
Public Utilities Commission of the State of California

Wesley M. Franklin, Executive Director

Headquarters

505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2782

Southern California Office

320 West 4th Street, Suite 500
Los Angeles, CA 90013
(213) 576-7000

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

Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar Tuesday, November 5, 2002

- Regular Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/
Arbitrator's Reports
- Advice Letter Filings
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- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. Please see the *Notice to People With Disabilities* section on page two of this Daily Calendar for further information.

REGULAR COMMISSION BUSINESS MEETINGS

November 7, 2002	10 am	San Francisco
November 21, 2002	10 am	San Francisco
December 5, 2002	10 am	San Francisco

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

November 18, 2002	1:30 pm	San Francisco
December 2, 2002	1:30 pm	San Francisco
December 16, 2002	1:30 pm	San Francisco

NOTICE TO PEOPLE WITH DISABILITIES

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

- e-mail: public.advisor@cpuc.ca.gov
toll-free: 1-866-849-8390
Voice: 415-703-2074
FAX: 415-355-5404 (Attn.: Public Advisor)
TTY: 1-866-836-7825 (toll-free)
1-415-703-5282

NOTICES

Delivery of Formal Pleadings for Filing

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION

Subscription Notice for Draft Agenda Items

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and Sacramento field offices. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

Subscription Notice for Daily Calendar and/or Agenda

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van

Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS

Public Meeting Notice – Deaf and Disabled Telecommunications Program

*Deaf and Disabled Telecommunications
Program Administrative Committee
(DDTPAC)
November 5, 2002
10 am – 4 pm*

*DDTP Offices
Conference Room
505 14th Street, Suite 400
Oakland*

The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

PUBLIC MEETING AGENDA

- I. Minutes of the October 2002 DDTPAC Meeting, II. Approval of Agenda, III. Administrative Business, A. Public Input (1:00 PM), B. Report from the Chair, C. Executive Director's Report, IV. Financial Business, A. Review of 2002 Program Budget vs. Expenses, B. Review of Telco Reports and Expenses, C. Review of SB 244 Reports and Expenses, 1. CRSAC Recommendation Regarding Liquidated Damages Assessed to MCI and/or Sprint., D. Review of Administrative Reports and Expenses, E. Review of Bank of America Letter, F. Balance in the D.E.A.F. Trust - Bank Statement Reconciliation, V. Other Business, A. Discussion of DDTP Transition Workshop, B. Review of PNS Contract Renewal, C. Review of Recommendation from EPAC, D. Recommendations from CRSAC, E. Review of Request from Bank of America Regarding Authorized Representative for DDTP, F. Review of AB 1734 Transition Issues, VI. DDTP Departmental Activity Reports, A. Customer Contact Department Report, B. CRS Department Report, C. Equipment Program Department Report, D. Marketing and Outreach Department Report, E. Field Operations Department Report

Meeting Information: For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

Environmental Notice: People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Public Meeting Notice – Deaf and Disabled Telecommunications Program

<p><i>Deaf and Disabled Telecommunications Program Equipment Program Advisory Committee (EPAC)</i> <i>November 7, 2002</i> <i>10 am – 4 pm</i></p>	<p><i>DDTP Offices</i> <i>Conference Room</i> <i>505 14th Street, Suite 400</i> <i>Oakland</i></p>
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

PUBLIC MEETING AGENDA

I. Administrative Business, A. Agenda Modification and Approval, B. Review of Minutes from the Previous Meeting, C. Review of Action List Items, D. Report from the Chair, E. Executive Director’s Report, F. DDTP Staff Reports, 1. Consumer Affairs Report, 2. Consumer Contact Report, 3. Field Operations Report, 4. Marketing Report, 5. CRS Report, II. Public Input, III. Equipment Program Manager’s Report, IV. Equipment Update, V. Other Business, A. Member Reports, B. Review of consumer contact logs, C. Requests for invention, E. Future meetings, VII. Adjournment

Meeting Information: For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

Environmental Notice: People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Joint Sub-Committee Meeting of the Low Income Oversight Board (LIOB) and the Universal Lifeline Telephone Service Administrative Committee On Outreach Synergies

<p><i>November 14, 2002</i> <i>11 am – 4 pm</i></p>	<p><i>National University</i> <i>Spectrum Academic Center</i> <i>9388 Lightwave Avenue</i> <i>San Diego</i></p>
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The Low Income Oversight Board and the Universal Lifeline Telephone Service Administrative Committee are meeting jointly to facilitate public input on coordinating customer outreach between the California Alternate Rate for Energy Program (CARE) and the Universal Lifeline Telephone Service Program. This notice is being served on the service list in rulemaking R.01-08-027, and rulemaking R.98-09-005, will be posted on the Commission’s websites, and will be sent to the service lists electronically.

Teleconference Information: The meeting is accessible through teleconference. To use this option, please call: 1-877-950-4894. After hearing the prompt, enter the access code 627741#. This location is wheelchair accessible, and the meeting is open to the public. For more information, please contact Terrie Tannehill (415) 703-1224 tjt@cpuc.ca.gov. For questions and information about the San Diego location, please contact Kathleen Robles at 619/563-7280 Public parking is available in the lot adjoining the university.

Public Participation Meeting – Coordinating Outreach for CARE and ULTS

<p><i>November 14, 2002</i></p>	<p><i>Courtyard Marriott</i></p>
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7 pm – 9 pm

*Kearny Mesa
8651 Spectrum Center Boulevard
San Diego*

The Low Income Oversight Board and the Universal Lifeline Telephone Service Administrative Committee will hold a public input meeting on coordinating customer outreach between the California Alternate Rate for Energy Program (CARE) and the Universal Lifeline Telephone Service (ULTS) Program. This notice is being served on the service list in rulemaking R.01-08-027, and rulemaking R.98-09-005, will be posted on the Commission's websites, and will be sent to the service lists electronically.

Teleconference Information: The meeting is accessible through teleconference. To use this option, please call: 1-877-950-4894. After hearing the prompt, enter the access code 627741#. This location is wheelchair accessible, and the meeting is open to the public. For more information, please contact Terrie Tannehill (415) 703-1224 tjt@cpuc.ca.gov. For questions and information about the San Diego location, please contact Kathleen Robles at 619/563-7280. Public parking is available in the lot adjoining the university.

Public Meeting Notice – ULTS Administrative Committee

*The October 29, 2002 meeting is
continued to
November 15, 2002
9:30 am - 12:30 pm*

*Kearny Mesa Courtyard by Marriott
8651 Spectrum Center Blvd, Mesa Room
San Diego*

*Teleconference is available at 877-780-7587 and
participant passcode of 242672#*

Universal Lifeline Telephone Service (ULTS) Trust Administrative Committee will meet on this day to discuss:

Introduction

Review and Approval of Minutes

Proposed Subcommittee Report on LIOB

Liaison Staff Report

Self-Certification and Random-Verification

Marketing Program Report

i Interim Marketing Program

ii Call Center

iii Permanent Marketing Program

Administrative Report

i Status of TD staff support

ii Financial Report – monthly report

iii Board Membership Nomination

iv Fones4All's Petition to Modify D.00-10-028/R.98-09-005

v Insurance

vi ULTS Strategic Plan

vii Decision/Resolution or Bills

Contracts Status Report

- i Valdez Report and Contract
- ii Richard Heath & Associates – Interim Marketing and Contract
- iii Richard Heath & Associates – Call Center and Contract

Audit Contract Status

- i Compliance Audit
- ii Surcharge Remittance Audit
- iii Claim Audit
- iv Financial Audit

Announcement

Member Recommended Agenda Items Request

New & Old Business

Set Future Meeting Dates and Times

Public Comments

Contact: Angela Young at 415-703-2837 or ayy@cpuc.ca.gov

Public Meeting - Low Income Oversight Board (LIOB)

<p>November 15, 2002 10 am – 3:30 pm</p>	<p>Courtyard Marriott – Kearny Mesa 8651 Spectrum Center Boulevard San Diego</p>
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The Low Income Oversight Board (LIOB) will meet to discuss, review, and/or decide the following: Pending CPUC orders and potential LIOB comments on any draft orders; sub-committee report on CARE and ULTS outreach synergies, draft reports on coordinated outreach for the California Alternate Rates for Energy (CARE)/ Universal Lifeline Telephone Service (ULTS) programs; minutes from a prior LIOB meeting; recent Commission rulings; and utility back billing. This is an open meeting, and the public is invited to attend. This location is wheelchair accessible.

Teleconference Information: The meeting is accessible through teleconference. To use this option, please call: 1-877-950-4894. After hearing the prompt, enter the access code 627741#. For more information, please contact Terrie Tannehill at 415-703-1224 tjt@cpuc.ca.gov. For questions and information about the San Diego location, please contact Connie Mutter at 858/654-1231. Public parking is available in the lot adjoining the hotel.

**NOTICE OF DRAFT RESOLUTIONS
(Pursuant to PU Code § 311(g))**

Pursuant to Public Utilities Code § 399.8, directs Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas and Electric Company to collect monies from customers to fund investments in energy efficiency, renewable energy, and research, development and demonstration projects

A draft resolution of the Energy Division as Public Utilities (PU) Code § 399.8 requires the three major California investor owned electric utilities to assess a Public Goods Charge (PGC) to customers in order to fund certain public interest programs. It specifies that, starting January 1, 2002, \$425.5 million is to be provided to these programs each year until January 1, 2012. However, § 399.8 does not specify how much of this annual total is to be allocated among the utilities except for the Energy Efficiency (EE) programs. Opening comments are due on November 4, 2002 and reply comments are due on November 12, 2002. Both opening and reply comments are limited to five pages. Copies of the resolution can be obtained by contacting:

Jack Fulcher
Electric Industry & Finance Branch
California Public Utilities Commission
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102
Telephone: (415) 703-1711

Draft Resolution M-4807 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of utilities reimbursement account fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4807 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 2 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 28 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution M-4805 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of Transportation Rate Fund fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4805 for review and submission of

written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 7 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 23 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

Draft Resolution M-4806 will be placed on the Commission Meeting Agenda of November 21, 2002. This resolution adopts level of Transportation Reimbursement Account fees for fiscal year 2002-03.

Interested parties may obtain a copy of Resolution M-4806 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

James Wuehler
Water Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jrw@cpuc.ca.gov

Public necessity requires that the 30-day comment period of Public Utilities Code Section 311(g) be reduced so that the Commission may collect the revenues as set forth in this resolution as soon as possible. The Commission concludes that a reduction in the 30-day review period by 7 days will not compromise the public interest or any party's rights. Accordingly we reduce the comment period for this resolution from 30 days to 23 days. Parties who wish to file comments on this resolution may do so no later than November 10, 2002.

NEW FILINGS

- 10/21/02 A02-10-038 City of El Segundo, for an order authorizing construction of Douglas Street across the right of way and beneath the existing aerial structure of the Los Angeles County Metropolitan Transportation Authority Light Rail Metro Green Line at its mile post T-2.2 and beneath the Harbor Branch track of the Burlington Northern Santa Fe Railway at Harbor Branch Mile Post 15.1.
- 10/28/02 A02-10-036 XO California, Inc. and XO Long Distance Services, Inc., pursuant to Public Utilities Code Section 854 for Approval of the Indirect Transfer of Control of XO California, Inc. (U 5553-C) and XO Long Distance Services, Inc. (U 6272-C) from XO Communications, Inc., Debtor-in-Possession, to a reorganized XO Communications, Inc., controlled by High River Limited Partnership (Public Version). **THE PROTEST PERIOD HAS BEEN SHORTENED TO 15 DAYS PER ALJ JANICE GRAU.**
- 10/29/02 A02-10-039 Jafar Kargaran and Farrokh Reza Falahi, dba Prime Ride Shuttle and dba Sea Breeze Shuttle/Kevin Kohl and Associates LLC, dba Sea Breeze Shuttle, for Approval of the Transfer by Sale of the Operating Authority held in Passenger Stage Certificate PSC-9524 by Jafar Kargaran and Farrokh Reza Falahi, dba Prime Ride Shuttle, and dba Sea Breeze Shuttle, to Kevin Kohl and Associates LLC, dba Sea Breeze Shuttle, pursuant to the provisions of Public Utilities Code Sections 851 et seq. (Jafar Kargaran and Farrokh Reza Falahi, dba Prime Ride Shuttle and dba Sea Breeze Shuttle, 3940 Hancock Street, Suite 208, San Diego, CA 92110, (619) 297-7463; Kevin Kohl and Associates LLC, dba Sea Breeze Shuttle, 3940 Hancock Street, Suite 208, San Diego, CA 92110, (619) 297-7463.)
- 10/31/02 A02-10-040 San Diego Gas & Electric Company, to modify and extend permanent gas procurement performance-based ratemaking mechanism.
- 11/1/02 A02-11-002 Dial Worldwide Communications, Inc., for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

10/31/02	A99-12-021	City and County of San Francisco, for authority to construct a new grade crossing at the intersection of Common Street and the tracks of the Peninsula Corridor Joint Powers Board; to reconstruct the existing 16th Street grade crossing of the tracks of the Peninsula Corridor Joint Powers Board; to close the King Street grade crossing of the tracks of the Peninsula Corridor Joint Powers Board; and to close the Berry Street Crossing of the tracks of the Peninsula Corridor Joint Board; Amended Petition for Modification of Commission Decision 00-05-042 by City and County of San Francisco
11/1/02	A01-01-039	Pacific Gas and Electric Company and Los Osos Community Services District, for an order under Section 851 of the California Public Utilities Code to Sell and Convey Streetlight Facilities; Petition for Modification of Decision 01-05-026 by Pacific Gas and Electric Company
11/4/02	A01-01-038	Pacific Gas and Electric Company and City of Santa Rosa, for an order under Section 851 of the California Public Utilities Code to Sell and Convey Streetlight Facilities; Petition for Modification of Decision 01-06-005 by Pacific Gas and Electric Company

DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING OFFICER'S DECISION * ARBITRATOR'S REPORTS

11/4/02	C.01-10-012	San Gabriel Transit, Inc., a California corporation, dba City Cab Company, Complainant, vs. Titan Capital Corp., dba Valley Cab & Valley Transportation Car & Limousine Service; East Valley Transportation, LLC; West Valley Transportation, LLC; Avetik Sarkissian, an individual; Brad Gunches, an individual; and DOES 1-25, inclusive, Defendants; Presiding Officer's Decision
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This decision finds that there have been incidents in violation of defendants' charter-party carrier authority and orders that such practices cease. However, this decision also finds that the violations were infrequent or not consequential, and that complainant has failed to meet its burden of showing that defendants operate as "bandit taxis." Accordingly, while we grant the complaint insofar as it asks a cease and desist order as to certain practices of defendants, we deny the complaint's request that defendants' charter-party carrier authority be revoked.

11/4/02 A.99-08-050 Application of Wickland Pipelines LLC for Authorization to Increase Membership Contributions and for Approval of Rates and Conditions of Service. **Alternate Draft Decision of Commissioner Wood.**

ADVICE LETTER FILINGS

NONE

MISCELLANEOUS TRANSPORTATION ITEMS
Filings with Consumer Protection and Safety Division

10-31-02 TCP 11072-B Mitchell Gunnar Lance, dba SUV Limousine, Mailing Address: 6381 Amber Lake Avenue, San Diego, CA 92119; Terminal Address: Same, Tel. No.: 619-787-1519; Application filed for Class B Charter-Party authority.

11/01/02 RCP 15888-B Sergio Alfaro, dba S A V Tours and Charters, Mailing Address: 6615 Chimineas Avenue, Reseda, CA 91335; Terminal Address: 4957 Sheila Street, Commerce, CA 90040, Tel. No.: 818-613-7033; Application filed for Class B Charter-Party authority.

11/01/02 TCP 15889-A Leonard James Maffioli, Jr., dba Fun Quest, Mailing Address: 1043 Cannon Road, Riverside, CA 92506; Terminal Address: Same, Tel. No.: 909-454-0400; Application filed for Class A

Charter-Party authority.

MISCELLANEOUS TELECOMMUNICATION MATTERS

NONE

TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

11/4/02	A.02-03-016	Galvin - Application of Southern California Edison Company (U 338-E) for Approval of Fuel Hedging Cost recovery.
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ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

A.01-04-007	Wong - In the Matter of the Application of Southern California Gas Company for Authority Pursuant to Public Utilities Code Section 851 to Sell Cushion Gas in its Aliso Canyon and La Goleta Storage Fields. (U 904 G), Oral Argument held and concluded
I.01-04-026	Jones - Order Instituting Investigation into the Revenue Requirement of Roseville Telephone Company Pursuant to Decision 00-11-039, Evidentiary Hearing held and continued to November 5
C.02-10-026	Patrick – Jerome T. Pasto, Complainant, vs. Pacific Bell, Defendant, Expedited Complaint Procedure originally set for December 4 reset to December 3

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

NONE

LAW AND MOTION

Law and Motion Hearings are held before **Administrative Law Judge Sarah R. Thomas** at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

11/18/02	10:00 a.m.	NONE SCHEDULED
11/25/02	10:00 a.m.	NONE SCHEDULED
12/2/02	10:00 a.m.	NONE SCHEDULED

FINAL ORAL ARGUMENTS (FOA)

NONE

HEARINGS

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

<i>(PHC) = Prehearing Conference</i>	<i>(WS) = Workshop</i>
<i>(EH) = Evidentiary Hearing</i>	<i>(FPH) = Full Panel Hearing</i>
<i>(PPH) = Public Participation Hearing</i>	<i>(AH) = Arbitration Hearing</i>
<i>(IAM) = Initial Arbitration Meeting</i>	<i>(CA) = Closing Argument</i>
<i>(M) = Mediation</i>	<i>(LM) = Law & Motion</i>
<i>(ECP) = Expedited Complaint Procedure</i>	<i>(OA) = Oral Argument</i>
<i>(OSC) = Order to Show Cause</i>	

11/5/02 ALJ Jones Comr Peevey	9:00 a.m. I.01-04-026	(EH) - Order Instituting Investigation into the Revenue Requirement of Roseville Telephone Company Pursuant to Decision 00-11-039, Commission Courtroom, San Francisco (also November 6 – 8 and November 12 – 15)
11/6/02 ALJ Wong Comr Lynch	11:00 a.m. A.01-06-027	(PHC) - In the Matter of the Application of Southern California Gas Company Regarding Year Seven (2000-2001) Under Its Experimental Gas Cost Incentive Mechanism and Related Gas Supply Matters. (U 904 G), Commission Courtroom, San Francisco
11/6/02 ALJ Wong Comr Lynch	1:30 p.m. A.02-06-035	(PHC) - In the Matter of the Application of Southern California Gas Company (U 904 G) Regarding Year Eight (2001-2002) of Its Gas Cost Incentive Mechanism, Commission Courtroom, San Francisco
11/6/02 ALJ Reed Comr Brown	3:00 p.m. R.93-04-003	(PHC) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture Development of Dominant Carrier Networks, and
	I.93-04-002	(PHC) – Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, and
	R.95-05-043	(PHC) – Order Instituting Rulemaking on the Commission's Own Motion Into Competition for Local Exchange Service, and
	I.95-05-044	(PHC) – Order Instituting Investigation on the Commission's Own Motion Into Competition for Local Exchange Service, Commission Courtroom, San Francisco
11/7/02 ALJ Rosenthal Comr Wood	10:00 a.m. A.02-07-047	(TELEPHONIC PHC) – Application of Phuong Transportation, Inc., for authority to operate as a passenger stage corporation between points in Pomona, Westminster, San Gabriel, San Jose, and Oakland, and to establish a Zone of Rate Freedom, Commission Room 5012, San Francisco

11/7/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 3) – Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Energy Resources, Conservation and Development Commission (CEC) Building Hearing Room A 1516 9th Street Sacramento, CA
11/8/02 ALJ Evans Comr Duque	10:00 a.m. A.02-07-021	(PHC) – In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will Convey Water Rights in the Culver City Customer Service Area, Commission Courtroom, San Francisco
11/12/02 ALJ Galvin Comr Peevey	10:00 a.m. A.02-03-046	(EH) – In the Matter of the Application of Apple Valley Ranchos Water Company (U 346 W) for Authority to Increase Rates (as authorized by NOI 02-03-017): In 2003 of \$2,775,000 or 27.1% above revenues generated by present rates, in 2004 of \$497,839 or 3.8% above the revenues generated by the rates proposed for 2003, in 2005 of \$507,422 or 3.7% above the 2004 revenue requirements, Commission Courtroom, San Francisco (also November 13 – 15 as needed)
11/12/02 ALJ Wetzell Comr Wood	10:00 a.m. A.02-05-004	(EH) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and

	I.02-06-002	(EH) - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, Commission Courtroom, San Francisco (also November 13 – 15; November 18 – 22; November 25 – 27; December 2 – 6; December 9 – 13; December 16 – 20; December 23 – 24, 26 – 27; December 30 – 31, January 2 – 3; January 6 – 10; January 13 – 17; and January 21 – 24)
11/12/02 ALJ Carew Comr Peevey	10:00 a.m. R.02-06-001	(WS – Working Group 2) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Energy Resources, Conservation and Development Commission (CEC) Building Hearing Room A 1516 9th Street Sacramento, CA
11/13/02 ALJ DeBerry Comr Peevey	10:00 a.m. A.02-09-015	(PHC) – In the Matter of the Application of BLUE & GOLD FLEET, L.P. FOR AN order Authorizing the Discontinuance of Alameda/Oakland Passenger Vessel Service Upon completion of its Contractual Agreement to Provide such Service, Commission Courtroom, San Francisco
11/15/02 ALJ McVicar Comr Peevey	10:00 a.m. I.02-04-027	(PHC) - Order Instituting Investigation into the Operations and Practices of Verizon (formerly GTE California Incorporated) with respect to its Individual Case Basis Contracts, Commission Courtroom, San Francisco

11/18/02 ALJ Ryerson Comr Peevey	10:00 a.m. A.02-03-027	(EH) - In the Matter of the Application of: ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY (ACTA) for an order authorizing the construction of the Pacific Coast Grade Separation over the ACTA main tracks and the former SPTC San Pedro Branch [CPUC numbers 114-16.40A and 001-BG-501.30-A], the construction of a temporary at-grade detour crossing over the former SPTC San Pedro Branch, in the City of Los Angeles, California, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA (also November 19)
11/18/02 ALJ Rosenthal Comr Duque	10:00 a.m. A.02-08-006	(PPH and PHC) – Application of Union Pacific Railroad Company for an Order Declaring and Adjudicating the Legal Status of the Cal Poly Crossing at Milepost 246.9 in the City of San Luis Obispo and County of San Luis Obispo, State of California, the Necessity for Keeping the Crossing Open, and the Need For Safety Improvements and Apportionment Of Costs, Church of Jesus Christ Latter-day Saints 651 Foothill Blvd San Luis Obispo, CA
11/18/02 ALJ McVicar Comr Peevey	10:00 a.m. I.02-04-027	(EH) - Order Instituting Investigation into the Operations and Practices of Verizon (formerly GTE California Incorporated) with respect to its Individual Case Basis Contracts, Commission Courtroom, San Francisco (also November 19 – 22 and November 25 – 27)
11/19/02 ALJ Bemederfer Comr Peevey	10:00 a.m. A.02-07-050	(PHC) - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service, Commission Courtroom, San Francisco
11/19/02 ALJ Walker Comr Brown	10:00 a.m. C.02-07-008	(PHC) – Teltrex Management Corporation, Complainant, vs. Pacific Bell, Defendant, Commission Courtroom, San Francisco

11/20/02 ALJ Patrick	10:00 a.m. C.02-10-015	(ECP) – Martin Thisner, Complainant, vs. Pacific Gas and Electric Company, Defendant, Commission Courtroom, San Francisco
11/20/02 ALJ Jones Comr Brown	2:00 p.m. and 7:00 p.m. C.02-06-010	(PPH) - County of Nevada, Complainant, vs. SBC Pacific Bell, Defendant, Penn Valley Fire Station 10513 Spenceville Road Penn Valley, CA
11/21/02 ALJ Rosenthal Comr Peevey	10:00 a.m. A.02-02-018	(EH) - Application of THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY for an order closing Avenue 13, CPUC Crossing No. 2-1016.3, D.O.T. No. 028-603-E, at its intersection with Applicant’s main track Madera County, California, Commission Courtroom, San Francisco (also November 22)
11/21/02 ALJ Jones Comr Brown	10:00 a.m. C.02-06-010	(EH) - County of Nevada, Complainant, vs. SBC Pacific Bell, Defendant, Penn Valley Fire Station 10513 Spenceville Road Penn Valley, CA
11/22/02 ALJ Barnett	12:00 p.m. C.02-09-041	(ECP) – Rex H. Kilgore for Hock-It-To-Doc, Inc. vs. Allegiance Telecom of California, Inc., Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
11/22/02 ALJ Barnett	1:00 p.m. C.02-10-002	(ECP) – Howard Kavoussi, complainant, vs. Southern California Edison Company, defendant, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
11/22/02 ALJ Barnett	1:30 p.m. C.02-08-031	(ECP) – Herbert B. and Maunaloa T. Avery vs. Southern California Gas Company, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA

11/25/02 ALJ Simon Comr Brown	10:00 a.m. C.02-06-037	(EH) - Saul Martinez, Complainant, vs. Southern California Edison Company, Defendant, Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
12/3/02 ALJ Duda Comr Wood	9:00 a.m. A.01-02-024	(WS) - Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.01-02-035	(WS) – Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-031	(WS) – Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-032	(WS) – Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
	A.02-02-034	(WS) – Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and

	A.02-03-002	(WS) – Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, December 3 at Commission Courtroom, San Francisco and December 4 - 5 at Hiram Johnson State Building, 455 Golden Gate Avenue, San Francisco
12/3/02 ALJ Walker Comr Peevey	10:00 a.m. A.02-05-033	(EH) - In the matter of the Application of Suburban Water Systems (U 339-W) for authority to increase rates: In 2003 \$9,919,002, or 27.2% above the revenues generated by present rates, in 2004 \$1,447,692 or 3.1% above the revenues generated by the rates proposed for 2003, in 2005 \$1,597,008 or 3.3% above the 2004 revenue requirements, Commission Courtroom, State Office Building 320 West 4th Street, Suite 500 Los Angeles, CA (also December 4 - 6)
12/3/02 ALJ Patrick	1:00 p.m. C.02-10-026	(ECP) – Jerome T. Pasto, Complainant, vs. Pacific Bell, Defendant, Employment Development Department 722 Capitol Mall, Room 4079 Sacramento, CA
12/4/02 ALJ Carew Comr Peevey	2:00 p.m. R.02-06-001	(WS – Working Group 1) - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, Commission Auditorium, San Francisco
12/9/02 ALJ Maloney Comr Duque	9:00 a.m. C.02-05-035	(EH) - Breuer, Inc., Complainant, vs. Del Oro Water Company, Inc., Defendant, Commission Courtroom, San Francisco (also December 10 and December 12)

12/9/02 ALJ Vieth Comr Wood	9:00 a.m. I.02-06-003	(EH) - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, Commission Courtroom, San Francisco (also December 10, December 12 – 13, December 16 – 20, and December 23)
12/12/02 ALJ Simon Comr Peevey	10:00 a.m. A.02-05-065	(EH) - In the Matter of the Application of the CITY OF RICHMOND for an order preserving the wigwag warning devices at the Richmond Avenue Crossing in the City of Richmond, Contra Costa County, California, Commission Courtroom, San Francisco (also December 13)
12/17/02 ALJ Walker Comr Brown	1:30 p.m. C.02-07-044	(PHC) - The Utility Consumers' Action Network (UCAN), Complainant, vs. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants, Commission Courtroom, San Francisco
12/18/02 ALJ Ryerson Comr Peevey	9:30 a.m. I.97-07-018	(EH) - Investigation on the Commission's Own Motion Into the Operations, Practices, Rates and Charges of Hillview Water Company, Inc., a corporation, and Roger L. Forrester, the principal shareholder and president, Respondents, Oakhurst Community Center 39800 Road 425B Oakhurst, CA (also December 19)
1/14/03 ALJ Econome Comr Duque	9:00 a.m. A.02-07-025	(EH) - Application of Bakman Water Company (U 219 W) for Authority to: (1) Remove the Proceeds of Water Contamination Lawsuits From Contributions-In-Aid-of Construction, (2) Increase Rate Base, and (3) Recover Increased Revenue Requirements in Rates, Commission Courtroom, San Francisco (also January 15)

1/15/03 ALJ Sullivan Comr Brown	10:00 a.m. A.02-05-034	(EH) – Application of Gary Wayne Shurtliff to Obtain a Household Goods Carrier Permit Pursuant to the Household Goods Carrier Act, contained in Division 2, Chapter 7 of the California Public Utilities Code (sections 5101 et. Seq.), Commission Courtroom, State Office Building 320 West 4th Street Los Angeles, CA
1/27/03 ALJ Bushey Comr Brown	10:00 a.m. A.01-09-012	(EH) - In the Matter of the Application of the City of San Diego for an order authorizing modification of an existing at-grade crossing on three light rail vehicle tracks and one heavy rail track of the Metropolitan Transit Development Board, and one heavy rail track of the Burlington Northern and Santa Fe Railway Company, at Park Boulevard, in the City of San Diego, San Diego County, California, Commission Courtroom, San Francisco (also January 28 – 31)
1/28/03 ALJ Simon Comr Wood	10:00 a.m. C.02-07-020	(EH) - City Of Delano, Complainant, vs. Union Pacific Railroad Company, Defendant, The Delano City Hall Council Chambers 1015 11th Avenue Delano, CA (also January 29 – 31)
2/25/03 ALJ Barnett Comr Lynch	10:00 a.m. A.01-06-041	(EH) - In the Matter of the Application of SIERRA PACIFIC POWER COMPANY (U-903-E) for an Order Authorizing an Immediate Interim Rate Increase, Subject to Refund, and for Consideration of a Rate Stabilization Plan, Commission Courtroom, San Francisco (also February 26 – 28)
3/3/03 ALJ Duda Comr Wood	10:00 a.m. A.01-02-024	(EH) - Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and

- A.01-02-035 **(EH)** - Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
- A.02-02-031 **(EH)** - Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
- A.02-02-032 **(EH)** - Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
- A.02-02-034 **(EH)** - Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050, and
- A.02-03-002 **(EH)** - Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050,
Commission Courtroom, San Francisco
(also March 4 - 7)

3/10/03 ALJ Wong Comr Lynch	10:00 a.m. A.01-10-011	(EH) - Application of Pacific Gas and Electric Company Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016. (U 39 G), Commission Courtroom, San Francisco (also March 11-14 and March 17-19 if needed at 9:00 a.m.)
3/24/03 ALJ Kenney Comr Lynch	10:00 a.m. R.01-09-001	(EH) - Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, and
	I.01-09-002	(EH) - Order Instituting Investigation on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, Commission Courtroom, San Francisco (also March 25 – 28, April 1 – 4, and April 7 – 8 at 9:00 a.m.)

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

All-Party Meeting – A01-03-036

November 8, 2002

10 am – 11 am

California Public Utilities Commission

505 Van Ness Avenue, Conference Room 5305

San Francisco

There will be an All-Party meeting with Commissioner Henry M. Duque and Laura Krannawitter, Advisor to Commissioner Duque, to discuss ALJ Michelle Cooke's Proposed Decision on the Valley-Rainbow 500 KV Interconnection Project. All parties are invited to meet with Commissioner Duque on this matter. No individual meetings will be granted. All participants must provide Commissioner Duque's office with the names of individuals who will be participating, their affiliation, and telephone/fax number to be reached in the event of changes to this meeting. Please contact Mary Lou Tousey at (415) 703-2593 or e-mail her at mlt@cpuc.ca.gov NO LATER than the end of business on Thursday, November 7, 2002, so that there is adequate time to advise the Commissioner's office of the attendees.

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

10/18/02 R02-01-011 Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and Decision 01-09-060

Summary: On October 15, 2002, Mark Huffman, Attorney, Pacific Gas and Electric Company (PG&E), participated in an all-party meeting with Cmmr. Duque in San Francisco. Also present were Laura Krannawitter, advisor to Cmmr. Duque, Bill Stock, Chief, Regulatory Relations, for PG&E, and other attendees listed on the attachment to the notice. Huffman stated that PG&E generally supports the proposed decision, more specifically, PG&E agrees that a surcharge cap needs to be in place, and that the current record is not strong enough to create a basis for a specific cap. Huffman suggested to hold expedited workshops to develop an appropriate record in this regard. Regarding any shortfall in the surcharge, Huffman stated that PG&E cannot finance such a shortfall and that here, too, the record does not provide a clear basis for determining an appropriate interest rate for such financing. Huffman stated that costs were incurred to keep the system operation; therefore, all should share responsibility for these costs.

Filer: Pacific Gas and Electric Company

Contact: Michelle Brown

Phone: (415) 972-5611

email: mtt3@pge.com

Summary: On October 15, 2002, Thomas Beach of the consulting firm Crossborder Energy represented the California Manufacturers & Technology Association (CMTA) at an all-party meeting with Cmmr. Duque in San Francisco. Beach referred to the proposed decision (PD) of ALJ Pulsifer and stated that the CLECA method will meet

the Commission's goal of designing an exit fee that keeps bundled ratepayers indifferent to a September 20, 2001 suspension date for direct access (DA). Beach also stated that CMTA also supports the PD's adoption of a 'true-up' to reflect actual Department of Water Resources costs. Beach expressed CMTA's concern that the CLECA method is very complex and argued that using the CLECA method based only on a backcast would simplify the implementation. Beach commented that the PD misapplies the CMTA approach to calculate the 'Tail CTC' component of the CLECA exit fee. Beach also noted that the 2.7 c/k Wh cap is the highest cap that will preserve a significant amount of DA load. Beach stated that CMTA supports the Edison/CLECA idea to use DA customer's share of the additional \$3.3 B in bond proceeds to fund at least a portion of the DA exit fee covering October 2001 through December 2002. Beach also stated that CMTA supports Cmmr. Brown's alternate in the bond charge case.

Filer: California Manufacturers & Technology Association

Contact: Christa Goldblatt

Phone: (510) 649-9790

Summary: On October 15, 2002, Thomas Beach of the consulting firm Crossborder Energy, representing the California Manufacturers & Technology Association (CMTA), met with Cmmr. Peevey in San Francisco; and on October 16, 2002, e-mailed a summary of the points made during the meeting to Kevin Coughlan, advisor to Cmmr. Peevey. Beach referred to the proposed decision (PD) of ALJ Pulsifer and stated that the CLECA method will meet the Commission's goal of designing an exit fee that keeps bundled ratepayers indifferent to a September 20, 2001 suspension date for direct access (DA). Beach also stated that CMTA also supports the PD's adoption of a 'true-up' to reflect actual Department of Water Resources costs. Beach expressed CMTA's concern that the CLECA method is very complex and argued that using the CLECA method based only on a backcast would simplify the implementation. Beach commented that the PD misapplies the CMTA approach to calculate the 'Tail CTC' component of the CLECA exit fee. Beach also noted that the 2.7 c/k Wh cap is the highest cap that will preserve a significant amount of DA load. Beach stated that CMTA supports the Edison/CLECA idea to use DA customer's share of the additional \$3.3 B in bond proceeds to fund at least a portion of the DA exit fee covering October 2001 through December 2002. Beach also stated that CMTA supports Cmmr. Brown's alternate in the bond charge case.

Filer: California Manufacturers & Technology Association

Contact: Christa Goldblatt

Phone: (510) 649-9790

10/18/02 R01-10-024 Order Instituting Rulemaking to Establish Policies and
Cost Recovery Mechanisms for Generation
Procurement and Renewable Resource Development

Summary: On October 15, 2002, Joseph E. Ronan, Senior Vice President of Government and Regulatory Affairs, Calpine Corporation (Calpine), met with Cmmr. Brown, Cmmr. Duque and Cmmr. Peevey in three separate meetings in San Francisco. At the meeting with Cmmr. Brown also present were David Gamson, advisor to Cmmr. Brown, and Jeremiah Hallisey of Hallisey and Johnson, with Cmmr. Duque – Laura

Krannawitter and Lynne McGhee, advisors to Cmmr. Duque, and with Cmmr. Peevey – Kevin Coughlan and Julie Fitch, advisors to Cmmr. Peevey. Bradley S. Carroll, Senior Counsel, Pack Pigott, Director of Renewable Affairs, and Steven S. Schleimer, Director of Market and Regulatory Affairs, of Calpine, participated in all three meetings. Written material (attached to the notice) was used. The Calpine representatives addressed the environmental benefits of geothermal power as a renewable resource, and urged that any Commission decision on utility procurement recognize the desirability of ensuring that geothermal resources be made available to all consumers, and also be consistent with the terms of SB 1078.

Filer: Calpine Corporation

Contact: Pepper Rauch

Phone: (415) 276-6525
