
Public Utilities Commission of the State of California

Public Agenda 3275

Thursday, June 9, 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 (9:00 a.m.) <i>Open to the Public</i>
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.)
Friday, September 02, 2011 (San Francisco)	Thursday, August 18, 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
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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 6

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**

[10369]

Res ALJ 176-3275

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 Disclosure of Records of an Investigation

2

[10370]

Res L-415

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an electric incident on November 4, 2010 in Carpinteria, California.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452816

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

Item Disclosure of Records of an Investigation

3

[10380]

Res L-416

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a December 2, 2010 electric incident which occurred at 24301 Wilmington Avenue, Carson, California, once the investigation is complete.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453281

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

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Petition for Modification
4 of Decision 10-12-034**

[10391]

R10-05-006

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

PROPOSED OUTCOME:

® Grants PG&E's Petition for Modification requesting clarification of Decision 10-12-034 on two issues: 1) that the decision allows for the submission of convergence bids related to certain long-start generation units, and 2) that the decision allows for convergence bids to be submitted at interties where utility resources or loads are located.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Allen)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453254

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 **Golden State Water Company's Executed Asset Lease**
5 **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=453370

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

Agenda 3274, Item 29 5/26/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Petition for Modification of Decision 11-01-017 to Permit**
6 **Reimbursement of Costs Incurred by the Call Aggregator**

[10393]

I10-02-004

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

PROPOSED OUTCOME:

- ® Allows G-Five, LLC to retain \$3,900.00 from the approximately \$104,000.00 in illegal Dial-Around Compensation to be turned over to the Commission.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Darling)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452691

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

Consent Agenda - Orders and Resolutions (continued)

Item **Federal Executive Agencies' Petition for Modification of**
7 **Decision 10-03-022**

[10395]

R07-05-025

Rulemaking regarding whether, or subject to what conditions, the suspension of Direct Access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.

PROPOSED OUTCOME:

® Denies the Federal Executive Agencies' Petition for Modification of Decision 10-03-022 to increase the Direct Access Load Cap for Southern California Edison Company to include Edwards Air Force Base load.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E41349

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 **Funding for the Grant Application of Frontier**
8 **Communications of the Southwest, Inc. From the California**
(Rev.) **Advanced Services Fund**

[10399]

Res T-17322

PROPOSED OUTCOME:

® Approves California Advanced Services Fund funding for San Bernardino Unserved Broadband Project.

ESTIMATED COST:

® \$168,171.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452620

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Modification of Decision 10-11-022

9

[10402]

A10-06-016

Application of BRT Company, LLC d/b/a Big River Telephone Company, LLC for a Certificate of Public Convenience and Necessity to provide Limited Facilities-based and Resold Competitive Local Exchange and Non-Dominant Interexchange Services.

PROPOSED OUTCOME:

® Modification of Decision 10-11-022 issued in Application 10-06-016 – Change the name of the applicant from BRT Company, LLC d/b/a/ Big River Telephone Company, LLC to Big River Telephone Company, LLC.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450011

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

Consent Agenda - Orders and Resolutions (continued)

Item 10
Del Oro Water Company, Ferndale District Seeks to Recover Expenses Recorded in its Extraordinary Events Legal/Engineering Memorandum Account for its Negotiations With the Department of Fish and Game
 [10406]

Res W-4878, Advice Letter 280 filed on February 4, 2011 - Related matters.

PROPOSED OUTCOME:

® The utility is permitted to transfer the amount in its Extraordinary Events Legal/Engineering Memorandum Account to a balancing account; to recover it by imposing a surcharge over a period of forty-eight months; and to file a supplement to Advice Letter 280 to incorporate the surcharge in its rate schedule indicated in Order Paragraph 2.

ESTIMATED COST:

® \$139,884.21.

Item 11
New Order Instituting Rulemaking
 [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.

Agenda 3274, Item 35 5/26/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 12 Rolling Green Utilities, Inc. Transfer 50% of Stock From Donald W. Kanen to Arnold D. Petersen

[10413]

Res W-4879, Advice Letter Nos. 31-W and 17-SS filed on February 11, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Approves the transfer of 50% of the stock in the utility from Donald W. Kanen to Arnold D. Petersen.
- ® Within 5 days Mr. Petersen shall notify the Commission of the date transaction closes by sending letter to the Executive Director with a copy to the Director of the Division of Water and Audits.
- ® Mr. Kanen shall be relieved of his public utility obligation effective on the closing of the transaction with Arnold Petersen.

ESTIMATED COST:

- ® None.

Item 13 Transfer of a Passenger Stage Corporation Certificate from Jaipal Singh to Abdul Abuzaid

[10414]

A11-03-018

In the Matter of the Application of Jaipal Singh to sell and transfer his ownership of Comfort Express Shuttle Service and Certificate PSC-18461 to Abdul Abuzaid.

PROPOSED OUTCOME:

- ® Grants the application for approval to transfer a passenger stage corporation certificate from Jaipal Singh to Abdul Abuzaid.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450876

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

Consent Agenda - Orders and Resolutions (continued)

Item **Advance Shuttle Services LLC to Expand its Passenger**
14 **Stage Corporation Certificate**

[10415]

A11-03-019

PROPOSED OUTCOME:

® Grants the application of Advance Shuttle Services LLC to expand its passenger stage corporation certificate to include on-call service between San Diego International Airport, San Diego Cruise Ship Terminal, and other points in the City of San Diego, and points in Imperial, Los Angeles, Orange, Riverside, and San Diego Counties.

® Establishes a zone of rate freedom.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450703

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

Consent Agenda - Orders and Resolutions (continued)

Item **Transit Unlimited Services LLC for a Passenger Stage Corporation Certificate**
15

[10419]

A11-01-022

PROPOSED OUTCOME:

® Grants the application of Transit Unlimited Services to operate as a scheduled passenger stage corporation between certain points in San Francisco, Alameda, Santa Clara, Santa Cruz, and Monterey Counties.

® Establishes a zone of rate freedom.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451250

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

Consent Agenda - Orders and Resolutions (continued)

**Item Cal-Ore Telephone Company to Borrow \$446,600 and Enter
16 into a Loan Agreement With the Rural Utilities Service**

[10431]

A10-11-008

Application of Cal-Ore Telephone Company for an Order authorizing it to issue notes in an amount not exceeding \$446,600, and to execute a related agreement and supplemental security instruments.

PROPOSED OUTCOME:

® Grants Cal-Ore Telephone Company the authority to enter into a loan agreement with the United States of America, acting through the Rural Utilities Service for the purpose of borrowing \$446,600 under the Broadband Initiative Program, as authorized by the American Recovery and Reinvestment Act of 2009 to fund a broadband infrastructure project; and encumber utility assets.

® Closes the proceeding.

ESTIMATED COST:

® \$446,600.

(Exam Kahlon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450611

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

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Permit to Construct
17 Crazy Horse Canyon Switching Station Project**

[10436]

A10-04-031

PROPOSED OUTCOME:

® Grants Pacific Gas and Electric Company permit to construct the Crazy Horse Canyon Switching Station Project.

® Closes the proceeding.

ESTIMATED COST:

® Not required by General Order.

(Comr Florio - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453389

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

Item Negative Declaration for Central Valley Independent Network

18

[10448]

Res T-17326

PROPOSED OUTCOME:

® Approves a Negative Declaration pursuant to California Environmental Quality Act for the Central Valley independent Network American Recovery and Reinvestment Act/California Advanced Services Fund Broadband.

ESTIMATED COST:

® None.

Consent Agenda - Intervenor Compensation Orders**Item Compensation to The Utility Reform Network****19**

[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=453152*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

Agenda 3274, Item 36 5/26/2011 (Simon)

Consent Agenda - Intervenor Compensation Orders (continued)

Item 20 Compensation to Natural Resources Defense Council and Friends of the Earth

(Rev.)

[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 \$39,055.49 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 \$39,055.49, plus interest.

(Comr Peevey - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453345

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

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

Agenda 3274, Item 37 5/26/2011 (Simon)

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to the Greenlining Institute

21

[10378]

A08-07-017

Application of San Diego Gas & Electric Company for Approval of The SDG&E Solar Energy Project.

PROPOSED OUTCOME:

® Awards the Greenlining Institute \$29,407.78 in intervenor compensation for contributions to Decision 10-09-016.

ESTIMATED COST:

® Ratepayers of San Diego Gas & Electric Company will pay the awarded amount of \$29,407.78, plus interest.

(Comr Peevey - ALJ Ebke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450479

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network

22

[10420]

R09-03-014

Order Instituting Rulemaking on the Commission's Own Motion to Develop Rules and Procedures to Ensure that Investor-Owned Water Utilities will not Recover Unreasonable Return on Investments Financed by Contamination Proceeds, Including Damage Awards, and Public Loans Received Due to Water Supply Contamination.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$49,010 for substantial contributions to Decision (D) 10-10-018 and D10-12-058.

ESTIMATED COST:

® Ratepayers of California-American Water Company, Great Oaks Water Company, Fruitridge Vista Water Company, San Gabriel Valley Water Company and Park Water Company will allocate payment responsibility of \$49,010, plus interest among themselves, based on their California-jurisdictional 2010 water revenues.

(Comr Peevey - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453266

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network

23

[10441]

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

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

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$65,194.09 for substantial contributions to Decision 10-07-042.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company will pay \$65,194.09, plus interest.

(Comr Sandoval - ALJ Kenney)

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

Regular Agenda - Energy Orders

Item Net Surplus Compensation Rate for Electric Utilities

24

[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 an avoided cost based 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=452928

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);

Agenda 3274, Item 43 5/26/2011 (Simon)

Regular Agenda - Energy Orders**Item ALTERNATE TO ITEM 9932****24a**

[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. The NSC rate is calculated using the variable component of the Market Price Referent (MPR), adjusted for time of delivery factors.

® Finds that net surplus generation should count toward the utilities' Renewable Portfolio Standard (RPS) targets. However, net surplus generation is not exempt from RPS certification, metering, and tracking requirements and will not count toward the utilities' RPS targets until the CEC finalizes a process for certifying net surplus generation facilities and tracking their output.

® Specifies that the NSC rate includes a value for renewable attributes of the generation.

Nevertheless, until the California Energy Commission (CEC) finalizes a process for certifying net surplus generation facilities and tracking their output, Net surplus generators 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 (currently 1.83 cents/kWh). All net surplus generation will receive the "energy-only" rate until the CEC finalizes the Renewable Energy Credit REC certification and tracking process described above. This "energy only rate" is 7.58 cents/kWh for Pacific Gas and Electric Company (PG&E), 8.03 cents/kWh for Southern California Edison Company (SCE), and 6.54 cents/kWh for San Diego Gas & Electric Company (SDG&E).

® Requires PG&E, SCE, SDG&E, 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 Net Surplus Compensation rate in the range of \$.08 to \$.10 per kilowatt hour and annual net surplus generation for PG&E, SCE, and SDG&E of 12 million kWh, total net surplus compensation would range from \$960,000 to \$1.2 million annually.

(Comr Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452557

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

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

Agenda 3274, Item 43a 5/26/2011 (Simon)

Regular Agenda - Energy Orders (continued)

Item 25 (Rev.) **Phase 2 Establishing Policies to Overcome Barriers to Electric Vehicle Deployment and Complying with Public Utilities Code Section 740.2**

[10233]

R09-08-009

PROPOSED OUTCOME:

® To achieve the state's emission reduction goal, significant progress in the transportation sector is critical. Today's decision achieves the following:

® Directs electric utilities to collaborate with automakers and other stakeholders to develop an assessment report to be filed in this proceeding to address early notification processes 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. Electric Vehicle Service Providers in residential settings will be eligible for residential PEV rate schedules. 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 cost;

® Defines the role that utilities may play in education and outreach related to PEVs;

® Requires utilities to perform load research to inform future Commission policy; and

® Addresses utility ownership of electric vehicle service equipment.

® The proceeding remains open for receipt of compliance filings and to monitor efforts by stakeholders to further refine the issues identified herein.

ESTIMATED COST:

® Minimal.

(Comr Peevey - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452806

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);

Agenda 3274, Item 44 5/26/2011 (Staff)

05/31/2011 - This revision was not shown on the Agenda mailed to the public.

 Regular Agenda - Energy Orders (continued)

**Item 26 Petition for Modification of Decision 09-09-047 Regarding
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=453048

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

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

Agenda 3274, Item 47 5/26/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Pacific Gas and Electric Company, Southern California**
27 **Edison Company, and San Diego Gas & Electric Company's**
[10387] **Rules to Protect the Privacy and Security of Usage Data**

R08-12-009

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

PROPOSED OUTCOME:

- ® Adopts privacy and security rules.
- ® Expands consumer and third party access to electricity usage and pricing information.
- ® Calls for pilot studies providing access to Smart Meters.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Sullivan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E41276

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

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

Regular Agenda - Energy Orders (continued)

Item **Determining Maximum Allowable Operating Pressure**
28 **Methodology and Requiring Filing of Natural Gas**
[10401] **Transmission Pipeline Replacement or Testing**
 Implementation Plans

R11-02-019

Order Instituting Rulemaking on the Commission's Own Motion to Adopt New Safety and Reliability Regulations for Natural Gas Transmission and Distribution Pipelines and Related Ratemaking Mechanisms.

PROPOSED OUTCOME:

® Directs gas transmission line operators to complete on-going maximum allowable operating pressure calculations and to prepare a plan to pressure test or replace all natural gas pipeline not so tested.

ESTIMATED COST:

® Unknown.

(Comr Florio - ALJ Bushey)

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 Pacific Gas and Electric Company to use California Alternate
29 Rates for Energy Funds**

[10389]

Res G-3455, Advice Letter 3189-G/3803-E filed on February 10, 2011 - Related matters.

PROPOSED OUTCOME:

® Approves Pacific Gas and Electric Company's (PG&E) request for a one-time use of up to \$3.9 million in unspent California Alternate Rates for Energy (CARE) funds to augment, on a one-to-one matching basis existing Relief for Energy Assistance through Community Help Program funds available to PG&E.

ESTIMATED COST:

- ® The authorized transfer of up to \$3.9 million comes from PG&E's CARE balancing accounts.
- ® This amount is already funded through the Public Purpose Program Charge, and this resolution does not increase PG&E's revenue requirement.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453324

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

Regular Agenda - Communication Orders**Item New Order Instituting Rulemaking****30**

[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=453002

Agenda 3274, Item 49 5/26/2011 (Staff)

Regular Agenda - Communication Orders (continued)

Item New Order Instituting Investigation - Option A and Option B

31

(Rev.)

[10449]

I._____

Order Instituting Investigation on the Commission's Own Motion Into the Proposed Purchase and Acquisition by AT&T Inc. of T-Mobile USA, Inc., and its Effect on California Ratepayers and the California Economy.

PROPOSED OUTCOME:

® Fact-finding Order Instituting Investigation (OII) into the proposed acquisition by AT&T Inc., the parent and/or beneficial owner of California telecommunications utilities Pacific Bell dba AT&T California and New Cingular Wireless PCS, LLC, of all the issued and outstanding shares of capital stock of T-Mobile USA, Inc., which is the direct and/or beneficial owner of California telecommunications utility T-Mobile West Corporation.

® This OII will investigate, gather and analyze information relevant to the proposed merger to determine whether the merger meets the requirements of applicable law and whether additional Commission action is warranted.

ESTIMATED COST:

® Unknown.

06/08/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Communication Resolutions and Reports

**Item Verizon California Inc. to Change the Way They Provide
32 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=453235

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

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

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

Agenda 3273, Item 37 5/5/2011 (Pub. Util. Code §311(e))

Regular Agenda - Communication Resolutions and Reports (continued)

Item ALTERNATE TO ITEM 10127
32a

[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=452790

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

Agenda 3273, Item 37a 5/5/2011 (Pub. Util. Code §311(e))

Regular Agenda - Communication Resolutions and Reports (continued)

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

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=452752

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);

Agenda 3274, Item 50 5/26/2011 (Staff)

Regular Agenda - Communication Resolutions and Reports (continued)

Item **Policy That First Deducts Federal Communications**
34 **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=452697

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

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

Agenda 3274, Item 51 5/26/2011 (Staff)

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters**Item 35 Energy: Land Exchange for Renewable Energy-Related Projects****(Rev.)**

[10442]

AB 982 (Skinner)

This bill requires the State Lands Commission to arrange with the Bureau of Land Management for the exchange of state school lands for federal lands in order to facilitate renewable energy projects. The bill would require the Commission, by January 1 of each year, to report to the Legislature on the status of the memorandum of agreement and school land consolidation efforts for renewable energy-related projects. (Legislative Subcommittee Recommendation: Support).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453151

05/31/2011 - This revision was not shown on the Agenda mailed to the public.

Item 36 Personal Liability Immunity: Telecommunication Service 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. (Subcommittee: Neutral with concerns).

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

Agenda 3274, Item 61 5/26/2011 (Staff)

06/08/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item **Telecommunications: Location of Mobile Telephony Service**
37 **Facilities on State-Owned Real Property: Reporting**
[10443] **Requirements**

AB 1131 (Lara)

This bill requires the Director of the Department of General Services (DGS) to report on the status of leasing state owned lands to wireless telecommunications providers and recommendations for improvement. It also requires the Director of DGS to submit to the Legislature, by January 31, 2012, a report on actions taken by the Director to further leases with wireless telecommunication providers until March 31, 2017. (Legislative Subcommittee Recommendation: _____).

Item **PVUSA Solar Facility**
38
(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. (Recommendation: Oppose unless amended).

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

Agenda 3274, Item 65 5/26/2011 (Staff)

06/08/2011 - This revision was not shown on the Agenda mailed to the public.

Item **Energy Efficiency Standards**
39
(Rev.)
[10444]

SB 454 (Pavley)

This bill requires the Energy Commission and the State Contractors License Board to collaborate to enforce compliance with the state's building energy efficiency standards. The bill authorizes the Energy Commission to administratively enforce the state's appliance energy efficiency standards. (Legislative Subcommittee Recommendation: Support).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453177

05/31/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item Local Government: Solar-Use Easement**40****(Rev.)**

[10445]

SB 618 (Wolk)

This bill authorizes a city or county and a landowner to simultaneously rescind a Williamson Act contract on marginally productive or physically impaired lands and enter into a solar-use easement that restricts the use of land to photovoltaic solar facilities. (Legislative Subcommittee Recommendation: Support).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453156

05/31/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Item **Report and Discussion by Consumer Protection Safety**
41 **Division on Recent Safety Program Activities**
[10428]

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
42
 [10427]

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
43
 [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.

Agenda 3274, Item 75 5/26/2011

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.

Item Conference with Legal Counsel - Initiation of Litigation**44**

[10426]

I. _____

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions 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.

Item Conference with Legal Counsel - Initiation of Litigation**45**

[10437]

I. _____

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions 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