

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking concerning
Broadband Over Power Line deployment by
electric utilities in California.

Rulemaking 05-09-006
(Filed September 8, 2005)

To: ALL PARTIES OF RECORD IN THE ABOVE-CAPTIONED PROCEEDING

NOTICE OF AVAILABILITY

The draft decision of Commissioner Chong has been made available at http://www.cpuc.ca.gov/PUBLISHED/COMMENT_DECISION/53516.htm on February 10, 2006. This draft decision proposes a regulatory framework that fosters competition in the broadband market by providing regulatory certainty to California companies seeking to provide broadband over power lines (BPL). The draft decision states that the benefits of BPL include a new “wired” broadband pipe to the home, promoting universal access to broadband services, and providing California electricity consumers with increased reliability and lower costs through new “smart grid” technologies.

Any recipient of this Notice of Availability who is not receiving service by electronic mail in this proceeding or who is unable to access the link to the Commission's web site given above may request a paper copy of the draft decision from the Commission's Central Files Office, at (415) 703-2045; fax number (415) 703-2263; e-mail cen@cpuc.ca.gov.

The draft decision will not appear on the Commission's agenda for at least 30 days after the date it is mailed. The Commission may act then, or it may postpone action until later.

When the Commission acts on the draft decision, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the decision become binding on the parties.

Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's "Rules of Practice and Procedure," accessible on the Commission's website at <http://www.cpuc.ca.gov>. Pursuant to Rule 77.3 opening comments shall not exceed 15 pages.

Comments must be filed with the Commission's Docket Office. Comments should be served on parties to this proceeding in accordance with Rules 2.3 and 2.3.1. Electronic copies of comments should be sent to Christopher Poschl at cwp@cpuc.ca.gov, advisor to Commissioner Chong, and ALJ Allen at pva@cpuc.ca.gov. All parties must serve hard copies on the ALJ and the assigned Commissioner, and for that purpose I suggest hand delivery, overnight mail or other expeditious methods of service. The current service list for this proceeding is available on the Commission's web site, www.cpuc.ca.gov.

Dated February 10, 2006, at San Francisco, California.

/s/ ANGELA K. MINKIN

Angela K. Minkin, Chief
Administrative Law Judge