Inc. From the  
23                        California Advanced Services Fund**

[9119]

**Res T-17239**

**PROPOSED OUTCOME:**

® Under the California Advance Services Fund (CASF) program, construction of 640 mile fiber optic middle and last mile infrastructure in 12 northeastern California counties.

**ESTIMATED COST:**

® \$18,012,964 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=411361](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=411361)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Closing**

**24**

**(Rev.)**

[9120]

**193-02-028**

In the Matter of the Investigation on the Commission's Own Motion into the Pacific Telesis Group's "spin-off" Proposal.

**PROPOSED OUTCOME:**

® Closes 16-year old docket.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Reed)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412217](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412217)

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

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01/14/2010 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

**Item                    Southern California Edison Company's Request to Confirm  
25                    Nominee**

[9121]

**Res E-4288**, Advice Letter 2382-E, filed on September 16, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Grants Southern California Edison Company's request to confirm its nominee, Aulana L. Peters, to the Committees of its Nuclear Decommissioning Trust Funds for a five year term starting on February 11, 2010.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=403721](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=403721)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Southern California Gas Company Revisions to its Rule 10 -  
26                    Service Charges**

[9122]

**Res G-3438**, Advice Letter 3995 filed on June 22, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Southern California Gas Company (SoCalGas) proposes to increase the charges for appliance connections and seismic valve services, add charges for some equipment pieces, and revise tariff language related to bill payment for these services.

® Denies SoCalGas' request to revise the fees related to seismic valve services.

® Denies SoCalGas' request to reduce the amount of time that bills are due, if billing is done separately from the monthly gas bill.

® Denies SoCalGas' request to revise existing tariff language to enable it to terminate service for failure to timely pay for the seismic valve service and other appliance connection charges.

® Approves all other aspects of SoCalGas' requests.

**ESTIMATED COST:**

® \$222,629.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412178](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412178)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item City of Cerritos' Rights Under Assembly Bill 80**

**27**

[9123]

**A09-06-008**

Application of the City of Cerritos for a Determination of Rights Under Assembly Bill (AB) 80 and Modification of the AB 80 Agreement.

**PROPOSED OUTCOME:**

- ® Determines that Assembly Bill (AB) 80 authorizes City of Cerritos (Cerritos) to service customers within its jurisdiction on an opt-in-basis.
- ® Determines that AB 80 grants Cerritos an exemption from the suspension of direct access service up to its entitlement share of generation power from the Magnolia Power Project.
- ® Affirms that Cerritos is subject to the renewable portfolio standard (RPS) requirements and is required to participate in the RPS program.
- ® Directs Southern California Edison Company and Cerritos to amend the AB 80 Agreement, if necessary, to include in the Initial Load Limitation Cerritos' RPS obligations.
- ® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Yip-Kikugawa)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412347](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412347)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Pacific Gas and Electric Company ClimateSmart**  
**28**                        **Performance Guarantee Greenhouse Gas Emission**  
[9124]                    **Reduction Measurement Units**

**Res G-3425**

**PROPOSED OUTCOME:**

® Clarifies that Pacific Gas and Electric Company's ClimateSmart program performance guarantee, adopted in Decision (D) 06-12-032, is 1.5 million short tons of carbon dioxide equivalent greenhouse gas (GHG) emission reductions.

® The performance guarantee is to be stated on a metric ton equivalent basis (1,360,777.11 metric tons of carbon dioxide equivalent GHG emission reductions) going forward.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412339](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412339)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Southern California Edison Company's Renewable Power  
29                    Purchase Agreement with Sierra SunTower, LLC**

[9125]

**Res E-4295**, Advice Letter 2383-E filed on September 18, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for a short-term bilateral renewable energy power purchase agreement (PPA) with Sierra SunTower LLC.

® The PPA is approved without modification.

**ESTIMATED COST:**

® Costs of this contract are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412310](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412310)

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

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**Item                    California-American Water Company to Establish a Cease  
30                    and Desist Order Memorandum Account**

**(Rev.)**

[9128]

**Res W-4824**, Advice Letter 805 filed on October 5, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes the establishment of the Cease and Desist Order Memorandum Account.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=408412](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=408412)

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

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01/14/2010 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Leyla Saebi Monfared and AM PM Airport Shuttle, LLC**  
**31**                        **Passenger Stage Corporation Certificate Transfer and**  
[9129]                    **Extension**

**A09-10-033**

In the Matter of the Application of Leyla Saebi Monfared, doing business as AM PM Airport Shuttle for Authority under Section 851 et seq. of the Public Utilities Code To Transfer Control of PSC-20075 to AM PM Airport Shuttle, LLC, and for authority of AM PM Airport Shuttle thereafter to extend PSC-20075 to serve points between the Counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego and the Los Angeles International Airport, Long Beach Airport, Burbank (Bob Hope) Airport, Ontario International Airport, John Wayne Airport, San Diego International Airport and Los Angeles/Long Beach Harbors; and to establish a Zone of Rate Freedom pursuant to Section 454.2 of the Public Utilities Code.

**PROPOSED OUTCOME:**

- ® Grants the application to transfer a passenger stage corporation certificate from Leyla Saebi Monfared to AM PM Airport Shuttle, LLC, to extend the authorized service territory of the certificate.
- ® Establish a zone of rate freedom.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=406702](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406702)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Pacific Lightwave Certificate of Public Convenience and  
32                        Necessity**

[9130]

**A09-07-017**

In the Matter of the Application of Pacific Lightwave, a California Corporation for Authority to Provide Local Exchange Services as a Facilities-Based Competitive Local Carrier.

**PROPOSED OUTCOME:**

- ® Grants request for full facilities-based Certificate of Public Convenience and Necessity.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=406770](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=406770)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California High Cost Fund-A Support for Local Exchange  
33**                        **Carriers' Calendar Year 2010**

[9135]

**Res T-17247**

**PROPOSED OUTCOME:**

® Approval of funding for calendar year 2010 for the 14 small Local Exchange Carriers from the California High Cost Fund-A.

**ESTIMATED COST:**

® \$35,535,158.38.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=411957](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=411957)

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

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**Item**                    **Pacific Gas and Electric Company's Renewable Energy  
34**                        **Contract with Woodland Biomass Power Ltd.**

[9137]

**Res E-4310**, Advice Letter 3474-E filed on June 11, 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 Woodland Biomass Power Ltd., pursuant to California's renewables portfolio standard program.

® The PPA is approved without modifications.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=411970](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=411970)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Dimissing Complaint**

**35**

[9138]

**(ECP) C09-09-006**

Wintergarden Greens Homeowners Association vs. San Diego Gas & Electric Company.

**PROPOSED OUTCOME:**

- ® Case dismissed for lack of prosecution.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Grueneich - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=410824](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=410824)

**Item                    Pacific Gas and Electric Company Sale of Segments of  
36                        Operating Gas Gathering Pipelines**

[9139]

**Res G-3442**, Advice Letter 3052-G Filed on October 9, 2009 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves Pacific Gas and Electric Company's request under Public Utilities Code Section 851 for the sale of segments of operating gas gathering pipelines with associated appurtenances in Colusa County and the assignment of associated land rights to Atlantic Oil Company.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412247](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412247)

Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**37**

[9140]

**R05-12-013**

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

**PROPOSED OUTCOME:**

® Extends deadline for resolution of proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Wetzell)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=409925](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=409925)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Modification of San Diego Gas & Electric Company's Cost of  
38**                    **Capital Mechanism**

[9142]

**A07-05-003**, A07-05-007, A07-05-008 - Related matters.

Application of Southern California Edison Company for Authorized Cost of Capital for Utility Operations for 2008.

**PROPOSED OUTCOME:**

® Defers San Diego Gas & Electric Company's April 20, 2010 Cost of Capital Application to April 20, 2012.

® Application (A) 07-05-003, A07-05-007, and A07-05-008 are closed.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Galvin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=408094](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=408094)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Gas Company's Year 15 Gas Cost  
39**                    **Incentive Mechanism**

[9145]

**A09-06-014**

In the Matter of the Application of Southern California Gas Company Regarding Year 15 (2008-2009) of its Gas Cost Incentive Mechanism.

**PROPOSED OUTCOME:**

- ® Approves shareholder award of \$12,047,955 for Southern California Gas Company Year 15 Gas Cost Incentive Mechanism.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Bohn - ALJ Farrar)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=407872](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=407872)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**40**

[9152]

**R06-02-012**

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

**PROPOSED OUTCOME:**

® Deadline for concluding proceeding is extended to April 26, 2010.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=410868](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=410868)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Correcting and Modifying Decision 09-11-010**

**41**

[9153]

**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:**

- ® Grants uncontested petition to modify Decision (D) 09-11-010 to add a standard ordering paragraph which had been inadvertently left out of D09-11-010.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=410920](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=410920)

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

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**Consent Agenda - Intervenor Compensation Orders****Item                    Compensation Awarded to Disability Rights Advocates for  
42                        Substantial Contribution to Decision 09-07-019**

[9143]

**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:**

- ® Awards Intervenor Compensation to Disability Rights Advocates for substantial contributions to Decision 09-07-019.
- ® This proceeding remains open.

**ESTIMATED COST:**

- ® \$24,118.60 paid by the Intervenor Compensation Fund.

(Comr Bohn - ALJ Grau)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=408047](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=408047)

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

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## Regular Agenda

### Regular Agenda - Energy Orders

#### Item Long-Term Resource Adequacy Policy

**43**

[8994]

#### **R05-12-013**

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

#### **PROPOSED OUTCOME:**

- Ⓡ Adopts, as a matter of Commission policy, a multi-year forward capacity procurement requirement.
- Ⓡ Provides for implementation of the adopted policy in a new rulemaking.
- Ⓡ Closes the proceeding.

#### **ESTIMATED COST:**

- Ⓡ No direct incremental cost foreseen.

(Comr Peevey - ALJ Wetzell)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412561](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412561)

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

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

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Agenda 3246, Item 61 12/17/2009 (Peevey)

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Regular Agenda - Energy Orders (continued)

**Item**                    **California Solar Initiative Thermal Program to Provide Solar**  
**44**                        **Water Heating Incentives**

[9010]

**R08-03-008**

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

**PROPOSED OUTCOME:**

® Adopts California Solar Initiative (CSI) Solar Thermal Program to provide incentives for the installation of solar water heating systems on homes and businesses in the service territories of Pacific Gas and Electric Company (PG&E), Southern California Edison Company, San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas).

® Establishes program budget of \$250 million to fund incentives for solar water heating systems that displace gas usage.

® Allows expenditures of up to \$100.8 million, using funds authorized and collected through the CSI photovoltaic program, for solar water heating systems that displace electricity usage.

**ESTIMATED COST:**

® \$250 million to be collected through gas customer distribution rates for customers of PG&E, SDG&E and SoCalGas to fund incentives for gas-displacing solar water heating systems.

® No additional cost for incentives to electric-displacing systems beyond the funds already authorized and collected through the CSI photovoltaic program.

(Comr Peevey - ALJ Duda)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412123](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412123)

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

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

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Agenda 3246, Item 62 12/17/2009 (Bohn )

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Regular Agenda - Energy Orders (continued)

**Item**                      **Incentive Framework to Motivate Optimal Natural Gas**  
**45**                              **Hedging**

[9126]

**R08-06-025**

Order Instituting Rulemaking to Address the Gas Utilities' Incentive Mechanisms and the Treatment of Hedging Under Those Incentive Mechanisms.

**PROPOSED OUTCOME:**

- ® Adopts revised incentive treatment for natural gas hedging programs for Pacific Gas and Electric Company (PG&E) and Southern California Gas Company (SoCalGas)/San Diego Gas & Electric Company (SDG&E). Southwest Gas Corporation remains unchanged.
- ® Adopts the proposed settlement for PG&E, resulting in a risk/reward sharing of hedging transactions between ratepayers and investors subject to a 1.5% of annual commodity cost cap.
- ® Leaves winter hedging design and implementation with PG&E.
- ® Revises the risk/reward sharing of hedging transactions for SoCalGas/SDG&E between ratepayers and shareholders to include a 25% ratio assigned to the Gas Cost Incentive Mechanism.
- ® Leaves winter hedging design and implementation with SoCalGas.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Uncertain.

(Comr Bohn - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412364](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412364)

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

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

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Regular Agenda - Energy Orders (continued)

**Item Pacific Gas and Electric Company Peak Day Pricing**  
**46**

[9127]

**A09-02-022**

Application of Pacific Gas and Electric Company for Approval of its 2009 Rate Design Window Proposals for Dynamic Pricing and Recovery of Incremental Expenditures Required for Implementation.

**PROPOSED OUTCOME:**

® Continues implementation of the Commission's policy to make dynamic pricing available for all electric customers by adopting and implementing default and optional critical peak pricing and time-of-use rates (together, referred to as Peak Day Pricing) beginning May 1, 2010, for Pacific Gas and Electric Company.

® This decision also adopts appropriate customer outreach and education activities and measures to ensure customer awareness and understanding of the new rates and options.

® The revenue requirement associated with authorized costs will be included in rates through Pacific Gas and Electric Company's Annual Electric True-up advice letter filing.

® Recovery of potential cost overruns, including contingencies, and costs associated with Customer Care and Billing conversions are deferred to after-the-fact reasonableness review applications.

® Closes the Proceeding.

**ESTIMATED COST:**

® Authorizes cost recovery of capital expenditures and operating expenses amounting to \$92,072,000 for the years 2008-2010.

(Comr Peevey - ALJ Fukutome)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=412613](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=412613)

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

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

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Regular Agenda - Energy Orders (continued)

**Item                    Sempra Settlement (Pipeline Cases) and Price Indexing  
47                        Cases Settlement**

[9134]

**R09-07-029**

Order Instituting Rulemaking Adopting Rules to Account for the Consideration Allocated to California Core Natural Gas Ratepayers Under Settlements of Natural Gas Antitrust Cases I-IV.

**PROPOSED OUTCOME:**

® Allocates Sempra Settlement (Pipeline Cases) (8 installments of \$7.85 million plus interest) and Price –Indexing Cases Settlement (\$50.5 million) to Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, Southwest Gas Company, and Long Beach Gas and Oil Department as approved in the Sempra Settlement.

® Adopts accounting and ratemaking procedures included in Attachment A to this decision.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Grau)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=411843](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=411843)

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

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

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Regular Agenda - Energy Orders (continued)

**Item Pacific Gas and Electric Company to Recover Smart Grid  
48 Costs**

[9136]

**A09-09-019**

**PROPOSED OUTCOME:**

® Grants Pacific Gas and Electric Company the authority to increase electric rates and charges to recover costs related to Smart Grid compressed air energy storage demonstration project.

® Application 09-09-019 is closed.

**ESTIMATED COST:**

® \$24.9 million.

(Comr Peevey - ALJ MacDonald)

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

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

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**Regular Agenda - Energy Resolutions and Written Reports****Item Moorpark-Newbury 66 kV Subtransmission Line  
49**

[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.

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

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Agenda 3235, Item 25 6/4/2009 (Staff);  
Agenda 3236, Item 43 6/18/2009 (Staff);  
Agenda 3237, Item 32 7/9/2009 (Staff);  
Agenda 3240, Item 46 9/10/2009 (Staff);  
Agenda 3241, Item 38 9/24/2009 (Staff);  
Agenda 3242, Item 46 10/15/2009 (Staff);  
Agenda 3243, Item 51 10/29/2009 (Staff);  
Agenda 3244, Item 64 11/20/2009 (Peevey);  
Agenda 3245, Item 34 12/3/2009 (Staff)

Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item**                    **Pacific Gas and Electric Company, San Diego Gas & Electric**  
**50**                        **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.

*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);

Agenda 3245, Item 35 12/3/2009 (Staff);

Agenda 3246, Item 69 12/17/2009 (Staff)

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Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item**                    **Implementation of Southern California Edison Company's**  
**51**                        **Solar Photovoltaic Program**

[9057]

**Res E-4299**, Advice Letter 2364-E filed on July 20, 2009 - Related matters.

**PROPOSED OUTCOME:**

- Ⓡ Implements Southern California Edison Company's Solar Photovoltaic Program.
- Ⓡ Adopts a competitive solicitation process, protocols and eligibility criteria.
- Ⓡ Adopts a standard power purchase agreement.
- Ⓡ Adopts annual compliance reporting requirements.

**ESTIMATED COST:**

- Ⓡ Actual costs are unknown at this time.
- Ⓡ Costs for any single power purchase agreement shall not exceed \$260 per megawatt hour.

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

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Agenda 3246, Item 66 12/17/2009 (Peevey)

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**Regular Agenda - Communication Orders**
**Item Guidelines for Customer Education Programs Regarding  
52 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)

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

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

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

Agenda 3245, Item 37 12/3/2009 (Chong);

Agenda 3246, Item 70 12/17/2009 (Bohn )

**Item ALTERNATE TO ITEM 8944**
**52a**

[9133]

The major difference between the Alternate and the PD is the discussion on jurisdiction. Notably, the actual requirements for customer notice are the same.

(Comr Peevey)

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

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**Regular Agenda - Communication Resolutions and Reports**
**Item                    Funding for the Mother Lode Broadband Project of Rapid  
53                        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.

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

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

Agenda 3244, Item 68 11/20/2009 (Staff);

Agenda 3246, Item 71 12/17/2009 (Staff)

**Item                    Funding for California Valley Broadband Middle and Last  
54                        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.

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

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Agenda 3245, Item 40 12/3/2009 (Staff);

Agenda 3246, Item 73 12/17/2009 (Staff)

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**Regular Agenda - Transportation/Rail Safety Orders****Item California Moving and Storage Association Revising  
55 Maximum Rates and Charges**

[9131]

**A08-03-005**

In the Matter of the Application of California Moving and Storage Association requesting Elimination of Maximum Rate Tariff 4 Region 1 and Territories B and C for the State Purpose of Tariff Simplification. Petition to adopt, amend, or repeal a regulation pursuant to Public Utilities Code Section 1708.5.

**PROPOSED OUTCOME:**

- ® Commission Maximum Rate Tariff 4 is revised and simplified as follows:
- ® Hourly rate Territory C is eliminated, and Territory C counties are incorporated into current Territory B.
- ® Distance rate Region 1 is eliminated, and Region 2 rates are made applicable to the entire state.
- ® The productivity offset factor used in making annual rate adjustments is reset from .667 to .95 for five years, effective with the tariff increase in January 2010.
- ® Commencing with the tariff increase in January 2015, the productivity offset factor will be re-evaluated and reset every two years. If productivity change is positive, the productivity offset factor will be set at .85; if productivity change is negative, it will be set at .95.
- ® Application 08-03-005 is closed.

**ESTIMATED COST:**

- ® May increase rate paid by a small number of customers in limited areas of the state.

(Comr Simon - ALJ Ryerson)

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

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**Regular Agenda - Legal Division Matters****Item                    Comments Before Federal Communications Commission  
56                        Regarding Rural and Urban Rates****(Rev.)**

[9147]

**WC Docket No. 05-337, CC Docket No. 96-45**

® The Federal Communications Commission (FCC) responds to the decision of the United States Court of Appeals for the Tenth Circuit in Qwest Communications International, Inc. v. FCC, in which the court remanded the FCC's rules for providing high-cost universal service support to non-rural carriers.

® Given certain time constraints, the FCC is proposing to adopt only interim changes to the universal service support mechanism in response to the court's decision.

® Specifically, the FCC seeks comment on whether it should define "reasonably comparable" rural and urban rates in terms of rates for bundled local and long distance services.

® The FCC asks whether it should require carriers to certify that they offer bundled local and long distance services at reasonably comparable rural and urban rates.

® Staff seeks authority to prepare comments addressing issues raised in the FCC's Public Notice. 01/14/2010 - This revision was not shown on the Agenda mailed to the public.

**Item                    Comments Before Federal Communications Commission  
57                        Regarding a Petition for Rulemaking**

[9148]

**GN Docket No. 09-51, WC Docket No. 05-337, RM 11584**

® On November 5, 2009, the National Cable and Telecommunications Association (NCTA) filed with the Federal Communications Commission (FCC) a petition for rulemaking proposing new rules for universal service high-cost support.

® Specifically, NCTA proposes that the Commission establish procedures to reduce the amount of universal service high-cost support provided to carriers in those areas of the country where there is extensive, unsubsidized facilities-based voice competition and where government subsidies no longer are needed to ensure that service will be made available to consumers.

® Staff seeks authority to prepare comments addressing issues raised in the FCC's Public Notice.

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

**Regular Agenda - Commissioner's Reports****Item            Appointments to the Low Income Oversight Board****58**

[9156]

**Commissioner Grueneich Report**

Discussion and action regarding the appointment of two public representatives to the Low Income Oversight Board (LIOB). The 11-member LIOB advises the Commission on low-income electric, gas, and water customer issues and serves as a liaison for the Commission to low income ratepayers and representatives. Public Utilities Code Section 382.1(b)(1) states that five of the members of the LIOB must "have expertise in the low-income community."

## **Regular Agenda - Management Reports and Resolutions**

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## 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

**59**

[9108]

Compilation of applications for rehearing recently filed with the Commission.

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

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## **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**

**60**

[9109]

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

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

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

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

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

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

## **Closed Session - Personnel Matters**

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

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