

---

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

## ***Public Agenda 3257***

***Thursday, July 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>

---

### **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, July 26, 2010 (San Francisco)	Thursday, July 08, 2010 (San Francisco)
Monday, August 09, 2010 (San Francisco)	Thursday, July 29, 2010 (San Francisco)
Monday, August 30, 2010 (San Francisco)	Thursday, August 12, 2010 (San Francisco)
Monday, September 20, 2010 (San Francisco)	Thursday, September 02, 2010 (San Francisco)
Friday, October 08, 2010 (San Francisco) (Will Be Held)	Thursday, September 23, 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](mailto:public.advisor@cpuc.ca.gov)



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

**PUBLIC COMMENT**

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

- All items on the closed session agenda.
- 12, 13, 16, 18, 19, 27

**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**

[9558]

**Res ALJ 176-3257**

**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=427527](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427527)

*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)

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);  
Agenda 3253, Item 2 5/6/2010 (Staff);  
Agenda 3254, Item 2 5/20/2010 (Staff);  
Agenda 3255, Item 3 6/3/2010 (Staff);  
Agenda 3256, Item 2 6/24/2010 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Union Pacific Railroad Company, Keene Water System**  
**3                        Authority for a Rate Base Offset Revenue Increase**

[9472]

**Res W-4830**, Advice Letter 9 filed on February 22, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes a rates base offset arising from the water plant additions ordered by Decision 06-07-034.

**PROPOSED OUTCOME:**

® \$36,194.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427608](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427608)

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

---

Agenda 3255, Item 20 6/3/2010 (Staff);

Agenda 3256, Item 11 6/24/2010 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California-American Water Company's Request to Issue up  
4**                    **to \$85 Million of New Long-Term Debt Securities**

[9490]

**A10-03-024**

Application of California-American Water Company (1) to issue, sell and deliver not exceeding in the aggregate \$85 million of debt securities consisting of long-term notes; and (2) exempting the issuance, sale and delivery of such debt securities from the Commission's competitive bidding rule.

**PROPOSED OUTCOME:**

- ® Authorizes issuance of \$85 million of long-term Debt Securities.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Bohn - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427488](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427488)

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

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

---

Agenda 3256, Item 15 6/24/2010 (Simon)

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    North Gualala Water Company's Cost Recovery**

**5**

[9514]

**Res W-4832**, Advice Letter 68 filed on June 4, 2009 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes the surcharge for five years for recovery of its costs for participating in a groundwater classification proceeding.

**ESTIMATED COST:**

® The total cost of recovery is \$147,306.10.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427624](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427624)

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

---

Agenda 3256, Item 27 6/24/2010 (Peevey)

**Item                    Disclosure of Records of an Investigation**

**6**

[9513]

**Res L-397**

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a railroad crossing accident which occurred on April 22, 2009, at Jackson Street Crossing in Riverside County.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427711](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427711)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Modification of Penalty Assessed to Commerce Energy, Inc**

**7**

[9518]

**Res ALJ-253**

**PROPOSED OUTCOME:**

® Reduces the penalty assessed to Commerce Energy, Inc. by Consumer Protection and Safety Division from \$33,500 to \$25,000 upon appeal.

**ESTIMATED COST:**

® \$25,000 penalty to Commerce Energy, Inc.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=428148](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=428148)

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

---

**Item                    San Diego Gas & Electric Company's Renewable Power  
8                    Purchase Agreement with Calpine Energy Services, L.P.**

[9525]

**Res E-4342**, Advice Letter 2154-E Filed on March 29, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves San Diego Gas & Electric Company's request for cost recovery of a short-term renewable energy power purchase agreement (PPA) with Calpine Energy Services, L.P.

® Approves the PPA without modification.

**ESTIMATED COST:**

® Costs of this contract are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=428100](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=428100)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item 9**  
[9532] **Southern California Edison Company's Renewable Energy Power Purchase Agreements With CA Solar 10, LLC and Ridgecrest Solar I, LLC**

**Res E-4294**, Advice Letter 2374-E Filed on August 21, 2009 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves cost recovery for a long-term renewable energy power purchase agreement (PPA) between Southern California Edison Company and CA Solar 10, LLC.
- ® Approves the PPA without modification.
- ® The Commission defers judgment on the Ridgecrest Solar I, LLC PPA.

**ESTIMATED COST:**

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

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427889](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427889)

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

---

**Item 10**  
[9538] **Rescinds Resolution T-17187 by Releasing California Advanced Services Fund Grant Award to Broadband Associates International for the Highway 299 Project**

**Res T-17280**

**PROPOSED OUTCOME:**

- ® Releases California Advanced Services Funds and Census Block Groups set aside for the Highway 299 project in Resolution T-17187.

**ESTIMATED COST:**

- ® Savings of \$7,830,720.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=425946](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=425946)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Funding for the Siskiyou County Economic Development**  
**11**                        **Council Middle Mile Project from the California Advanced**  
[9543]                    **Services Fund**

**Res T-17268**

**PROPOSED OUTCOME:**

® Adopts contingent funding for the Siskiyou County Economic Development council Middle Mile Project from the California Advanced Services Fund amounting to \$1,697,029.

**ESTIMATED COST:**

® \$1,697,029.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427930](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427930)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Setting Rate for Cross-Connection**

**12**

[9544]

**C09-07-021**

XO Communications Services, Inc. vs. Pacific Bell Telephone Company, d/b/a AT&T California.

**PROPOSED OUTCOME:**

® Requires Pacific Bell Telephone Company to provide cross-connection at total element long-run incremental cost.

® Case 09-07-021 is closed.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Bemserfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E31812](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E31812)

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

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Costs of Undergrounding Powerlines to Serve**  
**13**                        **Complainants' Project**

[9545]

**C09-12-036**

Patrick J. Killen and Dennis Cleland vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

® Denies Complainants' request to have defendant pay the costs of undergrounding power lines to complainants' project. Defendant's tariff covers the apportionment of costs.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=428169](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=428169)

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

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

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Alisal Water Corporation's Surcharge and Expenses**  
**14**                        **Memorandum Account**

[9547]

**Res W-4833**, Advice Letter 136 Filed on January 21, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes a surcharge of \$2.36 per month for three months.

**ESTIMATED COST:**

® Increase in revenue of \$62,423.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=426103](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=426103)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Joint Parties' Motion for Commission Adoption and Approval  
15                    of Settlement Agreement**

[9548]

**A09-06-004**

In the Matter of the Application of Broadvox-CLEC, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Limited Facilities-Based Local Exchange and Interexchange Telecommunications Services within California.

**PROPOSED OUTCOME:**

- ® Approves the Settlement Agreement Between Broadvox-CLEC, LLC (Broadvox) and the Commission's Consumer Protection and Safety Division in this Proceeding.
- ® Requires Broadvox to pay a fine of \$5,000 based on its violation of Rule 1.1 if the Commission subsequently grants the amended application for a certificate of public convenience and necessity.
- ® This fine will be deposited into the State General Fund.

**ESTIMATED COST:**

- ® None.

(Comr Bohn - ALJ Prestidge)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=423498](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=423498)

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

---

Consent Agenda - Orders and Resolutions (continued)

**Item            Order Dismissing Complaint**

**16**

[9552]

**(ECP) C10-02-021**

Frank Coverson vs. Pacific Bell Telephone Company, dba AT&T California.

**PROPOSED OUTCOME:**

® Dismisses (ECP) Case 10-02-021 without prejudice, for Complainant's failure to appear at hearing.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Ryerson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=425533](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=425533)

---

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Petition to Modify  
17 Decision 08-07-045**

[9553]

**A06-03-005**

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

**PROPOSED OUTCOME:**

® Grants Pacific Gas & Electric Company's (PG&E) petition request that the timetable for its proposal for implementing real time pricing should reflect a beginning date of May 1, 2012, or 12 months after a final Commission decision on the real time pricing rate design and cost recovery proposed in PG&E's Phase 2 General Rate Case application, whichever is later, rather than May 1, 2011, as set forth in Decision 08-07-045.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Fukutome)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427164](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427164)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Granting Relief for Surcharges**

**18**

[9556]

**(ECP) C10-02-025**

Lori Emerson vs. Verizon California, Inc.

**PROPOSED OUTCOME:**

- ® Awards Complainant reparations of \$500 for overcharges.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$500.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=425150](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=425150)

**Item                    Order Extending Statutory Deadline**

**19**

[9557]

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

Fones4All Corporation vs. Pacific Bell Telephone Company, d/b/a AT&T California.

**PROPOSED OUTCOME:**

- ® Extends the statutory deadline an additional year until August 2, 2011, pursuant to Public Utilities Code § 1701.2(d).

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Reed)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=426222](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=426222)

Consent Agenda - Orders and Resolutions (continued)

**Item                    Golden State Water Company's Request to Amend its Tariffs**  
**20**

[9570]

**Res W-4834**, Advice Letter No. 1403-W Filed on May 25, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Amend tariffs by adding Rule 22, Customer Information Sharing, and Form No. 24, Confidentiality and Non Disclosure Agreement.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=426143](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=426143)

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Wickland Pipelines, LLC to Establish Market-Based Rates  
21**                    **and Conditions of Service**

[9571]

**A10-04-027**

Application of Wickland Pipelines LLC for Authorization to Establish Market-Based Rates and Conditions of Service and for Approval of Exemptions under Section 818 and 851 or, alternatively, Authorization to Increase Membership Contributions and Debt Limits and to Encumber Utility Property.

**PROPOSED OUTCOME:**

- ® Approves application of Wickland Pipelines, LLC to construct and operate a jet fuel pipeline in the City of San Jose.
- ® Application 10-04-027 is closed.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Bemesderfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=426555](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=426555)

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

---

---

**Consent Agenda - Intervenor Compensation Orders****Item Compensation to The Utility Reform Network****22**

[9562]

**R07-04-015**

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

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$125,785.37 for substantial contribution to Decisions (D) 08-09-014 and D10-01-026.

**ESTIMATED COST:**

® The California Public Utilities Commission Intervenor Compensation Fund will pay \$125,785.37, plus interest.

(Comr Simon - ALJ O'Donnell)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=425712](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=425712)

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

---

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Disability Rights Advocates**

**23**

[9563]

**R07-04-015**

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

**PROPOSED OUTCOME:**

- ® Awards Disability Rights Advocates \$59,386.74 for substantial contribution to Decision 10-01-026.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® The California Public Utilities Commission Intervenor Compensation Fund will pay \$59,386.74, plus interest.

(Comr Simon - ALJ O'Donnell)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=426138](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=426138)

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

---

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**24**

[9567]

**R02-12-004**

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

**PROPOSED OUTCOME:**

- ® Awards The Utility Reform Network \$193,183.26 in compensation for its substantial contribution to Decision 09-07-019.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Payment of \$193,183.26 from the Intervenor Compensation Fund, which is funded by Commission user fees.

(Comr Bohn - ALJ Grau)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=424449](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=424449)

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

---

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Acton Town Council**

**25**

[9574]

**A07-06-031**

In the Matter of the Application of Southern California Edison Company for a Certificate of Public Convenience and Necessity Concerning the Tehachapi Renewable Transmission Project (Segments 4 through 11).

**PROPOSED OUTCOME:**

® Awards Acton Town Council \$102,926.91 for substantial contribution to Decision 09-12-044.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company will pay \$102,926.91, plus interest.

(Comr Grueneich - ALJ Kolakowski)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=425208](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=425208)

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

---

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**26**

[9581]

**R08-06-025**

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

**PROPOSED OUTCOME:**

- ® Awards The Utility Reform Network \$25,930.15 for substantial contribution to Decision 10-01-023.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southwest Gas Corporation will pay \$25,930.15, plus interest.

(Comr Bohn - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=426584](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=426584)

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

---

## Regular Agenda

### Regular Agenda - Energy Orders

**Item 27                    Decision resolving a rehearing for SFPP, L.P., in Complaint 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=424178](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=424178)

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

---

Agenda 3253, Item 33 5/6/2010 (Peevey);

Agenda 3255, Item 31 6/3/2010 (Bohn )

Regular Agenda - Energy Orders (continued)

**Item                    Southern California Edison Company Certificate of Public  
28                        Convenience and Necessity**

[9451]

**A08-05-039**

**PROPOSED OUTCOME:**

® Grants Southern California Edison Company a Certificate of Public Convenience and Necessity to construct the San Joaquin Cross Valley Loop Transmission Project using the environmentally superior project Alternative 2 identified in the Environmental Impact Report.

® Adopts a maximum project cost of \$122.182 million (excluding allowances for funds used during construction).

® Closes the proceeding.

**ESTIMATED COST:**

® \$122.182 million.

(Comr Grueneich - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=428098](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=428098)

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

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

Agenda 3255, Item 33 6/3/2010 (Bohn )

**Item                    ALTERNATE TO ITEM 9451**

**28a**

[9596]

® Approves, with modifications, the City of Visalia's proposal for jointly funding and developing a multi-use green pathway within the transmission corridor that runs through Visalia.

(Comr Bohn )

---

Regular Agenda - Energy Orders (continued)

**Item**                    **Jurisdiction of the Commission Over the Sale of Electricity at  
29                         Retail to the Public for the Sole Use as a Motor Vehicle Fuel**

[9500]

**R09-08-009**

Order Instituting Rulemaking on the Commission's own motion to consider alternative-fueled vehicle tariffs, infrastructure and policies to support California's greenhouse gas emissions reduction goals.

**PROPOSED OUTCOME:**

® Concludes that the ownership or operation of a facility that sells electricity at retail to the public for use only as a motor vehicle fuel and the selling of electricity at retail from that facility to the public for use only as a motor vehicle fuel does not make the corporation or person a public utility within the meaning of Public Utilities Code § 216 solely because of that sale, ownership or operation.

**ESTIMATED COST:**

® None.

(Comr Ryan - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427752](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427752)

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

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

---

Agenda 3256, Item 39 6/24/2010 (Ryan)

---

Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company's Long-Term Request for**  
**30**                        **Offers**

[9516]

**A09-09-021**

Application of Pacific Gas and Electric Company for Approval of 2008 Long-Term Request for Offer Results and for Adoption of Cost Recovery and Ratemaking Mechanisms.

**PROPOSED OUTCOME:**

- ® Grants application in part and approves cost recovery.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Unknown.

(Comr Peevey - ALJ Farrar)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E31516](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E31516)

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

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

---

---

Regular Agenda - Energy Orders (continued)

**Item**                    **Natural Resources Defense Council's Petition to Modify**  
**31**                        **Decision 07-01-039**

[9520]

**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:**

® Grants, in part, a petition to modify Decision (D) 07-01-039 filed by the Natural Resources Defense Council.

® Modifies D07-01-039 (1) to clarify that a plan must comply with federal and/or state monitoring, verification and reporting requirements applicable to projects designed to permanently sequester CO2 and prevent its release from the subsurface, and (2) to further specify how a plan may meet monitoring, verification and reporting requirements if federal and/or state requirements do not exist or have not been finalized.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E31636](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E31636)

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

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

---

---

Regular Agenda - Energy Orders (continued)

**Item**                    **Southern California Edison Company's Petition to Modify**  
**32**                        **Decision 07-01-039**

[9521]

**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:**

® Grants, in part, the petition to modify Decision 07-01-039 and authorizes, subject to reasonableness review, a partial exemption from the Adopted Interim Emissions Performance Standard Rules for Four Corners Units 4 and 5 (Four Corners), limited to costs authorized under the co-tenancy agreements prior to January 1, 2012.

® Reasonableness review will occur in Southern California Edison Company's (SCE) test year 2012 general rate case, to be filed in 2010.

® For capital projects of \$5 million or more, SCE's reasonableness showing must identify whether, based on industry standards, the project likely will extend the life of Four Corners beyond five years or some additional five-year increment and if so, why the project cost is warranted nonetheless.

® Capital costs planned for Four Corners in 2012 and beyond that will increase the life of the powerplant by five years or more are not exempt.

® SCE must conduct a study on the feasibility of continuing to maintain its interest in Four Corners after the end of 2011 and, in the test year 2012 general rate case, report on its study and propose a course of action.

® SCE may not extend any of its existing co-tenancy agreements or enter into any new agreements concerning its ownership in Four Corners without first obtaining Commission approval.

® SCE must report its test year 2012 general rate case on its remedial activities to ensure that its pleadings are complete, accurate, and fully explain the bases for its positions.

® Closes the proceeding.

**ESTIMATED COST:**

® Subject to a finding of reasonableness in SCE's test year 2012 general rate case, some or all of capital projects estimated at \$178,593,000 will be recoverable in rates.

® Other costs associated with SCE's continued ownership of Four Corners may be determined in SCE's test year 2012 general rate case.

(Comr Peevey - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E31552](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E31552)

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

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

---

---

Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company, Southern California**  
**33**                        **Edison Company, and San Diego Gas & Electric Company's**  
[9542]                    **Phase 1 of Consolidated Nuclear Decommissioning Cost**  
                              **Triennial Proceedings**

**A09-04-007**, A09-04-009 - Related matters.

Application of Pacific Gas and Electric Company in its 2009 Nuclear Decommissioning Cost Triennial Proceeding.

**PROPOSED OUTCOME:**

- ® Rejects proposed settlement as a whole but resolves all issues in Phase 1, including adoption of most settlement provisions.
- ® Creates independent panel of experts to examine uniform development and presentation of cost data.
- ® Rejects modified reasonableness review for future decommissioning costs.

**ESTIMATED COST:**

- ® \$250,000 from Nuclear Decommissioning Adjustment Mechanism for all utilities;
- ® Southern California Edison Company-\$23 million/year,
- ® Pacific Gas and Electric Company-\$22.6 million/year,
- ® San Diego Gas & Electric Company-\$15.3 million/year trust fund revenue requirements.

(Comr Simon - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427884](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427884)

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

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

---

---

**Regular Agenda - Energy Resolutions and Written Reports****Item 34**  
[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=427628](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427628)

*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);  
Agenda 3253, Item 35 5/6/2010 (Staff);  
Agenda 3254, Item 44 5/20/2010 (Staff);  
Agenda 3255, Item 34 6/3/2010 (Staff);  
Agenda 3256, Item 41 6/24/2010 (Staff)

---

**Regular Agenda - Legal Division Matters****Item**                    **Comments Before the Federal Communications Commission**  
**35**                        **in the Matter of Connect America Fund, a National**  
[9530]                    **Broadband Plan for Our Future High-Cost Universal Service**  
                              **Support****WC Docket No. 10-90, GN Docket No. 09-51 and GN Docket No. 09-51**

The Federal Communications Commission seeks comment on a Notice of Inquiry (NOI) and Notice of Proposed Rulemaking (NPRM) on whether the Commission should use a model to help determine universal service support levels in areas where there is no private sector business case to provide broadband and voice services. The NOI also seeks comment on the best way to create an accelerated process to target funding toward new deployment of broadband networks in unserved areas. Finally, the accompanying NPRM seeks comment on specific common-sense reforms to cap growth and cut inefficient funding in the legacy high-cost support mechanisms and to shift the savings toward broadband communications. Staff seeks authority to file comments.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427987](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427987)

Agenda 3256, Item 43 6/24/2010 (Staff)

**Item**                    **Comments Before the Federal Communications Commission**  
**36**                        **in the Matter of Schools and Libraries Universal Service**  
[9564]                    **Support Mechanism, A National Broadband Plan for Our**  
                              **Future****47 CFR Part 54; CC Docket No. 02-6; GN Docket No. 09-51; FCC 10-83**

The Federal Communications Commission seeks comment on how to provide stability and certainty for the funding of internal connections that are necessary to deliver higher bandwidth services to the classroom and how to expand access to funding for internal connections for schools and libraries serving impoverished populations. Staff seeks authority to file comments.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427695](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427695)

---

Regular Agenda - Legal Division Matters (continued)

**Item**                    **Comments Before the Federal State Joint Board on**  
**37**                        **Universal Service In the Matter of Lifeline-Link-Up Eligibility,**  
[9568]                    **Verification and Outreach Issues Referred to the Joint Board**  
                              **by the Federal Communications Commission**

**CC Docket No. 96-45; WC Docket No. 03-109**

The Federal State Joint Board on Universal Service seeks comment on whether it should recommend any changes to the eligibility, verification and outreach elements of the existing Lifeline-Link-Up programs, which may be necessary in view of the significant technological and marketplace changes since those requirements were established. Staff seeks authority to file comments.

**Item**                    **Comments Before the Federal Communications Commission**  
**38**                        **in the Matter of Framework for Broadband Internet Service**  
[9569]

**GN Docket No. 10-127**

The Federal Communications Commission adopted a Notice of Inquiry to consider the adequacy of the current legal framework within which the Commission promotes investment and innovation in, and protects consumers of, broadband Internet service. The Commission requests comments on three options: keep broadband regulated under Title I; regulate broadband under Title II; or regulate broadband Internet access according to the Chairman's "Third Way," under which the Commission would: (i) reaffirm that Internet information services should remain generally unregulated; (ii) identify the Internet connectivity service that is offered as part of wired broadband Internet service (and only this connectivity service) as a telecommunications service; and (iii) forbear from applying all provisions of Title II other than the small number that are needed to implement the Commission's policies of fundamental universal service, competition and small business opportunity. Staff seeks authority to file comments.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=428132](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=428132)

**Item**                    **Comments Before the California Air Resources Board**  
**39**                        **Regarding Proposed Regulations to Implement a California**  
[9576]                    **Renewable Electricity Standard**

The California Air Resources Board seeks comments on its proposed regulations for a California Renewable Electricity Standard. If adopted, the regulations would, among other things, implement a 33% Renewable Electricity Standard. Staff seeks authority to file comments on behalf of the Commission.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427975](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427975)

---

Regular Agenda - Legal Division Matters (continued)

**Item**  
**40**  
[9578] **Comments Before the Federal State Joint Board on Universal Service In the Matter of Lifeline-Link-Up Eligibility, Verification and Outreach Issues Referred to the Joint Board by the Federal Communications Commission**

**CC Docket No. 96-45; WC Docket No. 03-109**

Federal State Joint Board on Universal Service seeks comment on whether the Joint Board should recommend any changes to the Lifeline-Link-Up programs eligibility, verification and out reach that may be necessary given the significant technological and marketplace changes. Staff seeks authority to file comments.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427971](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427971)

**Item**  
**41**  
[9579] **Comments Before the Department of Energy in the Matter Implementing the National Broadband Plan by Studying the Communications Requirements of Electric Utilities to Inform Federal Smart Grid Policy**

**FR Doc. 2010-11129**

The Department of Energy is requesting comments regarding the present and future communications needs of electric utilities as Smart Grid technologies are deployed more broadly across the country. Staff seeks authority to file comments due July 12, 2010, with reply comments due on July 26, 2010.

**Item**  
**42**  
[9580] **Comments Before the Department of Energy in the Matter Implementing the National Broadband Plan by Empowering Consumers and the Smart Grid: Data Access, Third Party Use, and Privacy**

**FR Doc. 2010-11127**

The Department of Energy is seeking comments on ongoing federal, state, and private efforts to protect consumer energy use data. Staff seeks authority to file comments due on July 12, 2010, with reply comments on July 26, 2010.

---

**Regular Agenda - Legislative and Other Matters****Item                    Water Charges and Meters: Multiunit Structures**  
**43**

[9484]

**AB 1975 (Fong)**

This bill, with a certain exception, would require every water purveyor that provides water service to a multiunit residential structure or a mixed-use residential and commercial structure, for which the first occupancy permit for a newly constructed building is issued on or after January 1, 2012, to require the installation of meters or submeters on each individual dwelling unit as a condition of new water service to that property. (Legislative Subcommittee Recommendation: Support)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=425504](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=425504)

Agenda 3255, Item 38 6/3/2010 (Bohn );

Agenda 3256, Item 46 6/24/2010 (Staff)

**Item                    Telephone Corporations: Residential Telephone Service:**  
**44                        911 Calls**

[9491]

**SB 1375 (Price)**

This bill would require local telephone corporations to provide every subscriber of tariffed residential basic exchange service, rather than every existing and newly installed residential telephone connection, with access to "911" emergency service.

Agenda 3255, Item 46 6/3/2010 (Staff);

Agenda 3256, Item 47 6/24/2010 (Staff)

**Item                    Electricity: Electric and Plug-In Hybrid Vehicles: Charging**  
**45                        Stations**

[9537]

**SB 1435 (Padilla & Kehoe)**

This bill would provide that the ownership, control, operation, or management of a facility that supplies electricity only for use to power electric vehicles or plug-in hybrid vehicles does not make the corporation or person a public utility for purposes of the act. This bill would require the Public Utilities Commission to adopt rules that are applicable to each facility that supplies electricity for use to power electric vehicles or plug-in hybrid vehicles, which is located within the service territory of an electrical corporation, to achieve certain results.

Agenda 3256, Item 52 6/24/2010 (Staff)

---

Regular Agenda - Legislative and Other Matters (continued)

**Item                    Public Utilities Commission: Federal Communications  
46                    Commission: Forbearance Petitions**

[9585]

**AB 1315 (Fuentes)**

This bill would provide that if an incumbent local exchange carrier files a forbearance petition with the Federal Communications Commission (FCC) requesting that the FCC forbear from enforcing that carrier's duty to provide to any requesting telecommunications carrier nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, within any metropolitan statistical area located in the state, the California Public Utilities Commission (PUC) would be required to first determine if the petition meets certain legal requirements pursuant to a specified regulation adopted by the FCC, and if the PUC determines that the petition fails to meet those requirements, to timely submit a motion for summary denial of the petition with the FCC. If the PUC determines that the petition meets those requirements, the bill would require the PUC to review and analyze the petition and make determinations relative to matters that are pertinent to the petition. The bill would require the PUC to file substantive comments with the FCC relative to those determinations. The bill would require the PUC to require each telephone corporation providing service within a metropolitan statistical area to report comprehensive and detailed information sufficient to enable the PUC to file its substantive comments to the petition and to undertake certain analysis.

**Item                    Sonoma County Energy Efficiency Pilot Project Act of 2010  
47**

[9587]

**SB 730 (Wiggins)**

This bill would require the Public Utilities Commission, in evaluating energy efficiency investments, to ensure that local and regional interests, multifamily dwellings, and energy service industry capabilities are incorporated into an electrical corporation's energy efficiency program portfolio design, and seek participation from local governments, community-based organizations, and energy efficiency service providers in program design, revision, and implementation, where appropriate. The bill would require an electrical corporation, when developing or revising its energy efficiency program portfolio design, to collaborate with, and seek comments from, county climate protection authorities or other public agencies that are directly authorized to implement regional or countywide climate protection and energy efficiency programs.

---

Regular Agenda - Legislative and Other Matters (continued)

**Item**                    **Disposition of Energy Crisis Litigation Funds - Potential**  
**48**                        **Legislation**

[9597]

Adopt a Commission position opposing the deposit in the California State General Fund or the use for California State General Fund purposes of funds derived from Energy Crisis litigation judgments or settlements and authorize the staff to advocate this position as appropriate. This position is sought by the Director of the Commission's Office of Government Affairs and the General Counsel to represent the position of the Commission with respect to legislation that presently exists or may exist in the future until the recovery of funds from pending Energy Crisis litigation is completed. An opinion by the California Legislative Counsel in response to a request by Senator Denise Moreno Ducheny has opined on the lawfulness of funds derived from a specific Energy Crisis settlement being deposited in the General Fund and used for General Fund purposes.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=427956](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=427956)

**Item**                    **Utilities: Renewable Energy Resources**  
**49**

[9599]

**SB 722 (Simitian)**

This bill would revise the Renewable Energy Resources Program to state the intent of the Legislature to increase the amount of electricity generated from eligible renewable energy resources per year, so that amount equals at least 33% of total retail sales of electricity in California per year by December 31, 2020. The bill would revise certain terms used in the program and revise certain eligibility criteria for a renewable electrical generation facility, as defined, pursuant to the program. This bill would express the intent that the amount of electricity generated per year from eligible renewable energy resources be increased to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2013, and 33% by December 31, 2020.

## **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**

**50**

[9559]

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**

**51**

[9561]

**R06-02-013**

Disposition of Application for Rehearing of Decision (D) 09-08-021, filed by CALifornians for Renewable Energy (CARE). D09-09-023 involves the award of intervenor compensation to CARE for its substantial contributions in D06-07-029, D07-06-022, D07-12-052, and D08-11-008.

*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**

[9560]

**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*