
Public Utilities Commission of the State of California

Public Agenda 3266

Thursday, December 16, 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>

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, 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)
Monday, March 21, 2011 (San Francisco)	Thursday, March 10, 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.

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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 17, 38, 45, 49

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**

[9901]

Res ALJ 176-3266

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

2

[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=438111

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);

Agenda 3260, Item 4 9/2/2010 (Staff);

Agenda 3261, Item 3 9/23/2010 (Staff);

Agenda 3262, Item 3 10/14/2010 (Staff);

Agenda 3263, Item 3 10/28/2010 (Staff);

Agenda 3264, Item 3 11/19/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item Renewables Portfolio Standard Obligations of Electric
3 Service Providers**

[9768]

R08-08-009

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

PROPOSED OUTCOME:

- ® Electric Service Providers (ESPs) must file Renewables Portfolio Standard (RPS) procurement plans in accordance with instructions of the assigned Commissioner and/or assigned Administrative Law Judge.
- ® ESPs must adhere to any limits imposed by the Commission on the use of Tradable Renewable Energy Credits for RPS compliance.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438242

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

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

Agenda 3262, Item 13 10/14/2010 (Staff);

Agenda 3264, Item 4 11/19/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Estimation of Cost Effectiveness of Demand Response**
4 **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)

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

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

Agenda 3265, Item 5 12/2/2010 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

Item **Implementation of Pacific Gas and Electric Company's Solar**
5 **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=439854

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

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

Agenda 3265, Item 9 12/2/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 6 **Wild Goose Storage, LLC for Amending its Certificate of Public Convenience and Necessity and Authorizing Phase 3 Gas Storage Facilities**
 [9902]

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 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=439811

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

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

Agenda 3265, Item 13 12/2/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 7 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=439098

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

Agenda 3265, Item 14 12/2/2010 (Staff)

Item 8 Southern California Edison Company's Two Amended and Restated Renewable Energy Power Purchase and Sale Agreements With Calico Solar, LLC.

[9914]

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

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

Agenda 3265, Item 19 12/2/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Net Surplus Compensation Rate for Electric Utilities

9

[9932]

A10-03-001, A10-03-010, A10-03-012, A10-03-013, A10-03-017 - Related matters.

In the matter of the Application of PacifiCorp for approval to implement a Net Surplus Compensation Rate.

PROPOSED OUTCOME:

® Adopts a Net Surplus Compensation Rate (NSC) for net energy metering customers who produce excess power over a 12-month period, pursuant to Assembly Bill 920.

® Adopts a market-based mechanism to calculate the NSC rate for each electric utility based on an average of day-ahead "default load aggregation point" electricity prices for the 12-month period.

® Finds that net surplus generators should be compensated for the renewable attributes of their net surplus generation if and when they produce renewable energy credits in compliance with Renewable Portfolio Standard eligibility, metering and tracking requirements, but declines to adopt a value for renewable attributes at this time.

® Requires Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Sierra Pacific Power Company, and PacifiCorp to each file a compliance advice letter to set their actual NSC rates.

® Closes the proceeding.

ESTIMATED COST:

® Assuming a NSC rate of \$.05/kilowatt hour (based on 2009 average) and annual net surplus generation for Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company of 12 million kilowatt hours, total net surplus compensation would equal \$600,000.

(Comr Ryan - ALJ Duda)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E35927

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
10** **California Public Utilities Commission's Transportation
Reimbursement Account Fees for Fiscal Year 2010-2011**

[9933]

Res M-4822

® The fee levels set by this resolution for passenger vehicle operators, vessel operators, commercial air operators and pipeline corporations are unchanged from the fee levels set for fiscal year 2009-10.

® The fee level set for the railroad corporations reflect a \$96,000 reduction from the level set for fiscal year 2009-10 primarily due to one-time costs for the development and implementation of a rail safety and security information management system.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440029

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

**Item
11** **Pacific Gas and Electric Company, Southern California
Edison Company, Southern California Gas Company, and
San Diego Gas & Electric Company's Establishment of
Memorandum Accounts for Record Payments to California
Air Resources Board for Assembly Bill 32 Cost of
Implementation Fee**

[9941]

A10-08-002

PROPOSED OUTCOME:

® Authorizes Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and Sand Diego Gas & Electric Company to establish memorandum accounts to record payments for the Assembly Bill 32 Cost of Implementation Fee.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439390

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 Vessel Common Carriers to Adjust Fares and Rates

12

[9942]

Res TL-19100

PROPOSED OUTCOME:

® Grants the request of Blue & Gold Fleet, L.P., Catalina Freight Line, Harbor Bay Maritime, Inc., and Star & Crescent Boat Company to authorize vessel common carriers to adjust their fares and rates within a “zone of reasonableness” that has an upper limit of 20% above currently authorized base fares and rates.

ESTIMATED COST:

® No immediate impact on fares and rates.

® If fuel prices increase, however, the increases will likely be passed on to the users of vessel common carrier services.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439178

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

Consent Agenda - Orders and Resolutions (continued)

Item **Southern California Edison Company and Southern
13** **California Gas Company's Application to Continue the Palm
[9945]** **Desert Demonstration Partnership**

A10-07-004, A10-07-006 - Related matters.

Application of Southern California Edison Company for Approval of its Palm Desert Demonstration Partnership Through the 2010-2012 Energy Efficiency Program Cycle.

PROPOSED OUTCOME:

- ® Approves Southern California Edison Company's application to continue the Palm Desert Demonstration Partnership through the end of 2012 at current funding levels.
- ® Denies Southern California Gas Company's Application to continue the Partnership.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$6.936 million over two years, taken from other energy efficiency program funds.

(Comr Grueneich - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440004

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 Order Extending Statutory Deadline

14

[9950]

R05-06-040

Order Instituting Rulemaking to implement Senate Bill No. 1488 (2004 Cal. Stats., Ch. 690 (Sept. 22, 2004)) relating to confidentiality of information.

PROPOSED OUTCOME:

® Extends statutory deadline to March 21, 2011.

ESTIMATED COST:

® None.

(Comr Grueneich - ALJ Yacknin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437095

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

Consent Agenda - Orders and Resolutions (continued)

Item Valencia Water Company General Rate Case Settlements

15

[9951]

A10-01-006

In the Matter of the Application of Valencia Water Company, a Corporation, for an Order Authorizing it to Increase Rates Charged for Water Service in Order to Realize Increased Annual Revenue of \$4,751,000 or 18.78% in a Test Year Beginning January 2011, \$1,957,000 or 6.40% in a Test Year Beginning January 2012, \$701,000 or 2.16% in an Escalation Year Beginning January 1, 2013, and to Make Further Changes and Additions to its Tariff for Water Service.

PROPOSED OUTCOME:

- ® Approves Settlements between Valencia Water Company and the Division of Ratepayer Advocates.
- ® Allocates Litigation Settlement Amount.
- ® Closes the proceeding.

ESTIMATED COST:

- ® 2011 General Rate Revenues increase by \$1.03 million or 4.1%, 2012 general rate revenues increase by \$0.90 million or 3.4%.

(Comr Bohn - ALJ DeBerry)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437875

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 Consolidated Electric
16 Revenue and Rate Changes Effective January 1, 2011**

[9959]

Res E-4379, Advice Letter 3727-E Filed on September 1, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes Pacific Gas and Electric Company (PG&E) to revise electric rates effective January 1, 2011 to reflect revenue requirement changes approved by the Commission and the Federal Energy Regulatory Commission by December 16, 2010, and amortization of balancing accounts.

® Rate and revenue changes made pursuant to this resolution are subject to audit, verification, and adjustment.

ESTIMATED COST:

® An increase in annual electric revenue requirements of approximately \$269.8 million (1.6%) for PG&E customers.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439874

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

Consent Agenda - Orders and Resolutions (continued)

Item Decision Resolving Complaint

17

[9960]

C09-05-010

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

PROPOSED OUTCOME:

® Complainant is awarded \$1,744.64 in late payment charges for Claim number CAL-031307.

® Claim number RAL-02207 is denied.

® Closes the proceeding.

ESTIMATED COST:

® \$1,744.64.

(Comr Grueneich - ALJ Walwyn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439853

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 **Petition of City and County of San Francisco to Amend**
18 **Decision 09-03-026**

[9962]

A07-12-009

Application of Pacific Gas and Electric Company for Authority to Increase Revenue Requirements to Recover the Costs to Upgrade its SmartMeter™ Program.

PROPOSED OUTCOME:

- ® Denies petition of City and County of San Francisco to suspend Pacific Gas and Electric Company's SmartMeter installation program.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Sullivan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439977

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 & Electric Company's Core Brokerage Fee Issue

19

[9963]

A09-05-026

Application of Pacific Gas and Electric Company to Revise its Gas Rates and Tariffs to be Effective July 1, 2010.

PROPOSED OUTCOME:

- ® Adopts a core brokerage fee of \$0.025 per decatherm for Pacific Gas and Electric Company's Schedule G-CP for the period from January 1, 2011 through June 30, 2013.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439809

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 20 Sacramento County Airport System’s System Safety Program Plan for the Automated People Mover System

[9964]

Res ST-116

PROPOSED OUTCOME:

® Grants Sacramento County Airport System’s request for approval of its initial “Sacramento International Airport Automated People Mover System Safety Program Plan, Final Revision 6, dated July 2010.”

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439442

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

Item 21 Sacramento County Airport System’s System Security Plan for the Automated People Mover System

[9965]

Res ST-117

PROPOSED OUTCOME:

® Grants Sacramento County Airport System’s request for approval of its initial “Sacramento International Airport Automated People Mover System Security Plan, Final Revision 5, dated July 2010.”

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439455

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

Consent Agenda - Orders and Resolutions (continued)

Item **Sacramento County Airport System's Safety & Security**
22 **Certification Plan for the Automated People Mover System**

[9966]

Res ST-118

PROPOSED OUTCOME:

® Grants Sacramento County Airport System's request for approval of its "Sacramento International Airport Automated People Mover Safety & Security Certification Plan, Final Revision 4, dated July 2010."

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439460

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

Consent Agenda - Orders and Resolutions (continued)

**Item Petition of Pacific Gas and Electric Company to Modify
23 Decision 09-08-027**

[9971]

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

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

PROPOSED OUTCOME:

® Grants the request of Pacific Gas & Electric Company to modify demand response agreements with EnerNOC, Inc. and Energy Connect Inc.

® Denies the request to hold a competitive solicitation to obtain additional demand response agreements.

® Moves the Capacity Bidding Program into Category 3 in Table 24-2 of Decision 09-08-027.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Grueneich - ALJ Hecht)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439988

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 **Sacramento Regional Transit District's Safety & Security**
24 **Certification Plan for the Green Line to the River District**
[9975] **Project**

Res ST-119

PROPOSED OUTCOME:

® Grants Sacramento Regional Transit District's request for approval of its "Green Line to the River District Safety & Security Certification Plan, dated June 8, 2010."

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439466

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

Consent Agenda - Orders and Resolutions (continued)

Item **Investor Owned Utility Upfront Standards to Participate in**
25 **Convergence/Virtual Bidding in the California Independent**
[9979] **System Operator Electricity Markets**

R10-05-006

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

PROPOSED OUTCOME:

® Grants interim authority to investor owned utilities to engage in convergence or virtual bidding in California Independent System Operator Electricity markets.

ESTIMATED COST:

® Unknown.

(Comr Peevey - ALJ Kolakowski)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439898

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 Review of Proposed Settlement

26

[9980]

A08-11-001, R06-02-013, R04-04-003, R04-04-025, R99-11-022 - Related matters.

Application of Southern California Edison Company for Applying the Market Index Formula and As-Available Capacity Prices adopted in D.07-09-040 to Calculate Short-Run Avoided Cost for Payments to Qualifying Facilities beginning July 2003 and Associated Relief.

PROPOSED OUTCOME:

® Approves Proposed Settlement.

ESTIMATED COST:

® Substantial reduction in litigation costs for the parties and the Commission.

® Impact on the Qualifying Facilities Market significant, but not quantified.

(Comr Peevey - ALJ Wetzell)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439936

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 **Direct Participation in California Independent System
27** **Operator's Proxy Demand Resource Product**

[9982]

R07-01-041

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

PROPOSED OUTCOME:

® Authorizes Investor-owned Utilities to participate in California Independent System Operator's Proxy Demand Resource product.

ESTIMATED COST:

® None.

(Comr Grueneich - ALJ Farrar)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438584

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 Cost of Service and**
28 **Rates for Its Gas Transmission and Storage Services**

[9984]

A09-09-013

Application of Pacific Gas and Electric Company Proposing Cost of Service and Rates for Gas Transmission and Storage Services for the period 2011-2014.

PROPOSED OUTCOME:

® Grants Pacific Gas and Electric Company's October 8, 2010 motion allowing the revenue requirements and rates that will be determined in an upcoming decision on the proposed Gas Accord V Settlement and the contested issues to be effective as of January 1, 2011.

ESTIMATED COST:

® Revenue requirements and rates to be determined in a future Commission decision.

(Comr Simon - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439849

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 Proposal to**
29 **Permanently Close the Humboldt Bay Power Plant**
[9987]

Res E-4387, Advice Letter 3740-E, Filed on October 12, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes Pacific Gas and Electric Company to retire Humboldt Bay Power Plant Units 1, 2, Mobile Emergency Power Plant (MEPP) 3, and MEPP 4.

® Any issues that the Commission must address relating to ratemaking, decommissioning, or disposition of the plant and related assets shall be addressed by separate Commission orders.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439715

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

Item **Pacific Gas and Electric Company's Renewable Energy**
30 **Power Purchase Agreement With Solaren Corporation**
[9989] **Complies With the Emissions Performance Standard**

Res E-4380, Advice Letter 3690-E Filed on June 18, 2010 - Related matters.

PROPOSED OUTCOME:

® Finds that Pacific Gas and Electric Company has demonstrated that its renewable energy power purchase agreement with Solaren Corporation, approved by Resolution E-4286, complies with the Emissions Performance Standard and is eligible for cost recovery.

ESTIMATED COST:

® Costs of the power purchase agreement are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439537

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

Consent Agenda - Orders and Resolutions (continued)

Item Local Resource Adequacy True-Up Methodology

31

[9990]

R09-10-032

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Annual Local Procurement Obligations.

PROPOSED OUTCOME:

® Adopts a local resource adequacy true-up mechanism for 2011 and beyond.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438407

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 Lake Alpine Water Company's Revision to the Rate Structure
32 of Resolution W-4809**

[9993]

Res W-4856, Advice Letter 92 Filed on August 19, 2010 - Related matters.

PROPOSED OUTCOME:

® Rate Schedules 1A, Annual Metered Service, and 1B, Safe Drinking Water State Revolving Fund Loan General Metered Service, attached to Advice Letter 92 are adopted and are to be implemented by a supplemental advice letter.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439967

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

**Item Revocation of Licenses of Telephone Corporations for
33 Failure to Comply with the Commission's Reimbursement
[9994] Account Fee Filing and Reporting Requirements**

Res T-17300

PROPOSED OUTCOME:

® Revocation of the operating authorities held by 57 telephone corporations.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437831

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

Consent Agenda - Orders and Resolutions (continued)

Item **Southern California Edison Company's Disposition of the**
34 **Electric Deferred Refund Account Balance**

[9998]

Res E-4364, Advice Letter 2427-E Filed on January 25, 2010 - Related matters.

PROPOSED OUTCOME:

® Approves with modification Southern California Edison Company's request for Commission approval to transfer the balance of \$9.504 million accumulated in the Electric Deferred Refund Account as of December 31, 2009 to the distribution subaccount of its Base Revenue Requirement Balancing Account for refund to all customers, and deletes the \$550,693 debit entry to the Gross Revenue Sharing Tracking Account, for a total of \$10.061 million plus interest to be refunded to customers.

® Approves in part, denies in part, and denies without prejudice in part the protest by The Utility Reform Network (TURN).

® Denies without prejudice the supplemental protest by TURN.

ESTIMATED COST:

® None.

® This results in a refund of \$10.061 million plus interest to all customers.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439959

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

Consent Agenda - Orders and Resolutions (continued)

Item 35 **Golden State Water Company's Surcharges to Recover Lost Revenues From Reduced Customers' Consumption in Bay Point Customer Service Area in Region I**
[10001]

Res W-4857, Advice Letter 1405-W-A Filed on November 3, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplemental to Advice Letter 1405-W-A, within five days after the effective date of this resolution, to incorporate the revised rate schedules.

ESTIMATED COST:

® \$86,696.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439934

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

Consent Agenda - Orders and Resolutions (continued)

**Item Southern California Edison Company's Permit to Construct
36 the Mascot Substation Project**

[10002]

A09-11-020

Application of Southern California Edison Company for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Mascot Substation Project.

PROPOSED OUTCOME:

- ® Grants Southern California Edison Company a Permit to Construct the Mascot Substation Project.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$33 million.

(Comr Grueneich - ALJ Ebke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439413

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

Consent Agenda - Orders and Resolutions (continued)

Item **California American Water Company's Staged Water
37** **Conservation Plan for its Larkfield District, Sacramento
[10006]** **District, Village District and the Baldwin Hills, Duarte, and
San Marino Service Areas of the Los Angeles District**

A10-07-002

In the Matter of the Application of California-American Water Company for Modification and Clarification of Resolution No. W-4803.

PROPOSED OUTCOME:

- ® Approves staged water conservation plan.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Bohn - ALJ Rochester)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440005

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 Extending Statutory Deadline

38

[10007]

109-01-018

Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company, Cellco Partnership LLP d/b/a Verizon Wireless, Sprint Communications Company LP, NextG Networks of California, Inc. and Pacific Bell Telephone Company d/b/a AT&T California and AT&T Mobility LLC, Regarding the Utility Facilities and the Canyon Fire in Malibu of October 2007.

PROPOSED OUTCOME:

® Extends the statutory deadline for resolving this proceeding to February 5, 2012, pursuant to Public Utilities Code Section 1701.2(d).

ESTIMATED COST:

® None.

(Comr Simon - ALJ Kenney, ALJ Reed)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437916

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

Consent Agenda - Orders and Resolutions (continued)

Item **Certificate of Public Convenience and Necessity to Provide**
39 **Local Exchange and Interexchange Service to Unserved**
[10009] **Areas of California**

A09-03-028

Application of DTS of CA, Inc. for a Certificate of Public Convenience and Necessity to Construct Telecommunications Facilities and to Provide Local Exchange and Interexchange Service to unserved Territories in California.

PROPOSED OUTCOME:

® Grants application for Certificate of Public Convenience and Necessity.

ESTIMATED COST:

® Unknown at this time, may apply for California High Cost Fund-A in the future.

(Comr Bohn - ALJ Rochester)

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

Consent Agenda - Orders and Resolutions (continued)

Item **Southern California Edison Company for a Certificate of**
40 **Public Convenience and Necessity for CPV Sentinel 220kV**
[10011] **Transmission Line**

A08-12-011

PROPOSED OUTCOME:

® Approves issuance of a certificate of public convenience and necessity for Southern California Edison Company for construction of 2,300-foot long, 220 kilovolt transmission line to connect the CPV Sentinel Energy Project to the grid.

® Closes Application 08-12-011.

ESTIMATED COST:

® No costs to ratepayers.

® All costs to be borne by power plant owner.

(Comr Grueneich - ALJ Minkin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439287

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

Consent Agenda - Orders and Resolutions (continued)

**Item San Jose Water Company and the Division of Ratepayer
41 Advocates' Settlement**

[10012]

A10-04-005

In the Matter of the Application of San Jose Water Company for an Order Authorizing an increase in Annual Revenue Requirement of \$80,041 or 0.03% and a Proportionate Increase in Rates to Support an Increased Budget for Meter Replacement Sufficient to Comply with General Order 103-A.

PROPOSED OUTCOME:

® Approves the proposed Settlement and accompanying tariffs submitted by the two parties in this proceeding, applicant San Jose Water Company and the Commission's Division of Ratepayer Advocates.

® Closes the proceeding.

ESTIMATED COST:

® \$56,500.

(Comr Bohn - ALJ Walwyn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438566

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

Consent Agenda - Orders and Resolutions (continued)

Item 42 5LINX Enterprises, Inc. For a Certificate of Public Convenience and Necessity

[10013]

A10-08-026

PROPOSED OUTCOME:

® Grants 5LINX Enterprises, Inc., a Certificate of Public Convenience and Necessity to Provide Resold Competitive Local Exchange and Interexchange Service.

® Application 10-08-026 is closed.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=437827

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

Consent Agenda - Orders and Resolutions (continued)

Item **AT&T Corporation's Exemption From Public Utilities Code**
43 **Section 851 for Phase I Type Assets**

[10014]

Res T-17301, AT&T Corp, d/b/a AT&T Advanced Solutions' Advice Letter 51 (AL), AT&T Communications of California, Inc.'s AL 4249, TCG San Diego's AL 166, TCG San Francisco's AL 165, TCG Los Angeles' AL 802, and SBC Long Distance, LLC's AL 467 - Related matters.

PROPOSED OUTCOME:

® This resolution would exempt six affiliates of AT&T (Competitive Local Exchange Carriers) from specific Public Utilities Code Section 851 asset transfer requirements, pursuant to Decision 10-05-019.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438545

Consent Agenda - Orders and Resolutions (continued)

Item **Calaveras Telephone Company to Enter Into a Loan**
44 **Agreement With the Rural Utilities Service**

[10017]

A10-09-014

Application of Calaveras Telephone Company for an Order authorizing it to issue notes in an amount not exceeding \$1,226,093, and to execute a related agreement and supplemental security instruments.

PROPOSED OUTCOME:

® Grants Calaveras Telephone Company the authority to enter into a loan agreement with the United States of America, acting through the Rural Utilities Service for the purpose of borrowing \$1,226,093 under the Broadband Initiative Program, as authorized by the American Recovery and Reinvestment Act of 2009 to fund the Poker Flat broadband infrastructure project; and encumber utility assets.

® Closes the proceeding.

ESTIMATED COST:

® \$1,226,093.

(Exam Kahlon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439895

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

45

[10018]

C10-01-005

The City of Santa Barbara vs. Verizon California, Inc., a California corporation.

PROPOSED OUTCOME:

® The time for completion of this proceeding is extended until January 19, 2012.

ESTIMATED COST:

® None.

(Comr Grueneich - ALJ Ryerson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438466

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

Consent Agenda - Orders and Resolutions (continued)

**Item Southern California Edison Company's Petition to Modify
46 Decision 09-08-027**

[10019]

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

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

PROPOSED OUTCOME:

® Grants petition of Southern California Edison Company to modify Decision 09-08-027 to eliminate the Energy Options Program and shift funds among approved demand response activities.

ESTIMATED COST:

® None.

(Comr Grueneich - ALJ Hecht)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440014

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

**Item Fruitridge Vista Water Company for a General Rate Increase
47**

[10024]

Res W-4858, Advice Letter 91 Filed on April 26, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplemental Advice Letter 91 implementing the approved rates.

® To recover the balance in the User Fee Balancing Account through a one-time surcharge.

® To recover the balance in its Purchased Power Balancing Account.

ESTIMATED COST:

® \$562,073.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440007

Consent Agenda - Orders and Resolutions (continued)

Consent Agenda - Intervenor Compensation Orders

**Item Compensation to Aglet Consumer Alliance and the Union of
48 Concerned Scientists**

[9973]

R06-02-012

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

PROPOSED OUTCOME:

® Denies, without prejudice, requests for intervenor compensation for substantial contributions to Decision 10-03-021 filed by Aglet Consumer Alliance and by the Union of Concerned Scientists.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E36251

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

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

Regular Agenda

Regular Agenda - Legal Division Matters

Regular Agenda - Energy Orders

Item 49 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=438235

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);
 Agenda 3260, Item 30 9/2/2010 (Staff);
 Agenda 3261, Item 44 9/23/2010 (Staff);
 Agenda 3262, Item 36 10/14/2010 (Staff);
 Agenda 3263, Item 28 10/28/2010 (Staff);
 Agenda 3264, Item 52 11/19/2010 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9370

49a

[9957]

PROPOSED OUTCOME:

® The subject consolidated proceeding involves three complaint cases and five related formal applications, all filed between 1997 and 2006.

® This decision resolves and closes Case (C) 97-04-025 and C00-04-013, dismisses Application (A) 00-03-044, a request for market based rates, and partly resolves A03-02-027, a general rate case. By these actions the Commission determines that: Santa Fe Pacific Pipeline, L.P. (SFPP) has dedicated its Sepulveda Line to public utility service; SFPP is entitled to a ratemaking allowance for income taxes; SFPP has not allocated environmental costs correctly between its California pipeline operations, terminal operations, and non-jurisdictional operations; SFPP must recover costs related to its Watson Station and Sepulveda facilities in cost-based, not market-based ,rates; SFPP's application for market based rates is outdated and must be dismissed without prejudice; SFPP may adopt a 2003 capital structure and cost of capital for ratemaking purposes; a Tier 1 advice letter is required to implement rate refunds; and, parties are directed to pursue alternative dispute resolution of the remaining ratemaking issues in the consolidated proceedings.

® These consolidated proceedings remain open.

ESTIMATED COST:

® The exact costs and refunds to ratepayers are not known at this time.

(Comr Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438232

Agenda 3264, Item 52a 11/19/2010 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

Item **Use of Tradable Renewable Energy Credits to Comply With**
50 **the California Renewables Portfolio Standard**

[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=439164

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

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

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

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

Agenda 3265, Item 34 12/2/2010 (Peevey)

Regular Agenda - Energy Orders (continued)

Item **ALTERNATE TO ITEM 9721**
50a
[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=439015

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

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

Agenda 3265, Item 34a 12/2/2010 (Peevey)

Regular Agenda - Energy Orders (continued)

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

(Rev.)

[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 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 up to 20 megawatts (MW).
- ® A program limit of 1,000 MW, procured over four solicitations of 250 MW each, allocated proportionately to the three utilities.
- ® Non-negotiable price-determined by seller in a competitive auction.
- ® Simplified Commission review for executed contracts within the allocated capacity limit.
- ® 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=440009

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

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

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

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

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

Agenda 3265, Item 35 12/2/2010 (Staff)

12/14/2010 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item Incentive True-Up for 2006-2008

52

[9815]

R09-01-019

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

PROPOSED OUTCOME:

® No additional incentive earnings are due for the 2006-2008 cycle of energy efficiency programs.

ESTIMATED COST:

® No incremental costs.

(Comr Bohn - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439091

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

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

Agenda 3263, Item 32 10/28/2010 (Bohn);

Agenda 3264, Item 54 11/19/2010 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9815

52a

[9816]

This alternate proposed decision differs from the Administrative Law Judge's proposed decision in that it:

® Approves a shared savings rate of 12% for Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas).

® Approves additional incentive payments for PG&E, SCE, SDG&E, and SoCalGas of \$40.3 million, \$27.1 million, \$6.0 million, and \$3.9 million, respectively, equal to the holdback amounts adopted in Decision 09-12-045.

(Comr Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438241

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

Agenda 3263, Item 32a 10/28/2010 (Bohn);

Agenda 3264, Item 54a 11/19/2010 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

Item **ALTERNATE TO ITEM 9815**
52b
(Rev.)
[9983]

This Alternate Proposed Decision differs from the Administrative Law Judge's proposed decision in that it:

- ® Relies on ex ante assumptions to assess the performance of the utilities energy efficiency programs for purposes of determining incentives under the risk/reward incentive mechanism for the 2006-2008 period.
- ® Adopts a shared savings rate of 7% to be applied to the performance earnings basis provided the utilities' energy efficiency portfolios and programs are found to have delivered savings equal to at least 85% of the energy efficiency goals using ex ante assumptions.
- ® Approves additional incentive payments of \$29.1 million, \$18.6 million, \$5.1 million, and \$9.9 million for Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company and Southern California Gas Company, respectively.

(Comr Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439913

Agenda 3264, Item 54b 11/19/2010 (Pub. Util. Code §311(e))

12/09/2010 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item **Pacific Gas and Electric Company's 2008 Long-Term**
53 **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=438906

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

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

Agenda 3265, Item 36 12/2/2010 (Grueneich)

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9922

53a

[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=439481

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

Agenda 3265, Item 36a 12/2/2010 (Grueneich)

Regular Agenda - Energy Orders (continued)

Item Order Instituting Rulemaking

54

[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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439704

Agenda 3265, Item 37 12/2/2010 (Staff)

Regular Agenda - Energy Orders (continued)

**Item Adoption of Settlement Agreement and Granting of Petition
55 to Modify Decision 10-07-048**

[9961]

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:

® Granting Petition to modify Decision 10-07-048, and adopt Settlement Agreement resolving Phase I and II issues concerning residential customers' disconnection practices as they relate to the San Diego Gas & Electric Company and Southern California Gas Company.

ESTIMATED COST:

® Unknown.

(Comr Grueneich - ALJ DeBerry)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439319

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

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

Regular Agenda - Energy Orders (continued)

Item **Eldorado-Ivanpah Transmission Project for a Certificate of
56** **Public Convenience and Necessity**

[9967]

A09-05-027

PROPOSED OUTCOME:

® Denies Southern California Edison Company a certificate of public convenience and necessity for the Eldorado-Ivanpah Transmission Project.

® The proposed project is intended to connect renewable generation and will not address reliability concerns or increased demand.

® Applicant has not established need under Public Utilities Code §§ 1001 and 399.2.5 due to the renewable generator's acknowledgement of the existence of other potential transmission options in the area.

® Application 09-05-027 is closed.

ESTIMATED COST:

\$306 million plus contingency and other related expenses.

(Comr Peevey - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439837

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

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

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9967

56a

[9970]

PROPOSED OUTCOME:

® Grants Southern California Edison Company a certificate of public convenience and necessity for the Eldorado-Ivanpah Transmission Project using the Environmentally Preferred Route, as identified in the Final Environmental Impact Report.

® Finds the project is “necessary to facilitate” achievement of the renewable power goals of § 399.11 et seq. pursuant to Public Utilities Code § 399.2.5 as (1) the line will bring to the grid renewable resources that would otherwise remain unavailable as evidenced by several Commission approved purchase power agreements (PPAs) totaling 717 MWs that will interconnect to the line and which would be subject to indefinite delay absent the line, (2) the area within the line’s reach could play a critical role in meeting the renewable goals based on approved PPAs, the large number of projects in the area in the CAISO Queue, and the renewable resource potential of the area identified by the Renewable Energy Transmission Initiative, and (3) the cost of the project is reasonably balanced against the certainty of the line’s contribution to economically rational Renewable Portfolio Standard compliance.

® The role the line will play in achieving the state’s 20 percent renewable mandate and the greenhouse gas mitigation goals under Assembly Bill 32 serves as the basis for a finding of overriding considerations, recognizing that the Final Joint Environmental Impact Report/Environmental Impact Study determined that the project will have several significant and non-mitigable impacts.

ESTIMATED COST:

® \$306.338 million plus a 15% contingency.

(Comr Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439891

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

Regular Agenda - Energy Orders (continued)

Item **Energy Efficiency Risk/Reward Incentive Mechanism**
57 **Reforms**

[9974]

R09-01-019

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

PROPOSED OUTCOME:

- ® Modifies the methodology to calculate incentives for the 2010-2012 cycle to make process streamlined.
- ® Reduces earnings potential for incentives to correspond to adopted changes.
- ® Closes the proceeding.

ESTIMATED COST:

- ® No incremental costs expected.
- ® Streamlined measures may reduce administrative costs of the mechanism.

(Comr Bohn - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E36252

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

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

Regular Agenda - Energy Orders (continued)

Item**58****(Rev.)**

[9977]

A09-08-019

In the Matter of the Application of San Diego Gas & Electric Company for Authorization to Recover Unforeseen Liability Insurance Premium and Deductible Expense Increases as a Z-Factor Event.

PROPOSED OUTCOME:

® Denies San Diego Gas & Electric Company's request for Z-factor treatment for 2009 increased liability insurance costs.

® Closes Application 09-08-019.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439454

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

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

12/15/2010 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9977

58a

[9985]

PROPOSED OUTCOME:

® Grants the request of San Diego Gas & Electric Company (SDG&E) for “Z-factor treatment” for the one-year period 2009-2010 to recover the cost of increased liability insurance premiums amounting to \$28,884,000.

® Authorizes SDG&E to increase its electric and natural gas revenue requirement by this amount to reflect unforeseen liability insurance premium and deductible expenses, and to create a new amortization process for future expenses until rates for its next general rate case become effective.

® Denies SDG&E’s request for related “Z-factor” advice letters for the two years 2010-2011 and 2011-2012; however, SDG&E instead may file Tier-3 advice letters for these years.

ESTIMATED COST:

® Financial Impact: \$28,884,000, plus possible additional costs based on future Advice Letter filings.

(Comr Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440030

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

Regular Agenda - Energy Orders (continued)

Item **Petition for Modification of Decision 09-09-047 Regarding the**
59 **2010-2012 Energy Efficiency Portfolios**

[9995]

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

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

PROPOSED OUTCOME:

- ® Freezes ex ante values based on 2008 DEER Version 2.05.
- ® Adopts the Energy Division process for approval of non-DEER and custom ex ante values.
- ® Clarifies that co-branding requirements apply to all energy efficiency projects using energy efficiency funds.
- ® Reduces energy savings goals for the prescriptive whole house retrofit program.
- ® Adopts a lower incentive level for multi-family units in the California Advanced Home Program.
- ® Adds language concerning the State Action Doctrine.
- ® Applications (A) 08-07-021, A08-07-022, A08-07-023, and A08-07-031 are closed.

ESTIMATED COST:

- ® None.

(Comr Grueneich - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439918

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

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

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9995

59a

[9996]

PROPOSED OUTCOME:

- ® Freezes ex ante values based on 2008 DEER Version 2.05.
- ® Grants the petition to freeze the ex ante values in non-DEER high impact measure workpapers submitted to date.
- ® Clarifies that co-branding requirements apply to all energy efficiency projects using energy efficiency funds.
- ® Reduces energy savings goals for the prescriptive whole house retrofit program.
- ® Adopts a lower incentive level for multi-family units in the California Advanced Home Program.
- ® Adds language concerning the State Action Doctrine.
- ® Applications (A) 08-07-021, A08-07-022, A08-07-023, and A08-07-031 are closed.

(Comr Grueneich)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E36328

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

Regular Agenda - Energy Orders (continued)

Item **Revisions to Price and Greenhouse Gas Allowance**
60 **Procurement Methodology in Decision 09-12-042 for**
[9997] **Combined Heat and Power Systems**

R08-06-024

Order Instituting Rulemaking on the Commission's Own Motion into combined heat and power Pursuant to Assembly Bill 1613.

PROPOSED OUTCOME:

® Grants in part and denies in part the joint request to modify Decision (D) 09-12-042 and makes other changes to make D09-12-042 consistent with subsequently issued Federal Energy Regulatory Commission orders.

ESTIMATED COST:

- ® Allows price set by D09-12-042 to fluctuate based on the most recent market price referent.
- ® Cost may go up or down depending on the market.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439922

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 Orders**Item Adoption of General Order Specifying Review Procedures
61 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=438940

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

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

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

Agenda 3265, Item 39 12/2/2010 (Bohn)

Regular Agenda - Communication Orders (continued)

Item Order Instituting Rulemaking

62

[9978]

R_____

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

PROPOSED OUTCOME:

® Adds Interconnected Voice Over Internet Providers to the Category of Providers Required to Fund California's Universal Service Program.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439620

Agenda 3265, Item 40 12/2/2010 (Staff)

Regular Agenda - Communication Orders (continued)

Item New Order Instituting Rulemaking

63

[10020]

R_____

Order Instituting Rulemaking to Consider Modifications to the California Advanced Services Fund Including Those Necessary to Implement Loan Program and Other Provisions of Recent Legislation.

PROPOSED OUTCOME:

® Initiates a Rulemaking to consider modifications to California Advanced Services Fund, including implementation of recent legislation.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436290

Regular Agenda - Water/Sewer Orders

Item 64 Great Oaks Water Company's Base Year 2010 Cost of 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=439718

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

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

Agenda 3265, Item 43 12/2/2010 (Staff)

Regular Agenda - Water/Sewer Orders (continued)

Item Accounting Rules Concerning Contamination Proceeds

65

[9958]

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 Accounting Rules Concerning Contamination Proceeds Arising from Local and Federal Grants, Government Loans, Damage Awards, Settlements, Government Orders, and Insurance.

® Rulemaking 09-03-014 is closed.

ESTIMATED COST:

® Nominal Cost of Implementation.

(Comr Bohn - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439920

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 - Water/Sewer Orders (continued)

Item **Golden State Water Company's 2010 General Rate Case for**
66 **Region I**

[9976]

A10-01-009

In the matter of the Application of the Golden State Water Company for an order authorizing it to increase rates for water service for years 2011 and 2012 in its Arden Cordova Service Area, Bay Point Service Area, Clearlake Service Area, Los Osos Service Area, Ojai Service Area, Santa Maria Service Area, and Simi Valley Service Area.

PROPOSED OUTCOME:

® Adopts a partial settlement and otherwise resolves the litigated issues for Golden State Water Company Region I.

ESTIMATED COST:

® Revenue increases range between 4.3% and 36.1%, depending on customer service area.

(Comr Bohn - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439818

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

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

Regular Agenda - Other Utility Orders

Item **New Order Instituting Rulemaking**

67

[10025]

R_____

Order Instituting Rulemaking on the Commission's Own Motion to Create the Small Business Advisory Council.

PROPOSED OUTCOME:

- ® Opens a proceeding to create the Small Business Advisory Council.
- ® Sets forth the structure and composition of the Small Business Advisory Council.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439668

Regular Agenda - Consumer Services Division Reports and Resolutions**Item Consumer Affairs Branch to Implement Decision 08-10-016**
68

[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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439524

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

Agenda 3265, Item 44 12/2/2010 (Simon)

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

Item 69	Discussion and Action Regarding the Low Income Oversight Board
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[10005]

Commissioner Grueneich Report

Discussion and action regarding the appointment of a public representative to the Low Income Oversight Board (LIOB). The 11-member LIOB advises the Commission on low-income electric, gas, and water customer issues and serves as a liaison for the Commission to low income ratepayers and representatives. Public Utilities Code Section 382.1(b)(1) states that five of the members of the LIOB must "have expertise in the low-income community."

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
70
 [10008]

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
71
 [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.

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;
 Agenda 3265, Item 48 12/2/2010

Closed Session - Applications for Rehearing (continued)

Item Conference with Legal Counsel - Application for Rehearing

72

[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.

Agenda 3263, Item 45 10/28/2010;

Agenda 3264, Item 67 11/19/2010;

Agenda 3265, Item 49 12/2/2010

Item Conference with Legal Counsel - Application for Rehearing

73

[9885]

A10-09-008

Disposition of application for rehearing filed by the Great Oaks Water Company of Resolution W-4838. Resolution W-4838 concerns Advice Letter (AL) 197-W, seeking authority to establish two memorandum accounts: 1) Mandatory Conservation Memorandum Account and 2) Mandatory Conservation Revenue Adjustment Memorandum Account. Resolution W-4838 rejects AL 197-W.

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

Item Conference with Legal Counsel - Application for Rehearing

74

[10004]

A09-10-022, A09-10-034 - Related matters.

Disposition of application for rehearing of Decision (D) 10-07-042 filed by CALifornians for Renewable Energy, Inc. (CARE). In D10-07-042, the Commission approved Pacific Gas and Electric Company's (PG and E) request to novate an existing power purchase agreement (PPA) with the Department of Water Resources (DWR), and replace that agreement with a new long-term PPA (Peakers Transaction). Under the Peakers Transaction, PG and E will procure 502 MW of capacity, energy, and ancillary services from existing facilities through 2017, and 325 MW through 2021. D10-07-042 denied PG and E's associated request for approval of the Tracy Transaction and the Los Esteros Critical Energy Facility Transaction at this time.

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

Closed Session - Applications for Rehearing (continued)

Item Conference with Legal Counsel - Application for Rehearing

75

[10016]

A08-09-007

Disposition of Application for Rehearing of Decision (D) 10-09-004, filed by Californians for Renewable Energy, Inc. (CARE). In this decision, the Commission approved a settlement and related petition for modification filed by Pacific Gas and Electric (PG and E), Russell City Energy Company, LLC (RCEC), the Division of Ratepayer Advocates, California Unions for Reliable Energy, and the Utility Reform Network regarding a Second Amended Power Purchase Agreement between PG and E and RCEC. D10-09-004 also denied the petition for modification filed by California Pilots Association, Skywest Townhouse Homeowners Association, and Hayward Planning Association on the grounds that the arguments were speculative, lack relevance, and was moot.

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

Item Conference with Legal Counsel - Application for Rehearing

76

[10022]

A08-11-019

Disposition of application for rehearing of Decision (D) 10-09-025 filed by the City of Temecula. In D10-09-025 the Commission granted Southern California Edison Company's application for a permit to construct the Triton Substation Project in the City of Temecula.

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.

Item Conference with Legal Counsel - Initiation of Litigation

77

[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.

Agenda 3264, Item 69 11/19/2010;

Agenda 3265, Item 50 12/2/2010

Item Conference with Legal Counsel - Initiation of Litigation

78

[10015]

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.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

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

Closed Session - Initiation of Litigation - Federal

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

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

Closed Session - Federal

Item Conference with Legal Counsel - Existing Litigation

79

[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.

Agenda 3263, Item 46 10/28/2010;

Agenda 3264, Item 70 11/19/2010;

Agenda 3265, Item 51 12/2/2010

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