
Public Utilities Commission of the State of California

Public Agenda 3260

Thursday, September 2, 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, September 20, 2010 (San Francisco)	Thursday, September 02, 2010 (San Francisco)
Friday, October 08, 2010 (San Francisco)	Thursday, September 23, 2010 (San Francisco)
Monday, October 25, 2010 (San Francisco)	Thursday, October 14, 2010 (San Francisco)
Monday, November 15, 2010 (San Francisco)	Thursday, October 28, 2010 (San Francisco)
Monday, November 29, 2010 (San Francisco)	Friday, November 19, 2010 (San Francisco)

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

Matters of Public Interest

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

For further information contact the Public Advisor
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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.
- 6, 18, 30

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**

[9687]

Res ALJ 176-3260

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=431033

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);
Agenda 3257, Item 2 7/8/2010 (Staff);
Agenda 3258, Item 2 7/29/2010 (Staff);
Agenda 3259, Item 2 8/12/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Petition to Modify Decision 07-08-029

3

(Rev.)

[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 four to eight minute monitoring and enforcement protocol for natural gas produced in California which flows into SoCalGas' transmission system.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432154

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);

Agenda 3253, Item 3 5/6/2010 (Staff);

Agenda 3254, Item 5 5/20/2010 (Staff);

Agenda 3256, Item 5 6/24/2010 (Staff);

Agenda 3258, Item 3 7/29/2010 (Staff)

08/25/2010 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item SFPP, L.P. to Charge Market-Based Rates

4

[9572]

A09-05-014, A08-06-008, A08-06-009 - Related matters.

Application of SFPP, L.P. for authority, pursuant to Public Utilities Code Section 455.3, to increase its rates for pipeline transportation services within California.

PROPOSED OUTCOME:

® Denies application to charge market-based rates for pipeline transportation of refined petroleum products.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Bemederfer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=429943

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

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

Agenda 3258, Item 11 7/29/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Funding for the Redwood Telephone LLC Northern
5** **California Open Community Fiber Network Project From the
[9641]** **California Advanced Services Fund**

Res T-17288

PROPOSED OUTCOME:

® Adopts contingent funding for the Redwood Telephone LLC Northern California Open Community Fiber Network Project, from the California Advanced Services Fund, amounting to \$2,169,815.

ESTIMATED COST:

® \$2,169,815.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=429832

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

Agenda 3259, Item 19 8/12/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Reparaions in Complaint Against Bonita Paradise
6 Mobilehome Park

[9654]

(ECP) C09-10-007

Estate of Jessie Henderson, by its Representatives, vs. Bonita Paradise, LLC dba Bonita Paradise Mobilehome Park.

PROPOSED OUTCOME:

- ® Grants Reparations of \$217.55 because defendant Mobilehome Park unlawfully turned off utility service to complainant's decedent, but charged the estate.
- ® Denies damages sought by complainant.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$217.55.

(Comr Grueneich - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=429162

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 **R R Lewis Small Water Company for a Certificate of Public
7** **Convenience and Necessity**

[9661]

A08-12-013

In the Matter of the Application of Ostrom Family Trust dba R R Lewis Small Water Company for a Certificate of Public Convenience and Necessity to Continue to Construct a Public Utility Water System near Sierra City in Sierra and to Continue to Establish Rates for Service.

PROPOSED OUTCOME:

- ® Grants a Certificate of Public Convenience and Necessity.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Bohn - ALJ Walwyn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432255

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 8 Pacific Gas and Electric Company's Modified Power Purchase Agreement With Russell City Energy Center

[9662]

A08-09-007

Application of Pacific Gas and Electric Company for Expedited Approval of the Amended Power Purchase Agreement for the Russell City Energy Company Project.

PROPOSED OUTCOME:

- ® Grants Petition for Modification (PFM) by Joint Parties to amend Power Purchase Agreement to reduce capacity price and extend delivery date by one year to June 2013.
- ® Denies PFM by Group Petitioners.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Confidential at this time but lowers ratepayers costs.

(Comr Peevey - ALJ Darling)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=431880

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 9 Golden State Water Company's Surcharge to Recover Lost Revenues From Reduced Water Consumption by Customers

[9663]

Res W-4840, Advice Letter (AL) 1352-W, Filed on October 16, 2009; AL 1353-W, Filed on October 16, 2009; AL 1354-W, Filed on October 16, 2009. - Related matters.

PROPOSED OUTCOME:

- ® Authorizes the utility to make Advice Letters 1352-W thru 1358-W effective upon approval of this resolution;
- ® Recovery of costs associated with customer notice is denied at this time, but it may seek recovery at the time it seeks recovery of costs associated with water conservation measures specified in Attachment A; and
- ® Submit supplemental tariff sheets for the above advice letters reflecting on the most recent Commission approved tariffs, changes authorized by this resolution.

ESTIMATED COST:

® \$1,381,640.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=428711

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

Consent Agenda - Orders and Resolutions (continued)

Item **Southern California Gas Company's Extension of**
10 **Confidential Treatment**

[9668]

Res ALJ-255

PROPOSED OUTCOME:

® Grants an extension of confidential treatment of information in Application 07-04-004.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=431947

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

Item **Southern California Edison Company's Two Renewable**
11 **Energy Power Purchase Agreements With Desert Sunlight**
[9676] **LLC and Desert Stateline LLC**

Res E-4347, Advice Letter 2391-E Filed on October 16, 2009 and Advice Letter 2391-E-A Filed on October 29, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for two long-term renewable energy power purchase agreements (PPA), one between Southern California Edison Company and Desert Sunlight LLC and one between Southern California Edison Company and Desert Stateline LLC.

® These PPA's are approved without modification.

ESTIMATED COST:

® Costs of the PPA's are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432063

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

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Revisions to Their Gas
12 Imbalance Statements**

[9677]

Res G-3440, By Pacific Gas and Electric Company Advice Letter 3033-G, Filed on July 10, 2009 - Related matters.

PROPOSED OUTCOME:

® Pacific Gas and Electric Company's (PG&E) proposals are approved. Beginning this year and every three years thereafter, PG&E must audit its records, documents and data used for preparing imbalance statements and accounting adjustments for Core Transport Agents. PG&E may request relief from the auditing requirement if it meets the specified conditions.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432201

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

Consent Agenda - Orders and Resolutions (continued)

Item 13 Authorization for Limited Exemption From the Affiliate Transaction Rules

[9679]

A09-12-025

PROPOSED OUTCOME:

® Grants Southwest Gas Corporation (SW Gas) a limited exemption from the Affiliate Transaction Rules for its transactions with a new affiliate, IntelliChoice Energy LLC, which is engaged in heat pump technology outside of California.

® Conditions the exemption upon the continued accuracy of the information presented in the application; if the material circumstances change in any material way, SW Gas must file a petition for modification of the decision to justify continuation of the exemption.

® Closes Application 09-12-025.

ESTIMATED COST:

® May reduce costs of regulatory compliance.

(Comr Grueneich - ALJ Vieth)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=428681

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

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company's Renewable Energy**
14 **Power Purchase Agreement With FPL Energy Montezuma**
[9681] **Wind, LLC**

Res E-4353, Advice Letter 3681-E Filed on June 4, 2010 - Related matters.

PROPOSED OUTCOME:

- ® Approves an amendment to a long-term renewable energy power purchase agreement (PPA) between Pacific Gas and Electric Company and FPL Energy Montezuma Wind, LLC.
- ® The amended power purchase agreement is approved without modification.

ESTIMATED COST:

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

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=431682

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

Item **Tahoe Park Water Company's Ratebase Offset Revenue**
15 **Increase**
[9682]

Res W-4841, Advice Letter (AL) 52-W, Filed on January 4, 2010, and revised AL 52-W-A, Filed June 30, 2010 - Related matters.

PROPOSED OUTCOME:

- ® Authorizes a ratebase offset revenue increase for various water system improvements.

ESTIMATED COST:

- ® \$23,533.

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

Consent Agenda - Orders and Resolutions (continued)

Item Pacific Gas and Electric Company's Modification to Decision
16 08-10-013

[9683]

A10-04-017

Application of Pacific Gas and Electric Company for modification of Decision 08-10-013 to modify the purposes for which a limited amount of the long-term debt authorization granted in Decision 08-10-013 may be used.

PROPOSED OUTCOME:

- ® Grants modification of Decision 08-10-013.
- ® Application 10-04-017 is closed.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432253

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 **Calaveras Telephone Company's Petition to Modify**
17 **Resolution T-17184**

[9685]

A09-06-017

Application of Calaveras Telephone Company for Modification of Resolution T-17184.

PROPOSED OUTCOME:

- ® Grants in part Calaveras' Petition to Modify Resolution T-17184 to correct calculation errors.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$77,804 in additional California High Cost Fund-A amount.

(Exam Leutza)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=430375

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 Dismissing Complaint for Want of Prosecution

18

[9686]

C10-01-002

James D. McDermott vs. Pacific Bell Telephone Company, dba AT&T California.

PROPOSED OUTCOME:

® Dismisses for want of prosecution.

® Case 10-01-002 is closed.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Ryerson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=431789

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 **Southwest Gas Corporation's Issuance of up to \$200 Million**
19 **of New Debt Securities**

[9689]

A10-04-008

In the Matter of the Application of Southwest Gas Corporation for authority to: (i) issue one or more types of debt securities in the principal amount of up to \$200,000,000; (ii) refinance previously issued short-term debt securities; (iii) refinance previously authorized securities under the "Evergreening Authority" guidelines; and (iv) enter into one or more interest rate risk management contracts.

PROPOSED OUTCOME:

- ® Authorizes Southwest Gas Corporation to issue up to \$200 million of new debt securities.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432095

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 Renewable Energy
20 Contract With Alpine Suntower, LLC**

[9690]

Res E-4356, Advice Letter 3671-E Filed on May 11, 2010 - Related matters.

PROPOSED OUTCOME:

® Approves Pacific Gas and Electric Company's request for approval of cost recovery for a power purchase agreement (PPA) between Pacific Gas and Electric Company and Alpine Suntower, LLC, pursuant to California's Renewables Portfolio Standard program.

® The PPA is approved.

ESTIMATED COST:

® Actual costs are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432049

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

Consent Agenda - Orders and Resolutions (continued)

**Item Crexendo Business Solutions, Inc for a Certificate of Public
21 Convenience and Necessity**

[9694]

A10-04-015

Application of Crexendo Business Solutions, Inc. 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:

- ® Grants Certificate of Public Convenience and Necessity to Crexendo Business Solutions, Inc.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ MacDonald)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=429891

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

Consent Agenda - Orders and Resolutions (continued)

Item **California Solar Initiative Research, Development,
22** **Deployment and Demonstration Program's Winning Grant
[9696]** **Recipients**

Res E-4354

PROPOSED OUTCOME:

® Program Manager will enter into grant agreements with nine selected recipients for a total of up to \$14.6 million. These will be paid from the California Solar Initiative Research Development, Deployment and Demonstration Program Budget.

ESTIMATED COST:

® No additional cost is associated with this Resolution, as funds were authorized by a previous decision.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432261

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

Consent Agenda - Orders and Resolutions (continued)

Item **All Party Settlement Agreement in PacifiCorp General Rate**
23 **Case**

[9700]

A09-11-015

In the Matter of the Application of PacificCorp, an Oregon Company, for an Order Authorizing a General Rate Increase Effective January 1, 2011.

PROPOSED OUTCOME:

® Approves an All-Party Settlement Agreement between PacifiCorp, the Division of Ratepayer Advocates, and the California Farm Bureau Federation, regarding a generate rate request, effective January 1, 2011.

® Application 09-11-015 is closed.

ESTIMATED COST:

® Increases authorized revenue by \$4.06 million.

(Comr Bohn - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=429094

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

24

[9701]

R08-04-012

Order Instituting Rulemaking to Consider Revisions to the Planning Reserve Margin for Reliable and Cost-Effective Electric Service.

PROPOSED OUTCOME:

® Extends statutory deadline of proceeding to November 29, 2010.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=430376

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

Consent Agenda - Orders and Resolutions (continued)

Item Transfer of Indirect Control of Suburban Water Systems

25

[9709]

A10-04-009

Joint Application of Suburban Water Systems, SouthWest Water Company, SW Merger Acquisition Corp., IIF Subway Investment LP, and USA Water Services, LLC for Commission Authorization of a Transfer of Indirect Control of Suburban Water Systems.

PROPOSED OUTCOME:

- ® Authorizes transfer of indirect control of Suburban Water Systems.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Bohn - ALJ Ryerson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432041

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

Consent Agenda - Orders and Resolutions (continued)

Item New Order Instituting Rulemaking

26

[9711]

R_____

Order Instituting Rulemaking to Implement Commission Regulations Relating to the Safety of Electric Utility Substations.

PROPOSED OUTCOME:

- ® Initiates rulemaking to adopt regulations governing operation and maintenance of electric utility substations.
- ® Includes proposed General Order for comment.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=430924

Consent Agenda - Orders and Resolutions (continued)

Item **At-Grade Crossing of Heritage View Parkway Across the**
27 **Ventura County Transportation Commission Railroad**
[9716] **Tracks in the City of Fillmore, County of Ventura**

A09-02-005

In the Matter of the Application of Ventura County Transportation Commission authorizing the construction of one heavy rail transit track at-grade Heritage Road Mile Post 425.81, East of Highway 126, in the City of Fillmore, County of Ventura, California.

PROPOSED OUTCOME:

- ® Grants the Ventura County Transportation Commission authorization to construct the Heritage View Parkway at-grade Highway-Rail crossing across its Santa Paula Branch tracks.
- ® Closes the proceeding.

ESTIMATED COST:

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

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=431502

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

Consent Agenda - Intervenor Compensation Orders**Item 28 Compensation to Natural Resources Defense Council for Substantial Contribution to Decision 10-04-029**

[9712]

A08-07-021 et al., 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 \$3,241.01 in compensation for its substantial contribution to Decision 10-04-029.

® Closes the proceeding.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company and Southern California Gas Company shall pay equal shares of the total reward.

(Comr Grueneich - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=429978*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Women's Energy Matters

29

[9714]

R09-01-019

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

PROPOSED OUTCOME:

® Awards Women's Energy Matters \$7,638.75 for contributions to Decision 09-12-045.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company, and Pacific Gas and Electric Company will pay the awarded amount of \$7,638.75, plus interest, if accrues at the time of the payment.

(Comr Bohn - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=430921

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

Regular Agenda

Regular Agenda - Energy Orders

Item 30 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=428546

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);

Agenda 3257, Item 27 7/8/2010 (Staff)

Regular Agenda - Energy Orders (continued)

**Item Southern California Edison Company's Petition to Modify
31 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=430979

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

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

Agenda 3257, Item 32 7/8/2010 (Staff);

Agenda 3258, Item 46 7/29/2010 (Staff);

Agenda 3259, Item 35 8/12/2010 (Staff)

Regular Agenda - Energy Orders (continued)

**Item San Diego Gas & Electric Company's Solar Photovoltaic
32 Program**

(Rev.)

[9643]

A08-07-017

Application of San Diego Gas & Electric Company (SDG&E) for Approval of the SDG&E Solar Energy Project.

PROPOSED OUTCOME:

- ® Adopts a solar photovoltaic program for San Diego Gas & Electric Company.
- ® Closes the proceeding.

ESTIMATED COST:

- ® The capital cost for the 26 megawatts of utility-owned projects under this program will be capped at \$3.50/watt. The operations and maintenance cost will be capped at \$25/kilowatt-year.
- ® The cost of the 74 megawatts of power purchase agreements executed under this program will be capped at \$235/megawatt-hour.

(Comr Peevey - ALJ Ebke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432271

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

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

Agenda 3259, Item 37 8/12/2010 (Peevey)

08/30/2010 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item **Modification of Decision 06-12-033 Regarding California**
33 **Solar Initiative Budget**

[9692]

R10-05-004

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:

- ® Modifies California Solar Initiative (CSI) program administration budget to shift \$40 million from program administration budget to the incentive budget.
- ® Declines proposals to reduce performance-based incentives and government/non-profit incentives.

ESTIMATED COST:

- ® None.
- ® Reallocates the CSI budget, but does not increase or decrease it.

(Comr Peevey - ALJ Duda)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E33250

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 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=431135

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);
Agenda 3257, Item 34 7/8/2010 (Staff);
Agenda 3258, Item 50 7/29/2010 (Staff);
Agenda 3259, Item 38 8/12/2010 (Staff)

Regular Agenda - Communication Orders

Item **Addressing Revisions to the Requirements Established by**
35 **Decision 97-06-107 for Registration of Non Dominant**
[9691] **Interexchange Carriers**

R09-07-009

Order Instituting Rulemaking on the Commission's Own Motion to Revise the Simplified Registration Process for Non-Dominant Interexchange Carriers Established by Decision 97-06-107.

PROPOSED OUTCOME:

- ® Adopts changes to the non dominant interexchange carriers (NDIECs) registration process that should reduce the likelihood that enforcement actions against NDIECs will be necessary, and, when necessary, should improve the Commission's ability to collect fines, penalties and bring about restitution.
- ® Renames the authorization granted through the simplified registration process a "registration license;"
- ® Requires all registrants to post a bond (equal to or greater than 10 percent of intrastate revenues reported to the Commission during the preceding calendar year or \$25,000, whichever is greater) to facilitate the collection of fines, penalties and restitution;
- ® Requires registration license applicants to provide resumes of all key officers, directors, and owners of 10% or more of outstanding shares, listing all employment, from officers and directors of applicant, and to provide information on prior or current investigations by governmental agencies, and any settlement agreements, voluntary payments, or any other type of monetary forfeitures;
- ® Requires applicants seeking to transfer registration licenses to verify compliance with Commission reporting, fee, and surcharge transmittals; and
- ® Increases the application fee for new and transferred registration licenses from \$75 to \$250, and establishes a minimum annual user fee of \$100 for NDIEC registrants, including those NDIEC registrants reporting no intrastate revenues.
- ® Closes the proceeding.

ESTIMATED COST:

- ® If revised rules are adopted as proposed, registration applicants will pay higher application fees, and registered NDIECs will pay a minimum of \$100/year in user fees and additional undetermined costs to maintain performance bonds.
- ® Overall costs for all registered NDIECs are undetermined.

(Comr Bohn - ALJ Smith)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432159

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 - Communication Resolutions and Reports

**Item California Teleconnect Fund Budget and Community
36 Colleges Cap for Fiscal Year 2011-2012**

[9678]

Res T-17290

PROPOSED OUTCOME:

® Approves the California Teleconnect Fund budget of \$75.207 million, and increases the Community College cap to \$8.299 million, for fiscal year 2011-12.

ESTIMATED COST:

® \$75.207 million.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=432008

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

Regular Agenda - Water/Sewer Orders

Item **Accounting Treatment of Contamination Proceeds from**
37 **Government Grants and Loans, Damage Awards,**
[9693] **Settlements, Government Orders and Insurance**

R09-03-014

Order Instituting Rulemaking on the Commission's Own Motion to Develop Rules and Procedures to Ensure That Investor-Owned Water Utilities Will not Recover Unreasonable Return on Investments Financed by Contamination Proceeds, Including Damage Awards, and Public Loans Received Due to Water Supply Contamination.

PROPOSED OUTCOME:

® Adoption of policies, rules and framework for analysis concerning accounting treatment of contamination proceeds.

ESTIMATED COST:

® Nominal cost of establishing sub-accounts within Account 265 (Contribution in Aid of Construction).

(Comr Bohn - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E33249

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 - Transportation/Rail Safety Resolutions and Reports

**Item California Transportation Commission's Funding for Fiscal
38 Year 2011-2012**

[9684]

Res SX-97

PROPOSED OUTCOME:

® Recommendation to the California Transportation commission for increasing funding under the California Public Utilities Code Section 1231.1 to an amount of \$3,850,000 to be set aside in fiscal year 2011-12 for maintaining automatic grade crossing protection devices.

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=431943

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

Regular Agenda - Legal Division Matters

Item 39 Comments Before the Federal Communications Commission in the Matter of Rural Health Care Support Mechanism

[9708]

WC Docket 02-60

The Federal Communications Commission has requested comments in a Notice of Propose Rulemaking on reforms to the U.S. Health Care Support mechanism that are consistent with the recommendation set forth in the National Broadband Plan. Staff requests permission to file comments in this proceeding on behalf of the California Public Utilities Commission.

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Item **Pacific Gas and Electric Company's Advanced Smart
40 Metering Assessment Report by The Structure Group**

[9710]

The Structure Group, a consultant retained by the California Public Utilities Commission to independently evaluate Pacific Gas and Electric Company's advanced (smart) metering and billing systems, will present a summary of its findings to the Commission. The presentation will be accompanied by the release of the report compiled by The Structure Group.

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

41

[9702]

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

42

[9573]

A06-12-009

Disposition of application for rehearing filed by the Commission's Division of Ratepayer Advocates (DRA) of Decision (D) 10-04-003. This decision denies the petition for modification filed by DRA, and Southern California Gas Company and San Diego Gas and Electric Company (Sempra utilities) of D08-07-046 which requires Test Year 2012 general rate cases for the Sempra utilities.

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

Agenda 3258, Item 61 7/29/2010 (Staff);

Agenda 3259, Item 47 8/12/2010 (Staff)

Closed Session - Applications for Rehearing (continued)

Item Conference with Legal Counsel - Application for Rehearing

43

[9680]

A09-09-019

Disposition of application for rehearing of D10-01-025 filed by the Consumer Federation of California. In D10-01-025, the Commission authorized Pacific Gas and Electric Company to recover up to \$24.9 million in ratepayer funding as matching funds for Phase 1 of its proposed Smart Grid Compressed Air Energy Storage demonstration project. On November 24, 2009, the Department of Energy awarded an equal \$24.9 million in federal funding for the project under the American Recovery and Reinvestment Act of 2009.

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.

Item Conference with Legal Counsel – Initiation of Litigation**44**

[9698]

Kairy et al. v. Supershuttle International, Inc., 3:08-CV-02993 JSW

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

Item Conference with Legal Counsel – Initiation of Litigation**45**

[9705]

FERC Docket No. EL 10-81

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

Item Conference with Legal Counsel – Initiation of Litigation**46**

[9706]

People of the State of California, etc., v. Federal Housing Finance Authority, et al., United States District Court, Northern District of California No. C10-03084

Gov. Code § 11126(e)(2)(C)(i), 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