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# ***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 4<sup>th</sup> 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/](http://www.cpuc.ca.gov/daily_calendar_archive/)

## **Daily Calendar Monday, December 30, 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
- Miscellaneous Transportation Items
- 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**

<b>December 30, 2002</b>	<b>11 am</b>	<b>San Francisco (Continuation Meeting of the 12/17/02 Agenda)</b>
<b>January 7, 2003</b>	<b>1:30 pm</b>	<b>San Francisco (Closed Session Only)</b>
January 16, 2003	10 am	San Francisco
January 30, 2003	10 am	San Francisco
February 13, 2003	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.*

January 13, 2003	1:30 pm	San Francisco
January 27, 2003	1:30 pm	San Francisco
February 10, 2003	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](mailto: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

4<sup>th</sup> 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.

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**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.

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**COMMISSIONER OFFICE HOURS**

NONE

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**PUBLIC MEETING & WORKSHOPS**

**Public Meeting Notice – Deaf and Disabled Telecommunications Program**

<p><i>Deaf and Disabled Telecommunications Program Advisory Committee (DDTPAC) January 7, 2003 10 am – 4 pm</i></p>	<p><i>DDTP Offices 505 14<sup>th</sup> Street, Suite 400 Oakland</i></p>
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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 December 2002 DDTPAC Meeting, II.) Approval of Agenda, III.) Administrative Business, Public Input (1:00 p.m.), B.) Report from the Chair, C.) Executive Director's Report, IV.) Financial Business, V.) Other Business, A.) Report and Recommendation from Finance Subcommittee, B.) Review of PNS Contract, C.) Appointment of Interviewing Subcommittee, D.) Extension of CRS Master Agreement, E.) Review of Recommendation from CRS RFP Subcommittee, F.) Review of Resolution T-16703, G.) Review of AB 1734 Transition Issues, and VI.) DDTP Departmental Activity Reports.

**DDTPAC Meeting Information:**

For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 voice or (510) 302-1101 TTY or via e-mail at [katyf@ddtp.org](mailto:katyf@ddtp.org).

**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.

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

**NONE**

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**NEW FILINGS**

12/18/02	A02-12-036	Application for Approval of the Transfer by Sale of Passenger Stage Certificate No.12487 from seller, Pablo and Rubileen Chavez dba Airporter Cornerstone Express Service, to Buyer, Cornerstone Airporter, LLC, dba Airporter Cornerstone Express Service pursuant to the provisions of Public Utilities Code Section 851 et seq.; (Address for both seller and buyer: 1651 Woodrose Avenue, Santa Cruz, CA 95062; (831) 477-0980)
12/26/02	C02-12-037	The Colony Mobile Home Park, Ltd., a California Limited Partnership (“The Colony”), and the Western Manufactured Housing Community Association (“WMHCA”) vs. Southern California Edison Company (U 338-E) (“Edison”), Pacific Gas and Electric Company (U 39-M) (“PG&E”), Southern California Gas Company (U 904-G) (“SoCal Gas”), San Diego Gas & Electric Company (U 902-M) (“SDG&E”); and Does 1 through 10, inclusive, defendants, for the following orders, to wit: (1) That each named defendant, namely, Edison, PG&E, SoCal Gas and SDG&E be ordered to provide allowances for line extensions on the basis of the residential dwelling units located in a mobilehome park; and (2) that Edison be ordered to perform the electrical work more specifically described in the complaint on the property of The Colony for the sum of \$279.40 only, and that The Colony not be required to pay the additional sum of \$25,154.89 sought by Edison.

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

**NONE**

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

**NONE**

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**ADVICE LETTER FILINGS**

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

To protest a filing, mail the original letter/telegram to the Chief of the appropriate division (i.e., "Chief, [Energy, Telecommunications or Water] Division"), to be received no later than 20 days after the date the Advice Letter was filed.

"Effective TBD" means that the date is to be determined by further Commission action. A date listed as "anticipated effective" may be subject to change. An Advice Letter Supplement is not a new filing, and there is no protest period unless indicated.

11/27/02	Telecom 10293	VERIZON CALIFORNIA, INC., Accounting change Rule 32 ( <b>effective TBD</b> )
12/06/02	Telecom 10293-A	VERIZON CALIFORNIA, INC., Supplements A.L.No.10293, Accounting change Rule 32 ( <b>effective TBD</b> )
12/20/02	Energy 3217G	SOUTHERN CALIFORNIA GAS COMPANY, Noncore fixed cost account, 100 percent balancing ( <b>anticipated effective 01/01/03</b> )
12/23/02	Energy 3219G	SOUTHERN CALIFORNIA GAS COMPANY, Daily balancing standby rates for December 17-23, 2002 ( <b>anticipated effective 12/23/02</b> )
12/24/02	Energy 2327E	PACIFIC GAS & ELECTRIC COMPANY, Establishment of Electric Preliminary Statements CN-Energy Resource Recovery Account and CO-Modified Transition Cost Balancing Account ( <b>anticipated effective 01/01/03</b> )
12/24/02	Energy 2328E	PACIFIC GAS & ELECTRIC COMPANY, Tariff Revisions to Implement the Interim Cap of 2.7 Cents Per Kilowatt-Hour Direct Access Cost Responsibility Surcharge ( <b>anticipated effective 01/01/03</b> )

12/26/02	Energy 1461E	SAN DIEGO GAS & ELECTRIC COMPANY, Implementation of the direct access cost responsibility surcharge ( <b>anticipated effective 01/01/03</b> )
12/26/02	Energy 1462E 1357G	SAN DIEGO GAS & ELECTRIC COMPANY, Update of utility reimbursement account fees in compliance with Resolution M-4807 ( <b>anticipated effective 01/01/03</b> )
12/26/02	Energy 3197G-A	SOUTHERN CALIFORNIA GAS COMPANY, Supplements A.L.No.3197G, Annual update of public purpose program surcharge ( <b>anticipated effective 01/01/03</b> )
12/27/02	Energy 19E	MOUNTAIN UTILITIES, Increase in fees paid by utility, reference CPUC reimbursement fee, compliance with M-4807 ( <b>anticipated effective 01/01/03</b> )
12/27/02	Energy 19E-A	MOUNTAIN UTILITIES, Supplements A.L.No.19E, Increase in fees paid by utility, reference CPUC reimbursement fee, compliance with M-4807 ( <b>anticipated effective 01/01/03</b> )
12/27/02	Energy 3221G	SOUTHERN CALIFORNIA GAS COMPANY, Year 2002 end of year consolidated rate filing ( <b>anticipated effective 01/01/03</b> )
12/27/02	Energy 674G	SOUTHWEST GAS CORPORATION, Increase in reimbursement account fee - compliance with M-4807 ( <b>effective TBD</b> )
12/27/02	Energy 675G	SOUTHWEST GAS CORPORATION, Lowering of the Income Tax Component for Contributions and Advances ( <b>effective TBD</b> )

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**ADVICE LETTER SUSPENSIONS (Pursuant to M-4801, 04/19/01)**

To inquire about a suspension, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

**NONE**

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**ADVICE LETTER PROTESTS**

To inquire about a protest, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

**NONE**

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**MISCELLANEOUS TRANSPORTATION ITEMS**  
**Filings with Consumer Protection and Safety Division**

12/23/02          TCP 16032-B          Trialpha Executive Transportation; Attn: T. Bartholomew; Mailing Address: P O Box 5316, Glendale CA 91201; Terminal Address: 17622 Bretton Woods Place, Riverside CA 92504; Tel. No. 909-789-2248; Application filed for Class B Charter-Party authority.

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

<b><u>Date Filed</u></b>	<b><u>Subject</u></b>
December 23, 2002	California High-Cost Fund-A Administrative Committee Fund: Notice of filing of payment letter(s) for payments to be made on January 6, 2003. Protests or comments may be submitted. All protests and comments must be filed by 12:00 p.m. on or before December 30, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at: <a href="http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm">http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm</a> or contact Hassan Mirza at (415) 703-1638.
December 23, 2002	The California High-Cost Fund-B Administrative Committee Fund: Notice of filing of payment letter(s) for payments to be made on January 6, 2003. Protests or comments may be submitted. All protests and comments must be filed by 12:00 p.m. on or before December 30, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at: <a href="http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm">http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm</a> or

contact Hassan Mirza at (415) 703-1638.

December 23,  
2002

The California Teleconnect Fund Administrative Committee Fund: Notice of filing of payment letter(s) for payments to be made on January 6, 2003. Protests or comments may be submitted. All protests and comments must be filed by 12:00 p.m. on or before December 30, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at: <http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm>, or you may contact Robert Weissman at (415) 703-1989.

December 23,  
2002

The Universal Lifeline Telephone Service (ULTS) Trust Administrative Committee Fund: Notice of filing of payment letter(s) for payments to be made on January 6, 2003. Protests or comments may be submitted. All protests and comments must be filed by 12:00 p.m. on or before December 30, 2002 with John M. Leutza, Director of the Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102. These payment letters are available at: <http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm> or contact Hassan Mirza at (415) 703-1638.

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**TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS**

12/20/02	A.02-03-046	Galvin - 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.
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**ADJOURNMENTS \* RESETTINGS \* HEARINGS CONCLUDED**

NONE

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**REMOVALS FROM CALENDAR**

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NONE

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NEW SETTINGS

NONE

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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.

12/30/02	10:00 a.m.	NONE SCHEDULED
1/6/03 ALJ Thomas Comr Wood	10:00 a.m. I.02-06-003	<b>(LM)</b> - 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, <b>Commission Courtroom, San Francisco</b>
1/6/03 ALJ Vieth Comr Wood	11:00 a.m. I.02-06-003	<b>(LM)</b> - 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, <b>Commission Courtroom, San Francisco</b>
1/13/03	10:00 a.m.	NONE SCHEDULED

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1/6/03 ALJ Vieth Comr Wood	11:00 a.m. I.02-06-003	<b>(LM)</b> - 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, <b>Commission Courtroom, San Francisco</b>
1/7/03 ALJ Carew Comr Peevey	9:30 a.m. R.02-06-001	<b>(WS – Working Group 1)</b> - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, <b>Commission Auditorium, San Francisco</b>
1/7/03 ALJ Simon Comr Brown	10:00 a.m. C.02-11-011	<b>(PHC)</b> - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Econome Comr Wood	9:00 a.m. A.02-11-020	<b>(PHC)</b> - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the REDWOOD VALLEY district by \$566,100, or 78.3%, in 2003, by \$205,600 or 16.0%, in 2004, by \$200,300, or 13.4%, in 2005, and \$201,000, or 11.9% in 2006, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Galvin Comr Wood	9:00 a.m. A.02-11-021	<b>(PHC)</b> - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the ANTELOPE VALLEY district by \$60,300, or 5.8%, in 2003, by \$130,600 or 11.8%, in 2004, by \$126,900, or 10.2%, in 2005, and \$127,500, or 9.3% in 2006, <b>Commission Courtroom, San Francisco</b>

1/8/03 ALJ Galvin Comr Wood	9:00 a.m. A.02-11-022	<b>(PHC)</b> - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the KERN RIVER VALLEY district by \$913,200, or 46.9%, in 2003, by \$148,800 or 5.3%, in 2004, by \$137,500, or 4.6%, in 2005, and \$139,000, or 4.4% in 2006, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Walker Comr Wood	10:00 a.m. A.99-10-010	<b>(PHC)</b> - In the Matter of the Application of Verizon California Incorporated (U 1002 C) for Authority Pursuant to Public Utilities Code Section 851 to Lease Space to Third Parties and Affiliates, and to Share Certain Assets with Affiliates, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Grau Comr Brown	10:00 a.m. C.02-08-033	<b>(TELEPHONIC – PHC)</b> Michael R. O’Gorman, Complainant, vs. AT&T Broadband Phone of California, LLC, Defendant, <b>Commission Room 5011, San Francisco</b>
1/9/03 ALJ Patrick	10:00 a.m. C.02-11-043	<b>(ECP)</b> - Christel Osburn, Complainant, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>
1/9/03 ALJ Terkeurst Comr Lynch	10:00 a.m. I.02-11-040	<b>(PHC)</b> - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, <b>Commission Courtroom, San Francisco</b>
1/9/03 ALJ Barnett Comr Wood	2:00 p.m. A.02-05-004	<b>(PHC)</b> - 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	<b>(PHC)</b> - Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, <b>Commission Courtroom, San Francisco</b>

1/10/03 ALJ Terkeurst Comr Lynch	10:00 a.m. A.02-09-043	<b>(PHC)</b> - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project, <b>Commission Courtroom, San Francisco</b>
1/14/03 ALJ Walker Comr Brown	10:00 a.m. C.02-07-008	<b>(PHC)</b> – Teltrex Management Corporation, Complainant, vs. Pacific Bell, Defendant, <b>Commission Courtroom, San Francisco</b>
1/14/03 ALJ Gottstein Comr Lynch	10:00 a.m. I.00-11-001	<b>(PHC)</b> - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply. <b>Commission Courtroom, San Francisco</b>
1/15/03 ALJ Sullivan Comr Brown	10:00 a.m. A.02-05-034	<b>(EH)</b> – 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.), <b>Commission Courtroom, State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>
1/16/03 ALJ Rosenthal Comr Peevey	10:00 a.m. A.02-02-018	<b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco (also January 17)</b>
1/17/03 ALJ Evans Comr Duque	10:00 a.m. A.02-01-004	<b>(PHC)</b> - In the Matter of the Application of the KERMEN TELEPHONE CO. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, <b>Commission Courtroom, San Francisco</b>

1/17/03 ALJ Barnett	12:00 Noon C.02-10-041	<b>(ECP)</b> - Tangiers Motel, c/o Rajubhai Patel, Complainant, vs. Pacific Bell, Defendant, <b>Commission Courtroom, State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>
1/17/03 ALJ Barnett	1:00 p.m. C.02-11-029	<b>(ECP)</b> - Ronald D. Capizzi, Complainant, vs. Pacific Bell Telephone Company, Defendant, <b>Los Angeles State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>
1/21/03 ALJ Long Comr Peevey	10:30 a.m. A.02-10-031	<b>(PHC)</b> - In the Matter of the Application of PACIFICORP (U 901-E) for Exemption from the Requirements of California Public Utilities Code Section 851, <b>Commission Courtroom, San Francisco</b>
1/22/03 ALJ Mattson Comr Peevey	9:30 a.m. I.02-04-026	<b>(EH)</b> - Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan for 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, Case No. 01-30923 DM, <b>Commission Courtroom, San Francisco</b>
1/22/03 ALJ Halligan Comr Peevey	10:00 a.m. A.02-10-040	<b>(PHC)</b> - In the Matter of the Application of San Diego Gas and Electric Company to Modify and Extend Permanent Gas Procurement Performance-Based Rate Making Mechanism, <b>Commission Courtroom, San Francisco</b>
1/22/03 ALJ Patrick	1:00 p.m. C.02-11-052	<b>(ECP)</b> – Beverly Robinson, Complainant, vs. Frontier, a Citizens Communications Company, Defendant, <b>Employment Development Department 722 Capitol Mall, Room 4079 Sacramento, CA</b>

1/23/03 ALJ McVicar Comr Wood	2:00 p.m. & 7:00 p.m. A.02-09-030	<b>(PPH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Sacramento District to increase revenues by \$8,198,700 in the year 2003; and \$1,955,000 in the year 2004, and
	A.02-09-031	<b>(PPH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Larkfield District to increase revenues by \$512,800 in the year 2003; and \$96,900 in the year 2004, and
	A.02-09-032	<b>(PPH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Felton District to increase revenues by \$410,200 in the year 2003; \$101,200 in 2004; and \$31,000 in the year 2005, and
	A.02-09-033	<b>(PPH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Montara District to increase revenues by \$234,200 in the year 2003; \$38,200 in 2004; and \$45,000 in the year 2005, <b>Cordova Recreation &amp; Park District Building 2197 Chase Drive Rancho Cordova, CA</b>

**Also:**

1/27/03 2:00 p.m.& 7:00 p.m.	<b>Monterey Conference Center One Portola Plaza Monterey, CA</b>
1/28/03 2:00 p.m. & 7:00 p.m.	<b>Half Moon Bay Community Center 535 Kelly Avenue Half Moon Bay, CA</b>
1/29/03 2:00 p.m. & 7:00 p.m.	<b>Felton Community Hall 6191 Highway 9 Felton, CA</b>

		1/30/03 2:00 p.m. & 7:00 p.m.	<b>Luther Burbank Center Room: Concert Chamber 50 Mark West Springs Road Santa Rosa, CA</b>
1/24/03 ALJ Sullivan Comr Wood	9:00 a.m. – 1:00 p.m. R.02-11-039		<b>(WS)</b> - Rulemaking to implement the provisions of Public Utilities Code § 761.3 enacted by Chapter 19 of the 2001-02 Second Extraordinary Legislative Session, <b>Commission Auditorium, San Francisco</b>
1/27/03 ALJ Bushey Comr Brown	10:00 a.m. A.01-09-012		<b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco (also January 28 – 31)</b>
1/29/03 ALJ Patrick	10:00 a.m. C.02-12-005		<b>(ECP)</b> - Lee Berlinsky, Complainant, vs. SBC Pacific Bell, Defendant, <b>Commission Courtroom, San Francisco</b>
1/30/03 ALJ Barnett Comr Duque	10:00 a.m. C.01-06-040		<b>(EH)</b> - Dr. Augusto Baronio Martins, Complainant, vs. Cingular Wireless (formerly known as Pacific Bell Wireless), Defendant, <b>Commission Courtroom, San Francisco</b>
2/3/03 ALJ Sullivan Comr Wood	9:00 a.m. – 1:00 p.m. R.02-11-039		<b>(WS)</b> - Rulemaking to implement the provisions of Public Utilities Code § 761.3 enacted by Chapter 19 of the 2001-02 Second Extraordinary Legislative Session, <b>Commission Auditorium, San Francisco</b>
2/6/03 ALJ Simon Comr Wood	2:00 p.m. C.02-07-020		<b>(TELEPHONIC - PHC)</b> - City Of Delano, Complainant, vs. Union Pacific Railroad Company, Defendant, <b>Commission Room 5024, San Francisco</b>

2/13/03 ALJ Econome Comr Duque	9:00 a.m. A.02-07-025	<b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco</b> <b>(also February 14)</b>
2/13/03 ALJ DeBerry Comr Peevey	10:00 a.m. A.02-04-001	<b>(EH)</b> - In the Matter of the Application of Southern California Water Company for a Certificate of Public Convenience and Necessity Pursuant to Public Utilities Code Section 1001 to Construct an 8.4 MW Natural Gas-Fueled Generator Facility in its Bear Valley Electric Service Division, <b>Commission Courtroom, San Francisco</b> <b>(also February 14)</b>
2/13/03 ALJ Bemserfer Comr Brown	10:00 a.m. I.02-09-001	<b>(PHC)</b> - In the Matter of the Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Laurie Rose Nelson-Akst, an Individual Doing Business As All America Express Moving and Storage (T-189, 147), and of All America Express Moving and Storage Services, Inc., a California Corporation, and its President, Laurie Rose Nelson-Akst, and Vice-President, Etay Akst, Respondents, <b>Commission Courtroom, San Francisco</b>
2/18/03 ALJ Evans Comr Duque	10:00 a.m. A.02-01-004	<b>(EH)</b> - In the Matter of the Application of the KERMAN TELEPHONE CO. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, <b>Commission Courtroom, San Francisco</b> <b>(also February 19 – 21 and February 24 – 28)</b>
2/18/03 ALJ Rosenthal Comr Peevey	10:00 a.m. A.02-05-054	<b>(EH)</b> - Application of the City of WEST SACRAMENTO for an Order authorizing construction of a crossing at grade between Lake Washington Boulevard and the tracks on the Yolo Shortline Railroad Company, <b>Commission Courtroom, San Francisco</b> <b>(also February 19)</b>

3/4/03 ALJ Bemserfer Comr Brown	9:00 a.m. I.02-09-001	<b>(EH)</b> - In the Matter of the Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Laurie Rose Nelson-Akst, an Individual Doing Business As All America Express Moving and Storage (T-189, 147), and of All America Express Moving and Storage Services, Inc., a California Corporation, and its President, Laurie Rose Nelson-Akst, and Vice-President, Etay Akst, Respondents, <b>Commission Courtroom, San Francisco (also March 5 – 6)</b>
3/4/03 ALJ Evans Comr Duque	10:00 a.m. A.02-07-021	<b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco (also March 5 – 7)</b>
3/17/03 ALJ Vieth Comr Wood	9:00 a.m. I.02-06-003	<b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco (also March 18 – 21 and March 24 - 27)</b>
3/24/03 ALJ McVicar Comr Wood	9:30 a.m. A.02-09-030	<b>(EH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Sacramento District to increase revenues by \$8,198,700 in the year 2003; and \$1,955,000 in the year 2004, and

	A.02-09-031	<b>(EH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Larkfield District to increase revenues by \$512,800 in the year 2003; and \$96,900 in the year 2004, and
	A.02-09-032	<b>(EH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Felton District to increase revenues by \$410,200 in the year 2003; \$101,200 in 2004; and \$31,000 in the year 2005, and
	A.02-09-033	<b>(EH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Montara District to increase revenues by \$234,200 in the year 2003; \$38,200 in 2004; and \$45,000 in the year 2005, <b>Commission Courtroom, San Francisco (also March 25 – 28 and April 1 – 4)</b>
3/25/03 ALJ Simon Comr Wood	10:00 a.m. C.02-07-020	<b>(EH)</b> - City Of Delano, Complainant, vs. Union Pacific Railroad Company, Defendant, <b>Commission Courtroom, San Francisco (also March 26 – 27 at 9:00 a.m.)</b>
4/1/03 ALJ Wong Comr Lynch	10:00 a.m. A.01-10-011	<b>(EH)</b> - 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), <b>Commission Courtroom, San Francisco (also April 2 – 4; April 7; and April 8 - 10 if needed at 9:00 a.m.)</b>
4/8/03 ALJ Vieth Comr Peevey	9:00 a.m. C.02-09-035	<b>(EH)</b> - Industry Entertainment, Complainant, vs. SBC Pacific Bell, Defendant, <b>Commission Courtroom, State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>

4/9/03 ALJ Barnett Comr Lynch	10:00 a.m. A.01-06-041	<b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco (also April 10 - 11)</b>
4/28/03 ALJ Kenney Comr Lynch	10:00 a.m. R.01-09-001	<b>(EH)</b> - 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	<b>(EH)</b> - Order Instituting Investigation on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, <b>Commission Courtroom, San Francisco (also April 29 – May 2, May 5 - 9, and May 12 - 13 at 9:00 a.m.)</b>

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**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**

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

**NONE**

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**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.*

12/16/02	R93-04-003	Commission Order Instituting Rulemaking on Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks and
	I93-04-002	Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.
	R95-04-043	Rulemaking on the Commission's own motion into competition for local exchange service and
	I95-04-044	Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** On December 11, 2002, Rose Johnson, Regulatory Affairs Vice President of AT&T Communications of California, Inc. (AT&T), met with Trina Horner, advisor to Pres. Lynch. Also present was Gregory H. Hoffman, Senior Attorney for AT&T. Two documents: public (attached to the notice) and confidential, were used. Johnson and Hoffman discussed issues related to Section 709.2 of the Public Utilities Code and SBC's conduct that confirms the findings in the Commission's September 19, 2002 decision that SBC's entry into the long distance market would not be in the public interest

**Filer: AT&T Communications of California, Inc.**

**Contact: Doretta Dea**

**Phone: (415) 442-2985**

12/16/02	A01-02-024	AT&T Communications of California, Inc. 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 D99-11-050.
	A01-02-035	AT&T Communications of California, Inc. 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.
	A02-02-031	Telephone Connection Local Services, LLC (U5522-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 D99-11-050.
- A02-02-032 AT&T Communications of California, Inc. 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 D99-11-050.
- A02-02-034 Pacific Bell Telephone Company (U 1001 C), for the Commission to Re-Examine 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 D99-11-050.
- A02-03-002 XO California, Inc. (U 5553 C), for the Commission to Re-Examine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops provided by Pacific Bell Telephone Company, as and for the Commission's Second Triennial Review of Recurring Unbundled Network Element Costs pursuant to Ordering Paragraph 11 of D99-11-050.

**Summary:** On December 11, 2002, 2002, Cynthia Marshall, Senior Vice President-Regulatory and Constituency Relations for Pacific Bell Telephone Company, met with Tom Long, advisor to Pres. Lynch, in San Francisco. Also present were Fassil Fenikile, advisor to Cmmr. Duque, Jonathan Lakritz, advisor to Cmmr. Wood, Robert Wullenjohn, advisor to Cmmr. Brown, and Lester Wong, advisor to Cmmr. Peevey. Written material (attached to the notice) was used. Marshall discussed the Unbundled Network Element Platform Transition Plan recently announced by SBC Communications.

**Filer:** Pacific Bell Telephone Company

**Contact:** Thomas Selhorst

**Phone:** (415) 542-7715

- 12/16/02 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 December 11, Jan McFarland, consultant to the Center for Energy Efficiency and Renewable Technologies and Regulatory Vice President of Emergent Energy Group, met with Cmmr. Wood in Sacramento. Also present were Manuel Ramirez, advisor to Cmmr. Wood, and Dr. Robert Barham, Assistant Chief of the

Stationary Source Division, Michael Tollstrup, Chief of the Project Assessment Branch, and Dr. Alan Lloyd, Chairman, for the Air Resources Board. McFarland discussed how federal and state laws and policies on energy and air issues have often worked against each other and the need for a comprehensive approach to promote the cleanest and most efficient distributed generation. McFarland suggested that the Commission provide an exemption of the proposed settlement agreement's annual cap and also discounted exit fees based on performance that would include a reduced portion of the Department of Water Resources past costs along with public benefit and nuclear decommissioning charges. McFarland indicated that if the Commission chose to promote the ultra-clean and low-emission distributed generation technologies, then it would send a strong signal that air and energy issues are being addressed comprehensively and that there is a real market for the cleanest and most efficient distributed technologies in California.

**Filer: Center for Energy Efficiency and Renewable Technologies**

**Contact: Rachel McMahan**

**Phone: (415) 202-0866**

- 12/17/02      R93-04-003      Commission Order Instituting Rulemaking on Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks and
- I93-04-002      Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.
- R95-04-043      Rulemaking on the Commission's own motion into competition for local exchange service and
- I95-04-044      Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** On December 12, 2002, Robert Gnaizda, General Counsel and Policy Director of the Greenlining Institute (Greenlining), met with Trina Horner, advisor to Pres. Lynch, in San Francisco. Also present was Itzel Berrio, Deputy General Counsel of the Greenlining. Written material (attached to the notice) was used. Gnaizda and Berrio discussed SBC Pacific Bell's failure to demonstrate that its entry into the long distance market is in the public interest as required by Section 709.2 of the Public Utilities Code. Gnaizda and Berrio also discussed a letter that Greenlining and Latino Issues Forum sent to the new Chief Executive Officer of WorldCom. Gnaizda and Berrio expressed the importance of seeking information on the diversity, philanthropy and executive compensation of all utility companies by the Commission. Finally, Gnaizda and Berrio discussed the importance of having the Commission hold hearings on the elimination of WMDVBE procurement exclusions.

**Filer: Greenlining Institute and Latino Issues Forum**

**Contact: Itzel Berrio**

**Phone: (415) 284-7200**

- 12/17/02      R93-04-003      Commission Order Instituting Rulemaking on

Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks and

I93-04-002 Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.

**Summary:** On December 12, 2002, Christine Mailloux, Telecommunications Attorney for The Utility Reform Network (TURN), met with Trina Horner, advisor to Pres. Lynch, Lester Wong, advisor to Cmmr. Peevey, Cmmr. Wood and Cmmr. Brown, in four separate meetings in San Francisco. At the meeting with Cmmr. Wood also present was Jonathan Lakritz, advisor to Cmmr. Wood, and with Cmmr. Brown - Robert Wullenjohn, advisor to Cmmr. Brown, and Natalie Billingsley, Program and Project Supervisor, for the Office of Ratepayer Advocates. Regina Costa, Telecommunications Research Director of TURN participated in the meetings with Trina Horner, Lester Wong, and Cmmr. Wood. William Johnston, Regulatory Analyst, Office of Ratepayer Advocates, participated in all four meetings. Written material (attached to the notice) was used. TURN and ORA discussed the proposed decision of ALJ Jones and the alternate of Cmmr. Brown and expressed their support for the position taken in both decisions to move forward using independent Commission jurisdiction to create unbundled network elements (UNE), but stated their opposition to the revised refund mechanism. TURN and ORA representatives also discussed the legal and policy requirements that mandate a positive price for the HFPL UNE and the fact that any revenue from the HFPL should be shared with all basic exchange customers.

**Filer: The Utility Reform Network and the Office of Ratepayer Advocates**

**Contact: Britta Bloedorn**

**Phone: (415) 929-8876**

12/17/02 R01-10-024 Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development

**Summary:** On December 12, 2002, Joseph E. Ronan, Senior Vice President of Government and Regulatory Affairs, Calpine Corporation (Calpine), met with Cmmr. Brown and Lynne McGhee, advisor to Cmmr. Duque, in two separate meetings in San Francisco. At the meeting with Cmmr. Brown also present was Jeremiah Hallisey, consultant to Calpine. Curt Hildebrand, Vice President of Project Development, and Steven S. Schleimer, Director of Market and Regulatory Affairs, of Calpine, participated in both meetings. The Calpine representatives addressed the eligibility of geothermal energy with respect to utility procurement of renewable power.

**Filer: Calpine Corporation**

**Contact: Judy Pau**

**Phone: (415) 276-6587**

12/17/02 A02-03-059 Pacific Bell Telephone Company (U 1001-C), for

Arbitration with Pac-West Telecomm, Inc. (U 5266-C)  
pursuant to Section 252(b) of the Telecommunications  
Act of 1996

**Summary:** On December 12, 2002, David Discher, General Attorney, Pacific Telesis Group, met with Fassil Fenikile, advisor to Cmmr. Duque, in San Francisco. Discher stated Pacific Bell Telephone Company's (SBC Pacific Bell) belief that the Final Arbitrator's Report improperly adopted Pac-West's position that SBC Pacific Bell should not be entitled to collect Transport Charges from Pac-West for VNXX traffic.

**Filer: Pacific Bell Telephone Company**

**Contact: Gina Lau-Lee**

**Phone: (415) 542-2633**

12/17/02      A01-03-036      San Diego Gas & Electric Company, for a Certificate  
of Public Convenience and Necessity for the Valley-  
Rainbow 500 KV Interconnect Project

**Summary: LATE FILED.** On December 11, 2002, Darren W. Stroud, attorney for Centex Homes, Inc. (Centex), participated in an all-party meeting with Cmmr. Brown in San Francisco. Also present were Belinda Gatti, advisor to Cmmr. Brown, other Commissioner advisors and Commission Staff, representatives from the Office of Ratepayer Advocates, Save Southwest Riverside County, the City of Temecula, the Pechanga Band of Luiseno Mission Indians, San Diego Gas & Electric Company (SDG&E), the California Independent System Operator, Sierra Club, and Greenpeace. Stroud explained that there are several items pending that support the Commission finding that there is no need for the Valley Rainbow Project (Project) now. Stroud also noted that separate pending federal legislation may provide a transmission line route for the Project through the Cleveland National Forest. Stroud emphasized that such a transmission line route would be almost entirely on public lands and would avoid the devastating impacts to private property owners that will occur if the proposed Project is approved. Stroud stated that the Project was not cost effective. Stroud requested that in the event the Commission found there was a need for the Project the Commission not allow SDG&E to proceed with condemnation immediately.

**Filer: Centex Homes, Inc.**

**Contact: Darren W. Stroud**

**Phone: (949) 752-8585**

**Summary:** On December 16, 2002, Darren W. Stroud, attorney for Centex Homes, Inc. (Centex), sent a letter (attached to the notice) to Cmmrs. Lynch, Brown, Duque, Peevey and Wood.

**Filer: Centex Homes, Inc.**

**Contact: Darren W. Stroud**

**Phone: (949) 752-8585**

12/18/02      R93-04-003      Commission Order Instituting Rulemaking on  
Commission's own motion to govern open access to  
bottleneck services and establish a framework for  
network architecture development of dominant carrier

- networks and
- I93-04-002 Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.
- R95-04-043 Rulemaking on the Commission's own motion into competition for local exchange service and
- I95-04-044 Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** On December 13, 2002, Karen Potkul, Vice President, Regulatory and External Affairs, XO California, Inc. (XO), had a conference call with Trina Horner, advisor to Pres. Lynch. Also participated Melissa Waksman, Director of Regulatory Affairs, XO. On the same date, Karen Potkul forwarded to Trina Horner a copy (attached to the notice) of the November 19, 2002 letter of XO to the Commission. Potkul and Waksman urged adoption of XO's proposed safeguard in the Section 709.2 phase of the proceeding. Specifically, Potkul and Waksman urged the Commission to require that, notwithstanding any claimed change in federal law or regulatory requirements, Pacific Bell continue to make available the same unbundled network elements (UNEs) available to competitive carriers today and to require Pacific Bell to request specific permission before it discontinue provision of any UNEs. XO representatives noted that the Commission has independent authority to order unbundling under state law.

**Filer: XO California, Inc.**

**Contact: Judy Pau**

**Phone: (415) 276-6587**

- 12/18/02 R93-04-003 Commission Order Instituting Rulemaking on Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks and
- I93-04-002 Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.

**Summary: AUGMENTATION REQUIRED.** On December 16, 2002, David Simpson, Counsel for Speakeasy, Inc., Earthlink, Inc., Sonic.Net, Inc., InReach Internet LLC, DirecTV Broadband, Inc., and DSLExtreme.com (collectively, Joint ISPs), met with Robert Wullenjohn, advisor to Cmmr. Brown. Also present were Dane Jasper, Chief Executive Officer of Sonic.Net, Inc., and Brian Nelson, Vice President – Business Development, of Speakeasy, Inc. The representatives of the Joint ISPs indicated that ISPs had paid for the relevant services, which have now been found to have been priced too high, and therefore the ISPs were the appropriate parties to receive the refunds.

**Filer: Speakeasy, Inc., Earthlink, Inc., Sonic.Net, Inc., InReach Internet LLC,**

**DirectTV Broadband, Inc., and DSLExtreme.com**

**Contact: Martina Hasett**

**Phone: (415) 773-1790**

**Summary:** On December 16, 2002, Jenny Wong, Director – Regulatory Affairs, Verizon California Inc. (Verizon), met with Robert Wullenjohn, advisor to Cmmr. Brown, in San Francisco. Written material (attached to the notice) was used. Wong discussed the ALJ draft decision in the interim unbundled network element (UNE) costing proceeding and explained the basis for Verizon’s proposal. Wong stated that the loop rate Verizon is proposing shows a 15.1% reduction and is consistent with what the Commission ordered for Pacific Bell. Wong stated that the 32-44% reduction in switching is based upon a trending analysis using cost studies submitted in the state of Florida.

**Filer: Verizon California Inc.**

**Contact: Terry Tannen**

**Phone: (415) 474-4921**

12/18/02          R01-10-024          Order Instituting Rulemaking to Establish Policies and  
Cost Recovery Mechanisms for Generation  
Procurement and Renewable Resource Development

**Summary: LATE FILED.** On December 11, 2002, Peter H. Weiner, representing the California Biomass Energy Alliance (CBEA), met with Cmmr. Peevey in San Francisco. Also present were Julie Fitch, advisor to Cmmr. Peevey, and Kent Duysen, LeRoy Pope, John Richardson, Patrick Volkar and Jon Welner, of CBEA. CBEA representatives stated that a number of biomass facilities submitted bids in the interim renewable power solicitations and did not receive contracts. CBEA representatives urged the Commission to find some way to prevent these facilities from shutting down

**Filer: California Biomass Energy Alliance**

**Contact: Peter H. Wiener**

**Phone: (916) 552-6830**

**Summary: LATE FILED.** On December 12, 2002, William Stock, Chief of Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Laura Krannawitter, advisor to Cmmr. Duque, in San Francisco. Also present were Roy Kuga, Director, Gas and Electric Supply, and Bill Manheim, Attorney, for PG&E. PG&E representatives discussed how the Commission should adopt a maximum disallowance risk associated with the administration of the California Department of Water Resources (CDWR) contracts, and that the cap be equal to PG&E’s incremental costs incurred to administer the CDWR contracts. PG&E representatives noted that the draft decision (DD) needed to be modified so that contractual issues, such as the creation of a limited agency relationship with CDWR, are agreed to in a separate operating agreement rather than including them in the Commission order. PG&E representatives also noted that the DD should be modified to ensure that CDWR indemnifies PG&E or, if CDWR does not indemnify PG&E, such costs should be recoverable in rates.

**Filer: Pacific Gas and Electric Company**

**Contact: Michelle Brown**

**Phone:**