
Public Utilities Commission of the State of California

Public Agenda 3253

Thursday, May 6, 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>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, 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)
Friday, July 02, 2010 (San Francisco)	Thursday, June 24, 2010 (San Francisco)
Monday, July 26, 2010 (San Francisco)	Thursday, July 08, 2010 (San Francisco)

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

Matters of Public Interest

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

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 33

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**

[9369]

Res ALJ-3253

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=422071

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

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

Agenda 3234, Item 14 5/21/2009 (Staff);
 Agenda 3235, Item 2 6/4/2009 (Simon);
 Agenda 3236, Item 5 6/18/2009 (Staff);
 Agenda 3237, Item 2 7/9/2009 (Staff);
 Agenda 3238, Item 3 7/30/2009 (Staff);
 Agenda 3239, Item 2 8/20/2009 (Staff);
 Agenda 3240, Item 2 9/10/2009 (Staff);
 Agenda 3241, Item 2 9/24/2009 (Staff);
 Agenda 3242, Item 2 10/15/2009 (Staff);
 Agenda 3243, Item 2 10/29/2009 (Staff);
 Agenda 3244, Item 2 11/20/2009 (Staff);
 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);
 Agenda 3251, Item 2 4/8/2010 (Staff);
 Agenda 3252, Item 2 4/22/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Petition to Modify Decision 07-08-029

3

[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=420905

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

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

Agenda 3251, Item 13 4/8/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Audeamus, LLC to Modify Resolution T-17245

4

[9379]

A10-02-013

Application of Audeamus, LLC to modify Resolution T-17245, dated January 21, 2010.

PROPOSED OUTCOME:

® Grants Application 10-02-013 by Audeamus, LLC to modify Resolution T-17245 to transfer Census Block Groups (CBG) 060190039004, 060190039005, 060190041001 and 060190082002 from California Valley Broadband's California Advanced Services Fund (CASF) approved area and transfer these CBGs to AUDEAMUS CASF application.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Exam Leutza)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422179

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

Agenda 3252, Item 28 4/22/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 5 Funding Approval for Audeamus LLC. (dba Sebastian) Last Mile Project from the California Advanced Services Fund

[9308]

Res T-17265

PROPOSED OUTCOME:

® Adopts \$1,154,494.50 from the California Advanced Services Fund funding for Audeamus Last Mile Project.

ESTIMATED COST:

® \$1,154,494.50.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421997

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

Agenda 3252, Item 10 4/22/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Demand Response Phase Four Direct Participation Issues

6

[9319]

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:

® Authorizes pilot programs.

ESTIMATED COST:

® None.

(Comr Grueneich - ALJ Farrar)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422075

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

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

Agenda 3252, Item 13 4/22/2010 (Grueneich)

Consent Agenda - Orders and Resolutions (continued)

**Item River Island District to Place a Moratorium on New Water
7 Service Connections**

[9320]

A09-08-016

In the Matter of the Application of Del Oro Water Company to Impose a Moratorium on New Service Connections in its River Island District.

PROPOSED OUTCOME:

- ® Grants applicant's request for service connection moratorium.
- ® Requires a water augmentation plan.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Bohn - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422547

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Modification of Decision 00-07-052

8

[9325]

Res T-17219

PROPOSED OUTCOME:

® Communications Division requests to relieve telecommunications service providers of certain reports called for in Decision 00-07-052.

ESTIMATED COST:

® None.

® Will result in a reduction of expenses for affected service providers.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421933

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

Consent Agenda - Orders and Resolutions (continued)

Item Petition for Modification of Decision 07-12-019

9

[9332]

A06-08-026

In the Matter of the Application of Southern California Gas Company, San Diego Gas & Electric Company and Southern California Edison Company for Approval of Changes to Natural Gas Operations and Service Offerings.

PROPOSED OUTCOME:

- ® Amends Decision (D) 07-12-019 to change the protest period from 10 days to 20 days to respond to advice letters filed pursuant to Ordering Paragraph 16 of D07-12-019.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422237

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Golden Hills Sanitation Co., Inc. for a Certificate of Public
10** **Convenience and Necessity**

[9343]

A08-08-011

Application of Golden Hills Sanitation Co., Inc., a California corporation for a Certificate of Public Convenience and Necessity to Maintain and Operate an existing Public Utility Wastewater System for the Golden Hills Community near Tehachapi in Kern County and to Affirm Rates for Service and Issue Stock.

PROPOSED OUTCOME:

- ® Grants Golden Hills Sanitation Co., Inc. a Certificate of Public Convenience and Necessity.
- ® Affirms existing sanitation rates.
- ® Authorizes memorandum accounts.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Bohn - ALJ DeBerry)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422889

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

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

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Uranium Enrichment
11 Services Contract for Diablo Canyon Power Plant**

[9346]

Res E-4322, Advice Letter 3573-E filed on December 10, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves Pacific Gas and Electric Company's (PG&E) request for a long-term Uranium Enrichment Services contract for its Diablo Canyon Power Plant with AREVA Enrichment Services, LLC.

® Denies the protest by Californians for Renewable Energy.

ESTIMATED COST:

® Based on comparison to PG&E's approved Nuclear Fuel Procurement Plan, PG&E's new contract with AREVA should not increase PG&E's revenue requirements above what would be expected for procurement of nuclear fuel materials and services during the contract period.

® The actual contract prices and terms are confidential.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422903

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

Consent Agenda - Orders and Resolutions (continued)

Item 12 Pacific Gas and Electric Company's Renewable Power Purchase Agreement with Geysers Power Company, LLC.

[9362]

Res E-4326, Advice Letter 3544-E filed on October 30, 2009 - Related matters.

PROPOSED OUTCOME:

- ® Approves cost recovery for Pacific Gas and Electric Company's renewable energy power purchase agreement (PPA) with Geysers Power Company, LLC.
- ® The PPA is approved with modification.

ESTIMATED COST:

- ® Costs of this contract are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422735

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

Item 13 Clear World Communications Corporation's Appeals of Citation Forfeitures 157, 159, and 161 – 165

[9372]

Res ALJ-251

PROPOSED OUTCOME:

- ® Affirms citation forfeitures 161, 162, 163, 164, and 165 issued to Clear World Communications Corporation (Clear World) pursuant to the Commission's slamming citation program.
- ® Denies citation forfeitures 157 and 159 issued to Clear World.

ESTIMATED COST:

- ® Clear World to pay a fine of \$5,000.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422828

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

Consent Agenda - Orders and Resolutions (continued)

Item 14 Permit for Pacific Gas and Electric Company to Construct the Cabrillo - Santa Ynez Reconditioning Project

[9376]

A09-07-010

Application of Pacific Gas and Electric Company, a California corporation, for a Permit to Construct the Cabrillo-Santa Ynez 115 kV Power Line Reconductoring Project pursuant to General Order 131-D.

PROPOSED OUTCOME:

- ® Grant the permit to construct subject to the mitigation measures set forth in the final mitigated negative declaration.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Approximately \$8 million.

(Comr Grueneich - ALJ Walwyn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420669

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Southern California Edison Company's Renewable Power**
15 **Purchase Agreement with Ram Power, Inc. and Orita**
[9378] **Geothermal 1 LLC**

Res E-4325, Advice Letter 2393-E filed on October 29, 2009 - Related matters.

PROPOSED OUTCOME:

- ® Approves cost recovery for a long-term renewable energy Power Purchase Agreement (PPA) with Ram Power, Inc. (RPI) and Orita Geothermal 1 LLC.
- ® Pre-approves cost recovery for the two additional renewable PPAs (Orita 2 and Orita 3) with RPI and its subsidiaries, to be executed at Southern California Edison Company's discretion depending on the resource potential of those additional Orita facilities.
- ® All of the PPAs are approved with modification.

ESTIMATED COST:

- ® Costs of the PPAs are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422976

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

Consent Agenda - Orders and Resolutions (continued)

Item New Order Instituting Rulemaking

16

[9396]

R_____

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:

- ® Opens new rulemaking for the California Solar Initiative, the Self-Generation Incentive Program, and Distributed Generation.
- ® Closes former Order Instituting Rulemaking 08-03-008.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422856

**Item Pacific Gas and Electric Company's Reappointment of
17 William E. Downing**

[9398]

Res E-4318, Advice Letter 3579-E, filed on December 18, 2009 - Related matters.

PROPOSED OUTCOME:

- ® Grants Pacific Gas and Electric Company's request to confirm its nominee William E. Downing to the Committees of its Nuclear Decommissioning Trust Funds for a five year term, May 3, 2010 through May 2, 2015.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421042

Consent Agenda - Orders and Resolutions (continued)

Item **Comity Communications, LLC Certificate of Public
18** **Convenience and Necessity**

[9400]

A09-12-037

In the Matter of the Application of Comity Communications, LLC, for Authority to Provide Limited Facilities-Based and Resold Local Exchange Telecommunication Services in the State of California.

PROPOSED OUTCOME:

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

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ MacDonald)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422385

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

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

Consent Agenda - Orders and Resolutions (continued)

**Item Southern California Edison Company's Recovery of Peaker
19 Costs**

[9401]

A07-12-029

PROPOSED OUTCOME:

- ® Authorizes Southern California Edison Company (Edison) to recover the reasonable capital and operating costs for four peaker units, which are owned and operated by Edison.
- ® The costs associated with these four peaker units were included in customer rates and subject to refund in Edison's Peakers Generation Memorandum Account which was authorized by Resolution E-4031.
- ® These costs are no longer subject to refund.
- ® This is the second and final phase of this proceeding.
- ® Application 07-12-029 is closed.

ESTIMATED COST:

- ® None. Costs already included in rates.

(Comr Peevey - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422443

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

Consent Agenda - Orders and Resolutions (continued)

Item New Order Instituting Rulemaking

20

[9418]

R_____

Order Instituting Rulemaking on the Commission's Own Motion to Consider Revising Energy Utility Tariff Rules Related to Deposits and Adjusting Bills as They Affect Small Business Customers.

PROPOSED OUTCOME:

® Opens rulemaking to consider treating micro-businesses the same as residential customers for purposes of deposits and billing adjustments.

ESTIMATED COST:

® Unknown at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421844

Consent Agenda - Intervenor Compensation Orders**Item Compensation to San Francisco Community Power****21**

[9335]

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 San Francisco Community Power \$17,880.91 in compensation for its substantial contribution to Decision 09-08-027.

® Closes the proceeding.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company will pay \$17,880.91, plus interest, based on their California-jurisdictional gas and electric revenues for the 2009 calendar year.

(Comr Grueneich - ALJ Hecht)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422392*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Greenlining Institute

22

[9345]

A08-03-015

Application of Southern California Edison Company for Authority to Implement and Recover in Rates the Cost of its Proposed Solar Photovoltaic Program.

PROPOSED OUTCOME:

® Awards The Greenlining Institute \$48,626.61 for substantial contribution to Decision 09-06-49.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company will pay \$48,626.61, plus interest.

(Comr Peevey - ALJ Ebke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422835

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item **Compensation to Hidden Hills Subunit Ratepayers**
23 **Association**

[9377]

A08-01-027, A08-01-024 - Related matters.

Application of California-American Water Company for Authorization to Increase its Revenues for Water Service in its Monterey District in the years 2009, 2010, and 2011, Under the Current Rate Design and in the Toro Service Area of its Monterey District.

PROPOSED OUTCOME:

- ® Awards Hidden Hills Subunit Ratepayers Association \$37,311.02 in compensation for its substantial contribution to Decision 09-07-021.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Ratepayers of California-American Water Company will pay \$37,311.02.

(Comr Bohn - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422307

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network
24

[9387]

A09-10-013, A09-10-014, A09-10-015 - Related matters.

Application of Pacific Gas and Electric Company for Expedited Authorization to Change Residential Electric Rates Effective January 1, 2010, as Permitted by Newly Enacted Public Utilities Code Section 739.9.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$4,481 for substantial contribution to Decision 09-12-048.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall each pay their respective shares of the award, plus interest, based on their California– jurisdictional electric revenues for the 2009 calendar year.

(Comr Peevey - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420712

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Utility Consumers' Action Network

25

[9391]

A09-10-013, A09-10-014, A09-10-015 - Related matters.

Application of Pacific Gas and Electric Company for Expedited Authorization to Change Residential Electric Rates Effective January 1, 2010, as Permitted by Newly Enacted Public Utilities Code Section 739.9.

PROPOSED OUTCOME:

® Awards Utility Consumers Action Network \$3,814.45 for substantial contribution to Decision 09-12-048.

® Closes the proceeding.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall each pay their respective shares of the awarded amount of \$3,814.45, plus interest, based on their relative proportionate share of California –jurisdictional electric revenues for the 2009 calendar year.

(Comr Peevey - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421013

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Natural Resources Defense Council

26

[9394]

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:

® Awards Natural Resources Defense Council \$57,966.25 for substantial contributions to Decision (D) 09-05-037 and D09-09-047.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company, Southern California Gas Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company shall each pay their respective shares of the awarded amount of \$57,966.25, plus interest, based on their California jurisdictional gas and electric revenues for the 2009 calendar year.

(Comr Grueneich - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=419649

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network

27

(Rev.)

[9405]

A08-03-002, A07-12-020 - Related matters.

Application of Southern California Edison Company to Establish Marginal Costs, Allocate Revenues, and Design Rates.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$71,703.47 for substantial contributions to Decision 09-08-028.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company will pay the awarded amount of \$71,703.47, plus interest.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=423000

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

05/05/2010 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network

28

[9408]

A08-07-014

Application of Pacific Gas and Electric Company and PG&E Corporation for Limited Exemption from Rule V.E of the Commission's Affiliate Transaction Rules.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$18,525 for substantial contributions to Decision 09-09-021.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company will pay the awarded amount of \$18,525, plus interest.

(Comr Bohn - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421123

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to L. Jan Reid
29

[9416]

A08-07-014

Application of Pacific Gas and Electric Company and PG&E Corporation for Limited Exemption from Rule V.E of the Commission's Affiliate Transaction Rules.

PROPOSED OUTCOME:

- ® Awards L. Jan Reid \$14,097.93 for substantial contributions to Decision (D) 08-09-013 and D09-09-021.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Ratepayers of Pacific Gas and Electric Company will pay the awarded amount of \$14,097.93, plus interest.

(Comr Bohn - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421694

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

Regular Agenda

Regular Agenda - Energy Orders

Item Long-Term Resource Adequacy Policy

30

[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)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=420851

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

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

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);

Agenda 3251, Item 48 4/8/2010 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Expansion of Southern California Edison Company's**
31 **Economic Development Program Cap**

[9292]

A09-10-012, A09-11-010 - Related matters.

In the Matter of the Application of Southern California Edison Company for Modification of Decision 05-09-018 to Extend Economic Development Rate-Retention Rates.

PROPOSED OUTCOME:

- ® Expands program cap from 100 megawatts to 150 megawatts.
- ® Prioritizes customers with 30% or more of their operating costs being energy costs to be evaluated first for program eligibility.
- ® Provides for ratepayer/shareholder sharing of free rider risk associated with the expansion.

ESTIMATED COST:

- ® Since it is unknown whether expansion of the program will result in additional economic development rates being offered, the potential reduction in collected revenue is unknown.

(Comr Peevey - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422141

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

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

Agenda 3252, Item 33 4/22/2010 (Staff)

Regular Agenda - Energy Orders (continued)

Item New Order Instituting Rulemaking

32

[9337]

R_____

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.

PROPOSED OUTCOME:

® Initiates a three-track proceeding considering long term utility electric resource procurement policies and programs.

® Initiates a track for consideration of adoption of “bundled” procurement plans pursuant to Pub. Util. Code § 454.4 for Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company. These bundled procurement plans will authorize the utilities to contract to procure energy resources for a ten year period to handle the projected need of their customers.

® Initiates a track for consideration of overall long-term system and local reliability procurement needs consistent with state and Commission policies, including development of a system-level resource plan to inform the next cycle of bundled procurement plans.

® Initiates a track to consider a number of rule and policy issues related to procurement plans and the planning process.

® Continues work undertaken in Rulemaking 08-02-007 and closes that proceeding.

ESTIMATED COST:

® Not known at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422972

Regular Agenda - Energy Orders (continued)

Item **Decision resolving a rehearing for SFPP, L.P., in Complaint**
33 **97-04-025 and related proceedings**

[9370]

C97-04-025, C00-04-013, C06-12-031, A00-03-044, A03-02-027, A04-11-017, A06-01-015, A06-08-028 - Related matters.

ARCO Products Company, Mobil Oil Corporation, and Texaco Refining and Marketing Inc. vs. SFPP, L.P.

PROPOSED OUTCOME:

- ® Finds the Sepulveda Line is dedicated to public service.
- ® Finds that SFPP is not entitled to a ratemaking allowance for income taxes.
- ® Finds SFPP has not correctly allocated costs.
- ® Finds rates for Watson Station and Sepulveda facilities must be cost-based.
- ® Dismisses A.00-03-044 without prejudice, and dismisses C.00-04-013.
- ® Adopts a 2003 capital structure and cost of capital.
- ® Requires Tier 1 advice letters to implement refunds.
- ® Case (C) 97-04-025, C.06-12-031, A.00-03-044, A.03-02-027, A.06-08-028 remain open and consolidated.

ESTIMATED COST:

- ® Uncertain, but will result in substantial refunds to customers.

(Comr Peevey - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E29931

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

Regular Agenda - Energy Orders (continued)

Item Decision Staying Decision 10-03-021

34

[9397]

R06-02-012

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

PROPOSED OUTCOME:

® Stays Decision 10-03-021 pending resolution of petitions for modification filed April 12, 2010 and April 15, 2010.

® As authorized by Rule 14.6(c)(1), waives public review and comment because temporary injunctive relief is under consideration.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422940

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

Regular Agenda - Energy Resolutions and Written Reports**Item Pacific Gas and Electric Company, San Diego Gas & Electric
35 Company, and Southern California Edison Company
[8520] Qualifying Facilities Contracts**

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

PROPOSED OUTCOME:

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

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

ESTIMATED COST:

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

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

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

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

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422153

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

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);
 Agenda 3251, Item 54 4/8/2010 (Staff);
 Agenda 3252, Item 34 4/22/2010 (Staff)

Item **San Diego Gas & Electric Company's Exemption From**
36 **Environmental Review**

[9288]

Res E-4304, Advice Letter 2106-E filed on August 31, 2009 - Related matters.

PROPOSED OUTCOME:

- ® Approves San Diego Gas & Electric Company's request.
- ® The Commission finds the stated projects exempt pursuant to General Order 131-D III.B.1.b and f.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422146

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

Agenda 3252, Item 35 4/22/2010 (Staff)

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item **Pacific Gas and Electric Company, Southern California**
37 **Edison Company and San Diego Gas & Electric Company to**
 [9373] **Modify Their Proposed Community Choice Aggregation**
 Cost Responsibility Surcharge

Res E-4256, Pacific Gas and Electric Company Advice Letter (AL) 3002-E, Southern California Edison (SCE) AL 2109-E, and San Diego Gas & Electric Company AL 1881-E, filed March 12, 2007. SCE filed supplemental AL 2109-E-A on May 14, 2007, replacing AL 2109-E - Related matters.

PROPOSED OUTCOME:

® Clarifies that:

® Pacific Gas & Electric Company (PG&E) shall update its Community Choice Aggregation (CCA) Cost Responsibility Surcharge (CRS) tariff to incorporate the vintaging methods adopted since it filed AL 3002-E, including new generation charges, the treatment of negative indifference amounts, and the criteria used to assign a vintage year.

® PG&E shall include the same tariff language on CCA vintaging as Southern California Edison (SCE), because SCE's CCA CRS vintaging proposal in AL 2109-E-A complies with Commission directives and accurately accounts for the utilities' procurement planning cycles.

® The CCA CRS includes: the Department of Water Resources Bond Charge, the Power Charge Indifference Adjustment (PCIA), and the ongoing CTC, plus the Energy Cost Recovery Charge (ECRA) for PG&E.

® The PCIA shall vary by customer class in the same proportion as ongoing CTC.

® SCE's proposed 2004 vintage CRS for Cerritos' CA customers is not discriminatory and is supported by Commission directives.

® The issues related to Cerritos customers' CCA CRS from SCE AL 2109-E-A are addressed herein, rather than on an expedited basis.

® SCE shall offer Cerritos' customers a payment plan that reflects the magnitude of previously unbilled CRS relative to the customer's average bill.

ESTIMATED COST:

® No impact on utilities' authorized revenue requirements.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422913

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

Regular Agenda - Communication Orders

Item 38 Exemption for Certain Telecommunications Carriers from Compliance with Section 851 of the Public Utilities Code

[9293]

R09-05-006

Rulemaking on the Commission's own Motion into the Exemption From Pub. Util. Code § 851 for Uniform Regulatory Framework and other Competitive Carriers.

PROPOSED OUTCOME:

- ® Grants an exemption from Public Utilities Code § 851 for a period of four (4) years for carriers subject to the Uniform Regulatory Framework adopted in Decision 06-08-030 (except incumbent local exchange carriers that must still file general rate cases) when these carriers sell or dispose of certain non-controversial assets. The exemptions granted are:
 - ® Covers utility assets falling within Account Nos. 2111, 2112, 2113, 2114, 2122, 2123, 2124, 2690 and portions of 2121;
 - ® Does not include payment centers or buildings within Account 2121 that are used to provide collocation;
 - ® Requires carriers invoking the exemption to file an annual report summarizing transactions to which it applied in the previous calendar year; and
 - ® Will continue past 2014 if no party to this proceeding requests re-examination of the exemption.
 - ® Whether an exemption should be granted in connection with more controversial assets, such as those used to provide collocation, unbundled network elements, or other wholesale services, will be considered in Phase II of this proceeding.

ESTIMATED COST:

- ® Very small costs for utilities in preparing the annual report and for the Commission to review such reports.

(Comr Peevey - ALJ McKenzie)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422965

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

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

Agenda 3252, Item 39 4/22/2010 (Peevey)

Regular Agenda - Communication Resolutions and Reports

Item **Funding for Mother Lode Broadband Project of Telenational
39** **Communications Inc. and Mother Lode Internet from
[9375]** **California Advanced Services Fund**

Res T-17225

PROPOSED OUTCOME:

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

ESTIMATED COST:

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422352

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

Regular Agenda - Water/Sewer Orders

Item **Modification of Rates Charged by Sunbird Mobilehome Park**
53 **and Injunction on Evictions and Disconnects Pending**
(Rev.) **Resolution of This Complaint**
[9455]

C09-11-019

Lucas D. Hernandez, Mayela Barroso, Maria Martinez, Trinidad Martinez, Janette Sandoval, Erika Toledo, Marvi Bonilla, Maria Garcia, Guadalupe Ramirez, Martha Amezcuita, Socorro Hernandez, Daniel Gonzalez, Hugo Hernandez, Patricia Hernandez, Maria Razo, Aurora Cabral, Gabriel Cabrera, Severo Rosa, Mauricio Frias, Celia Ruiz, Rosa Maria Montellano, Martha Alvarado, Maria Palma, Ruben Zepeda, Adriana Ceja, Jose Meza, Samuel Espinoza, Eva Montellanos, Federico Garcia, Luis Morales vs. Sunbird Mobile Home Park, Hawkeye Asset Management, James Martin and Betty Martin. This matter is added to the Agenda pursuant to Government Code Section 11125.3(2).

PROPOSED OUTCOME:

- ® Orders Sunbird Mobilehome Park to stop billing for Tier 3 and Tier 4 water usage at its current Tier 3 and Tier 4 rates and to charge for all water usage above the current Tier 2 usage level at Tier 2 rates, pending the resolution of this complaint.
- ® Pending resolution of this complaint, Sunbird Mobilehome Park may not use non-payment of the tenant's water bill as a basis for eviction or disconnection of water service.
- ® Orders Sunbird Mobilehome Park to maintain records of the revenues that are not billed as a result of their order, for possible future recovery if this proceeding determines that less-than-reasonable revenues have been collected as a result of the required application of Tier 2 rates to Tier 3 and Tier 4 usage.

ESTIMATED COST:

- ® This temporary injunctive relief will lower rates for customers whose usage exceeds current Tier 2 limits.

(Comr Grueneich - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422969

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

05/03/2010 - This item was not listed on the agenda distributed to the public.

Regular Agenda - Legislative and Other Matters**Item Electrical and Gas Corporations: Collection of Charges****40****(Rev.)**

[9349]

AB 1879 (Beall)

This bill would prohibit an electrical corporation or gas corporation from billing a residential customer or small commercial customer, as defined, for charges that were unbilled or undercharged for a period exceeding 3 months, if the previous mistake in billing is the result of a meter error or billing error. The bill would additionally require that the risk of undercollection of lawful tariff charges by an electrical corporation or gas corporation that results from the above-described 3-month backbilling limitation, is borne by the shareholders of the utility. (Legislative Subcommittee Recommendation: Support)

Agenda 3252, Item 42 4/22/2010 (Staff)

05/04/2010 - This revision was not shown on the Agenda mailed to the public.

Item Electrical Transmission: Renewable Energy Resources**41**

[9419]

AB 1954 (Skinner)

This bill would authorize the California Public Utilities Commission to approve the recovery in retail rates by an electrical corporation of certain costs for transmission facilities that are incurred in certain circumstances if not approved for recovery in transmission rates by the Federal Energy Regulatory Commission. (Legislative Subcommittee Recommendation: Support)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422719

Regular Agenda - Legislative and Other Matters (continued)

Item Energy Storage Systems

42

[9420]

AB 2514 (Skinner)

This bill would require the California Public Utilities Commission, by April 1, 2011, to open a proceeding to establish procurement targets for each electrical corporation for viable and cost-effective energy storage systems and, by January 1, 2013, to adopt an appropriate energy storage system procurement target to be achieved by each electrical corporation by January 1, 2015, and a second target to be achieved by January 1, 2020. (Legislative Subcommittee Recommendation: Oppose unless Amended)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=423045

Item Hazardous Material: Landfill Gas

43

[9353]

AB 2562 (Fuentes)

This bill would restrict the existing code to apply to gas collected at a Class I landfill on and after January 1, 2011.

Agenda 3252, Item 46 4/22/2010 (Staff)

Item Safe Digging Month

44

[9421]

ACR 115 (Emmerson)

This resolution proclaims the month of April 2010 as California Safe Digging Month in honor of the services provided by the One Call Center, which are at no cost to the caller; and the free notification service provided by USA/SC and USA North has resulted in a dramatic reduction in the number of accidents causing personal injury and the interruption of vital services.

(Legislative Subcommittee Recommendation: Support)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422888

Regular Agenda - Legislative and Other Matters (continued)

Item Telephone Directory Distribution

45

[9422]

SB 920 (Yee)

This bill would require a telephone corporation or third-party vendor, as defined, to allow a telephone service customer to opt out of receiving an alphabetical telephone directory, as prescribed. The bill would require those entities to comply with certain other requirements regarding directory recycling and recycled content.

(Legislative Subcommittee Recommendation: Oppose Unless Amended)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422714

Item Public Utilities Commission: Procedures: Rehearings

46

(Rev.)

[9357]

SB 1414 (Kehoe)

Public Utilities Commission: procedures: rehearings. (Legislative Subcommittee Recommendation: Oppose unless Amended)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422876

Agenda 3252, Item 51 4/22/2010 (Staff)

05/04/2010 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item **Electric Vehicles: Electric Vehicle Owner Education**
47 **Handbook**

(Rev.)

[9360]

SB 1455 (Kehoe)

This bill would require, by January 1, 2013, the Commission, in consultation with the Energy Commission, electrical corporations, the motor vehicle industry, and the California Electric Transportation Coalition, to develop an electric vehicle owner handbook containing specified information. (Legislative Subcommittee Recommendation: Support with Amendments)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=422716

Agenda 3252, Item 53 4/22/2010 (Staff)

05/04/2010 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Closed Session

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

Closed Session - Applications for Rehearing

Item Conference with Legal Counsel - Application for Rehearing

48

[9403]

Compilation of applications for rehearing recently filed with the Commission.

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

Item Conference with Legal Counsel - Application for Rehearing

49

[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.

Agenda 3251, Item 60 4/8/2010 (Staff)

Closed Session - Applications for Rehearing (continued)

Item Conference with Legal Counsel – Application for Rehearing

50

[9314]

A09-03-002

Disposition of Application for Rehearing of Resolution T-17157, filed by Ducor Telephone Company (Ducor). Ducor challenges the Commission's decision regarding its adopted benefits-to-salary ratio, its adjustments to certain capital expenditure requests, and the zero elasticity factor applied to Ducor's basic rate increase.

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

Item

51

[9399]

A08-03-002, A07-12-020 - Related matters.

Disposition of application for rehearing of Decision (D) 09-08-028 filed by Transphase Company. In D09-08-028, the Commission adopted settlement agreements on marginal cost, revenue allocation and rate design as part of Southern California Edison Company's General Rate Case.

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

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

52

[9404]

FERC Docket No. ER06-615 and Related Items

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

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

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

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

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

Closed Session - Personnel Matters

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

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