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

## ***Public Agenda 3273***

***Thursday, May 5, 2011 10:00 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> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (10 a.m.) <b><i>Open to the Public</i></b>
Monday, May 23, 2011 (San Francisco)	Thursday, May 05, 2011 (San Francisco)
Monday, June 06, 2011 (San Francisco)	Thursday, May 26, 2011 (San Francisco)
Monday, June 20, 2011 (San Francisco)	Thursday, June 09, 2011 (San Francisco)
Monday, July 11, 2011 (San Francisco)	Thursday, June 23, 2011 (San Francisco)
Monday, July 25, 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.
- 5, 7, 17, 19, 23, 30, 30a

**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**

[10244]

**Res ALJ 176-3273**

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

® None.

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Consent Agenda - Orders and Resolutions (continued)

**Item 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=448669](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448669)

*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);

Agenda 3272, Item 2 4/14/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Virgin Mobile USA, LLC for a Limited Eligible**  
**3**                            **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=449082](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449082)

*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);  
Agenda 3272, Item 5 4/14/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item 4 Rate Increase for PacifiCorp Pursuant to Klamath 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=450173](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450173)

*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);

Agenda 3272, Item 7 4/14/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Complaint**

**5**

[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=448642](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448642)

*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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Agenda 3272, Item 11 4/14/2011 (Peevey)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **The California Energy Commission to Reallocate Public**  
**6**                         **Interest Energy Research Natural Gas RD&D Funding for**  
[10251]                 **Fiscal Year 2009-2010**

**Res G-3454**, Letter to Energy Division Director submitted on February 24, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® The California Energy Commission (CEC) proposes to reallocate \$950,000 of previously-approved Fiscal Year 2009-2010 Public Interest Energy Research Natural Gas RD&D funding for Smart Grid Integration research.
- ® The reallocated \$950,000 would instead fund two research projects regarding the current and future state of natural gas infrastructure safety.
- ® CEC's proposal is approved without modification.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=449688](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449688)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Dismissing Complaint**

**7**

[10279]

**C10-08-023**

Edward H. Leonhardt vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

® Dismisses a complaint filed by Edward Leonhardt against Southern California Edison Company for failure to state a claim upon which relief may be granted.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ DeBerry)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450164](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450164)

*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**                    **Conservation Goal and Modification of Conservation**  
**8**                            **Program and Low-Income Data Reporting Requirements**

[10287]

**I07-01-022**, A06-09-006, A06-10-026, A06-11-009, A06-11-010, A07-03-019 - Related matters.

Order Instituting Investigation to consider policies to achieve the Commission's conservation objectives for Class A water utilities.

**PROPOSED OUTCOME:**

- ® Adopts 1-2% annual reduction in water consumption using a baseline of 2003-2007.
- ® Adopts modifications to Description of Water Programs Schedule E-3.
- ® Adopts conservation and low-income data information-only reporting requirements.

**ESTIMATED COST:**

- ® Some additional cost to comply with new and modified reporting requirements.

(Comr Peevey - ALJ Grau)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450116](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450116)

*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 - Orders and Resolutions (continued)

**Item                    Southern California Edison Company to Modify Schedule**  
**9                        LS-1**

[10288]

**Res E-4399**, Advice Letter 2555-E filed on February 18, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves Southern California Edison Company’s proposal to include a limited range of energy-efficient Light Emitting Diode technologies and lamp sizes in its Schedule LS-1, Street and Highway – Company–Owned Systems.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=449974](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449974)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Modifications to the New Generation and Long-Term**  
**10**                        **Contract Cost Allocation Mechanism Pursuant to Senate Bill**  
[10289]                 **695**

**R10-05-006**

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

**PROPOSED OUTCOME:**

- ® Modifies the Cost Allocation Mechanism (CAM) adopted in Decision 06-07-029.
- ® These modifications are to ensure that the CAM is consistent with provisions of Senate Bill 695 (Stats. 209, ch. 337).

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Allen)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448063](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448063)

*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 11 Pacific Gas and Electric Company's Dam and Legacy Costs Agreement with the South Feather Water & Power Agency**

[10290]

**Res E-4403**, Advice Letter 3752-E filed on November 5, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves the Dam Agreements and the Legacy Costs Agreement between Pacific Gas and Electric Company and the South Feather Water & Power Agency.

® The agreements are approved without modification.

**ESTIMATED COST:**

® Terms of the agreements are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450290](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450290)

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

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**Item 12 Pacific Gas and Electric Company to Establish the Natural Gas Transmission Pipeline Safety Memorandum Account**

[10291]

**Res G-3453**, Pacific Gas & Electric Company's Advice Letter 3171-G filed December 1, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Denies Pacific Gas & Electric Company's request without prejudice.

® The utility may seek approval of its proposed memorandum account in Commission Rulemaking 11-02-019.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450327](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450327)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**13**

[10299]

**R08-11-005**

Order Instituting Rulemaking to Revise and Clarify Commission Regulations Relating to the Safety of Electric Utility and Communications Infrastructure Provider Facilities.

**PROPOSED OUTCOME:**

® Extends by 60 days the statutory deadline to July 5, 2011 for resolving issues in Phase 2 of this proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Kenney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448068](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448068)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**14**

[10303]

**R05-06-040**

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

**PROPOSED OUTCOME:**

® Extends statutory deadline to July 19, 2011.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448322](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448322)

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

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**Item                    Ratification of Changes to Preliminary Determinations**

**15**

**Pursuant to Rule 7.5**

[10306]

**Res ALJ-269**

**PROPOSED OUTCOME:**

® Approves determination that hearings are needed in Application 10-11-005, the application of Southern California Edison Company for a permit to construct the Colorado River Substation Expansion Project.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448497](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448497)

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **INFO LINE of San Diego County, Inc. for Certification as the**  
**16**                        **2-1-1 Service Provider for Imperial County**

[10309]

**Res T-17254**, By letter to the Executive Director by January 13, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approval of INFO LINE of San Diego, Inc.'s application to become 2-1-1 provider for Imperial County.

**ESTIMATED COST:**

® No cost to calling party.

® Expenses for telecommunications services connected with 2-1-1 are paid by the service provider.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=445016](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445016)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Americatel Corporation's Settlement Agreement With the**  
**17**                        **Consumer Protection and Safety Division**

[10310]

**I10-02-003**

Order Instituting Investigation on the Commission's own motion into the operations and practices of Americatel Corporation, to determine whether it has violated the laws, rules, and regulations governing the way in which consumers are billed for products or services, by billing consumers for dial-around long distance monthly service without authorization.

**PROPOSED OUTCOME:**

® Approves settlement agreement between Americatel Corporation (Americatel) and Consumer Protection and Safety Division that provides that Americatel assures all appropriate bill credits are issued, makes specified operational improvements and makes a settlement payment of \$503,000 to the State of California General Fund.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448002](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448002)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **VoxBeam Telecommunications, Inc. for a Certificate of**  
**18**                        **Public Convenience and Necessity**

[10312]

**A11-01-024**

**PROPOSED OUTCOME:**

® Grants application of VoxBeam Telecommunications, Inc. for a Certificate of Public Convenience and Necessity to Provide Limited Facilities-Based and Resold Competitive Local Exchange, Access and Interexchange Telecommunications Services Within California.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Semcer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448070](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448070)

*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**

**19**

[10314]

**I10-06-013**

Order Instituting Investigation on the Commission's Own Motion into the Billing Practices and Conduct of Legacy Long Distance International, Inc. (Legacy) to Determine if Legacy Violated the Law, Rules, and Regulations Governing the Manner in which California Consumers are Billed for Phone Services.

**PROPOSED OUTCOME:**

Extends statutory deadline 12 months until June 24, 2012.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448385](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448385)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **City of Stockton to Construct Three Grade-Separated**  
**20**                        **Crossings as Part of the Sperry Road Extension Project**

[10317]

**A10-09-006**

Application of the City of Stockton for an Order Authorizing Construction of the Sperry Road Extension Project, over tracks and through the Right-of-Way of the Union Pacific Railroad Company (UPRR), in the City of Stockton, County of San Joaquin, State of California.

**PROPOSED OUTCOME:**

- ® Grants the City of Stockton authority to construct three new grade separated crossings over the tracks of the Union Pacific Railroad in the City of Stockton, San Joaquin County.
- ® 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=449073](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449073)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Diego Association of Governments to Construct a**  
**21**                        **Grade Separated Pedestrian-Rail Crossing**

[10318]

**A11-01-005**

Application of the San Diego Association of Governments for Authority to construct a pedestrian-rail crossing of the North County Transit District tracks in the City of Encinitas, County of San Diego, California.

**PROPOSED OUTCOME:**

- ® Grants authorization to the San Diego Association of Governments to construct a new grade-separated pedestrian-rail crossing under the North County Transit District's two mainline tracks at milepost 238.6.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Discretionary project, not within the scope of this proceeding.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=449078](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449078)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California Department of Water Resources to Construct a**  
**22**                        **Grade-Separated Undercrossing for the Brad B. Freeman**  
[10319]                **Bike Trail**

**A10-07-026**

Application of the California Department of Water Resources to construct a new grade-separated undercrossing for the Brad B. Freeman Bike Trail, in the vicinity of Mile Post No. 210.65 of the Union Pacific Railroad in an unincorporated area of the County of Butte, State of California.

**PROPOSED OUTCOME:**

- ® Grants the California Department of Water Resources authorization to construct the Brad B. Freeman Bike Trail grade-separated pedestrian crossing below 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=449106](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449106)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Expedited Complaint Procedure Complaint**

**23**

[10349]

**(ECP) C10-10-019**

Vera Sokolova & Alexei Kacharovsky vs. Pacific Gas and Electric Company.

**PROPOSED OUTCOME:**

- ® Defendant shall true up complainants' account, and shall refund (or credit) \$1,400.00 in charges.
- ® Defendant shall maintain and operate the electromechanical meter in tandem with the Smart Meter™ at complainants' residence, until the Commission issues a final rule or order governing customers' opting out of Pacific Gas and Electric Company's Smart Meter™ program.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Refund of \$1,400.00 from defendant to complainant.

(Comr Simon - ALJ Ryerson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=448103](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448103)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 24 Nexus Communications, Inc. to be Designated as a Wireless Eligible Telecommunications Carrier in California**

[10353]

**Res T-17258**

**PROPOSED OUTCOME:**

® Nexus will be designated as a wireless Eligible Telecommunications Carrier in the service areas of AT&T California and Verizon California.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450120](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450120)

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

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**Item 25 Virgin Mobile USA, LLC. to be Designated as a Wireless Eligible Telecommunications Carrier in California**

[10354]

**Res T-17284**

**PROPOSED OUTCOME:**

® Virgin will be designated as a wireless Eligible Telecommunications Carrier in California excluding the Small Local Exchange Carriers service areas.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450118](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450118)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Gabriel Trench Project for Alameda Corridor East**  
**26**                        **Construction Authority in the City of San Gabriel, County of**  
[10356]                    **Los Angeles**

**A10-08-021**

Application of the Alameda Corridor – East Construction Authority for an order authorizing construction of a project to eliminate the Ramona Street, Mission Road, Del Mar Avenue and San Gabriel Boulevard grade crossings of Union Pacific railroad Company’s Alhambra subdivision main line, by lowering the railroad operating right-of-way to pass underneath the four roadways; which project is called the San Gabriel Trench; located principally within the City of San Gabriel, County of Los Angeles, State of California.

**PROPOSED OUTCOME:**

- ® Grants Alameda Corridor East Construction Authority authorization to construct the San Gabriel Trench Project grade separating four Highway-Rail Grade crossings.
- ® 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=449588](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449588)

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

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**Consent Agenda - Intervenor Compensation Orders****Item                    Compensation to Utility Consumers' Action Network  
27**

[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=448826](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448826)

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

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Agenda 3272, Item 38 4/14/2011 (Simon)

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Californians for Renewable Energy, Inc.**

**28**

[10263]

**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:**

® Awards Californians for Renewable Energy, Inc. \$11,730.98 in intervenor compensation for substantial contributions to Decision 10-07-044.

**ESTIMATED COST:**

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and San Diego Gas & Electric Company will pay the awarded amount of \$11,730.98, plus interest.

(Comr Peevey - ALJ DeAngelis)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450389](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450389)

*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 Surfrider Foundation**

**29**

[10343]

**A04-09-019**

In the Matter of the Application of California-American Water Company for a Certificate of Public Convenience and Necessity to Construct and Operate its Coaster Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates.

**PROPOSED OUTCOME:**

® Awards Surfrider Foundation \$285,818.23 for substantial contribution to Decision 10-12-016.

**ESTIMATED COST:**

® The ratepayers of California-American Water Company will pay the awarded amount, plus interest.

(Comr Peevey - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450326](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450326)

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

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## Regular Agenda - Energy Orders

### Item 30 Decision resolving a rehearing for SFPP, L.P., in Complaint 97-04-025 and related proceedings

[9370]

**C97-04-025**, C00-04-013, C06-12-031, A00-03-044, A03-02-027, A04-11-017, A06-01-015, A06-08-028 - Related matters.

ARCO Products Company, Mobil Oil Corporation, and Texaco Refining and Marketing Inc. vs. SFPP, L.P.

#### PROPOSED OUTCOME:

- ® Finds the Sepulveda Line is dedicated to public service.
- ® Finds that SFPP is not entitled to a ratemaking allowance for income taxes.
- ® Finds SFPP has not correctly allocated costs.
- ® Finds rates for Watson Station and Sepulveda facilities must be cost-based.
- ® Dismisses A.00-03-044 without prejudice, and dismisses C.00-04-013.
- ® Adopts a 2003 capital structure and cost of capital.
- ® Requires Tier 1 advice letters to implement refunds.
- ® Case (C) 97-04-025, C.06-12-031, A.00-03-044, A.03-02-027, A.06-08-028 remain open and consolidated.

#### ESTIMATED COST:

- ® Uncertain, but will result in substantial refunds to customers.

(Comr Peevey - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447603](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447603)

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

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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);  
 Agenda 3267, Item 42 1/13/2011 (Staff);  
 Agenda 3268, Item 35 1/27/2011 (Staff);  
 Agenda 3269, Item 47 2/24/2011 (Staff);  
 Agenda 3270, Item 41 3/10/2011 (Staff);  
 Agenda 3271, Item 26 3/24/2011 (Staff)

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Regular Agenda - Energy Orders (continued)

**Item ALTERNATE TO ITEM 9370**

**30a**

[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=447530](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447530)

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

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

Agenda 3267, Item 42a 1/13/2011 (Staff);

Agenda 3268, Item 35a 1/27/2011 (Staff);

Agenda 3269, Item 47a 2/24/2011 (Staff);

Agenda 3270, Item 41a 3/10/2011 (Staff);

Agenda 3271, Item 26a 3/24/2011 (Staff)

Regular Agenda - Energy Orders (continued)

## Item Net Surplus Compensation Rate for Electric Utilities

**31**

[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=448689](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448689)

*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);

Agenda 3272, Item 3 4/14/2011 (Pub. Util. Code §311(e))

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Regular Agenda - Energy Orders (continued)

**Item ALTERNATE TO ITEM 9932**

**31a**

[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=449064](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449064)

Agenda 3272, Item 3a 4/14/2011 (Pub. Util. Code §311(e))

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Regular Agenda - Energy Orders (continued)

**Item Pacific Gas and Electric Company's General Rate Increase  
32 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=449782](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449782)

*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);

Agenda 3272, Item 43 4/14/2011 (Staff)

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Regular Agenda - Energy Orders (continued)

**Item**            **ALTERNATE TO ITEM 10175**  
**32a**  
[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=450248](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450248)

*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);

Agenda 3272, Item 43a 4/14/2011 (Staff)

Regular Agenda - Energy Orders (continued)

**Item 33**  
**Phase 2 Establishing Policies to Overcome Barriers to Electric Vehicle Deployment and Complying with Public Utilities Code Section 740.2**  
 [10233]

**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=449066](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449066)

*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 3272, Item 44 4/14/2011 (Peevey)

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Regular Agenda - Energy Orders (continued)

**Item**                    **Residential Rate Design for Pacific Gas and Electric**  
**34**                        **Company**

[10293]

**A10-03-014**

Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures.

**PROPOSED OUTCOME:**

- Ⓜ Adopts electrical residential service rate design modifications for Pacific Gas and Electric Company:
- Ⓜ Reduces electric baseline quantities form 60% to 55%.
- Ⓜ Reduces, but does not eliminate, Tier 4 rate differential.
- Ⓜ Establishes flat generation and distribution rate elements, but retains inverted rate tiers through a non-bypassable Conservation Incentive Adjustment.
- Ⓜ Denies proposal for a fixed customer charge.

**ESTIMATED COST:**

- Ⓜ No overall change in costs, but lower-usage customers will incur higher rates offset by reductions in higher-usage customer rates.

(Comr Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E40103](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E40103)

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

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

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Regular Agenda - Energy Orders (continued)

**Item**                    **ALTERNATE TO ITEM 10293**  
**34a**

[10295]

The Commissioner's Alternate Decision approves a residential fixed residential customer charge of \$3 per month applicable to Rate Schedule E-1 and \$2.40 per month applicable to Rate Schedule EL-1. The residential customer charge has the effect of modestly increasing monthly bills for customers with usage limited to Tiers 1 and 2, but also lowering per-kWh rates for usage that would otherwise apply to Tiers 3 and 4 for Rate Schedule E-1. In all other material respects, the Commissioner's Alternate and the Administrative Law Judge's Proposed Decision, reach the same results.

(Comr Peevey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E40111](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E40111)

*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**                    **Amendments to General Order 156 and Conclusions that**  
**35**                        **Advance the General Order's Goals and Policies**

[10298]

**R09-07-027**

Order Instituting Rulemaking for the Purpose of Reviewing and Potentially Amending General Order 156 and to Consider Other Measures to Promote Economic Efficiencies of an Expanded Supplier Base and to Examine the Composition of the Utilities' Workforce.

**PROPOSED OUTCOME:**

- ® Adopts amendments to General Order 156 and makes other Findings and Conclusions.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450155](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450155)

*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            New Order Instituting Rulemaking**

**36**

[10316]

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

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

**PROPOSED OUTCOME:**

® This proceeding continues implementation and administration of the California Renewables Portfolio Standard Program, as recently amended by Senate Bill 2 (1st Ext. Sess., Stats 2011, ch. 1).

® This is a successor proceeding to Rulemaking (R) 08-08-009.

® Unresolved matters in R08-08-009 are carried forward into this proceeding.

® R08-08-009 is closed for purposes of Public Utilities Code § 1701.5, but remains open to consider existing petitions for modification and applications for rehearing.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=449300](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449300)

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**Regular Agenda - Communication Resolutions and Reports**

**Item                    Verizon California Inc. to Change the Way They Provide  
37                        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=450328](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450328)

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

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

Agenda 3272, Item 47 4/14/2011 (Staff)

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Regular Agenda - Communication Resolutions and Reports (continued)

**Item**            **ALTERNATE TO ITEM 10127**  
**37a**  
**(Rev.)**  
[10382]

**PROPOSED OUTCOME:**

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

® Directs that the issue of whether white pages residential telephone directories should be included in the definition of "Basic Service," and if so how such directories should be provided, be considered in Rulemaking 09-06-019.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450258](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450258)

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

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

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Regular Agenda - Communication Resolutions and Reports (continued)

**Item**                    **Removes Suspension of AT&T California's Advice Letter**  
**38**                        **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=449088](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449088)

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

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Agenda 3272, Item 48 4/14/2011 (Staff)

**Item**                    **Policy That First Deducts Federal Communications**  
**39**                        **Commission's Program Support or Discount From the**  
[10296]                   **California Teleconnect Fund Service Charges**

**Res T-17314**

**PROPOSED OUTCOME:**

® Reduces the California Teleconnect Fund claims discount provided to rural health care providers and non-profit community based organizations offering Head Start programs by approximately 29% and 70%, respectively.

**ESTIMATED COST:**

® Approximately \$286,335 or \$0.3 million annually.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=447846](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=447846)

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

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**Regular Agenda - Other Utility Orders**

**Item**                    **Guidelines for Sharing of Low-Income Customer Information**  
**40**                        **Between Energy and Water Utilities to Increase Participation**  
**(Rev.)**                    **in Low-income Programs**  
[10292]

**R09-12-017**

Order Instituting Rulemaking on the Commission's Own Motion to Determine Whether Sharing of Customer Information Between Regulated Water Utilities and Regulated Energy Utilities/Municipal Energy Providers Should be Required; and if so, to Develop the Rules and Procedures Governing Such Sharing.

**PROPOSED OUTCOME:**

- ® Adopts guidelines for the sharing of low-income customer information between energy and water utilities.
- ® Encourages collaboration on outreach efforts and sharing of low-income customer information between water and municipal energy utilities.
- ® Authorizes tracking of reasonable implementation costs not already in rates.
- ® Rulemaking 09-12-017 is closed.

**ESTIMATED COST:**

- ® One-time implementation costs unknown.

(Comr Florio - ALJ Grau)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450108](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450108)

*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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05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Regular Agenda - Legal Division Matters****Item 41                    Comments Before the Federal Communications Commission  
                                 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.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450156](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450156)

Agenda 3272, Item 51 4/14/2011 (Staff)

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**Regular Agenda - Legislative and Other Matters****Item            Water Meters****42****(Rev.)**

[10330]

**AB 19 (Fong)**

This bill would condition provision of water service to a newly-constructed multi-unit residential structures or mixed-use residential and commercial structures that submit an application for a water connection after January 1, 2014, by requiring the installation of a water meter or sub-meter to each individual dwelling unit. Structures greater than four stories above grade, where it can be shown that a structure's plumbing configuration incorporates multiple points of entry in each dwelling unit, are exempt from the meter requirement. Low-income housing, student dormitories, long-term health care facilities, and time-share property are also exempt from the meter requirement. (Legislative Subcommittee Recommendation: Support).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450310](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450310)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Item            High-Speed Rail: Power Supply****43**

[10331]

**AB 227 (Galgiani)**

This bill would require the California Research Bureau, by May 1, 2012, to develop an energy consumption profile that includes a forecast of the power needs of California's future high-speed rail system and an analysis of any recommendations for identifying a carbon-free baseline power supply for the system. The bureau's work would be done in consultation with the High-Speed Rail Authority, the Federal Railroad Administration, the Public Utilities Commission, the State Energy Resources Conservation and Development Commission, the United States Department of Energy, and the Legislative. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

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

**44**

**(Rev.)**

[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: Support with amendments).

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

Agenda 3272, Item 56 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

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

**45**

[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);

Agenda 3272, Item 57 4/14/2011 (Staff)

**Item                    Utility Service: Undergrounding of Electrical and**

**46**

**Communications Facilities**

[10332]

**AB 725 (Bradford)**

This bill would require the California Public Utilities Commission, in consultation with electrical corporations, telephone corporations, and representatives of local government, to open an appropriate proceeding to evaluate whether to amend, revise, or improve its rules for replacing overhead electrical and communications facilities with underground facilities. The bill would require the commission to submit a report relative to its evaluation to the Legislature by June 30, 2012. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Telecommunications: Universal Service: Voice Over Internet**  
**47**

**(Rev.)**

[10333]

**AB 841 (Buchanan)**

This bill would authorize the commission to require interconnected Voice over Internet Protocol service providers to collect and remit surcharges on their California intrastate revenues in support of the universal service funds. (Legislative Subcommittee Recommendation: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450312](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450312)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Item                    Energy Efficiency Program**

**48**

[10334]

**AB 904 (Skinner)**

This bill would require the California Public Utilities Commission (CPUC) to ensure that energy efficiency programs result in real reductions in energy consumption, examine alternatives to traditional administration, delivery, and evaluation mechanisms for energy efficiency services, and examine the establishment of a program for on-bill financing for residential retrofit and improvement of heating, ventilation, and air conditioning. The bill would require the CPUC to consult and coordinate with the Energy Commission in achieving these results. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item                    Renewable Transition Financing Act**

**49**

[10335]

**AB 932 (Blumenfield)**

This bill would enact the Renewable Transition Financing Act. The act would authorize a financing entity to issue "green" rate reduction bonds for the recovery of transition costs by an electrical corporation. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item Electricity: Community Choice Aggregation**

**50**

**(Rev.)**

[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: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450314](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450314)

Agenda 3272, Item 58 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Item Energy: Solar Energy Parks Program**

**51**

[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: \_\_\_\_\_).

Agenda 3272, Item 59 4/14/2011 (Staff)

**Item Emergency Telephone Users Surcharge**

**52**

[10336]

**AB 1050 (Ma)**

This bill requires the Board of Equalization to convene a working group to develop recommendations for an equitable and uniform method of collecting state and locally authorized communications taxes, fees, and surcharges from prepaid communications end-use customers. The working group would include stakeholder representatives from the California Public Utilities Commission, the California Technology Agency, local government entities, law enforcement agencies, mobile telephony service providers, retailers, and consumer groups. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Public Utilities Commission: Solicitation of Contributions**  
**53**

[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);  
Agenda 3272, Item 60 4/14/2011 (Staff)

**Item                    Electrical Corporation Energy Efficiency Programs:**  
**54                    Application Requirements**

[10337]

**AB 1073 (Fuentes)**

This bill would require a building or construction permit be submitted to an electrical corporation at the time of application for any ratepayer-funded energy efficiency incentive for a project that involves a physical alteration or addition to a residential, commercial, or industrial structure. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item                    Personal Liability Immunity: Telecommunication Service**  
**55                    Providers**

[10338]

**AB 1074 (Fuentes)**

This bill would provide that a provider of telecommunication service, or other service, that is involved in providing 9-1-1 service, as defined, is not liable for any claim, damage, or loss caused by an act or omission of the company, and other individuals, in the design, development, maintenance, or provision of 9-1-1 service, unless the act or omission that proximately caused the claim, damage, or loss constituted gross negligence, recklessness, or intentional misconduct. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item                    Energy: Agricultural Byproducts**  
**56**

[10339]

**AB 1113 (Galgiani)**

This bill would replace the existing pilot program for eligible biogas digester customer-generators with a net energy metering program for eligible customer-generators, as defined, that use agricultural residues, animal wastes, or animal renderings to generate electricity and that meet certain requirements. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Low-Income Energy Efficiency Program**

**57**

**(Rev.)**

[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: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450293](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450293)

Agenda 3272, Item 61 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Item                    Self-Generation Incentive Program**

**58**

**(Rev.)**

[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: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450296](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450296)

Agenda 3271, Item 46 3/24/2011 (Staff);

Agenda 3272, Item 62 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Electrical Transmission**

**59**

**(Rev.)**

[10340]

**AB 1214 (Skinner)**

This bill would, when the Independent System Operator (ISO) determines that building or upgrading of electrical transmission is necessary and that determination has been approved by the Federal Energy Regulatory Commission, require the commission to find that the construction or extension of the transmission line is necessary for the present or future public convenience and necessity absent a showing of good cause based upon newly developed information that was not available at the time of the determination by the ISO.

The bill would require that a transmission project sponsor be given the option of filing a single application for a certificate of public convenience and necessity with respect to a transmission plan or generator interconnection agreement that has multiple stages if the project is for the purpose of achieving the renewables portfolio standard. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450297](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450297)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Item                    Telecommunications: Usage Notification**

**60**

[10341]

**AB 1268 (Blumenfield)**

This bill would require that the provider of mobile telephony services alert the subscriber when the set allotment of airtime or text messages has been reached and provide subscribers with a means by which they can obtain reasonably current and available information on their mobile data service usage and charges. The bill would prohibit a provider of mobile telephony services from charging a subscriber for providing said notices. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

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Regular Agenda - Legislative and Other Matters (continued)

**Item Electricity Distribution Grid Upgrade Plan**

**61**

**(Rev.)**

[10342]

**AB 1302 (Williams)**

The bill would require an electrical corporation to complete a distribution grid upgrade plan, pursuant to a specified schedule, in order to accommodate the increasing number of wholesale distributed generation projects expected to be created under new and existing renewable energy programs. (Legislative Subcommittee Recommendation: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450298](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450298)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Item Electricity: Net Metering**

**62**

[10344]

**AB 1361 (Perea)**

This bill would revise the definition of an eligible customer generator to include a state agency. The bill would increase the current size cap on generation facilities serving state agencies from 1Megawatt (MW) to 5 MW. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**Item Telecommunications: Universal Service**

**63**

**(Rev.)**

[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: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450318](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450318)

Agenda 3272, Item 63 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Telecommunications: Customer Privacy**

**64**

[10345]

**SB 102 (Correa)**

This bill would require a commercial seller of cell phones that incorporate geotagging capability to disclose this capability to a potential purchaser prior to completing a sale of the device. The bill would prohibit the commercial seller from selling a mobile telephony service communications device to a purchaser with the geotagging capability activated or operational without first obtaining the purchaser's consent, in writing, acknowledging that the purchaser has been informed of the existence of the geotagging capability and consents to this capability being activated or operational. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

**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: \_\_\_\_\_).

Agenda 3272, Item 65 4/14/2011 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)

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

**66**

**(Rev.)**

[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: Support with amendments).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450304](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450304)

Agenda 3272, Item 66 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)

**Item            Energy: Net Energy Metering**

**67**

**(Rev.)**

[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: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450306](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450306)

Agenda 3272, Item 67 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**Item            Telecommunications Policies**

**68**

**(Rev.)**

[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: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450315](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450315)

Agenda 3272, Item 69 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)

**Item PVUSA Solar Facility**

**69**

**(Rev.)**

[10346]

**SB 383 (Wolk)**

This bill would expand the current RES-BCT program to allow for generation units of up to 20 Megawatts (MW). Currently the generation unit size is capped at 1 MW. (Legislative Subcommittee

Recommendation: Oppose unless amended).

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

**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);

Agenda 3272, Item 70 4/14/2011 (Staff)

**Item Electricity: Rates: Interregional Parity**

**71**

[10347]

**SB 672 (Fuller)**

This bill would restrict the annual maximum allowable total kilowatt-hour limit for permissible direct transactions between electricity suppliers and retail end-use customers so that it is applicable only to nonresidential for-profit end-use customers and is not applicable to not-for-profit end-use customers.

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

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Natural Gas: Service and Safety**

**72**

[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);

Agenda 3272, Item 75 4/14/2011 (Staff)

**Item                    Electricity: Community Choice Aggregation**

**73**

**(Rev.)**

[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: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=450309](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450309)

Agenda 3272, Item 76 4/14/2011 (Staff)

05/03/2011 - This revision was not shown on the Agenda mailed to the public.

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Regular Agenda - Legislative and Other Matters (continued)

**Item            Natural Gas Pipelines: Accounts**

**74**

[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);

Agenda 3272, Item 78 4/14/2011 (Staff)

**Item            Telecommunications: Universal Service**

**75**

[10348]

**SB 905 (Wolk)**

This bill would require that the reporting requirements and standards relative to cramming complaints be uniform for all billing telephone corporations, that the California Public Utilities Commission (CPUC) make cramming data available to the public on its website, that the CPUC report cramming complaints to the Legislature, that the CPUC impose civil penalties under special conditions, and authorize any subscriber that made or makes a meritorious complaint with respect to a service provider or billing agent, to terminate without financial or other penalty, the remaining term of a service contract with the billing telephone corporation. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

## Regular Agenda - Commissioner's Reports

**Regular Agenda - Management Reports and Resolutions**

**Item**            **Report and Discussion by Consumer Protection and Safety**  
**76**                **Division on Recent Safety Program Activities**  
[10300]

**Item**            **Bi-Annual Report of the Stewardship Council**  
**77**  
[10230]

## 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**  
**78**  
 [10301]

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**  
**79**  
 [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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Agenda 3272, Item 84 4/14/2011

## **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*