
Public Utilities Commission of the State of California

Public Agenda 3274

Thursday, May 26, 2011 9:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Mark J. 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>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, June 06, 2011 (San Francisco)	Thursday, May 26, 2011 (San Francisco at 9:00 A.M.)
Monday, June 20, 2011 (San Francisco)	Thursday, June 09, 2011 (San Francisco at 9:00 A.M.)
Monday, July 11, 2011 (San Francisco)	Thursday, June 23, 2011 (San Francisco at 9:00 A.M.)
Monday, July 25, 2011 (San Francisco)	Thursday, July 14, 2011 (San Francisco at 9:00 A.M.)
Monday, August 15, 2011 (San Francisco)	Thursday, July 28, 2011 (San Francisco at 9:00 A.M.)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



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

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 3, 5, 21, 41, 41a

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**

[10405]

Res ALJ 176-3274

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=451708

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

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

Agenda 3258, Item 11 7/29/2010 (Staff);
 Agenda 3260, Item 4 9/2/2010 (Staff);
 Agenda 3261, Item 3 9/23/2010 (Staff);
 Agenda 3262, Item 3 10/14/2010 (Staff);
 Agenda 3263, Item 3 10/28/2010 (Staff);
 Agenda 3264, Item 3 11/19/2010 (Staff);
 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);
 Agenda 3273, Item 2 5/5/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Dismissal of Complaint

3

[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=450353

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

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

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

Agenda 3273, Item 5 5/5/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **The California Energy Commission to Reallocate Public**
4 **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=450722

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

Agenda 3273, Item 6 5/5/2011 (Simon)

Consent Agenda - Orders and Resolutions (continued)

Item Expedited Complaint Procedure Complaint

5

[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=450413

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

Agenda 3273, Item 23 5/5/2011 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

Item Decision Setting Rates for Transportation of Crude Oil

6

[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=450478

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

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

Agenda 3272, Item 10 4/14/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Dismissal of Application for Failure to Present New Facts**
7 **That Justify Modification of Decisions (D) 06-07-027 and**
[10307] **D08-03-026**

A10-09-015

Application of Heather Epps for Modification of D.06-07-027 and D.09-03-026.

PROPOSED OUTCOME:

- ® Dismisses Application of Heather Epps to Modify Decisions (D) 06-07-027 and D08-03-026.
- ® Application 10-09-015 is closed.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Sullivan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451873

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Dismissing Application Without Prejudice

8

[10311]

A07-04-003

Application of WesPac Pipelines - Los Angeles LLC for an order granting it public utility status as a common carrier pipeline corporation and authorizing it to file a tariff with market-based rates for its jet fuel pipeline transportation services.

PROPOSED OUTCOME:

® Dismisses Application 07-04-003, filed by WesPac Pipelines – Los Angeles LLC, on April 3, 2007, without prejudice at the request of the applicant.

® Application 07-04-003 is closed.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Ryerson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451527

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

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

Item Disclosure of Records of an Investigation

9

[10313]

Res L-413

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an electric incident on January 14, 2011 in San Bernardino, California, once the investigation is complete.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451280

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

Consent Agenda - Orders and Resolutions (continued)

Item **Decision Modifying Decision 10-06-015**
10
(Rev.)
[10315]

A09-10-012, A09-11-010 - Related matters.

In the Matter of the Application of Southern California Edison Company for Modification of Decision 05-09-018 to Extend EDR-Retention Rates.

PROPOSED OUTCOME:

® Modifies Decision 10-06-015 in Application (A) 09-10-012 and A09-11-010 to allow a pre-existing Economic Development Rate (EDR) customer to request such treatment a second time after its first EDR contract expires.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451941

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

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

05/24/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item Certification as the 2-1-1 Service Provider for Yolo County

11

[10320]

Res T-17255

PROPOSED OUTCOME:

® Approval of Yolo County's application to become 2-1-1 provider for Yolo 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=448225

Item Disclosure of Records of an Investigation

12

[10321]

Res L-414

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an August 16, 2010 incident involving a Pacific Gas and Electric Company power line on Highway 1 just south of Marshall, California, once the investigation is complete.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451849

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

Consent Agenda - Orders and Resolutions (continued)

Item 13 Final Report of the 2010 Triennial On-Site Security Review of Bay Area Rapid Transit District

[10325]

Res ST-123

PROPOSED OUTCOME:

® Approval of the 2010 Triennial On-Site Security Review of Bay Area Rapid Transit District, dated July 29, 2010.

ESTIMATED COST:

® Not within scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451368

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

Item 14 Final Report of the 2009 North County Transit District Annual Security Review

[10326]

Res ST-124

PROPOSED OUTCOME:

® Approval of the North County Transit District 2009 Annual Security Report dated April 8, 2009.

ESTIMATED COST:

® Not within scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451378

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

Consent Agenda - Orders and Resolutions (continued)

Item 15 Final Report of the 2009 Triennial Security Review of the San Diego Trolley, Inc

[10327]

Res ST-125

PROPOSED OUTCOME:

® Approval of the San Diego Trolley, Inc. 2009 Triennial Security Review Report dated June 29, 2009.

ESTIMATED COST:

® Not within scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451390

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

Item 16 Final Report of the 2010 Triennial On-Site Security Review of Los Angeles County Metropolitan Transportation Authority

[10328]

Res ST-126

PROPOSED OUTCOME:

® Approval of the Los Angeles County Transportation Authority Triennial Security Review Report dated September 27, 2010.

ESTIMATED COST:

® Not within scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451396

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

Consent Agenda - Orders and Resolutions (continued)

Item **Final Report of the 2010 Security Review of the Port of Los**
17 **Angeles Waterfront Red Car Line**

[10329]

Res ST-127

PROPOSED OUTCOME:

® Approval of the 2010 Triennial Security Review of the Port of Los Angeles Waterfront Red Car line, dated September 30, 2010.

ESTIMATED COST:

® Not within scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=448556

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

Consent Agenda - Orders and Resolutions (continued)

Item **Central Valley Gas Storage, LLC.'s Change in Ownership
18** **and Control**

[10351]

A11-01-021

Joint Application of Central Valley Gas Storage, LLC, Nicor Inc., and AGL Resources Inc. for Expedited Ex Parte Authorization to Transfer Ownership of Central Valley Gas Storage, LLC to AGL Resources Inc.

PROPOSED OUTCOME:

® Grants request for change in ultimate ownership and control of Central Valley Gas Storage LLC from Nicor Inc. to AGL Resources Inc.

® Application 11-01-021 is closed.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451753

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company's Power Purchase**
19 **Agreement With Shiloh III Wind Project, LLC, a Subsidiary of**
[10352] **enXco, Inc.**

Res E-4402, Advice Letter 3735-E filed on September 10, 2010, and Supplemental Advice Letters 3735-E-A filed on March 4, 2011 and 3735-E-B filed on April 6, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Approves cost recovery for Pacific Gas and Electric Company's renewable power purchase agreement (PPA) with Shiloh Wind Project, 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=451801

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

Item **AES Huntington Beach, LLC and Edison Mission Energy**
20 **Huntington Beach, LLC to Permanently Retire Huntington**
[10359] **Beach Generating Facility Units 3 and 4**

Res EGPB-12

PROPOSED OUTCOME:

- ® Approves closure of Huntington Beach Units 3 and 4.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451363

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

21

[10360]

(ECP) C10-06-011

Mr. Mazen Bahu vs. Southern California Edison Company.

PROPOSED OUTCOME:

® Extends the 12-month statutory deadline in this proceeding until December 22, 2011.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449119

Item Modification of Resolution T-17279

22

[10361]

Res T-17320

PROPOSED OUTCOME:

® Approves Race Telecommunications, Inc.'s request for exemption from the performance bond requirement.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451370

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

Consent Agenda - Orders and Resolutions (continued)

**Item Petition to Modify Ducor Telephone Company's General
23 Rate Case in Resolution T-17157 for Test Year 2009**

[10362]

A09-07-022

Application of Ducor Telephone Company for Modification of Resolution T-17157.

PROPOSED OUTCOME:

- ® Denies request to correct a perceived calculation error in Ducor Telephone Company (Ducor) General Rate Case Resolution T-17157 for Benefits Ratio; Executive Wages and benefits; Non-Regulated Allocation Factors for Employee Wages and Benefits; Non-Regulated Adjustments to Total Wages and Expense; and demand elasticity factor for residential toll restriction.
- ® Approves a change to Ducor's Resolution T-17157 on page 8, third paragraph, second sentence and a correction to Ducor's Resolution T-17157 for demand elasticity factor for residential anonymous call rejection and increases Ducor's draw for Test Year 2009 in the amount of \$66.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$66

(Exam Leutza)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451735

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Cal-Ore Telephone Company's Petition for Modification of**
24 **Resolution T-17133**

[10363]

A09-07-016

Application of Cal-Ore Telephone Company for Modification of Resolution T-17133.

PROPOSED OUTCOME:

- ® Grants in part Cal-Ore's Petition to Modify Resolution T-17133 to correct calculation errors.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$18,183 in additional California High Cost Fund-A amount.

(Exam Leutza)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451717

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

25

[10365]

A08-05-019

Application of California Water Service Company for an order confirming its discontinuance of the ESP program as provided in D.07-12-055, Ordering Paragraph 19, approving accounting for the residual affiliate transaction, and confirming under D.07-12-055, Ordering Paragraph 16 that Applicant's residual services to its affiliate CWS Utility Services comply with applicable law.

PROPOSED OUTCOME:

® Pursuant to Section 1701.5 of Public Utilities Code extends statutory deadline to August 1, 2011.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Walwyn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449287

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

Consent Agenda - Orders and Resolutions (continued)

**Item Southern California Edison Company's Petition to Modify
26 Decision 05-12-040**

[10366]

A04-02-026

Application of Southern California Edison Company for Authorization to replace San Onofre Nuclear Generating Station Unit Nos. 2 & 3 (SONGS 2 & 3) steam generators; establish ratemaking for cost recovery; and address other related steam generator replacement issues.

PROPOSED OUTCOME:

- ® Modifies the authority to replace steam generators at the San Onofre Generating Station.
- ® Removes the cost for steam turbine work now included within the scope of two general rate cases, Application (A) 07-11-011 and A10-11-015.
- ® Closes the proceeding.

ESTIMATED COST:

- ® No change in cost to rates.

(Comr Florio - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451993

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Petition to Modify Resolution T-17132

27

[10368]

A09-06-015

Application of The Ponderosa Telephone Co. for Modification of Resolution T-17132.

PROPOSED OUTCOME:

® Ponderosa Telephone Company Resolution T-17132 California High Cost Fund-A support will be increased by \$18,794.

® Closes the proceeding.

ESTIMATED COST:

® \$18,794.

(Exam Leutza)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449785

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **North Gualala Water Company, Inc.'s \$1,373,868 Secured**
28 **Loan and Surcharge Under the Safe Drinking Water State**
[10383] **Revolving Fund Program**

Res W-4876, Advice Letter No. 75 filed on December 7, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes North Gualala Water Company, Inc. to borrow \$1,373,868 under the Safe Drinking Water State Revolving Fund Loan Program; to encumber assets in connection with the loan; and institute a surcharge to pay off the loan.

ESTIMATED COST:

® \$1,373,868 @ 2.28% interest and a term of 30 years – to be paid via surcharge.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=439980

Item **Golden State Water Company's Executed Asset Lease**
29 **Agreement With Contra Costa Water District as Amended**
[10392] **Pursuant to Decision 10-06-031**

Res W-4877, Advice Letter 1428-W filed on December 28, 2010 - Related matters.

PROPOSED OUTCOME:

® Approves the Asset Lease Agreement between Golden State Water Company and Contra Costa Water District, as amended by the executed First Amendment To Asset Lease Agreement.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452218

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

Consent Agenda - Orders and Resolutions (continued)

Item **GC Pivotal, LLC for a Certificate of Public Convenience and**
30 **Necessity**

[10396]

A11-03-008

Application of GC Pivotal, LLC for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Interexchange Telecommunications Services within California.

PROPOSED OUTCOME:

- ® Grants application of GC Pivotal, LLC for a Certificate of Public Convenience and Necessity to Provide Resold Competitive Local Exchange and Interexchange Services within California.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Semcer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451539

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Deadline

31

[10397]

R09-01-019

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

PROPOSED OUTCOME:

® Extends the statutory deadline for concluding this proceeding by 60 days to August 14, 2011.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452161

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

Consent Agenda - Orders and Resolutions (continued)

Item **California Department of Transportation to Construct a New
32** **Grade-Separated Pedestrian-Rail Crossing**

[10398]

A11-03-005

PROPOSED OUTCOME:

® Grants authorization to the California Department of Transportation to construct a new pedestrian-rail crossing (La Conchita pedestrian undercrossing) under the Union Pacific railroad track at milepost 380.85 located in the community of La Conchita, County of Ventura, California.

® 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=450880

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

Consent Agenda - Orders and Resolutions (continued)

Item **Windstream NuVox, Inc. for a Certificate of Public
33** **Convenience and Necessity**

[10403]

A11-02-004

In the Matter of the Application of Windstream NuVox, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold Competitive Local Exchange Services in the State of California.

PROPOSED OUTCOME:

® Grants certificate of public convenience and necessity to provide resold local exchange telecommunications services within the California Service Areas of AT&T, Citizens, SureWest and Verizon.

® Application 11-02-004 is closed.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Hymes)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449055

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

Consent Agenda - Orders and Resolutions (continued)

Item **Crimson California Pipeline L.P. to Encumber Pipeline Utility**
34 **Assets**

[10404]

A11-01-018

In the Matter of the Application of Crimson California Pipeline L.P. (PLC-26), pursuant to Section 851 of the Public Utilities Code, for Authority to Encumber Certain Public Utility Pipeline Assets.

PROPOSED OUTCOME:

- ® Grants application to encumber newly acquired assets under existing credit agreement.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Bemserfer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449493

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

Consent Agenda - Orders and Resolutions (continued)

Item New Order Instituting Rulemaking

35

[10410]

R._____

Order Instituting Rulemaking on the Commission's Own Motion to Revise the Certification Process for Telephone Corporations and the Registration Process for Wireless Resellers.

PROPOSED OUTCOME:

® Institutes Rulemaking to revise the requirements for 1) telephone corporations seeking Certificate of Public Convenience and Necessity (CPCN) under Public Utilities Code § 1001 and 2) Commercial Mobile Radiotelephone Service Providers seeking Wireless Reseller Identification (WIR) registration under Decision (D) 94-10-031, D94-12-042, and D95-10-032.

ESTIMATED COST:

® Depending on the extent of revisions to existing rules, applicants seeking CPCN certification and registrants seeking WIR registration could pay higher application and registration fees; certificated and registered carriers (with the exception of Incumbent Local Exchange Carriers) would pay minimum user fees and incur additional undetermined costs to maintain the performance bonds and for required expanded background checks.

® Overall costs for all applicants seeking CPCN and registrants seeking WIR operating authority is undetermined.

Consent Agenda - Intervenor Compensation Orders

Item **Compensation to The Utility Reform Network**
36
(Rev.)
[10302]

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:

® Awards The Utility Reform Network \$516,613.90 in intervenor compensation for contributions to Decision (D) 08-10-027, D09-05-037, D09-09-047, and D10-06-039.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company, and Pacific Gas and Electric Company will pay the awarded amount of \$516,613.90, plus interest.

(Comr Peevey - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452228

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

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

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Intervenor Compensation Orders (continued)

Item **Compensation to Natural Resources Defense Council and
37** **Friends of the Earth**

[10308]

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 Natural Resources Defense Council and Friends of the Earth \$33,828.86 in intervenor compensation for contributions to Decision 10-07-044.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company, San Diego Gas & Electric Company, Southern California Gas Company and Pacific Gas and Electric Company will pay the awarded amount of \$33,828.86, plus interest.

(Comr Peevey - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E40447

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Leona Valley Town Council

38

[10374]

A09-07-001

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

PROPOSED OUTCOME:

® Awards Leona Valley Town Council \$10,121 for substantial contribution to Decision 10-12-017.

ESTIMATED COST:

® Ratepayers of California Water Service Company will pay \$10,121, plus interest.

(Comr Peevey - ALJ Division)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449854

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Aglet Consumer Alliance

39

[10375]

R06-02-012

Order Instituting Rulemaking to develop additional methods to implement the California renewables portfolio standard program.

PROPOSED OUTCOME:

® Awards Aglet Consumer Alliance \$31,063.54 in intervenor compensation for contributions to Decision 10-03-021.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company will pay the awarded amount of \$31,063.54, plus interest.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449022

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network
40

[10386]

A08-09-023

Application of Southern California Gas Company for Approval of Advanced Metering Infrastructure.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$143,763.68 for substantial contribution to Decision 10-04-027.

ESTIMATED COST:

® Ratepayers of Southern California Gas Company will pay \$143,763.68, plus interest.

(Comr Peevey - ALJ Hecht)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=449333

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

Regular Agenda - Energy Orders

Item 41 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=450122

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

Agenda 3253, Item 33 5/6/2010 (Peevey);
 Agenda 3255, Item 31 6/3/2010 (Bohn);
 Agenda 3257, Item 27 7/8/2010 (Staff);
 Agenda 3260, Item 30 9/2/2010 (Staff);
 Agenda 3261, Item 44 9/23/2010 (Staff);
 Agenda 3262, Item 36 10/14/2010 (Staff);
 Agenda 3263, Item 28 10/28/2010 (Staff);
 Agenda 3264, Item 52 11/19/2010 (Pub. Util. Code §311(e));
 Agenda 3266, Item 49 12/16/2010 (Staff);
 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);
 Agenda 3273, Item 30 5/5/2011 (Staff)

Regular Agenda - Energy Orders**Item ALTERNATE TO ITEM 9370****41a**

[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=448321

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);

Agenda 3273, Item 30a 5/5/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Decision Modifying Decision 06-12-030 and Decision**
42 **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=448827

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

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

Agenda 3261, Item 46 9/23/2010 (Peevey);
 Agenda 3263, Item 29 10/28/2010 (Peevey);
 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);
 Agenda 3272, Item 40 4/14/2011 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9699

42a

[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)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E40690

Agenda 3272, Item 40a 4/14/2011 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

Item Net Surplus Compensation Rate for Electric Utilities

43

[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=450731

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

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

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

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));

Agenda 3273, Item 31 5/5/2011 (Florio)

Regular Agenda - Energy Orders (continued)

Item **ALTERNATE TO ITEM 9932**
43a
[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=452181

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

Agenda 3273, Item 31a 5/5/2011 (Florio)

Regular Agenda - Energy Orders (continued)

Item 44
[10233] **Phase 2 Establishing Policies to Overcome Barriers to Electric Vehicle Deployment and Complying with Public 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=450702

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

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

Agenda 3272, Item 44 4/14/2011 (Peevey);

Agenda 3273, Item 33 5/5/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Residential Rate Design for Pacific Gas and Electric**
45 **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 from 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=452319

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

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

Agenda 3273, Item 34 5/5/2011 (Sandoval)

Regular Agenda - Energy Orders (continued)

Item **ALTERNATE TO ITEM 10293**
45a

[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=451601

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

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

Agenda 3273, Item 34a 5/5/2011 (Sandoval)

Item **San Diego Gas & Electric Company to Lease Transfer**
46 **Capability Rights to Citizens Energy Corporation**

[10358]

A09-10-010

Application of San Diego Gas & Electric Company for Approval Pursuant to Public Utilities Code Section 851 to Lease Transfer Capability Rights to Citizens Energy Corporation.

PROPOSED OUTCOME:

- ® Denies application because it is adverse to ratepayers.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Wetzell)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452137

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

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

Regular Agenda - Energy Orders (continued)

Item**ALTERNATE TO ITEM 10358****46a**

[10364]

Alternate Proposed Decision approves 30-year lease agreement between San Diego Gas & Electric Company and Citizens energy for transfer capability rights along the 30-mile Imperial Valley segment of the Sunrise Project. Approval is granted in consideration of the public interest benefits realized from the lease agreement, including the fact that Citizens will donate 50% of its after-tax profits from the transmission line to the low-income and elderly citizens of Imperial County.

(Comr Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451998

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

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

Regular Agenda - Energy Orders (continued)

**Item Petition for Modification of Decision 09-09-047 Regarding
47 2010-2012 Energy Efficiency Portfolios**

[10367]

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:

Ⓡ Adopts modifications and clarifications to Decision 09-09-047 regarding energy efficiency portfolios for 2010-2012 in response to a Petition for Modification filed by the four major California energy utilities. The decision does the following:

Ⓡ Adopts final ex ante energy savings workpapers for non-Database for Energy Efficiency Resources (non-DEER) energy efficiency measures for 2010-2012 (see Attachment A).

Ⓡ Determines that January 1, 2010 is the effective date for adopted ex ante energy savings workpapers and custom projects.

Ⓡ Require the utilities to identify installation rates for each non-DEER energy efficiency measure in their 2010-2012 energy efficiency portfolios.

Ⓡ Adopts an Energy Division custom project ex ante value review process (see Attachment B).

Ⓡ Allows the utilities to make any energy efficiency portfolio program design changes (e.g., database management system changes, appropriate rebate/measure changes, etc.) consistent with the adopted non-DEER ex ante workpapers within 60 days.

Ⓡ Brings finality and certainty to the determination of ex ante energy savings values for the 2010-2012 portfolios.

Ⓡ Closes Application (A) 08-07-021, A08-07-022, A08-07-023 and A08-07-031.

ESTIMATED COST:

Ⓡ Possible changes to incentives expected to be paid to utilities for 2010-2012 energy efficiency activities.

(Comr Peevey - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E40792

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

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

Regular Agenda - Energy Resolutions and Written Reports

Item **Southern California Edison Company's Implementation of**
48 **Residential Rate Changes Pursuant to Decision 09-12-048 -**
[10305] **OPTION A**

Res E-4391, Advice Letter (AL) 2526-E filed on November 16, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes a 3% increase in Tier 2 rates for non-California Alternate Rates for Energy (CARE) residential customers, except for low-income customers billed on CARE rates, with a commensurate decrease in non-CARE Tiers 3 through 5 rates, pursuant to State Bill 69 and as authorized by Ordering Paragraph 3 in Decision 09-12-048.

® No change in Tier 1 residential rates is authorized.

ESTIMATED COST:

® This is a proposed reallocation of tiered rates within the residential rate class, resulting in a revenue-neutral offset of rates with no net revenue requirement increase for Southern California Edison Company.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452195

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

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item
48a
(Rev.)
[10411]

Southern California Edison Company's Implementation of Residential Rate Changes Pursuant to Decision 09-12-048 - OPTION B

PROPOSED OUTCOME:

® Authorizes a 0.97% increase in Tier 1 rates and a 3% increase in Tier 2 rates for non-California Alternate Rates for Energy (CARE) residential customers, except for low-income customers billed on CARE rates, with a commensurate decrease in non-CARE Tiers 3 through 5 rates, pursuant to State Bill 69 and as authorized by Ordering Paragraph 3 in Decision 09-12-048.

ESTIMATED COST:

® This is a proposed reallocation of tiered rates within the residential rate class, resulting in a revenue-neutral offset of rates with no net revenue requirement increase for Southern California Edison Company.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452199

05/20/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Communication Orders**Item New Order Instituting Rulemaking****49**

[10409]

R._____

Order Instituting Rulemaking to Evaluate the Status of Telecommunications Competition in California and its Implications for Regulatory Policies.

PROPOSED OUTCOME:

- ® Rulemaking is initiated consistent with Decision 06-08-030, which found that “there is a need to remain vigilant in monitoring the communications marketplace.”
- ® Seeks comments on the Communications Division’s Market Share Analysis of Retail Communication in California 2001 through 2009 and on current market and technological developments affecting California communications markets.
- ® Will determine the implications of these developments for California’s regulatory polices for communications markets.

ESTIMATED COST:

- ® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452033

Regular Agenda - Communication Resolutions and Reports

Item **Removes Suspension of AT&T California's Advice Letter for**
50 **Unbundled Network Element Recurring Rate Index**
(Rev.) **Calculation 38241**
[10236]

Res T-17308

PROPOSED OUTCOME:

® Considers the protest by California Association of Competitive Telecommunications Companies of AT&T's calculation of unbundled network element recurring rate index and finds AT&T's calculation to be correct except for two modifications; freezes all rates for UNE loops not subject to the Settlement Agreement for the duration of the Agreement. This resolution lifts suspension of Advice Letter (AL) 38241, allowing the AL to become effective, with the exception of the two modifications.

ESTIMATED COST:

® No cost to state. Carrier costs doing business with AT&T would be higher under rate calculated by AT& T.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451818

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

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

Agenda 3273, Item 38 5/5/2011 (Staff)

05/20/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Communication Resolutions and Reports (continued)

Item **Policy That First Deducts Federal Communications**
51 **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=451200

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

Agenda 3273, Item 39 5/5/2011 (Staff)

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters**Item Water Meters****52**

[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

Agenda 3273, Item 42 5/5/2011 (Simon)

Item High-Speed Rail: Power Supply**53**

[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: _____).

Agenda 3273, Item 43 5/5/2011 (Staff)

Regular Agenda - Legislative and Other Matters (continued)

Item Public Utilities: Electric Vehicle Charging Stations

54

[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).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452136

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

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

Agenda 3273, Item 44 5/5/2011 (Staff)

**Item Utility Service: Undergrounding of Electrical and
55 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: _____).

Agenda 3273, Item 46 5/5/2011 (Staff)

Regular Agenda - Legislative and Other Matters (continued)

Item Electricity: Self-Generation Incentive Program

56

(Rev.)

[10388]

AB 864 (Huffman)

This bill would require that distributed energy resources with a nameplate generating capacity of up to 10 megawatts are eligible for incentives under the Self Generation Incentive Program, but would limit the award of incentives to not more than 5 megawatts (MW) of that capacity. The bill would limit incentives being made available for distributed energy resources with a nameplate generating capacity above 3 MW to those technologies that meet cost-effectiveness rules established by the commission. The bill would require that incentives made available for distributed energy resources with a nameplate generating capacity greater than 3 MW be based on a declining schedule determined by the California Public Utilities Commission. (Legislative Subcommittee Recommendation: Oppose).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452043

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

Item Energy Efficiency Program

57

[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:

_____).

Agenda 3273, Item 48 5/5/2011 (Staff)

Regular Agenda - Legislative and Other Matters (continued)

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: Oppose).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452187

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

Agenda 3273, Item 50 5/5/2011 (Sandoval)

Item Emergency Telephone Users Surcharge
59

(Rev.)

[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: Oppose unless amended).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452179

Agenda 3273, Item 52 5/5/2011 (Staff)

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

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

(Rev.)

[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: Support).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452177

Agenda 3273, Item 54 5/5/2011 (Staff)

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

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

(Rev.)

[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: Neutral with concerns).

Agenda 3273, Item 55 5/5/2011 (Staff)

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

**Item Energy: Agricultural Byproducts
62**

[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: _____).

Agenda 3273, Item 56 5/5/2011 (Staff)

Regular Agenda - Legislative and Other Matters (continued)

Item Self-Generation Incentive Program

63

[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=452017

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

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

Agenda 3273, Item 58 5/5/2011 (Florio)

Item Telecommunications: Universal Service

64

[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

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

Agenda 3273, Item 63 5/5/2011 (Ferron)

Item PVUSA Solar Facility

65

[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).

Agenda 3273, Item 69 5/5/2011 (Staff)

Regular Agenda - Legislative and Other Matters (continued)

Item Electricity: Net Energy Metering

66

(Rev.)

[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: Support).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452007

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

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

Agenda 3273, Item 70 5/5/2011 (Staff)

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item Natural Gas: Service and Safety

67

(Rev.)

[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: Support with amendments).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452217

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

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

Agenda 3273, Item 72 5/5/2011 (Staff)

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item Electricity: Community Choice Aggregation

68

[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=452215

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

Agenda 3273, Item 73 5/5/2011 (Staff)

Item Natural Gas Pipelines: Accounts

69

(Rev.)

[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: Support with amendments).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452011

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

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

Agenda 3273, Item 74 5/5/2011 (Staff)

05/23/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item Telecommunications: Universal Service
70

[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: _____).

Agenda 3273, Item 75 5/5/2011 (Staff)

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Item 71 **Report and Discussion by Consumer Protection Safety
Division on Recent Safety Program Activities**
[10372]

Item 72 **AT&T's May 3, 2011 Information-Only Letter to the Director
of Communications Division**
[10407]

Report by the Director of the Communications Division

Consideration of direction to staff regarding possible action(s), if any, to take pursuant to Decision 95-10-032, Ordering Paragraph 3, in response to AT&T's May 3, 2011 information-only letter to the Director of Communications Division concerning the proposed AT&T/T-Mobile merger. (May 3, 2011 information-only filing addressed to the Director of Communications Division regarding Revised Notice by AT&T of Proposed Commercial Mobile Radio Service Transfer, designated for tracking purposes only as Advice Letter 160.)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452014

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
73
 [10373]

Compilation of applications for rehearing recently filed with the Commission.

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

Item Conference with Legal Counsel - Application for Rehearing
74
 [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.

Agenda 3272, Item 84 4/14/2011;

Agenda 3273, Item 79 5/5/2011

Closed Session - Applications for Rehearing (continued)

Item Conference with Legal Counsel - Application for Rehearing

75

[10357]

A11-01-003

Disposition of Application for Rehearing and related request for stay of Resolution T-17266, filed by Calaveras, Cal-Ore, Ducor, Foresthill, Happy Valley, Hornitos, Kerman, Pinnacles, Ponderosa, Sierra, Siskiyou, Volcano and Winterhaven telephone companies. This Resolution granted the request of Cricket Communications Inc. for limited eligible telecommunications carrier status for the purpose of offering only Federal LifeLine and Link-up services to qualifying end-user customers.

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

Item Conference with Legal Counsel - Application for Rehearing

76

[10384]

R06-10-006

Disposition of applications for rehearing of Decision (D) 10-12-056 and/or related motion for immediate stay, filed jointly by League of California Cities, the California State Association of Counties and SCAN NATOA, Inc. (collectively, "League et al"), and AT&T California (AT&T), Frontier, SureWest, and the Small LEC (collectively, "AT&T et al"). D10-12-056 is the final decision adopting General Order ("GO") 170, which specifies review procedures applicable to telecommunications utilities for authority to offer service and construct facilities under the California Environmental Quality Act.

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

Closed Session - Initiation of Litigation - Non-Federal

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

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

Item Conference with Legal Counsel - Initiation of Litigation**77**

[10394]

I._____

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

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

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

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

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

Closed Session - Initiation of Litigation - Federal

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

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

Closed Session - 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