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

## ***Public Agenda 3272***

***Thursday, April 14, 2011 9:00 a.m.***

***San Francisco, California***

### **Commissioners**

**Michael R. Peevey, President**

**Mark Ferron**

**Michel Peter Florio**

**Catherine J.K. Sandoval**

**Timothy Alan Simon**

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

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

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### **Scheduled Commission Meetings**

**505 Van Ness Avenue, San Francisco**

| <i>Ratesetting Deliberative Meeting*</i><br>Room 5305<br>(1:30 p.m.)<br><b><i>Closed to the Public</i></b> | <i>Commission Meeting</i><br>Auditorium<br>(10 a.m.)<br><b><i>Open to the Public</i></b> |
|--|--|
| Monday, May 02, 2011 (San Francisco)   | Thursday, May 05, 2011 (San Francisco)   |
| Monday, May 23, 2011 (San Francisco)   | Thursday, May 26, 2011 (San Francisco)   |
| Monday, June 06, 2011 (San Francisco)  | Thursday, June 09, 2011 (San Francisco)  |
| Monday, June 20, 2011 (San Francisco)  | Thursday, June 23, 2011 (San Francisco)  |
| Monday, July 11, 2011 (San Francisco)  | Thursday, July 14, 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  
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**PUBLIC COMMENT**

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

- All items on the closed session agenda.
- 11, 19, 24, 25, 30, 31

**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**

[10185]

**Res ALJ 176-3272**

**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 Bemesserfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447276](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447276)

*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);  
 Agenda 3267, Item 2 1/13/2011 (Staff);  
 Agenda 3268, Item 2 1/27/2011 (Staff);  
 Agenda 3269, Item 2 2/24/2011 (Staff);  
 Agenda 3270, Item 2 3/10/2011 (Staff);  
 Agenda 3271, Item 2 3/24/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item Net Surplus Compensation Rate for Electric Utilities**

**3**

[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 Peevey - ALJ Duda)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447867](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447867)

*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 3266, Item 9 12/16/2010 (Staff);

Agenda 3267, Item 6 1/13/2011 (Staff);

Agenda 3268, Item 6 1/27/2011 (Staff);

Agenda 3269, Item 4 2/24/2011 (Peevey);

Agenda 3270, Item 3 3/10/2011 (Peevey)

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Consent Agenda - Orders and Resolutions (continued)

**Item           ALTERNATE TO ITEM 9932**

**3a**

**(Rev.)**

[10297]

**PROPOSED OUTCOME:**

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

® Finds that net surplus generation should 1) be exempt from Renewable Portfolio Standard (RPS) certification by the California Energy Commission and Western Renewable Energy Generation Information System metering and tracking requirements; and 2) count toward the utilities' RPS targets after the utilities devise a process to verify Renewable Energy Credit (REC) ownership status and ensure that net surplus generation is not double counted in both the RPS program and the voluntary REC market.

® Adopts an NSC rate calculated using the Market Price Referent (MPR), adjusted for time of delivery factors.

® Specifies that the NSC rate includes a value for renewable attributes of the generation. Net surplus generators who do not transfer their renewable attributes will be compensated at an "energy-only rate," calculated as the difference between the time of delivery adjusted MPR and a renewable energy premium published by the Department of Energy. All net surplus generation will receive the "energy-only" rate until the process to ensure REC ownership described above is approved.

® 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 full bundled NSC rate in the range of \$.10 to \$.13 per kilowatt hour 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 range from \$1.2 million to \$1.56 million annually.

(Comr Peevey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E40109](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E40109)

04/05/2011 - This item was not listed on the agenda distributed to the public.

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition for Modification of Decision 06-10-019**

**4**

[10098]

**R06-02-012**

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

**PROPOSED OUTCOME:**

® Denies San Diego Gas & Electric Company's petition for modification of Decision 06-10-019.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447268](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447268)

*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 3269, Item 14 2/24/2011 (Peevey);

Agenda 3270, Item 9 3/10/2011 (Peevey);

Agenda 3271, Item 6 3/24/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item Virgin Mobile USA, LLC for a Limited Eligible  
5 Telecommunications Carrier Status**

[10103]

**Res T-17284**

**PROPOSED OUTCOME:**

® Grants Virgin Mobile USA L.P.'s request for limited Eligible Telecommunications Carrier status.

**ESTIMATED COST:**

- ® None for the California LifeLine Program.
- ® All costs are subsidized at the federal level.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447536](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447536)

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

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Agenda 3269, Item 19 2/24/2011 (Staff);

Agenda 3270, Item 10 3/10/2011 (Staff);

Agenda 3271, Item 7 3/24/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item 6                    Petition for Modification of Decision 09-09-047, Regarding  
                                 2010-2012 Energy Efficiency Portfolios**

[10178]

**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 (PGC) and Procurement Funding Requests.

**PROPOSED OUTCOME:**

® Modifies Decision 09-09-047 to 1) allow utilities to use existing tools to first benchmark larger commercial buildings; 2) allow small variations to statewide energy efficiency programs among utilities; and 3) allow certain costs related to energy efficiency sponsored events to count as administrative costs.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448618](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448618)

*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 3271, Item 14 3/24/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Rate Increase for PacifiCorp Pursuant to Klamath**  
**7**                            **Hydroelectric Settlement Agreement**

[10179]

**A10-03-015**

**PROPOSED OUTCOME:**

- ® Collection of Klamath surcharge of \$13.76 million over nine years; institution of two trust accounts for the deposit of the Klamath surcharge;
- ® Depreciation of the Klamath assets and amortization of the relicensing settlement costs associated with the Klamath assets on an accelerated basis;
- ® Filing of a Tier 3 advice letter at a later date requesting authority to transfer the Klamath assets; and filing of a Status Report by PacifiCorp on an annual basis.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$13.76 million collected over nine years, which equates to approximately \$1.61/month per customer.

(Comr Peevey - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447449](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447449)

*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 3271, Item 15 3/24/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item 8 Consolidated Revenue Requirement Increase of \$403.8 Million and a Rate Level Increase of \$183.4 Million**

[10189]

**A10-08-001**

Application of Southern California Edison Company for Approval of its Forecast 2011 ERRRA Proceeding revenue Requirement, to Consolidate All Commission-Authorized revenue Requirements, and to set unbundled Rate Components beginning January 1, 2011.

**PROPOSED OUTCOME:**

® Approves a consolidated revenue requirement increase of \$403.8 million, but a rate level increase of \$183.4 million.

® Closes Application 10-08-001.

**ESTIMATED COST:**

® \$403.8 million.

(Comr Peevey - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448268](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448268)

*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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**Item 9 Disclosure of Records of an Investigation**

[10191]

**Res L-412**

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an incident involving the Southern California Edison Company underground electrical vault and equipment at Vail and Flotilla, Montebello, California, on December 21, 2010.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448567](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448567)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Setting Rates for Transportation of Crude Oil**

**10**

[10192]

**A08-09-024**, C08-03-021, C09-02-007, C09-03-027 - Related matters.

Application of San Pablo Bay Pipeline Company LLC for Approval of Tariffs for the San Joaquin Valley Crude Oil Pipeline.

**PROPOSED OUTCOME:**

® Sets rates, orders refunds and adopts tariff.

® Application 08-09-024 is closed.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Bemederfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E39353](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E39353)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Complaint**

**11**

[10193]

**C10-01-005**

City of Santa Barbara, vs. Verizon California, Inc.

**PROPOSED OUTCOME:**

- ® Denies the City of Santa Barbara's Motion for Summary Judgment.
- ® Grants Verizon California, Inc.'s Motion for Summary Judgment.
- ® Case 10-01-005 is dismissed.
- ® Case 10-01-005 is closed.

**ESTIMATED COST:**

® Decision will impose approximately \$30,000 of construction costs on the City of Santa Barbara and Southern California Edison Company, but will otherwise be cost neutral to ratepayer.

(Comr Peevey - ALJ Ryerson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E39291](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E39291)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Garrapata Water Company, Inc. Seeks to Increase Its Rates**  
**12**                        **for Water Service Through a General Rate Increase**

[10225]

**Res W-4874**, Advice Letter 23 filed on August 23, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® Authorizes the utility to file a supplement to the advice letter to include the revised rate schedule attached to this resolution as Appendix B.
- ® Authorizes the utility to file a Tier 2 advice letter within 30 days from the effective date of the resolution to collect a one-time surcharge for the under-collected revenues from the interim rate date to the effective date of the new rates.
- ® Authorizes the utility to file a Tier 1 advice letter within 30 days from the effective date of this resolution to revise rules and forms in its tariff book to meet certain Commission standards.

**ESTIMATED COST:**

® \$30,202.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448491](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448491)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Final Report on the 2010 Triennial On-Site Safety Report of**  
**13**                        **San Francisco International Airport AirTrain**

**(Rev.)**

[10228]

**Res ST-122**

**PROPOSED OUTCOME:**

® Approves the Consumer Protection and Safety Division final report titled, "2010 Triennial On-Site Safety Review of San Francisco International Airport AirTrain," dated December 29, 2010.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=441583](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441583)

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

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04/11/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Pacific Gas and Electric Company's Uranium Enrichment**  
**14**                        **Services Contract Amendment With URENCO Ltd. for Diablo**  
[10229]                   **Canyon Power Plant**

**Res E-4398**, Advice Letter 3737-E filed on September 21, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves Pacific Gas & Electric Company's (PG&E) request for Commission approval of an amendment to the long-term Uranium Enrichment Services contract for its Diablo Canyon Power Plant with URENCO Ltd.

**ESTIMATED COST:**

® Based on comparison to PG&E's approved Nuclear Fuel Procurement Plan, PG&E's new contract amendment with URENCO Ltd. should not increase PG&E's revenue requirements above what would be expected for procurement of nuclear fuel materials and services during the contract period.

® The actual contract prices and terms are confidential.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448324](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448324)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Southern California Edison Company's Amended Contract  
15                        and Request to Modify Prior Decisions**

[10232]

**A07-02-026**, A08-04-011 - Related matters.

In the Matter of the Application of Southern California Edison Company for Approval of Results of Fast Track of Its New Generation Request for Offers and for Cost Recovery.

**PROPOSED OUTCOME:**

® Approves Southern California Edison Company's amended and restated contract with CPV Sentinel, LLC, which is an amendment, restatement and consolidation of a contract previously approved by the Commission in Decision (D) 08-04-011 and a contract previously approved by the Commission in D08-09-041.

® Denies Southern California Edison Company's petitions to modify those prior decisions in order to achieve this result.

® Closes the proceedings.

**ESTIMATED COST:**

® Confidential.

(Comr Peevey - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E39499](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E39499)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Pacific Gas and Electric Company's Power Purchase**  
**16**                        **Agreement With SGS-1, LLC, a Wholly Owned Subsidiary of**  
[10234]                    **Sempra Generation**

**Res E-4393**, Advice Letter 3741-E filed on October 12, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves cost recovery for Pacific Gas and Electric Company's renewable power purchase agreement (PPA) with SGS-1, LLC.
- ® The PPA is approved with conditions.

**ESTIMATED COST:**

- ® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448599](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448599)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Petitions for Modification of Decision 10-12-048**  
**17**

[10235]

**R08-08-009**

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

**PROPOSED OUTCOME:**

- ® The petitions for modification of Decision 10-12-048 filed by NextEra Energy Resources and the Independent Energy Producers Association are granted in part.
- ® The prohibition on bilateral contracts between investor-owned utilities and projects otherwise eligible to participate in the Renewable Auction Mechanism Program is lifted.

**ESTIMATED COST:**

- ® Unknown, but no additional cost is expected.

(Comr Peevey - ALJ Mattson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448632](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448632)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **NobelBiz VoIP Services, Inc. for a Certificate of Public**  
**18**                        **Convenient and Necessity**

[10238]

**A10-04-003**

Application of NobelBiz VoIP Services, Inc. for a Certificate of Public Convenience and Necessity to Provide Limited Facilities-Based and Resale Competitive Local Exchange Services within the California Service Areas of AT&T, Verizon, SureWest, and Citizens.

**PROPOSED OUTCOME:**

- ® Issuance of Certificate of Public Convenience and Necessity to provide limited Facilities-Based and Resold Competitive Local Exchange Services and Adoption of Settlement Agreement.
- ® Application 10-04-003 is closed.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448591](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448591)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Rescind Dismissal of Complaint**

**19**

[10241]

**(ECP) C10-02-023**

Jeffrey A. Swartz and Lisa J. Swartz, vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

- ® Rescind Dismissal of complaint.
- ® Expedited Complaint Procedure Case 10-02-023 is reopened.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446196](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446196)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Red Vans Management, Inc. to Revise a Zone of Rate**  
**20**                        **Freedom**

[10247]

**A11-01-029**

In the Matter of the Application of Red Vans Management Services, Inc., a California corporation for authority to revise its current Zone of Rate Freedom to its current service points in Los Angeles, Orange, Ventura, Riverside and San Bernardino Counties and the Los Angeles World Airport (LAX), John Wayne Airport (SNA), Ontario International Airport (ONT), Long Beach Airport (LGB), Bob Hope Airport (BUR), Los Angeles/Long Beach Harbor, AMTRAC and the Greyhound Terminal pursuant to Pub. Util. Code Section 454.2.

**PROPOSED OUTCOME:**

- ® Grants the application of Red Vans Management, Inc. to revise its zone of rate freedom for its on-call passenger stage corporation operation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Users of the service could pay higher rates in the future if Applicant increases its fares as authorized by the zone of rate freedom.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446031](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446031)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Abual Kassim, Dina Agag, and Mohamed Hussain for a**  
**21**                        **Passenger Stage Corporation Certificate**

[10248]

**A11-02-010**

**PROPOSED OUTCOME:**

® Grants the application of Abual Kassim, Dina Agag, and Mohamed Hussain, a partnership, 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=445954](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445954)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Caribe Tours, Inc. for a Passenger Stage Corporation**  
**22**                        **Certificate**

[10253]

**A11-01-016**

Application of Caribe Tours, Inc. for a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Company to provide on-call, door-to-door transit service between various points in and around Desert Hot Springs, California; and to Establish a Zone of Rate Freedom.

**PROPOSED OUTCOME:**

- ® Grants the application of Caribe Tours, Inc. to operate as an on-call passenger stage corporation between Desert Hot Springs, Fantasy Springs Casino in Indio and Morongo Casino in Cabazon.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=445528](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445528)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Pacific Gas and Electric Company's Permit to Construct the**  
**23**                        **Atascadero-San Luis Obispo 70 kV Power Line**  
[10254]                **Reconductoring Project**

**A10-03-006**

Application of Pacific Gas and Electric Company, a California corporation, for a Permit to Construct the Atascadero-San Luis Obispo 70 kV Power Line Reconductoring Project pursuant to General Order 131-D.

**PROPOSED OUTCOME:**

- ® Grants Pacific Gas and Electric Company a permit to construct the Atascadero-San Luis Obispo 70 kilovolt power line reconductoring project with mitigation identified in the Mitigation Monitoring Plan attached to the order.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446190](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446190)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Dismissing Complaint**

**24**

[10255]

**(ECP) C10-11-011**

Carlo A. Carrion vs. Verizon California Inc.

**PROPOSED OUTCOME:**

- ® Case dismissed for lack of prosecution.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447211](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447211)

**Item                    Order Extending Statutory Deadline**

**25**

[10256]

**C10-07-020**

Rio Bravo Rocklin v. Pacific Gas and Electric Company.

**PROPOSED OUTCOME:**

- ® Extends statutory deadline 12 months until July 19, 2012.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Farrar)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446958](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446958)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                      Complainant Request to be Placed on the Direct Assistance  
26                          Program**

[10257]

**(ECP) C10-11-007**

Nathan L. Carnes vs. Southern California Gas Company.

**PROPOSED OUTCOME:**

- ® Denies Complainant Direct Assistance Program benefits.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446616](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446616)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **American Broadband, Inc. for a Certificate of Public  
27**                    **Convenience and Necessity**

[10258]

**A10-12-011**

In the Matter of the Application of American Broadband, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold and Limited Facilities-Based Competitive Local Exchange and Interexchange Telecommunication Services Within California.

**PROPOSED OUTCOME:**

- ® Application granted.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Colbert)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448045](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448045)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Common PointLLC for a Certificate of Public Convenience  
28**                    **and Necessity**

[10259]

**A10-10-021**

In the Matter of the Application of Common Point LLC for a Certificate of Public Convenience and Necessity to Provide Limited Facilities-Based and Resold Competitive Local Exchange, Access, and Interexchange Service throughout California.

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Colbert)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448663](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448663)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California American Water Company's Petition to Modify**  
**29**                        **Decision 10-06-038 Allowing 2011 Escalation Rates to**  
[10262]                 **Become Effective Before July 1, 2011 and Eliminating**  
                              **Reference to 2012 Escalation Year Rates**

**A09-01-013**, A09-05-008, A09-07-002 - Related matters.

Application of California American Water Company for Authorization to increase its Revenues for Water Service in its Larkfield District \$648,100 or 23.38% in the year 2010; and by \$140,200 or 4.07% in the year 2011 and to increase its Revenues for Water Service in its Los Angeles District by \$7,886,200 or 41.29% in the year 2010; and \$1,100,000 or 4.09% in the year 2011 and to increase its Revenues for Water Service in its Sacramento District by \$17,537,800 or 51.29% in the year 2010; and \$5,339,800 or 10.25% in the year 2011.

**PROPOSED OUTCOME:**

- ® Allows the 2011 escalation year rates, approved in Decision 10-06-038, to become effective prior to July 1, 2011 and eliminates references to 2012 escalation year rates.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® No increase beyond rates approved in Decision 10-06-038.

(Comr Peevey - ALJ Rochester)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448526](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448526)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**30**

[10282]

**C10-05-011**, C10-09-003 - Related matters.

Pac-West Telecomm, Inc. vs. PNG Telecommunications, Inc.

**PROPOSED OUTCOME:**

® Extends the 12-months statutory deadline of these consolidated proceedings to November 5, 2011.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447388](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447388)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**31**

[10283]

**C10-04-001**

Hal Miller vs. Kingvale Property Owners and Water Users, Inc., a non profit corporation and Mutual Water Company.

**PROPOSED OUTCOME:**

® The time for completion of this proceeding is extended until October 1, 2011.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Ryerson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446866](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446866)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Extension of Time to Complete the At-Grade Pedestrian**  
**32**                        **Crossing Specified in Decision 07-07-003**

[10284]

**A10-10-009**

In the Matter of the Application of the San Luis Obispo County Public Works Department for an order to modify D.07-07-003 authorizing construction of an at-grade pedestrian crossing in San Miguel, California, crossing Union Pacific Railroad in the vicinity of 16th Street, County of San Luis Obispo.

**PROPOSED OUTCOME:**

- ® Grants the county of San Luis Obispo a time extension of Decision 07-07-003 for completion of the 16th Street at-grade pedestrian highway-rail crossing over the tracks of the Union Pacific Railroad Company.
- ® 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=447605](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447605)

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

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**Consent Agenda - Intervenor Compensation Orders****Item Compensation to the Consumer Federation of California****33**

[10190]

**R08-12-009**

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

**PROPOSED OUTCOME:**

- ® Awards Consumer Federation of California \$12,668.87 for its substantial contribution to Decision 10-06-047.
- ® Rulemaking 08-12-009 remains open.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448499](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448499)

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

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**34**

[10245]

**R10-05-005**

Order Instituting Rulemaking on the Commission's Own Motion to Consider Revising Energy Utility Tariff Rules Related to Deposits and Adjusting Bills as They Affect Small Business Customers.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$13,897.12 for substantial contribution to Decision 10-10-032.

**ESTIMATED COST:**

® The ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, San Diego Gas & Electric Company, PacifiCorp, Mountain Utilities, Southwest Gas Company, and Golden State Water Company (owns Bear Valley Electric Services), shall pay their respective shares of the award, plus interest if accrued.

(Comr Peevey - ALJ DeBerry)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448166](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448166)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Greenlining Institute**

**35**

[10249]

**R10-05-005**

Order Instituting Rulemaking on the Commission's Own Motion to Consider Revising Energy Utility Tariff Rules Related to Deposits and Adjusting Bills as They Affect Small Business Customers.

**PROPOSED OUTCOME:**

® Awards The Greenlining Institute \$9,299.75 for substantial contribution to Decision 10-10-032.

**ESTIMATED COST:**

® The ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, San Diego Gas & Electric Company, PacifiCorp, Mountain Utilities, Southwest Gas Company, and Golden State Water Company (owns Bear Valley Electric Services), shall pay their respective shares of the award, plus interest if accrued.

(Comr Peevey - ALJ DeBerry)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=445987](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445987)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**36**

[10252]

**A09-05-016**

Application of Pacific Gas and Electric Company for a Two-Year Extension of the ClimateSmart™ Program and Tariff Option.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$27,327 for substantial contribution to Decisions (D) 09-11-018 and D10-10-025.

**ESTIMATED COST:**

® Ratepayers of Pacific Gas and Electric Company will pay \$27,327, plus interest.

(Comr Peevey - ALJ MacDonald)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446780](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446780)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Consumer Federation of California**

**37**

[10260]

**R09-04-012**

Order Instituting Rulemaking on the Commission's Own Motion to Develop Standard Rules and Procedures for Regulated Water and Sewer Utilities Governing Affiliate Transactions and the Use of Regulated Assets for Non-Tariffed Utility Services (formerly called Excess Capacity).

**PROPOSED OUTCOME:**

® Awards Consumer Federation of California \$80,185 for substantial contribution to Decision 10-10-019.

**ESTIMATED COST:**

® Ratepayers of all Class A Water Companies will pay proportionate shares of the total award, plus interest.

(Comr Peevey - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=445454](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445454)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Utility Consumers' Action Network**

**38**

[10261]

**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:**

® Awards Utility Consumers' Action Network \$119,174.50 for substantial contribution to Decision 10-12-053.

**ESTIMATED COST:**

® The ratepayers of San Diego Gas & Electric Company will pay \$119,174.50, plus interest.

(Comr Simon - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446789](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446789)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Greenlining Institute**

**39**

**(Rev.)**

[10285]

**R06-05-028**

Rulemaking on the Commission's own Motion to review the telecommunications public policy programs.

**PROPOSED OUTCOME:**

® Awards The Greenlining Institute \$13,905.75 for substantial contribution to Decision 10-11-033.

**ESTIMATED COST:**

® The California Public Utilities Commission's Intervenor Compensation Fund will pay \$13,905.75, plus interest.

(Comr Peevey - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448341](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448341)

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

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04/05/2011 - This revision was not shown on the Agenda mailed to the public.

## Regular Agenda

### Regular Agenda - Energy Orders

**Item**                    **Decision Modifying Decision 06-12-030 and Decision**  
**40**                        **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 Peevey - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447448](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447448)

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

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

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Agenda 3261, Item 46 9/23/2010 (Peevey);  
 Agenda 3263, Item 29 10/28/2010 (Peevey);  
 Agenda 3267, Item 43 1/13/2011 (Staff);  
 Agenda 3268, Item 36 1/27/2011 (Staff);  
 Agenda 3270, Item 42 3/10/2011 (Staff);  
 Agenda 3271, Item 27 3/24/2011 (Staff)

Regular Agenda - Energy Orders (continued)

**Item**            **ALTERNATE TO ITEM 9699**  
**40a**  
**(Rev.)**  
[10304]

**PROPOSED OUTCOME:**

® Alternate Proposed Decision clarifies conditions of access to market sensitive information by stating that all market participants parties can participate in Commission proceedings through the use of reviewing representatives. Reviewing representatives may not be employees of a market participant enterprise, but may employ outside representatives such as attorneys, consultants and experts, who abide by the Commission's confidentiality requirements.

**ESTIMATED COST:**

® None.

(Comr Peevey)

04/11/2011 - This item was not listed on the agenda distributed to the public.

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Regular Agenda - Energy Orders (continued)

**Item**                    **Energy Efficiency Risk/Reward Incentive Mechanism**  
**41**                        **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 Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447477](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447477)

*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 3266, Item 57 12/16/2010 (Bohn );  
Agenda 3267, Item 47 1/13/2011 (Staff);  
Agenda 3268, Item 37 1/27/2011 (Staff);  
Agenda 3269, Item 48 2/24/2011 (Staff);  
Agenda 3270, Item 43 3/10/2011 (Staff);  
Agenda 3271, Item 28 3/24/2011 (Staff)

Regular Agenda - Energy Orders (continued)

**Item**                      **Conditional Acceptance of 2011 Renewables Portfolio**  
**42**                            **Standard Procurement Plans and Integrated Resource Plan**  
 [10148]                      **Supplements**

**R08-08-009**

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

**PROPOSED OUTCOME:** The Commission conditionally accepts the draft Plans of Southern California Edison Company, Pacific Gas and Electric Company and San Diego Gas & Electric Company subject to the filing of final Plans within 14 days that include:

- ® provisions for buyer-directed economic curtailment,
- ® the utility's intended use of tradable renewable energy credits,
- ® the utility's intended use of other recently adopted procurement tools, and
- ® the Commission's adopted schedule.
- ® The Commission accepts the Supplements to Integrated Resource Plans filed by PacifiCorp and Sierra Pacific Power Company (now California Pacific Electric Company).
- ® PacifiCorp and California Pacific Electric Company shall file by July 15, in years in which an Integrated Resource Plan is not filed, a Comprehensive Renewables Portfolio Standard Supplement to its Integrated Resource Plan.
- ® Rulemaking 08-08-009 remains open.

**ESTIMATED COST:**

- ® Unknown, but no additional cost is expected to the extent procurement cost does not exceed the buyer's alternative (avoided) cost.

(Comr Peevey - ALJ Mattson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448515](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448515)

*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 3271, Item 29 3/24/2011 (Florio)

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Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company's General Rate Increase**  
**43**                        **For Test Year 2011**

[10175]

**A09-12-020**, I10-07-027 - Related matters.

Application of Pacific Gas and Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2011.

**PROPOSED OUTCOME:**

® A settlement agreement that resolves all but one issue in Pacific Gas and Electric Company's (PG&E) test year 2011 general rate case is adopted with modifications.

® For the undepreciated plant balance associated with electric meters that are replaced by SmartMeters, that plant balance will be amortized over a six-year period with the associated rate of return on the unamortized balance reduced to 5.73% to reflect the reduced regulatory risk for that plant.

® Application 09-12-020 and Investigation 10-07-027 are closed.

**ESTIMATED COST:**

® Authorizes PG&E a general rate case revenue requirement increase for 2011 amounting to \$448 million, or 8.0%, over the current authorized level of \$5,582 million.

® The authorized increase is comprised of \$235 million for electric distribution, \$47 million for gas distribution, and \$166 million for electric generation.

® Also authorized are post-test year attrition increases totaling \$180 million for 2012 and \$185 million for 2013.

(Comr Peevey - ALJ Fukutome)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447313](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447313)

*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 3271, Item 30 3/24/2011 (Peevey)

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Regular Agenda - Energy Orders (continued)

**Item ALTERNATE TO ITEM 10175**

**43a**

[10176]

**PROPOSED OUTCOME:**

- ® A settlement agreement that resolves all but one issue in the Pacific Gas and Electric Company's (PG&E) test year 2011 general rate case is adopted with modifications.
- ® For the undepreciated plant balance associated with electric meters that are replaced by SmartMeters, that plant balance will be amortized over a six year period with the associated rate of return on the unamortized balance reduced to 7.42% to reflect the reduced regulatory risk for that plant.
- ® Application 09-12-020 and Investigation 10-07-027 are closed.

**ESTIMATED COST:**

- ® PG&E is authorized a general rate case revenue requirement increase for 2011 amounting to \$454 million, or 8.1%, over the current authorized level of \$5,582 million.
- ® The authorized increase is comprised of \$241 million for electric distribution, \$47 million for gas distribution, and \$166 million for electric generation.
- ® Also authorized are post-test year attrition increases totaling \$180 million for 2012 and \$185 million for 2013.

(Comr Peevey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447480](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447480)

*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 3271, Item 30a 3/24/2011 (Peevey)

Regular Agenda - Energy Orders (continued)

**Item**                    **Phase 2 Establishing Policies to Overcome Barriers to**  
**44**                        **Electric Vehicle Deployment and Complying with Public**  
 [10233]                 **Utilities Code Section 740.2**

**R09-08-009**

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

**PROPOSED OUTCOME:**

® Achieves the following:

® Directs electric utilities to collaborate with automakers, state agencies, and other stakeholders to develop a notification process through which utilities can identify where plug-in hybrid and electric vehicles (PEV) charging will likely occur on their electric systems and plan accordingly;

® Affirms that, with limited exceptions, the electric utilities' existing residential PEV rates are sufficient for early PEV market development, and, similarly, that existing commercial and industrial rates are sufficient in the early PEV market for non-residential customers.

® The decision also sets out a process to re-examine PEV rates in the future;

® Considers opportunities to migrate toward new and lower cost metering technologies for PEV charging and sets out a process to develop PEV metering protocols to accommodate increased PEV metering options, such as submetering;

® Determines that, on an interim basis, until June 30, 2013, the costs of any distribution or service facility upgrades necessary to accommodate residential PEV charging will be treated as shared costs; and

® Defines the role that utilities should play in education and outreach related to PEVs and PEV charging.

® Closes the proceeding.

**ESTIMATED COST:**

® Minor.

(Comr Peevey - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E39511](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E39511)

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

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

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Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company's Cost of Service and**  
**45**                        **Rates for its Gas Transmission and Storage Services for**  
[10237]                   **2011-2014**

**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 the joint motion to adopt the Gas Accord V Settlement Agreement.
- ® Adopts and approves the settlement.
- ® Resolves the revenue requirement, cost allocation, and rates for Pacific Gas and Electric Company's (PG&E) gas transmission and gas storage facilities for 2011 through 2014.
- ® Rejects the arguments raised by Southern California Gas Company and San Diego Gas & Electric Company.
- ® Requires PG&E to provide a semi-annual Gas Transmission and Storage Safety Report to allow the Consumer Protection and Safety Division to monitor PG&E's pipeline-related activities, to assess whether high risk projects are being built, and to track whether PG&E is spending its allocated funds on pipeline-related safety, reliability, and integrity activities.

**ESTIMATED COST:**

- ® Revenue requirement of \$514.2 million for 2011, \$541.4 million for 2012, \$565.1 million for 2013, and \$581.8 million for 2014.
- ® Under these revenue requirements agreed to in the adopted settlement, gas transmission and storage rates will increase for PG&E's customers.

(Comr Simon - ALJ Wong)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448629](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448629)

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

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

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Regular Agenda - Energy Orders (continued)

**Item**                    **San Diego Gas & Electric Company and Southern California**  
**46**                        **Gas Company to Update Firm Access Rights Service and**  
[10240]                    **Rates**

**A10-03-028**

**PROPOSED OUTCOME:**

® Assesses the performance of the firm access rights (FAR) system, adopts operational changes to improve the system, and establishes the revenue requirement, rate design, and rates for Backbone Transportation Service (BTS).

® Adopts a BTS revenue requirement of \$135.0 million to be recovered through BTS rates for the period from October 1, 2011 until January 1, 2013.

® Requires San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) to prepare a new backbone embedded cost study to be filed with their 2011 Triennial Cost Allocation Proceeding (TCAP) application after conferring with interested parties;

® Adopts the rate design for BTS and related proposals jointly recommended by parties representing core customers, noncore customers, and SDG&E/SoCalGas. The firm reservation charge is set at \$0.11269, a 163 percent increase for BTS customers over the current rate. Other end use transportation rates are reduced;

® Adopts operational modifications unanimously recommended by the parties to further reduce scheduling uncertainty and improve operation of the FAR system, including changes designed to improve the performance of the FAR system during periods when access to the SDG&E/SoCalGas gas transmission system is constrained;

® Application 10-03-028 is closed.

**ESTIMATED COST:**

® The \$87.2 million increase in the BTS revenue requirement is off-set by reductions in other end use transportation rates.

® Costs for modifications to the SDG&E/SoCalGas information technology systems to implement the decision are undetermined but will be included in the rates charged to backbone transmission customers through the Backbone Transmission Balancing Account.

(Comr Simon - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448681](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448681)

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

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

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**Regular Agenda - Communication Resolutions and Reports****Item                    Verizon California Inc. to Change the Way They Provide  
47                        Residential White Pages Directory Listings**

[10127]

**Res T-17302**, Advice Letter No 12535 filed October 22, 2010 - Related matters.**PROPOSED OUTCOME:**

® Approves Verizon California Inc.'s request to discontinue automatic delivery of residential white pages telephone directories.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=443809](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443809)

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

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Agenda 3270, Item 46 3/10/2011 (Sandoval)

**Item                    Removes Suspension of AT&T California's Advice Letter  
48                        38241**

[10236]

**Res T-17308****PROPOSED OUTCOME:**

® Removes suspension of Advice Letter (AL) 38241 and makes AL effective when filed October 1, 2010.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=446551](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=446551)

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

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**Regular Agenda - Other Utility Resolutions and Reports**

**Item**                    **Establishing a Memorandum Account for All Cost-of-Service**  
**49**                        **Rate-Regulated Utilities, Other than Class C and D Water and**  
[10078]                   **Sewer Utilities**

**Res L-411**

Resolution on the Commission's Own Motion Establishing a Memorandum Account for All Cost-of-Service Rate-Regulated Utilities, Other than Class C and D Water and Sewer Utilities, to Allow the Commission to Consider Reducing Rates to Reflect the Benefits of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

This agenda item was previously circulated as Draft Resolution W-4867.  
[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448764](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448764)

Agenda 3267, Item 49 1/13/2011 (Peevey);  
Agenda 3268, Item 41 1/27/2011 (Staff);  
Agenda 3269, Item 53 2/24/2011 (Peevey);  
Agenda 3270, Item 49 3/10/2011 (Staff);  
Agenda 3271, Item 33 3/24/2011 (Sandoval)

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**Regular Agenda - Legal Division Matters****Item**                    **Comments Before the Federal Energy Regulatory**  
**50**                        **Commission on Notice of Proposed Rulemaking on**  
[10265]                   **Frequency Regulation Compensation in the Organized**  
                              **Wholesale Power Markets****FERC Docket Nos. RM 11-7-000, AD 10-11-000**

Staff seeks Commission authorization to comment on the Federal Energy Regulatory Commission's (FERC) Notice of Proposed Rulemaking, which considers potential reforms to compensation for Frequency Regulation services in organized wholesale power markets. Staff's proposed comments will (1) generally agree with the FERC's discussion and proposed payment methodology to facilitate technology neutral development of resources; (2) propose additional flexibility in transmission operators' payment mechanisms to reflect use limitations of emerging technologies; (3) support allowing for alternative just and reasonable payment mechanisms as additional experience is obtained; and (4) update the FERC on California's support of non-traditional technologies that may provide Frequency Regulation.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448355](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448355)

**Item**                    **Comments Before the Federal Communications Commission**  
**51**                        **in the Matter of Lifeline and Link Up Reform**

[10280]

**FCC 11-32; WC Docket No. 11-42; CC Docket No. 96-45; WC Docket No. 03-109**

In the Matter of Lifeline and Link Up Reform and Modernization; Federal-State Joint Board on Universal Service; Lifeline and Link Up.

The Federal Communications Commission (FCC) seeks comment on comprehensive reform and modernization of the federal Lifeline and Link Up program, including building on proposals from the National Broadband Plan, as well as recent recommendations from the Federal-State Joint Board on Universal Service (Joint Board) and the Government Accountability Office (GAO). The FCC seeks to implement reforms to bolster protections against waste, fraud, and abuse; control the size of the program; strengthen program administration and accountability; improve enrollment and outreach efforts; and support pilot projects that would assist the FCC in assessing strategies to increase broadband adoption, while not increasing overall program size. Staff seeks authority to file comments at the FCC.

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Regular Agenda - Legal Division Matters (continued)

**Item**                    **Comments Before the Federal Communications Commission**  
**52**                        **in the Matter of Connect America Fund**

[10281]

**FCC 11-13; WC Docket No. 10-90; GN Docket No. 09-51; WC Docket No. 07-135; WC Docket No. 05-337; CC Docket No. 01-92; WC Docket No. 03-109**

In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up.

The Federal Communications Commission seeks comment on comprehensive reform and modernization of the federal Universal Service Fund (USF) and intercarrier compensation (ICC) system in order to refocus USF and ICC to make affordable broadband available to all Americans and accelerate the transition from circuit switched to Internet Protocol networks. Staff seeks authority to file comments on Section I-XIV and Section XVI of this Notice of Proposed Rulemaking/Further Notice of Proposed Rulemaking.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448481](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448481)

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**Regular Agenda - Legislative and Other Matters****Item            Telecommunications: Universal Service: Speech Disabilities****53**

[10266]

**AB 136 (Beall)**

This bill would require the California Public Utilities Commission to expand the deaf and disabled universal service program to include assistance to individuals with speech disabilities, including assistance to purchase speech-generating devices, accessories, and mounting systems, and specialized telecommunications equipment. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item            Energy: Master-Meter Customers****54**

[10203]

**AB 317 (Calderon)**

This bill would provide that ratepayer funded rebates to master-meter customers are not required to be passed on to the residents or tenants if the rebates are the result of investments in energy generation or efficiency, including the self-generation incentive program, the Californian Solar Initiative, the Solar Water Heating and Efficiency Act of 2007. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3271, Item 40 3/24/2011 (Staff)

**Item            Local Government Renewable Energy Self-Generation  
55            Program****(Rev.)**

[10204]

**AB 512 (Gordon)**

This bill would expand the definition of an eligible renewable generating facility for the purposes of these provisions to include a facility that has a generating capacity of no more than 5 megawatts. (Legislative Subcommittee Recommendation: Support with Technical Amendments).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448480](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448480)

Agenda 3271, Item 41 3/24/2011 (Staff)

04/07/2011 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Public Utilities: Electric Vehicle Charging Stations**

**56**

[10205]

**AB 631 (Ma)**

This bill would provide that the ownership, control, operation, or management of a facility that supplies electricity to the public only for use to charge light duty plug-in electric vehicles, as defined, does not make the corporation or person a public utility for purposes of the act. (Legislative Subcommittee

Recommendation: \_\_\_\_\_).

Agenda 3271, Item 42 3/24/2011 (Staff)

**Item                    Renewable Energy Resources: Solar Energy Systems**

**57**

[10206]

**AB 721 (Bradford)**

This bill would provide that eligible solar energy system under the California Solar Initiative shall be an eligible renewable resources under California's Renewable Portfolio Standard. (Legislative

Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3271, Item 43 3/24/2011 (Staff)

**Item                    Electricity: Community Choice Aggregation**

**58**

[10267]

**AB 976 (Hall)**

This bill would prohibit a community choice aggregator from procuring electricity or energy services from any entity that provided any analysis, advice, consultation or other services to the community choice aggregator prior to it providing notice to the electrical corporation that it will commence providing community choice electric service within 30 days. (Legislative Subcommittee Recommendation:

\_\_\_\_\_).

**Item                    Energy: Solar Energy Parks Program**

**59**

[10268]

**AB 982 (Skinner)**

This bill would enact the Solar Energy Parks Act that would establish a program for solar energy parks on state lands for the advancement, development, assessment, and installation of commercial concentrating solar power energy systems. The bill would require the Energy Commission, in consultation with the State Lands Commission and the California Public Utilities Commission, to determine lands that are suitable for the installation of concentrating solar power energy systems based on specified criteria. (Legislative

Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Public Utilities Commission: Solicitation of Contributions**  
**60**

[10208]

**AB 1055 (Hill)**

This bill would prohibit a commissioner or employee of the Commission from knowingly soliciting charitable, political, or other contributions from any person or corporation subject to regulation by the Commission, or from any person that is representing, or regularly represents, persons or corporations regulated by the Commission. (Legislative Subcommittee Recommendation: \_\_\_\_\_).  
Agenda 3271, Item 45 3/24/2011 (Staff)

**Item                    Low-Income Energy Efficiency Program**  
**61**

[10269]

**AB 1124 (Skinner)**

This bill would provide that energy efficiency improvements to furnaces or water heating systems for multifamily buildings occupied by low-income households in a majority of the units are eligible for financial assistance under the Low Income Energy Efficiency (LIEE) program and other energy efficiency programs under the jurisdiction of the California Public Utilities Commission (CPUC) as provided. The bill states the Legislature's intent to "disapprove" two CPUC decisions insofar as those decisions disallow the repair or replacement of furnaces and water heaters through LIEE. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item                    Self-Generation Incentive Program**  
**62**

[10209]

**AB 1150 (V. Manuel Perez)**

This bill would extend the authority of the California Public Utilities Commission to authorize the collections of funds to fund the Self Generation Incentive Program through December 3, 2016. (Legislative Subcommittee Recommendation: \_\_\_\_\_).  
Agenda 3271, Item 46 3/24/2011 (Staff)

**Item                    Telecommunications: Universal Service**  
**63**

[10270]

**SB 3 (Padilla)**

This bill would extend the repeal date of the California High Cost Fund Program until January 1, 2013. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item Utilities: Renewable Energy Resources**

**64**

[10168]

**SB 23 (Simitian, Kehoe & Steinberg)**

This bill is identical to SBx1 2, which would revise the Renewable Energy Resources Program to state the intent of the Legislature to increase the amount of electricity generated from eligible renewable energy resources per year, so that amount equals at least 33% of total retail sales of electricity in California per year by December 31, 2020. The bill would revise certain terms used in the program and revise certain eligibility criteria for a renewable electrical generation facility, as defined, pursuant to the program.

(Legislative Subcommittee Recommendation: Support with amendments).

Agenda 3270, Item 53 3/10/2011 (Staff);

Agenda 3271, Item 48 3/24/2011 (Staff)

**Item Electrical Rates**

**65**

[10271]

**SB 142 (Rubio)**

This bill would repeal the existing authority of the California Public Utilities Commission (CPUC) to increase the rates charged residential customers for electricity usage up to 130% of the baseline quantities by the annual percentage change in the Consumer Price Index from the prior year plus 1%, but not less than 3% and not more than 5% per year. The bill would require that the CPUC, by June 1, 2012, adjust the rates currently charged customers for electricity usage in order to, over an appropriate transition period, eliminate by no later than January 1, 2015, the current tiered residential electricity rates and adopt new rates pursuant certain ratepayer fairness and equity principles.

The bill would authorize the CPUC to increase the rates in effect for California Alternatives Rates for Energy (CARE) program participants subject to the limitation that the CARE rates not exceed 80% of the corresponding rates charged to residential customers not participating in the CARE program, to be phased in as determined by the commission, in order to moderate the impact on CARE program participants. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Public Utilities: Intrastate Natural Gas Pipeline Safety**

**66**

[10272]

**SB 216 (Yee)**

This bill would designate the California Public Utilities Commission (CPUC) as the state authority responsible for development, submission, and administration of a state pipeline safety program certification for natural gas pipelines and for the implementation and enforcement of a one-call notification program for the state.

The bill would require the CPUC to evaluate current practices and to determine whether compatible safety standards, as defined, should be adopted for the enhancement of public safety with respect to: (1) the proximity of pipelines carrying liquid materials to CPUC-regulated gas pipeline facilities, as defined, and (2) the installation, maintenance, location, and type of sectionalized block valves on commission-regulated gas pipeline facilities.

The bill would require the CPUC, unless it determines that doing so is preempted under federal law, to adopt compatible safety standards that require the installation of automatic shut-off or remote controlled sectionalized block valves on all CPUC-regulated gas pipeline facilities that are located in a high consequence area, as defined, or that traverse an active seismic earthquake fault. The bill would require the CPUC, in consultation with the Pipeline and Hazardous Material Safety Administration, to adopt and enforce compatible safety standards for CPUC-regulated gas pipeline facilities that the commission determines should be adopted following its evaluation or as required by the bill. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item                    Energy: Net Energy Metering**

**67**

[10273]

**SB 370 (Blakeslee)**

This bill would authorize an agricultural customer-generator with multiple meters to elect to aggregate the electrical load of the meters located on the property where the generation facility is located and on all property adjacent or contiguous to the property on which the generation facility is located, if those properties are solely owned by the agricultural customer-generator, for the purposes of participating in a net energy metering program. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item Distributed Generation**

**68**

**(Rev.)**

[10274]

**SB 372 (Blakeslee)**

This bill would require each large electrical corporation and large local publicly owned electric utility to identify and designate zones within their service territory that are optimal for deployment of distributed generation, and to provide this information to the Energy Commission (CEC) by December 31, 2012. The bill would require the CEC, in consultation with the California Public Utilities Commission, to develop guidelines for those electrical utilities to utilize in identifying and designating those zones. The bill would require the CEC to review each electrical utility's designation of zones that are optimal for deployment of distributed generation and approve or disapprove the designation of zones made by each electrical utility. The bill would also require that, upon approval by the CEC, that each electrical utility make this information available on its Internet Web site. (Legislative Subcommittee Recommendation: Oppose Unless Amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448608](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448608)

04/07/2011 - This revision was not shown on the Agenda mailed to the public.

**Item Telecommunications Policies**

**69**

[10275]

**SB 379 (Fuller)**

This bill would continue universal service rate support for telephone corporations subject to rate-of-return regulation by the commission for the purpose of providing rural areas of the state with access to telecommunications services. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item Electricity: Net Energy Metering**

**70**

[10211]

**SB 489 (Wolk)**

This bill would revise the definition of an eligible customer-generator to instead require that the generating facility be an eligible renewable energy resource, as defined in the California renewables portfolio standard program, and that it have a generating capacity of not more than 1.5 megawatts. This bill would repeal the existing pilot program that provides energy net metering for eligible biogas digester customer-generators. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3271, Item 50 3/24/2011 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)

**Item Energy Efficiency**

**71**

[10212]

**SB 564 (Evans)**

This bill would require the Commission, in evaluating energy efficiency investments, to ensure that local and regional interests, multifamily dwellings, and energy service industry capabilities are incorporated into an electrical corporation's energy efficiency program portfolio design, and to encourage participation from local governments, community-based organizations, and energy efficiency service providers in program design, revision, and implementation, where appropriate. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3271, Item 51 3/24/2011 (Staff)

**Item Energy: Solar Energy Systems: Funding**

**72**

**(Rev.)**

[10213]

**SB 585 (Kehoe)**

This bill alters the statutorily imposed spending cap on the California Solar Initiative so that it is no longer a cap on total spending, but instead a cap on the total amount of funds that can be collected through charges on electric customers. (Legislative Subcommittee Recommendation: Support).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448605](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448605)

Agenda 3271, Item 52 3/24/2011 (Staff)

04/07/2011 - This revision was not shown on the Agenda mailed to the public.

**Item Telecommunications: Master-Metering: Data Security**

**73**

[10276]

**SB 674 (Padilla)**

This bill would repeal the California High Speed Internet Access Act of 1999.

This bill would also exclude from the definition of "rebate" the award of a monetary incentive under the California Solar Initiative for a solar energy system that provides electrical generation for the common area of a mobilehome park. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Regular Agenda - Legislative and Other Matters (continued)

**Item 74 Energy: Clean Distributed Generation Units: Oil & Gas Extraction**

**(Rev.)**

[10214]

**SB 682 (Calderon)**

This bill would require the California Public Utilities Commission to require an electrical corporation to purchase excess electricity from a customer of an electrical corporation that uses a microturbine or a fuel cell meeting specified requirements that runs off of waste or stranded gas associated with the extraction of oil or gas and has a time-of-use meter capable of registering the flow of electricity in 2 directions.

(Legislative Subcommittee Recommendation: Oppose Unless Amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448493](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448493)

Agenda 3271, Item 53 3/24/2011 (Staff)

04/07/2011 - This revision was not shown on the Agenda mailed to the public.

**Item 75 Natural Gas: Service and Safety**

[10215]

**SB 705 (Leno)**

This bill would require each gas corporation that provides basic gas service to develop and implement a policy for the safe operation and maintenance of its gas plant, as defined, sufficient to prevent accidents, explosions, fires, and dangerous conditions, and to protect the public and its employees.

The bill would require that the policy have priority over cost minimization considerations and be consistent with best practices in the gas industry and with federal pipeline safety statutes and regulations.

The bill would require the California Public Utilities Commission (CPUC) to approve or revise and improve the policy by June 30, 2012.

The bill would require that all revenues received by the gas corporation that are authorized by the CPUC for service and safety purposes, in furtherance of the policy, be expended by the gas corporation only for the purposes authorized by the commission. The bill would require the CPUC to authorize a gas corporation to recover sufficient revenues and employee staffing to provide for prompt provision of service consistent with the policy in its distribution rate. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3271, Item 54 3/24/2011 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)

**Item Electricity: Community Choice Aggregation**

**76**

[10277]

**SB 790 (Leno)**

This bill would require the California Public Utilities Commission to institute a rulemaking proceeding by March 1, 2012, for the purpose of considering and adopting a code of conduct, associated rules, and enforcement procedures, to govern the conduct of electrical corporations relative to the consideration, formation, and implementation of community choice aggregation programs and to implement the code of conduct, associated rules, and enforcement procedures by January 1, 2013. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item Renewable Energy Resources: Cost Reporting**

**77**

**(Rev.)**

[10278]

**SB 836 (Padilla)**

This bill would require the California Public Utilities Commission, by no later than January 1, 2012, to release to the Legislature the costs of all electricity procurement contracts for eligible renewable energy resources and all costs for utility-owned generation approved after January 1, 2003, and then every 6 months thereafter, require release data to the Legislature for costs of approved renewable energy contracts during the prior 6 months. (Legislative Subcommittee Recommendation: Support with Technical Amendments).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448600](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448600)

04/07/2011 - This revision was not shown on the Agenda mailed to the public.

**Item Natural Gas Pipelines: Accounts**

**78**

[10216]

**SB 879 (Padilla)**

This bill would require that in any ratemaking proceeding in which the California Public Utilities Commission (CPUC) authorizes a gas corporation to recover expenses for the inspection, maintenance, or repair of transmission pipelines, that the CPUC require the gas corporation to establish and maintain a one-way balancing account for the recovery of those expenses. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3271, Item 55 3/24/2011 (Staff)

## **Regular Agenda - Commissioner's Reports**

**Regular Agenda - Management Reports and Resolutions**

**Item**                    **Report and Discussion by Consumer Protection Safety**  
**79**                        **Division on Recent Safety Program Activities**  
[10239]

## 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**  
**80**  
 [10242]

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.*

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**Item                    Conference with Legal Counsel - Application for Rehearing**  
**81**  
 [10195]  
**R08-06-024**

Disposition of Applications for Rehearing of Decision (D)10-12-055, filed jointly by Pacific Gas and Electric Company and San Diego Gas and Electric Company and independently by Southern California Edison Company (SCE) and disposition of Joint Motion for Stay of D10-12-055 filed jointly by Pacific Gas and Electric Company, San Diego Gas and Electric Company, and SCE. In D10-12-055, the Commission modified and clarified portions of D09-12-042, the original decision setting forth the policies and procedures for purchase of excess electricity from eligible combined heat and power systems by an electrical corporation under Assembly Bill 1613.

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

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Agenda 3271, Item 59 3/24/2011

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Closed Session - Applications for Rehearing (continued)

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

**82**

[10243]

**A09-05-027**

Disposition of applications for rehearing of Decision (D) 10-12-052 filed by Center for Biological Diversity and Western Watersheds Project. D10-12-052 grants Southern California Edison Company a certificate of public convenience and necessity for the Eldorado-Ivanpah Transmission project, using the Environmentally Superior Route, as identified in the Final Environmental Impact Report, which D10-12-052 certified.

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

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

**83**

[10250]

**A04-09-019**

Disposition of application for rehearing of Decision (D) 10-12-016 filed by the Division of Ratepayer Advocates. In D10-12-016 (Decision), the Commission granted a Certificate of Public Convenience and Necessity for California-American Water Company (Cal-Am) for specified portions of the Regional Water Desalination Project (Regional Project). The Decision also approved a Settlement Agreement and Implementing Agreements, under which Marina Coast Water District and the Monterey County Water Resources Agency would participate in a public-private partnership with Cal-Am to own, construct, and operate various components of the Regional Project, in order to solve the long-standing water supply deficit on the Monterey Peninsula.

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

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

**84**

[10264]

**A09-09-021**

Disposition of Applications for Rehearing of Decision (D) 10-12-050, filed by Californian for Renewable Energy, Inc. (CARE), Communities for a Better Environment and Sierra Club, The Utility Reform Network, and Division of Ratepayer Advocates, and related motion for leave to file confidential material, filed by CARE. In D10-12-050, the Commission denied a petition for modification of D10-07-045 for the approval of the Oakley Project, but treated sua sponte as an application, and approved the project.

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

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

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

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

## **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 - 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*