
Public Utilities Commission of the State of California

Public Agenda 3267

Thursday, January 13, 2011 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

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 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)
Monday, April 11, 2011 (San Francisco)	Thursday, March 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



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

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 17, 26, 29, 42

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

[10036]

Res ALJ 176-3267

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=440045

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 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);
 - Agenda 3266, Item 2 12/16/2010 (Staff)

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=439757

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

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

Agenda 3265, Item 3 12/2/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item San Diego Gas & Electric Company's Sale of License Rights
4 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=440380

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

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

Agenda 3266, Item 7 12/16/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 5 **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);

Agenda 3266, Item 8 12/16/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Net Surplus Compensation Rate for Electric Utilities

6

[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=440046

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

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

Agenda 3266, Item 9 12/16/2010 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Disclosure of Records of an Investigation

7

[9986]

Res L-408

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of two pedestrian railroad crossing incidents that occurred on September 24, 2005 and October 5, 2008, at the Ventura Grade Crossing in Fresno, California.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440934

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

Item Disclosure of Records of an Investigation

8

[9992]

Res L-407

Authorizes disclosure of records of the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a November 5, 2009 electric incident in Delano, California.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440935

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

Consent Agenda - Orders and Resolutions (continued)

Item **Certificate of Public Convenience and Necessity to Provide**
9 **Local Exchange and Interexchange Service to Unserved**
(Rev.) **Areas of California**
[10009]

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.
- ® Closes the proceeding.

ESTIMATED COST:

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

(ALJ Rochester)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441505

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

Agenda 3266, Item 39 12/16/2010 (Staff)

01/11/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item **Final Report of the 2010 Safety Review of the Port of Los**
10 **Angeles Waterfront Red Car Line**

[10023]

Res ST-120

PROPOSED OUTCOME:

® Grants approval of the Port of Los Angeles Waterfront Red Car Line Safety Review Report dated November 12, 2010.

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439042

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

Consent Agenda - Orders and Resolutions (continued)

Item **Pay As You Save Pilot Program for Combined Heat and
11** **Power Facilities**

[10026]

R08-06-024

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

PROPOSED OUTCOME:

- ® Determines the Commission will not establish a Pay As You Save Pilot Program for Combined Heat and Power Facilities at this time.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441391

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

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

Consent Agenda - Orders and Resolutions (continued)

**Item Adnan Ghanem for a Passenger Stage Corporation
12 Certificate**

[10027]

A10-10-014

Application of Adnan Ghanem, dba Eazy Way Transit for Authority to operate as an on-call, door-to-door, Passenger Stage Corporation between various points in the Counties of Alameda, Contra Costa, Marin, Napa, San Joaquin, Santa Clara, Solano and Sonoma, and the International Airports located in San Francisco, Oakland, and San Jose; and to establish a Zone of Rate Freedom.

PROPOSED OUTCOME:

® Grants the application of Adnan Ghanem to operate as an on-call passenger stage corporation between points in Alameda, Contra Costa, Marin, Napa, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, and Sonoma Counties and San Francisco, Oakland, and San Jose International Airports.

® Establishes a zone of rate freedom.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438859

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

Consent Agenda - Orders and Resolutions (continued)

Item **Penngrove Water Company Seeks a Rate Base Offset**
13 **Revenue Increase for Water System Improvements**

[10028]

Res W-4859, Advice Letter 75 Filed on July 6, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplemental to the advice letter to include the revised rate schedule in Appendix A.

ESTIMATED COST:

® \$37,649.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438873

Item **Tahoe Swiss Village Utilities, Inc. - Glenridge District for a**
14 **General Rate Increase**

[10029]

Res W-4860, Advice Letter 19, Filed on April 28, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplemental to the advice letter to include the revised rate schedules in Appendix B; and (2) within 30 days the utility is ordered to file a Tier I advice letter to revise its Title Page and Schedule UF.

ESTIMATED COST:

® \$2,412.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441452

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

15

[10031]

A08-06-006

Application of Southern California Gas Company and San Diego Gas & Electric Company to Expand Existing Off-System Delivery Authority.

PROPOSED OUTCOME:

® Extends the statutory deadline of Southern California Gas Company and San Diego Gas & Electric Company's request to expand its existing off-system delivery authority to March 21, 2011.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438722

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

Consent Agenda - Orders and Resolutions (continued)

Item Final Report on the Audit of the Encina Power Plant

16

[10032]

Res EGPB-10

PROPOSED OUTCOME:

- ® Approves the Final Report on the Audit of the Encina Power Plant performed by the Consumer Protection and Safety Division and authorizes public disclosure of the report.
- ® The report is attached to the Draft Resolution EGPB-10 as Appendix A.
- ® No formal enforcement action is recommended.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440989

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

17

[10033]

C10-02-026

Maria V. Lawrence vs. Pacific Gas and Electric Company.

PROPOSED OUTCOME:

® Extends the time for completion of proceeding until February 24, 2012.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Ryerson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439065

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

18

[10034]

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:

® Extends statutory deadline of Pacific Gas and Electric Company's cost allocation proceeding to April 11, 2011.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438710

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

Consent Agenda - Orders and Resolutions (continued)

Item **Verizon California, Inc. to Discontinue Annual Shared Asset**
19 **Methodology Reporting Requirement**

[10037]

A10-09-007

In the Matter of the Application of Verizon California Inc. to Discontinue Annual Shared Asset Methodology Reporting Requirement Adopted in Decision 04-03-038 as the Report No Longer Serves any Useful Purpose.

PROPOSED OUTCOME:

- ® Allows Verizon California, Inc. to discontinue Annual Shared Asset Methodology Reporting Requirement adopted in Decision 04-03-038.
- ® Application 10-09-007 is closed.

ESTIMATED COST:

- ® None.

(Comr Ryan - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438208

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

Consent Agenda - Orders and Resolutions (continued)

**Item San Jose Water Company to Issue up to \$100 Million of New
20 Debt and \$50 Million of New Common Equity Securities**

[10038]

A10-07-022

Application of San Jose Water Company, a California corporation, for an order to issue and sell additional debt and equity securities not exceeding the aggregate amount of \$150,000,000 and other related requests.

PROPOSED OUTCOME:

- ® Authority to issue and sell New Debt of \$100 million and New Common Equity Securities of \$50 million.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439498

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 **Del Oro Water Company, Inc's Rate Base Offset Revenue**
21 **Increase for Water System Improvements in its Pine Flat and**
[10039] **Pine Mountain Districts**

Res W-4861, Advice Letter 273 Filed on July 1, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplemental to the advice letter to include the revised rate schedules attached to this Resolution in Appendix B.

ESTIMATED COST:

® \$32,095 for Pine Flat District and \$11,702 for Pine Mountain District.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441443

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

Consent Agenda - Orders and Resolutions (continued)

Item Untimely Complaint Against Conservation Rate Design

22

[10040]

C10-09-009

Peter A. Bresler, Margaret J. Bresler, Rod Baker, Carol Baker, Don Burden, Pam Burden, Lenny Castellanta, Michelle Castellanta, Donald Crawford, Sharon Crawford, Ted Ealand, Andrea Gibbs, John Gibbs, Ken Kellet, Darlene Kellet, Michael Landino, Bettye Landino, Debra Lehman, Ken Lehman, Remy Lejeune, Pierre Lejeune, John A. Macdonald, Barbara Macdonald, Alma May, Bobby McKee, Anita McKee, Jim Parks, Linda Peoples, David Peoples, Mike Preach, Marie Preach, Tatsuko Radke, Thomas Radke, Brenda Robinson, Denise Robson, Curtis A. Russell, Gloria J. Russell, Leroy Spencer, Michelle Spencer, Corbie von Stein, Richard von Stein, Marilyn Wadsworth, Fred Wadsworth vs. Golden State Water Company.

PROPOSED OUTCOME:

- ® Dismissal of Untimely Complaint Against Conservation Rate Design.
- ® Case 10-09-009 is closed.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441546

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 Rates in Maximum Rate Tariff 4 Increased 0.6%
23

[10041]

Res TL-19101

PROPOSED OUTCOME:

® Increases rates in Maximum Rate Tariff 4 by 0.6% in accordance with Public Utilities Code Section 5191 and Decision (D) 92-05-028 and D10-01-27.

ESTIMATED COST:

® The maximum impact of this resolution upon ratepayers would be approximately \$1,671,415, which is 0.6% of the total California gross revenue reported to the Commission by household goods carriers in 2009.

® However, many movers assess rates below the maximum rates, so the actual impact will be less.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441046

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

Consent Agenda - Orders and Resolutions (continued)

Item **Modifying Decision 06-10-050 Regarding Authorization for**
24 **Reimbursement of Consultant Costs**

[10045]

R06-05-027

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

PROPOSED OUTCOME:

® Decision 06-10-050 is modified to permit the recording of certain consultant costs through December 31, 2011 (rather than December 31, 2010) by three utilities (Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company) due to an unavoidable delay in completing specified work. No increase is authorized in total project costs.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Mattson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441415

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 **Pedestrian At-Grade Crossing for Southern California**
25 **Regional Rail Authority at Vincent Grade/Acton Station in the**
[10046] **Unincorporated Community of Acton, County of Los Angeles**
A10-03-008

PROPOSED OUTCOME:

- ® Grants Southern California Regional Rail Authority authorization to construct the Vincent Grade/Action Station at-grade pedestrian crossing across its Valley Subdivision tracks.
- ® Closes the proceeding.

ESTIMATED COST:

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

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E37142

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 **Settlement Agreements and Motion for Summary**
26 **Adjudication Regarding Liability, and Resolving all Other**
[10047] **Issues**

I10-02-004

Order Instituting Investigation on the Commission's own motion into the operations, practices, and conduct of Contractors Strategies Group, Inc., Intella II, Inc., A&M Communications, TNT Financial Services, Limo Services, Inc., Calnev Communications, Inc., 1st Capital Source Funding & Financial Services, Inc., and their owners to determine whether Respondents violated the laws, rules, and regulations of this State regarding the connection of Automatic Dialing-Announcing Devices to Customer-Owned Pay Telephones.

PROPOSED OUTCOME:

® Respondents together will pay fines totaling \$18,413.78, release all claims to illegally generated Dial Around Compensation (DAC) of \$103,194, and barred from future operation of customer owned pay phones.

® DAC divided between General Fund and Telecom Consumer Fund due to administrative problems with refunds.

ESTIMATED COST:

® None.

(Comr Ryan - ALJ Darling)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441409

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 27 San Diego Gas & Electric Company's Renewable Power Purchase Agreements With Centinela Solar Energy, LLC

[10048]

Res E-4388, Advice Letter 2171-E filed on May 19, 2010 and Advice Letter 2193-E filed on August 26, 2010 - Related matters.

PROPOSED OUTCOME:

® Approves San Diego Gas & Electric Company's request for cost recovery of two renewable energy power purchase agreements (PPA) with Centinela Solar Energy, LLC.

® The PPAs are approved without modification.

ESTIMATED COST:

® Costs of the these contracts are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441543

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

Item 28 Golden State Water Company's Surcharge to Recover Authorized Revenues Collected in the Orange County Annexation Memorandum Account for the Period of April 2007 Through March 2010

[10049]

Res W-4862, Advice Letter 1408-W Filed on July 15, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplemental to Advice Letter 1408-W to reflect the changes authorized by this resolution.

ESTIMATED COST:

® \$166,378.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441355

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

Consent Agenda - Orders and Resolutions (continued)

Item Dismissing Complaints Without Prejudice

29

[10052]

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:

® Dismisses without prejudice four essentially identical complaints that Pac-West Telecomm Inc (Pac-West) has filed against a group of Commercial Mobile Radio Service (CMRS) providers for failure to pay Pac-West compensation for terminating traffic that the providers send to Pac-West. The decision concludes that:

® The complaints should be dismissed for the same reasons that recently led the Commission to dismiss Application 10-01-003 without prejudice; viz., the pendency of an appeal of the Federal Communications Commission (FCC) decision on which the complaints are based, and the possibility that the work this Commission would have to invest in the four cases might be wasted depending on the outcome of that appeal.

® The conduct Pac-West complains about appears to be permitted under current federal law, the complaints fail to state causes of action under California law for undue discrimination, unreasonable utility practices, or unjust enrichment.

® The decision also authorizes Pac-West to file a petition to reopen the cases in the event the appeal of the FCC decision is resolved favorably to Pac-West's position, and provides that in the event such a petition to reopen is granted, claims that were timely when the complaints were first filed will remain timely.

® Closes the proceeding.

ESTIMATED COST:

® Moderate costs for Pac-West in preparing any petition to reopen these cases and similar costs for the defendants in opposing any such petition to reopen. Moderate savings for Pac-West in preparing the cases and similar savings for the defendants in responding as a result of work that already has been undertaken.

(Comr Bohn, Comr Ryan - ALJ McKenzie)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E37160

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 **Dunnigan Water Works' Surcharge for 12 Months for**
30 **Recovery of It's Unanticipated Repair Cost Memorandum**
[10053] **Account.**

Res W-4865, Advice Letter 7 Filed on August 13, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplemental to Advice Letter 7-W to incorporate the revised rate schedules.

ESTIMATED COST:

® \$9,239.77

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441295

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's 2010-2011 SmartAC™
31 Program and Budget**

[10055]

A09-08-018

Application of Pacific Gas and Electric Company for approval of 2010-2011 SmartAC (TM) Program and Budget.

PROPOSED OUTCOME:

® Grants Settlement of all Parties regarding SmartAC™ Program, including, for example, budget reduction of approximately \$36.47 million, installation of up to 259,000 total load control devices through December 31, 2011, addition of a price response trigger at bid cap beginning in 2010, increase in monetary incentives to customers, and implementation of additional quality control procedures with respect to its Measurement and Evaluation procedures.

® Closes the proceeding.

ESTIMATED COST:

® Program Budget reduction of approximately \$36.47 million.

(Comr Peevey - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438421

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

Consent Agenda - Orders and Resolutions (continued)

Item 32 Yermo Water Company's Transfer of Control From Donald Walker to Yermo Community Services District

[10060]

Res W-4864, Advice Letter No 9 Filed on May 18, 2010 - Related matters.

PROPOSED OUTCOME:

® The utility is sold to the Yermo Community Services District.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441282

Item 33 Indirect Transfer of Control of Associated Network Partners, Inc. and Zone Telecom, Inc. to ANZ Communications LLC

[10068]

A10-10-018

PROPOSED OUTCOME:

® Grants the joint unopposed application of Associated Network Partners, Inc. (ANPI) and Zone Telecom, Inc. (Zone) for approval of a transaction in which ANZ Communications LLC will acquire indirect control of ANPI and Zone, pursuant to Public Utilities Code §§ 852 and 854.

® Closes Application 10-10-018.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441665

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

Consent Agenda - Orders and Resolutions (continued)

Item **XYN Communications for a Certificate of Public Convenience
and Necessity**

34

[10069]

A10-08-013

In the Matter of the Application of XYN Communications of California, LLC for a Certificate of Public Convenience and Necessity to Provide Limited Facilities-Based and Resold Local Exchange, IntraLATA and InterLATA Interexchange Telephone Service in all AT&T California's and Verizon California's Local Exchange Areas.

PROPOSED OUTCOME:

- ® Approves proposed decision granting XYN Communications a certificate of public convenience and necessity to provide limited facilities service.
- ® Application 10-08-013 is closed.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439090

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

Consent Agenda - Orders and Resolutions (continued)

**Item Extension of Confidential Treatment of Information in a
35 Formal Record**

[10077]

Res ALJ-264

PROPOSED OUTCOME:

- ® Grants the unopposed motion of Extenet Systems LLC to extend the seal of Exhibits 2,3, and 4 of the application.
- ® The seal shall remain in effect for an additional two years, running from the effective date of this resolution.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440622

Consent Agenda - Intervenor Compensation Orders

Item Compensation to The Utility Reform Network

36

[10035]

R03-06-020

Order Instituting Rulemaking to Establish Rules Governing the Transfer of Customers from Competitive Local Carriers Exiting the Local Telecommunications Market.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$19,003.50 for substantial contribution to Decision 10-07-024.

ESTIMATED COST:

® The California Public Utilities Commission Intervenor Compensation Fund will pay \$19,003.50, plus interest if accrued.

(Comr Peevey - ALJ Grau)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438419

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Protect Agriculture Communities
37 Environment

[10042]

A08-05-039

In the Matter of the Application of Southern California Edison Company for a Certificate of Public Convenience and Necessity for the San Joaquin Cross Valley Loop Transmission Project.

PROPOSED OUTCOME:

® Awards Protect Agriculture Communities Environment \$70,292.36 for substantial contributions to Decision 10-07-043.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company will pay the awarded amount of \$70,292.36, plus interest.

(Comr Grueneich - ALJ Yacknin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441512

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Disability Rights Advocates

38

[10043]

P09-12-018

Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Cal. Pub. Util. Code § 1708.5, specifically to Review the Assessment of Surcharges for The Commission's Public Policy Programs with Respect to Prepaid Wireless Services.

PROPOSED OUTCOME:

® Awards Disability Rights Advocates \$8,683 for substantial contribution to Decision 10-07-028.

ESTIMATED COST:

® The ratepayers of Verizon Wireless will pay \$8,683, plus interest.

(Comr Grueneich - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439134

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Greenlining Institute

39

[10044]

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 Greenlining Institute \$26,320 for substantial contribution to Decision 10-07-048.

ESTIMATED COST:

® The ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company will pay \$26,320, plus interest, if accrued.

(Comr Grueneich - ALJ DeBerry)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441441

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Californians for Renewable Energy

40

[10054]

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

Application of Pacific Gas and Electric Company for Approval of Agreements Related to the Novation of the California Department of Water Resources Agreement with GWF Energy LLC, Power Purchase Agreement with GWF Energy II LLC, and Associated Cost Recovery.

PROPOSED OUTCOME:

® Awards Californians for Renewable Energy \$15,116.75 for substantial contribution to Decision 10-07-042.

ESTIMATED COST:

® The ratepayers of Pacific Gas and Electric Company will pay \$15,116.75 plus interest, if accrued.

(Comr Peevey - ALJ Kenney)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=438106

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

Regular Agenda**Regular Agenda - Legal Division Matters**

Item **Emergency Authorization to Ensure Safety of Certain Pacific**
41 **Gas and Electric Company, San Diego Gas & Electric**
(Rev.) **Company, Southern California Gas Company, & Southwest**
[10056] **Gas Pipelines**

Res L-410

Ratifies the orders of the Executive Director in his letters to Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company & Southwest Gas directing a reduction of pressure on certain pipelines & aggressively search pipeline records to identify segments in high consequence areas to be tested.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441586

01/06/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders

Item 42 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=439954

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));
 Agenda 3266, Item 49 12/16/2010 (Staff)

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9370

42a

[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=440274

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

Agenda 3266, Item 49a 12/16/2010 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Decision Modifying Decision 06-12-030 and Decision**
43 **08-04-023 Regarding Conditions of Access to Market**
[9699] **Sensitive Information**

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:

® Affirms the previously-adopted procedure for providing market participants with access to market sensitive information through reviewing representatives.

® Modifies Decision (D) 06-12-030 to (1) allow an employee of an outside consulting firm that is a market participant to serve as reviewing representative, so long as the firm imposes an ethical wall between the reviewing representative and the firm's employees involved in energy marketing activity; (2) eliminate threshold of participation in the natural gas market as a test of market participant status, and (3) eliminate prohibition on simultaneous representation of market and non-market participants by reviewing representatives.

® Modifies D08-04-023 to convert model protective order to model nondisclosure agreement.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Grueneich - ALJ Yacknin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=436549

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

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

Agenda 3261, Item 46 9/23/2010 (Peevey);

Agenda 3263, Item 29 10/28/2010 (Peevey)

Regular Agenda - Energy Orders (continued)

Item 44 Use of Tradable Renewable Energy Credits to Comply With the California Renewables Portfolio Standard

(Rev.)

[9721]

R06-02-012

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

PROPOSED OUTCOME:

® Denies the April 12, 2010 Joint Petition of Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company for Modification of Decision (D) 10-03-021, filed April 12, 2010, with the exception of one technical correction.

® Denies the Petition of the Independent Energy Producers Association for Modification of D10-03-021, filed April 15, 2010.

® Modifies D10-03-021 to change the expiration dates of the temporary limit on the use of tradable renewable energy credits (TRECs) for compliance with the renewables portfolio standard (RPS) and the temporary cap on the price utilities may pay for TRECs from December 31, 2011, to December 31, 2013.

® Defers the application of any limits on TRECs usage to electric service providers to the proposed decision on implementation of Senate Bill 695, mailed September 10, 2010, in Rulemaking 08-08-009.

® Lifts the stay on D10-03-021 imposed by D10-05-018.

® Ends the moratorium on Commission approval of certain RPS contracts imposed by D10-05-018.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441596

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);

Agenda 3266, Item 50 12/16/2010 (Peevey)

01/07/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item **ALTERNATE TO ITEM 9721**
44a
(Rev.)
[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 extend the expiration date for the tradable renewable energy credit usage cap and price cap to December 31, 2013.

® 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=440225

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);

Agenda 3266, Item 50a 12/16/2010 (Peevey)

01/12/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item **Community Choice Aggregator Bonds and Re-Entry Costs;**
45 **Renewables Portfolio Standard**

[9765]

R03-10-003

Order Instituting Rulemaking to Implement Portions of AB117 concerning Community Choice Aggregation.

PROPOSED OUTCOME:

® Approves, with clarification, Bond/Re-Entry Fee Settlement Agreement, entered into by Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company, The Utility Reform Network (TURN), San Joaquin Valley Power Authority (SJVPA), and the City of Victorville (Victorville).

® Approves Accounts Receivable Offset Settlement Agreement entered into by PG&E, SCE, TURN, SJVPA, and Victorville.

® Determines which group(s) of customers shall bear responsibility for re-entry costs in the event that the bond and/or other financial resources of the Community Choice Aggregator do not fully cover these costs.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E34125

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 **Renewables Portfolio Standard Obligations of Electric
46 Service Providers**

(Rev.)

[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 all rules for the use of tradable renewable energy credits (TRECs) imposed by the Commission, other than the temporary limit on prices paid for TRECs.

® The temporary limit on the use of TRECs for RPS compliance set out in Decision 10-03-021 applies to ESPs, with the proviso that TREC contracts signed by ESPs prior to the effective date of this decision may be used for RPS compliance in any year, even if the deliveries under the contract would cause an ESP to exceed the temporary annual TRECs usage limit in that year.

® Further specification of the RPS responsibilities of community choice aggregators will be undertaken in this proceeding or its successor.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441076

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);

Agenda 3266, Item 3 12/16/2010 (Staff)

01/10/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item **Energy Efficiency Risk/Reward Incentive Mechanism**
47 **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=440214

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

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

Agenda 3266, Item 57 12/16/2010 (Bohn)

Regular Agenda - Communication Orders

Item **Order Instituting Rulemaking**
48
(Rev.)
[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=441607

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

Agenda 3266, Item 62 12/16/2010 (Peevey)

01/11/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Other Utility Resolutions and Reports

**Item Making Rates of all Cost-of-Service Rate-Regulated Utilities
49 Subject to Refund**

[10078]

Res W-4867

Resolution on the Commission's own motion making the rates of all cost-of-service rate-regulated utilities subject to refund for the limited purpose of allowing whatever changes, if any, should be made to the rates of those utilities to reflect the benefits of the tax relief, unemployment insurance reauthorization, and job creation act of 2010.

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Item **Designation of Consumer Protection and Safety Division's**
50 **Peace Officer**

[10062]

Director Richard Clark Report

Designation of Consumer Protection and Safety Division investigator authorized to exercise the limited powers of a peace officer within the scope of his duty as specified in Penal Code section 830.11 and Pub. Util. Code section 308.5. This matter will be presented before the Commission for discussion and action.

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
51
 [10050]

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
52
 [10070]

A09-03-007, C08-04-037 - Related matters.

Disposition of Application for Rehearing of Decision (D)10-10-007, filed by the City of Huntington Beach (the City), filed November 22, 2010, and related Request for Oral Argument. D10-10-007 disposes of the complaint filed by the City, challenging certain proposed construction of antennas and other facilities by defendant NextG Networks of California, Inc. (NextG), and the application of NextG for formal environmental review and authorization of these facilities. In D10-10-007, the Commission concluded that the City's challenges were without merit and dismissed the complaint. The Commission further concluded that the proposed construction was authorized under Certificates of Public Convenience and Necessity that were previously granted. In addition, the decision adopted the Negative Declaration prepared by the Commission's staff under the California Environmental Quality Act following NextG's application.

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

53

[10071]

A09-12-022

Disposition of application for rehearing filed by the SureWest Telephone dba SureWest broadband and SureWest Televideo dba SureWest Broadband of Decision (D) 10-10-028. This decision affirms the Final Arbitrator's Report, and amends section 1.3 of the proposed Interconnection Agreement between SureWest Telephone Company and Pacific Bell Telephone Company so that section 1.3 provides, in its entirety, "Parties shall port telephone numbers only to those end users with a service address in the rate center to which the NXX of that ported number is assigned."

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

Item Conference with Legal Counsel - Application for Rehearing

54

[10073]

A08-11-009

Disposition of Application of Dwight Nelson for Rehearing of Decision 09-11-008. This decision denied a proposed settlement agreement and dismissed Application 08-11-009.

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**55**

[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;

Agenda 3266, Item 77 12/16/2010

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.

Closed Session - Federal

Item Conference with Legal Counsel - Existing Litigation

56

[10057]

United States Supreme Court, Nos. 10-313, 10-329 (Consolidated)

Talk America Inc. v. Michigan Bell Telephone Co. d/b/a AT and T Michigan (United States Supreme Court No. 10-313) and Isiogu v. Michigan Bell Telephone Co. (United States Supreme Court No. 10-329) (consolidated), cert. granted December 10, 2010.

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

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

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

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

Closed Session - Personnel Matters

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

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