

---

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

## ***Public Agenda 3281***

***Thursday, September 22, 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><br>Room 5305<br>(1:30 p.m.)<br><b><i>Closed to the Public</i></b> | <i>Commission Meeting</i><br>Auditorium<br>(9:00 a.m.)<br><b><i>Open to the Public</i></b> |
| 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.)                                     |
| Monday, November 07, 2011 (San Francisco)  | Thursday, October 20, 2011 (San Francisco)   |
| Monday, November 28, 2011 (San Francisco)  | Thursday, November 10, 2011 (San Francisco)  |
| Monday, December 12, 2011 (San Francisco) (Will Be Held)   | Thursday, December 01, 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](mailto: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.
- 14

**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**

[10664]

**Res ALJ 176-3281**

**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 2 Federal Executive Agencies' Petition for Modification of 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=461714](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461714)

*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);
  - Agenda 3276, Item 3 6/23/2011 (Staff);
  - Agenda 3277, Item 3 7/14/2011 (Staff);
  - Agenda 3278, Item 2 7/28/2011 (Staff);
  - Agenda 3279, Item 2 8/18/2011 (Staff);
  - Agenda 3280, Item 2 9/8/2011 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    New Order Instituting Rulemaking**

**3**

[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);

Agenda 3276, Item 5 6/23/2011 (Staff);

Agenda 3277, Item 5 7/14/2011 (Staff);

Agenda 3279, Item 11 8/18/2011 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **SFPP, L.P. To Increase Intra-State Pipeline Transportation**  
**4**                            **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=460088](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460088)

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

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

---

Agenda 3278, Item 13 7/28/2011 (Simon);

Agenda 3279, Item 6 8/18/2011 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

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

**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=461812](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461812)

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

---

Agenda 3278, Item 22 7/28/2011 (Staff);

Agenda 3279, Item 8 8/18/2011 (Staff);

Agenda 3280, Item 4 9/8/2011 (Simon)

---

Consent Agenda - Orders and Resolutions (continued)

**Item 6 Delegates Authority to the Executive Director to Suspend and Revoke Household Goods Carrier Permits**

[10561]

**Res TL-19102**

**PROPOSED OUTCOME:**

® Grants the Executive Director the authority to suspend and revoke the permit of a household goods carrier that fails to pay a judgment awarded to a consumer by a court or an arbitrator in connection with an intrastate shipment of used household goods.

**ESTIMATED COST:**

® The Commission will incur the cost of conducting a hearing whenever a carrier appeals an action by the Executive Director under this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=445673](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445673)

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

---

Agenda 3279, Item 13 8/18/2011 (Staff);

Agenda 3280, Item 8 9/8/2011 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Petition for Modification of Decision 10-10-019**

**7**

[10577]

**R09-04-012**

Order Instituting Rulemaking on the Commission's Own Motion to Develop Standard Rules and Procedures for Regulated Water and Sewer Utilities Governing Affiliate Transactions and the Use of Regulated Assets for Non-Tariffed Utility Services (formerly called Excess Capacity).

**PROPOSED OUTCOME:**

- ® Decision 10-10-019 is modified to:
- ® Clarify that specific entities are not subject to the affiliate transactions rules;
- ® Move certain activities which could be shared among water utilities and their affiliates from the "prohibited" list to the "allowed" list; and
- ® Streamline the process for filings related to creation of new affiliates.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461552](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461552)

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

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

---

Agenda 3280, Item 9 9/8/2011 (Simon)

Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Application 10-08-011**

**8**

[10598]

**A10-08-011**

Application of Pacific Gas and Electric Company to Recover Pumped Storage Study Costs.

**PROPOSED OUTCOME:**

® Dismisses Application (A) 10-08-011 without prejudice. Pacific Gas and Electric Company's proposed feasibility study is premature, as there is currently no demonstration that the type of resource proposed in this application will be needed by 2020.

® A10-08-011 is closed.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Yip-Kikugawa)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462306](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462306)

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

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

---

Agenda 3280, Item 11 9/8/2011 (Peevey)

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Recovery of Costs for the Lease of the Sand City  
9                        Desalination Facility**

[10603]

**A10-04-019**

Application of California-American Water Company for an Order Authorizing Recovery of Costs for the Lease of the Sand City Desalination Facility and Associated Operating and Maintenance Costs.

**PROPOSED OUTCOME:**

- ® Denies ratemaking approval of Amended Sand City Desalination Plant Lease.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Florio - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461716](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461716)

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

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

---

Agenda 3280, Item 14 9/8/2011 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Refinements to the Resource Adequacy Program Regarding**  
**10**                        **Demand Response Issues**

[10607]

**R09-10-032**

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

**PROPOSED OUTCOME:**

- ® The Commission's Resource Adequacy (RA) program is modified so that:
- ® A demand response resource may receive RA credit only if it is capable of being dispatched by local area, starting in 2013.
- ® A new Maximum Cumulative Capacity bucket for demand resources will be created for 2013.
- ® Fossil-fueled emergency back-up generations resources are not permitted to receive system or local RA credit as demand response resources.

**ESTIMATED COST:**

- ® None.

(Comr Ferron - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461645](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461645)

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

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

---

Agenda 3280, Item 18 9/8/2011 (Ferron)

---

Consent Agenda - Orders and Resolutions (continued)

**Item 11**                    **San Jose Water Company's Surcharges to Recover**  
**\$5,740,078, or an Increase of 2.62% in Annual Metered**  
[10613]                    **Revenue, for Lost Revenues due to Mandatory Conservation**

**Res W-4885**, Supplemental Advice Letter 415-A filed on July 8, 2010 - Related matters.

**PROPOSED OUTCOME:**

- ® Permits the transfer of \$5,740,078 from its Mandatory Conservation Revenue Adjustment Memorandum Account to a balancing account for recovery.
- ® Authorizes the implementation of a surcharge of \$0.0944 per 100 cubic feet added to quantity rates over twelve months to recover in rates the lost revenues.
- ® Authorizes the filing of a Tier 1 advice letter to make effective the tariff schedules attached to the resolution five days after approval of this resolution.

**ESTIMATED COST:**

- ® \$5,740,078.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461713](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461713)

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

---

Agenda 3280, Item 24 9/8/2011 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Petition for Modification of Decision 10-09-017 Related to**  
**12**                        **Performance Bond for Registered Telecommunications**  
[10615]                  **Carriers**

**R09-07-009**

Order Instituting Rulemaking on the Commission's Own Motion to Revise the Simplified Registration Process for Non-dominant Interexchange Carriers Established by Decision 97-06-107.

**PROPOSED OUTCOME:**

® Grants the Division of Ratepayers Advocates request to modify Decision 10-09-017 to require performance bonds to cover taxes or fees or both as required by Public Utilities Code § 1013(e) for registered non dominant interexchange carriers.

**ESTIMATED COST:**

® None.

(Comr Sandoval - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462433](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462433)

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

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

---

Agenda 3280, Item 26 9/8/2011 (Staff)

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Amendment of Telco Industry Rules Under General Order**  
**13**                        **96-B**

[10617]

**Res T-17327**

**PROPOSED OUTCOME:**

® Authorizes Telco Industry Rule 10-Service Lists for Advice Letter Filings to the Communications Division.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461626](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461626)

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

---

Agenda 3280, Item 28 9/8/2011 (Peevey)

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Dismissal for Lack of Jurisdiction to Award Relief Sought**  
**14**

[10623]

**C11-03-016**

Octavia Diener vs. Pacific Gas and Electric Company.

**PROPOSED OUTCOME:**

® Dismisses complaint for damages for loss of wheat crop due to a fire allegedly caused by a spark from a transmission tower for lack of jurisdiction.

® Case 11-03-016 is closed.

**ESTIMATED COST:**

® None.

(Comr Ferron - ALJ MacDonald)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462585](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462585)

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

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Proposal of Revisions**  
**15**

[10626]

**Res E-4411**, Advice Letter 3508-E filed on March 28, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves Pacific Gas and Electric Company's Advice Letter 3508-E-A with clarifying modifications to Electric Rule 21, Generating Facility Interconnections, Section D to afford more flexibility in determining the requirements for generating facilities interconnecting on PG&E's secondary distribution system.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462341](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462341)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item 16 Final Report for the 2011 Triennial On-Site Safety Report of Santa Clara Valley Transportation Authority**

[10627]

**Res ST-132**

**PROPOSED OUTCOME:**

® Grants the Consumer Protection and Safety Division final report titled, "2011 Triennial On-Site Safety Review of Santa Clara Valley Transportation Authority," dated June 6, 2011.

® Orders The Santa Clara Valley Transportation Authority to implement the recommendations contained in the report and to provide monthly progress reports.

**ESTIMATED COST:**

® Not within the scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461939](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461939)

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

---

**Item 17 Funding for the Grant Application of Frontier Communications West Coast, Inc.**

[10629]

**Res T-17341**

**PROPOSED OUTCOME:**

® Approves funding for a California Advanced Services Fund Grant Application of Frontier Communications West Coast, Inc. to provide broadband service to an underserved area in Del Norte County.

**ESTIMATED COST:**

® \$68,168.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461899](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461899)

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

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Final Report of the 2011 Triennial Security Review of Santa**  
**18**                        **Clara Valley Transportation Authority**

[10630]

**Res ST-133**

**PROPOSED OUTCOME:**

® Approves the Santa Clara Valley Transportation Authority, 2011 Triennial Security Review Report dated July 7, 2011.

**ESTIMATED COST:**

® Not within scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=460146](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460146)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Decision Closing Proceeding**

**19**

[10632]

**A06-09-016**, A06-09-021 - Related matters.

Joint Application of SFPP, L.P., CalNev Pipe Line, L.L.C., Kinder Morgan, Inc., and Knight Holdco LLC, for Review and Approval under Public Utilities Code Section 854 of the transfer of Control of SFPP, L.P., CalNev Pipe Line, L.L.C.

**PROPOSED OUTCOME:**

® Following issuance of Resolution O-0053 (June 23, 2011), which determined that documents submitted by Kinder Morgan Holdco LLC comply with conditions specified in Decision 07-05-061, this decision closes this consolidated proceeding, since nothing further is pending before the Commission.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Vieth)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462486](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462486)

*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 20 Approval of the San Diego Metropolitan Transit System Light Rail Vehicle Procurement**

[10634]

**Res ST-134**

**PROPOSED OUTCOME:**

® Approves the San Diego Metropolitan Transit System Safety Certification Plan for the Light Rail Vehicle Procurement.

® Grants the approval of the San Diego Metropolitan Transit System’s request for approval of its “Safety Certification Plan for the Light Rail Vehicle Procurement” dated July 14, 2011.

**ESTIMATED COST:**

® Not within scope of this resolution.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=460191](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460191)

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

---

**Item 21 California Advanced Services Fund's Revised Surcharge Rate**

[10636]

**Res T-17343**

**PROPOSED OUTCOME:**

® Adopts a revised surcharge rate of 0.14% for the California Advanced Services Fund (CASF) effective November 1, 2011, until further revised by the Commission.

**ESTIMATED COST:**

® The revised CASF surcharge rate will allow for the collection of \$25 million annually as authorized by State Bill 1040.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462303](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462303)

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

---

Consent Agenda - Orders and Resolutions (continued)

**Item 22 Updates the Specific Support Amount Subsidy for the California LifeLine Program**

[10637]

**Res T-17337**

**PROPOSED OUTCOME:**

® Approves revised and updated Specific Support Amount for the California LifeLine program effective January 1, 2012.

**ESTIMATED COST:**

® No cost to implement the Resolution, due to no change in the Specific Support Amount from Decision 10-11-033.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462172](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462172)

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

---

**Item 23 Pacific Gas and Electric Company’s Renewable Energy Power Purchase Agreement with Norman Ross Burgess**

[10642]

**Res E-4418**, Advice Letter 3775-E filed on December 10, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for the long-term renewable energy power purchase agreement (PPA) between Pacific Gas and Electric Company and Norman Ross Burgess.

® The PPA is approved without modification.

**ESTIMATED COST:**

® Costs of the PPA are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462286](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462286)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Rural Telecommunications Infrastructure Grant Program**  
**24**                        **Application for the Godfrey Ranch Line Extension Project**

[10643]

**Res T-17316**

**PROPOSED OUTCOME:**

® Requests a California High Cost Fund-A funding for the construction of the Godfrey Ranch Line Extension Project by the Siskiyou Telephone Company.

**ESTIMATED COST:**

® \$1,444,100.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462497](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462497)

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

---

**Item**                    **Disclosure of Records of an Investigation**  
**25**

[10644]

**Res L-421**

Authorizes the disclosure of the California Public Utilities Commission investigative records concerning a Pacific Gas and Electric Company underground service alert ticket dated July 7, 2011, for the intersection of Fremont and Natoma Streets in San Francisco, California.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462410](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462410)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Directive to File a Tier 3 Advice Letter**  
**26**

[10648]

**Res E-4422**, Advice Letter (AL) 3870-E filed on July 11, 2011, AL 2601-E-A filed on July 11, 2011, AL 2269-E filed on July 11, 2011, AL 445-E filed on July 11, 2011, AL 257-E filed on August 8, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves implementation of the Net Surplus Compensation (NSC) program and revisions applicable to existing Net Energy Metering and Virtual Net Metering tariffs, effective retroactively as of January 1, 2011.

**ESTIMATED COST:**

® No material costs are expected.

® Proof, or justification, of revenue neutrality is not required because the NSC rate, by nature of the approved methodology provided in Decision 11-06-016, is assumed to be revenue neutral.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462329](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462329)

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

---

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Gas Company and San Diego Gas and**  
**27**                        **Electric Company to Establish a New Category of Nontariffed**  
[10650]                **Products and Services**

**Res G-3456**, Advice No. 4124 and Advice Letter 2178-E/1957-G dated June 16, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves the Affiliate Transactions Rule VII with conditions specified herein.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=460380](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460380)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    One More Chance Transportation, LLC for a Passenger  
28                        Stage Corporation Certificate**

[10662]

**A11-05-010**

Application of One More Chance Transportation, LLC for a Certificate of Public Convenience and Necessity to Establish and Operate as a Common Carrier Passenger Stage Company to provide fixed point to point shared ride services with scheduled pick-up times in Alameda County to fixed points in the following Counties: Madera, San Joaquin, Solano, Monterey, Tuolumne, and Sacramento.

**PROPOSED OUTCOME:**

- ® Grants the application of One More Chance Transportation, LLC to operate as a scheduled passenger stage corporation between San Leandro, Oakland and 13 state correctional facilities.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Exam Cooke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=460260](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460260)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Transfer of a Passenger Stage Corporation Certificate**  
**29                        Issued to Gurdial Singh Dhillon**

[10663]

**A11-07-012**

Application of Gurdial Singh Dhillon to transfer his ownership of Bay Star Airport Shuttle and his PSC Certificate 24415 to a General Partnership comprised of the following principals: Harinder Singh Dhillon, Gurdial Singh Dhillon, Dhian Singh Dhillon and Karamjit Singh Dhillon.

**PROPOSED OUTCOME:**

- ® Grants the application for approval to transfer a passenger stage corporation certificate from Gurdial Singh Dhillon to the partnership of Harinder Singh, Gurdial Singh Dhillon, Dhian Singh Dhillon, and Karamjit Singh Dhillon.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Exam Cooke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=460420](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460420)

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

---

Consent Agenda - Orders and Resolutions (continued)

**Item Pacific Gas and Electric Company's Advice Letter for a  
30 Special Contract**

[10667]

**Res E-4421**, Advice Letter 3874-E filed on July 15, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves Pacific Gas and Electric Company's Advice Letter 3874-E requesting approval of Special Contract to deviate from existing street lighting Rate Schedule LS-2.

**ESTIMATED COST:**

® \$150,000.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462332](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462332)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item 31**  
[10676] **Construction of Two Track Over Track Grade-Separated Overpasses for the Yuma Subdivision Tracks in the City of Colton, San Bernardino County**

**A11-05-021**

**PROPOSED OUTCOME:**

® Grants union Pacific Railroad Company authorization to construct two track over track overpasses for their Yuma Subdivision tracks, crossing a connector track at mile post 538.57 and crossing two BNSF Railway Company San Bernardino Subdivision main line tracks at mile post 538.67 in the City of Colton, San Bernardino County.

® Closes the proceeding.

**ESTIMATED COST:**

® Not within the scope of this proceeding.

(Exam Cooke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461236](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461236)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**32**

[10681]

**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 for this proceeding granted under Decision 11-07-047 to and including November 29, 2011.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461460](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461460)

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

---

---

Consent Agenda - Orders and Resolutions (continued)

**Item 33 Granting Southern California Edison Company a Permit to Construct the Leatherneck Substation Project**

[10682]

**A11-05-029**

In the Matter of the Application of Southern California Edison Company for a Permit to Construct Electrical Facilities: Leatherneck Substation Project.

**PROPOSED OUTCOME:**

- ® Approval to construct the Leatherneck Substation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Not in the scope of this proceeding, per General Order 131-D.

(Comr Florio - ALJ Ebke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461512](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461512)

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

---

---

**Consent Agenda - Intervenor Compensation Orders**

**Item Compensation to the Utility Reform Network**

**34**

[10635]

**A09-12-002**

Application of Pacific Gas and Electric Company for Approval of the Manzana Wind Project and Issuance of a Certificate of Public Convenience and Necessity.

**PROPOSED OUTCOME:**

® Awards \$115,125 to The Utility Reform Network for substantial contribution to Decision 11-03-036.

**ESTIMATED COST:**

® The ratepayers of Pacific Gas and Electric Company will pay \$115,125, plus interest.

(Comr Peevey - ALJ Ebke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462155](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462155)

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

---

Agenda 3280, Item 37 9/8/2011 (Staff)

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**35**

[10661]

**A09-08-018**

Application of Pacific Gas and Electric Company for approval of 2010-2011 SmartAC (TM) Program and Budget.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$44,834.42 for substantial contribution to Decision 11-01-036.

**ESTIMATED COST:**

® The ratepayers of Pacific Gas and Electric Company will pay \$44,834.42, plus interest.

(Comr Peevey - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461705](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461705)

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

---

Agenda 3280, Item 39 9/8/2011 (Peevey)

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**36**

[10678]

**A11-06-034**

Application of The Utility Reform Network for an Award of Intervenor Compensation for Substantial Contributions to Resolution L-411 and the Commission Proceeding Leading Thereto.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$18,895 for substantial contribution to Resolution L-411.

® Closes the proceeding.

**ESTIMATED COST:**

® The four largest energy utilities: Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and San Diego Gas & Electric Company; and the Class A water companies: 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 shall pay claimant the total award, plus interest.

(ALJ Cooke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=460820](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460820)

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to The Utility Reform Network**

**37**

[10683]

**A09-09-013**

Application of Pacific Gas and Electric Company Proposing Cost of Service and Rates for Gas Transmission and Storage Services for the Period 2011-2014.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network of \$104,847.50 for substantial contribution to Decision 11-04-031.

**ESTIMATED COST:**

® Pacific Gas and Electric Company will pay \$104,847.50, plus interest.

(Comr Simon - ALJ Wong)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=460436](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460436)

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

---

---

Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Conservation Groups**

**38**

[10684]

**A10-03-015**

In the Matter of the Application of PacifiCorp, an Oregon Company, for an Order Authorizing a Rate Increase Effective January 1, 2011 and Granting Conditional Authorization to Transfer Assets, pursuant to the Klamath Hydroelectric Settlement Agreement.

**PROPOSED OUTCOME:**

® Awards Conservation Groups \$32,865 for substantial contribution to Decision 11-05-002.

**ESTIMATED COST:**

® PacifiCorp, an Oregon Company, will pay \$32,865, plus interest.

(Comr Peevey - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461532](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461532)

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

---

## Regular Agenda

### Regular Agenda - Energy Orders

|             |   |
|-------------|---|
| <b>Item</b> | <b>Regulations to Reduce Fire Hazards with Overhead Power</b> |
| <b>39</b>   | <b>Lines and Communication Facilities</b>                     |

[10475]

#### **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:**

- ® Adopts regulations to reduce the fire hazards associated with overhead power lines and aerial communication facilities located in close proximity to power lines.
- ® Establishes a new Phase 3 of this proceeding to address two matters. First, Phase 3 will provide a venue for the Consumer Protection and Safety Division to develop and submit a plan to collect data on power-line fires, analyze the data, and use this information to formulate measures to reduce the number of fires ignited by power lines. Second, Phase 3 will develop and adopt maps that accurately identify areas where power line fires are more likely to occur and spread rapidly.
- ® Identifies the regulatory mechanisms that cost-of-service utilities should use to seek recovery of the costs they incur to comply with the adopted regulations.
- ® Denies a request by certain parties to open a new rulemaking proceeding to consider if fire risk should be added to the list of reasons to permit undergrounding of power-line facilities pursuant to electric Tariff Rule 20.

#### **ESTIMATED COST:**

- ® The adopted regulations will likely increase costs, but the amount is unknown.
- ® The cost of the new regulations is more than offset by the public-safety benefits.

(Comr Simon - ALJ Kenney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462311](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462311)

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

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

---

Agenda 3277, Item 49 7/14/2011 (Peevey);

Agenda 3279, Item 33 8/18/2011 (Staff)

Regular Agenda - Energy Orders (continued)

**Item**                    **Direct Access Reforms to Provide for Limited Retail**  
**40**                        **Competition**

[10646]

**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:**

- ® Adopts changes in the methodologies to calculate Bundled Utility Customer Indifference as applied to non-bypassable charges to Direct Access (DA) customers.
- ® Revises these methodologies, particularly with respect to the measure of the market based benchmark.
- ® Revises the switching rules that allow for movement of customers between bundled and DA load.
- ® Adopts provisions in conformance with statutory requirements for financial security applicable to Electric Service Providers (ESPs).
- ® These revisions advance the principles of promoting competitive choice for electric procurement within the limits prescribed by statute and Commission rules while protecting ratepayers from cost shifting. We uphold the principle of bundled service customer indifference while recognizing the need to recognize the effects of the partial reopening of DA and the market changes that accompany it.

**ESTIMATED COST:**

- ® No cost to bundled ratepayers.
- ® DA Customers and ESP's costs may change depending on how the adopted revisions in methodologies affect the relevant DA surcharges and procurement costs.
- ® Precise impacts have not been calculated.

(Comr Ferron - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E46130](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E46130)

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

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

---

---

Regular Agenda - Energy Orders (continued)

**Item                    New Order Instituting Rulemaking**

**41**

[10673]

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

Order Instituting Rulemaking on the Commission's own motion to improve distribution level interconnection rules and regulations for certain classes of electric generators and electric storage resources.

**Proposed Outcome:**

- ® Order Instituting Rulemaking to review the rules and regulations governing interconnecting generation and storage resources to the electric distribution system of Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E).
- ® The current rules and regulations are set forth in Rule 21 of the Electric Tariffs of PG&E, SCE and SDG&E.
- ® Seeks to review, and if necessary revise, Rule 21 to ensure that the interconnection process is timely, non-discriminatory, cost-effective, and transparent.
- ® Seeks to revise Rule 21 to incorporate processes appropriate for new technologies, such as energy storage.
- ® Intends to revise Rule 21 to ensure compliance with certain statutory obligations, such as those contained in Public Utilities Code § 399.20(e).

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462365](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462365)

---

**Regular Agenda - Energy Resolutions and Written Reports****Item 42**                    **San Diego Gas & Electric Company's Two Renewable Energy Credit Purchase and Sale Agreements With Cabazon Wind Partners LLC and Whitewater Hill Wind Partners LLC**  
[10579]

**Res E-4335**, Advice Letter 2118-E filed on October 28, 2009, Advice Letter 2118-E-A filed on June 2, 2011, and Advice Letter AL 2118-E-B filed on June 10, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves with modification cost recovery for San Diego Gas & Electric Company's (SDG&E) renewable energy credit purchase and sale agreements with Cabazon Wind Partners LLC and Whitewater Hill Wind Partners LLC.
- ® The Commission makes no determination in this resolution regarding the purchase and sale agreements classification for the purposes of their contribution towards SDG&E's Renewables Portfolio Standard compliance obligations.

**ESTIMATED COST:**

- ® Costs of these purchase and sale agreements are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462370](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462370)

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

---

Agenda 3279, Item 19 8/18/2011 (Peevey)

---

Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item**            **ALTERNATE TO ITEM 10579**  
**42a**

[10651]

**PROPOSED OUTCOME:**

® Approves cost recovery for San Diego Gas & Electric Company's (SDG&E) renewable energy credit purchase and sale agreements with Cabazon Wind Partners LLC and Whitewater Hill Wind Partners LLC.

® The Commission makes the following determination in this resolution regarding these specific purchase and sale agreements classification for the purposes of their contribution towards SDG&E's Renewable Portfolio Standard compliance obligations: to the extent that the renewable energy credits are reunited with the generation from which they derive, they will be treated as "bundled" procurement for RPS compliance purposes.

**ESTIMATED COST:**

® Costs of these purchase and sale agreements are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462622](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462622)

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

---

Agenda 3279, Item 19a 8/18/2011

---

**Regular Agenda - Water/Sewer Orders**
**Item California-American Water Company's Petition to Modify  
43 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=461643](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461643)

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

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

---

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

Agenda 3278, Item 5 7/28/2011 (Sandoval);

Agenda 3279, Item 4 8/18/2011 (Ferron);

Agenda 3280, Item 42 9/8/2011 (Pub. Util. Code §311(e))

---

Regular Agenda - Water/Sewer Orders (continued)

**Item**            **ALTERNATE TO ITEM 10471**  
**43a**  
[10649]

**PROPOSED OUTCOME:**

- ® Modifies Decision (D) 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 4.00%.

**ESTIMATED COST:**

- ® Unknown at this time.

(Comr Sandoval)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462661](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462661)

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

---

Agenda 3280, Item 42a 9/8/2011 (Pub. Util. Code §311(e))

---

Regular Agenda - Water/Sewer Orders (continued)

**Item                    New Order Instituting Rulemaking**

**44**

[10492]

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

Order Instituting Rulemaking on the Commission's Own Motion into Addressing the Commission's Water Action Plan Objective of Setting Rates that Balance Investment, Conservation, and Affordability for the Multi-District Water Utilities of: California-American Water Company, California Water Service Company, Del Oro Water Company, Inc., Golden State Water Company, and San Gabriel Valley Water Company.

**PROPOSED OUTCOME:**

® Initiates a Rulemaking consistent with the Commission's Water Action Plan of 2010 and 2005, to evaluate a regionalization or consolidation of rates (postage stamp rates) of the multi-district water utilities.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=461724](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461724)

Agenda 3277, Item 52 7/14/2011 (Florio);  
Agenda 3279, Item 38 8/18/2011 (Simon);  
Agenda 3280, Item 43 9/8/2011 (Ferron)

**Regular Agenda - Legal Division Matters**

**Regular Agenda - Legislative and Other Matters**

## Regular Agenda - Commissioner Reports

**Regular Agenda - Management Reports and Resolutions**

**Item**                    **Report and Discussion by Consumer Protection and Safety**  
**45**                        **Division on Recent Safety Program Activities**  
[10665]

## 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**  
 [10666]

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**  
**47**  
 [10633]  
**A10-02-006**

Disposition of Application for Rehearing of Decision (D) 11-03-005, and related motion for partial stay of Decision, filed by Alisal Water Corporation (Alisal), dba Alco Water Service. This Decision addresses Alisal's general rate case application for the test year 2010 and attrition rate adjustments for years 2011 and 2012. In D11-03-005, the Commission adopted a revenue requirement of \$8,141,291 for test year 2010, resulting in a rate increase. It also adopted a proposed settlement between Alisal and the Division of Ratepayer Advocates (DRA), and resolves all outstanding litigated issues not otherwise addressed in the settlement.

*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**

**48**

[10668]

**A08-07-010**, A07-01-014 - Related matters.

Disposition of application for rehearing of Decision (D) 11-07-057, filed by the Golden State Water Company (GSWC) on August 29, 2011. D11-07-057, which issued on July 29, 2011, granted the application for rehearing of the Division of Ratepayer Advocates, modified D10-11-035, and denied GSWC's application for rehearing of D10-11-035 (regarding the challenged decision's allocation of the La Serena project costs).

*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 - Federal**

**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*