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

## ***Public Agenda 3251***

***Thursday, April 8, 2010 10:00 a.m.***

***San Francisco, California***

### **Commissioners**

**Michael R. Peevey, President**

**John A. Bohn**

**Dian M. Grueneich**

**Nancy E. Ryan**

**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, April 19, 2010 (San Francisco)	Thursday, April 08, 2010 (San Francisco)
Monday, May 03, 2010 (San Francisco)	Thursday, April 22, 2010 (Los Angeles)
Monday, May 17, 2010 (San Francisco)	Thursday, May 06, 2010 (San Francisco)
Friday, May 28, 2010 (San Francisco)	Thursday, May 20, 2010 (San Francisco)
Monday, June 21, 2010 (San Francisco)	Thursday, June 03, 2010 (San Francisco)

*\*Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

#### ***Matters of Public Interest***

***For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.***

For further information contact the Public Advisor  
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**PUBLIC COMMENT**

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

- All items on the closed session agenda.
- 22, 25, 26, 36

**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**

[9238]

**Res ALJ 176-3251**

**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.

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=418852](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418852)

*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);  
 Agenda 3247, Item 2 1/21/2010 (Staff);  
 Agenda 3249, Item 2 2/25/2010 (Staff);  
 Agenda 3250, Item 2 3/11/2010 (Staff)

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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:**

® 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=420715](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420715)

*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);  
Agenda 3247, Item 3 1/21/2010 (Staff);  
Agenda 3248, Item 2 2/4/2010 (Staff);  
Agenda 3249, Item 3 2/25/2010 (Staff);  
Agenda 3250, Item 3 3/11/2010 (Simon)

Consent Agenda - Orders and Resolutions (continued)

**Item 4 Determines Ratemaking Treatment for Rural Telephone Bank Stock Dissolution Proceeds**

[8848]

**A07-12-026**

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

**PROPOSED OUTCOME:**

- ® Ratepayers 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=418834](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418834)

*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);  
 Agenda 3247, Item 6 1/21/2010 (Staff);  
 Agenda 3248, Item 4 2/4/2010 (Staff);  
 Agenda 3249, Item 5 2/25/2010 (Simon);  
 Agenda 3250, Item 4 3/11/2010 (Simon)

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Consent Agenda - Orders and Resolutions (continued)

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

[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=420473](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420473)

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

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Agenda 3247, Item 30 1/21/2010 (Simon);

Agenda 3248, Item 8 2/4/2010 (Bohn );

Agenda 3249, Item 8 2/25/2010 (Staff);

Agenda 3250, Item 7 3/11/2010 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Resolution of the Limited Rehearing of Decision 08-02-036**

**6**

[9191]

**I07-01-022**, A06-09-006, A06-10-026, A06-11-009, A06-11-010, A07-03-019 - Related matters.

Order Instituting Investigation to Consider Policies to Achieve the Commission's Conservation Objectives for Class A Water Utilities.

**PROPOSED OUTCOME:**

® Affirms Decision 08-02-036.

® Authorizes Class A water utilities to track legal and related costs incurred in participating in this proceeding from the date of issuance of the Order Instituting Investigation in memorandum accounts.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Grau)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420605](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420605)

*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 3249, Item 24 2/25/2010 (Bohn );

Agenda 3250, Item 9 3/11/2010 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Electric Generation Performance Branch's Final Report of La  
7                        Paloma Power Plant**

[9204]

**Res EGPB-9**

**PROPOSED OUTCOME:**

® Approves the Final Report on the Audit of La Paloma Generating Station (La Paloma), performed by the Electric Generation Performance Branch (EGPB) of the Consumer Protection and Safety Division, and authorizes public disclosure of the Final Audit Report.

® The Final Audit Report (Appendix A to EGPB- 9) will be attached to the public version of the Final Resolution.

® The Final Audit Report orders La Paloma to complete corrective actions for eleven violations of General Order 167, which includes Maintenance and Operations Standards for Electric Generators.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=419975](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419975)

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

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Agenda 3250, Item 11 3/11/2010 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Francisco Municipal Transportation Agency Temporary**  
**8**                            **Variance From General Order 143-B**

[9231]

**Res ST-111**

**PROPOSED OUTCOME:**

- ® Grants San Francisco Municipal Transportation Agency's (SFMTA) request for a six-month variance to General Order 143-B, Section No. 9.06 c (1) Side Clearance requirements for the four high-platform stations on the SFMTA's Muni Metro Extension (MMX) for the N and T Lines.
- ® Allows SFMTA to install Between-Car Barriers (BCB) on the station platform edges as a six-month demonstration project designed to determine the safety and efficacy of a platform based BCB system for the N and T Lines in the MMX.

**ESTIMATED COST:**

- ® Not within the scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420060](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420060)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Authority to Construct A Grade-Seperated Pedestrian**  
**9**                            **Crossing of the Tracks of the Union Pacific Railroad in the**  
[9258]                      **City of Stockton**

**A09-11-018**

Application of the City of Stockton For an Order Authorizing the City to: Construct a Riverbend and Riverbend West Bike and Pedestrian Path, Under the Trestle and Tracks and Through the Right-of-Way of the Union Pacific Railroad Company in the City of Stockton, San Joaquin County, State of California.

**PROPOSED OUTCOME:**

- ® Grants City of Stockton authority to construct a new Grade-separated pedestrian crossing of the tracks of the Union Pacific Railroad in the City of Stockton.
- ® Closes the proceeding.

**ESTIMATED COST:**

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

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=417185](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=417185)

*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 Power Purchase  
10 Agreement With Big Creek Water Works, Ltd.**

[9259]

**Res E-4320**, Advice Letter 3575-E filed on December 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 Big Creek Water Works, Ltd., pursuant to California's renewables portfolio standard program.

® The PPA is approved without modification.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420134](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420134)

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

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**Item Central Water System General Rate Increase  
11**

[9262]

**Res W-4828**

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

® Increase in revenue of \$7,972 or 51.5% for test year 2010.

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition to Modify Decision 08-07-046**

**12**

[9263]

**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:**

- ® Denies petition to modify Decision 08-07-046; the Test Year 2012 general rate case will proceed as planned.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Bohn - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420578](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420578)

*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                    Petition to Modify Decision 07-08-029**

**13**

[9266]

**A04-08-018**

In the Matter of the Application of Southern California Gas Company to Establish Regulatory Authority Over the Access for Natural Gas Provided by California Gas Producers.

**PROPOSED OUTCOME:**

® Grants Southern California Gas Company's (SoCalGas) petition to modify Decision (D) 07-08-029 as set forth in the decision.

® D07-08-029 is modified by adopting a one hour monitoring and enforcement protocol for natural gas produced in California which flows into SoCalGas's transmission system.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Wong)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E29128](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E29128)

*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**                    **Southern California Gas Company Certificate of Public  
14**                    **Convenience and Necessity**

[9267]

**A09-07-014**

Application of Southern California Gas Company to Amend its Certificate of Public Convenience and Necessity for the Honor Rancho Natural Gas Storage Facility.

**PROPOSED OUTCOME:**

® Approves the Southern California Gas Company's (SoCalGas) request to amend the Certificate of Public Convenience and Necessity for the Honor Rancho natural gas storage facility (Facility) to construct and operate the facilities to increase storage capacity at the Facility (Expansion Project).

® Finds that the Expansion Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline § 15301, and confirms the Commission's preemptory authority over conflicting local zoning regulations, ordinances, codes, or requirements.

® Denies SoCalGas' request for approval of the proposed revenue requirement for the Expansion Project, and authorizes SoCalGas to establish the Honor Rancho Storage Memorandum Account to record the cost to construct, operate, and maintain the Expansion Project, pending a Commission decision in a future general rate case proceeding addressing the recovery of reasonable and prudent costs associated with the Expansion Project.

® Closes the proceeding.

**ESTIMATED COST:**

® \$48.9 million (plus ongoing incremental operations and maintenance costs).

(Comr Simon - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E29141](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E29141)

*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                    Intervenor Compensation Rates for 2010**

**15**

[9268]

**Res ALJ-247**

**PROPOSED OUTCOME:**

® Adopts no Cost of Living Adjustment for work performed by intervenors in calendar year 2010 and addresses other related matters.

**ESTIMATED COST:**

® No costs to ratepayers.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420503](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420503)

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

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**Item                    AT&T California's Rate for the San Diego Underground  
                                  Surcharge**

**16**

[9269]

**Res T-17223**

**PROPOSED OUTCOME:**

® Approval of AT&T's request to modify the San Diego Underground Surcharge.

**ESTIMATED COST:**

® The San Diego Underground Surcharge is modified from \$0.77 to \$1.46.

® Approximately \$6.6 million will be generated from the increased surcharge.

® The surcharge shall expire on the date AT&T obtains full pricing freedom, currently scheduled for January 1, 2011.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420749](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420749)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Verification of Utility Incremental Measure Costs**

**17**

[9270]

**R09-01-019**

Order Instituting Rulemaking to Examine the Commission's Energy Efficiency Risk/Reward Incentive Mechanism.

**PROPOSED OUTCOME:**

® Modifies Decision 09-12-045 to remove requirement for independent verification of incremental measure costs used in energy efficiency Risk/Reward Incentive Mechanism.

**ESTIMATED COST:**

® Unknown.

(Comr Bohn - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420490](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420490)

*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                    General Order 156 Appeal by Genesis Power Incorporated**

**18**

[9271]

**Res ALJ-246**

**PROPOSED OUTCOME:**

® Denies Appeal by Genesis Power Incorporated of Clearinghouse denied of verification of status as a woman-owned and minority-owned business enterprise.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420738](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420738)

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

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**Item                    California High Cost Fund-A Administrative Committee Fund**  
**19                    Surcharge Rate**

[9273]

**Res T-17259**

**PROPOSED OUTCOME:**

® Approves California High Cost Fund-A surcharge rate reduction from 0.13% to 0.11% effective May 1, 2010.

**ESTIMATED COST:**

® The reduction of the California High Cost Fund-A surcharge rate from 0.13% to 0.11% is effective May 1, 2010.

® Total annual reduction in surcharge revenue is approximately \$4,500,000.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420272](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420272)

*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**  
**20**                        **Purchase Agreement with Imperial Valley Resource**  
[9275]                    **Recovery Company, LLC**

**Res E-4316**, Advice Letter 2414-E Filed on December 4, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for an amended renewable energy power purchase agreement between Southern California Edison Company and Imperial Valley Resource Recovery Company, LLC.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420592](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420592)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition for Modification of Decision 07-09-004**

**21**

[9276]

**A06-03-005**

Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design.

**PROPOSED OUTCOME:**

® Grants the Pacific Gas and Electric Company, Division of Ratepayer Advocates, The Utility Reform Network, and the Western Manufactured Housing Communities Association petition for modification of Decision 07-09-004 and revises the method used to establish rate differentials among residential electric rate tiers.

® The distribution rate component will continue to change from tier to tier, however the generation rate component will be recalculated and flattened across all tiers.

® Additionally, a new non-generation rate component will be added and calculated to offset the generation rate changes by tier so that total bundled rates by tier do not change.

® Application 06-03-005 is closed.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Fukutome)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=414176](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=414176)

*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**

**22**

[9277]

**C09-05-010**

Community Hospital of Long Beach vs. Verizon California, Inc.

**PROPOSED OUTCOME:**

® Extend statutory deadline to May 11, 2011.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418218](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418218)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Demand Response Local Impact Report Annual Filing**  
**23**                        **Requirements**

[9280]

**R07-01-041**

Order Instituting Rulemaking Regarding Policies and Protocols for Demand Response Load Impact Estimates, Cost-Effectiveness Methodologies, Megawatt Goals and Alignment with California Independent System Operator Market Design Protocols.

**PROPOSED OUTCOME:**

® Modifies and simplifies requirements for filing of electric utilities' demand response load impact reports.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Hecht)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420582](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420582)

*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                    Agnostic Networks, LLC Certificate of Public Convenience  
24                    and Necessity**

[9283]

**A09-11-021**

In the Matter of the Application of Agnostic Networks, LLC for a certificate of public convenience and necessity to provide: (i) resold and facilities-based competitive local exchange service throughout the service territories of Pacific Bell Telephone Company, Verizon California, Inc., SureWest Telephone, and Citizens Telecommunications Company of California, Inc.; and (ii) resold and facilities-based interexchange service statewide.

**PROPOSED OUTCOME:**

- ® Grant certificate of public convenience and necessity to Agnostic Networks, LLC.
- ® Application 09-11-021 is closed.

**ESTIMATED COST:**

- ® None.

(Comr Grueneich - ALJ MacDonald)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=417914](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=417914)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Body Temple Gym, Inc. is Granted Relief**

**25**

[9285]

**(ECP) C09-12-007**

Body Temple Gym, Inc. vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

- ® Grants relief requested.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$40 from Southern California Edison Company.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418192](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418192)

**Item                    Decision Dismissing Complaint**

**26**

[9286]

**(ECP) C09-10-002**

Teresa Pope vs. Pacific Bell Telephone Company, doing business as AT&T California.

**PROPOSED OUTCOME:**

- ® Case 09-10-002 is dismissed.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418068](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418068)

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Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Request for a One Time  
27 Transfer From its California Alternate Rates for Energy  
[9289] Funds**

**Res G-3444**, Advice Letter 3097-G/3622-E filed on February 24, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves Pacific Gas and Electric Company's (PG&E) request for a one-time transfer of up to \$5 million from its California Alternate Rates for Energy (CARE) balancing accounts to two new "CARE/Temporary Assistance to Needy Families (TANF)" balancing accounts (electric and gas) created to take advantage of the opportunity for energy assistance made possible by the American Recovery and Reinvestment Act's TANF Emergency Contingency Fund.

**ESTIMATED COST:**

® The authorized transfer of up to \$5 million comes from PG&E's CARE balancing accounts into two new "CARE/TANF" balancing accounts.

® This amount is already funded through the Public Purpose Charge and this resolution does not increase PG&E's revenue requirements.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420699](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420699)

**Item Ratification of Changes to Preliminary Determinations  
28 Pursuant to Rule 7.5**

[9290]

**Res ALJ-248**

**PROPOSED OUTCOME:**

® Changes previous designation to no hearing necessary.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418757](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418757)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    San Diego Gas & Electric Company's 2010 Energy Resource  
29                        Recovery Account**

[9294]

**A09-10-003**

Application of San Diego Gas and Electric Company for Adoption of its 2010 Energy Resource Recovery Account Revenue Requirement Forecast and Review of its Power Procurement Balancing Account.

**PROPOSED OUTCOME:**

- ® Grants San Diego Gas and Electric Company's request.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Will reduce cost by approximately \$44 million.

(Comr Grueneich - ALJ Farrar)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420617](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420617)

*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**                    **Bay Airporter Express, Inc. for a Passenger Stage Corporation Certificate**  
**30**

[9295]

**A09-12-030**

**PROPOSED OUTCOME:**

® Grants the application of Bay Airporter Express, Inc. to operate as an on-call passenger stage corporation between points in Alameda, Contra Costa, San Francisco, San Mateo and Solano Counties and San Francisco, Oakland, and San Jose International Airports.

® Establishes a zone of rate freedom.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418520](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418520)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Alfonso Boyer and Lourdes Boyer for a Passenger Stage Corporation Certificate**  
**31**

[9296]

**A10-01-025**

Application of Alfonso Boyer and Lourdes Boyer, dba Boyer's Charter for authority to operate as a Scheduled Charter Service Passenger Stage Operations for the Transportation of Passengers between Cabazon, California 92230 and Coachella, California 92236.

**PROPOSED OUTCOME:**

- ® Grants the application of Alfonso Boyer and Lourdes Boyer to operate as a scheduled passenger stage corporation between points in the Coachella Valley and Cabazon.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418208](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418208)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    NSRT Enterprises for a Passenger Stage Corporation  
32                        Certificate**

[9297]

**A10-01-023**

**PROPOSED OUTCOME:**

- ® Grants the application of NSRT Enterprises to operate as an on-call passenger stage corporation between points in Solano, Napa, Sonoma, Yolo, San Francisco, and Oakland Counties, and Sacramento International Airport.
- ® Establish a zone of rate freedom.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418652](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418652)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Leones Tours, LLC for a Passenger Stage Corporation  
33                        Certificate**

[9298]

**A10-01-024**

**PROPOSED OUTCOME:**

® Grants the application of Leones Tours, LLC to operate as an on-call passenger stage corporation between points in the Counties of San Diego, Orange, Los Angeles, San Bernardino, Riverside, Kern, Monterey, Tulare, Fresno, Santa Clara, San Mateo, San Francisco, Alameda, and Sacramento.

® Establish a zone of rate freedom.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418638](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418638)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Avenue Transportation Limo Service LLC for a Passenger  
34**                    **Stage Corporation Certificate**

[9299]

**A10-01-007**

**PROPOSED OUTCOME:**

® Grants the application of Avenue Transportation Limo Service LLC to operate as an on-call passenger stage corporation between points in Alameda, Contra Costa, San Francisco Counties and San Francisco, Oakland, and San Jose International Airports.

® Establish a zone of rate freedom.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418591](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418591)

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

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**Item**                    **PacifiCorp Seeking Authority to Sell Property Associated  
35**                    **with the Iron Gate Hydroelectric Generating Facility**

[9301]

**Res E-4308**, Advice Letter 384-E filed on October 05, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Approves PacifiCorp's request.

**ESTIMATED COST:**

® \$500.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=414026](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=414026)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Utility Consumers' Action Network Settlement Agreement**  
**36                        With Sprint Telephony PCS, L.P.**

[9304]

**C08-08-026**

Utility Consumers' Action Network vs. Sprint Telephony PCS, L.P. dba Sprint PCS, aka Sprint Spectrum L.P., aka Sprint Nextel, aka Wireless L.P. and related entities collectively "Sprint."

**PROPOSED OUTCOME:**

- ® Approves a settlement agreement.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Customer refunds estimated at \$521,000.

(Comr Grueneich - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420534](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420534)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition to Modify Decision 08-12-004**

**37**

[9307]

**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:**

Grants Pacific Gas and Electric Company's (PG&E) petition to modify Decision 08-12-004 so that:

- ® \$61.25 million in California Solar Initiative (CSI) revenues will not be collected from PG&E electric ratepayers from June 1, 2010 to December 31, 2010.
- ® PG&E's CSI revenue requirement for 2012 through 2016 is adjusted to collect the \$61.25 million in those years instead.

**ESTIMATED COST:**

- ® Overall CSI funding over the entire program period is unchanged.
- ® PG&E electric customers will see a rate decrease in 2010 of approximately 1 percent.
- ® Future rates in 2012 through 2016 will increase slightly to collect that additional \$61.25 million.

(Comr Peevey - ALJ Duda)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418630](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418630)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**38**

[9311]

**R06-10-006**

Order Instituting Rulemaking on the Commission's own motion into the application of the California Environmental Quality Act to applications of jurisdictional telecommunications utilities for authority to offer service and construct facilities.

**PROPOSED OUTCOME:**

® Extends the statutory deadline in this proceeding from April 16, 2010 to June 15, 2010.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Prestidge)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=419455](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419455)

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

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**Item                    Ratification of Changes to Preliminary Determinations**

**39**

**Pursuant to Rule 7.5**

[9312]

**Res ALJ-250**

**PROPOSED OUTCOME:**

® Change preliminary determination of need for hearing to no need for hearing.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=419129](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419129)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Deadline**

**40**

[9321]

**R06-05-028**

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

**PROPOSED OUTCOME:**

® Extends the time for resolving the issues presented by this quasi-legislative Rulemaking through and including June 15, 2010.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=419662](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419662)

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

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**Consent Agenda - Intervenor Compensation Orders****Item Compensation to Inland Aquaculture Group, L.L.C.****41**

[9188]

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

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

**PROPOSED OUTCOME:**

® Awards Inland Aquaculture Group, L.L.C. \$63,619 for substantial contribution to Decision 09-03-025.

® Application 07-11-011 and Investigation 08-01-026 are closed.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company will pay \$63,619, plus interest.

(Comr Peevey - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=419062](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419062)*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 3249, Item 39 2/25/2010 (Peevey);

Agenda 3250, Item 29 3/11/2010 (Peevey)

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Mussey Grade Road Alliance**

**42**

[9264]

**A08-12-021**

Application of San Diego Gas & Electric Company for Review of its Proactive De-Energization Measures and Approval of Proposed Tariff Revisions.

**PROPOSED OUTCOME:**

® Awards Mussey Grade Road Alliance \$41,196.75 for substantial contribution to Decision 09-09-030.

**ESTIMATED COST:**

® Ratepayers of San Diego Gas & Electric Company will pay \$41,196.75, plus interest.

(Comr Simon - ALJ Kenney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=417109](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=417109)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item**                    **Compensation to Union of Concerned Scientists and Natural**  
**43**                        **Resources Defense Council**

[9272]

**R06-04-009**

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

**PROPOSED OUTCOME:**

® Awards Union of Concerned Scientists \$48,056.65 and Natural Resources Defense Council \$95,478.39 for substantial contributions to Decisions (D) 07-09-017, D08-03-018 and D08-10-037.

**ESTIMATED COST:**

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and San Diego Gas & Electric Company will pay the awarded amounts of \$48,056.65 and \$95,478.39, plus interest, based on their California-jurisdictional electric revenues for the 2007 calendar year.

(Comr Peevey - ALJ TerKeurst)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=409328](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=409328)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item                    Compensation to The Utility Reform Network**  
**44**

[9281]

**A00-11-038**, A00-11-056, A00-10-028 - Related matters.

Application of Southern California Edison Company for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network intervenor compensation for fees and costs incurred from late 2004 to 2009 in obtaining judicial review in these consolidated proceedings.

® The award reflects several disallowances, which result chiefly from work found not to have made a “substantial contribution” as required by statute.

® Closes the proceeding.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company will pay \$127,952.79, plus interest.

(Comr Peevey - ALJ Kotz)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420703](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420703)

*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 - Intervenor Compensation Orders (continued)

**Item Compensation to Disability Rights Advocates**

**45**

[9284]

**A08-12-021**

Application of San Diego Gas & Electric Company for Review of Its Proactive De-Energization Measures and Approval of Proposed Tariff Revisions.

**PROPOSED OUTCOME:**

® Awards Disability Rights Advocates \$127,302.31 for substantial contribution to Decision 09-09-030.

® Closes the proceeding.

**ESTIMATED COST:**

® Ratepayers of San Diego Gas & Electric Company will pay \$127,302.31, plus interest.

(Comr Simon - ALJ Kenney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418114](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418114)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**46**

[9287]

**R06-04-010**

Order Instituting Rulemaking to Examine the Commission's post-2005 Energy Efficiency Policies, Programs, Evaluation, Measurement and Verification, and Related Issues.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network compensation for its substantial contributions to the Energy Efficiency Program Advisory Group Process.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company and Pacific Gas and Electric Company will pay the awarded amount of \$84,329.98, plus interest, based on their California-jurisdictional electric and gas revenues for the 2008 calendar year.

(Comr Grueneich - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=414851](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=414851)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**47**

[9323]

**A08-06-001**, A08-06-002, A08-06-003 - Related matters.

Application of Southern California Edison Company for Approval of Demand Response Programs, Goals and Budgets for 2009-2011.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$123,240.03 for substantial contribution to Decision 09-08-027, as modified by Decision 09-10-006.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company will each pay their respective shares of the award, plus interest, based on their California-jurisdictional gas and electric revenues for 2008, the year in which the proceeding was primarily litigated.

(Comr Grueneich - ALJ Hecht)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=419656](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419656)

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

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## Regular Agenda

### Regular Agenda - Energy Orders

#### Item Long-Term Resource Adequacy Policy

48

[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, the Bilateral Trading Group's recommendations for the Resource Adequacy Program. The program is continued in effect without major structural modification.

® Closes the proceeding.

#### ESTIMATED COST:

® No direct incremental cost foreseen.

(Comr Peevey - ALJ Wetzell)

*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);

Agenda 3247, Item 43 1/21/2010 (Staff);

Agenda 3248, Item 24 2/4/2010 (Staff);

Agenda 3249, Item 43 2/25/2010 (Staff);

Agenda 3250, Item 33 3/11/2010 (Ryan)

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Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company's Solar Photovoltaic**  
**49**                        **Program**

[9195]

**A09-02-019**

Application of Pacific Gas and Electric Company to Implement and Recover in Rates the Costs of its Photovoltaic Program.

**PROPOSED OUTCOME:**

- ® Adopts a new program to develop 500 Megawatts of photovoltaic facilities by Pacific Gas and Electric Company (PG&E) and independent power producers in PG&E's service territory.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Prices for utility-owned generation and power purchase agreements will be capped at the weighted average price of photovoltaic projects from PG&E's 2009 renewables portfolio standard solicitation.

(Comr Peevey - ALJ Ebke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418858](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418858)

*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 3249, Item 45 2/25/2010 (Peevey);

Agenda 3250, Item 34 3/11/2010 (Grueneich)

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Regular Agenda - Energy Orders (continued)

**Item**                    **ALTERNATE TO ITEM 9195**  
**49a**  
[9196]

The Alternate Proposed Decision (APD) differs from the Proposed Decision (PD) in the following substantive ways:

- ® The APD authorizes Pacific Gas and Electric Company (PG&E) to recover the costs of up to 250 MW of utility owned generation (UOG) solar PV projects through cost-of service ratemaking treatment. The APD adopts revised operations and maintenance (O&M) costs, and contingency amounts. With regard to the PG&E's O&M costs, the APD finds that the cost estimates are reasonable however authorizes PG&E to collect only the actual costs it incurs.
- ® The APD establishes a minimum performance standard whereby PG&E's O&M costs will be subject to a reasonableness review should system performance fall, on average, below 80% of anticipated output.
- ® The APD allows PG&E to pursue some limited number of UOG projects on roof-tops and/or sized less than 1 MW, provided these deployments constitute less than 5% of the overall authorized capacity.
- ® Although the APD relies on the same competitive solicitation process as the PD for projects undertaken by independent power producers, the APD adopts a different cost cap for projects pursued for the PPA portion of the program.
- ® The APD encourages PG&E to deploy UOG projects on utility owned land near its substations, however, unlike the PD, it does not require PG&E to file advice letters if it elects to pursue projects on land not currently owned by the utility or near a substation.

(Comr Peevey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418857](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418857)

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

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Agenda 3249, Item 45a 2/25/2010 (Peevey);  
Agenda 3250, Item 34a 3/11/2010 (Grueneich)

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Regular Agenda - Energy Orders (continued)

**Item                    Southern California Gas Company for Approval of Advanced  
50                        Metering Infrastructure**

[9223]

**A08-09-023**

Application of Southern California Gas Company for Approval of Advanced Metering Infrastructure.

**PROPOSED OUTCOME:**

® Rejects the Southern California Gas Company request for approval of activities and budgets to implement a gas-only advanced metering infrastructure system throughout its service territory.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Hecht)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418842](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418842)

*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 3250, Item 36 3/11/2010 (Simon)

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Regular Agenda - Energy Orders (continued)

**Item           ALTERNATE TO ITEM 9223**

**50a**

[9224]

**PROPOSED OUTCOME:**

- ® The Alternate Proposed Decision approves the application with the following modifications to Southern California Gas Company's (SoCalGas) proposal:
- ® Approves contingency funding at 7%, rather than 10% as proposed by SoCalGas.
- ® Modifies SoCalGas' proposed sharing mechanism such that cost overruns of less than \$100 million shall be allocated 50/50 to shareholders and ratepayers.
- ® Establishes a \$1 million fund for retraining and retention of meter reading workforce impacted by the Advanced Metering Infrastructure (AMI) project.
- ® Directs SoCalGas to develop a plan for AMI outreach and conservation support.
- ® Requires semi-annual reporting to track the gas conservation impacts of the AMI project to date.

**ESTIMATED COST:**

- ® Authorizes cost recovery of capital expenditures and operating expenses amounting to \$1.0507 billion.

(Comr Grueneich)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420707](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420707)

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

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Agenda 3250, Item 36a 3/11/2010 (Simon)

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Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company and Southern California**  
**51**                        **Edison Company Fuel Cell Projects**

[9260]

**A09-02-013**, A09-04-018 - Related matters.

Application of Pacific Gas and Electric Company for Approval and Recovery of Costs Associated with its Fuel Cell Project.

**PROPOSED OUTCOME:**

- ® Rejects the Fuel Cell Projects proposed by Pacific Gas and Electric Company and Southern California Edison Company due to the high cost of the projects and unclear ratepayer benefits.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None, if project is rejected.

(Comr Peevey - ALJ Duda)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420223](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420223)

*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 ALTERNATE TO ITEM 9260**

**51a**

[9261]

**PROPOSED OUTCOME:**

- ® Approves with modifications the applications of Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) for each utility's Fuel Cell Project to install utility-owned fuel cell generating facilities on University of California and California State University campuses.
- ® Reduces PG&E project capital costs from \$21.5 million to \$20.3 million, and reduce SCE project capital costs from \$21.6 million to \$19.1 million to reflect a lower contingency factor.
- ® Reduces PG&E's non-fuel operations and maintenance costs for the first four years of the plants' operation from \$6.2 million to \$4.7 million to reflect removal of a contingency factor and education and outreach labor costs.
- ® Rejects SCE's proposed stranded cost recovery and its request to use \$10.8 million in excess Self Generation Incentive Program funds for its Fuel Cell Project.
- ® Finds the applications comply with Commission guidance for competitive solicitation of utility-owned generation.

**ESTIMATED COST:**

- ® For PG&E's project, \$20.3 million in capital costs, \$4.7 million in Operations and Maintenance (O&M) costs for the first four years of the plants' operation, and \$13 million in fuel costs for the ten year life of the fuel cell plants.
- ® For SCE's project, \$19.1 million in capital costs, plus \$8.9 million in non-fuel O&M and \$13 million in fuel costs over the ten year lives of the fuel cell plants.

(Comr Peevey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420594](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420594)

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

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Regular Agenda - Energy Orders (continued)

**Item**                    **2010 Through 2012 Evaluation, Measurement and**  
**52**                        **Verification Processes for Energy Efficiency Portfolios**

[9278]

**A08-07-021**, A08-07-022, A08-07-023, A08-07-031 - Related matters.

Application of Southern California Edison Company for Approval of its 2009-2011 Energy Efficiency Program Plans and Associated Public Goods Charge and Procurement Funding Requests.

**PROPOSED OUTCOME:**

® Sets out the roles and relationships among the Commission's Energy Division (ED), California's Investor Owned utilities (utilities), and stakeholders regarding Evaluation, Measurement and Verification (EM&V) of energy efficiency programs for 2010 through 2012.

® Modifies Decision 05-01-055 to improve transparency of EM&V activities, minimize conflicts of interest, and reduce duplication of effort.

® Approves a Joint Plan submitted by the utilities and ED with a roadmap for 2010-2012 EM&V studies.

® Clarifies the process for ED review of utility EM&V contracting decision.

® Grants utilities authority to develop ex ante values under limited circumstances.

® Grants ED limited authority to conduct process evaluations.

® Provides a new dispute resolution process for EM&V processes and findings.

® Provides a method for estimation of energy savings from behavioral-based programs.

® Closes the proceedings.

**ESTIMATED COST:**

® A \$125 million budget authorized tentatively in Decision 09-09-047 is finalized.

(Comr Grueneich - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420322](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420322)

*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                    Petition for Modification of Decision 08-11-057**  
**53**

[9279]

**A07-01-024**, A07-01-026, A07-01-029, A07-01-030 - Related matters.

Southern California Edison Company's Application for Approval of Embedded Energy Efficiency Pilot Programs for 2007-2008.

**PROPOSED OUTCOME:**

® Approves Petition of the California Water Association, Southern California Edison Company (SCE), and Pacific Gas and Electric Company (PG&E) for Modification of Decision 08-11-057 with modifications.

® Approves \$4.2 million for well pump and booster pump operational energy efficiency pilot projects for regulated water utilities.

® Denies the request of PG&E and SCE to receive energy savings credits for the approved pilot programs, due to inconsistency with Commission's policy.

® Approves memorandum accounts for water utilities.

® Closes the proceedings.

**ESTIMATED COST:**

® \$2.9 million in incremental costs consisting of \$4.2 million total cost, minus \$1.3 million for previously approved project expenses.

(Comr Grueneich - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=418565](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=418565)

*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 54**  
[8520] **Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company**  
**Qualifying Facilities Contracts**

**Res E-4242**, Advice Letter (AL) PG&E AL 3197-E, SDG&E AL 1958-E and SCE AL 2200-E, filed on January 14, 2008, Supplemental AL PG&E AL 3197-E-A, SDG&E AL 1958-E-A and SCE AL 2200-E-A, filed on July 11, 2008, and Supplemental AL PG&E AL 3197-E-B, et al. - Related matters.

**PROPOSED OUTCOME:**

® Adopts, with modifications, the Qualifying Facility (QF) Standard Offer Contracts proposed by Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E). Upon adoption, there will be one QF Standard Offer Contract across all three electric Investor Owned Utilities (IOUs).

® The new contract may be signed by new and existing QFs with expired contracts in addition to QFs pursuing other contracting methods such as participating in an IOU's Request for Offer process or negotiating a bilateral contract.

**ESTIMATED COST:**

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

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

® It is impossible to know in advance the total cost of those contracts but, in the past, QF power has represented no more than 20% of the utilities' portfolio.

® Contracts executed with existing QFs should not result in any additional costs as the utilities were already purchasing power from these QFs in the past.

® Contracts signed with new QFs will represent new incremental expenditures, but this spending will be offset by the reduced need for new generation as a result of contracting with the new QF.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=419090](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419090)

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

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## Regular Agenda - Energy Resolutions and Written Reports

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);  
 Agenda 3247, Item 50 1/21/2010 (Staff);  
 Agenda 3248, Item 28 2/4/2010 (Staff);  
 Agenda 3249, Item 47 2/25/2010 (Staff);  
 Agenda 3250, Item 38 3/11/2010 (Staff)

### **Item 55 Southern California Edison Company to Establish a Credit/Debit Card Payment Option**

[9255]

**Res G-3443**, Advice Letter 160-G/2401-E filed on November 12, 2009 - Related matters.

#### **PROPOSED OUTCOME:**

® Approves Southern California Edison Company's proposal.

#### **ESTIMATED COST:**

® \$580,000 for the customers that use the credit/debit option.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420538](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420538)

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

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## Regular Agenda - Communication Orders

### **Item            New Order Instituting Rulemaking**

**56**

[9306]

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

Order Instituting Rulemaking to Improve Public Safety by Determining Methods for Implementing Enhanced 9-1-1 Services for Business Customers and for Multi-line Telephone System Users.

#### **PROPOSED OUTCOME:**

® Initiates a Rulemaking on Multi-Line Telephone System Enhanced 9-1-1.

#### **ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420549](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420549)

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**Regular Agenda - Water/Sewer Orders**
**Item                    San Gabriel Valley Water Company Conservation Rate  
57                        Design and Memorandum Accounts**

[9132]

**A08-09-008**

In the Matter of the Application of San Gabriel Valley Water Company for authority to establish a conservation rate design, including a Water Revenue Adjustment Mechanism, modified cost balancing account, and Conservation Memorandum Account in compliance with Decision 08-06-022.

**PROPOSED OUTCOME:**

- ® Authorizes conservation rate designs, water revenue adjustment mechanism, and cost balancing accounts.
- ® Denies conservation and proceeding memorandum accounts.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® No change in revenue requirement.
- ® Reduces service charges, shifting higher proportion of revenues to quantity charges within a two-tier increasing block rate design.

(Comr Bohn - ALJ Weatherford)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=420704](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420704)

*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 3249, Item 49 2/25/2010 (Staff);

Agenda 3250, Item 39 3/11/2010 (Staff)

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

## **Regular Agenda - Commissioner's Reports**

## Regular Agenda - Management Reports and Resolutions

### **Item            Addendum to Summary of Material Terms**

**58**

[9328]

#### **General Counsel's Report**

Approval of the April 2010 Addendum to Summary of Material Terms of Division of Water Resources (DWR) Financing Documents, to provide for refinancing of a portion of DWR's Power Supply Revenue Bonds.

## 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**

[9239]

Compilation of applications for rehearing recently filed with the Commission.

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

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

**60**

[9265]

**A10-01-015**

Disposition of application for rehearing of Resolution (Res) T-17235 by TracFone Wireless, Inc. (TracFone). Res T-17235 denied TracFone's Advice Letter Number 1 to be designated as an Eligible Telecommunications Carrier in California for the limited purpose of offering Lifeline service in California, without prejudice to its reconsideration if and when TracFone adequately addresses the issues described in Res T-17235, including the collection and remittance of public purchase surcharges and user fees. Res T-17235 also ordered the Commission's Communications Division to prepare and Order Instituting Investigation and an Order to Show Cause why TracFone should not be ordered to collect and remit all outstanding user fees and surcharges, and penalized for its violation of the statutes, rules, and orders requiring such payment.

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

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Closed Session - Applications for Rehearing (continued)

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

**61**

[9303]

**R08-03-008**

Disposes of application for rehearing of Decision (D) 09-12-047 filed by The Utility Reform Network. In D09-12-047 the Commission adopted Self Generation Incentive Program annual budgets of \$83 million for 2010 and 2011.

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

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**Closed Session - Initiation of Litigation - Non-Federal**

Consideration of possible Commission initiation of, or intervention in, litigation.

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

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

**62**

[9309]

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

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

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

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

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## **Closed Session - Threatened Litigation - Non-Federal**

Significant exposure to litigation

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

**Closed Session - Existing Litigation - Non-Federal**

## **Closed Session - Threatened Litigation - Federal**

Significant exposure to litigation in federal agency or court proceedings.

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

## **Closed Session - Initiation of Litigation - Federal**

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

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

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**Closed Session - Federal**

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

**63**

[9240]

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

**64**

[9331]

**FERC Docket No. ER09-1521**

Pacific Gas and Electric Company, FERC Docket No. ER09-1521.

*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*