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

## ***Public Agenda 3295***

***Thursday, June 7, 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.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <b><i>Open to the Public</i></b>
Monday, June 18, 2012 (San Francisco)	Thursday, June 21, 2012 (San Francisco)
Monday, July 09, 2012 (San Francisco)	Thursday, July 12, 2012 (San Francisco)
Monday, July 30, 2012 (San Francisco)	Thursday, August 02, 2012 (San Francisco)
Monday, August 20, 2012 (San Francisco)	Thursday, August 23, 2012 (San Francisco)
Monday, September 10, 2012 (San Francisco)	Thursday, September 27, 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.
- 2

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

<b>Item</b>	<b>Preliminary Categorizations and Hearing Determinations for</b>
<b>1</b>	<b>Recently Filed Formal Applications</b>

[11280]

Res ALJ 176-3295

#### 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=582666](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582666)

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismissal of Case 11-02-009**

**2**

[11188]

**C11-02-009**

Leatherbury & Lowell Family Trusts vs. San Diego Gas & Electric Company.

**PROPOSED OUTCOME:**

® Dismisses complaint of Leatherbury & Lowell Family Trusts vs. San Diego Gas & Electric Company for failure to state a claim on which relief may be granted.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Simon - ALJ Bemmesderfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582938](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582938)

*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 3292, Item 34 4/19/2012 (Staff);

Agenda 3293, Item 7 5/10/2012 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

**Item SFPP, L.P.'s Test Year 2009 Rate Base**

**3**

[11208]

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

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

**PROPOSED OUTCOME:**

® Sets capital structure, rate base, cost of service, and orders refunds.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Peevey - ALJ Bemederfer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580935](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580935)

*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 3293, Item 11 5/10/2012 (Staff)

**Item Disclosure of Records of an Investigation**

**4**

[11281]

**Res L-437**

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a train incident on April 10, 2010 at 23rd Avenue in Oakland, California.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581612](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581612)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Increases California High Cost Fund-A Surcharge Rate**  
**5**

[11285]

**Res T-17357**

**PROPOSED OUTCOME:**

® Approves the Communications Division Resolution to increase California High Cost Fund-A surcharge rate from 0.00% to 0.40% effective June 1, 2012 to fund expenditures for Fiscal Year (FY) 2011-12 and FY 2012-13 budgets as well as expected refunds for Rural Telephone Bank.

**ESTIMATED COST:**

® Total annual increase in surcharge revenue is \$57.2 million.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582929](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582929)

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

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Agenda 3294, Item 12 5/24/2012 (Simon)

**Item**                    **Selection of Candidate for Appointment by Chair of the**  
**6**                            **California Energy Commission**

[11296]

**Res E-4499**

**PROPOSED OUTCOME:**

® The Commission ratifies the President's selection of Dr. Peter Lam for consideration by the Chair of the California Energy Commission for reappointment to the Safety Committee.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582777](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582777)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Penngrove Water Company's General Rate Increase to  
7                        Produce Additional Annual Revenue in Test Year 2012**

[11301]

**Res W-4917**, Advice Letter No. 82 filed on November 7, 2011 - Related matters.

**PROPOSED OUTCOME:**

® To file a supplemental advice letter incorporating the summary of earnings and the revised rate schedules attached to this resolution as Appendices A and B.

® Authorizes increase in its annual revenues by \$26,016 or 2.7%, based on reasonable rates for 2012.

® When Altos Sonoma Corporation files its next general rate increase for Penngrove Water Company, the 30% allocation shall apply for all combined operations.

**ESTIMATED COST:**

® \$26,016 or 2.7%.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582797](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582797)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item Dismisses Proceeding with Conditions**

**8**

[11315]

**I11-06-009**

Order Instituting Investigation on the Commission's Own Motion Into the Planned Purchase and Acquisition by AT&T Inc. of T-Mobile USA, Inc., and its Effect on California Ratepayers and the California Economy.

**PROPOSED OUTCOME:**

- ® Dismisses as moot the Commission's Investigation into the proposed merger of AT&T Wireless and T-Mobile USA.
- ® Imposes conditions on the respondents to preserve the record for future use if appropriate.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Hecht)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E59863](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E59863)

*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 9 Ducor Telephone Company's Application for Rehearing of 09-03-002 for Test Year 2009**

[11318]

**Res T-17312**

**PROPOSED OUTCOME:**

- ® Approval of Communications Division Resolution to address Ducor Telephone Company's Application for Rehearing of 09-03-002.
- ® Increases Ducor's test year 2009 general rate case draw from California High Cost Fund-A by \$5,812 to \$2,520,328.

**ESTIMATED COST:**

- ® Additional \$5,812 annually.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580918](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580918)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item                    Recycled Water Project's Settlement Agreement**

**10**

[11322]

**A11-06-005**

In the Matter of the Application of San Gabriel Valley Water Company for Authorization to Implement Discounted Rates for Recycled Water Service and Apply Facilities Fees in its Fontana Water Company Division in accordance with a contract with the City of Fontana.

**PROPOSED OUTCOME:**

- ® Adoption of two-party settlement between San Gabriel Water Company and the Commission's Division of Ratepayer Advocates for authorization of recycled water distribution project.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® Approximately \$6 million capital cost.

(Comr Simon - ALJ Weatherford)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583018](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583018)

*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 Interim Decision Restoring Status Quo**

**11**

[11328]

**A07-12-026**

Application of Calaveras Telephone Company, Cal-Ore Telephone Co., Ducor Telephone Company, Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, Volcano Telephone Company, and Winterhaven Telephone Company for Ratemaking Determination regarding Dissolution of Rural Telephone Bank.

**PROPOSED OUTCOME:**

® Restores the status quo preceding a final Commission decision implementing Court of Appeal opinions.

**ESTIMATED COST:**

® \$22 million.

(Comr Peevey - ALJ Bushey)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583020](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583020)

*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**                    **Modifies the Public Utilities Code Section 851 Pilot Program**  
**12**                        **Established in Resolution ALJ-186**

[11329]

**Res ALJ-268**

**PROPOSED OUTCOME:**

® Adopts General Order \_\_\_\_\_, which makes the Public Utilities Code Section 851 Pilot Program established in Resolution ALJ-186, as modified by Resolutions ALJ-202 and ALJ-248, permanent and makes minor, technical changes to the Section 851 Pilot Program Regulations for the purposes of clarity and renumbering.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581069](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581069)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Change of the Preliminary Determination Made by the**  
**13**                        **Assigned Commissioner Regarding the Category of**  
[11331]                **Investigation 12-03-008 Re Golden Hills Sanitation Company**

**Res ALJ-280**

**PROPOSED OUTCOME:**

® Approves the change via the Assigned Commissioner's Ruling Amending Scoping Memo, of:  
® The preliminary category determination of Investigation (I) 12-03-008 from adjudicatory to ratemaking.

That Ex Parte Rule 8.3(b) continues to apply for all issues within the scope of I12-03-008 (See Ordering Paragraphs 2 and 3 of I12-03-008).

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582836](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582836)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Lewiston Valley Water Company, Inc.'s Transfer of all assets**  
**14**                        **from Chris Erikson to Lewiston Community Services District**  
[11333]

**Res W-4920**, Advice Letter Nos. 10 and 8-S filed on April 9, 2012 - Related matters.

**PROPOSED OUTCOME:**

® By Advice Letters Nos.10 and 8-S, the request by Lewiston Valley Water Company, Inc. (LVWC) to sell and by Lewiston Community Services District (LCSD) to buy is granted, conditioned upon permits from the CA Department of Public Health and the Regional Water Quality Board to operate Lewiston's water and sewer systems.

® LVWC shall pay the Public Utilities Reimbursement Fee and submit its Annual Fee Statement for the California Public Utilities Commission Reimbursement Account.

® After sale, LVWC is no longer required to provide regulated water service to customers of LVWC.

® Within 10 days of the sale, the LCSD must notify the Director of the Commission's Division of Water and Audits in writing that the sale has been completed.

® Pursuant to Public Utilities Code Sections 851-854, the sale of Lewiston Water and Lewiston Sewer to the LCSD is found to be in the public interest and is approved contingent upon the orders noted above.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582886](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582886)

Consent Agenda - Orders and Resolutions (continued)

**Item**                    **San Diego Gas & Electric Company's Power Purchase**  
**15**                        **Agreement With 82LV 8ME, LLC**

[11336]

**Res E-4505**, Advice Letter 2332-E filed on March 5, 2012 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves cost recovery of a power purchase agreement (PPA) with 82LV 8ME, LLC.
- ® The PPA is approved without modifications.

**ESTIMATED COST:**

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

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582857](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582857)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Joint Application of Consolidated Communications Holdings  
16**                    **and SureWest Companies for Change of Control**

[11341]

**A12-02-011**

In the Matter of the Joint Application of Consolidated Communications Holdings, Inc., Consolidated Communications Inc. and WH Acquisition II Corp. and SureWest Communications, SureWest Telephone, SureWest Long Distance, and SureWest TeleVideo To Authorize the Acquisition of Control of SureWest Telephone, SureWest Long Distance, and SureWest TeleVideo.

**PROPOSED OUTCOME:**

- ® Grants approval of transaction whereby Consolidated Communications Holdings acquires the SureWest companies.
- ® Approves all-party Settlement, which includes benefits to consumers and workers.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Peevey - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583024](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583024)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item 17                    Division of Ratepayer Advocates Settlement Agreement With  
the Joint Applicants**

[11342]

**A11-09-012**

Joint Application of California Pacific Electric Company, LLC, Algonquin Power & Utilities Corp., Liberty Energy Utilities Co., Emera Incorporated, Emera US Holdings Inc., and California Pacific Utility Ventures, LLC for Expedited Approval of Indirect Transfer of Control of California Pacific Electric Company, LLC Pursuant to California Public Utilities Code Section 854(a).

**PROPOSED OUTCOME:**

® Approves a settlement agreement between the Division of Ratepayer Advocates and the Joint Applicants consisting of California Pacific Electric Company, LLC (CalPeco), Algonquin Power & Utilities Corp. (Algonquin), Emera Incorporated (Emera), and others.

® The approved settlement agreement provides the Joint Applicants with authority under Public Utilities Code Section 854(a) to revise the ownership structure for CalPeco.

® Currently, Algonquin holds a 50.001% indirect ownership interest in CalPeco, and Emera holds a 49.999% indirect ownership interest.

® Algonquin will acquire the 49.999% interest held by Emera, resulting in Algonquin having a 100% indirect ownership interest in CalPeco.

® Closes the proceeding.

**ESTIMATED COST:**

® None.

(Comr Sandoval - ALJ Kenney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581238](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581238)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Confirms Previous Final Resolution and Changes County**  
**18**                        **Name for Pacific Gas and Electric Company's Request**

[11346]

**Res G-3458**, Advice Letter 3109-G filed on April 7, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Serves to change the name of the county from Colusa County to Sutter County and confirms the California Public Utilities Commission previous approval in Resolution G-3442 of Pacific Gas and Electric Company's request under Public Utilities Code Section 851 for the sale of segments of operating gas gathering pipelines with associated appurtenances and the assignment of associated land rights to Atlantic Oil Company.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581931](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581931)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Catastrophic Event Memorandum Account for Golden State**  
**19**                        **Water Company on Behalf of its Bear Valley Electric Service**  
[11348]                  **Division**

**A11-06-001**

In the Matter of the Application of Golden State Water Company on Behalf of its Bear Valley Electric Service Division, for Approval of Booked CEMA Costs and Recovery of Costs in Rates.

**PROPOSED OUTCOME:**

- ® Adopts All-Party Settlement Agreement regarding costs booked into Bear Valley Electric Service's (a division of Golden State Water Company) Catastrophic Event Memorandum Account.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$796,080.

(Comr Sandoval - ALJ Semcer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581334](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581334)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Grants a Certificate of Public Convenience and Necessity**  
**20**                        **and Transfer of Control to TQAvenger Telecom, LLC**

[11349]

**A11-06-033**

Joint Application of Avenger Telecom, LLC, TeleQuality Communications, Inc., and TQAvenger Telecom, LLC for Authorization to Transfer Control of TQ Avenger Telecom, LLC.

**PROPOSED OUTCOME:**

- ® Authorizes transfer of control of TQAvenger Telecom, LLC, from TeleQuality Communications, Inc. to Avenger Telecom, LLC, and grants Certificate of Public Convenience and Necessity to TQAvenger Telecom, LLC.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ Semcer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580917](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580917)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Southern California Edison Company's Power Purchase**  
**21**                        **Agreement With McCoy Solar, LLC a Subsidiary of NextEra**  
[11351]                    **Energy Resources, LLC**

**Res E-4501**, Advice Letter 2661-E filed on November 28, 2011 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for a power purchase agreement between Southern California Edison Company and McCoy Solar, LLC.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582759](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582759)

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Four Grade-Separated Rail Crossings for the Main Viaduct**  
**22**                        **Bridge/North Access Road Project in the City of Los Angeles,**  
[11352]                   **Los Angeles County**

**A12-02-002**, A12-02-003, A12-02-004, A12-02-005 - Related matters.

Application of the Port of Los Angeles to construct a grade separation at an existing railroad operated by Pacific Harbor Lines, Inc. The proposed Main Viaduct Bridge (Center Crossing) grade separation is located approximately 0.45 mile south of the intersection of the North Access Road and Harry Bridges Avenue at rail milepost 1.9 located in the San Pedro community of Los Angeles (new DOT #931151K).

**PROPOSED OUTCOME:**

® Grants authorization to the Port of Los Angeles to construct four grade-separated crossings at Main Viaduct Bridge (Center, North and South Crossings) and North Access Road over its San Pedro Subdivision - Pier A Wye (West) and Pier A Street Lead tracks.

® Closes the proceeding.

**ESTIMATED COST:**

® Discretionary project, not within scope of applicant request.

(Exam Hagan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582292](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582292)

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

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Consent Agenda - Orders and Resolutions (continued)

**Item**                    **Sonic Telecom, LLC Modification of Certificate of Public  
23                            Convenience and Necessity to Include Full Facilities-Based  
[11366]                    Authority**

**A12-02-017**

Application of Sonic Telecom, LLC for Modification of its Existing Certificate of Public Convenience and Necessity to Include Full Facilities-Based Authority.

**PROPOSED OUTCOME:**

- ® Authorizes Sonic Telecom, LLC to provide full facilities-based telecom services under Certificate of Public Convenience and Necessity.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® None.

(Comr Sandoval - ALJ McKinney)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580669](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580669)

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

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**Consent Agenda - Intervenor Compensation Orders**

**Item 24 (Rev.)**      **Compensation to Black Economic Council, the Latino Business Chamber of Greater Los Angeles, and the National Asian American Coalition**  
 [11173]

**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 Black Economic Council, the Latino Business Chamber of Greater Los Angeles, and the National Asian American Coalition compensation for substantial contribution to Decision 11-05-019.

**ESTIMATED COST:**

® The California Public Utilities Commission's Intervenor Compensation Fund will pay \$312,634.25, plus interest.

(Comr Peevey - ALJ Darling)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582420](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582420)

*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 3293, Item 26 5/10/2012 (Peevey);

Agenda 3294, Item 27 5/24/2012 (Staff)

06/04/2012 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Kern County Taxpayers Association**

**25**

[11347]

**A10-03-014**

Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures.

**PROPOSED OUTCOME:**

® Awards Kern County Taxpayers Association \$107,192.05 for substantial contribution to Decision 11-05-047.

**ESTIMATED COST:**

® Pacific Gas and Electric Company will pay \$107,192.05 plus interest.

(Comr Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582796](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582796)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to L. Jan Reid**

**26**

[11350]

**R10-05-006**

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

**PROPOSED OUTCOME:**

® Awards L. Jan Reid \$34,889.20 in intervenor compensation for contributions to the procurement review and cost allocation mechanism groups of Pacific Gas and Electric Company (PG&E).

**ESTIMATED COST:**

® PG&E will pay the awarded amount of \$34,889.20, plus interest.

(Comr Peevey - ALJ Allen)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580947](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580947)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item Compensation to Disability Rights Advocates**

**27**

[11353]

**A10-03-014**

Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures.

**PROPOSED OUTCOME:**

® Awards Disability Rights Advocates \$134,625.36 for substantial contribution to Decision 11-05-047.

**ESTIMATED COST:**

® Pacific Gas and Electric Company will pay \$134,625.36, plus interest.

(Comr Peevey - ALJ Pulsifer)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580340](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580340)

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

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Consent Agenda - Intervenor Compensation Orders (continued)

**Item                    Compensation to Utility Consumers' Action Network**  
**28**

[11354]

**R08-12-009**

Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System.

**PROPOSED OUTCOME:**

® Awards Utility Consumers' Action Network \$50,329.58 for Substantial Contribution to Decision 11-07-056.

**ESTIMATED COST:**

® Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company will pay \$50,329.58 plus interest.

(Comr Peevey - ALJ Sullivan)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582971](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582971)

*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 Utility Reform Network**

**29**

[11364]

**R09-10-032**

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

**PROPOSED OUTCOME:**

® Awards \$33,041 to The Utility Reform Network for substantial contribution to Decision 11-06-022.

**ESTIMATED COST:**

® Pacific Gas and Electric Company, San Diego Gas & Electric Company and Southern California Edison Company will pay \$33,041 plus interest.

(Comr Ferron - ALJ Gamson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=581368](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581368)

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

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## Regular Agenda

### Regular Agenda - Energy Orders

**Item 30**  
[11149] **Sacramento Natural Gas Storage, LLC for a Certificate of Public Convenience and Necessity to Construct and Operate a Gas Storage Facility**

**A07-04-013**

Application by Sacramento Natural Gas Storage, LLC, for a Certificate of Public Convenience and Necessity for Construction and Operation of Natural Gas Storage Facilities and Requests for Related Determinations.

**PROPOSED OUTCOME:**

- ® Grants Applicant's request for a certificate of public convenience and necessity (CPCN) to construct and operate the Sacramento Natural Gas Storage Facility (Proposed Project) to provide natural gas storage services at market based rates, and certifies the environmental impact report (EIR) for the Proposed Project.
- ® The EIR identifies significant environmental impacts that can not be mitigated to less than significant levels.
- ® Finds that the Proposed Project's benefits justify its approval despite its unavoidable environmental effects, and conditions the CPCN on the mitigation measures set forth in the EIR and other requirements established pursuant to recently-enacted legislation.
- ® Closes the proceeding.

**ESTIMATED COST:**

- ® \$57 million, however, Sacramento Natural Gas Storage, LLC will be an independent storage provider that must bear the entire financial risk of the Proposed Project.
- ® Ratepayers are not at risk if demand for the Proposed Project's gas storage services does not materialize.

(Comr Simon - ALJ Smith)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=580853](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=580853)

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

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

Agenda 3292, Item 62 4/19/2012 (Florio);

Agenda 3294, Item 31 5/24/2012 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

**Item ALTERNATE TO ITEM 11149**

**30a**

[11150]

**PROPOSED OUTCOME:**

® This alternate proposed decision (APD) differs from the proposed decision (PD) in that:

® Additional insurance coverage is required. Sacramento Natural Gas Storage (SNGS) must obtain and maintain a general liability insurance policy with a minimum policy limit of \$4.0 million and minimum umbrella coverage of \$100.0 million (the PD requires \$2.0 million/\$50.0 million).

® A surety bond is required in the amount of \$30 million.

® SNGS must contribute 0.25 percent of the Proposed Project's annual gross revenues (estimated to range from \$25,000 to \$44,000 or more per year) to a community foundation to support community projects and activities that will benefit the entire neighborhood.

® SNGS is encouraged to contribute at least 0.1 percent of the Proposed Project's annual gross revenues to local charitable and non profit organizations.

® SNGS is encouraged to annually contribute \$50,000/year, or an amount to be agreed upon between SNGS and the City, for the exclusive benefit of Danny Nunn Park facilities and programs, in addition to any dedication of storage lease income the City may make to maintain and improve the Park.

® SNGS is encouraged to establish a scholarship fund to award a single four-year engineering scholarship for, at a minimum, \$6000/year to cover the cost of tuition and fees for a student attending the California State University - Sacramento, and a single four-year engineering scholarship for, at a minimum, \$6000/year to cover the cost of tuition and fees for a student attending the University of California, Davis.

® SNGS is encouraged to commit itself to diversity, consistent with General Order 156, by actively recruiting minorities, women, and disabled veterans.

**ESTIMATED COST:**

® \$57 million, however, SNGS will be an independent storage provider that must bear the entire financial risk of the Proposed Project.

® Ratepayers are not at risk if demand for the Proposed Project's gas storage services does not materialize.

(Comr Simon)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582685](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582685)

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

Agenda 3292, Item 62a 4/19/2012 (Florio);

Agenda 3294, Item 31a 5/24/2012 (Pub. Util. Code §311(e))

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Regular Agenda - Energy Orders (continued)

**Item**            **ALTERNATE TO ITEM 11149**  
**30b**

[11308]

**PROPOSED OUTCOME:**

- ® Denies the Applicant's request for a certificate of public convenience and necessity to construct and operate the Sacramento Natural Gas Storage Facility to provide natural gas storage services at market based rates.
- ® Certifies the environmental impact report for the Proposed Project.
- ® Finds that the safety risks outweigh the benefits of the Proposed Project.

**ESTIMATED COST:**

- ® None.

(Comr Florio)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582875](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582875)

*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 3294, Item 31b 5/24/2012 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

**Item**                      **Rules of Compliance with New Renewables Portfolio**  
**31**                            **Standard**

[11283]

**R11-05-005**

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

**PROPOSED OUTCOME:**

- ® Provides rules for retail sellers to:
- ® Calculate and resolve any net deficits in meeting their renewables portfolio standard (RPS) annual procurement target (APT) obligations in 2010 and earlier years.
- ® Make use of the statutory “safe harbor” created by Senate Bill 2 (1X) to excuse certain prior APT deficits.
- ® Apply procurement from RPS procurement contracts or ownership agreements signed prior to June 1, 2010 to RPS procurement obligations in 2011 and later years.
- ® Carry forward banked procurement from contracts or ownership agreements signed prior to June 1, 2010, subject to certain limitations.
- ® Meet the procurement quantity requirements set in Decision 11-12-020.
- ® Use procurement from contracts of less than 10 years’ duration to meet RPS procurement requirements.
- ® Meet the portfolio balance requirements set forth in Pub. Util. Code § 399.16(c).
- ® Apply excess procurement in one compliance period to future compliance periods, subject to certain limitations.
- ® Report annually to the Commission on RPS procurement and compliance.
- ® Report to the Commission within 60 days of the effective date of this decision on any net deficits in meeting APT for 2010 and prior years and on meeting the statutory safe harbor requirements.
- ® Request a reduction of the portfolio balance requirements and/or a waiver of the procurement quantity requirements at the end of a compliance period.
- ® Authorizes the Director of Energy Division to develop any forms and information requirements necessary for retail sellers to submit the reports required by this decision.

**ESTIMATED COST:**

- ® None.

(Comr Ferron - ALJ Simon)

*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 3294, Item 34 5/24/2012 (Staff)

Regular Agenda - Energy Orders (continued)

**Item 32 New Financing Rule to Replace the Current Competitive Bidding Rule and General Order 24-C**

[11297]

**R11-03-007**

Order Instituting Rulemaking on the Commission's Own Motion to Consider Effectiveness and Adequacy of the Competitive Bidding Rule for Issuance of Securities and Associated Impacts of General Order 156, Debt Enhancement Features, and General Order 24-B.

**PROPOSED OUTCOME:**

- Ⓜ Adopts a new Financing Rule, which replaces the current Competitive Bidding Rule (CBR) authorized in Resolution F-616 in 1986, and a new General Order 24.
- Ⓜ The new Financing Rule accounts for current market conditions and Commission policies enacted since our last review of the CBR in 1986.
- Ⓜ These revisions include but are not limited to:
  - Ⓜ Allowing utilities to choose whether to issue debt via competitive or negotiated bid, as long as the basis for the method is chosen to achieve the lowest cost of capital.
  - Ⓜ Requiring utilities with \$25 million or more of operating revenues to make every effort to encourage, assist, and recruit Women-, Minority-, Disabled Veteran-Owned Business Enterprises in being appointed as lead underwriter or co-manager of debt offerings.
  - Ⓜ Eliminate the notification and form of communication requirement for the solicitation of bids.
  - Ⓜ Include requirements for the use of Debt Enhancement Features.
  - Ⓜ Provide additional exemptions applicable to use of the Financing Rule.
- Ⓜ The new General Order 24-C:
  - Ⓜ Requires the filing of a General Order 24 report on an annual instead of a monthly basis.
  - Ⓜ Includes revisions to the type of information provided in such reports.
  - Ⓜ Eliminates the requirement that a utility maintain a separate bank account to record securities proceeds.
- Ⓜ Closes the proceeding.

**ESTIMATED COST:**

- Ⓜ None.

(Comr Simon - ALJ Wilson)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582952](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582952)

*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 - Energy Orders (continued)

**Item**                    **Large Investor-Owned Utilities' Applications for Energy**  
**33**                        **Savings Assistance and California Alternate Rates for**  
[11311]                   **Energy Programs and Budgets for Program Cycle 2012-2014**

**A11-05-017**, A11-05-018, A11-05-019, A11-05-020 - Related matters.

Application of Southern California Edison Company for Approval of its 2012-2014 California Alternate Rates for Energy and Energy Savings Assistance Programs and Budgets.

**PROPOSED OUTCOME:**

® Approves Energy Savings Assistance and California Alternate Rates for Energy Programs and budgets for program cycle 2012-2014 and sets the stage for the second phase of the consolidated proceeding.

**ESTIMATED COST:**

® \$5 billion.

(Comr Simon - ALJ Kim)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=E59743](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E59743)

*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 - Energy Resolutions and Written Reports****Item                    San Diego Gas & Electric Company's Twenty One  
34                        Renewable Energy Power Purchase Agreements**

[11153]

**Res E-4466**, Advice Letter 2268-E filed on July 6, 2011 - Related matters.**PROPOSED OUTCOME:**

® Approves cost recovery for twenty-one (21) long-term renewable energy power purchase agreements (PPA) between San Diego Gas & Electric Company and Sol Orchard San Diego I LLC through Sol Orchard San Diego 4 LLC, Sol Orchard San Diego 6 LLC through Sol Orchard San Diego 10 LLC and Sol Orchard San Diego 12 LLC through Sol Orchard San Diego 23 LLC.

® Approves the PPAs with modifications to cap at \$13.5 million the costs that ratepayers reimburse to the seller for distribution and transmission upgrades (network and reliability).

**ESTIMATED COST:**

® Costs of the PPAs are confidential at this time.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582454](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582454)

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

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Agenda 3292, Item 14 4/19/2012 (Florio);

Agenda 3293, Item 3 5/10/2012 (Simon);

Agenda 3294, Item 36 5/24/2012 (Simon)

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Regular Agenda - Energy Resolutions and Written Reports (continued)

**Item**                    **Pacific Gas and Electric Company's Investment and**  
**35**                        **Contractual Transactions With Nine Solar Companies**

[11228]

**Res G-3461**, Pacific Gas and Electric Company (PG&E) Advice Letter (AL) 3182-G/3789-E filed on January 6, 2011, PG&E AL 3141-G-A/3708-E-A filed on December 17, 2010, and PG&E AL 3170-G-A/3763-E-A filed on December 17, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Approves, with conditions specified herein, three advice letters which notify us of the creation of new affiliates to Pacific Gas and Electric Company (PG&E), as required by the Affiliate Transaction Rules (the Rules) of the California Public Utilities Commission.

® In addition to the five affiliates identified in the advice letters, we find that two additional companies are affiliates under the Rules.

® Orders an audit of PG&E's affiliate transactions from June 30, 2009 to June 30, 2011.

® Orders PG&E to file Advice Letters implementing changes to the California Solar Initiative Program Handbook as set out herein.

**ESTIMATED COST:**

® None.

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582912](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582912)

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

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Agenda 3293, Item 32 5/10/2012 (Staff);

Agenda 3294, Item 37 5/24/2012 (Staff)

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**Regular Agenda - Water/Sewer Orders**

**Item**                    **Authorizing Rate Increases in All Districts of California**  
**36**                        **American Water Company, Inc. for the Years 2011, 2012,**  
[11270]                    **2013 and 2014**

**A10-07-007**

Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$4,134,600 or 2.55% in the year 2011, by \$33,105,800 or 19.68% in the 2012, by \$9,897,200 or 4.92 % in 2013, and by \$10,874,600 or 5.16% in the year 2014.

**PROPOSED OUTCOME:**

® Grants in part and denies in part three joint motions for adoption of partial settlement agreements between the various parties and resolves disputed issues.

**ESTIMATED COST:**

® Adopted Revenue Requirement for 2012 Percent Increase Larkfield - \$3.1 million 26.68% Los Angeles - \$27.3 million 19.81% Monterey - \$49.2 million 17.87% Monterey Wastewater - \$3.4 million 8.76% Sacramento - \$49.4 million 29.92% San Diego - \$19.6 million 1.47% Toro - \$728,400 76.6% Ventura - \$29.3 million -4.91%

(Comr Florio - ALJ Rochester)

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583070](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583070)

*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 3294, Item 40 5/24/2012 (Staff)

**Regular Agenda - Legal Division Matters**

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**Regular Agenda - Legislative and Other Matters**

**Item**                    **Public Utilities Act: Remedies for Violation: Gas and**  
**37**                        **Electrical Corporation Executive Officer Compensation**  
**(Rev.)**                **Incentives**  
[11337]  
**AB 861 (Hill)**

This bill would increase the fine for an officer, agent, or employee of a public utility who knowingly fails to comply with a California Public Utilities Commission (CPUC) order, decision, rules, direction, or demand, or aids a public utility in violating CPUC regulations, from no less than \$500 and no more than \$20,000 to no less than \$1,000 and no more than \$1 million. (Legislative Subcommittee Recommendation: Support if amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582930](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582930)

06/04/2012 - This revision was not shown on the Agenda mailed to the public.

**Item**                    **Renewable Energy Resources: Biomethane**  
**38**  
[11115]  
**AB 1900 (Gatto)**

This bill would require the California Public Utilities Commission (CPUC) to develop reasonable, prudent, and minimally restrictive testing protocols for gas collected from a solid waste landfill that is to be injected into a common carrier pipeline to determine if the gas contains chemicals known to the state to cause cancer or reproductive toxicity and would require a gas corporation to accept biomethane into its pipeline, provided the biomethane meets the heating and purity requirements established by the CPUC.

(Legislative Subcommittee Recommendation: Oppose unless amended).

Agenda 3291, Item 59 3/22/2012 (Staff);

Agenda 3292, Item 76 4/19/2012 (Staff);

Agenda 3293, Item 37 5/10/2012 (Staff);

Agenda 3294, Item 43 5/24/2012 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Renewable Energy Resources: Small-Scale Renewable  
39                        Generation Program**

**(Rev.)**

[11272]

**AB 1990 (Fong)**

This bill would establish a feed-in tariff program with the goal of installing 375 megawatts of electrical generation capacity from small-scale renewable generation facilities located in communities that meet specified criteria, and specifies requirements for the program. The bill would require the California Public Utilities Commission (CPUC), in consultation with other specified stakeholders, to develop program elements that are applicable to electrical corporations and achieve certain "environmental justice benefits." The CPUC will be required to allocate procurement targets for each electrical corporation and local publicly owned electric utility in proportion to each utility's percentage share of the state's total electricity sales measured in kilowatt hours for the calendar year ending December 31, 2012. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582973](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582973)

Agenda 3293, Item 38 5/10/2012 (Staff);

Agenda 3294, Item 44 5/24/2012 (Staff)

06/04/2012 - This revision was not shown on the Agenda mailed to the public.

**Item                    Renewable Energy Resources  
40**

[11300]

**AB 2196 (Chesbro)**

This bill would provide that if the Renewable Portfolio Standard program eligibility of a facility is based on the use of landfill gas, digester gas, or another renewable fuel delivered to the facility through a common carrier pipeline, the transaction, including the source of the fuel and delivery method, shall meet certain conditions. (Legislative Subcommittee Recommendation: \_\_\_\_\_)

Agenda 3294, Item 47 5/24/2012 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)

**Item            Net Energy Metering**

**41**

**(Rev.)**

[11239]

**AB 2514 (Bradford)**

This bill would require the California Public Utilities Commission (CPUC) to complete a study by June 30, 2013, to determine the extent to which each class of ratepayers receiving service under the net energy metering tariff is paying the full cost of the services provided to them by electrical corporations and the extent to which those customers pay their share of the costs of public purpose programs. The bill would require the CPUC to report the results of the study to the Legislature within 30 days of its completion. (Legislative Subcommittee Recommendation: Support if amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582964](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582964)

Agenda 3292, Item 85 4/19/2012 (Staff);

Agenda 3293, Item 44 5/10/2012 (Staff);

Agenda 3294, Item 48 5/24/2012 (Staff)

06/04/2012 - This revision was not shown on the Agenda mailed to the public.

**Item            Electrical Lines: Trimming of Trees**

**42**

[11274]

**AB 2556 (Allen)**

This bill would require each electrical corporation and local publicly-owned electric utility to avoid excessive tree trimming that threatens the health of a tree, to make a good faith effort to implement good forestry practices and vegetation management practices, preserve the health of mountainous lands, forest-covered lands, brush-covered lands, and protect the aesthetic, cultural, and property value of the area, as well as, to disclose to a property owner of a tree removal or trimming. (Legislative Subcommittee Recommendation: Oppose).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582141](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582141)

Agenda 3293, Item 45 5/10/2012 (Staff);

Agenda 3294, Item 49 5/24/2012 (Simon)

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Regular Agenda - Legislative and Other Matters (continued)

**Item**                    **Telecommunications Policies**  
**43**

**(Rev.)**

[11338]

**SB 379 (Fuller)**

This bill would clarify that the California High Cost Fund-A (CHCF-A) support can be used for investment in broadband-capable facilities and further directs the California Public Utilities Commission to create a streamlined Uniform Regulatory Framework option for small, rural Local Exchange Carriers that do not participate in the CHCF-A program. (Legislative Subcommittee Recommendation: Oppose unless amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=582948](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=582948)

06/04/2012 - This revision was not shown on the Agenda mailed to the public.

**Item**                    **Energy: Electrical Corporations: City of Davis PVUSA Solar**  
**44**                        **Facility: Community-Based Renewable Energy**  
[11303]                 **Self-Generation Program**

**SB 843 (Wolk)**

This bill would authorize a retail customer of an electrical corporation to acquire an interest in a community renewable energy facility for the purpose of receiving a bill credit to offset all or a portion of the participant's electricity usage, consistent with specified requirements.

Agenda 3294, Item 50 5/24/2012 (Staff)

**Item**                    **Energy: Commercial Buildings Financing**  
**45**

[11243]

**SB 1130 (de León)**

This bill would enact the Commercial Building Energy Retrofit Financing Act of 2012 and would require the California Alternative Energy and Advanced Transportation Financing Authority to establish the Commercial Building Energy Retrofit Financing Program to provide financial assistance, through the issuance of revenue bonds, to owners of eligible buildings for implementing energy efficiency retrofit measures for the buildings. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

Agenda 3292, Item 90 4/19/2012 (Staff);

Agenda 3293, Item 49 5/10/2012 (Staff);

Agenda 3294, Item 53 5/24/2012 (Staff)

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Regular Agenda - Legislative and Other Matters (continued)

**Item                    Communications: Service Interruptions**

**46**

[11339]

**SB 1160 (Padilla)**

This bill prohibits a government entity, and a provider of communications service acting at the request of a government entity, from intentionally interrupting communication service for the purpose of protecting public safety or preventing use of the service for an illegal purpose except pursuant to a court order based on a finding of probable cause. (Legislative Subcommittee Recommendation: \_\_\_\_\_).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583043](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583043)

**Item                    Voice Over Internet Protocol and Internet Protocol Enabled  
47                        Communications Service**

[11244]

**SB 1161 (Padilla)**

This bill would prohibit the California Public Utilities Commission from regulating Voice over Internet Protocol and Internet Protocol enabled service (IP enabled serviced providers unless expressly provided otherwise in statute). (Legislative Subcommittee Recommendation: None).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583050](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583050)

Agenda 3292, Item 92 4/19/2012 (Simon);

Agenda 3293, Item 50 5/10/2012 (Simon);

Agenda 3294, Item 54 5/24/2012 (Peevey)

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Regular Agenda - Legislative and Other Matters (continued)

**Item California Alternate Rates for Energy Program**

**48**

**(Rev.)**

[11276]

**SB 1207 (Fuller)**

This bill would modify the eligibility requirements to include proof of income to participate in the California Alternate Rates for Energy program. Legislative Subcommittee Recommendation: Support if amended).

[http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC\\_ID=583040](http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583040)

Agenda 3293, Item 52 5/10/2012 (Staff);

Agenda 3294, Item 56 5/24/2012 (Staff)

06/04/2012 - This revision was not shown on the Agenda mailed to the public.

## **Regular Agenda - Commissioner Reports**

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

**Item**                    **Report and Discussion by Consumer Protection and Safety**  
**49**                        **Division on Recent Safety Program Activities**  
[11323]

**Item**                    **Director Hagan Report**  
**50**  
[11324]

Designation of Consumer Protection and Safety Division investigators authorized to exercise the limited powers of a peace officer within the scope of their duties as specified in Penal Code Section 830.11 and Public Utilities Code Section 308.5.

This matter will be presented before the Commission for discussion and action.

## 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**  
**51**  
 [11344]

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**  
**52**  
 [11213]

**R06-05-028**

Disposition of applications for rehearing of Decision (D) 10-11-033 filed by The Utility Reform Network and, jointly, by Calaveras Telephone Company, Cal-Ore Telephone Co., Ducor Telephone Company, Forest Hill Telephone Co., Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Company, Pinnacles Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, Volcano Telephone Company, and Winterhaven Telephone Company. D10-11-033 adopted forward looking reforms to the California LifeLine Program.

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

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Closed Session - Applications for Rehearing (continued)

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

**53**

**(Rev.)**

[11345]

**A10-04-018**

Disposition of the Application for Rehearing of Decision (D) 10-12-001 filed by EMF Safety Network. D10-12-001 dismissed EMF Safety Network's Application for Modification of D06-07-027 and D09-03-026, two decisions in which the Commission had approved installation of Smart Meters by Pacific Gas & Electric Company.

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

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06/06/2012 - This revision was not shown on the Agenda mailed to the public.

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

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

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

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

Significant exposure to litigation

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

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

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

Significant exposure to litigation in federal agency or court proceedings.

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

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

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

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

**Closed Session - Federal**

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

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

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

## **Closed Session - Personnel Matters**

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

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