
Public Utilities Commission of the State of California

Public Agenda 3408
Thursday, November 9, 2017 9:30 a.m.
505 Van Ness Avenue
San Francisco, California

Commissioners

Michael Picker, President
Martha Guzman Aceves
Carla J. Peterman
Liane M. Randolph
Clifford Rechtschaffen

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however differ from that proposed. To listen by phone, dial 1-800-857-1917 and enter passcode 92105 or access our website at <http://www.cpuc.ca.gov>

Scheduled Commission Meetings

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (10:00 a.m.) Closed to the Public	<i>Commission Meeting</i> Auditorium (9:30 a.m.) Open to the Public
Monday, November 6, 2017 (San Francisco) [Will be held]	Thursday, November 9, 2017 (San Francisco)
Monday, November 27, 2017 (San Francisco)	Thursday, November 30, 2017 (San Francisco)
Monday, December 11, 2017 (San Francisco)	Thursday, December 14, 2017 (San Francisco)
Monday, January 8, 2018 (San Francisco)	Thursday, January 11, 2018 (San Francisco)
Monday, February 5, 2018 (San Francisco)	Thursday, February 8, 2018 (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



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY # (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 13

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

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

[16051]
Res ALJ 176-3408

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/SearchRes.aspx?docformat=ALL&docid=198201903>

Consent Agenda - Orders and Resolutions (continued)

- 2 **Amendments to the Rules of Practice and Procedure (Title 20, Division 1, of the California Code of Regulations) to Implement Statutory Amendments Pursuant to Senate Bill 215, Reflect Changes in the Commission's Administration, Streamline Certain Procedures, and Provide Greater Clarity**

[15709]
Res ALJ-344

PROPOSED OUTCOME:

- Amendments to the Rules of Practice and Procedure (Title 20, Division 1, of the California Code of Regulations).

SAFETY CONSIDERATIONS:

- These amendments will support greater transparency consistent with the Commission's overriding interest in safety.

ESTIMATED COST:

- Any costs of implementation are anticipated to be incidental to costs of compliance with existing Rules.

(Judge Wildgrube)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198339033>

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

Agenda 3401, Item 3 7/13/2017 (Staff);

Agenda 3404, Item 2 9/14/2017 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **Liberty Utilities (Liberty CalPeco Electric) LLC Verification of the Attainment of the 89 Megawatt Load Trigger for Phase 2 of the Line 625/650 Upgrade Project Pursuant to Decision 15-03-020**

[15937]

Res E-4883, Advice Letter 64-E filed October 14, 2016 - Related matters.

PROPOSED OUTCOME:

- Denies Liberty Utilities (Liberty CalPeco Electric) LLC (Liberty CalPeco) authorization to commence with construction of Phase 2 of the North Lake Tahoe Powerline System Upgrade Project, Phase 2. The protest by North Tahoe Citizen Action Alliance is valid. Commission approval of Liberty CalPeco Advice Letter 64-E is denied.

SAFETY CONSIDERATIONS:

- Effective administration of Liberty CalPeco is part of the responsibility of Liberty Utilities to meet their obligations under Public Utilities Code Section 451 to provide services that promote the safety, health, comfort, and convenience of their patrons, employees and the public.

ESTIMATED COST:

- Liberty CalPeco has estimated the cost of Phase 2 construction at approximately \$9 million.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=197988745>

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

Agenda 3407, Item 3 10/26/2017 (Staff)

Consent Agenda - Orders and Resolutions (continued)

- 4 **Pacific Gas and Electric Company's Marketing, Education and Outreach Plan in Compliance with the December 17, 2015 Assigned Commissioner and Administrative Law Judge's Ruling and Decision 15-07-001 on Residential Default Time of Use Rates**

[16019]

Res E-4882, Advice Letter 4949-E filed November 1, 2016, and AL 4949-E-A filed March 15, 2017 - Related matters.

PROPOSED OUTCOME:

- Approves, with modifications, Pacific Gas and Electric Company's (PG&E) Time of Use marketing, education and outreach plan for 2017-2019.

SAFETY CONSIDERATIONS:

- There is no impact on safety.

ESTIMATED COST:

- The cost of PG&E's plan is estimated to be \$46.7 million over 3 years. This amount will be reviewed on an ongoing basis through annual reports.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=196315358>

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

Consent Agenda - Orders and Resolutions (continued)**5 Phase 2 of Order Instituting Rulemaking to Implement
Registration of Core Transport Agents**

[16032]

R14-03-002

Order Instituting Rulemaking to Implement Registration of Third Party Natural Gas Procurement Service Providers, Known as "Core Transport Agents," pursuant to Public Utilities Code Sections 980-989.5 to Regulate non-rate matters, including Registration Standards, Complaint Resolution Practices, and Minimum Standards of Consumer Protection.

PROPOSED OUTCOME:

- Resolves the remaining registration and consumer protection issues concerning core transport agents and the core gas transportation program. A number of different rules are adopted which cover the activities of the core transport agents and their interaction with this Commission and their customers.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- The adoption of the various rules in today's decision will ensure that the core transport agents are qualified to deliver gas to core gas customers in a safe and reliable manner.

ESTIMATED COST:

- The processes and activities adopted in today's decision will be paid for through the registration and annual fee imposed on the core transport agents.

(Comr Peterman - Judge Wong)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=196776175>

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)

6 **Regarding To-Code Pilots and Future Efforts Towards To-Code Savings in Energy Efficiency Portfolios**

[16033]

R13-11-005

Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues.

PROPOSED OUTCOME:

- Directs investor owned utilities to discontinue pilots that were designed to explore available savings from replacing equipment that does not meet applicable building code with equipment that meets or exceeds applicable building code, and test the efficacy of offering incentives for such equipment replacements.
- Directs the energy efficiency program administrators to seek and report on findings regarding cost-effectiveness and other lessons relevant to pursuing to-code savings.
- Declines to require program administrators to employ Randomized Control Trial designs for specific programs.
- Rulemaking 13-11-005 remains open.

SAFETY CONSIDERATIONS:

- No implications for safety.

ESTIMATED COST:

- There are no costs associated with the implementation of this decision.

(Comr Peterman - Judge Kao)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198658831>

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)

7 (Rev.) **Approves the Prepaid Mobile Telephony Services Surcharge Rate, which must be Imposed on the Sales Price of Each Prepaid Wireless Telephone Service Retail Transaction Occurring in California, Effective January 1, 2018**

[16034]
Res T-17579

PROPOSED OUTCOME:

- Approves the California Public Utilities Commission's prepaid Mobile Telephony Services (MTS) surcharge rate of 5.55% to be effective January 1, 2018 through December 31, 2018.

SAFETY CONSIDERATIONS:

- The funding of public purpose programs increases access to communications services to customer in California, thereby promoting public safety.

ESTIMATED COST:

- The total amount subject to recovery in the 2018 prepaid MTS surcharge rate is \$23,207,737. The Commission's administrative costs, included here, are \$838,161.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198782128>

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

11/8/2017 - This revision was not listed on the agenda distributed to the public.

Consent Agenda - Orders and Resolutions (continued)

8 **Southern California Gas Company's Request for Recovery of the Transmission Integrity Management Program Balancing Account Balance for the Calendar Year 2015**

[16039]

Res G-3528, Advice Letter 5057-G filed November 4, 2016 - Related matters.

PROPOSED OUTCOME:

- Approves Southern California Gas Company's (SoCalGas) request to recover its Transmission Integrity Management Program (TIMP) Balancing Account Balance for the calendar year 2015.

SAFETY CONSIDERATIONS:

- SoCalGas' TIMP Balancing Account records pipeline integrity-related costs associated with federal regulatory requirements set forth in 49 CFR 192 Subpart O adopted following the passage of the Pipeline Safety Improvement Act of 2002.

ESTIMATED COST:

- Approximately \$21.5 million.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=197144481>

Consent Agenda - Orders and Resolutions (continued)

- 9 **San Diego Gas & Electric Company's Request for Recovery of the Transmission Integrity Management Program Balancing Account Balance for the Period January 1, 2012, to December 31, 2015**

[16040]

Res-G3533, Advice Letter 2529-G filed November 4, 2016 - Related matters.

PROPOSED OUTCOME:

- Approves San Diego Gas & Electric Company's (SDG&E) request to recover its Transmission Integrity Management Program (TIMP) Balancing Account Balance for the period January 1, 2012, to December 31, 2015.

SAFETY CONSIDERATIONS:

- SDG&E's TIMP Balancing Account records pipeline integrity-related costs associated with federal regulatory requirements set forth in 49 CFR 192 Subpart O adopted following the passage of the Pipeline Safety Improvement Act of 2002.

ESTIMATED COST:

- Approximately \$3.2 million under collected.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=197140053>

Consent Agenda - Orders and Resolutions (continued)

10

Decision on City of San Mateo's Request for Authority to Construct Three New Grade-Separated Railroad Crossings in the City of San Mateo

[16045]

A17-07-006

Application of the City of San Mateo for an Order Authorizing Construction of two new grade separated vehicular underpasses and one pedestrian underpass at PCJPB MPs 19.92, 20.15 and 20.03 (DOT No. 973 108 V, 973 109C and 973 110W) in the City of San Mateo in the County of San Mateo.

PROPOSED OUTCOME:

- Grants City of San Mateo's request to construct two new grade-separated vehicular underpasses (at MPs 19.92 and 20.15) and one grade-separated pedestrian underpass (at MP 20.03) over the Peninsula Corridor Joint Powers Board mainline tracks in the vicinity of 25th Avenue and the Hillsdale Caltrain Station in the City of San Mateo, County of San Mateo.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- Safety and Enforcement Division's Rail Crossings and Engineering Branch intervened as a party in this application and states it has evaluated safety impacts of the project and did not identify any safety concerns.

ESTIMATED COST:

- There are no costs associated with the outcome of this proceeding.

(Comr Randolph - Judge Ayoade - Judge Kline)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=197087431>

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

Consent Agenda - Orders and Resolutions (continued)

11

**Golden State Water Company General Rate Case
Memorandum Account**

[16048]

A17-05-004

In the Matter of the Application of Golden State Water Company, on Behalf of its Bear Valley Electric Service Division, for Approval and Recovery of Costs, and Authority to Increase Rates and Other Charges, (Including a Requested Total Operating Revenue Requirement of \$37,240,204 (decrease of 4.4%) for TY2018 and \$38,969,869, \$41,309,234, and \$43,593,202 (Increases of 4.6%, 6.0% and 5.5%) for TY 2019, 2020 and 2021, Respectively) Related to Electric Service by Its Bear Valley Electric Service Division.

PROPOSED OUTCOME:

- Grants Motion of Golden State Water Company, on Behalf of its Bear Valley Electric Service Division, for Authority to Establish General Rate Case Memorandum Account.
- Application 17-05-004 remains open.

SAFETY CONSIDERATIONS:

- Golden State Water Company and its Bear Valley Electric Service Division must comply with Commission rules, statutes, General Orders, including Public Utilities Code Section 451 regarding safety.

ESTIMATED COST:

- Golden State Water Company, on behalf of its Bear Valley Electric Service Division, must provide its services in accordance with the rates and terms of the tariff on file with the Commission.

(Comr Rechtschaffen - Judge Ayode)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=197419349>

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

Consent Agenda - Orders and Resolutions (continued)

12

Modification of Decision 16-11-021

[16059]

R13-12-011

Order Instituting Rulemaking into Policies to Promote a Partnership Framework between Energy Investor Owned Utilities and the Water Sector to Promote Water-Energy Nexus Programs.

PROPOSED OUTCOME:

- Relieves San Diego Gas & Electric Company of obligation to implement an Energy Matinee Pricing Pilot.

SAFETY CONSIDERATIONS:

- There are no safety issues to consider.

ESTIMATED COST:

- There are no costs associated with the implementation of this decision.

(Comr Guzman Aceves - Judge Cooke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=197131955>

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

Consent Agenda - Orders and Resolutions (continued)

13 **Modified Presiding Officer's Decision Dismissing a Complaint**

[16062]

C16-10-021

Gildred Building Company, dba The Gildred Companies; Ocotillo Solar LLC vs. Southern California Edison Company.

PROPOSED OUTCOME:

- The complaint is dismissed for failure to state a claim upon which relief can be granted.
- Closes the proceeding.

SAFETY CONSIDERATION:

- No safety issues are raised in this proceeding.

ESTIMATED COST:

- No costs associated with the dismissal of the complaint.

(Comr Randolph - Judge DeAngelis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198649519>

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

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

Consent Agenda - Orders and Resolutions (continued)

14 **Order Instituting Investigation for Risk Assessment and Mitigation Phase Submission of Pacific Gas & Electric Company**

[16075]

I. _____

Order Instituting Investigation Into the November 2017 Submission of Pacific Gas and Electric Company's Risk Assessment and Mitigation Phase

PROPOSED OUTCOME:

- In accordance with Decision (D.) 14-12-0125 and D.16-08-018, and at the request of Pacific Gas & Electric Company (PG&E), this Order Instituting Investigation is being opened to address the Risk Assessment and Mitigation Phase (RAMP) submission of PG&E.

SAFETY CONSIDERATIONS:

- Safety-related issues to be examined in PG&E's RAMP submission.

ESTIMATED COST:

- Costs to be determined in general rate case proceeding of PG&E.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198365223>

Consent Agenda - Orders and Resolutions (continued)

15

Pacific Gas and Electric Company Requests a Temporary Waiver of Electric Rule 13 for Applicants Affected by Northern California Wildfires

[16076]

Res E-4899, Advice Letter 5168-E filed October 25, 2017 - Related matters.

PROPOSED OUTCOME:

- Grants Pacific Gas and Electric Company's (PG&E's) request.

SAFETY CONSIDERATIONS:

- There is no impact on safety

ESTIMATED COST:

- This Resolution may lead to increased ratepayer costs for which PG&E may apply to be recovered in a future application.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198466552>

Regular Agenda**Regular Agenda- Energy Orders**

- 16 **Application of San Diego Gas & Electric Company for Authorization to Recover Costs Related to the 2007 Southern California Wildfires Recorded in the Wildfire Expense Memorandum Account**

[15940]

A15-09-010

Application of San Diego Gas & Electric Company for Authorization to Recover Costs Related to the 2007 Southern California Wildfires Recorded in the Wildfire Expense Memorandum Account (WEMA).

PROPOSED OUTCOME:

- Denies the Application of San Diego Gas & Electric Company (SDG&E) for Authorization to Recover Costs Related to the 2007 Southern California Wildfires Recorded in the Wildfire Expense Memorandum Account (WEMA).
- Finds SDG&E did not reasonably manage and operate its facilities prior to the 2007 Witch, Guejito and Rice Wildfires.
- Denies Application on its merits, therefore issues preliminarily scoped for phase two of A.15-09-010 are moot.
- Closes Application 15-09-010.

SAFETY CONSIDERATIONS:

- There are no significant safety concerns with the implementation of this decision.

ESTIMATED COST:

- None as a result of this decision.

(Comr Randolph - Judge Goldberg - Judge Tsen)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=193981771>

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

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

This matter may be considered during the Ratesetting Deliberative Meeting.

Agenda 3405, Item 28 9/28/2017 (Staff);
Agenda 3406, Item 13 10/12/2017 (Staff);
Agenda 3407, Item 14 10/26/2017 (Staff)

Regular Agenda- Transportation/Rail Safety Orders

17 **Appropriate Criminal Background Checks Transportation Network Companies Must Perform**

[16025]

R12-12-011

Order Instituting Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services.

PROPOSED OUTCOME:

- Transportation Network Companies must comply with Pub. Util. Code § 5445.2 and the additional requirements adopted by this decision. Biometric background checks are not required.

SAFETY CONSIDERATIONS:

- The criminal background check requirements are designed to enhance passenger safety.

ESTIMATED COST:

- The costs are unknown but it is possible that Transportation Network Companies may pass the costs along to passengers through increased rates.

(Comr Randolph - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198780048>

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- Orders Extending Statutory Deadline

18 **Order Extending Statutory Deadline.**

[16061]

A15-09-007

In the Matter of the Application of PACIFICORP for Authority to Sell Certain Mining Assets in Accordance with Public Utilities Code Section 851.

PROPOSED OUTCOME:

- Extends statutory deadline for completion of this proceeding until May 30, 2018.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.

(Comr Peterman - Judge MacDonald)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=197802419>

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

Regular Agenda- Legal Division Matters

19 **Comments Before the Federal Communications Commission**
[16050]
PS Docket No. 17-239, FCC No. 17-125

In the Matter of Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications Systems, PS Docket No. 17-239, FCC No. 17-125, Released: September 26, 2017.

The Federal Communications Commission (FCC) has issued a *Notice of Inquiry (NOI) on 911 Access in Enterprise Communications Systems*. An Enterprise Communications System, or ECS, is a multi-line telecommunications system that serves multiple users at individual telephone stations across a single enterprise. Examples include the phones in hotel rooms, courtesy phones in airports, and the phone system in a large office building (like the one at the CPUC). These systems often have poor 911 functionality. For example, ECSs may report inaccurate caller locations to 911 dispatchers—or may not allow callers to reach 911 at all. The FCC seeks information on why this is. CPUC staff, in turn, seeks authority to submit comments in this docket. Comments are due November 15, 2017 and reply comments are December 15, 2017.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198393449>

Regular Agenda- Legislative and Other Matters

20 **2017 Legislative Outcomes**
[16057]

2017 Legislative Outcomes Presentation

Regular Agenda- Commissioner Reports

Regular Agenda- Management Reports and Resolutions

21 **Order Directing all Utilities to Implement Emergency Consumer Protections to Support Victims of the October 2017 Northern California Wildfires**

[16074]
Res M-4833

PROPOSED OUTCOME:

- Implements emergency customer protections for residential and business customers of the energy, water, and telecommunications utilities, who have been directly affected by the October 2017 Northern California wildfires; helps cities and communities rebuild after the devastating fires; and helps expedite recovery and assists those who have lost their homes and businesses.

SAFETY CONSIDERATIONS:

- All utility safety assistance and coordination will continue uninterrupted.

ESTIMATED COST:

- Unknown at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=198656705>

Regular Agenda- Management Reports and Resolutions (continued)

22 **Report and Discussion on Recent Consumer Protection and Safety
Activities**

[16052]

Regular Agenda- Management Reports and Resolutions (continued)

23
[16053]

Management Report on Administrative Activities

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

24

Conference with Legal Counsel - Application for Rehearing

[16054]

Compilation of application for rehearing recently filed with the Commission.

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

Closed Session - Initiation of Litigation - Non-Federal

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

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

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

25

Conference with Legal Counsel - Existing Litigation

[16073]

California Court of Appeal, First Appellate District, Division One, Case No. A150192

Central Coast Alliance United for a Sustainable Economy and the Sierra Club v. Public Utilities Commission of the State of California (California Court of Appeal, First Appellate District, Division One, Case No. A150192)

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

Closed Session - Appeals from Presiding Officer's Decisions

Discussion of Appeals of Presiding Officer's Decision.

Pub. Util. Code § 1701.2(h), allows a Presiding Officer's Decision to be considered in Closed Session

26 **Conference with Legal Counsel - Appeal from Presiding Officer's Decision**

[16077]

C16-10-021

Gildred Building Company, dba The Gildred Companies; Ocotillo Solar LLC vs. Southern California Edison Company. Discussion of Appeal of the Presiding Officer's Decision.

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

Closed Session - Federal

Closed Session - Existing Litigation - Federal

Existing Litigation - Federal

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 - 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 - 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 - Administrative Matters

Consideration and discussion of administrative matters.

Public Utilities Code section 1701.1(f) 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