
Public Utilities Commission of the State of California

Public Agenda 3276

Thursday, June 23, 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, July 11, 2011 (San Francisco)	Thursday, June 23, 2011 (San Francisco)
Monday, July 25, 2011 (San Francisco)	Thursday, July 14, 2011 (San Francisco)
Monday, August 15, 2011 (San Francisco)	Thursday, July 28, 2011 (San Francisco)
Friday, September 02, 2011 (San Francisco)	Thursday, August 18, 2011 (San Francisco)
Monday, September 19, 2011 (San Francisco)	Thursday, September 08, 2011 (San Francisco)

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

Matters of Public Interest

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

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



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

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
-

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**

[10451]

Res ALJ 176-3276

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 **Order Affirming the Division of Water and Audits' Disposition**
2 **Regarding San Jose Water Company's Mandatory**
[10371] **Conservation Revenue Adjustment Mechanism**

Res W-4875, Supplemental Advice Letter 415-A filed on July 8, 2010 - Related matters.

PROPOSED OUTCOME:

® Denies authority to amortize San Jose Water Company's Mandatory Conservation Revenue Adjustment Mechanism.

® Rejects Advice Letter 415-A.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454450

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

Consent Agenda - Orders and Resolutions (continued)

Item **Federal Executive Agencies' Petition for Modification of**
3 **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=454365

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

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

Agenda 3275, Item 7 6/9/2011 (Ferron)

Consent Agenda - Orders and Resolutions (continued)

**Item Accelar, Inc. to Operate as a Scheduled Passenger Stage
4 Corporation**

[10408]

A10-06-009

Application of Accelar, Inc. to operate as a scheduled Passenger Stage Corporation between points in San Francisco, Marin, Sonoma, Napa, Alameda, Contra Costa, Solano, San Mateo, Santa Clara, Sacramento, Yolo, Placer, El Dorado, San Joaquin, Stanislaus, Merced, and Fresno Counties in the State of California, and to establish a Zone of Rate Freedom for its services.

PROPOSED OUTCOME:

- ® Grants a Certificate of Public Convenience and Necessity to Operate a Passenger Stage Corporation.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E41828

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 New Order Instituting Rulemaking

5

[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);

Agenda 3275, Item 11 6/9/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **The California Energy Commission's Proposed Program**
6 **Plan and Funding Request for the Natural Gas Public Interest**
[10416] **Research Program for Fiscal Year 2011-2012**

Res G-3459

PROPOSED OUTCOME:

® Approves The California Energy Commission's request, pursuant to California Public Utilities Commission Decision 04-08-010.

ESTIMATED COST:

® \$24 million for Fiscal Year 2011-2012.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450366

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

Item **Pacific Gas and Electric Company's Power Purchase**
7 **Agreement With North Star Solar, LLC**

[10417]

Res E-4405, Advice Letter 3759-E Filed on November 12, 2010 - Related matters.

PROPOSED OUTCOME:

® Denies cost recovery for the long-term renewable energy power purchase agreement between Pacific Gas and Electric Company and North Star Solar, LLC.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451436

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

Consent Agenda - Orders and Resolutions (continued)

Item Establishes a One-Way Memorandum Account

8

[10418]

Res L-411A

Corrects errors in Resolution L-411, which established a memorandum account for Covered Utilities to allow the Commission to consider revising their rates to reflect the 2010 Tax relief Act.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454577

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

**Item Twin Lakes Enterprise, Inc. for a General Rate Increase to
9 Produce Additional Annual Revenue of \$33,698 or 75.02% for**

[10422]

Test Year 2011 and Facilities Fees

Res W-4880, Advice Letter 15 filed on December 7, 2010 - Related matters.

PROPOSED OUTCOME:

- ® Authorizes Twin Lakes Enterprise, Inc. (Twin Lakes) the following:
- ® To file a supplemental advice letter to include rate schedule in Appendix B.
- ® To file a Tier 1 advice letter to revise its rules and forms.
- ® To establish a memorandum account to track maintenance costs for any fire hydrants installed after date of this resolution.
- ® To file a Tier 2 advice letter for addition of up to five fire hydrants a year capped at \$8,109 per hydrant.
- ® Orders Twin Lakes the following:
- ® To follow the Uniform System of Accounts for Class B, C, and D Water Utilities.
- ® To complete Schedule G, Sources of Supply and Water Developed Wells beginning with its 2011 Annual Report and all subsequent annual reports.

ESTIMATED COST:

® \$33,698.

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

Consent Agenda - Orders and Resolutions (continued)

Item **Compliance Documents Submitted to Satisfy Conditions**
10 **Ordered in Decision 07-05-061 for the Transfer of Indirect**
[10423] **Ownership and Control Over Petroleum Pipelines SFPP, L.P.**
 and Calnev Pipeline, L.L.C.

Res O-0053

PROPOSED OUTCOME:

® The revised documents submitted to Energy Division comply with the conditions specified in Decision 07-05-061.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451606

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

Consent Agenda - Orders and Resolutions (continued)

Item 11 San Diego Gas & Electric Company for Special Treatment of Customer on Line Extensions

[10424]

Res E-4410, Advice letter 2230-E filed on February 14, 2011 - Related matters.

PROPOSED OUTCOME:

® Grants the request for an extension of time for residential loads to take service after the utility is ready to serve from 6 months to one year without penalty, the same period as for non-residential loads, and

® Denies the request for approval per Electric Rule 15, Section I.3, of a special conditions agreement between San Diego Gas & Electric Company (SDG&E) and Rancho Mission Viejo, LLC.

ESTIMATED COST:

® There is no cost for the extension of time.

® Per response to Data Request # 9, the special conditions agreement would increase the estimated cost to SDG&E and to the ratepayers by \$266,000.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451369

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

Consent Agenda - Orders and Resolutions (continued)

Item Approving Settlement Subject to Condition

12

[10425]

A10-07-017

Application of San Diego Gas & Electric Company to Amend Renewable Energy Power Purchase Agreement with NaturEner Rim Rock Wind Energy, LLC and for Authority to Make a Tax Equity Investment in the Project.

PROPOSED OUTCOME:

- ® Approves settlement, subject to condition, and authorizes the filing under seal of certain confidential information in the settlement as well as the transactions documents attached to the settlement.
- ® Major terms of settlement include:
 - ® Authorizing San Diego Gas & Electric Company (SDG&E) ratepayers and shareholders to make a tax equity investment in what is known as the Rim Rock wind project;
 - ® Reducing the Rim Rock power purchase agreement (PPA) from 309 megawatts (MW) to 189 MW;
 - ® Imposing a quantified price cap on the green attributes associated with the PPA;
 - ® Reducing ratepayer funding to no more than \$250 million (from the initial request for as much as \$600 million);
 - ® Making repayment of shareholder investment subordinate to repayment of ratepayer investment;
 - ® Providing for the Division of Ratepayer Advocate/The Utility Reform Network to review SDG&E's "due diligence"; and
 - ® SDG&E also guarantees ratepayer neutrality and agrees to limit its future pursuit of Tradable Renewable Energy Credits that are only tangentially associated with California.
 - ® Condition: Should the parties negotiate an increase in SDG&E's rate of return under specified settlement provisions, they must seek Commission approval through a petition for modification under Rule 16.4.
 - ® Closes the proceeding.

ESTIMATED COST:

- ® SDG&E ratepayer funding (of up to \$250 million) targeted substantially to be repaid within ten years of start of commercial operation;
- ® SDG&E commits to ensure ratepayer neutrality by the end of 20 years.

(Comr Ferron - ALJ Vieth)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454209

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 13 **Rescinds Funding for Projects in Resolutions T-17196, T-17199, T-17237, T-17240, T-17242, T-17268, and T-17288**
[10429]
Res T-17317

PROPOSED OUTCOME:

® Rescinds nine project awards, releases \$13,061,002 of the California Advanced Services Fund funding, and returns corresponding census block groups to the pool for reallocation to prospective applicants.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454117

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

Consent Agenda - Orders and Resolutions (continued)

Item 14
[10430] **Verizon California, Inc. to Deviate From the California Public Utilities Code Section 320 Requiring Undergrounding of Aerial Facilities Along Scenic Highway 1 in Santa Barbara County**

Res T-17261, Advice Letter No. 12412 filed June 18, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves the request for deviation and imposes a penalty in the amount of \$5,000 for failure to comply with the requirements of California Public Utilities Code Section 320.

ESTIMATED COST:

® Verizon will incur \$12,000 to underground Mile Marker 17.65 on Highway 1 in addition to a \$5,000 fine.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454514

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

Consent Agenda - Orders and Resolutions (continued)

Item **California Grade Separation Priority List for Fiscal Year**
15 **2011-2012**

[10432]

I09-07-028

Investigation for the purpose of establishing a list for the fiscal years 2010-2011 and 2011-2012 of existing crossings at grade of city streets, county roads or state highways in need of separation, or existing separations in need of alterations or reconstruction in accordance with Section 2452 of the Streets and Highways Code.

PROPOSED OUTCOME:

® Adoption of Final California Grade Separation Priority List for Fiscal Year 2011-2012, as required by the California Streets and Highways Code Section 2450 et seq.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454417

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

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

Consent Agenda - Orders and Resolutions (continued)

Item 16 Local Procurement Obligations for 2012 and Refinements to the Resource Adequacy Program

[10433]

R09-10-032

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Annual Local Procurement Obligations.

PROPOSED OUTCOME:

- Ⓡ Adopts local procurement obligations for 2012 for load serving entities. Refines the Resource Adequacy (RA) program by:
- Ⓡ Establishing the Standard Capacity Product as mandatory
- Ⓡ Providing for lower penalties for RA deficiencies cured within five days
- Ⓡ Permanently aggregating "other Pacific Gas and Electric Company" Local RA areas
- Ⓡ Applying certain RA rules to demand response resources.

ESTIMATED COST:

- Ⓡ Unknown at this time.

(Comr Ferron - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454474

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 **Verizon California, Inc.'s Waiver from Section 320**
17
[10435]

Res T-17271, Advice Letter No. 12413 filed on June 18, 2009 - Related matters.

PROPOSED OUTCOME:

® Denies, in part, the request by Verizon California, Inc. seeking a waiver from Section 320.

ESTIMATED COST:

® Verizon will incur \$70,800 to underground the overhead facilities between Mile Markers 62.69 and 63.86.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454522

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

Item **Verizon California, Inc.'s Request to Deviate From Public**
18 **Utility Code Section 320 Requiring Undergrounding Along**
[10438] **Scenic Highway 243 in Riverside County**

Res T-17270, Advice Letter No. 12414 filed June 18, 2009 - Related matters.

PROPOSED OUTCOME:

® Approves Verizon California, Inc.'s request for deviation and fine in the amount of \$5,000 for harm to the regulatory process.

ESTIMATED COST:

® Verizon California, Inc. will pay a \$5,000 fine to the State.

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

Consent Agenda - Orders and Resolutions (continued)

Item 19 Settlement Agreement Between Golden State Water Company and the Division of Ratepayer Advocates

[10440]

A10-07-012

In the Matter of the Application of Golden State Water Company on Behalf of its Bear Valley Electric Service Division, for Approval of RPS Contract with BioEnergy Solutions, LLC, and for Authority to Recover the Costs of the Contract in Rates.

PROPOSED OUTCOME:

® Adopts Settlement Agreement, which authorizes Golden State Water Company to execute a Biogas' Option Agreement with BioEnergy Solutions, LLC, and resolves all issues in the current application.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E41929

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 **Certificate of Public Convenience and Necessity for Central
20** **Telecom Long Distance, Inc**

[10447]

A11-01-028

In the Matter of the Application of Central Telecom Long Distance for a Certificate of Public Convenience And Necessity in Order to Provide Resold Commercial Local Exchange and Interexchange Telecommunications Services within the State of California.

PROPOSED OUTCOME:

- ® Approves Application of Central Telecom Long Distance, Inc. for a Certificate of Public Convenience and Necessity.
- ® Application 11-01-028 is closed.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451868

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

Consent Agenda - Orders and Resolutions (continued)

Item Negative Declaration for Central Valley Independent Network

21

[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.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454501

Agenda 3275, Item 18 6/9/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Terra Moto Transportation Inc. for a Passenger Stage
22** **Corporation Certificate**

[10460]

A11-04-002

PROPOSED OUTCOME:

® Grants the application of Terra Moto Transportation Inc. to operate as an on-call passenger stage corporation between San Diego International Airport and other points in the City of San Diego and points in 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=451692

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

Consent Agenda - Orders and Resolutions (continued)

Item **C-VIP Chauffeur Inc. for a Passenger Stage Corporation**
23 **Certificate**

[10463]

A11-04-017

PROPOSED OUTCOME:

® Grants the application of C-VIP Chauffeur Inc. to operate as a passenger stage corporation on a scheduled and on-call basis between San Diego International Airport and points in San Diego County.

® Establishes a zone of rate freedom.

® Closes the proceeding.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452321

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

Consent Agenda - Orders and Resolutions (continued)

Item Transfer of Control from E.Kit.Com, Inc. to JT Group Limited
24

[10464]

A11-02-008

Joint Application of eKit.com, Inc. and Jersey Telecom for Authorization of Transfer of Control Pursuant to Public Utilities Code Section 854.

PROPOSED OUTCOME:

® Grants the unopposed joint application of eKit.com, Inc. (eKit) and JT Group Limited (JTG) for authorization pursuant to Public Utilities Code Section 854 to transfer the control of eKit, a California certificated telecommunications carrier, to JTG, through its subsidiaries Jersey Telecom Limited and Jersey Telecom, Inc.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Prestidge)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453140

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

25

[10467]

R08-11-005

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

PROPOSED OUTCOME:

® Extends the 18-month statutory deadline for Phase 2 of this proceeding until September 6, 2011.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Kenney)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452906

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

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company's Three Power Purchase**
26 **Agreements and Amendments with Existing Qualifying**
[10468] **Facilities and Associated Cost Recovery**

A11-01-023

Application of Pacific Gas and Electric Company for Approval of Three Power Purchase Agreement Amendments With Existing Qualifying Facilities and Associated Cost Recovery.

PROPOSED OUTCOME:

- ® Approves the three power purchase agreement amendments.
- ® Allows for cost recovery in Pacific Gas and Electric Company's Energy Resource Recovery Account.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Savings of \$14 million.

(Comr Sandoval - ALJ Semcer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E42592

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

Consent Agenda - Orders and Resolutions (continued)

**Item Golden State Water Company's Power Purchase Agreement
27 with Los Angeles County**

[10470]

A10-06-003

In the Matter of the Application of Golden State Water Company on Behalf of its Bear Valley Electric Service Division for Approval of RPS Contract with County Sanitation District No. 2 of Los Angeles County, and for Authority to Recover the Costs of the Contract in Rates.

PROPOSED OUTCOME:

- ® Provides advanced approval of Power Purchase Agreement between Golden State Water Company and Los Angeles County.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Farrar)

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

Consent Agenda - Orders and Resolutions (continued)

Item **Plumas Sierra Telecommunications for a Certificate of**
28 **Public Convenience and Necessity**

[10472]

A11-02-014

In the Matter of the Application of Plumas Sierra Telecommunications for a Certificate of Public Convenience and Necessity to Provide Full Facilities Based Competitive Local Exchange Access and Interexchange Services within California.

PROPOSED OUTCOME:

® Grants Plumas Sierra Telecommunications a Certificate of Public Convenience and Necessity to provide full facilities-based competitive local exchange, access, and interexchange services and adopts final mitigated negative declaration pursuant to the California Environmental Quality Act.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Roscow)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454624

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

Consent Agenda - Orders and Resolutions (continued)

Item **Joint Application of Mountain Utilities, LLC and Kirkwood**
29 **Meadows Public Utility District for Transfer of Control of**
[10473] **Assets and Additional Requests**

A11-02-020

Joint Application of Mountain Utilities, LLC and Kirkwood Meadows Public Utility District for Transfer of Control of Assets and Additional Requests Relating to Proposed Transaction.

PROPOSED OUTCOME:

- ® Grants the authority sought.
- ® Upon close of transaction, Mountain Utilities, LLC is relieved of its obligation to provide public utility electric service to customers within its service territory.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Semcer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E42700

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

Consent Agenda - Intervenor Compensation Orders**Item Compensation to The Utility Reform Network****30****(Rev.)**

[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:

® The ratepayers of California Water Service Company, Great Oaks Water Company, Suburban Water Systems, Valencia Water Company, Park Water Company, California-American Water Company, Golden State Water Company, San Jose Water Company, San Gabriel Valley Water Company and Apple Valley Ranchos Water Company, will pay the awarded amount, plus interest.

(Comr Peevey - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454091

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

Agenda 3275, Item 22 6/9/2011 (Ferron)

06/16/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Intervenor Compensation Orders (continued)

Item 31 Compensation to The Public Trust Alliance (Resource Renewal Institute)

[10439]

A04-09-019

In the matter of the application of California American Water Company for a certificate of public convenience and necessity to construct and operate its Coastal Water Project to resolve the long-term water supply deficit in its Monterey District and to recover all present and future costs in connection therewith in rates.

PROPOSED OUTCOME:

® Awards The Public Trust Alliance \$111,950.70 for substantial contribution to Decision 10-12-016.

ESTIMATED COST:

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

(Comr Peevey - ALJ Minkin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E41931

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Disability Rights Advocates

32

[10454]

A08-05-022, A08-05-024, A08-05-025, A08-05-026 - Related matters.

Application of Pacific Gas & Electric Company for Approval of the 2009-2011 Low Income Energy Efficiency and California Alternate Rates for Energy Programs and Budgets.

PROPOSED OUTCOME:

® Awards Disability Rights Advocates \$17,059 for substantial contribution to Decision 10-12-002.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company will pay their respective shares of the award, plus interest.

(Comr Simon - ALJ Kim)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=451672

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Sustainable Conservation

33

[10457]

R08-08-009

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

PROPOSED OUTCOME:

® Awards Sustainable Conservation \$11,259.50 for substantial contribution to Decision 10-12-048.

ESTIMATED COST:

® Ratepayers of Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company will pay their respective shares of the award, plus interest.

(Comr Ferron - ALJ Mattson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452645

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network

34

[10465]

R07-01-041

Order Instituting Rulemaking Regarding Policies and Protocols for Demand Response Load Impact Estimates, Cost-Effectiveness Methodologies, Megawatt Goals and Alignment with California Independent System Operator Market Design Protocols.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$76,049.76 for substantial contribution to Decision (D) 08-04-050 and D10-12-024.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay their respective shares of the award, plus interest.

(Comr Peevey - ALJ Hecht)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=452792

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

Regular Agenda

Regular Agenda - Energy Orders

Item 35 **Decision Modifying Decision 06-12-030 and Decision 08-04-023 Regarding Conditions of Access to Market Sensitive Information**
 [9699]

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=452502

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));
 Agenda 3274, Item 42 5/26/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9699
35a

[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=452548

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

Agenda 3274, Item 42a 5/26/2011 (Staff)

Regular Agenda - Energy Orders (continued)

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

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);

Agenda 3275, Item 25 6/9/2011 (Simon)

Regular Agenda - Energy Orders (continued)

**Item 37 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 2010-0212 energy efficiency activities.

(Comr Florio - ALJ Gamson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=453614

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);

Agenda 3275, Item 26 6/9/2011 (Simon)

Regular Agenda - Energy Orders (continued)

Item **Pacific Gas and Electric Company, Southern California**
38 **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=453323

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

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

Agenda 3275, Item 27 6/9/2011 (Staff)

Regular Agenda - Energy Resolutions and Written Reports

**Item Southern California Edison Company to Modify Rules 16 and
39 21 and Related Forms**

[10421]

Res E-4404, Advice Letter 2560-E filed on March 2, 2011 - Related matters.

PROPOSED OUTCOME:

® Approves with modifications Southern California Edison Company's Advice Letter to clarify access requirements to customer premises under Rules 16 and 21 and related Forms 14-653, 14-788 and 16-340.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=450739

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

Regular Agenda - Communication Orders**Item New Order Instituting Rulemaking****40**

[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=453047

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

Agenda 3275, Item 30 6/9/2011 (Staff)

Regular Agenda - Communication Orders (continued)

Item Broadband Consortia Program

41

[10446]

R10-12-008

Order Instituting Rulemaking to Consider Modifications to the California Advanced Services Fund Including Those Necessary to Implement Loan Program and Other Provisions of Recent Legislation.

PROPOSED OUTCOME:

® Implements the process for submission, review, approval, and disbursement of Rural and Urban Regional Broadband Consortia Account grants.

ESTIMATED COST:

® \$10 million of fund to be collected and granted to consortia for broadband programs.

(Comr Peevey - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454580

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 - Communication Resolutions and Reports

Item **Policy That First Deducts Federal Communications**
42 **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=449761

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);
Agenda 3275, Item 34 6/9/2011 (Staff)

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters**Item Personal Liability Immunity: Telecommunication Service
43 Providers**

[10338]

AB 1074 (Fuentes)

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

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

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

Agenda 3275, Item 36 6/9/2011 (Staff)

**Item 111th Congress
44**

[10461]

S 3923 (Sanders)

Authorizes a State legislature or regulatory authority to set the rates for a sale of electric energy by a facility generating electric energy from renewable energy sources pursuant to a State-approved production incentive program under which the facility voluntarily sells electric energy.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454525

**Item PVUSA Solar Facility
45**

[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);

Agenda 3275, Item 38 6/9/2011 (Staff)

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Item **Report and Discussion by Consumer Protection Safety**
46 **Division on Recent Safety Program Activities**
[10462]

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
47
 [10377]

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
48
 [10412]
C09-07-021

Disposition of application for rehearing of Decision (D) 10-07-005 (Decision) filed by Pacific Bell Telephone Company d/b/a AT&T California (AT&T). In D10-07-005, the Commission resolved a complaint against AT&T, filed by XO Communications Services, Inc. (XO) The issue involved what rate AT&T is entitled to charge XO for certain cage to cage interconnection to other competitive local exchange carriers physically collocated within AT&T's California wire centers. The Decision held that AT&T must bill at the Total Element Long-Run Incremental Cost for the services rather than at any other tariffed rate.

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

Closed Session - Applications for Rehearing (continued)

Item**Conference with Legal Counsel - Application for Rehearing****49**

[10459]

C09-05-009

Disposition of Application for Rehearing of Decision (D) 10-05-029, filed by Hypercube Telecom, LLC (Hypercube). In D10-05-029, the Commission dismissed a complaint filed by Hypercube against Level 3 Communications, LLC (Level 3). The complaint sought collection of charges pursuant to Hypercube's tariffs for access services, database query service, and the routing of 8YY calls to Level 3 for termination to Level 3's customers.

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.

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