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

## ***Public Agenda 3287***

***Thursday, January 12, 2012 9:00 a.m.***

***San Francisco, California***

### **Commissioners**

**Michael R. Peevey, President**

**Mark J. Ferron**

**Michel Peter Florio**

**Catherine J.K. Sandoval**

**Timothy Alan Simon**

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

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

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### **Scheduled Commission Meetings**

**505 Van Ness Avenue, San Francisco**

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <i>Open to the Public</i>
Friday, January 27, 2012 (San Francisco)	Thursday, January 12, 2012 (San Francisco)
Monday, February 13, 2012 (San Francisco)	Wednesday, February 01, 2012 (San Francisco)
Monday, March 05, 2012 (San Francisco)	Thursday, February 16, 2012 (San Francisco)
Monday, March 19, 2012 (San Francisco)	Thursday, March 08, 2012 (San Francisco)
Monday, April 16, 2012 (San Francisco)	Thursday, March 22, 2012 (San Francisco)

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

#### ***Matters of Public Interest***

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

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



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**PUBLIC COMMENT**

The following items are not subject to public comment:

- All items on the closed session agenda.
- 10, 15, 19, 26, 34, 35, 37, 38, 39, 42, 46, 52, 53, 66

**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 1 Preliminary Categorizations and Hearing Determinations for Recently Filed Formal Applications**

[10908]

**Res ALJ 176-3287**

**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.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570113](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570113)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Amendment of Telco Industry Rules Under General Order**  
**2**                         **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=572609](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572609)

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

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Agenda 3280, Item 28 9/8/2011 (Peevey);  
Agenda 3281, Item 13 9/22/2011 (Staff);  
Agenda 3282, Item 9 10/6/2011 (Staff);  
Agenda 3283 , Item 8 10/20/2011 (Staff);  
Agenda 3284, Item 6 11/10/2011 (Staff);  
Agenda 3285, Item 2 12/1/2011 (Staff);  
Agenda 3286, Item 2 12/15/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Appeal of Resolution E-4392**

**3**

[10799]

**Res E-4400**, Appeal of Resolution E-4392 Filed on February 14, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Denies the appeal of Executive Director's Resolution E-4392, and finds that Resolution E-4392 correctly disposed of the protests to Advice Letter 2517-E-A.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572579](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572579)

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

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Agenda 3285, Item 20 12/1/2011 (Ferron);

Agenda 3286, Item 4 12/15/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Case 09-12-006**

**4**

[10813]

**C09-12-006**

Hamilton Cove Homeowners Association, a California Mutual Benefit corporation, and its members: Gordon Anderson, Mimi Assanti, Shu-Hun Baran, Stuart Baron, Norris J. Bishton, Jr., Tom Cappannelli, John Cullens, Martin Curtin, Barbara Ehert, The Erb Family Trust, Bart Glass, Peter R. Giulioni, Jr., Ellen Greenhill, Tom Gross, Clifford Hague, as member and as the Owner of a Multiunit Apartment in Avalon California, and all others similarly situated, Ladon Hix, Ron Hoffman, William Hurst, The Longpre Family Trust, Craig C. Manger III, Michael Margulis, Patricia McCormick, Jeffrey P. McCormick, Jeffrey P. McIndoo, Doug Meissner, Duane Miller, Thomas R. Murphy, Mike Owens, Kathy Patterson, Carol Peck, James P. Selles, Frank R. Randall, Dave Schmitz, Sharon Stow, Jack & Cathy Sweeny, Judy Tejada, Will Von der Aha, John Willett, and Phillip Williams; Catalina Island Camps, Inc., Tom Sawyer Camps, Inc., Guided Discoveries, Inc., Western Los Angeles County Council - Boys Scouts of America at Camp Emerald Bay on Catalina Island, Santa Catalina Island Conservancy, and all other persons similarly situated vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

- ® Dismisses case because it seeks to challenge rates found reasonable in 2007.
- ® The complaint violates the rule against retroactive ratemaking.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571342](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571342)

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

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

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Agenda 3286, Item 5 12/15/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    YourTel America Inc. to be Designated as an Eligible  
5                        Telecommunications Carrier in California**

[10840]

**Res T-17338**, Advice Letter No. 1 filed on April 8, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Designates YourTel America as an Eligible Telecommunications Carrier to provide federal Lifeline and Link-Up services in California excluding the Small Incumbent Local Exchange Carriers service territories.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571161](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571161)

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

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Agenda 3286, Item 17 12/15/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item 6 Establishes an Operational/Program Design Parameter for Provision of Wireless Equipment**

[10841]

**Res T-17351**

**PROPOSED OUTCOME:**

® Approval of operational and program design changes to current Deaf and Disabled Telecommunications Program (DDTP)/California Telephone Access Program (CTAP) applicable to provision of wireless equipment as permanent part of DDTP/CTAP.

**ESTIMATED COST:**

® \$650,000 initial estimate for distribution of 5,000 devices during the first two years of the program including equipment and administrative costs.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572068](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572068)

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

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Agenda 3286, Item 53 12/15/2011 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Del Oro Water Company's General Rate Increase to Produce**  
**7**                         **Additional Annual Revenue of \$40,544 or 13.67% for Test**  
[10855]                 **Year 2011**

**Res W-4895**, Advice Letter 310 filed on August 22, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Files a supplemental advice letter with the revised rate schedule attached to this resolution as Appendix B and cancels the presently effective rate Schedule No. LS-1A, General Metered Service.  
® Adopts the quantities used to develop the Division of Water and Audits' recommendations in Appendix D.

**ESTIMATED COST:**

® \$40,544 or 13.67%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571343](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571343)

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

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Agenda 3286, Item 25 12/15/2011 (Simon)

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Consent Agenda - Orders and Resolutions (continued)

**Item 8**                    **Del Oro Water Company, Inc.'s General Rate Increase to Produce Additional Annual Revenue of \$222,853 or 13.54% for Test Year 2011**  
[10856]

**Res W-4896**, Advice Letter 304 filed on July 29, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® To file a supplement to make effective the revised rate schedule attached to this resolution as Appendix B.
- ® To file a Tier 1 advice letter within 30 days from effective date of this resolution to update Schedule LC, Late Payment Charge.
- ® To file a Tier 2 advice letter within 30 days from the date of this resolution to collect from its Paradise Pines District customers a one-time surcharge for the under-collected revenues from the interim rate date to the effective date of the new rates.

**ESTIMATED COST:**

- ® \$222,853 or 13.54%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571344](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571344)

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

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Agenda 3286, Item 26 12/15/2011 (Simon)

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Consent Agenda - Orders and Resolutions (continued)

**Item 9 Revenue Requirements for Test Year 2012 and Post-Test Year Ratemaking Adjustments for 2013 and 2014**

[10863]

**A11-02-002**

Application of Suburban Water Systems for Authority to Increase Rates Charged for Water Service by \$19,234,576 or 35.85% in 2012, by \$3,032,827 or 4.18% in 2013, and by \$1,973,200 or 2.61% in 2014.

**PROPOSED OUTCOME:**

- ® Adopts a partial settlement with the Division of Ratepayer Advocates and resolves all other issues.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Rates will increase by 24.74% in 2012.

(Comr Sandoval - ALJ Long)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E51086](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E51086)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 10 Complaint for Order Directing Pacific Gas and Electric Company not to Remove Trees from Easement**

[10869]

**C11-04-014**

Meredith Yox & Scott Yox vs. Pacific Gas and Electric Company.

**PROPOSED OUTCOME:**

- ® Dismisses complaint for failure to state a claim on which relief may be granted.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Bernesderfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572731](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572731)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Worldwide Marketing Solutions, Inc.'s Petition for**  
**11**                        **Modification of Decision 10-09-017**

[10874]

**R09-07-009**

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

**PROPOSED OUTCOME:**

- ® Denies the petition of Worldwide Marketing Solutions, Inc., for exemption from the performance bond requirement established in Decision 10-09-017.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572067](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572067)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Rate Increase for Pipeline Transportation of Refined**  
**12**                        **Petroleum Products**

[10887]

**A11-09-018**

Application of Calnev Pipe Line LLC for authority, pursuant to Public Utilities Code Section 455.3, to increase its rates for intrastate pipeline transportation services.

**PROPOSED OUTCOME:**

- ® Approves application of Calnev Pipeline LLC to raise rates by 9.99% effective November 1, 2011.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Ferron - ALJ Bemesderfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=568391](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568391)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Extension of WaterSmart Allocation Pilot Program to**  
**13**                        **Dedicated Irrigation Meter Customers**

[10889]

**A11-08-015**

In the Matter of the Application of Valencia Water Company, a Corporation, for Authorization to Implement WaterSMART program and Tiered Rates for Dedicated Irrigation Meter Customers in Compliance with Decision No. 10-12-029.

**PROPOSED OUTCOME:**

- ® Grants relief requested.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Florio - ALJ Farrar)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572717](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572717)

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

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Agenda 3286, Item 40 12/15/2011 (Simon)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Setting of Water Rates and Conditions of Water Service at**  
**14**                        **MobileHome Park**

[10891]

**C09-11-019**

Lucas D. Hernandez, Martha Amezquita, Daniel Gonzalez, Gabriel Cabrera, Severo Rosa, Celia Ruiz, Martha Alvarado, Maria Palma, Federico Garcia, Luis Morales vs. Sunbird Mobile Home Park, Hawkeye Asset Management, James Martin and Betty Martin.

**PROPOSED OUTCOME:**

- ® Sets MobileHome Park water rates and conditions of water service.
- ® Approves partial settlement agreement.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Nominal, for changing water rates and providing point-of-use filtered water.

(Comr Sandoval - ALJ Weatherford)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572485](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572485)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Dismissal of Case 11-08-010**  
**15**

[10896]

**(ECP) C11-08-010**

Copies Etc. vs. Verizon California Inc.

**PROPOSED OUTCOME:**

- ® Dismisses case for lack of prosecution.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=569428](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569428)

**Item                    Finds Del Oro Water Company in Compliance with the**  
**16                        Ordering Paragraph No. 3 of Decision 10-05-004, Effective**  
**[10899]                Retroactively as of May 19, 2011**

**Res W-4898**, Advice Letter 300 filed on May 19, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® Del Oro Water Company (Del Oro) has prepared and filed with the Commission as directed in Decision 10-05-004, plans to augment the water supply of the River Island District.
- ® Del Oro must file Tier 3 advice letters for approval from the Commission of its Phase I and II plans.
- ® Del Oro should file the advice letter seeking approval of the Phase I plan as soon as possible.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572438](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572438)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **California-American Water Company's Recovery of Cost for**  
**17**                        **the Lease of the Sand City Desalination Plant**

[10900]

**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 approval of the Sand City Desalination Plant Lease but creates a purchased water option based on the alternative ratemaking methodology proposed by California-American Water Company.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$779,900 per year.

(Comr Florio - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E51670](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E51670)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Rates in Maximum Rate Tariff 4 Increased by 2.8%**  
**18**

[10911]

**Res TL-19104**

**PROPOSED OUTCOME:**

® Increases rates in Maximum Rate Tariff 4 (MAX 4) by 2.8% in accordance with Public Utilities Code Section 5191 and Decisions (D) 92-05-028 and D10-01-027.

**ESTIMATED COST:**

® The maximum impact of this resolution upon ratepayers would be approximately \$7,948,873, which is 2.8% of the total California gross revenue reported to the Commission by household goods carriers in 2010.

® However, many movers assess rates below the maximum rates, so the actual impact will be less.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571973](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571973)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of a Complaint**

**19**

[10912]

**C08-06-018**

XO Communications Services, Inc. vs. Fones4All Corporation.

**PROPOSED OUTCOME:**

- ® Dismisses complaint without prejudice.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Reed)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572079](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572079)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Diego Gas & Electric Company's Petitions for**  
**20**                        **Modification of Decision 10-09-016 and Decision 10-12-048**

[10913]

**A08-07-017**

Application of San Diego Gas & Electric Company for Approval of the SDG&E Solar Energy Project.

**PROPOSED OUTCOME:**

- ® Partially grants two petitions for modification.
- ® The result is to combine the solicitation of photovoltaic and other electricity generated by renewable resources now procured by San Diego Gas & Electric Company (SDG&E) via two programs into one program. In particular:
  - ® Combines the solicitation of 74 megawatts (MW) of photovoltaic electricity via the Solar Energy Project (SEP) with 81 MWs of renewable resources via the Renewable Auction Mechanism (RAM).
  - ® The resulting 155 MWs are to be solicited consistent with RAM protocols (e.g., within the initial two-year RAM window, from projects up to 20 MWs, from one of three products, within the service areas of the three investor-owned utilities, at market prices determined via RAM).
  - ® Declines to authorize SDG&E to apply currently pending bilateral transactions, if executed, to offset any of the combined 155 MWs.
  - ® Directs SDG&E to file an advice letter to specify the amount of each product it will solicit in each RAM auction for the 74 MWs of capacity added to RAM, and the 155 MWs total.
  - ® Closes the proceeding.

**ESTIMATED COST:**

- ® Cost, if any, unknown; but potential savings are expected from economic and administrative efficiencies due to merging two programs into one.

(Comr Florio - ALJ Ebke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E51862](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E51862)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Digital Infrastructure and Video Competition Act Fee for**  
**21**                        **Fiscal Year 2011-2012**

[10914]

**Res T-17353**

**PROPOSED OUTCOME:**

® Sets the annual fee for each Video Franchisee.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572056](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572056)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Dollar Phone Enterprise, Inc's Certificate of Public  
22**                    **Convenience and Necessity**

[10916]

**A11-03-027**

Application of Dollar Phone Enterprise Inc. dba DPE for a Certificate of Public Convenience and Necessity to Operate as a Provider of Resold Interexchange Service within the State of California.

**PROPOSED OUTCOME:**

- ® Grants Dollar Phone Enterprise Inc., d/b/a/ DPE, a certificate of public convenience and necessity pursuant to Public Utilities Code Section 1001 to provide resold interexchange service in the State of California, subject to the terms and conditions set forth in the decision.
- ® Grants the motion of applicant to file certain confidential materials under seal.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Prestidge)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=555130](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=555130)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 23 Pacific Gas and Electric Company's Renewable Energy Power Purchase Agreement With Montezuma Winds II, LLC**

[10917]

**Res E-4459**, Advice Letter 3847-E filed on May 27, 2011 - Related matters.

**PROPOSED OUTCOME:**

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

® Approves amendment to a Qualified Facility PPA between PG&E and power produced by a wind project owned by enXco Windfarm V, Inc.

**ESTIMATED COST:**

® Costs of the PPA are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572040](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572040)

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

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**Item 24 Southern California Edison Company's Power Purchase Agreement With Silver State Solar Power South, LLC**

[10918]

**Res E-4438**, Advice Letter 2581-E filed on May 6, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for the long-term renewable energy power purchase agreement between Southern California Edison Company and Silver State Solar Power South, LLC, a wholly-owned subsidiary of First Solar, Inc.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572541](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572541)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Power Purchase  
25                        Agreement With Solar Star California XIII, LLC, Solar Star  
[10919]                California XIX, LLC and Solar Star California XX, LLC**

**Res E-4456**, Advice Letter 2568-E filed on March 30, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for power purchase agreements between Southern California Edison and Solar Star California XIII, LLC, Solar Star California XIX, LLC and Solar Star California XX, LLC.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572544](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572544)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Settlement of Investigation into Whether Pacific Gas and**  
**26**                        **Electric Company Violated the Mitigation Monitoring Plan for**  
[10920]                   **Construction of the Seventh Standard Substation Project**

**I11-06-010**

Order Instituting Investigation on the Commission's own motion into Pacific Gas and Electric Company's (PG&E) compliance with Commission Decision D.09-10-049, granting PG&E's request for a Permit to Construct for the Seventh Standard Substation Project, to determine if PG&E violated the laws, rules and regulations of this State; Order to Show cause why Respondent should not be subject to penalties for such violations.

**PROPOSED OUTCOME:**

- ® Approves Settlement payment of \$100,000 to the General Fund, and donation of \$50,000 to the Endangered Species Recovery Program at Stanislaus State University, in settlement of this litigation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None to ratepayers.

(Comr Florio - ALJ Yacknin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572455](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572455)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Addresses Sierra Telephone Company Advice Letter 388  
27                        and Advice Letter 389**

[10921]

**Res T-17334**, Advice Letter (AL) 388 and AL 389 filed on April 7, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Denies Sierra Telephone Company's Advice Letter 388 and 389 seeking authority under Public Utilities Code Section 851 to sell certain facilities to their affiliate Sierra Telephone Business Systems.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572527](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572527)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Closing Proceeding**

**28**

[10922]

**A10-03-015**

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

**PROPOSED OUTCOME:**

® This Order closes Application 10-03-015.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572613](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572613)

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

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Application for Rate Increase on California Crude Oil  
29                       Pipelines**

[10923]

**A11-08-024**

Application of Chevron Pipeline Company for Authorization to Increase its Rates and Charges for Crude Oil Transportation Services on Its California Pipelines Effective November 1, 2011.

**PROPOSED OUTCOME:**

- ® Grants application of Chevron Pipeline Company to increase rates by 13.5155% effective November 1, 2011.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Bemserfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=568491](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568491)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Diego Gas & Electric Company's Approval of a**  
**30**                        **Renewable Energy Power Purchase Agreement, as**  
[10924]                 **Amended, With Ocotillo Express LLC**

**Res E-4458**, Advice Letter (AL) 2234-E filed on March 4, 2011 and AL 2234-E-A filed on October 5, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for long-term renewable energy power purchase agreement (PPA), as amended, between San Diego Gas & Electric Company and Ocotillo Express LLC.

® The PPA, as amended, is approved without modifications.

**ESTIMATED COST:**

® Costs of the PPA are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572065](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572065)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Gabriel Valley Water Company's Request to Permit**  
**31**                        **Payment of Water Bills Using a Credit or Debit Card or**  
[10925]                    **Electronic Check as Bill Payment Options**

**Res W-4899**, Advice Letter No. 394 filed on March 7, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® Rejects without prejudice the utility's Advice Letter No. 394 requesting authorization to allow customers the option to pay their water bills by credit and debit card or by electronic check.
- ® The utility may seek authorization in a future Tier 3 advice letter or application pursuant to the guidance provided in this Resolution.

**ESTIMATED COST:**

- ® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572437](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572437)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **New Grade-Separated Crossing at Empire Avenue in the City**  
**32**                        **of Burbank, Los Angeles County**

[10927]

**A11-05-008**

Application of the Southern California Regional Rail Authority to construct a new railroad underpass at Empire Avenue on Metrolink Valley Subdivision Mile Post 12.08 which is subproject to the Caltrans I-5 HOV Freeway Widening, located within the City of Burbank, County of Los Angeles.

**PROPOSED OUTCOME:**

® Grants authorization to Southern California Regional Rail Authority to construct a new grade-separated underpass for its Valley Subdivision main line tracks at mile post 12.08 over Empire Avenue.

® Closes the proceeding.

**ESTIMATED COST:**

® Discretionary project, not within the scope of applicant request.

(Exam Cooke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570734](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570734)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Bus Rapid Transit Driveway Over Union Pacific Railroad**  
**33**                        **Tracks in the County of Sacramento**

[10928]

**A11-07-013**

Application of Sacramento Regional Transit District and County of Sacramento for an order authorizing District and County to construct, modify and maintain the Watt/Manlove Station Driveway across the Placerville Branch track at the Watt/Manlove Station in the County of Sacramento, State of California.

**PROPOSED OUTCOME:**

- ® Grants the Sacramento Regional Transit District authority to construct a new at-grade crossing over Union Pacific Railroad tracks and a new grade separated crossing under their own tracks in the County of Sacramento.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Discretionary project, not within scope of applicant request.

(Exam Cooke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570739](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570739)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**34**

[10935]

**I11-02-017**

Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of San Francisco Municipal Transportation Agency, Regarding Ongoing Public Safety Issues.

**PROPOSED OUTCOME:**

® Extends the statutory deadline of this adjudicatory proceeding to February 28, 2013.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Minkin)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570542](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570542)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Case 11-04-020**

**35**

[10936]

**(ECP) C11-04-020**

Elliot Karlan vs. Pacific Bell Telephone Company, dba AT&T California.

**PROPOSED OUTCOME:**

- ® Dismisses Case for failure to state a cause of action.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=462495](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=462495)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**36**

[10939]

**A08-05-019**

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

**PROPOSED OUTCOME:**

® Extends statutory deadline under Decision 11-11-016 until March 28, 2012.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571435](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571435)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**37**

[10940]

**C11-01-017**

Corry Watung vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

® Extends the statutory deadline to December 24, 2012.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Barnett)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571430](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571430)

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

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**Item                    Order Extending Statutory Deadline**

**38**

[10941]

**(ECP) C11-01-013**

Beryl Adelman vs. Pacific Bell Telephone Company dba AT&T California.

**PROPOSED OUTCOME:**

® Order extends statutory deadline until July 21, 2012.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Moldavsky)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571145](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571145)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Modified Presiding Officer's Decision Regarding Complaint**  
**39**                        **of Pacific Home Remodeling**

[10942]

**C11-03-009**

Pacific Home Remodeling vs. California Center for Sustainable Energy.

**PROPOSED OUTCOME:**

- ® Finds that California Center for Sustainable Energy reasonably applied California Solar Initiative (CSI) Program rules to disqualify Pacific Home Remodeling from the CSI Program.
- ® Denies complaint requesting reinstatement in the CSI Program.
- ® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Sandoval - ALJ Duda)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571303](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571303)

*Pub. Util. Code § 1701.2(c), allows this modified Presiding Officer's Decision to be considered in Closed Session.*

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Exemption From California Public Utilities Code Section 851**  
**40**

[10947]

**A11-09-002**

In the matter of the Application of PacifiCorp for an Exemption to California Public Utilities Code Section 851.

**PROPOSED OUTCOME:**

- ® Grants exemption from Public Utilities Code Section 851 for specific mutual assistance transactions.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® No cost.

(Comr Florio - ALJ Clark)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572606](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572606)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**41**

[10950]

**A10-06-001**

Application of San Diego Gas & 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 Energy 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:**

® Extends statutory deadline until April 10, 2012.

**ESTIMATED COST:**

® None.

(Comr Florio - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571516](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571516)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**42**

[10951]

**I09-01-018**

Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company, Cellco Partnership LLP d/b/a Verizon Wireless, Sprint Communications Company LP, NextG Networks of California, Inc. and Pacific Bell Telephone Company d/b/a AT&T California and AT&T Mobility LLC, Regarding the Utility Facilities and the Canyon Fire in Malibu of October 2007.

**PROPOSED OUTCOME:**

® Extends the 12-month statutory deadline for resolving this proceeding to December 24, 2012.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Kenney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571465](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571465)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                   Advanced Technology Distributors, Inc. dba Adtech for a  
43                   Certificate of Public Convenience and Necessity**

[10952]

**A11-05-024**

**PROPOSED OUTCOME:**

® Grants Advanced Technology Distributors, Inc. dba Adtech a Certificate of Public Convenience and Necessity to provide resold and facilities-based competitive local exchange service and non-dominant interexchange services.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Sandoval - ALJ Semcer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=569121](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569121)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Ventura Transit System, Inc. for a Passenger Stage Corporation Certificate**  
**44**

[10953]

**A11-10-019**

**PROPOSED OUTCOME:**

® Grants the application of Ventura Transit System, Inc. to operate as an on-call passenger stage corporation between points in the Counties of Ventura, San Luis Obispo, Santa Barbara, Disneyland, Los Angeles and Long Beach Harbors, and Los Angeles International, Burbank, Long Beach, and John Wayne Airports and between points in San Luis Obispo County, San Francisco International, San Jose International, San Luis Obispo, Santa Maria, and Santa Barbara 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=570522](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570522)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **First Class Transportation, LLC to Expand its Passenger  
45**                    **Stage Corporation Certificate**

[10954]

**A11-03-024**

**PROPOSED OUTCOME:**

® Grants the application of First Class Transportation, LLC to expand its passenger stage corporation certificate to include service between certain points in the City of San Diego and all points in Los Angeles, Orange, San Bernardino, Riverside and Ventura Counties and certain airports and other passenger terminals in those counties.

® Applies an existing zone of rate freedom to the expanded service.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Exam Cooke)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570838](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570838)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Order Extending Statutory Deadline**

**46**

[10955]

**C10-01-005**

City of Santa Barbara vs. Verizon California, Inc.

**PROPOSED OUTCOME:**

® Extends statutory deadline for completion of this proceeding until January 19, 2013.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Roscow)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571431](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571431)

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

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**Item                    Union Pacific Railroad to Deviate From the Requirements of  
47                        General Order 118-A Governing Walkway Standards**

[10958]

**Res ROSB-003**

**PROPOSED OUTCOME:**

® Approves the request of Union Pacific Railroad to deviate from the requirements of General Order 118-A governing walkway standards, at specific location on its mail-line tracks between Rocklin and Colfax on its Donner Pass Route through the Sierra Nevada mountains.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571629](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571629)

Consent Agenda - Orders and Resolutions (continued)

**Item 48 Point Arena Water Works, Inc's \$120,000 Loan for System Improvements and the Encumbrance of Utility Assests**

[10962]

**Res W-4902**, Advice Letter No. 65 filed on November 29, 2011 - Related matters.

**PROPOSED OUTCOME:**

- ® Authorizes Point Arena Water Works, Inc. to borrow \$120,000 from financial institutions.
- ® Encumbers its assets in connection with the loan.

**ESTIMATED COST:**

- ® \$120,000 and interest at approximately 6% to 7% over approximately 5 years.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571646](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571646)

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Application for Modification of Decision 03-04-030**  
**49**

[10963]

**A11-10-021**

Application of Stanford University for Modification of Decision 03-04-030.

**PROPOSED OUTCOME:**

® Grants the Stanford University Application for Modification of Decision 03-04-030, affirming that loads served by customer generation prior to February 1, 2001 (also referred to as “existing” or “grandfathered” customer generation) and that subsequently switch to direct access service are only obligated to pay direct access cost responsibility surcharges (DA CRS) based on the amount of total annual power consumption (calculated by reference to historical usage) previously provided by the investor-owned utilities pursuant to a standby contract.

® Closes the proceeding.

**ESTIMATED COST:**

® Affected direct access customer bills will be lower for DA CRS.

® Exact amounts are not calculated.

(Comr Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571396](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571396)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    New Order Instituting Rulemaking**  
**50**

[10967]

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

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

**PROPOSED OUTCOME:**

® Institutes a new rulemaking as successor to Rulemaking 09-01-019 to continue the examination of the Risk/Reward Incentive Mechanism and to implement appropriate reforms.

**ESTIMATED COST:**

® Unknown.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571779](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571779)

**Item                    Retirement of Huntington Beach Generating Units 3 and 4**  
**51**

[10968]

**Res EGPB-12A**

**PROPOSED OUTCOME:**

® Modifies Resolution EGPB-12 to change the permanent retirement date for Huntington Beach Generating Units 3 and 4 from October 31, 2012 to January 12, 2012.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572596](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572596)

Consent Agenda - Orders and Resolutions (continued)

**Item                    Billing Dispute Over Charges for International Calls**

**52**

[10969]

**(ECP) C11-01-013**

Beryl Adelman vs. Pacific Bell Telephone Company dba AT&T California.

**PROPOSED OUTCOME:**

- ® Customer is responsible for one-half of the charges imposed.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$3,031.62.

(Comr Simon - ALJ Moldavsky)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571144](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571144)

Consent Agenda - Orders and Resolutions (continued)

**Item                    Billing Dispute Over Accuracy of Charges**

**53**

[10970]

**(ECP) C11-04-023**

Jewel L. Dohan vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

- ® Resolves billing dispute.
- ® Adjusts responsibility for erroneous service interruptions.
- ® Closes the proceeding.

**ESTIMATED COST:**

® \$79.39.

(Comr Simon - ALJ Moldavsky)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572471](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572471)

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**Consent Agenda - Intervenor Compensation Orders****Item Compensation to CALifornians for Renewable Energy, Inc.****54**

[10860]

**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:**

® Awards CALifornians for Renewable Energy, Inc. \$1,405.75 in intervenor compensation for contributions to Decisions (D) 07-04-020, and D07-09-040.

® Rulemaking (R) 04-04-003 and R04-04-025 was consolidated with four other proceedings, with Application (A) 08-11-001 as the lead.

® The five proceedings are A08-11-001, R06-02-013, R04-04-003, R04-04-025, and R99-11-022.

® Denies compensation claim related to D05-12-021, D06-02-007, D07-03-015, and D10-12-035.

**ESTIMATED COST:**

® Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay the awarded amount of \$1,405.75, plus interest.

(Comr Ferron - ALJ Wetzell)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571965](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571965)

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

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Aglet Consumer Alliance**

**55**

[10929]

**A09-12-020**, I10-07-027 - Related matters.

Application of Pacific Gas and Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective On January 1, 2011.

**PROPOSED OUTCOME:**

® Awards Aglet Consumer Alliance \$256,009.63 in intervenor compensation for contributions to Decision 11-05-018.

**ESTIMATED COST:**

® Pacific Gas and Electric Company will pay the awarded amount of \$256,009.63, plus interest.

(Comr Peevey - ALJ Division)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=569056](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569056)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item**                    **Compensation to the California Asian Pacific Chamber of  
56**                    **Commerce**

[10959]

**R09-07-027**

Order Instituting Rulemaking for the Purpose of Reviewing and Potentially Amending General Order 156 and to Consider Other Measures to Promote Economic Efficiencies of an Expanded Supplier Base and to Examine the Composition of the Utilities' Workforce.

**PROPOSED OUTCOME:**

® Awards the California Asian Pacific Chamber of Commerce \$107,382 for substantial contribution to Decision 11-05-019.

**ESTIMATED COST:**

® The California Public Utilities Commission's Intervenor Compensation Fund will pay \$107,382, plus interest.

(Comr Peevey - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572225](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572225)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item**                    **Compensation to The California Hispanic Chamber of  
57**                    **Commerce**

[10972]

**R09-07-027**

Order Instituting Rulemaking for the Purpose of Reviewing and Potentially mending General Order 156 and to Consider Other Measures to Promote Economic Efficiencies of an Expanded Supplier Base and to Examine the Composition of the Utilities' Workforce.

**PROPOSED OUTCOME:**

® Awards The California Hispanic Chamber of Commerce \$133,904.17 for substantial contribution to Decision 11-05-019.

**ESTIMATED COST:**

® The California Public Utilities Commission's Intervenor Compensation Fund will pay \$133,904.17, plus interest.

(Comr Peevey - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571463](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571463)

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

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## Regular Agenda

### Regular Agenda - Energy Orders

<b>Item</b>	<b>Regulations to Reduce Fire Hazards with Overhead Power</b>
<b>58</b>	<b>Lines and Communication Facilities</b>

[10475]

#### **R08-11-005**

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

#### **PROPOSED OUTCOME:**

- ® Adopts regulations to reduce the fire hazards associated with overhead power lines and aerial communication facilities located in close proximity to power lines.
- ® Establishes a new Phase 3 of this proceeding to (1) revise Section IV of General Order 95 to reflect modern practices and to incorporate a new High Fire-Threat District; (2) develop a plan for the Consumer Protection and Safety Division to collect data on power-line fires and formulate fire-prevention measures; and (3) develop maps of areas where power-line fires are more likely to occur.
- ® 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=572441](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572441)

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

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

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Agenda 3277, Item 49 7/14/2011 (Peevey);  
 Agenda 3279, Item 33 8/18/2011 (Staff);  
 Agenda 3281, Item 39 9/22/2011 (Simon);  
 Agenda 3282, Item 31 10/6/2011 (Florio);  
 Agenda 3284, Item 39 11/10/2011 (Peevey);  
 Agenda 3285, Item 38 12/1/2011 (Simon);  
 Agenda 3286, Item 46 12/15/2011 (Florio)

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Regular Agenda - Energy Orders (continued)

**Item**                    **Pacific Gas and Electric Company, San Diego Gas & Electric**  
**59**                        **Company, and Southern California Edison Company's**  
[10792]                   **2012-2014 Demand Response Programs, Activities and**  
                              **Budgets**

**A11-03-001**, A11-03-002, A11-03-003 - Related matters.

Application of Pacific Gas and Electric Company for Approval of Demand Response Programs, Pilots and Budgets for 2012-2014.

**PROPOSED OUTCOME:**

® Adopts demand response Programs and Activities for Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE).

® Authorizes budgets of \$208 million for PG&E, \$184 million for SCE, and \$64 million for SDG&E.

® Closes the proceeding.

**ESTIMATED COST:**

® \$457,371,966.

(Comr Peevey - ALJ Hymes)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571160](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571160)

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

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

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Agenda 3285, Item 41 12/1/2011 (Ferron);

Agenda 3286, Item 48 12/15/2011 (Peevey)

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Regular Agenda - Energy Orders (continued)

**Item Bundled Track II Phase of the Long-Term Procurement Plan  
60**

[10827]

**R10-05-006**

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.

**PROPOSED OUTCOME:**

® Approves with modifications the bundled electric procurement plan of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Allen)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570415](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570415)

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

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

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Agenda 3286, Item 49 12/15/2011 (Peevey)

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Regular Agenda - Energy Orders (continued)

**Item**                    **Modifies Pacific Gas and Electric Company's SmartMeter**  
**61**                        **Program**

[10870]

**A11-03-014**

Application of Pacific Gas and Electric Company for Approval of Modifications to its SmartMeter™ Program and Increased Revenue Requirements to Recover the Costs of the Modifications.

**PROPOSED OUTCOME:**

- ® Modifies Pacific Gas and Electric Company's (PG&E) SmartMeter Program to include an option for residential customers who do not wish to have a wireless SmartMeter.
- ® Adopts fees for residential customers electing option.
- ® Authorizes PG&E to establish a new two-way gas and electric memorandum account to track costs.
- ® Application 11-03-014 is closed.

**ESTIMATED COST:**

- ® Unknown – depends on number of customers selecting option.

(Comr Peevey - ALJ Yip-Kikugawa)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E51090](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E51090)

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

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

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**Regular Agenda - Communication Orders****Item Revisions to Basic Telephone Service****62**

[10844]

**R09-06-019**

Order Instituting Rulemaking Regarding Revisions to the California High Cost Fund B Program.

**PROPOSED OUTCOME:**

- ® Adopts an updated definition of basic telecommunications service offered by any carriers of last resort.
- ® The revised definition is designed to:
- ® Consolidate and streamline existing listings of service elements.
- ® Apply technology-neutral terminology and definitions.
- ® Avoid degrading standards necessary to meet essential universal service needs.

**ESTIMATED COST:**

- ® No specific cost changes anticipated in basic rates.

(Comr Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=568925](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=568925)*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

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Agenda 3286, Item 52 12/15/2011 (Staff)

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Regular Agenda - Communication Orders (continued)

**Item**                    **Implementing Broadband Grant and Loan Program**  
**63**                        **Provisions**

[10915]

**R10-12-008**

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

**PROPOSED OUTCOME:**

® Implements further measures within the California Advanced Services Fund (CASF) program to promote more widespread availability of high-speed broadband advanced communications services.

® Implemented the CASF in Decision 07-12-045, to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communication technologies.

® Closes the proceeding.

**ESTIMATED COST:**

® Total statewide cost of the grant program on all retail telecommunications customers is \$100 million and total cost of the loan program is the servicing costs for \$15 million in loans.

(Comr Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E51896](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E51896)

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

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

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**Regular Agenda - Communication Resolutions and Reports****Item                    Suspends the Communications Division's Written  
64                        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=569859](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569859)

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

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Agenda 3282, Item 19 10/6/2011 (Staff);

Agenda 3283 , Item 12 10/20/2011 (Peevey);

Agenda 3284, Item 44 11/10/2011 (Pub. Util. Code §311(e));

Agenda 3285, Item 46 12/1/2011 (Florio)

Regular Agenda - Communication Resolutions and Reports (continued)

**Item**            **ALTERNATE TO ITEM 10677**  
**64a**  
 [10804]

**PROPOSED OUTCOME:**

® This alternate resolution denies the protest of Straishot RC LLC and approves U.S. TelePacific Advice Letter 314 granting authority for the acquisition of the assets, customer base and operating authority of IXCH, Inc., by TelePacific's subsidiary, TelePacific Managed Services.

**ESTIMATED COST:**

® None.

(Comr Peevey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=569861](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=569861)

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

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Agenda 3284, Item 44a 11/10/2011 (Pub. Util. Code §311(e));

Agenda 3285, Item 46a 12/1/2011 (Florio)

**Item**            **ExteNet's Systems California LLC to Deviate From Public**  
**65**                **Utilities Code Section 320 Contingent Upon Approval From**  
 [10894]           **San Mateo County**

**Res T-17354**, Advice Letter No. 32 filed on July 25, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves the request for deviation.

**ESTIMATED COST:**

® ExteNet will incur \$855,081 to construct 12.4 miles of fiber optic cable and 15 new poles in San Mateo County.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572481](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572481)

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

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## Regular Agenda - Water/Sewer Orders

### Item 66 Approval to Implement the Carmel River Reroute and San Clemente Dam Removal Project

(Rev.)

[10823]

#### A10-09-018

Application of California-American Water Company for Authorization to Implement the Carmel River reroute and San Clemente Dam Removal Project and to Recover the Costs Associated with the Project in Rates.

#### PROPOSED OUTCOME:

- ® Approves California-American Water Company's (Cal-Am) request to implement the Carmel River Reroute and San Clemente Dam Removal Project (Project) in partnership with the California State Coastal Conservancy and the National Marine Fisheries Service.
- ® Authorizes ratepayer recovery of Cal-Am's funding portion of the Project, \$49 million, to be paid through a volumetric surcharge on customers' bills over the next 20 years.
- ® Opens an adjudicatory phase of this proceeding to consider an order to show cause as to why applicant should not be fined or otherwise sanctioned for a failure to comply with Rule 1.1 of the Commission's Rules of Practice and Procedure, and Sections 2107 and 2108 of the Public Utilities Code.

#### ESTIMATED COST:

- ® \$49 million.

(Comr Peevey - ALJ Walwyn)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=571510](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=571510)

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

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

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Agenda 3286, Item 54 12/15/2011 (Staff)

01/03/2012 - This revision was not shown on the Agenda mailed to the public.

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**Regular Agenda - Legal Division Matters**

**Item**                    **Comments to the Commodity Futures Trading Commission**  
**67**                        **and Securities Exchange Commission Regarding the**  
[10837]                    **Definition of “Swap”**

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.

Agenda 3285, Item 50 12/1/2011 (Staff);

Agenda 3286, Item 56 12/15/2011 (Staff)

**Item**                    **Comments in Pipeline & Hazardous Materials Safety**  
**68**                        **Administration's Advance Notice of Proposed Rulemaking**  
[10926]                    **Concerning Modifications to Federal Natural Gas**  
                                  **Transmission Pipeline Safety Regulations**

California Public Utilities Commission staff request authority to file comments in Pipeline and Hazardous Materials Safety Administration's Advance Notice of Proposed Rulemaking [75 Fed. Reg. 53086 (August 25, 2011)] concerning modifications to federal natural gas transmission pipeline safety regulations.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570487](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570487)

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Regular Agenda - Legal Division Matters (continued)

**Item**                      **Comments Before the Federal Communications Commission**  
**69**                              **In the Matter of Connect America Fund**

[10956]

**WC Docket No. 10-90; GN Docket No. 09-51; WC Docket No. 07-135; WC Docket No. 05-337; CC Docket No. 01-92; CC Docket No. 96-45; WC Docket No. 03-109; WT Docket No. 10-208**

On November 18, 2011, the Federal Communications Commission (FCC) released a Report and Order and Further Notice of Proposed Rulemaking (FNPRM) in In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing an Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up Universal Service Reform-Mobility Fund. The FNPRM seeks comments on a variety of issues relating to comprehensive reform of federal high cost universal service support, including the transition away from legacy federal high cost universal service support, the provision of federal high cost universal service support for broadband deployment in unserved areas, and related issues.

Staff seeks authority to file comments on these issues.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572443](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572443)

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**Regular Agenda - Legislative and Other Matters****Item                    Telecommunications: Prepaid Mobile Telephony Services:  
70                        Taxes and Fees**

[10903]

**AB 1050 (Ma)**

This bill would establish a uniform method for retail sellers of prepaid mobile telephony communications services to use to collect from customers local and certain state communications taxes, fees and surcharges. The bill would establish a "prepaid communications charge" consisting of a state component and a local component, and require all customers purchasing prepaid mobile telephony service(s) at retail to pay the charge to the retailer seller. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=570562](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=570562)

Agenda 3286, Item 59 12/15/2011 (Simon)

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**Regular Agenda - Commissioner Reports**

**Item**                    **Commissioner Simon's Low Income Oversight Board**  
**71**                        **Appointees**  
[10930]

Commissioner Timothy A. Simon's recommendation seeking Commission's approval of appointments of Ortensia Lopez, Larry Gross and Patricia Watts and reappointment of Jason Wimbley to the currently vacant Low Income Oversight Board positions.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=572131](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=572131)

**Item**                    **Pacific Gas and Electric Company's Demand Response**  
**72**                        **Programs, Pilots and Budgets for 2012-2014 Regarding**  
[10957]                   **Application 11-03-001, Application 11-03-002 and Application**  
                              **11-03-003**

Ratification of Commissioner Peevey's December 28, 2011 Ruling in Application 11-03-001 et. al. continuing Demand Response programs at existing funding levels, in 2012, pending issuance of a final Commission Decision.

Here is the link to the ACE that is the subject of the vote of ratification:

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E52920](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E52920)

## **Regular Agenda - Management Reports and Resolutions**

**Item**            **Bi-Annual Report of the Stewardship Council**  
**73**  
[10231]

Agenda 3285, Item 51 12/1/2011 (Staff)

**Item**            **Report and Discussion by Consumer Protection and Safety**  
**74**               **Division on Recent Safety Program Activities**  
[10909]

## 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**  
**75**  
 [10910]

Compilation of applications for rehearing recently filed with the Commission.

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

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**Item                    Conference with Legal Counsel - Application for Rehearing**  
**76**  
 [10839]

**C07-09-010**

Disposition of Applications for Rehearing of Decision (D) 08-12-002, filed by Comcast Phone of California, LLC (Comcast) and AT&T Corp. In D08-12-002, the Commission found that Comcast owed unpaid termination charges to Pac-West Telecomm, Inc. for terminating traffic originated by Comcast during the period of April 4, 2004 through August 27, 2007.

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

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Agenda 3285, Item 55 12/1/2011;

Agenda 3286, Item 66 12/15/2011

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Closed Session - Applications for Rehearing (continued)

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

**77**

[10934]

**A11-08-020**

Disposition of the Application for Rehearing of Resolution T-17330, filed by Verizon California Inc. In this Resolution, the Commission approved Verizon's advice letter request for a deviation from the undergrounding requirements of Public Utilities Code section 320 regarding certain facilities that Verizon deployed along scenic Highway 395. The Resolution granted Verizon's deviation request subject to a number of conditions.

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

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

**78**

[10960]

**A10-01-006**

Disposition of Application for Rehearing of Decision (D) 10-12-029, filed by the Division of Ratepayer Advocates (DRA). In D10-12-029, the Commission approved two settlement agreements between DRA and Valencia Water Company (Valencia), and provided, inter alia, for the disposition of approximately \$3.6 million in total gross contamination proceeds from Valencia's settlement of perchlorate contamination claims.

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

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

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

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

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

**79**

[10897]

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

Deliberation on institution of investigation of proceedings or disciplinary actions 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 or disciplinary actions 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.*

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Agenda 3286, Item 71 12/15/2011

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

**80**

[10961]

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

Deliberation on institution of investigation of proceedings or disciplinary actions 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 or disciplinary actions 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.*

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**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**

**81**

[10949]

**Case No. 108-bk-15621-MT**

United States Bankruptcy Court for the Central District of California, San Fernando Valley Division, In re Fones4All Corporation, debtor, Case No. 1:08-bk-15621-MT.

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

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**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*