
Public Utilities Commission of the State of California

Public Agenda 3282

Thursday, October 6, 2011 10:00 a.m.

Los Angeles, California

Commissioners

Michael R. Peevey, President

Mark J. Ferron

Michel Peter Florio

Catherine J.K. Sandoval

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <i>Open to the Public</i>
Monday, October 17, 2011 (San Francisco)	Thursday, October 20, 2011 (San Francisco)
Monday, November 07, 2011 (San Francisco)	Thursday, November 10, 2011 (San Francisco)
Monday, November 28, 2011 (San Francisco)	Thursday, December 01, 2011 (San Francisco)
Monday, December 12, 2011 (San Francisco)	Thursday, December 15, 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



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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 15, 23, 24, 37

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

[10694]

Res ALJ 176-3282

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 New Order Instituting Rulemaking

2

[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);
Agenda 3281, Item 3 9/22/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 3 **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=493163

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);
Agenda 3281, Item 5 9/22/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Southern California Edison Company's 2009 Energy**
4 **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=521407

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 24 7/28/2011 (Staff);

Agenda 3279, Item 10 8/18/2011 (Peevey);

Agenda 3280, Item 6 9/8/2011 (Florio)

Consent Agenda - Orders and Resolutions (continued)

Item **Delegates Authority to the Executive Director to Suspend
5** **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=521775

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);

Agenda 3281, Item 6 9/22/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Refinements to the Resource Adequacy Program Regarding**
6 **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=508067

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);

Agenda 3281, Item 10 9/22/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 7 San Diego Gas and Electric Company's 2009 Energy Resource Recovery Account Costs and Related Matters

[10610]

A10-06-001

Application of San Diego Gas and Electric Company for Approval of: (i) Contract Administration, Least Cost Dispatch and Power Procurement Activities, and (ii) Costs Related to those Activities Recorded to the Electric Resource Recovery Account, Incurred During the Record Period January 1, 2009 through December 31, 2009, and (iii) the Entries Recorded in Related Regulatory Accounts.

PROPOSED OUTCOME:

- ® We find that for San Diego Gas and Electric Company (SDG&E):
- ® Entries in the Energy Resource Recovery Account (ERRA) and Transition Cost Balancing Account (TCBA) for 2009 are reasonable.
- ® Contract administration, power purchase and least-cost dispatch activities in 2009 are reasonable.
- ® Refunds over-collections of \$55.9 million and \$20.1 million, respectively, in the ERRA and TCBA to ratepayers.
- ® Recovery is authorized for \$4.32 million recorded in the following SDG&E memorandum accounts; Procurement Transaction Auditing Memorandum Account (PTAMA), Renewables Portfolio Standard Memorandum Account (RPSMA), Market Redesign Technology Upgrade Memorandum Account (MRTUMA), Independent Evaluator Memorandum Account (IEMA), and the Generation Divestiture Transaction Cost Memorandum Account (GDTCMA); and
- ® Adopts revisions to SDG&E's PTAMA, RPSMA, IEMA, and the GDTCMA.
- ® Recovery from SDG&E's MRTUMA is subject to audit as ordered herein.

ESTIMATED COST:

- ® Refunds to ratepayers \$55.9 million and \$20.1 million of over-collections from two accounts.
- ® Authorizes SDG&E to recover \$4.32 million in other accounts.

(Comr Florio - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461650

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 21 9/8/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **San Jose Water Company's Surcharges to Recover**
8 **\$5,740,078, or an Increase of 2.62% in Annual Metered**
(Rev.) **Revenue, for Lost Revenues due to Mandatory Conservation**
[10613]

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

PROPOSED OUTCOME:

® Order rejecting without prejudice San Jose Water Company's (SJWC) request to amortize its mandatory conservation revenue adjustment memorandum account and referring this issue to be reviewed and resolved in SJWC's next General Rate Case application.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521748

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

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

Agenda 3281, Item 11 9/22/2011 (Staff)

10/03/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item 9 **Amendment of Telco Industry Rules Under General Order 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=462854

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

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

Agenda 3281, Item 13 9/22/2011 (Staff)

Item 10 **Southern California Gas Company and San Diego Gas and Electric Company to Establish a New Category of Nontariffed Products and Services**

[10650]

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=521853

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

Agenda 3281, Item 27 9/22/2011 (Ferron)

Consent Agenda - Orders and Resolutions (continued)

Item **SureWest Telephone's Request for Exemption from Public
11** **Utilities Code Section 851**

[10652]

A11-04-022

Application of SureWest Telephone for exemption from California Public Utilities Code Section 851 to encumber assets to secure indebtedness.

PROPOSED OUTCOME:

® Denies SureWest Telephone's request for an exemption from California Public Utilities Code Section 851, which, in part, requires a utility to request our authority to encumber its assets for the purpose of securing indebtedness.

® Provides alternative solutions which SureWest Telephone may act on in order to resolve its concerns regarding compliance with California Public Utilities Code Section 851, including filing a petition to modify Decision 10-05-019, or requesting authority pursuant to California Public Utilities Code Section 851 prior to its being needed.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E46250

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 Lukins Brothers Water Company, Inc's Loan

12

[10655]

Res W-4886, Advice Letter No. 43 filed on February 24, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Authorizes Lukins Brothers Water Company, Inc. to borrow \$2,000,000 from financial institutions.
- ® Encumbers its assets in connection with the loan.
- ® Institutes a surcharge to pay off the loan.

ESTIMATED COST:

- ® \$2,000,000 at approximately 6.5% interest and a term of 20 years – to be paid via surcharge.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462582

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

Item Disclosure of Records of an Investigation

13

[10656]

Res L-422

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of railroad grade crossing on March 1, 2010, in the County of Ventura.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=493216

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

Consent Agenda - Orders and Resolutions (continued)

Item 14 Relief of the 408 Numbering Plan Area in the Form of an All-Services Overlay

[10657]

A11-06-008

Application of the North American Numbering Plan Administrator, on behalf of the California Telecommunications Industry, for Relief of the 408 Numbering Plan Area.

PROPOSED OUTCOME:

- ® Adopts an all-services overlay to resolve the forecasted exhaust in the 408 area code, including a 13-month implementation schedule.
- ® The all-services overlay will provide additional numbering resources to meet the demand for telephone numbers.
- ® Implementation shall commence immediately.
- ® Adopts a public education program to facilitate implementation of the overlay.
- ® No customers will be required to change their area code or specific telephone number.
- ® New telephone numbers with the 669 area code may be issued to customers beginning once the proceeding is closed.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E46651

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 Dismissal of Complaint

15

[10660]

C10-10-012

Ataollah Ramin, M.D., Inc. dba Assuta Medical Center vs. Pacific Bell Telephone Company, dba AT&T California.

PROPOSED OUTCOME:

® Dismisses complaint without prejudice for failure to prosecute due to death of complainant.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Simon - ALJ MacDonald)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521804

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 16 Telscape Communications to be Designated as an Eligible Telecommunications Carrier

[10670]

Res T-17339, Advice Letter (AL) No. 1 filed May 31, 2011, Supplemental AL No. 1A filed June 20, 2011, and Supplemental AL No. 1B filed July 7, 2011 - Related matters.

PROPOSED OUTCOME:

® Telscape Communications, Inc. to be designated as an Eligible Telecommunications Carrier to provide Federal Lifeline and link-Up throughout California in the service areas of the Uniform Regulatory Framework carriers excluding the Small Local Exchange Carriers service areas.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=507971

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

Item 17 Telscape Communications to be Designated as a Wireless Eligible Telecommunications Carrier

[10671]

Res T-17340, Advice Letter No. 81 filed on June 7, 2011 - Related matters.

PROPOSED OUTCOME:

® Telscape Communications, Inc. to be designated as an Eligible Telecommunications Carrier to provide federal Lifeline and Link-Up services in the service areas of AT&T California and Verizon California.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=507965

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

Consent Agenda - Orders and Resolutions (continued)

Item 18 Pacific Gas and Electric Company's Renewable Energy Power Purchase Agreement With Vasco Winds, LLC

[10672]

Res E-4423, Advice Letter 3822-E filed on March 30, 2011 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the long-term renewable power purchase agreement (PPA) between Pacific Gas and Electric Company and Vasco Winds, LLC.

ESTIMATED COST:

® Costs of the PPA are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521785

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

Item 19 Suspends the Communications Division's Written Disposition of TelePacific's Advice Letter 314

[10677]

Res T-17344

PROPOSED OUTCOME:

® Directs parties to the proposed transaction to file an application seeking Commission approval of the processed acquisition of assets.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461214

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

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company, San Diego Gas and**
20 **Electric Company and Southern California Edison**
[10679] **Company's Tariffs and Power Purchase Agreements for**
 Eligible Combined Heat and Power Facilities

Res E-4424, PG&E Advice Letter (AL) 3696-E-C, SDG&E AL 2179-E-B and SCE AL 2485-E-B, filed on May 16, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Approves with modifications tariff sheets and two standard offer contracts provided by Pacific Gas and Electric Company, San Diego Gas and Electric Company and Southern California Edison Company for the purchase of excess power from eligible combined heat and power facilities.
- ® Requires the named utilities to file Tier 1 compliance advice letters with approved modifications to the tariff sheets and contracts within seven days of Resolution approval.

ESTIMATED COST:

- ® Actual costs are unknown at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461261

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

Consent Agenda - Orders and Resolutions (continued)

Item **Wavecom Solutions Corporation for a Certificate of Public
21** **Convenience and Necessity**

[10688]

A11-03-025

Application of Wavecom Solutions Corporation for a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA interexchange services and competitive local exchange services as a Reseller.

PROPOSED OUTCOME:

- ® Grants a Certificate of Public Convenience and Necessity.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=456597

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

Consent Agenda - Orders and Resolutions (continued)

Item **Amritpal Singh Buttar for a Passenger Stage Corporation**
22 **Certificate**

[10689]

A11-07-011

PROPOSED OUTCOME:

® Grants the application of Amritpal Singh Buttar 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 Cooke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=460972

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

Consent Agenda - Orders and Resolutions (continued)

Item Extending the Statutory Deadline

23

[10702]

C06-10-015

Pasadena Avenue Monterey Road Committee vs. Los Angeles County Metropolitan Transportation Authority, the Los Angeles to Pasadena Metro Blue Line Construction Authority, and the City of South Pasadena.

PROPOSED OUTCOME:

® Extends the deadline of this proceeding for 12 months, from October 11, 2011 to October 11, 2012.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Hymes)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=458512

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

24

[10706]

C10-10-010

Michael Hetherington and Janet Hetherington vs. Pacific Gas & Electric Company.

PROPOSED OUTCOME:

® Extends the statutory deadline of this proceeding to October 13, 2012.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Roscow)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462058

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

25

[10707]

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 December 12, 2011.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462049

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

Consent Agenda - Orders and Resolutions (continued)

Item **Operating Pressure Limitation on Suction Side of Topock
26** **Compressor Station**

[10720]

R11-02-019

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

PROPOSED OUTCOME:

® Rescinds operating pressure limitation at Topock Compressor Station.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=467167

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

Consent Agenda - Intervenor Compensation Orders

Item Compensation to Community Environmental Council

27

[10653]

R08-08-009

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

PROPOSED OUTCOME:

® Awards Community Environmental Council \$6,165 for substantial contribution to Decision 10-12-048.

ESTIMATED COST:

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

(Comr Ferron - ALJ Mattson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462747

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Utility Consumer's Action Network
28

(Rev.)

[10699]

A09-10-010

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

PROPOSED OUTCOME:

® Awards Utility Consumer's Action Network \$38,537.20 for substantial contribution to Decision 11-05-048.

ESTIMATED COST:

® San Diego Gas & Electric Company will pay \$38,537.20, plus interest.

(Comr Peevey - ALJ Wetzell)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=508105

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

10/03/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Disability Rights Advocates

29

[10703]

R10-02-005

Order Instituting Rulemaking on the Commission's Own Motion to address the issue of customers' electric and natural gas service disconnection.

PROPOSED OUTCOME:

® Awards Disability Rights Advocates \$96,658.12 in intervenor compensation for contributions to Decisions (D) 10-07-048 and D10-12-051.

ESTIMATED COST:

® Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay the awarded amount of \$96,658.12, plus interest.

(Comr Peevey - ALJ DeBerry)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462031

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to the The Utility Reform Network

30

[10718]

A11-08-018

Application of The Utility Reform Network for an Award of Intervenor Compensation for Substantial Contributions to Resolution T-17302 and the Commission Proceeding Leading Thereto.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$10,371.40 for substantial contribution to Resolution T-17302.

ESTIMATED COST:

® Verizon California Inc., shall pay \$10,371.40, plus interest if accrued.

(ALJ Division)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462613

Regular Agenda

Regular Agenda - Energy Orders

Item	Regulations to Reduce Fire Hazards with Overhead Power
31	Lines and Communication Facilities

[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=462530

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);

Agenda 3281, Item 39 9/22/2011 (Simon)

Regular Agenda - Energy Orders (continued)

**Item Direct Access Reforms to Provide for Limited Retail
32 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=507976

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

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

Agenda 3281, Item 40 9/22/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item 33 Provides Guidance to Utilities for Support of Gas Public Purpose Programs Following Enactment of Senate Bill 87

[10674]

R09-11-014

Order Instituting Rulemaking to Examine the Commission's Post-2008 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.

PROPOSED OUTCOME:

® Provides funding for gas public purpose programs at a reduced level.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Farrar)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521807

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

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

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 10674

33a

[10675]

PROPOSED OUTCOME:

® The Alternate Proposed Decision (PD) backstops the \$155 million that may be lost due to Senate Bill 87 with the same funds as the proposed decision, and additionally with funds from certain unspent electric Energy Efficiency (EE) funding from prior years.

® The additional unspent electric EE funding brings the total backstopped amount closer to full program funding than does the PD.

ESTIMATED COST:

® None.

(Comr Ferron)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521814

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 **Low-Income Solar Water Heating Incentives as part of the**
34 **California Solar Initiative Thermal Program**

[10669]

R10-05-004

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

PROPOSED OUTCOME:

® Implements \$25 million low-income solar water heating (SWH) incentive program as part of the California Solar Initiative (CSI)-Thermal Program in the territories of Pacific Gas and Electric Company (PG&E), Southern California Gas Company (SoCalGas), and San Diego Gas & Electric Company (SDG&E).

® Establishes eligibility requirements, incentive levels, and other program details for incentives to gas-displacing SWH systems on qualifying low-income single-family and multifamily residences.

® Incentives to single-family applicants will be 200% of applicable CSI-Thermal incentives, while incentives to multifamily applicants will be 150% of applicable CSI-Thermal incentives.

ESTIMATED COST:

® No additional cost beyond the funds already allocated and collected from natural gas ratepayers of PG&E, SoCalGas, and SDG&E for the \$250 million CSI-Thermal Program as set forth in Decision 10-01-022.

(Comr Peevey - ALJ Duda)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=507983

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

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

Regular Agenda - Energy Orders (continued)

Item Petition for Modification of Decision 11-07-010
35

[10690]

A08-11-001, R06-02-013, R04-04-003, R04-04-025, R99-11-022 - Related matters.

Application of Southern California Edison Company for Applying the Market Index Formula and As-Available Capacity Prices adopted in D.07-09-040 to Calculate Short-Run Avoided Cost for Payments to Qualifying Facilities beginning July 2003 and Associated Relief.

PROPOSED OUTCOME:

® Denies petition for modification of Decision 11-07-010.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521882

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

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

Regular Agenda - Energy Orders (continued)

Item **ALTERNATE TO ITEM 10690**
35a
[10691]

PROPOSED OUTCOME:

- ® The alternate proposed decision (APD) grants the Petition to Modify Decision 11-07-010.
- ® Grants the request to establish a Settlement Agreement Effect Date.

ESTIMATED COST:

® None.

(Comr Ferron)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521877

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

36

[10723]

R_____

Order Instituting Rulemaking on the Commission's own motion to determine the impact on public benefits associated with the expiration of ratepayer charges pursuant to Public Utilities Code Section 399.8.

Proposed Outcome:

- ® The public goods charge established in Public Utilities Code Section 399.8 expires as of January 1, 2012.
- ® Public benefits provided by the expiring public goods charge funding are in the areas of energy efficiency, renewables, and research, development, and demonstration (RD&D).
- ® This rulemaking will address funding and programmatic issues related to the renewables and RD&D areas and may include investments in deployment, in addition to RD&D.
- ® This rulemaking will not address funding and programmatic issues related to energy efficiency; those issues may be addressed in the Commission's ongoing rulemakings on energy efficiency policy and funding.

Estimated Cost:

- ® Up to \$150 million per year from ratepayers of Pacific Gas and Electric, Southern California Edison, and San Diego Gas and Electric, which is the approximate level of collections for renewables and RD&D purposes as of January 1, 2012.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=508128

Regular Agenda - Communication Orders**Item Consumer Protection and Safety Division's Settlement
37 Agreement With Legacy Long Distance International, Inc.**

[10710]

I10-06-013

Order Instituting Investigation on the Commission's Own Motion into the Billing Practices and Conduct of Legacy Long Distance International, Inc. (Legacy) to Determine if Legacy Violated the Law, Rules, and Regulations Governing the Manner in which California Consumers are Billed for Phone Services.

PROPOSED OUTCOME:

- ® Approves a settlement between Consumer Protection and Safety Division and Legacy Long Distance International, Inc.
- ® Settlement includes \$215,000 penalty and refunds or credits to customers who complained about double billing.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Adds \$215,000 to the State of California General Fund.

(Comr Sandoval - ALJ Sullivan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521623

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

Regular Agenda - Water/Sewer Orders**Item San Gabriel Valley Water Los Angeles Division's Settlement
38 and Revenue Requirements**

[10628]

A10-07-019

In the Matter of the Application of San Gabriel Valley Water Company for Authority to Increase Rates Charged for Water Service in its Los Angeles County Division by \$10,232,700 or 17.8% in July 2011, \$1,767,700 or 2.6% in July 2012, and \$2,245,800 or 3.2% in July 2013 and in its Fontana Water Company division by \$1,252,200 or 2.1% in July 2011.

PROPOSED OUTCOME:

- ® Adopts revenue requirement of \$64,151,400 for San Gabriel Valley Water Los Angeles District.
- ® Adopts rate adjustment of \$0.0455/ccf for San Gabriel Valley Water Fontana Division.
- ® Denies San Gabriel Valley Water request for a health and dental expense balancing account.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$64,151,400.

(Comr Sandoval - ALJ Hecht)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521805

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

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

Regular Agenda - Transportation/Rail Safety Orders**Item General Order 172 Governing the Use of Personal
39 Electronics Devices by Rail Transit Personnel**

[10685]

R08-10-007

Order Instituting Rulemaking to determine whether the temporary measures adopted in Resolution SX-88 or other measures banning personal use of electronic devices by rail transit personnel should be adopted on a permanent basis.

PROPOSED OUTCOME:

- ® Approves a settlement agreement and adopts General Order 172, Governing the use of Personal Electronics Devices.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Florio - ALJ Kim)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461220

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

Regular Agenda - Transportation/Rail Safety Resolutions and Reports

**Item California Transportation Commission's Increased Funding
40 for Fiscal Year 2012-2013**

[10680]

Res SX-102

PROPOSED OUTCOME:

® Recommendation to the California Transportation Commission for increasing funding under the California Public Utilities Code Section 1231.1 to an amount of \$3,850,000 to be set aside in fiscal year 2012-13 for maintaining automatic grade crossing protection devices.

ESTIMATED COST:

® Not within the scope of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461405

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

Regular Agenda - Legal Division Matters**Item 41 Federal Communications Commission's Notice of Proposed Rulemaking**

[10692]

FCC 11-106, CG Docket No. 11-116; CG Docket No.09-158; CC Docket No. 98-170; rel. July 12, 2011

The Federal Communications Commission (FCC) has issued a Notice of Proposed Rulemaking in which it seeks comment on extending to wireless providers and to Voice-over-Internet Protocol providers the FCC's current rules pertaining to cramming, consumer information and disclosure, and truth-in-billing and billing format. Staff seeks authority to submit comments to the FCC.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521500

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**
42 **Division on Recent Safety Program Activities**
[10696]

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**
43
 [10698]

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**
44
 [10641]

A08-09-024 , C08-03-021, C09-02-007, C09-03-027 - Related matters.

Disposition of Applications for Rehearing of Decision (D) 11-05-026, filed by San Pablo Bay Pipelines Company (SPBPC) and Shell Trading Company (STUSCO), and/or related motion for partial stay, filed by SPBPC, Shell Oil Products US, and STUSCO. In D11-05-026, the Commission set rates for the transportation of crude oil between the San Joaquin Valley and the San Francisco Bay Area, ordered refunds and adopted tariffs for heated oil service.

This Decision disposes of the Motion of San Pablo Pipeline Company, LLC, Shell Oil Products US, and Shell Trading (US) Company for Partial Stay of Ordering Paragraphs 3 and 4 of D11-05-026. In D11-05-026, the moving parties were ordered, inter alia, to pay refunds to complainants Chevron Products Company, Tesoro Refining and Marketing Company and Valero Marketing and Supply Company by September 8, 2011. The moving parties move to stay payment of the refunds pending rulings on their Applications for Rehearing by the Commission and resolution of any challenges that may be filed with the Court of Appeals.

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

45

[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.

Agenda 3281, Item 48 9/22/2011

Item Conference with Legal Counsel - Application for Rehearing

46

[10700]

A06-12-005, A06-12-020, A07-01-004, A07-01-017, A07-01-044, A07-02-007, A07-02-017, A07-03-004, A07-05-012, A07-05-013 - Related matters.

Disposition of application for rehearing of Decision (D) 10-04-036 filed by United Community Associations, Inc. and Neighbors for Smart Rail. D10-04-036 certifies the Addendum to the Final Environmental Impact Statement/Final Environmental Impact Report for use by the Commission and responsible agencies in considering subsequent approvals for the construction of a light-rail transit station at the intersection of Farmdale Avenue and Exposition Boulevard.

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

[10701]

A06-12-005, A06-12-020, A07-01-004, A07-01-017, A07-01-044, A07-02-007, A07-02-017, A07-03-004, A07-05-012, A07-05-013 - Related matters.

Disposition of application for rehearing of Decision (D) 10-07-026 filed by United Community Associations, Inc. and Neighbors for Smart Rail. D10-07-026 approves the settlement agreement among applicants Exposition Metro Line Construction Authority, protestants Los Angeles Unified School District and Los Angeles County Metropolitan Transportation Authority that provides for a station at Farmdale Avenue on the Exposition Boulevard Corridor Light Rail Transit Line, in Los Angeles County.

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

[10709]

R08-08-009

Disposition of Application for Rehearing of Decision (D) 11-01-026, filed jointly by the Alliance for Retail Energy Markets, the Direct Access Customer Coalition, Walmart Stores, Inc., Commerce Energy, 3 Phases Renewables, Shell Energy North America (US), L.P., and the Western Power Trading Forum. In D11-01-026, the Commission implemented Public Utilities Code Section 365.1, enacted by Senate Bill 695 (Stats. 2009, ch. 337). Among other things, this statute requires that once the Commission has begun the process of reopening direct access transactions, the Commission must ensure that electric service providers are subject to the same requirements of the renewables portfolio standard program applicable to the three largest investor-owned utilities.

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

Item Conference with Legal Counsel - Application for Rehearing

49

[10714]

A10-11-005

Disposition of application for rehearing of Decision (D) 11-07-011 filed by CALifornians for Renewable Energy (CARE). Among other things, D11-07-011 certified that the Final Focused Supplemental Environmental Impact Report (SEIR) studying the Colorado River Substation met the requirements of the California Environmental Quality Act. CARE alleges the SEIR did not comply with certain provisions of the Water Code. The proponent of the Colorado River Substation is Southern California Edison, which opposes the rehearing application along with Solar Millennium LLC, and NextEra Energy Resources LLC.

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

Item Conference with Legal Counsel - Existing Litigation

50

[10713]

Remand from The Wilderness Society et. al. vs. DOE, 9th Cir. Docket Nos: 08-71074 et. al

Gov. Code § 11126(e)(2)(A), 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