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

## ***Public Agenda 3265***

***Thursday, December 2, 2010 9:00 a.m.***

***San Francisco, California***

### **Commissioners**

**Michael R. Peevey, President**

**John A. Bohn**

**Dian M. Grueneich**

**Nancy E. Ryan**

**Timothy Alan Simon**

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

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

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

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (10 a.m.) <b><i>Open to the Public</i></b>
Monday, December 13, 2010 (San Francisco)	Thursday, December 02, 2010 (San Francisco at 9:00 AM)
Monday, January 10, 2011 (San Francisco)	Thursday, December 16, 2010 (San Francisco at 9:00 AM)
Monday, January 24, 2011 (San Francisco)	Thursday, January 13, 2011 (San Francisco )
Friday, February 18, 2011 (San Francisco)	Thursday, January 27, 2011 (San Francisco)
Monday, March 07, 2011 (San Francisco)	Thursday, February 24, 2011 (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)



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**PUBLIC COMMENT**

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

- All items on the closed session agenda.
- 22, 25, 26, 28, 29

**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**

[9900]

**Res ALJ 176-3265**

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

® None.

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **EMF Safety Network's Application to Modify Decision**  
**2**                            **06-07-027 and Decision 09-03-026 and Initiate a Commission**  
[9707]                      **Investigation into the Health and Safety Effects of Radio**  
                                  **Frequency Emissions from Smart Meters**

**A10-04-018**

Application of EMF Safety Network for Modification of Decision 06-07-027 and Decision 09-03-026.

**PROPOSED OUTCOME:**

- ® Grants Pacific Gas & Electric Company's Motion to Dismiss.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438721](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438721)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item California High Cost Fund-A Administrative Committee Fund  
3 Adjustments Review for Calendar Year 2010**

[9792]

**Res T-17273**

**PROPOSED OUTCOME:**

® Seeks the approval of the California High Cost Fund (CHCF)-A Adjustments Review for Calendar year 2010.

® The CHCF-A program provides supplemental revenues to small Local Exchange Carriers in order to reduce rate disparity in rural areas.

**ESTIMATED COST:**

® \$78,163.66.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=421358](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=421358)

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

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Agenda 3263, Item 9 10/28/2010 (Bohn )

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Petition of San Diego Gas & Electric Company and Southern  
4**                    **California Gas Company to Modify Decision 08-11-031**

**(Rev.)**

[9809]

**A08-05-022** , A08-05-024, A08-05-025, A08-05-026 - Related matters.

Application of Pacific Gas and Electric Company for Approval of the 2009-11 Low Income Energy Efficiency and California Alternate Rates for Energy Programs and Budget.

**PROPOSED OUTCOME:**

® Grants, in part, Petition of San Diego Gas & Electric Company and Southern California Gas Company to Modify Decision 08-11-031.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438645](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438645)

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

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

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Agenda 3263, Item 15 10/28/2010 (Grueneich);

Agenda 3264, Item 7 11/19/2010 (Staff)

11/30/2010 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Estimation of Cost Effectiveness of Demand Response**  
**5**                            **Activities**

[9850]

**R07-01-041**

Order Instituting Rulemaking regarding policies and protocols for demand response load impact estimates, cost-effectiveness methodologies, megawatt goals and alignment with California Independent System Operator Market Design Protocols.

**PROPOSED OUTCOME:**

® Adopts a method for estimating the cost effectiveness of most Commission-ordered demand response activities.

**ESTIMATED COST:**

® None.

(Comr Grueneich - ALJ Hecht)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E35301](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E35301)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Certichron, Inc.'s Petition to Establish a Minimum Level of**  
**6**                            **Competence for All Digital Information Systems**

[9851]

**P10-07-015**

Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5, to Establish a Minimum Level of Competence for any and all Digital Information Systems and all components used in SmartGrid.

**PROPOSED OUTCOME:**

- ® Denies Petition of Certichron, Inc. for procedural and substantive failings.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Ryan - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438642](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438642)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Southern California Gas Company's 1% Surcharge on the  
7                        Bills of Customers in the City of Huntington Beach**

[9856]

**Res G-3452**, Advice Letter 4134 Filed on July 7, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® Grants Southern California Gas Company's (SoCalGas) request.
- ® SoCalGas shall credit the increased revenues from the surcharge to its Core Fixed Cost Account and Noncore Fixed Cost Account in proportion to the payment of the surcharge revenues by core and noncore customers in Huntington Beach, until the existence of the separate surcharge can be reflected in a new system wide franchise fee factor in the company's next General Rate Case.

**ESTIMATED COST:**

- ® \$400,000 for Huntington Beach customers.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438680](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438680)

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

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Agenda 3264, Item 16 11/19/2010 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Cricket Communications Inc.'s Limited Eligible**  
**8**                        **Telecommunications Carrier Status Within the Service Areas**  
**(Rev.)**                **of Pacific Bell dba AT&T California and Verizon California**  
[9857]

**Res T-17266**, Advice Letter 2 Filed on March 2, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Grants Cricket Communication's request for Limited Eligible Telecommunications Carrier (ETC) status for the purpose of providing Federal Lifeline service to customers residing in the areas served by Cricket, which include portions of areas served by AT&T-California, Verizon California, and certain small Local Exchange Carriers.

**ESTIMATED COST:**

® No cost to the California Lifeline Program. All costs of this limited ETC designation will be borne at the Federal level.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438772](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438772)

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

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Agenda 3264, Item 17 11/19/2010 (Staff)

12/01/2010 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

**Item 9 Implementation of Pacific Gas and Electric Company's Solar Photovoltaic Program**

[9862]

**Res E-4368**, Advice Letter 3674-E Filed on May 24, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Implements Pacific Gas and Electric Company's Solar Photovoltaic Program. Specifically, this resolution adopts (1) a competitive solicitation process, program protocols and eligibility criteria, (2) standard power purchase agreements (PPA), and (3) annual compliance reporting requirements.

**ESTIMATED COST:**

® Actual costs are unknown at this time. Costs for any single PPA shall not exceed \$295 per megawatt hour. Total program costs from PPA's are not expected to exceed \$2.85 billion and may be considerably less.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438757](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438757)

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

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Agenda 3264, Item 21 11/19/2010 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Modifications to the**  
**10**                        **Net Energy Metering and Generating Facility Interconnection**  
[9883]                    **Agreement**

**Res E-4367**, Advice Letter 2495-E Filed on August 6, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves Southern California Edison Company's (SCE) request for modifications to Form 16-344, Net Energy Metering and Generating Facility Interconnection Agreement, as modified in response to the protest and in the Energy Division staff analysis and to submit the approved modifications in a Supplemental Advice Letter.

® Requires SCE to coordinate clarification of access to customer premises requirements in Rule 16 and 21 with the other utilities and submittals of Advice Letter's proposing language to this effect.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438808](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438808)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 11 California American Water Company, Los Angeles Division,  
to Revise its Distribution System Improvement Charge**

[9890]

**Res W-4852**, Advice Letter (AL) 804 Filed on October 2, 2009 and AL 821 Filed on December 23, 2009  
- Related matters.

**PROPOSED OUTCOME:**

® Allows California American Water Company to collect a surcharge for facility improvement per Decision 07-08-030.

**ESTIMATED COST:**

® Surcharge of \$401,665 allowed.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438754](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438754)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Central Camp Water Company for a General Rate Increase**  
**12**

[9898]

**Res W-4853**, Advice Letter 19 Filed on July 12, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes the utility to file a supplemental to Advice Letter 19 to incorporate the revised rate schedule; within 60 days to file a Certificate of Public Convenience and Necessity to bring its sewer services under jurisdiction of the California Public Utilities Commission; to file an advice letter within 30 days from effective date of this resolution; and to revise its rules and forms in Ordering Paragraph 4.

**ESTIMATED COST:**

® \$5,948.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438818](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438818)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 13**  
[9902] **Wild Goose Storage, LLC for Amending its Certificate of Public Convenience and Necessity and Authorizing Phase 3 Gas Storage Facilities**

**A09-04-021**

Application of Wild Goose Storage, LLC to Amend its Certificate of Public Convenience and Necessity to Expand and Construct Facilities for Gas Storage Operations.

**PROPOSED OUTCOME:**

® Grants request of Wild Goose Storage, LLC (Wild Goose) for an amendment of its certificate of public convenience and necessity (CPCN) to expand gas storage facilities in Butte County by 21 billion cubic feet and to connect the expanded facilities to a major, intrastate transmission pipeline, Line 400/401, near the Delevan Compressor Station in Colusa County.

® Authorizes Wild Goose to offer this additional storage capacity and related services at market-based rates.

® Certifies the Supplemental Environmental Impact Report (SEIR) for the Wild Goose expansion project and further conditions the CPCN on mitigations set forth in the SEIR. As mitigated, all environmental impacts are less than significant.

® Application 09-04-021 is closed.

**ESTIMATED COST:**

® All costs of construction and operation will be borne by Wild Goose, given its status as an independent natural gas storage provider, with authority to charge its non-captive customers market-based rates for storage and related services.

(Comr Peevey - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438748](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438748)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 14 San Diego Gas & Electric Company's Sale of License Rights to Intellectual Properties to Juice Technologies, LLC.**

[9903]

**Res E-4361**, Advice Letter 2155-EA Filed on May 6, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves the sale of license rights to intellectual properties under the terms specified.

**ESTIMATED COST:**

® The transaction will have no impact on ratebase, and may result in income to ratepayers and shareholders.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436552](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436552)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Jose Water Company, Golden State Water Company,  
15**                    **California-American Water Company, and California Water  
[9909]**                    **Service Company to Establish New and Separate  
Memorandum Accounts**

**Res W-4854**, Advice Letter (AL) 418 Filed on July 16, 2010 by SJWC; AL 1409-W Filed on July 15, 2010 by GSWC; AL-853 Filed on July 14, 2010 by Cal Am; and AL-1997 Filed on July 16, 2010 by CWS - Related matters.

**PROPOSED OUTCOME:**

® Approves the establishment of separate memorandum accounts for San Jose Water Company, California-American Water Company, Golden State Water Company, and California Water Service Company's Research, Development and Demonstration, electrical regenerative flow control valve projects as proposed in the respective advice letters.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438750](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438750)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Amended and**  
**16**                        **Restated Renewable Power Purchase and Sale Agreement**  
[9910]                    **With Mountain View Power Partners IV, LLC**

**Res E-4383**, Advice Letter 2511-E Filed on September 20, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for an amended and restated renewable energy power purchase agreement between Southern California Edison Company and Mountain View.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438593](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438593)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Mobilitie, LLC for a Certificate of Public Convenience and**  
**17**                        **Necessity**

[9912]

**A10-07-023**

Application of Mobilitie, LLC for a Certificate of Public Convenience and Necessity to Provide Full Facilities-Based and Resold Competitive Local Exchange Service, Access and Interexchange Service in the State of California.

**PROPOSED OUTCOME:**

- ® Authorization of Certificate of Public Convenience and Necessity to provide resold and full facilities-based Local Exchange Service and Interexchange Service.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Ryan - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438579](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438579)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Transfer of Public Utility Oil Pipeline Assets**

**18**

[9913]

**A10-08-020**

In the Matter of the Joint Application of Chevron Pipe Line Company and Crimson California Pipeline, L.P., pursuant to Section 851 of the Public Utilities Code, for Approval of the Purchase and Sale of Certain Public Utility Pipeline Assets.

**PROPOSED OUTCOME:**

- ® Approves proposed transfer of public utility oil pipeline assets.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Kotz)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=434132](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=434132)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Two Amended and**  
**19**                        **Restated Renewable Energy Power Purchase and Sale**  
[9914]                    **Agreements With Calico Solar, LLC.**

**Res E-4382**, Advice Letter 2502-E Filed on August 24, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves cost recovery for two amended and restated renewable energy power purchase and sale agreements (PPAs) between Southern California Edison Company and Calico Solar, LLC.
- ® The amended and restated Calico Solar, LLC PPAs are approved without modification.

**ESTIMATED COST:**

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

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436685](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436685)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California Department of Water Resources 2011 Revenue Requirement Determination**

**20**

[9925]

**R09-06-018**

Order Instituting Rulemaking to Consider the Annual Revenue Requirement Determination of the California Department of Water Resources.

**PROPOSED OUTCOME:**

® Allocates the California Department of Water Resources (DWR) Revised 2011 Revenue Requirement Determination to the electricity customers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company.

**ESTIMATED COST:**

® DWR's Revised 2011 Revenue Requirement Determination of \$1.369 billion is allocated to electricity customers, which consists of \$860 million in Bond Charges related to DWR's power contracts and \$509 million for DWR's 2011 energy costs.

(Comr Peevey - ALJ Wong)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438761](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438761)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Pacific Gas and Electric Company's 2011 Electric**  
**21**                        **Procurement Cost Revenue Requirement Forecast**  
**(Rev.)**  
[9926]

**A10-05-022**

Application of Pacific Gas and Electric Company for Adoption of Electric Revenue Requirements and Rates Associated with its 2011 Energy Resource Recovery Account And 2011 Ongoing Competition Transition Charge Forecasts.

**PROPOSED OUTCOME:**

- ® Adoption of 2011 electric procurement cost revenue requirement of \$4,084.6 million, and 2011 forecast of electric sales and rates, subject to the Annual Electric True-Up Process.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$4,084.6 Million.

(Comr Ryan - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436929](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436929)

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

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

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11/30/2010 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

**Item                      Decision Closing Proceeding**

**22**

[9939]

**C08-12-007**

Richard S. Calone vs. Point Arena Water Works, Inc., a public utility corporation.

**PROPOSED OUTCOME:**

® Closes Case 08-12-007 for purposes of Public Utilities Code § 1701.2.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436860](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436860)

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

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**Item                      Southern California Edison Company's Investment  
23                      Management Agreement**

[9940]

**Res E-4370**, Advice Letter 2507-E filed on September 2, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Grants request for approval of an investment management agreement appointing Rhumblin Advisors Limited Partnership as a domestic equity manager of its Qualified Nuclear Decommissioning Trust.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=437007](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437007)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Enhanced Risk  
24**                    **Analysis & Planning Tool Report**

[9943]

**Res E-4365**, Advice Letter 2289-E Filed on November 14, 2008 - Related matters.

**PROPOSED OUTCOME:**

® Approves the Enhanced Risk Analysis & Planning Tool (ERAPT) for use by Southern California Edison Company.

® Approves confidential treatment of Appendices B, C, and D attached to the advice letter and of the Bates White LLC report that assessed the ERAPT model.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=437312](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437312)

**Item**                    **Order Extending Statutory Deadline  
25**

[9947]

**C10-02-027**

Level 3 Communications, LLC vs. Hypercube Telecom, LLC.

**PROPOSED OUTCOME:**

® Extends statutory deadline to February 23, 2012.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436619](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436619)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**26**

[9948]

**C10-02-018**

i2c, Inc., a California corporation vs. AT&T Communications of California, Inc.

**PROPOSED OUTCOME:**

® Extends the statutory deadline until February 23, 2012.

**ESTIMATED COST:**

® None.

(Comr Ryan - ALJ Rochester)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436999](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436999)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                      Broadvox-CLEC, LLC for a Certificate of Public Convenience  
27                              and Necessary**

[9949]

**A09-06-004**

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:**

® Grants the unopposed application of Broadvox-CLEC, LLC (Broadvox), for a certificate of public convenience and necessity authorizing the provision of resold and limited facilities-based services in California.

® Finds that Broadvox has complied with the terms of the settlement approved in Decision 10-07-023.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Bohn - ALJ Prestidge)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=435942](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=435942)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**28**

[9952]

**C08-02-013**, C09-06-025 - Related matters.

O1 Communications, Inc. vs. Verizon California, Inc.

**PROPOSED OUTCOME:**

® Pursuant to Public Utilities Code § 1701.2(d), this decision extends the 12 month deadline applicable to two consolidated adjudicatory proceedings (Cases 08-02-013 and 09-06-025) from February 15, 2011 to February 15, 2012.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ McKenzie)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436898](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436898)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**29**

[9953]

**C09-12-014**, C10-01-019, C10-01-020, C10-01-021 - Related matters.

Pac-West Telecomm, Inc. vs. Sprint Spectrum, L.P., WirelessCo, L.P., Sprint Telephony PCS, L.P., Nextel of California, Inc., and jointly d/b/a Sprint PCS.

**PROPOSED OUTCOME:**

® Pursuant to Public Utilities Code § 1701.2(d), this decision extends the 12-month deadline applicable to four consolidated adjudicatory proceedings (Case (C) 09-12-014, C10-01-019, C10-01-020, and C10-01-021) from December 9, 2010 to December 9, 2011.

**ESTIMATED COST:**

® None.

(Comr Bohn , Comr Ryan - ALJ McKenzie)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=437171](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437171)

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

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**Item                    Pierpoint Springs Water Company for a General Rate**

**30**

**Increase**

[9972]

**Res W-4855**, Advice Letter 23 Filed on May 7, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes the utility to file a supplemental to Advice Letter 23 to incorporate the revised rate schedules; and to revise Schedule UF.

**ESTIMATED COST:**

® \$12,926

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=437087](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437087)

Consent Agenda - Orders and Resolutions (continued)

**Item                    Disclosure of Records of an Investigation**

**31**

[10003]

**Res L-409**

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of the train and vehicle collision that occurred on August 24, 2009, at 27th and Commercial Street, in San Diego, California.

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**Consent Agenda - Intervenor Compensation Orders****Item Compensation to Environmental Defense Fund****32**

[9934]

**R08-12-009**

Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System.

**PROPOSED OUTCOME:**

® Awards Environmental Defense Fund \$17,903 for substantial contribution to Decision 10-06-047.

**ESTIMATED COST:**

® Ratepayers of Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company will pay the awarded amount of \$17,903 plus interest if accrued.

(Comr Ryan - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436397](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436397)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**33**

[9946]

**R10-02-005**

Order Instituting Rulemaking on the Commission's Own Motion to Address the Issue of Customers' Electric and Natural Gas Service Disconnection.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$42,849.71 for substantial contribution to Decision 10-07-048.

**ESTIMATED COST:**

® Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company will pay \$42,849.71, plus interest if accrued.

(Comr Grueneich - ALJ DeBerry)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436982](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436982)

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

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## Regular Agenda

### Regular Agenda - Energy Orders

<b>Item</b>	<b>Use of Tradable Renewable Energy Credits to Comply With</b>
<b>34</b>	<b>the California Renewables Portfolio Standard</b>

[9721]

#### **R06-02-012**

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

#### **PROPOSED OUTCOME:**

- ® Grants in part and denies in part petitions for modification of Decision (D) 10-03-021.
- ® Lifts stay imposed by D10-03-018.
- ® Ends moratorium on approval of certain Renewable Portfolio Standard procurement contracts.

#### **ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436553](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436553)

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

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

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Agenda 3262, Item 39 10/14/2010 (Grueneich);

Agenda 3263, Item 30 10/28/2010 (Pub. Util. Code §311(e))

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Regular Agenda - Energy Orders (continued)

**Item**            **ALTERNATE TO ITEM 9721**  
**34a**  
[9884]

® Denies the April 12, 2010, Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company Joint Petition for Modification of Decision (D) 10 03 021 and the April 15, 2010 Independent Energy Producers Association's Petition for Modification of D10-03-021.

® Modifies D10-03-021 to eliminate the expiration date for the tradable renewable energy credit usage cap and price cap.

® Lifts the stay on D10-03-021 as well as the moratorium on Commission approval of certain renewables portfolio standard contracts, both imposed by D10-05-018.

(Comr Grueneich)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=436528](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436528)

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

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Agenda 3263, Item 30a 10/28/2010 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

**Item California Renewables Portfolio Standard Program  
35 Renewable Auction Mechanism**

[9730]

**R08-08-009**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

**PROPOSED OUTCOME:**

® Adopts a new procurement protocol called the Renewable Auction Mechanism (RAM). RAM employs tariffs and standard contracts for purchases from certain renewable portfolio standard (RPS) projects by three utilities: Southern California Edison Company, Pacific Gas and Electric Company, San Diego Gas & Electric Company. RAM includes:

- ® Projects (transactions) up to 20 megawatts (MW)
- ® A maximum program subscription of 1,000 MW, procured over four solicitations of 250 MW each, allocated proportionately to the three utilities.
- ® Non-negotiable price-determination by auction.
- ® Simplified Commission review for certain contracts.
- ® Measurement of capacity related to excess sales transactions for application toward program capacity limits by using the project's entire rated generating capacity.
- ® An eligible seller need not be a retail customer, seller need not be a qualifying facility, and project need not be on property of a retail customer.

**ESTIMATED COST:**

- ® Unknown, but expected to be no additional RPS costs.

(Comr Peevey - ALJ Mattson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438231](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438231)

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

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

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Agenda 3261, Item 49 9/23/2010 (Staff);

Agenda 3262, Item 40 10/14/2010 (Staff);

Agenda 3264, Item 53 11/19/2010 (Peevey)

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Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company's 2008 Long-Term**  
**36**                        **Request for Offer**

[9922]

**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:**

- ® Denies Petition for Modification of Decision 10-07-045 filed by Pacific Gas and Electric Company.
- ® Closes Application 09-09-021.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Farrar)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438635](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438635)

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

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

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Regular Agenda - Energy Orders (continued)

**Item           ALTERNATE TO ITEM 9922**

**36a**

[9924]

**PROPOSED OUTCOME:**

® Grants Pacific Gas and Electric Company's Petition for Modification of Decision 10-07-045 and approves the purchase and sales agreement with Contra Costa Generating Station in Oakley, California for the generating facility known as the Oakley Project with one condition: that no ratepayer funds be expended on this contract prior to 2016.

**ESTIMATED COST:**

® \$1.125 billion.

(Comr Bohn )

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E35910](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E35910)

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

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Regular Agenda - Energy Orders (continued)

**Item            Order Instituting Rulemaking**

**37**

[9955]

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

Order Instituting Rulemaking Pursuant to Assembly Bill 2514 to Consider the Adoption of Procurement Targets for Viable and Cost-Effective Energy Storage Systems.

**PROPOSED OUTCOME:**

® Initiates a rulemaking and establishes preliminary schedule for submission of Comments, Initial Workshop, and a Prehearing Conference.

**ESTIMATED COST:**

® None.

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**Regular Agenda - Energy Resolutions and Written Reports**

**Item**                    **Pacific Gas and Electric Company, Southern California**  
**38**                        **Edison Company, Southern California Gas Company and**  
[9921]                    **San Diego Gas and Electric Company's Program**  
                              **Performance Metrics for 2010-2012 Statewide Energy**  
                              **Efficiency Programs and Subprograms**

**Res E-4385**, Advice Letter (AL) 2476-E (SCE); AL 3120-G/3675-E (PG&E); AL 4114 (SoCalGas); and AL 2172-E/1951-G (SDG&E) Filed on May 28, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves Program Performance Metrics for Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company and San Diego Gas and Electric Company for 2010-2012 statewide energy efficiency programs and subprograms.

**ESTIMATED COST:**

® There is no cost or rate impact of this resolution.

® Costs of tracking and reporting Program Performance Metrics are included in approved budgets for 2010-2012 energy efficiency portfolios and evaluation, monitoring and verification (EM&V) activities as provided for in Decision (D) 09-09-047 and D10-04-029.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438714](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438714)

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

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**Regular Agenda - Communication Orders**
**Item                    Adoption of General Order Specifying Review Procedures  
39                        Pursuant to California Environmental Quality Act**

[9877]

**R06-10-006**

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

**PROPOSED OUTCOME:**

- ® Adopts General Order 170 setting forth rules for evaluating telephone corporations' construction projects pursuant to California Environmental Quality Act.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Unknown - possible additional California Public Utilities Commission staff needed.

(Comr Bohn - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438236](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438236)

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

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

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 Agenda 3264, Item 56 11/19/2010 (Bohn )

**Item                    Order Instituting Rulemaking**
**40**

[9978]

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

Order Instituting Rulemaking to Require Interconnected Voice Over Internet Protocol Service Providers to Contribute to the Support of California's Public Purpose Programs.

This Rulemaking is to add California providers of interconnected Voice over Internet Protocol service to the category of voice service providers who are required to fund California's universal service programs.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438805](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438805)

## Regular Agenda - Water/Sewer Orders

**Item 41 (Rev.) [9870]** **Approving Regional Project, Adopting Settlement Agreement, With Modifications, and Issuing Certificate of Public Convenience and Necessity for California-Water Facilities for the Coastal Water Project**

**A04-09-019**

### PROPOSED OUTCOME:

- ® Issues a CPCN for Cal-Am's participation in the public-private Regional Project but requires modifications to the proposed Settlement Agreement, as follows:
- ® Sets initial capital cost cap at \$233.4 million and absolute cost cap at \$275.5 million for Regional Project facilities (desalination plant and source wells).
- ® Requires upfront contribution of \$22 million in connection fees from MCWD.
- ® Requires Commission approval of final financing plans, to extent that certain parameters are exceeded.
- ® Requires Municipal Advisor to have full voting party status on the Advisory Committee.
- ® Sets initial capital cost cap of \$95 million and absolute cost cap of \$106.875 million for Cal-Am facilities.
- ® Revises interest rate applied to Allowance for Funds Used during Construction to the risk-adjusted 2-year corporate borrowing rate (currently 2.46%).
- ® Requires modifications to the proposed advice letter procedure.

### ESTIMATED COST:

- ® Assuming the initial cost caps are adhered to and the Public Agencies can access low-cost financing, the incremental first year revenue requirement is estimated to be approximately \$49 million and the total cost of water is estimated at \$5,350 per acre-foot. If more expensive financing is obtained, incremental revenue requirements are estimated at approximately \$60 million and the total cost of water is estimated at \$\$6,600 per acre-foot.

(Comr Bohn - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438600](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438600)

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

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

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11/30/2010 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Water/Sewer Orders (continued)

**Item           ALTERNATE TO ITEM 9870**  
**41a**  
**(Rev.)**  
[9871]

**PROPOSED OUTCOME:**

- ® Issues a CPCN for Cal-Am's participation in the public-private Regional Project and approves proposed Settlement Agreement.
- ® Sets capital cost cap for Regional Desalination Project at \$297.5 million.
- ® Sets capital cost cap for Cal-Am facilities at \$106.875 million.
- ® Revises the interest rate applied to the Allowance for Funds Used during Construction to reflect the actual cost of borrowing. Adopts an interim rate of 4.00%, with a true-up for the actual carrying cost.

**ESTIMATED COST:**

- ® Assuming the Public Agencies can access low-cost financing, the incremental first year revenue requirement is estimated to be \$57 million, and the total cost of water is approximately \$6,300 per acre-foot.

(Comr Bohn )

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438767](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438767)

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

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11/30/2010 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Water/Sewer Orders (continued)

**Item California Water Service Company's General Rate Increases**

**42**

[9886]

**A09-07-001**

In the Matter of the application of California Water Service Company, a California corporation, for an order 1) authorizing it to increase rates for water service by \$70,592,000 or 16.75% in test year 2011, 2) authorizing it to increase rates on January 1, 2012 by \$24,777,000 or 5.04% and January 1, 2013 by \$24,777,000 or 4.79% in accordance with the Rate Case Plan, and 3) adopting other related rulings and relief necessary to implement the Commission's ratemaking policies.

**PROPOSED OUTCOME:**

- ® Authorizes General rate increases for 24 districts.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Overall revenue requirement increase of \$25,444,900 or 5.6%.
- ® Individual district revenue requirement change varying from a decrease of 1.1% to an increase of 50.0%.

(Comr Bohn - ALJ O'Donnell)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=438703](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438703)

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

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

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Regular Agenda - Water/Sewer Orders (continued)

**Item                    Great Oaks Water Company's Base Year 2010 Cost of  
43                        Capital and Subsequent Years' Adjustment Mechanism**

[9927]

**A09-05-007**

Application of Great Oaks Water Company for Authority to Establish its Authorized Cost of Capital Pursuant to the Rate Case Plan for Water Utilities.

**PROPOSED OUTCOME:**

- ® Adopts a capital structure and cost of capital for Base Year 2010 for Great Oaks Water Company.
- ® Adopts an adjustment mechanism for subsequent years.
- ® Orders Great Oaks Water Company to engage an independent Certified Public Accountant to perform annual audits and allows for cost recovery in a separate Memorandum Account.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® The cost will be consolidated in the rate changes adopted in Application 09-09-001.

(Comr Bohn - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E35920](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E35920)

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

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

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**Regular Agenda - Consumer Services Division Reports and Resolutions**

**Item                    Consumer Affairs Branch to Implement Decision 08-10-016**

**44**

[9920]

**CSID-003**

**PROPOSED OUTCOME:**

® Orders the Consumer Affairs Branch (CAB) to post the required data, along with the appropriate disclosures and other information, annually on the Commission's website; to design and implement a mechanism that allows interested stakeholders to provide comments, complaints, or suggestions with regard to the CAB Limited English-Proficiency data and other information posted on the website; and to review this feedback, the data posting process, and the data itself on a regular basis.

**ESTIMATED COST:**

® Not within the scope of this resolution.

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

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**Regular Agenda - Legal Division Matters****Item                    Comments Before the Federal Communications Commission  
45                        In the Matter of Universal Service Reform; Mobility Fund****(Rev.)**

[9999]

**FCC 10-182, WT 10-208, Rel. October 14, 2010**

The Federal Communications Commission (FCC) seeks comment on creating a "Mobility Fund", using reserves accumulated in the Universal Service Fund to make one-time support available to service providers to cost-effectively extend mobile coverage in specified unserved areas. The Notice of Proposed Rulemaking proposes to use \$100 million to \$300 million from the USF to create the Mobility Fund; to identify the areas unserved by 3G mobile wireless services; and to use a reverse auction to determine which providers get support, which specific geographic areas will receive support, and at what levels. Staff seeks authority to file comments.

11/24/2010 - This revision was not shown on the Agenda mailed to the public.

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

## **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

**46**

[9991]

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

**47**

[9573]

**A06-12-009**, A06-12-010, I07-02-013 - Related matters.

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;

Agenda 3259, Item 47 8/12/2010;

Agenda 3260, Item 42 9/2/2010;

Agenda 3261, Item 54 9/23/2010;

Agenda 3262, Item 53 10/14/2010;

Agenda 3263, Item 40 10/28/2010;

Agenda 3264, Item 64 11/19/2010

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Closed Session - Applications for Rehearing (continued)

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

**48**

[9747]

**R07-01-041**

Disposition of application for rehearing of D10-06-002 (Decision) filed by EnerNOC, Inc., EnergyConnect, Inc., and CPower, Inc. In D10-06-002, the Commission considered issues related to Commission oversight of the participation of retail demand response direct bidding in the wholesale market. In connection with these issues, the Decision determined that the Commission has jurisdiction over Demand Response Providers (DRPs) in order to, among other things, resolve DRP customer complaints and establish financial responsibility standards.

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

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Agenda 3261, Item 56 9/23/2010;

Agenda 3262, Item 54 10/14/2010;

Agenda 3263, Item 41 10/28/2010;

Agenda 3264, Item 65 11/19/2010

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

**49**

[9832]

**A05-03-015**

Disposition of application for rehearing of Decision (D) 09-04-031 (Decision) filed by The Utility Consumers' Action Network (UCAN). In D09-04-031, the Commission awarded UCAN \$254,324 for its substantial contribution to D07-04-043. The Decision also denied UCAN's request for \$206,000 in compensation for its half share of a Smart Grid Study.

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

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Agenda 3263, Item 45 10/28/2010;

Agenda 3264, Item 67 11/19/2010

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

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

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

**Item                      Conference with Legal Counsel - Initiation of Litigation****50**

[9905]

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

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

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

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

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Agenda 3264, Item 69 11/19/2010

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

Significant exposure to litigation

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

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

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

Significant exposure to litigation in federal agency or court proceedings.

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

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

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

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

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**Closed Session - Federal**

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

**51**

[9848]

**Kairy et al. v. Supershuttle International, Inc., United States Court of Appeal, 9th Circuit, Case No. 3:08-CV-02993 JSW**

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

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Agenda 3263, Item 46 10/28/2010;

Agenda 3264, Item 70 11/19/2010

**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*