
Public Utilities Commission of the State of California

Public Agenda 3298

Thursday, August 2, 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>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <i>Open to the Public</i>
Monday, August 20, 2012 (San Francisco)	Thursday, August 02, 2012 (San Francisco)
Monday, September 10, 2012 (San Francisco)	Thursday, August 23, 2012 (San Francisco)
Monday, September 24, 2012 (San Francisco)	Thursday, September 13, 2012 (San Francisco)
Monday, October 08, 2012 (San Francisco)	Thursday, September 27, 2012 (San Francisco)
Monday, October 22, 2012 (San Francisco)	Thursday, October 11, 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
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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 14, 26, 32, 38

Public Comment:

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

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

[11413]

Res ALJ 176-3298

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=584894

Consent Agenda - Orders and Resolutions (continued)

Item Dismisses Proceeding with Conditions

2

[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=584345

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

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

Agenda 3295, Item 8 6/7/2012 (Staff);

Agenda 3296, Item 4 6/21/2012 (Sandoval)

Consent Agenda - Orders and Resolutions (continued)

**Item Ducor Telephone Company's Application for Rehearing of
3 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=584063

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

Agenda 3295, Item 9 6/7/2012 (Staff);

Agenda 3296, Item 5 6/21/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Modifies the Public Utilities Code Section 851 Pilot Program**
4 **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=585629

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

Agenda 3295, Item 12 6/7/2012 (Staff);
Agenda 3296, Item 6 6/21/2012 (Simon);
Agenda 3297, Item 2 7/12/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item New Order Instituting Investigation

5

[11386]

I. _____

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas & Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

PROPOSED OUTCOME:

® Opens this investigation to obtain information on the recent outages at the San Onofre Nuclear Generating Station Units 2 and 3, and the resulting effect on the provision of electric service at just and reasonable rates.

® We may issue orders based on this investigation to address ratemaking and other matters under our jurisdiction.

ESTIMATED COST:

® Unknown.

(Comr Florio)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=584030

Agenda 3296, Item 30 6/21/2012 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

Item **Karuk Tribe for a Certificate of Public Convenience and**
6 **Necessity**

[11398]

A12-02-018

Application of Karuk Tribe for a Certificate of Public Convenience and Necessity in order to Provide Limited Facilities-Based and Resold Competitive Local Exchange, Access, and Interexchange Service in the State of California.

PROPOSED OUTCOME:

- ® Grants Karuk Tribe a Certificate of Public Convenience and Necessity in order to provide resold limited-facilities based local exchange service and non-dominant interexchange service in California.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586261

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

Agenda 3296, Item 35 6/21/2012 (Sandoval);

Agenda 3297, Item 5 7/12/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Cost-of-Living Adjustment for Work Performed by**
7 **Intervenors in 2012**

[11409]

Res ALJ-281

PROPOSED OUTCOME:

® Denies approval of the Cost-of-Living Adjustments for 2012 intervenor work, and continues the hourly rates and other matters established in Decision 08-04-010.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585290

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

Agenda 3297, Item 14 7/12/2012 (Staff)

Item **Verizon California, Inc.'s Funding for the Grant from the**
8 **California Advanced Services Fund**

[11411]

Res T-17350

PROPOSED OUTCOME:

® Approves proposed resolution and fund for the California Advanced Services Fund Project amounting to \$329,040 for the Crowley Lake Underserved Broadband Project.

ESTIMATED COST:

® \$329,040.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585270

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

Agenda 3297, Item 16 7/12/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Disclosure of Records of an Investigation

9

[11415]

Res L-438

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an electric incident on June 6, 2012 in Ridgecrest, California, Kern County.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585780

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

Item Implementation of Electric Rules 11 and 16 and Changes Per

10

Decision 12-01-032

[11419]

Res E-4493, CalPeco's Advice Letter (AL) 15-E filed March 15, 2012 and GSWC AL 265-E, PG&E AL 4012-E, PacifiCorp AL 470-E, SDG&E AL 2336-E and SCE AL 2709-E filed on March 12, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves California Pacific Electric Company, Golden State Water Company, Pacific Gas and Electric Company, Pacific Power Corporation, San Diego Gas & Electric Company and Southern California Edison Company's Advice Letters as filed.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=583737

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

Consent Agenda - Orders and Resolutions (continued)

Item Petition for Modification of Decision 03-12-035

11

[11422]

102-04-026

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company.

PROPOSED OUTCOME:

- ® Grants Petition to clarify language regarding environmental opportunity.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586101

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Certificate of Public Convenience and Necessity to**
12 **Kingstone Telecommunications, Inc.**

[11433]

A11-09-003

Application of Kingstone Telecommunications, Inc. for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.

PROPOSED OUTCOME:

- ® Grants a Certificate of Public Convenience and Necessity to Kingstone Telecommunications, Inc. to provide facilities-based and non-Dominant Interexchange Services in California.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=581027

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

Agenda 3297, Item 23 7/12/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Petition to Open a Rulemaking

13

(Rev.)

[11434]

P12-02-016

Petition of Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles to Adopt, Amend, or Repeal a Regulation Pursuant to Public Utilities Code § 1708.5.

PROPOSED OUTCOME:

- ® Denies the request to open a rulemaking without prejudice.
- ® The Commission will defer any consideration of the issues raised regarding imposition of mandatory audit firm rotation and auditor independence pending action by the Federal Public Company Accounting Oversight Board at the conclusion of an ongoing investigation of the same issues.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ MacDonald)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585623

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

07/30/2012 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item Dismissal of Case 11-09-001
14

[11438]

C11-09-001

Eric Lafortune, Don Richardson, and David Harvey vs. Hart Creek Estates Mutual Water Company.

PROPOSED OUTCOME:

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

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Minkin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585899

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **R. R. Lewis Small Water Company's General Rate Increase to**
15 **Produce Additional Annual Revenue for Test Year 2012**

[11441]

Res W-4926, Advice Letter 29 filed on November 14, 2011 - Related matters.

PROPOSED OUTCOME:

- ® To file a Supplemental Advice Letter (AL) with the revised rate schedules attached to this Resolution as Appendix B.
- ® Adopts quantities in Appendix D used to develop the Division of Water and Audits' recommendations.
- ® To file a Tier 2 AL within 30 days from effective date of Resolution to collect the under-collected revenues from the interim rate date to the effective date of the new rates.

ESTIMATED COST:

- ® \$31,564 or 53.98%.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586098

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

Consent Agenda - Orders and Resolutions (continued)

Item 16 **San Diego Gas and Electric Company to Establish the Revenue Requirement and Regulatory Account Update Associated With the El Dorado Power Plant Facility**
[11443]

Res E-4465, Advice Letter 2292-E filed on September 23, 2011 - Related matters.

PROPOSED OUTCOME:

® Approves San Diego Gas & Electric Company's (SDG&E) purchase price of the El Dorado Power Plant (now named the Desert Star Energy Center) and the proposed revenue requirement for non-fuel costs beginning October 1, 2011 through December 1, 2015.

® Revenues will be tracked through SDG&E's Non-Fuel Generation Balancing Account.

ESTIMATED COST:

® \$300.744 million in utility-owned generation non-fuel operating costs, for October 1, 2001 through December 31, 2015.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586196

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

Item 17 **California Pacific Electric Company, LLC to Establish a Memorandum Account Entitled Renewable Portfolio Standard Memorandum Account**
[11444]

Res E-4492, Advice Letter 9-E filed on October 11, 2011 - Related matters.

PROPOSED OUTCOME:

® Denies California Pacific Electric Company the authority to establish the Renewables Portfolio Standard Memorandum Account.

ESTIMATED COST:

® No cost recovery is authorized in this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585975

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

Consent Agenda - Orders and Resolutions (continued)

Item 18 Petition for Modification of Decision 10-02-032 and Decision 11-11-008

[11446]

A09-02-022

Application of Pacific Gas and Electric Company for Approval of its 2009 Rate Design Window Proposals for Dynamic Pricing and Recovery of Incremental Expenditures Required for Implementation.

PROPOSED OUTCOME:

- ® Denies the Petition for Modification of Decision 10-02-032 and Decision 11-11-008.
- ® The Commission declines to revise these Decisions to change mandatory Time of Use (TOU) to “default opt-out” TOU for small and medium commercial and industrial customers and small and medium agricultural customers.
- ® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Roscow)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586411

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

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

Consent Agenda - Orders and Resolutions (continued)

Item Interim Decision on Motion for Memorandum Account

19

[11447]

A12-02-013

In the Matter of the Application of Golden State Water Company, on Behalf of its Bear Valley Electric Service Division, for Approval of Costs and Authority to Increase General Rates and Other Charges for Electric Service by Its Bear Valley Electric Service Division.

PROPOSED OUTCOME:

® Institution of a General Rate Case Revenue Requirement Memorandum Account to record current rates based on its 2012 authorized revenue requirement adopted in this proceeding during the period between January 1, 2013 and the effective date of the final decision.

ESTIMATED COST:

® Unknown.

(Comr Sandoval - ALJ Wilson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586292

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company to Update its Electric
20** **Portfolio Hedging Plan**

[11448]

Res E-4498, Advice Letter 3997-E filed on January 30, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves Pacific Gas and Electric Company's proposed Electricity and Gas Hedging Plan to increase the maximum allowable Liquidity Limit with a modification to its proposed confidentiality term.

® The specific details of liquidity limits are provided in the confidential section of this resolution.

ESTIMATED COST:

® The Cost of the Liquidity Limit increase is uncertain because the additional liquidity could be met in several ways as discussed in the confidential section of this resolution.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586113

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

Consent Agenda - Orders and Resolutions (continued)

**Item San Diego Gas & Electric Company's Energy Resource
21 Recovery Account Trigger Mechanism**

[11449]

A12-04-003

Expedited Application of San Diego Gas & Electric Company under the Energy Resource Recovery Account Trigger Mechanism.

PROPOSED OUTCOME:

- ® Authorizes an increase in rates to collect a projected \$49.9 million undercollection in San Diego Gas & Electric Company's Energy Resource Recovery Account.
- ® The rate increase will be amortized over a 12-month period beginning no later than September 1, 2012.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$49.9 million.

(Comr Florio - ALJ Roscow)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586405

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Modification to Decision 10-01-022 to Adjust Incentive
22 Structure in the California Solar Initiative Thermal Program**

[11450]

R10-05-004

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

PROPOSED OUTCOME:

® Adjust incentive structure for natural gas and electricity displacing solar water heating systems.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Duda)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586401

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

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

Consent Agenda - Orders and Resolutions (continued)

Item **Cobb Mountain Water Company to Recover Unexpected**
23 **Repair Costs**

[11451]

Res W-4927, Advice Letter 38 filed on February 6, 2012 - Related matters.

PROPOSED OUTCOME:

- ® Permits the Utility to transfer \$2,607 from its Unexpected Repair Costs Memorandum Account to a balancing account for recovery over a period of three years in 18 payments of \$2.34 each per customer.
- ® To file a supplemental advice letter with the revised rate schedule as shown in Appendix A and to cancel the corresponding presently effective rate schedule.
- ® Effective date shall be 5 days after the date of filing and utility to keep track of revenues collected under the surcharge authorized in this resolution in a balancing account and account for any over or under collected revenues in its next General Rate Case, or for any Commission audit, if the over or under collected balance exceeds 1% of the most recently adopted revenue requirement.

ESTIMATED COST:

- ® \$2,607 or 15%.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585999

Consent Agenda - Orders and Resolutions (continued)

Item 24 Certification of Marin Energy Authority's 2012 Energy Efficiency Program Administration Plan

[11452]

Res E-4518

PROPOSED OUTCOME:

® Certifies Marin Energy Authority's 2012 Energy Efficiency Program Administration Plan, submitted pursuant to Public Utilities Code Section 381.1(e) and (f).

® Orders Pacific Gas and Electric Company (PG&E) to transfer up to \$428,270 in funds collected from Marin Energy Authority customers through nonbypassable charges authorized by the commission for cost-effective energy efficiency and conservation programs.

ESTIMATED COST:

® \$0 incremental cost to PG&E ratepayers.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586369

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

Item 25 Southern California Edison Company's One-Time Modification to its California Renewable Energy Small Tariff Excess Sales Agreement

[11458]

Res E-4513, Advice Letter 2716-E filed on April 13, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves one-time modifications to Southern California Edison Company's California Renewable Energy Small Tariff Excess Sales Agreement for the United States Forest Service and changes to Interconnection Agreements for Federal Agencies.

ESTIMATED COST:

® There are no expected costs associated with these modifications.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586056

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

26

[11459]

C08-02-013, C09-06-025 - Related matters.

O1 Communications, Inc. vs. Verizon California, Inc.

PROPOSED OUTCOME:

® Extends deadline to resolve this matter from August 15, 2012 to February 15, 2013.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Mattson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=584415

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

Consent Agenda - Orders and Resolutions (continued)

Item **The California Department of Transportation to Construct a**
27 **Grade-Separated Crossing Over North Coast Railroad**
[11463] **Authority Tracks in the County of Mendocino**

A12-02-008

Application of the California Department of Transportation for an order authorizing the construction of a grade separated structure to be known as the Quail Meadows Overhead over four tracks owned by the North Coast Railroad Authority near the City of Willits, County of Mendocino, State of California.

PROPOSED OUTCOME:

- ® Grants the California Department of Transportation authority to construct a new grade-separated crossing over North Coast Railroad Authority tracks in the County of Mendocino.
- ® Closes the proceeding.

ESTIMATED COST:

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

(Exam Hagan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586403

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

Consent Agenda - Orders and Resolutions (continued)

Item **City of Richmond and East Bay Regional Park District to**
28 **Construct a New Grade-Separated Vehicle, Pedestrian and**
[11464] **Bicycle Crossing in the County of Contra Costa**

A12-01-002

Joint Application of the City of Richmond and the East Bay Regional Park District for an Order authorizing construction of a grade-separated vehicle/pedestrian/bicycle crossing over tracks of the Union Pacific Railroad Company extending Atlas Road into the Point Pinole Regional Shoreline in the City of Richmond, Contra Costa County.

PROPOSED OUTCOME:

- ® Grants the City of Richmond and East Bay Regional Park District authorization to construct a new grade-separated crossing over the tracks of the Union Pacific Railroad Company in the City of Richmond, Contra Costa County.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Discretionary project, not within scope of applicants' request.

(Exam Hagan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585534

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

Consent Agenda - Orders and Resolutions (continued)

Item **Great Oaks Water Company to Implement a Surcharge to**
29 **Recover the Balance in the Certified Public Accountant Audit**
[11466] **Cost Memorandum Account**

Res W-4928, Advice Letter (AL) 225-W filed on April 13, 2012 and Supplemental AL 225-W-A filed on July 10, 2012 - Related matters.

PROPOSED OUTCOME:

- ® Approves the filed tariff sheets with Advice Letter 225-W-A attached to this resolution through a 12-month surcharge.
- ® Effective date is no sooner than 5 days after the effective date of this Resolution.
- ® Great Oaks Water Company to transfer \$139,261.26 from its Certified Public Accountant Audit Cost Memorandum Account to a balancing account for recovery over a period of twelve months and earn interest on the balance in this balancing account, at the 90-day commercial paper rates, from effective date of this Resolution.

ESTIMATED COST:

- ® \$139,261.26.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585307

Consent Agenda - Orders and Resolutions (continued)

Item **California-American Water Company's Settlement Agreement**
30 **With the Division of Ratepayer Advocates**

[11467]

A11-06-030

In the Matter of the Application of California-American Water Company for an Order Authorizing the Transfer of Costs Incurred in 2010 for Its Long-Term Water Supply Solution for the Monterey District to Its Special Request 1 Surcharge Balancing Account.

PROPOSED OUTCOME:

- ® Approves unopposed Settlement Agreement for 2010 preconstruction costs for Coastal Water Project.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$5.11 million.

(Comr Peevey - ALJ Minkin)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=584547

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

Consent Agenda - Orders and Resolutions (continued)

Item **City of Eureka to Construct a New, Temporary, At-Grade**
31 **Crossing Over the North Coast Railroad Authority Tracks in**
[11469] **the County of Humboldt**

A12-03-021

Application of the City of Eureka for an order to construct a new temporary crossing improvement at the southern part of Eureka, west of Pound Road, for the Elk River Access Area/Hiksari' Trail across the tracks of the North Coast Railroad Authority.

PROPOSED OUTCOME:

- ® Grants the City of Eureka authority to construct a new temporary at-grade pedestrian crossing over North Coast Railroad Authority tracks in the City of Eureka.
- ® Closes the proceeding.

ESTIMATED COST:

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

(Exam Hagan)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585535

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

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[11481]

C11-08-022

City of Concord, City of Taft, City of Madera, City of Kerman, City of Clovis vs. Pacific Gas and Electric Company.

PROPOSED OUTCOME:

® Extends statutory deadline of Case 11-08-022 to August 21, 2013.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Stover)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585519

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

Consent Agenda - Intervenor Compensation Orders**Item Compensation to Consumer Federation of California****33****(Rev.)**

[11399]

R09-08-009

Order Instituting Rulemaking on the Commission's own motion to consider alternative-fueled vehicle tariffs, infrastructure and policies to support California's greenhouse gas emissions reduction goals.

PROPOSED OUTCOME:

® Awards Consumer Federation of California \$8,977.50 for substantial contribution to Decision 11-07-029.

ESTIMATED COST:

® The ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Gas Company, and Southern California Edison Company will pay \$8,977.50, plus interest.

(Comr Peevey - ALJ DeAngelis)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585434

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

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

Agenda 3297, Item 28 7/12/2012 (Staff)

07/31/2012 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda

Regular Agenda - Energy Orders

Item	Large Investor-Owned Utilities' Applications for Energy
34	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=586152

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

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

Agenda 3295, Item 33 6/7/2012 (Florio);

Agenda 3297, Item 34 7/12/2012 (Florio)

Regular Agenda - Energy Orders (continued)

Item Framework to Analyze Energy Storage End-Uses

35

[11445]

R10-12-007

Order Instituting Rulemaking Pursuant to Assembly Bill 2514 to Consider the Adoption of Procurement Targets for Viable and Cost-Effective Energy Storage Systems.

PROPOSED OUTCOME:

- ® Adopts Energy Storage Framework Staff Proposal.
- ® Initiates second phase to consider end-use scenarios for energy storage.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Yip-Kikugawa)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586306

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

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

Regular Agenda - Communication Orders

Item Revisions to Basic Telephone Service

36

[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=584985

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

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

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

Agenda 3287, Item 62 1/12/2012 (Peevey);

Agenda 3288, Item 29 2/1/2012 (Peevey);

Agenda 3290, Item 41 3/8/2012 (Ferron);

Agenda 3292, Item 68 4/19/2012 (Florio);

Agenda 3294, Item 38 5/24/2012 (Sandoval);

Agenda 3296, Item 43 6/21/2012 (Florio);

Agenda 3297, Item 36 7/12/2012 (Simon)

Regular Agenda - Communication Orders (continued)

Item **ALTERNATE TO ITEM 10844**
36a
[11471]

PROPOSED OUTCOME:

Updates and consolidates requirements for residential basic telephone service for telephone corporations offering basic service. Substantive differences between the Alternate Proposed Decision (APD) and Revision 5 of the Proposed Decision exist in the following areas:

- ® The APD establishes tariff filing requirements.
- ® The APD requires that basic service be offered at monthly rates with no contracts, and on a stand-alone basis unless an exemption is obtained, but also allows other options.
- ® The APD requires that all basic service providers provide a dependable voice-grade connection to the public telephone network, with compliance requirements depending on the technology used.
- ® The APD requires that all incoming calls be provided without per-minute or per-call charges.
- ® In addition to flat rate basic service for calling within specified geographic areas, the APD requires some basic service providers, and allows the others, to offer measured rate service in the same geographic areas.
- ® The APD requires 911/Enhanced 911 location accuracy and reliability comparable to that required of existing wireline carriers.
- ® The APD requires that customers be allowed to choose, without charge, whether to have a listing included, or not, in a White Pages directory and/or directory assistance.
- ® The APD retains access to operator services as a separate element of basic service.
- ® The APD retains free access to 800 and 8YY toll-free services, with no per-minute or per-call charges.
- ® The APD defers service quality issues for all basic service providers to Rulemaking 11-12-001. In the meantime, basic service providers using non-traditional technologies must meet service quality requirements applicable to Uniform Regulatory Framework Carriers of Last Resort.

ESTIMATED COST:

- ® No specific cost changes anticipated in basic rates.

(Comr Florio)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E63425

Regular Agenda - Water/Sewer Orders**Item Southern California Edison Company's Catalina Water
37 Company Seeks to Increase Rates by 80%**

[11279]

A10-11-009

Application of Southern California Edison Company for Authority to, Among Other Things, Increase Its Authorized Revenues for Santa Catalina Island Water Operations, and to Reflect that Increase in Rates.

PROPOSED OUTCOME:

® Disallows approximately \$1 million of operating expenses; approximately \$8 million in rate base; and by adopting Southern California Edison Company's alternate rate proposal, shifts \$10.7 million of the water company's increased costs as a one-time cost to electric rates.

® The result of our disallowances and adjustments makes no change in the current revenue requirement of \$3.948 million.

® Closes the proceeding.

ESTIMATED COST:

® \$10.7 million.

(Comr Peevey - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585196

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

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

Agenda 3294, Item 41 5/24/2012 (Sandoval);

Agenda 3296, Item 45 6/21/2012 (Sandoval);

Agenda 3297, Item 37 7/12/2012 (Simon)

Regular Agenda - Other Utility Orders

Item Approval of Settlement Agreement

38

[11340]

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:

® Approves a settlement agreement between the Commission's Consumer Protection and Safety Division and the following Respondents: AT&T Mobility LLC, Sprint Telephony PCS, L.P., and Cellco Partnership LLP, d/b/a Verizon Wireless. The settlement resolves all issues regarding the Settling Respondents' involvement with the Malibu Canyon Fire in October of 2007.

® Requires the Settling Respondents to pay \$12 million. Of this amount, \$6.9 million will be paid to the State's General Fund and \$5.1 million to the Enhanced Infrastructure and Inspection Fund (EIIF) that will be established pursuant to the settlement agreement. The money paid to the EIIF will be used to strengthen utility poles in Malibu Canyon and to conduct a statistically valid survey of joint-use poles in Southern California Edison Company's (SCE) service territory for compliance with General Order (GO) 95 safety factor requirements.

® The Commission's approval of the Settlement Agreement is subject to the following conditions:

® (1) The Settling Respondents shall: (a) establish a bank account to receive and disburse funds for the EIIF, and (b) deposit \$5.1 million into the EIIF bank account within 45 days from the effective date of today's decision.

® (2) If \$5.1 million is not adequate to accomplish the objectives of the EIIF that are specified in the settlement agreement, the Settling Respondents shall deposit sufficient additional funds into the EIIF to complete these objectives.

® (3) The following activities shall be completed within 18 months: conducting a statistically valid survey of joint-use poles in SCE's service territory for compliance with GO 95 safety factor requirements.

® (4) The following activities shall be completed within 30 months: upgrading the safety factor for utility poles along 3.38 miles of Malibu Canyon Road.

® (5) The EIIF shall only pay for material, labor, and services that are directly related to Items 3 and 4 above. The EIIF shall not pay for internal administrative and overhead costs incurred by the Settling Respondents.

ESTIMATED COST:

® There are no costs to customers.

(Comr Simon - ALJ Kenney)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=585930

Regular Agenda - Other Utility Orders

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

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

Agenda 3296, Item 10 6/21/2012 (Ferron)

Regular Agenda - Legal Division Matters**Item 39 New Regulations Regarding Disclosure of Records and Requests of Confidential Treatment of Records**

[11182]

Res L-436

Adopts new regulations regarding public access to records of the California Public Utilities Commission and requests for confidential treatment of records.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586099

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

Agenda 3292, Item 72 4/19/2012 (Staff);

Agenda 3294, Item 42 5/24/2012 (Staff)

Item 40 Federal Communications Commission's Further Notice of Proposed Rulemaking In the Matter of Universal Service Contribution Methodology; A National Broadband Plan for Our Future

[11473]

FCC 12-46, WC Docket No. 06-122; GN Docket No.09-51; rel. April 30, 2012

The Federal Communications Commission (FCC) seeks comment on proposals to reform and modernize how federal Universal Service Fund contributions are assessed and recovered. This action is the FCC's next step in its ongoing efforts to modernize its universal service programs. The California Public Utilities Commission filed comments in the opening round but here seeks authority to address issues in reply comments not covered in the staff's initial round of recommendations.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586198

Regular Agenda - Legislative and Other Matters**Item Energy: Public Goods Charge****41****(Rev.)**

[11455]

AB 723 (Bradford)

This bill would extend the sunset on the electrical rate component commonly referred to as the "Public Goods Charge" to January 1, 2020. (Legislative Subcommittee Recommendation: Neutral).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586361

07/27/2012 - This revision was not shown on the Agenda mailed to the public.

Item Charter-Party Carriers of Passengers: Reports**42****(Rev.)**

[11425]

AB 838 (Hill)

This bill would state that a Charter Party Carrier's waybill or trip report may be kept in electronic or hardcopy format and when requested by a public safety official, the waybill or trip report may be provided in either electronic or hardcopy format. (Legislative Subcommittee Recommendation: Support with technical amendments).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586362

Agenda 3297, Item 38 7/12/2012 (Staff)

07/27/2012 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item **California Global Warming Solutions Act of 2006:**
43 **Investor-Owned Utilities: School Energy Efficiency**

(Rev.)

[11456]

AB 1186 (Skinner)

This bill would prohibit the California Public Utilities Commission from approving an investor-owned utilities expenditure plan for greenhouse gas emissions allowances unless an unspecified percentage of those proceeds is made available for certain cost-effective school energy efficiency improvements for schools in the investor-owned utility's service area. (Legislative Subcommittee Recommendation: Support if amended).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586364

07/27/2012 - This revision was not shown on the Agenda mailed to the public.

Item **Electricity: Rates**

44

[11375]

AB 1755 (Perea)

This bill would authorize the California Public Utilities Commission (CPUC) to approve a fixed per-customer electricity charge not based upon usage that applies to all customers of an electrical corporation, including California Alternatives Rates for Energy program participants, to recover fixed costs of providing service, if the CPUC finds that such a charge is just and reasonable and is necessary to provide rate relief to upper tier residential customers of the electrical corporation. (Legislative Subcommittee Recommendation: _____).

Agenda 3296, Item 50 6/21/2012 (Staff);

Agenda 3297, Item 40 7/12/2012 (Staff)

Regular Agenda - Legislative and Other Matters (continued)

Item Renewable Energy Resources: Biomethane

45

(Rev.)

[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: _____).

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);

Agenda 3295, Item 38 6/7/2012 (Staff);

Agenda 3296, Item 51 6/21/2012 (Staff);

Agenda 3297, Item 41 7/12/2012 (Staff)

07/31/2012 - This revision was not shown on the Agenda mailed to the public.

Item Electricity: Biomass: Incentive Programs

46

(Rev.)

[11427]

AB 2390 (Chesbro)

This bill requires the California Energy Commission to provide incentives to producers and collectors of biomass material associated with forest fuel reduction and fire activities. (Legislative Subcommittee Recommendation: Oppose unless amended).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586370

Agenda 3297, Item 42 7/12/2012 (Staff)

07/27/2012 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item **Energy: Electrical Corporations: City of Davis PVUSA Solar**
47 **Facility: Community-Based Renewable Energy**
(Rev.) **Self-Generation Program**

[11303]

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. (Legislative Subcommittee Recommendation: Oppose unless amended).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586399

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

Agenda 3295, Item 44 6/7/2012 (Staff);

Agenda 3296, Item 54 6/21/2012 (Staff);

Agenda 3297, Item 43 7/12/2012 (Staff)

07/27/2012 - This revision was not shown on the Agenda mailed to the public.

Item **Energy: Renewable Biomass and Biogas Projects**
48

(Rev.)

[11394]

SB 1122 (Rubio)

This bill would require the California Public Utilities Commission to adopt a methodology, by June 1, 2014, that accounts for the benefits to ratepayers and the environment from reducing air pollution and global warming emissions by generating electricity from specified sources of biogas and biomass. (Legislative Subcommittee Recommendation: Oppose unless amended).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586360

Agenda 3296, Item 55 6/21/2012 (Staff);

Agenda 3297, Item 44 7/12/2012 (Staff)

07/27/2012 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

Item **Energy: Energy Assessment: Commercial Buildings:**
49 **Financing**

(Rev.)

[11428]

SB 1130 (de León)

This bill requires the California Energy Commission, on or before January 1, 2016, to analyze and evaluate standards for commercial energy building retrofits previously developed by various national and international organizations to provide uniformity and transparency for financial institutions evaluating loan proposals for energy improvements to commercial properties. (Legislative Subcommittee Recommendation: Support if amended).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586392

Agenda 3297, Item 45 7/12/2012 (Staff)

07/27/2012 - This revision was not shown on the Agenda mailed to the public.

Item **California Global Warming Solutions Act of 2006: AB 32**
50 **Investment Fund**

(Rev.)

[11457]

SB 1572 (Pavley)

This bill, with certain exceptions, would require revenues collected by the state board and derived from the auction or sale of allowances to be deposited in the Greenhouse Gas Reduction Account which the bill would establish. Under the bill, a specified portion of the money in the fund would be available, subject to appropriation by the Legislature, to administering agencies to fund prescribed projects that meet certain goals relating to greenhouse gas emissions reductions. (Legislative Subcommittee Recommendation: Support if amended).

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=586359

07/27/2012 - 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**
51 **Division on Recent Safety Program Activities**
[11453]

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
52
 [11454]

Compilation of applications for rehearing recently filed with the Commission.

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

Item Conference with Legal Counsel - Application for Rehearing
53
 [11368]
C02-10-002

Disposition of the Application for Rehearing of Decision (D) 03-01-031, filed by Howard Kavoussi. In D03-01-031, the Commission denied a complaint filed by Howard Kavoussi, which alleged improper billing practices of Southern California Edison Company.

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

Item Conference with Legal Counsel - Application for Rehearing
54
 [11432]

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

Disposition of Application for Rehearing of Decision (D) 12-04-050, filed by San Pablo Bay Pipeline Company, LLC. In D12-04-050, the Commission granted a limited rehearing of D12-02-038 on all issues related to the refund calculations.

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

Closed Session - Initiation of Litigation - Non-Federal

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

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

Item **Conference With Legal Counsel - Order Instituting**
55 **Investigation**

[11479]

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.

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