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

## ***Public Agenda 3278***

***Thursday, July 28, 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>

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### **Scheduled Commission Meetings**

**505 Van Ness Avenue, San Francisco**

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <b><i>Open to the Public</i></b>
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)
Monday, October 03, 2011 (San Francisco)	Thursday, September 22, 2011 (San Francisco)
Monday, October 17, 2011 (San Francisco)	Thursday, October 06, 2011 (Los Angeles at 10:00 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.***

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**PUBLIC COMMENT**

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

- All items on the closed session agenda.
- 27, 34, 35, 38, 39

**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**

[10494]

**Res ALJ 176-3278**

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

® None.

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Federal Executive Agencies' Petition for Modification of**  
**2**                            **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=456549](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=456549)

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

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

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

Agenda 3276, Item 3 6/23/2011 (Staff);

Agenda 3277, Item 3 7/14/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item 3                    Accelar, Inc. to Operate as a Scheduled Passenger Stage 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=456660](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=456660)

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

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

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Agenda 3276, Item 4 6/23/2011 (Staff);

Agenda 3277, Item 4 7/14/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Power Purchase  
4 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=456653](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=456653)

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

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Agenda 3276, Item 7 6/23/2011 (Peevey);

Agenda 3277, Item 6 7/14/2011 (Peevey)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California-American Water Company's Petition to Modify**  
**5**                            **Decision 06-12-040**

[10471]

**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:**

- ® Modifies Decision 06-12-040 regarding ratemaking approach for Coastal Water Project to:
- ® Increase Special Request I surcharge to 15% to apply to authorized amounts for pre-construction costs. Pre-construction costs shall be recorded in an interest bearing memorandum account that will accrue interest at the five-year U.S. Treasury Constant Maturity Rate, not to fall below 2%.

**ESTIMATED COST:**

- ® Unknown at this time.

(Comr Peevey - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=456154](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=456154)

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

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

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Agenda 3277, Item 14 7/14/2011 (Sandoval)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Updates General Order 153 for New California LifeLine Rules**  
**6                        From Decision 10-11-033**

[10483]

**Res T-17321**

**PROPOSED OUTCOME:**

® Approves revised and updated General Order 153 for new California LifeLine rules.

**ESTIMATED COST:**

® Approximately \$3 million to implement the Resolution, based on actual costs claimed by carriers to implement pre-qualification.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457176](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457176)

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

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Agenda 3277, Item 20 7/14/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item Rural Water Company’s General Rate Increase in Annual  
7 Revenue**

[10487]

**Res W-4883**, Advice Letter 60-W filed on May 10, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® To file a supplemental advice letter (AL) that incorporates the revised rate schedule as Appendix B.
- ® Adopts the quantities in Appendix D.
- ® The utility shall refund over collected revenues of \$350,613 providing a prorated surcredit to each customer over a period of 36 months and with; shall provide the surcredit concurrently with the general rate increase authorized here.
- ® Submit a Tier 2 advice letter once a year to recover costs related to the Nipomo Mesa Management Area tracked in the purchased water account and incurred after the establishment of this account.
- ® The AL is effective after approved by the Division of Water and Audits.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457343](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457343)

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

Agenda 3277, Item 24 7/14/2011 (Peevey)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Nevada Hydro Company for a Certificate of Public  
8**                    **Convenience and Necessity**

[10482]

**A10-07-001**

In the Matter of the Application of The Nevada Hydro Company for a Certificate of Public Convenience and Necessity for the Talega-Escondido/Valley-Serrano 500 kV Interconnect Project.

**PROPOSED OUTCOME:**

- ® Finds that the Nevada Hydro Company (Nevada Hydro) will become a public utility, if a Certificate of Public Convenience and Necessity is issued in Phase 2.
- ® Requires Nevada Hydro to provide a surety or performance bond of \$550,000 to cover the costs of eligible intervenors who the Commission finds make a substantial contribution to the proceedings.
- ® Requires Nevada Hydro to enter into a reimbursable contract with the Division of Ratepayer Advocates (DRA) to cover the costs of DRA's consultants under Public Utilities Code § 631.

**ESTIMATED COST:**

- ® Approximately \$1 million to Nevada Hydro, based on the face value of the bond and the estimated cost of the reimbursable contract with the DRA.

(Comr Florio - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457388](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457388)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Proposed All-Party Settlement Agreement**

**9**

[10493]

**A08-11-009**

Application of California Water Service Company (Applicant), a California corporation, for authorization (i) to require the current or future owners of the parcels known as the "Trend Homes properties" to pay a \$40,000 developer contribution; and (ii) to reimburse Dwight Nelson with that \$40,000 payment.

**PROPOSED OUTCOME:**

- ® Approves settlement agreement.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Treating \$20,000 as refundable developer's advance.

(Comr Peevey - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457290](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457290)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 10 San Diego Association of Governments Safety Certification Plan for the Blue Line Crossover and Signaling Project**

[10501]

**Res ST-130**

**PROPOSED OUTCOME:**

® Grants the San Diego Association Government’s request for approval of its “Safety Certification Plan for the San Diego Association of Governments Blue Line Crossover and Signaling Project” dated March 23, 2011.

**ESTIMATED COST:**

® Not within scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=456595](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=456595)

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

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**Item 11 Final Report on the 2010 Triennial Safety Review of the Los Angeles Metropolitan Transportation Authority**

[10502]

**Res ST-128**

**PROPOSED OUTCOME:**

® Grants approval of the Los Angeles Metropolitan Transportation Authority Safety Review Report dated February 18, 2011.

**ESTIMATED COST:**

® Not within scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=456590](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=456590)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Expo Authority and Metro to Modify the Operation of Grade**  
**12**                        **Crossing Warning Device Bells at Five Crossings in City of**  
[10503]                   **Los Angeles, Los Angeles County**

**Res SX-98**

**PROPOSED OUTCOME:**

® Pursuant to section 12.1 of General Order 75-D authorizing the Exposition Metro Line Construction Authority on behalf of the Los Angeles County Metropolitan Transportation Authority to modify the operation of the automatic highway-rail grade crossing warning device bells to stop sounding once the gates have reached the horizontal (down) position at the five crossings of Arlington Boulevard, 7th Street, 11th/Degan Boulevard, Buckingham Road, and Hauser Boulevard in the City of Los Angeles, Los Angeles County.

**ESTIMATED COST:**

® Not within the scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457105](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457105)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **SFPP, L.P. To Increase Intra-State Pipeline Transportation**  
**13**                        **Rates**

[10509]

**A09-05-014**, A08-06-008, A08-06-009 - Related matters.

Application of SFPP, L.P. for authority, pursuant to Public Utilities Code Section 455.3, to increase its rates for pipeline transportation services within California.

**PROPOSED OUTCOME:**

- ® Sets rates and orders refunds to shippers on SFPP, L.P.'s intrastate refined petroleum products pipeline.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Bemederfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E43139](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E43139)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    New Order Instituting Investigation**

**14**

[10510]

I. \_\_\_\_\_

Order Instituting Investigation for the purpose of establishing a list for the fiscal years 2012-2013 and 2013-2014 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:**

® This Order Instituting Investigation requests project nominations pursuant to Section 2452 of the California Streets and Highways Code, from interested parties for existing crossings at grade of city streets, county roads, or state highways in need of separation, or existing separation in need of alterations or reconstruction.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454110](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454110)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Settlement**  
**15**                        **Agreement With the Division of Ratepayer Advocates**

[10511]

**A10-04-026**

Application of Southern California Edison Company for Authorization to Recover Costs Related to the 2007 Southern California Wind and Firestorms Recorded in the Catastrophic Event Memorandum Account.

**PROPOSED OUTCOME:**

- ® Approves Settlement Agreement on Catastrophic Event Memorandum Account.
- ® Application 10-04-026 is closed.

**ESTIMATED COST:**

- ® Increases distribution rate revenue requirement by \$8 million.

(Comr Simon - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457235](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457235)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Diego Metropolitan Transportation System's Vintage**  
**16**                        **Trolley Safety Certification Plan**

[10518]

**Res ST-131**

**PROPOSED OUTCOME:**

® Grants San Diego Metropolitan Transportation System's request for approval of its "Vintage Trolley Safety Certification Plan" dated May 9, 2011.

**ESTIMATED COST:**

® Not within scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454681](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454681)

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Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's \$18.3 Million Revenue  
17 Requirement and Approving its Various Accounts**

[10519]

**A10-02-012**

Application of Pacific Gas and Electric Company for Review of Entries to the Energy Resource Recovery Account (ERRA) and Renewables Portfolio Standard Cost Memorandum Account, and Compliance Review of Fuel Procurement for Utility Retained Generation, Administration of Power Purchase Contracts, and Least Cost Dispatch of Electric Generation Resources for the Record Period of January 1, through December 31, 2009 and for Adoption of Electric Revenue Requirements and Rates Associated with the Market Redesign and Technology Upgrade Initiative.

**PROPOSED OUTCOME:**

- ® Pacific Gas and Electric Company's (PG&E) procurement-related revenue and expenses recorded in its Energy Resource Recovery Account for the 2009 record period were prudent.
- ® PG&E should be authorized to recover in 2012 rates the \$18.3 million revenue requirement applicable to Market Redesign and Technology Upgrade capital costs.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$18.3 million.

(Comr Florio - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457127](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457127)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 18 Pacific Gas and Electric Company's Land Transfer and Acting on Related Issues**

[10521]

**A11-04-016**

Application of Pacific Gas and Electric Company and Topaz Solar Farms, LLC for an Expedited Order (1) Authorizing the Conveyance of Certain Property Pursuant to Public Utilities Code Section 851 and (2) Modifying Decision 03-12-035.

**PROPOSED OUTCOME:**

® Grants the unopposed application of Pacific Gas and Electric Company (PG&E) and Topaz Solar Farms, LLC (Topaz) for Commission authorization under Public Utilities Code § 851 for PG&E to transfer to Topaz its Carrizo Plain property, which is subject to the Land Conservation Commitment (LCC) that is part of PG&E's bankruptcy settlement, in return for the concurrent transfer by Topaz to the United States Bureau of Land Management, or an interim conservation organization, of 1,200 acres of private land located within Carrizo Plain National Monument for inclusion within the Monument proper.

® Modifies portions of Decision 12-03-035 and attachments to that decision, including the LCC.

® Authorizes Commission staff, under the direction of the Commission's General Counsel, to take all actions necessary to gain bankruptcy court approval of modification of the underlying agreements, as necessary.

® Defers resolution of related ratemaking issues to PG&E's next general rate case application.

® Closes the proceeding.

**ESTIMATED COST:**

® No immediate cost consequences for PG&E ratepayers.

® Upon removal of the 654-acres Carrizo Plain real property from electric generation ratebase, PG&E's rate of return will be reduced.

® Impact of tax flow through from donation (loss) will be reviewed in PG&E's next general rate case application.

(Comr Ferron - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457153](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457153)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Diego Gas & Electric Company's 2011 Electric  
19**                    **Procurement Cost Revenue Requirement Forecast**

[10522]

**A10-10-001**

Application of San Diego Gas & Electric Company for Adoption of its 2011 Energy Resource Recovery Account Revenue Requirement and Competitive Transition Charge Revenue Requirement Forecasts.

**PROPOSED OUTCOME:**

® Adopts San Diego Gas & Electric Company's 2011 forecasted revenue requirements for Electric Resource Recovery Account (ERRA) and Ongoing Competition Transition Charge (CTC), and market benchmark prices for the calculation of the Ongoing CTC and Power Charge Indifference Adjustment.

® Closes the proceeding.

**ESTIMATED COST:**

® Forecast ERRA \$755.413 million (\$72.543 million lower than 2010 forecast).

® CTC \$63.354 million (\$16.446 million higher than 2010 forecast).

® Combined revenue requirement results in a decrease in electric rates of \$56.097 million.

(Comr Sandoval - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454982](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454982)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Motion to Withdraw Application with Conditions on Future**  
**20**                        **Filings**

[10523]

**A11-04-005**

Application of America Net, LLC for a Certificate of Public Convenience and Necessity to Provide Resold Interexchange Telecommunications Services within the State of California.

**PROPOSED OUTCOME:**

- ® Grants Motion to withdraw Application 11-04-005, but requires America Net, LLC and its principals to disclose the information of this proceeding in any future filings.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Hymes)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454981](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454981)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 21**                    **Pacific Gas and Electric Company's Two Renewable Power Purchase Agreements with Potrero Hills Energy Producers, LLC and Sunshine Gas Producers, LLC**  
[10527]

**Res E-4415**, Advice Letter 3623-E filed on February 25, 2010, and Supplemental Advice Letter 3623-E-A filed on April 13, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves cost recovery for Pacific Gas and Electric Company's renewable power purchase agreements (PPA) with Potrero Hills Energy Producers, LLC and Sunshine Gas Producers, LLC.
- ® The PPA's are approved with modifications.

**ESTIMATED COST:**

- ® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454976](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454976)

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

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**Item 22**                    **Verizon's Request for Deviation of Public Utilities Code Section 320, Undergrounding of Facilities Along Scenic Highways**  
[10529]

**Res T-17269**, Advice Letter 12415 filed on June 18, 2009 - Related matters.

**PROPOSED OUTCOME:**

- ® Grants Verizon California Inc.'s request for deviation of Public Utilities Code Section 320, with fine and remediation measures.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454045](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454045)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Changes to the California Solar Initiative Program Handbook**  
**23**

[10530]

**Res E-4396**, SCE Advice Letter (AL) 2533-E, filed on December 3, 2010, Substitute Sheet filed on December 7, 2010, PG&E AL 3768-E, filed on December 3, 2010, CCSE AL 13, filed on December 3, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® Grants the California Solar Initiative (CSI) Program Administrators a modified 2-Step application review process.
- ® Denies the change to a 1-Step application review process.
- ® Approves all other CSI Program Handbook changes.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455063](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455063)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's 2009 Energy**  
**24**                        **Resource Recovery Account Compliance and**  
[10531]                    **Reasonableness Review**

**A10-04-002**

Application of Southern California Edison Company for a Commission Finding that its Procurement-Related and Other Operations for the Record Period January 1 Through December 31, 2009 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account and Other Regulatory Accounts; and for Recovery of \$29.947 Million Recorded in Four Memorandum Accounts.

**PROPOSED OUTCOME:**

- ® Disallows \$2.4 million associated with outages at San Onofre Nuclear Generating Station and Mammoth Pool generator.
- ® Determines that all other dispatch, contract administration were reasonably administered in the Record Period.
- ® Determines that Southern California Edison Company's (SCE) ratemaking accounts were appropriate and currently stated.
- ® Authorizes SCE's recovery of expenses and capital costs in its Market Redesign and Technology Upgrade Memorandum Account for 2007-2009, subject to audit.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Authorizes SCE's rate recovery for \$23.7 million from three ratemaking accounts.

(Comr Florio - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E43389](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E43389)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 25 Verizon California Inc. to Deviate From California Public Utilities Code Section 320**

[10532]

**Res T-17330**

**PROPOSED OUTCOME:**

® Approves request for deviation conditioned upon Verizon's payment of a \$5,000 fine, completed application for the California Advanced Services Fund funding for Crowley Lake and Swall Meadows, and submission to the Commission of a plan for ongoing compliance with regulations protecting California's Scenic Highways.

**ESTIMATED COST:**

® None.

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

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**Item 26 San Diego Gas & Electric Company's Renewable Energy Contract With C Solar IV South, LLC**

[10535]

**Res E-4408**, Advice Letter 2223-E filed on January 11, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for San Diego Gas & Electric Company's renewable energy contract with C Solar IV South, LLC.

® The contract is approved without modifications.

**ESTIMATED COST:**

® Costs of the contract are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457093](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457093)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**27**

[10543]

**C09-08-021**

La Collina Dal Lago, L.P.; and Bernau Development Corporation vs. Pacific Bell Telephone Company, dba AT&T California.

**PROPOSED OUTCOME:**

® The 12-month statutory deadline in Case 09-08-021, August 27, 2011, is extended to and including February 27, 2012.

**ESTIMATED COST:**

® None.

(Comr Ferron - ALJ MacDonald)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455520](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455520)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item California Executive Coach Inc. for a Passenger Stage  
28 Corporation Certificate**

[10544]

**A11-05-016**

**PROPOSED OUTCOME:**

® Grants the application of California Executive Coach Inc. to operate as an on-call passenger stage corporation between points in Alameda, Contra Costa, Marin, Napa, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, and Sonoma Counties, and San Francisco, Oakland, and San Jose International Airports.

® Establishes a zone of rate freedom.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Exam Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454167](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454167)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**29**

[10545]

**R09-01-019**

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

**PROPOSED OUTCOME:**

® Extends the statutory deadline of this proceeding to October 13, 2011.

**ESTIMATED COST:**

® None.

(Comr Ferron - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455699](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455699)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**30**

[10546]

**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:**

® Extends the statutory deadline of this proceeding to October 7, 2011.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455755](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455755)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**31**

[10547]

**A08-05-019**

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

**PROPOSED OUTCOME:**

® Extends Statutory Deadline to September 30, 2011.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455570](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455570)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Dismissing Application of Southern California Edison**  
**32**                        **Company Without Prejudice**

[10549]

**A10-09-002**

In the Matter of the Application of Southern California Edison Company for Additional Dynamic Pricing Rates.

**PROPOSED OUTCOME:**

- ® Dismissal of Application 10-09-002 without prejudice, because Southern California Edison Company has more efficiently addressed the dynamic pricing issue in its current rate design application as required by the assigned Administrative Law Judge's May 16, 2011 ruling.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455465](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455465)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    San Diego Gas & Electric Company's Petition to Modify  
33                        Decision 06-11-026**

[10552]

**A06-04-018**

In the Matter of San Diego Gas and Electric Company's Application for Authorization to (1) Participate in the Steam Generator Replacement Project as a Co-Owner of San Onofre Nuclear Generating Station Unit Nos. 2 & 3 (SONGS 2 & 3); (2) Establish Ratemaking for Cost Recovery; and (3) Address Other Related Steam Generator Replacement Issues.

**PROPOSED OUTCOME:**

® Grants San Diego Gas and Electric Company's (SDG&E) Petition to Modify Decision 06-11-026, to permit it to continue its approved two-way balancing account for its San Onofre Nuclear Generating Station Units 2 & 3 operation and maintenance expenses billed by Southern California Edison, through the later of December 31, 2011 or issuance of a Commission decision setting SDG&E base rate revenue requirement for Test Year 2012 in Application 10-12-005.

® Closes the proceeding.

**ESTIMATED COST:**

® Unknown.

(Comr Florio - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455549](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455549)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Dismissing Complaint**

**34**

[10555]

**(ECP) C11-03-017**

Zena J. Lewis vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

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

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454555](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454555)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**35**

[10556]

**C10-08-022**

The Highway 68 Coalition, a social welfare organization, pursuant to Internal Revenue Code Section 501(c)4 vs. California-American Water Company, Monterey Division.

**PROPOSED OUTCOME:**

® Order approves four months extension of the twelve month deadline for the complaint proceeding until December 31, 2011.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455594](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455594)

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

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**Item                    Ratification of Changes to Preliminary Determination**

**36**

**Pursuant to Rule 7.5**

[10557]

**Res ALJ-271**

**PROPOSED OUTCOME:**

® Categorization of Rulemaking 09-11-014 is changed from quasi-legislative to Ratesetting.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455958](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455958)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Joint Petition for Modification of Decision 09-11-006**  
**37**

[10558]

**A08-02-001**

In the Matter of the Application of San Diego Gas & Electric Company and Southern California Gas Company for Authority to Revise Their Rates Effective January 1, 2009, in Their Biennial Cost Allocation Proceeding.

**PROPOSED OUTCOME:**

- ® Grants the joint petition for modification of Decision 09-11-006 so as to require that the next cost allocation proceeding for San Diego Gas & Electric Company and Southern California Gas Company be filed no later than November 1, 2011, instead of September 1, 2011.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Wong)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=454699](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=454699)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**38**

[10559]

**C08-06-018**

XO Communications Services, Inc. vs. Fones4All Corporation.

**PROPOSED OUTCOME:**

® Extends the statutory deadline until December 2, 2011.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Reed)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455431](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455431)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**39**

[10564]

**C07-12-030**, C08-02-009 - Related matters.

Fones4All Corporation vs. Pacific Bell Telephone Company, d/b/a AT&T California.

**PROPOSED OUTCOME:**

® Extends the statutory deadline until December 2, 2011.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Reed)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=455637](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=455637)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Southern California Edison Company's Permit to Construct  
40                        New Substation in San Bernardino County**

[10571]

**A11-05-006**

**PROPOSED OUTCOME:**

® Authorizes Southern California Edison Company to construct Lockhart Substation, a new electrical substation in San Bernardino County.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Bemederfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457216](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457216)

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

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## Regular Agenda

### Regular Agenda - Energy Orders

**Item**                    **Pacific Gas and Electric Company, Southern California  
41**                    **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=457338](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457338)

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

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

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

Agenda 3276, Item 38 6/23/2011 (Staff);

Agenda 3277, Item 48 7/14/2011 (Florio)

## **Regular Agenda - Legal Division Matters**

**Regular Agenda - Legislative and Other Matters****Item            Energy: Rates****42**

[10507]

**SB 855 (Kehoe)**

Current law allows individual retail nonresidential end-use customers to acquire electric service from direct access providers, up to a maximum allowable total kilowatt-hours annual limit. The maximum allowable annual limit is set by the Commission for each electrical corporation at the maximum total kilowatt-hours supplied by all other providers to distribution customers of that electrical corporation during any sequential 12-month period between April 1, 1998, and October 11, 2009. This bill would change the annual maximum allowable total kilowatt-hour limit established for each electrical corporation. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3277, Item 56 7/14/2011 (Staff)

**Item            Proposed Public Utilities Commission-Sponsored  
43                Legislation**

[10536]

Agenda 3277, Item 58 7/14/2011 (Staff)

## Regular Agenda - Commissioner Reports

## Regular Agenda - Management Reports and Resolutions

**Item**            **Report and Discussion by Consumer Protection Safety**  
**44**                **Division on Recent Safety Program Activities**  
[10541]

**Item**            **General Counsel's Report**  
**45**  
[10550]

Approval of the 2011 Addendum to Summary of Material Terms of Division of Water Resources (DWR) Financing Documents, to provide for refinancing of a portion of DWR's Power Supply Revenue Bonds.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=457125](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=457125)

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## 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**  
**46**  
[10542]

Compilation of applications for rehearing recently filed with the Commission.

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

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Closed Session - Applications for Rehearing (continued)

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

**47**

**(Rev.)**

[10504]

**A01-07-010** , A07-01-014 - Related matters.

The Commission's Division of Ratepayer Advocates (DRA) and the Golden State Water Company (GSWC) each filed separate applications for rehearing of Decision (D) 10-11-035. At issue in D10-11-035 was GSWC's general rate case (GRC) for Test Year 2010 in its Regions II and III. However, a rehearing ordered by D08-08-031 concerning the La Serena Project costs for GSWC's Region I was consolidated with the GRC for Regions II and III by order of the Assigned Commissioner.

In November 2009, the assigned Administrative Law Judge (ALJ) issued a Proposed Decision (PD) in the consolidated proceeding that, among other things, found that the costs associated with the La Serena Project were unjustified and unreasonable. GSWC opposed the PD's outcome regarding the La Serena Project. In response to new information regarding a contract between GSWC and the City of Torrance for provision of non-regulated services, the Commission withdrew the PD on December 15, 2009. On January 29, 2010, the Assigned Commissioner and ALJ issued a ruling that expanded the scope of the proceeding, reopened the record to include among other things, additional evidence by GSWC concerning the La Serena project, and extended the statutory deadline for the proceeding until October 31, 2010.

Following the completion of the supplemental phase, the ALJ issued a PD on October 20, 2010. Assigned Commissioner Bohn issued an Alternate Proposed Decision (APD) on that same date. Both the PD and APD approved the settlement agreements between GSWC and DRA. Unlike the alternate, which was adopted by the Commission as D10-11-035, the PD, among other things, found that the evidence did not support certain of GSWC's arguments, including the La Serena costs, with the PD finding they were unreasonable.

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

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07/21/2011 - This revision was not shown on the Agenda mailed to the public.

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

**48**

[10540]

**C08-08-006**

Disposition of the Application for Rehearing of Decision (D) 10-07-030, filed by Qwest Communications Company (Qwest). In this decision, the Commission resolved a complaint filed by Qwest against several competitive local exchange carriers (CLEC), which contended that these carriers offered intrastate switched access services to other similarly situated CLEC at lower prices than charged to Qwest. D10-07-030 dismissed the complaint for failure to state a cause of action.

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

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

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

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

**Closed Session - Threatened Litigation - Non-Federal**

Significant exposure to litigation

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

**Closed Session - Existing Litigation - Non-Federal**

## **Closed Session - Threatened Litigation - Federal**

Significant exposure to litigation in federal agency or court proceedings.

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

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

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

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

**Closed Session - FERC Docket No. EL00-95-000, et al.**

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

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

## **Closed Session - Personnel Matters**

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

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