
Public Utilities Commission of the State of California

Public Agenda 3283

Thursday, October 20, 2011 9:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Mark J. Ferron

Michel Peter Florio

Catherine J.K. Sandoval

Timothy Alan Simon

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

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

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <i>Open to the Public</i>
Monday, 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)	Thursday, December 01, 2011 (San Francisco)
Monday, January 09, 2012 (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.

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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 28, 29

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**

[10730]

Res ALJ-176-3283

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);
Agenda 3282, Item 2 10/6/2011 (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=459889

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);
Agenda 3282, Item 3 10/6/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 4 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=524222

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);

Agenda 3282, Item 5 10/6/2011 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

**Item Recovery of Costs for the Lease of the Sand City
5 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=507968

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);

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

Consent Agenda - Orders and Resolutions (continued)

Item 6 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=524467

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);

Agenda 3282, Item 7 10/6/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **San Jose Water Company's Surcharges to Recover**
7 **\$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:

® 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=524741

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);
Agenda 3282, Item 8 10/6/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Amendment of Telco Industry Rules Under General Order**
8 **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);

Agenda 3282, Item 9 10/6/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item 9 SureWest Telephone's Request for Exemption from Public 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=524618

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

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

Agenda 3282, Item 11 10/6/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Lukins Brothers Water Company, Inc's Loan

10

[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=524517

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

Agenda 3282, Item 12 10/6/2011 (Simon)

Consent Agenda - Orders and Resolutions (continued)

Item **Relief of the 408 Numbering Plan Area in the Form of an**
11 **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=524921

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

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

Agenda 3282, Item 14 10/6/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

**Item 12 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=524248

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

Agenda 3282, Item 19 10/6/2011

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company, San Diego Gas and**
13 **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=524284

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

Agenda 3282, Item 20 10/6/2011

Consent Agenda - Orders and Resolutions (continued)

Item Decision Closing Proceeding

14

[10686]

R04-12-001

Order Instituting Rulemaking into Implementation of Federal Communications Commission Report and Order 04-87, As It Affects the Universal LifeLine Telephone Service Program.

PROPOSED OUTCOME:

- ® Denies intervenor's request to transfer time spent on implementation work to Rulemaking 11-03-013.
- ® Rulemaking 04-12-001 is closed.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Jones)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524910

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **San Diego Gas & Electric Company's Renewable Energy**
15 **Power Purchase Agreement with Arlington Valley Solar**
[10687] **Energy II, LLC**

Res E-4425, Advice Letter 2273-E filed on July 26, 2011 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the long-term renewable energy power purchase agreement (PPA) between San Diego Gas & Electric Company and Arlington Valley Solar Energy II, LLC.

® The PPA is approved with a condition.

ESTIMATED COST:

® Costs of the PPA are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524984

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

Item **Disclosure of Records of an Investigation**
16
[10693]

Res L-423

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an injury incident at Baldwin Avenue in Arcadia, California, once the investigation is complete.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462208

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

Consent Agenda - Orders and Resolutions (continued)

**Item Mecchi Water Company's General Rate Increase to Produce
17 Additional Revenue**

[10695]

Res W-4887, Advice Letter 18 filed on March 14, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Grants authority to file a supplemental advice letter to incorporate the Summary of Earnings and the revised rate schedules in Appendix B.
- ® Grants authority to file Tier 2 advice letters on or before November 20, 2011 and 2012 for the escalation rates of 2012 and 2013.
- ® Barres Mecchi Water company (Mecchi) from recovery of uncollected revenue for the period between April 24, 2011 – the effective date of the interim rates – and the effective date of this rate increase.
- ® Barres Mecchi from deferred revenue collection for all 2011, 2012, and 2013.
- ® Mecchi shall not request recovery of the Consumer Price Index for years 2011 and 2012.
- ® Orders Mecchi to file a Tier 1 advice letter within 30 days from the effective date of this resolution to revise its Title Page, Rules, and Forms to meet current standards.

ESTIMATED COST:

- ® \$14,434 or 90.00% for Test Year 2011.
- ® \$2,952 or 9.69% for 2012.
- ® \$2,953 or 8.83% for 2013.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524447

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

Consent Agenda - Orders and Resolutions (continued)

Item **San Diego Gas & Electric Company's Renewable Energy**
18 **Power Purchase Agreement With Silicon Valley Power**

[10697]

Res E-4429, Advice Letter 2278-E filed on August 17, 2011 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the short-term renewable energy power purchase agreement (PPA) between San Diego Gas & Electric Company and Silicon Valley Power.

® The PPA is approved without modification.

ESTIMATED COST:

® Costs of the PPA are confidential at this time and will be made public one year after the PPA terminates.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524394

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

Consent Agenda - Orders and Resolutions (continued)

Item Decision Closing Rulemaking 06-06-028

19

[10704]

R06-06-028

Order Instituting Rulemaking into the Review of the California High Cost Fund B Program.

PROPOSED OUTCOME:

® Closes Rulemaking 06-06-028 for purposes of Public Utilities Section 1701.5.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524920

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Modifications to Southern California Edison Company's**
20 **Summer Discount Plan**

[10705]

A10-06-017

In the Matter of the Application of Southern California Edison Company for Summer Discount Plan Program.

PROPOSED OUTCOME:

- ® Authorizes modifications to enable competitive dispatch of Southern California Edison Company's Summer Discount Plan, enabling service curtailments when warranted by market prices.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$26.6 million, but costs are offset by avoided purchases of power and power resources.

(Comr Peevey - ALJ Sullivan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E47392

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 Searles Domestic Water Company's General Rate Case to
21 Produce Additional Revenue**

[10708]

Res W-4888, Advice Letter 54-W filed on June 16, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Grants Authority to file a supplemental advice letter with the revised rate schedules attached to Appendix B.
- ® Files Tier 2 advice letters on or before 11/20/2011 and 2012 for the escalation years 2012 and 2013.
- ® Establishes a Water Conservation Memorandum Account to track changes in fixed costs and related income taxes included in the quantity rates due to changes in water sales; to file a Tier 1 advice letter within 30 days of the effective date of this resolution to revise its Title Page, Rules, and Forms.
- ® Revises its Rule 11 to incorporate a reconnection charge of \$35 during business hours, and \$50 outside of business hours.

ESTIMATED COST:

® \$172,925 or 42.22% for Test Year 2011; \$55,650 or 9.55% and \$55,400 or 8.68% for Escalation Years 2012 and 2013, respectively.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524684

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

Consent Agenda - Orders and Resolutions (continued)

Item Petition for Modification of Decision 10-10-019
22

[10715]

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;
- ® Moves certain activities which could be shared among water utilities and their affiliates from the "prohibited" list to the "allowed" list.
- ® 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=524806

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Alpine Village Water Company's General Rate Increase to**
23 **Produce Additional Annual Revenue**

[10725]

Res W-4891, Advice Letter 15 filed on January 18, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Grants authority to file a Supplemental Advice Letter 15 to make effective the revised schedule attached to Appendix B.
- ® Orders the utility to file a Tier 1 Advice Letter within 30 days from the effective date of this resolution to revise its Title Page.
- ® The utility shall file a Tier 2 advice letter on or before November 20, 2012 for the escalation rate of 2012 and rates made effective January 1, 2013.
- ® The utility shall not request a Consumer Price Index increase for years 2011 and 2012.
- ® The utility shall conform to General Order 103-A requirements by submitting plans for its operations as described therein within nine months from the effective date of this resolution.

ESTIMATED COST:

- ® \$4,260 or 23.2% for Test Year 2011, and \$4,124 or 18.2% for Escalation Year 2012.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524915

Consent Agenda - Orders and Resolutions (continued)

**Item 24 The City of Los Angeles Department of Water and Power's
Deviation From California Public Utilities Code Section 320**

[10727]

Res E-4409

PROPOSED OUTCOME:

® The Commission should approve and grant this deviation but construction work associated with this deviation is granted only through the end of 2012.

ESTIMATED COST:

® Total project cost is \$234,172.55.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521414

**Item 25 Southern California Gas Company's One-Time,
Non-Precedential Waiver**

[10733]

Res G-3457, Advice Letter 4223 filed March 17, 2011 - Related matters.

PROPOSED OUTCOME:

Grants Southern California Gas Company's (SoCalGas) request for approval for a one-time, non-precedential waiver for SoCalGas customer Alon Bakersfield Property Incorporated from daily balancing noncompliance charges for the month of November 2010.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521644

Consent Agenda - Orders and Resolutions (continued)

Item **El Corre Caminos, Inc. to Expand its Passenger Stage Corporation Certificate**
26

[10734]

A11-05-026

PROPOSED OUTCOME:

® Grants the application of El Corre Caminos, Inc. to expand its passenger stage corporation certificate to add 14 schedule routes between points in San Diego, San Bernardino, Los Angeles, and Riverside Counties.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Exam Cooke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=461896

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

Consent Agenda - Orders and Resolutions (continued)

Item Doron Ben Yehuda for a Passenger Stage Corporation
27 Certificate

[10735]

A11-07-016

PROPOSED OUTCOME:

® Grants the application of Doron Ben Yehuda 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=462166

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

Consent Agenda - Orders and Resolutions (continued)

Item Decision Extending Statutory Deadline

28

[10736]

C10-10-015

Calico Solar, LLC vs. BNSF Railway Company.

PROPOSED OUTCOME:

® Extends statutory deadline for resolving complaint to October 21, 2012.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Hecht)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521622

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

Consent Agenda - Orders and Resolutions (continued)

Item Decision Dismissing Case 11-01-006

29

[10740]

C11-01-006

Wallace B. Roberts vs. Cox California Telecom and Pacific Bell Telephone Company dba AT&T California.

PROPOSED OUTCOME:

® Dismisses the Complaint of Wallace B. Roberts vs. Cox California Telecom and AT&T California.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462445

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

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

30

[10748]

R08-11-005

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

PROPOSED OUTCOME:

® Extends the 18-month deadline for Phase 2 of this proceeding to January 6, 2012.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Kenney)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=522028

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

Consent Agenda - Orders and Resolutions (continued)

**Item ExteNet Systems LLC for a Certificate of Public Convenience
31 and Necessity**

(Rev.)

[10750]

A10-06-004

Applications of ExteNet Systems LLC for Authority to Engage in Ground-Disturbing Outside Plant construction in Compliance with Decision 06-04-063.

PROPOSED OUTCOME:

® Grants authority to engage in ground-breaking construction along a portion of State Route 35 in order to deploy a fiber-fed Distributed Antenna Communications System subject to mitigation measures.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ MacDonald)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E48756

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

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

10/17/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Intervenor Compensation Orders

Item Compensation to Community Environmental Council

32

[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=524914

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

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

Agenda 3282, Item 27 10/6/2011

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Center for Biological Diversity

33

[10729]

A09-05-027

In the Matter of the Application of Southern California Edison Company for a Certificate of Public Convenience and Necessity for the Eldorado-Ivanpah Transmission Project.

PROPOSED OUTCOME:

® Awards \$32,120.50 to Center for Biological Diversity in intervenor compensation for substantial contribution to Decision 10-12-052.

ESTIMATED COST:

® Southern California Edison Company will pay the awarded amount of \$32,120.50, plus interest.

(Comr Peevey - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=507961

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

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to National Consumer Law Center

34

[10741]

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 National Consumer Law Center \$59,236.83 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, Southern California Gas Company, and Southern California Edison Company will pay the awarded amount of \$59,236.83, plus interest.

(Comr Peevey - ALJ Ebke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=493190

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

Regular Agenda

Regular Agenda - Energy Orders

Item Direct Access Reforms to Provide for Limited Retail 35 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=524932

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);

Agenda 3282, Item 32 10/6/2011 (Peevey)

Regular Agenda - Energy Orders (continued)

Item New Order Instituting Rulemaking

36

[10747]

R_____

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

PROPOSED OUTCOME:

® Initiates a rulemaking to establish local capacity requirements for 2013 and 2014, and further refine the Commission's Resource Adequacy program.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524754

Regular Agenda - Energy Resolutions and Written Reports**Item 37** **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

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

Agenda 3279, Item 19 8/18/2011 (Peevey);
Agenda 3281, Item 42 9/22/2011 (Ferron)

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item ALTERNATE TO ITEM 10579
37a

[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

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

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

Agenda 3281, Item 42a 9/22/2011 (Ferron)

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item **Pacific Gas and Electric Company's Renewable Energy**
38 **Power Purchase Agreement with Mojave Solar, LLC -**
(Rev.) **OPTION A**
 [10711]

Res E-4433, Advice Letter 3876-E filed on July 19, 2011 and Supplemental Advice Letter 3876-E-A filed on August 29, 2011 - Related matters.

PROPOSED OUTCOME:

® Denies cost recovery for the long-term renewable power purchase agreement between Pacific Gas and Electric Company and Mojave Solar, LLC, an affiliate of Abengoa Solar, Inc.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462475

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

10/11/2011 - This revision was not shown on the Agenda mailed to the public.

Item **OPTION B**
38a
 [10712]

PROPOSED OUTCOME:

® Approves cost recovery for the long-term renewable power purchase agreement (PPA) between Pacific Gas and Electric Company and Mojave Solar, LLC, an affiliate of Abengoa Solar, Inc.

® The PPA is approved with modifications.

ESTIMATED COST:

® Costs of the PPA are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462479

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

10/11/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Resolutions and Written Reports (continued)

Item **ALTERNATE TO ITEM 10711 AND ITEM 10712**
38b
(Rev.)
[10765]

PROPOSED OUTCOME:

- ® Approves cost recovery for the long-term renewable power purchase agreement (PPA) between Pacific Gas and Electric Company and Mojave Solar, LLC, an affiliate of Abengoa Solar, Inc.
- ® The PPA is approved.

ESTIMATED COST:

- ® Costs of the PPA are confidential at this time.

(Comr Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524272

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

10/11/2011 - This item was not listed on the agenda distributed to the public.

Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item Pacific Gas and Electric Company's Renewable Energy
39 Power Purchase Agreement with North Star Solar, LLC**

[10716]

Res E-4436, Advice Letter 3759-E filed on November 12, 2010 and supplemental Advice Letter 3759-E-A filed on July 27, 2011 - Related matters.

PROPOSED OUTCOME:

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

ESTIMATED COST:

® Actual costs are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=525032

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

**Item ALTERNATE TO ITEM 10716
39a**

[10717]

PROPOSED OUTCOME:

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

ESTIMATED COST:

® Actual costs are confidential at this time.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=525039

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

Regular Agenda - Communication Resolutions and Reports**Item 40 Rural Telecommunications Infrastructure Grant Program
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=525001

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

Agenda 3281, Item 24 9/22/2011 (Florio)

**Item 41 The California Broadband Coalition and American Recovery
and Reinvestment Act's Funded Digital 395 Project**

[10737]

Res T-17347**PROPOSED OUTCOME:**

® Adopts a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the California Broadband Coalition America Recovery and Reinvestment Act/California Advanced Services Fund (CASF) funded broadband project.

ESTIMATED COST:

® Approves the CEQA required for 20% CASF matching grant of approximately \$20 million.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=521798

Regular Agenda - Water/Sewer Orders**Item New Order Instituting Rulemaking****42**

[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=524734

Agenda 3277, Item 52 7/14/2011 (Florio);
Agenda 3279, Item 38 8/18/2011 (Simon);
Agenda 3280, Item 43 9/8/2011 (Ferron);
Agenda 3281, Item 44 9/22/2011 (Ferron)

Regular Agenda - Legal Division Matters

Item **Comments to the Department of Energy Regarding Draft
43 Cybersecurity Risk Management**
[10738]

The California Public Utilities Commission staff request authority to file comments regarding the Department of Energy draft cybersecurity risk management process guidelines.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=524553

Item **Comments to the Commodity Futures Trading Commission
44 and Securities Exchange Commission Regarding the
[10751] Definition of “Swap”**

The California Public Utilities Commission staff request authority to file comments in a joint rulemaking of the Commodity Futures Trading Commission and Securities Exchange Commission regarding whether environmental commodities such as renewable energy credits should be subject to the federal derivatives regulatory regime.

Regular Agenda - Legislative and Other Matters

Item **Office of Governmental Affairs Legislative Wrap Up**
45
[10761]

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

Item **Report and Discussion by Consumer Protection and Safety**
46 **Division on Recent Safety Program Activities**
[10731]

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

Item Conference with Legal Counsel - Application for Rehearing
47
 [10732]

Compilation of applications for rehearing recently filed with the Commission.

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

Item Conference with Legal Counsel - Application for Rehearing
48
 [10739]

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

Disposition of Application for Rehearing of Decision (D) 10-12-035, filed by the California Municipal Utilities Association (CMUA), and remaining issues in the Application for Rehearing of Decision D10-12-035, filed by the City and County of San Francisco (CCSF). In D10-12-035, the Commission approved the "Qualifying Facility and Combined Heat and Power Program Settlement Agreement." On March 16, 2011, CMUA filed a motion for abeyance of its application for rehearing due to pending settlement negotiations. In D11-03-051, the Commission modified D10-12-035; denied rehearing of D10-12-035, as modified, on certain issues; and granted CMUA's motion for abeyance. The Commission also held in abeyance two issues raised in CCSF's rehearing application that were also raised in CMUA's rehearing application.

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.

Item Conference with Legal Counsel - Initiation of Litigation**49**

[10753]

I._____

Deliberation on institution of investigation of proceeding(s) or disciplinary action(s) against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding(s) or disciplinary action(s) is not commenced.)

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

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

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

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

Closed Session - Initiation of Litigation - Federal

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

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

Closed Session - 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.

Agenda 3282, Item 50 10/6/2011

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