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## ***Public Utilities Commission of the State of California***

*William Ahern, 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**

### **Tuesday, October 14, 2003**

- 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.**

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

**REGULAR COMMISSION BUSINESS MEETINGS**

October 16, 2003	10 am	San Francisco
October 30, 2003	10 am	San Francisco
November 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.*

October 27, 2003	1:30 pm	San Francisco
November 7, 2003	1:30 pm	San Francisco
December 1, 2003	1:30 pm	San Francisco

**OTHER COMMISSION MEETINGS**

**The Western Energy Market Access Forum**

<i>October 22, 2003 8:30 am – 4 pm  Comissioner Peevey</i>	<i>Hiram Johnson State Building 455 Golden Gate Avenue Auditorium San Francisco</i>
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The *Western Energy Market Access Forum*, a one-day program hosted by the CPUC, and sponsored by National Association of Regulatory Utility Commissioners (NARUC) and the Department of Energy, will focus on utility Women/Minority Business Entrepreneur (WMBE) Development programs; regulatory models that increase marketplace participation and reduce barriers to market entry; and initiatives and opportunities in energy and telecommunications. The forum will also explore the portability and application of programs like the California Regulatory model in other states. The forum aims to encourage utility participation in WMBE market access programs, which includes gas, electricity, water and telecommunication markets and the procurement of all goods and services.

Speakers and participants include California PUC Commissioners, California utility CEO's and managers, and WMBE companies.

An agenda will be posted at [www.cpuc.ca.gov](http://www.cpuc.ca.gov). For further information please contact Art Jimenez, WMDVBE program manager at (415) 703-4112.

**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 to Daily Calendar, Commission Meeting Agenda, and Draft Agenda Items

For information contact: California Public Utilities Commission  
Attention: Poly Arca  
505 Van Ness Avenue, Room 1003  
San Francisco, CA 94102  
Phone: (415) 703-1798  
Email: pol@cpuc.ca.gov

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### COMMISSIONER OFFICE HOURS

NONE

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### PUBLIC MEETING & WORKSHOPS

#### Public Meeting Notice - Public Payphone Programs

Payphone Service Providers Advisory Committee  
October 14, 2003  
10 am - 1 pm

California Public Utilities Commission  
505 Van Ness Avenue, Room 4206  
(Corner of Van Ness Avenue and McAllister Street)  
San Francisco

The Payphone Service Providers Committee (PSPC) will hold its regular meeting for the Payphone Service Providers Enforcement (PSPE) program, the Public Policy Payphone Program (PPPP), and the TDD Placement Interim Committee (TPIC) to discuss the following:

Hear Public Comments

Review/Approve June 4, 2003 Meeting Minutes

Review/Discuss Unfinished Business

Government Code 1090/Conflict of Interest Issue

Signing of Charter

PPPP Application Follow-up: Our Lady of Malibu and City of Paso Robles

PSPE Process For Submitting PPPP Applications to PSPC

Roster Amendment

Telecommunications Devices for the Deaf Organization List Follow-up

PSPE/PPPP/TPIC Financials and Staffing

Program Financials

2004-2005 State Budget

TPIC Application Review and Discussion

Request for TTY Application for City of Visalia

PPPP New Application Review and Discussion

Snowline

Novato Fire Department

PSPE Discussion

Staffing

Status of New CLECs (3)

Payphone Inspection Report

2003 Payphone Line Count Report

Payphone Signage Requirement As Outlined in Tariffs  
Quarterly Report to the Commission  
Set Future Agenda Items

**The Board will meet in Closed Session to:** Review Personnel Issues.

The general meeting is open to the public. The Board reserves the right to limit the time allocated to public comments and each speaker. If you would like to receive an agenda or full meeting packets, please notify the PSPE office at (415) 703-2071 voice or 1 (800)

229-6846 TTY or e-mail [wel@cpuc.ca.gov](mailto:wel@cpuc.ca.gov).

**Deaf/Hearing Impaired Notice:** Deaf/Hearing Impaired Sign Language Services will be available for the duration of the PSPC meeting.

**Public Meeting Notice**

October 15, 2003  
Lottery begins at 3:30 pm

California Public Utilities Commission  
505 Van Ness Avenue, Room 3204  
(Corner of Van Ness Avenue and McAllister Street)  
San Francisco

**LOTTERY FOR TELEPHONE NUMBER PREFIX ASSIGNMENTS IN THE  
209, 310, 323, 408, 415, 510, 530, 559, 619, 650, 707, 714, 760, 805, 818, 909, 916, 925 AND 949 NUMBERING PLAN  
AREAS**

The Telecommunications Division of the California Public Utilities Commission will be conducting a lottery to determine allocations of central office codes (NXXs) in the 209, 310, 323, 408, 415, 510, 530, 559, 619, 650, 707, 714, 760, 805, 818, 909, 916, 925 and 949 area codes pursuant to the provisions of D96-09-087. Applications should be submitted to the California Code Administrator prior to the close of business on October 7, 2003. All companies applying for central office codes must have their NRUF data on file with the California Code Administrator. For information on the NRUF filing, call (925) 363-8736. For information on the lottery process, call (415) 703-5953. If specialized accommodations for the disabled are needed, call the Public Advisor at (415) 703-2032 five working days in advance of the event. Companies, who wish to have a sealed envelope prepared for them on an ongoing basis containing their confidential letter designations for each NPA lottery drawing, should submit such a request in writing. Requests should be submitted prior to the close of business on October 13, 2003 to: Michaela Pangilinan, Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102.

**Public Meeting Notice – ULTS Administrative Committee**

October 22, 2003  
10 am - 12:30 pm

Public Utilities Commission  
505 Van Ness Avenue, Technical Library  
(Corner of Van Ness Avenue and McAllister Street)  
San Francisco

Universal Lifeline Telephone Service (ULTS) Trust Administrative Committee will meet on this day. Meeting packet including the agenda for this meeting is available at <http://www.cpuc.ca.gov/static/industry/telco/public+programs/advisory+boards/ults.htm> or call Angela Young at 415-703-2837.

**Workshop Notice - R95-04-043/I95-04-044 (FCC Triennial Review Phase)**

November 17, 2003  
10 am

Public Utilities Commission  
505 Van Ness Avenue, Hearing Room A  
(Corner of Van Ness Avenue and McAllister Street)  
San Francisco

This workshop shall be convened as a collaborative for parties to seek consensus on the Batch Hot Cut Process pursuant to the Nine-Month FCC Triennial Review.

**Workshop Notice - R95-04-043/I95-04-044 (FCC Triennial Review Phase)**

December 4, 2003

Public Utilities Commission

10 am

505 Van Ness Avenue, Hearing Room A  
(Corner of Van Ness Avenue and McAllister Street)  
San Francisco

This workshop shall be convened as a collaborative for parties to seek consensus on loop and transport issues pursuant to the Nine-Month FCC Triennial Review.

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

**NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to General Order 66-C Request by Anthony Hopkins, Esq., on behalf of Keith and Nicolle Cooper, seeking disclosure of Commission staff investigative records relating to an electric shock of Mr. Cooper on March 28, 2001 at 7326 Irvinggrove Avenue, Downey, California (Incident No. EIR20010328-01).

A draft resolution (L-304) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. EIR20010328-01, is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-304, amend or modify it, or set it aside and prepare a different resolution.

On September 16, 2003, the draft resolution was circulated to the requesting party and the subject utility, Pacific Gas and Electric, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov).

The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 6, 2003, at the address set forth below. Reply comments must be filed by October 14, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Jason Reiger  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5125  
San Francisco, CA 94102  
Telephone: (415) 355-5596 E-mail: [jzr@cpuc.ca.gov](mailto:jzr@cpuc.ca.gov)

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**NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to General Order 66-C Requests by Kevin Downes, Esq., on behalf of Ted W. Page Enterprises, Inc., and Alison Mathews, Esq., on behalf of Andrew M. Worswick and Gail E. Drayton, seeking disclosure of Commission staff investigative records relating to a fire and explosion on March 1, 2002 at 1319 Palisades Beach Road, Santa Monica, California (Incident No. GIR20020301-01).

A draft resolution (L-305) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. GIR20020301-01, is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-305, amend or modify it, or set it aside and prepare a different resolution.

On September 16, 2003, the draft resolution was circulated to the requesting party and the subject utility, Southern California Gas Company, pursuant to Public Utilities Code Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice

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and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov).

The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 6, 2003, at the address set forth below. Reply comments must be filed by October 14, 2003. Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.) Parties may view comments at the Commission's San Francisco Office.

Jason Reiger  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5125  
San Francisco, CA 94102  
Telephone: (415) 355-5596 E-mail: [jzr@cpuc.ca.gov](mailto:jzr@cpuc.ca.gov)

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The Telecommunications Division has prepared Resolution T-16771 for the October 30, 2003, Commission Agenda. This resolution authorizes The Ponderosa Telephone Company \$3,774,297 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Larry Hirsch  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30232.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30232.doc)

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The Telecommunications Division has prepared Resolution T-16755 for the October 30, 2003, Commission Agenda. This resolution authorizes The Pinnacles Telephone Company \$300,400 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Jerry Shiu  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1233

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30220.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30220.doc)

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The Telecommunications Division has prepared Resolution T-16764 for the October 30, 2003, Commission Agenda. This resolution authorizes The Ducor Telephone Company \$1,907,645 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Eric Van Wambeke  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-2896

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30228.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30228.doc)

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The Telecommunications Division has prepared Resolution T-16762 for the October 30, 2003, Commission Agenda. This resolution authorizes The Cal-Ore Telephone Company \$1,620,332 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Rudy Sastra  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-2673

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30226.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30226.doc)

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The Telecommunications Division has prepared Resolution T-16756 for the October 30, 2003, Commission Agenda. This resolution authorizes The Calaveras Telephone Company \$1,408,640 in California High Cost Fund-A (CHCF-A) support for test year 2004. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Nazmeen Rahman  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1625

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30222.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30222.doc)

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The Telecommunications Division has prepared Resolution T-16773 for the October 30, 2003, Commission Agenda. This resolution accepts Verizon's annual intrastate earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1901

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30243.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30243.doc)

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The Telecommunications Division has prepared Resolution T-16774 for the October 30, 2003, Commission Agenda. This resolution accepts Citizen Telecommunications Company's annual intrastate shareable earnings advice letter filing, subject to

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any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1901

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30248.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30248.doc)

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The Telecommunications Division has prepared Resolution T-16772 for the October 30, 2003, Commission Agenda. This resolution accepts SBC's annual earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-1901

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30240.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30240.doc)

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#### **NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to a Subpoena by Timothy Smith, Esq., on behalf of Timothy Fielding, seeking disclosure of Commission staff investigative records relating to a trench collapse on September 16, 2001 at Dry Creek Road, Rio Linda, California (Incident No. GIR20010916-01).

A draft resolution (L-306) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. GIR20010916-01, is scheduled for consideration on the October 30, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-306, amend or modify it, or set it aside and prepare a different resolution.

On September 30, 2003, the draft resolution was circulated to the requesting party and the subject utility, Pacific Gas and Electric Company, pursuant to Public Utilities Code

Section 311(g) and Rules 77.7 and 81 of the Commission's Rules of Practice and Procedure. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov).

The Commission will consider the draft resolution at its October 30, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 20, 2003, at the address set forth below. Reply comments must be filed by October 27, 2003.

Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the

e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.)

Parties may view comments at the Commission's San Francisco Office.

Fred Harris  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5002  
San Francisco, CA 94102

The Telecommunications Division has prepared Resolution T-16775 for the October 30, 2003, Commission Agenda. This resolution accepts Roseville Telephone Company's annual intrastate earnings advice letter filing, subject to any corrections or adjustments. The draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Charles Christiansen  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Telephone: (415) 703-1901

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30300.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30300.doc)

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#### **NOTICE OF RESOLUTION TO DISCLOSE INVESTIGATIVE REPORT**

Draft Resolution Authorizing Disclosure of Commission Consumer Services Division (Utilities Safety Branch) Records Pursuant to Subpoena by Richard A. Cohn of the Law Offices of Aitken Aitken & Cohn on behalf of Francilene M. Kincannon, et al., Seeking Disclosure of Commission Staff Investigative Records Relating to the Death of John A. Kincannon (Incident No. EIR20020811-01).

A draft resolution (L-307) by the Legal Division authorizing disclosure of the Utilities Safety Branch's investigative report concerning Incident No. EIR20020811-01 is scheduled for consideration on the October 16, 2003 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote. The Commission may adopt all or part of L-307, amend or modify it, or set it aside and prepare a different resolution.

On September 30, 2003, the draft resolution was circulated to the requesting party and the subject utility, Southern California Edison, pursuant to Public Utilities Code

Section 311(g) and Rules 77.7 (f)(7) and 81 of the Commission's Rules of Practice and Procedure. The comment period has been reduced, in accord with Rule 77.7 (f)(7), in order to permit a more timely response to the subpoena for investigation records. Interested parties may review the draft resolution and service list at the "Currently Open for Comment" section of the Commission's Internet site at [cpuc.ca.gov](http://cpuc.ca.gov).

The Commission will consider the draft resolution at its October 16, 2003 meeting. Interested parties may file comments on the draft resolution, and may file replies to comments. An original and 2 copies of comments must be filed with the Legal Division by October 10, 2003, at the address set forth below. Reply comments must be filed by October 13, 2003.

Commenters must also serve comments, and reply comments, on the service list, and send copies of comments and reply comments by electronic mail to the

e-mail address below. Comments shall focus on factual, legal or technical error in the draft resolution, and reply comments shall be limited to identifying misrepresentations of law and fact contained in the comments of other parties. (Rule 77.7.)

Parties may view comments at the Commission's San Francisco Office.

Fred Harris  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 4107-9  
San Francisco, CA 94102  
Telephone: (415) 703-1557 E-mail: [fnh@cpuc.ca.gov](mailto:fnh@cpuc.ca.gov)

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The Telecommunications Division has prepared Resolution T-16783 for the November 13, 2003, Commission Agenda. This Resolution authorizes Cingular Wireless to deviate from Public Utilities Code Section 320 to apply an aerial strand and to install its wireless facility within 1,000 feet of Highway 50, a scenic highway located in El Dorado, County, California. The

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draft resolution of the Telecommunications Division in this matter was mailed to parties in accordance with PUC Code Section 311 (g)(1).

Any questions or comments should be directed to:

Rudy Sastra  
Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102 or (415) 703-2673

[http://www.cpuc.ca.gov/WORD\\_PDF/COMMENT\\_RESOLUTION/30569.doc](http://www.cpuc.ca.gov/WORD_PDF/COMMENT_RESOLUTION/30569.doc)

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#### NEW FILINGS

- 10/8/03      **A03-10-026** - MG LLC, a Delaware Limited Liability Company, which qualified to do business in California as MBDG LLC, will do business in California as SearsConnect for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.
- 10/9/03      **A03-10-025** - Pacific Telecom Services, LLC, for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.
- 10/9/03      **A03-10-027** - Integrated Telecommunications, Inc., for registration an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013.
- 10/10/03     **A03-10-028** - Cable & Wireless Americas Operations, Inc., for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013.
- 10/10/03     **A03-10-029** - Zlatko Malicevic, dba Zack's Airport Shuttle, for authority to operate a passenger stage corporation between points in San Francisco, Alameda, Contra Costa, San Jose, Solano, Marin and San Mateo counties and the San Francisco, Oakland and San Jose International airports and to establish a zone of rate freedom (1130 Leslie Drive, San Jose, CA 95117; (408) 249-2315).
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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

- 10/10/03     **R.01-05-047** - Order Instituting Rulemaking on the Commission's Own Motion to Determine Whether Baseline Allowances for Residential Usage of Gas and Electricity Should Be Revised; **Proposed Decision of ALJ TerKeurst.**
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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.

09/26/03	Telecom 227	MCI METRO ACCESS TRANSMISSION SERVICES, To revise "Business Service B" description of availability. <b>(effective TBD)</b>
09/26/03	Telecom 256	MCI WORLDCOM COMMUNICATIONS, INC., To introduce Basic Calling Promotion AAA. <b>(effective TBD)</b>
09/30/03	Telecom 115	TELECONNECT COMPANY, To introduce "TUSA TalkSmarter Block-of-Time 500" and TUSA TalkSmarter USA". <b>(effective TBD)</b>
10/01/03	Telecom 78	BELL ATLANTIC COMM., INC. (DBA VERIZON), Plan E text changes, increase to Business Plan 1 & Business Plan 1 Bundled <b>(effective TBD)</b>
10/01/03	Telecom 69	NYNEX LONG DISTANCE COMPANY, Increases the MSL for Business Plan C and Business Plan C Bundled Service Option. <b>(effective TBD)</b>
10/01/03	Telecom 24251	PACIFIC BELL, Contract <b>(effective TBD)</b>
10/01/03	Telecom 24253	PACIFIC BELL, Extend ITCC rate of 21% to January 31, 2006 <b>(effective TBD)</b>
10/02/03	Telecom 228	MCI METRO ACCESS TRANSMISSION SERVICES, To introduce Small Business Credit Card Promotion, Small Business 50% Discount Promotion and Small Business 25% Discount Promotion. <b>(effective TBD)</b>
10/02/03	Telecom 258	MCI WORLDCOM COMMUNICATIONS, INC., To introduce Small Business Credit Card Promotion, Small Business 50% Discount Promotion and Small Business 25% Discount Promotion. <b>(effective TBD)</b>
10/03/03	Telecom 1-A	NEXTEL OF CALIFORNIA, INC., Supplements A.L.No.1, "Grandfathered" telephone numbers plan. <b>(effective TBD)</b>
10/03/03	Telecom 128	SOUTHWESTERN BELL COMMS SVCS., INC., Contract <b>(effective TBD)</b>
10/09/03	Energy 1751E	SOUTHERN CALIFORNIA EDISON COMPANY, Addition of Universal Studios to the List of Contracts and Deviations <b>(effective TBD)</b>
10/09/03	Telecom 24270	PACIFIC BELL, CONTRACT FOR DDD-VPP, LOCAL AND ZONES 1, 2, 3 USAGE MEASUREMENT, PRI, ST AND PBX SERVICES <b>(effective TBD)</b>
10/10/03	Telecom 323	KERMAN TELEPHONE COMPANY, ESTABLISH A PROMOTIONAL CAMPAIGN SCHEDULE <b>(effective TBD)</b>
10/10/03	Telecom 196	MPOWER COMMUNICATIONS CORP., Extends the following

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		promotions through October 31, 2003: Measured Rate Promo and Clear Advantage Promo. ( <b>effective TBD</b> )
10/10/03	Telecom 68	NYNEX LONG DISTANCE COMPANY, Adds early termination language to Business Plans C and D. ( <b>effective TBD</b> )
10/10/03	Water 590	CALIFORNIA-AMERICAN WATER COMPANY, [Los Angeles District] Add a surcharge to recover the net undercollection in its balancing account. ( <b>effective TBD</b> )
10/10/03	Water 591	CALIFORNIA-AMERICAN WATER COMPANY, [Coronado District] Request for review of purchased water balancing-type memo account collection for the period from November 29, 2001 through December 31, 2002. ( <b>effective TBD</b> )
10/10/03	Water 592	CALIFORNIA-AMERICAN WATER COMPANY, [Monterey District] Request review of purchased power balancing-type memo account undercollection for the period from November 29, 2001 through December 31, 2002. ( <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.

09/30/03	Energy 695G	SOUTHWEST GAS CORPORATION, Revision of CARE Component of Public Purpose Program Surcharges in Accordance with D.03-03-007 <b>Protest by Office of Ratepayer Advocates.</b>
10/02/03	Energy C-56-G	AVISTA CORPORATION, Changes to Tariff Schedules Applicable to South Lake Tahoe Natural Gas Operations <b>Protest by Office of Ratepayer Advocates.</b>
10/10/03	Energy 1526E	SAN DIEGO GAS & ELECTRIC COMPANY, Increase to electric transmission rates effective 10/01/03 <b>Protest by Office of Ratepayer Advocates.</b>

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

**NONE**

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MISCELLANEOUS TELECOMMUNICATION MATTERS

NONE

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TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

**10/8/03**      **A.03-04-015** - In the Matter of the Application of Park Water Company (U 314 W) for Authority to Increase Rates in its Central Basin Division as authorized by NOI 03-04-004: In 2004 of \$1,775,880 or 9.83% above revenues generated by present rates, in 2005 of \$671,705 or 3.39% above the revenues generated by the rates proposed for 2004, in 2006 of \$674,319 or 3.29% above the 2005 revenue requirements. (ALJ Walker)

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ADJOURNMENTS \* RESETTINGS \* HEARINGS CONCLUDED

ALJ Malcolm      **A.02-05-046** - In the Matter of the Application of Southern California Edison Company (U 338 E) Regarding the Future Disposition of the Mohave Generating Station,  
**Mediation held and concluded**

ALJ Long      **A.02-12-027** - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and  
**A.02-12-028** - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and  
**I.03-03-016** - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company,  
**Evidentiary Hearing held and continued to October 14**

ALJ Thorson      **A.03-01-034** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and  
**A.03-01-035** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and  
**A.03-01-036** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and  
**A.03-01-037** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District,  
**Prehearing Conference held and concluded**

ALJ O'Donnell      **R.03-03-017** - Order Instituting Rulemaking on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and  
**I.03-03-018** - Order Instituting Investigation on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and  
**C.00-01-017** - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants,  
**Prehearing Conference held and concluded**

ALJ Thorson      **A.03-01-034** - Application of California Water Service Company (U 60 W) for an Order Authorizing it

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to increase Rates for Water Service in its Palos Verdes District, and  
**A.03-01-035** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and  
**A.03-01-036** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and  
**A.03-01-037** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District,  
**Evidentiary Hearing originally set for October 27 – 31 reset to October 28**

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**REMOVALS FROM CALENDAR**

NONE

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**NEW SETTINGS**

**11/7/03**                    **R.99-11-022 (PHC)** – Order Instituting Rulemaking Into Implementation of Pub. Util. Code § 390,  
10:00 a.m.                    **Commission Courtroom, San Francisco**  
ALJ DeBerry

**11/19/03**                    **C.03-09-046 (ECP)** - Marcy A. Warner, Complainant, vs. Pacific Bell Telephone Company, dba SBC  
10:00 a.m.                    California, Defendant,  
ALJ Patrick                    **Commission Courtroom, San Francisco**

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**LAW AND MOTION**

Law and Motion Hearings are held before Administrative Law Judge Sarah R. Thomas and Peter Allen 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.

**10/13/03**                    NONE SCHEDULED  
10:00 a.m.

**10/20/03**                    NONE SCHEDULED  
10:00 a.m.

**10/27/03**                    NONE SCHEDULED  
10:00 a.m.

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**FINAL ORAL ARGUMENTS (FOA)**

NONE

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**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.

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

- 10/14/03** 9:30 a.m.  
ALJ Long  
Comr Wood  
**A.02-12-027 (EH)** - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and  
**A.02-12-028** - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and  
**I.03-03-016** - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company,  
**Commission Courtroom, San Francisco**  
**(also October 15 – 17; October 20 – 24; October 27 – 28 and November 12 – 14)**
- 10/14/03** 10:00 a.m.  
ALJ Brown  
Comr Peevey  
**A.03-07-032 (EH)** - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for Approval of a Power Purchase Agreement under PUHCA Section 32(k) Between the Utility and a Wholly-Owned Subsidiary and for Authority to Recover the Costs of Such Power Purchase Agreement in Rates,  
**Commission Courtroom, San Francisco**  
**(Also October 15 – 17 and October 20 – 24)**
- 10/15/03** 10:00 a.m.  
ALJ Grau  
Comr Brown  
**C.03-05-023 (EH)** - Raw Bandwidth Communications, Inc., Complainant, vs. SBC California, Inc. (U-1001-C), SBC Advanced Solutions, Inc. (U-6346-C), and Does 1-10, Defendants,  
**Commission Courtroom, San Francisco**
- 10/16/03** 10:00 a.m.  
ALJ Thomas  
Comr Brown  
**C.03-07-031 (PHC)** - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,  
**Commission Courtroom, San Francisco**
- 10/16/03** 10:00 a.m.  
ALJ Walker  
Comr Brown  
**I.03-09-030 (OSC)** - Investigation on the Commission's own motion into the Santa Clara Valley Transportation Authority's refusal to file an application for the widening of I-880 over the Authority's light rail line at North First Street in the City of San Jose, California, as required by California Public Utilities Code Sections 1201 et seq. and 99152, and Order to Show Cause why the Authority should not be ordered to file an application for Commission approval,  
**Commission Courtroom, San Francisco**
- 10/24/03** 10:00 a.m.  
ALJ Thomas  
Comr Kennedy  
**C.03-02-003 (M)** - Oakland Unified School District, Complainant, vs. TCG San Francisco (U-5454-C), and AT&T Communications of California (U-5002-C), Defendants,  
**Commission Courtroom, San Francisco**
- 10/24/03** 10:00 a.m.  
ALJ Barnett  
**C.03-09-009 (ECP)** - Thomas B. Webb, Complainant, vs. Southern California Edison Company, Defendant,  
**Palm Desert Public Library – Seminar Room, 73300 Fred Waring Drive, Palm Desert, CA**
- 10/24/03** 11:00 a.m.  
ALJ Barnett  
**C.03-07-041 (ECP)** - Martin Lax, Complainant, vs. AT & T Communications of California, Inc., Defendant,  
**Palm Desert Public Library – Seminar Room, 73300 Fred Waring Drive, Palm Desert, CA**

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- 10/27/03** **A.00-11-038 (EH)** - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and  
10:00 a.m. **A.00-11-056** - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate  
ALJ Allen Stabilization Plan, and  
Comr Brown **A.00-10-028** - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527,  
**Commission Courtroom, San Francisco**  
**(also October 28 – 31 and November 3 – 4)**
- 10/27/03** **C.03-06-024 (ECP)** - Mark Tzalka, Complainant, vs. Southern California Gas Company, Defendant,  
1:00 p.m. **Commission Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Conference Room A, Los**  
ALJ Barnett **Angeles, CA**
- 10/28/03** **A.03-01-034 (EH)** - Application of California Water Service Company (U 60 W) for an Order  
10:00 a.m. Authorizing it to increase Rates for Water Service in its Palos Verdes District, and  
ALJ Thorson **A.03-01-035** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to  
Comr Brown Increase Rates for Water Service in its Oroville District, and  
**A.03-01-036** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to  
Increase Rates for Water Service in its Selma District, and  
**A.03-01-037** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to  
Increase Rates for Water Service in its Dominguez District,  
**Commission Courtroom, San Francisco**
- 10/28/03** **C.03-09-017 (ECP)** - Maclyn Erickson, Complainant, vs. Southern California Edison Company,  
10:00 a.m. Defendant,  
ALJ Patrick **Department of Transportation, District 5, Sycamore Room, 50 Higuera Street,**  
**San Luis Obispo, CA**
- 10/28/03** **C.03-09-027 (TELEPHONIC PHC)** - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs.  
10:00 a.m. Southern California Edison Company, Defendant,  
ALJ Vieth **Commission Courtroom, San Francisco**  
Comr Wood
- 10/29/03** **R.03-09-007 (PHC and WS)** - Order Instituting Rulemaking to Implement Portions of AB 117  
9:30 a.m. Concerning Community Choice Aggregation,  
ALJ Malcolm **Commission Courtroom, San Francisco**  
Comr Peevey
- 10/29/03** **A.02-07-021 (PHC)** - In the Matter of the Application of Southern California Water Company (U 133 W)  
10:00 a.m. for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will  
ALJ Walker Convey Water Rights in the Culver City Customer Service Area,  
Comr Kennedy **Commission Courtroom, San Francisco**
- 10/29/03** **A.03-03-029 (PHC)** - In the Matter of the Application of San Diego Gas & Electric Company for  
2:00 p.m. Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost  
ALJ McVicar Allocation Among Customer Classes Effective, January 1, 2004 (U 902-E),  
Comr Peevey **Commission Courtroom, San Francisco**
- 10/30/03** **C.03-02-003 (PHC)** - Oakland Unified School District, Complainant, vs. TCG San Francisco (U-5454-  
10:30 a.m. C), and AT&T Communications of California (U-5002-C), Defendants,  
ALJ Bushey **Commission Courtroom, San Francisco**  
Comr Kennedy
- 10/31/03** **R.01-10-024 (PHC)** - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms  
10:00 a.m. for Generation Procurement and Renewable Resource Development. (PHC on SDG&E Motion/Calpine  
ALJ Walwyn Issues),  
Comr Peevey **Commission Auditorium, San Francisco**

- 11/3/03**  
10:00 a.m.  
ALJ McVicar  
Comr Peevey  
**A.03-03-029 (EH)** - In the Matter of the Application of San Diego Gas & Electric Company for Authority to Make Various Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective, January 1, 2004 (U 902-E),  
**Commission Courtroom, San Francisco**  
**(also November 4 – 7; and November 10; November 12 – 14)**
- 11/3/03**  
10:00 a.m.  
ALJ DeUlloa  
Comr Brown  
**A.03-06-040 (EH)** - In the Matter of the Application of SOUTHERN CALIFORNIA GAS COMPANY In Compliance with Resolution G-3334 For a System of Firm, Tradable Receipt Point Capacity Rights and Related Provisions (U 904 G),  
**Commission Courtroom, San Francisco**  
**(also November 4 – 7)**
- 11/5/03**  
10:00 a.m.  
ALJ Mattson  
Comr Kennedy  
**A.03-09-008 (PHC)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and  
**A.03-09-031** - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,  
**Commission Courtroom, San Francisco**
- 11/6/03**  
10:00 a.m.  
ALJ Simon  
Comr Brown  
**C.02-11-011 (PHC)** - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant,  
**Commission Courtroom, San Francisco**
- 11/7/03**  
10:00 a.m.  
ALJ DeBerry  
**R.99-11-022 (PHC)** – Order Instituting Rulemaking Into Implementation of Pub. Util. Code § 390,  
**Commission Courtroom, San Francisco**
- 11/17/03**  
9:00 a.m.  
ALJ Simon  
Comr Brown  
**C.02-11-011 (EH)** - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant,  
**Commission Courtroom, San Francisco**  
**(also November 18 - 21)**
- 11/17/03**  
10:00 a.m.  
ALJ McKenzie  
Comr Wood  
**C.92-04-007 (EH)** - Communications Workers of America, Local 9415, Kathleen Kinchius, President, Complainant, vs. Pacific Bell, (U 1001 C), Defendant,  
**Commission Courtroom, San Francisco**  
**(also November 18)**
- 11/18/03**  
10:00 a.m.  
ALJ Walker  
Comr Kennedy  
**A.03-05-039 (EH)** - Application for Ex Parte Approval of an Interim Alternative Plan for Protection of the Public Pursuant to General Order 120-C, Sections 3(E) and 6, and  
**P.03-05-040** - Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5,  
**Commission Courtroom, San Francisco**  
**(also November 19 – 21)**
- 11/18/03**  
2:00 p.m.  
ALJ TerKeurst  
Comr Lynch  
**A.02-09-043 (PPH)** - 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.,  
**San Mateo City Hall Council Chamber, 330 West 20<sup>th</sup> Avenue, San Mateo, CA**
- 11/18/03**  
7:00 p.m.  
ALJ TerKeurst  
Comr Lynch  
**A.02-09-043 (PPH)** - 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,  
**War Memorial Building, San Bruno Recreation Center, Meeting Room A/B, Crystal Springs Ave @ Oak Ave., San Bruno, CA**

<b>11/19/03</b> 10:00 a.m. ALJ Patrick	<b>C.03-09-046 (ECP)</b> - Marcy A. Warner, Complainant, vs. Pacific Bell Telephone Company, dba SBC California, Defendant, <b>Commission Courtroom, San Francisco</b>
<b>11/19/03</b> 10:00 a.m. ALJ Malcolm Comr Peevey	<b>R.03-08-018 (PHC)</b> - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges, <b>Commission Courtroom, San Francisco</b>
<b>11/24/03</b> 12:00 noon ALJ Barnett	<b>C.03-09-041 (ECP)</b> – Continental Building Control Systems, Inc., Complainant, vs. Allegiance Telecom of California, Inc., Defendant, <b>Commission Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, CA</b>
<b>11/26/03</b> 2:00 p.m. ALJ Barnett Comr Wood	<b>C.01-01-032 (PHC)</b> - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and <b>C.01-01-051</b> - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and <b>C.01-09-011</b> - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>
<b>12/4/03</b> 9:00 a.m. ALJ Terkeurst Comr Lynch	<b>A.02-09-043 (EH)</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> <b>(also December 5 and December 8 – 10) (Note: December 8 at 10:00 a.m. and the remaining days at 9:00 a.m.)</b>
<b>12/4/03</b> 2:00 p.m. ALJ Grau Comr Brown	<b>R.03-09-029 (PHC)</b> - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755, <b>Commission Courtroom, San Francisco</b>
<b>12/8/03</b> 2:00 p.m. ALJ Vieth Comr Wood	<b>I.02-06-003 (OA)</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>
<b>12/9/03</b> 10:00 a.m. ALJ Brown Comr Brown	<b>A.03-02-027 (EH)</b> - Application of SFPP, LP pursuant to Commission Resolution No. 0-0043 issued October 24, 2002, <b>Commission Courtroom, San Francisco</b> <b>(also December 10 - 12)</b>
<b>1/12/04</b> 10:00 a.m. ALJ Fukutome Comr Lynch	<b>A.03-05-035 (EH)</b> - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006, <b>Commission Courtroom, San Francisco</b> <b>(Also January 13 - 16)</b>
<b>1/12/04</b> 10:00 a.m. ALJ Pulsifer Comr Kennedy	<b>R.95-04-043 (EH)</b> - Order Instituting Rulemaking on the Commission’s Own Motion into Competition for Local Exchange Service, and <b>I.95-04-044</b> - Order Instituting Investigation on the Commission’s Own Motion into Competition for Local Exchange Service, <b>Commission Courtroom, San Francisco</b> <b>(also January 13 - 16)</b>

- 1/12/04**  
4:00 p.m. &  
7:00 p.m.  
ALJ Walker  
Comr Brown  
**A.01-10-047 (PPH)** - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,  
**Oxnard City Hall Council Chamber, 305 West 3<sup>rd</sup> Street, Oxnard, CA**
- 1/13/04**  
9:00 a.m.  
ALJ Walker  
Comr Brown  
**A.01-10-047 (EH)** - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,  
**Oxnard City Hall Council Chamber, 305 West 3<sup>rd</sup> Street, Oxnard, CA**  
**(also January 14 - 16)**
- 1/13/04**  
9:30 a.m.  
ALJ Duda  
Comr Peevey  
**R.93-04-003 (WS)** - 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 (Verizon UNE Phase)** - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,  
**San Francisco Civic Center Complex, 455 Golden Gate Avenue, Hearing Room 9, San Francisco, CA**  
**(also January 14 - 15)**
- 1/26/04**  
9:00 a.m.  
ALJ Simon  
Comr Kennedy  
**A.03-01-013 (EH)** - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491,  
**Commission Courtroom, San Francisco**  
**(also January 27 - 30)**
- 1/26/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Lynch  
**A.02-07-050 (EH)** - 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**  
**(January 27 – 30 and February 2 – 3)**
- 2/9/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Lynch  
**A.03-07-036 (EH)** - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006,  
**Commission Courtroom, San Francisco**  
**(Also February 10 – 11 and February 23 – 24)**
- 2/23/04**  
10:00 a.m.  
ALJ Walker  
Comr Brown  
**C.02-07-044 (EH)** - The Utility Consumers' Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants,  
**Commission Courtroom, San Francisco**  
**(also February 24 – 27)**
- 2/24/04**  
2:00 p.m.  
ALJ Barnett  
Comr Wood  
**A.02-05-004 (PHC)** - 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 (PHASE 2)** - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,  
**Commission Courtroom, San Francisco**

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<b>3/1/04</b> 10:00 a.m. ALJ Barnett Comr Wood	<b>A.02-05-004 (EH)</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 <b>I.02-06-002 (PHASE 2)</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> <b>(also March 2 - 4; March 8 - 11; and March 15 - 18)</b>
<b>3/1/04</b> 10:00 a.m. ALJ TerKeurst Comr Lynch	<b>I.02-11-040 (EH)</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, and <b>I.03-02-033</b> - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities, <b>Commission Courtroom, San Francisco</b> <b>(also March 2 - 5; March 8 - 12; March 15 - 19; and March 22 - 26)</b>
<b>6/14/04</b> 9:30 a.m. ALJ Duda Comr Peevey	<b>R.93-04-003 (EH)</b> - 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 <b>I.93-04-002 (Verizon UNE Phase)</b> - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, <b>Commission Courtroom, San Francisco</b> <b>(also June 15 - 18)</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.*

- 10/2/03      **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: LATE FILED.** On September 26, 2003, Rose Johnson, Regulatory Affairs Vice President, AT&T Communications of California, Inc. (AT&T), met with Jonathan Lakritz, advisor to Cmmr. Wood, in San Francisco. Also present was David Miller, Senior Attorney, for AT&T. Written materials (redacted version attached to the notice) were used. The complete non-redacted attachment is filed under seal concurrently, with a motion to file under seal. AT&T representatives urged the Commission to adopt the cost model proposed by Joint Applicants.

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

**Contact: Doretta Dea**

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

- 10/3/03      **R01-10-024** - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development.

**Summary: LATE FILED.** On September 5, 2003, James Macias, Executive Vice President, Calpine Corporation (Calpine), met with Pres. Peevey in San Francisco. Also present were Robert Kinosian, advisor, Larry Chaset of the Legal Division, and Joseph E. Ronan, Senior Vice President of Government and Regulatory Affairs, Steven Schleimer, Director of Market and Regulatory Affairs, and Jeremiah Hallisey of Hallisey and Johnson, for Calpine. Calpine representatives addressed the benefits that Calpine's Otay Mesa Generating Project can provide to ensure that San Diego Gas & Electric Company will be able to cost-effectively meet the resource needs of ratepayers.

**Filer: Calpine Corporation**

**Contact: Judy Pau**

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

**Summary:** On September 30, 2003, Peter Cartwright, President and Chief Executive Officer, Calpine Corporation (Calpine), met with Pres. Peevey in San Francisco. Also present were Larry Chaset of the Legal Division, and James Macias, Executive Vice President, Joseph E. Ronan, Senior Vice President of Government and Regulatory Affairs, and Jeremiah Hallisey of Hallisey and Johnson, for Calpine. Calpine representatives addressed the benefits that Calpine's Otay Mesa Generating Project can provide to ensure that San Diego Gas & Electric Company will be able to cost-effectively meet the resource needs of ratepayers.

**Filer: Calpine Corporation**

**Contact: Judy Pau**

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

- 10/3/03      **A02-11-017** - Pacific Gas and Electric Company, for authority, among other things, to increase revenue requirements for electric and gas service and to increase rates and charges for gas service effective January 1, 2003.  
**A02-09-005** - Pacific Gas and Electric Company (U 39-E), pursuant to Resolution E-3770 for Reimbursement of Costs associated with delay in implementation of its New Customer Information

System caused by the 2002 20/20 customer rebate program.

**I03-01-012** - Commission Order Instituting Investigation into the Rates, Operations, Practices, Service and Facilities of Pacific Gas and Electric Company.

**Summary:** On September 30, 2003, Dr. Gail de Planque, Chair of the Diablo Canyon Independent Safety Committee (DCISC), met with Pres. Peevey and Mike Campbell, advisor to Cmmr. Lynch, in two separate meetings in San Francisco. At the meeting with Pres. Peevey, also present was Peter Arth, advisor to Pres. Peevey, and with Mike Campbell – David Gamson, advisor to Cmmr. Brown, and Steve Weissman, advisor to Cmmr. Wood. Robert Rathie, counsel, and Diane L. Fellman, regulatory counsel, for DCISC, and representatives of the Office of Ratepayer Advocates, Pacific Gas and Electric Company (PG&E), and the Mothers for Peace, participated in both meetings. Written materials (attached to the notice) were used. Dr. de Planque stated that the Stipulation allowed for the Mothers for Peace issues concerning possible modification of the DCISC structure. Fellman indicated that the DCISC initiated the ex parte meeting due to the recent filing by the Mothers for Peace that violated the terms of the Stipulation. Dr. de Planque affirmed the DCISC's support for the terms of the Stipulation and continuation of the DCISC at least until the next PG&E general rate case. De Planque expressed concern that the proposals of the Mothers for Peace to modify the DCISC structure were unclear and, if implemented, would contradict the character of the DCISC, as created under the original Diablo Canyon rate treatment settlement in D88-12-083, to act as a technical review committee rather than as a public advocate.

**Filer: Diablo Canyon Independent Safety Committee**

**Contact: Jeremy Burnett**

**Phone: (415) 703-0551**

10/7/03            **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: THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION THAT WAS FILED ON September 25, 2003, AND APPEARED IN THE CALENDAR OF SEPTEMBER 30, 2003.** On September 22, 2003, Rose Johnson, Regulatory Affairs Vice President, AT&T Communications of California, Inc., met with ALJ Pulsifer in San Francisco. Also present were Lester Wong, advisor to Cmmr. Peevey, Mike Amato, Paul King, Chris Poschl, Phil Enis, Cynthia Walker, Aram Shumavon and Phyllis White of the Telecommunications Division, Ellen LeVine of the Legal Division, and Greg Hoffman, Senior Attorney, Mark McDonald, Kevin Moore, Ed Norse, Walt Willard, and Rob Wilson, for AT&T. AT&T representatives discussed the hot cut process and issues related to customer migration, including the technical aspects of how customers are migrated to carriers using UNE-L.

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

**Contact: Doretta Dea**

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

10/7/03            **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 October 2, 2003, Rose Johnson, Regulatory Affairs Vice President, AT&T Communications of California, Inc. (AT&T), met with Cmmr. Kennedy in San Francisco. Also present were Tim Sullivan, advisor to Cmmr. Kennedy, and David Miller, Senior Attorney, for AT&T. Written materials (redacted version attached to the notice) were used. The complete non-redacted attachment is filed under seal concurrently, with a motion to file under seal. AT&T representatives urged the Commission to adopt the cost model proposed by Joint Applicants and support local competition.

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

**Contact:** Doretta Dea

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

10/9/03

**R01-09-001** - Order instituting rulemaking on the Commission's own motion to assess and revise the new Regulatory Framework for Pacific Bell and Verizon California Incorporated.

**I01-09-002** - Order instituting investigation on the Commission's own motion to assess and revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated.

**Summary:** On October 6, 2003, Cynthia Marshall, Senior Vice President –Regulatory & Constituency Relations, Pacific Bell Telephone Company (SBC California), met with Cmmr. Brown in San Francisco. Also present were Robert Wullenjohn, Peter Hanson and Belinda Gatti, advisors to Cmmr. Brown, James Young – General Attorney and Assistant General Counsel, for SBC West, and Yvette Hogue, Executive Director, and Mary E. DeJong, Director – Regulatory, SBC California. Written materials (attached to the notice) were used. SBC California noted that in contrast to the appropriate conclusions reached in the Alternate of Cmmrs Peevey and Kennedy, the Lynch/Wood alternate focuses on the negative and improperly refers issues such as affiliate transactions to Phase 3B of the proceeding. SBC California representatives urged the Commission to endorse the Kennedy/Peevey alternate.

**Filer:** Pacific Bell Telephone Company

**Contact:** Claudia Barros

**Phone:** (415) 542-3820

**Summary:** On October 6, 2003, Tim McCallion, President – Pacific Region, Verizon California Inc. (Verizon), had a telephone conversation with Cmmr. Brown. McCallion stated that Kennedy/Peevey alternate was superior to the Lynch/Wood alternate. McCallion also pointed out that while both decisions recognized Verizon providers very good quality, the Lynch/Wood alternative set a new standard for service quality and invites parties to propose penalties called incentives in Phase 3.

**Filer:** Verizon California, Inc.

**Contact:** Terry Tannen

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

10/9/03

**I02-11-008** - Order instituting investigation into statements by SBC Communications and SBC Pacific Bell regarding potential reductions to service quality.

**Summary:** On October 6, 2003, Cynthia Marshall, Senior Vice President –Regulatory & Constituency Relations, Pacific Bell Telephone Company (SBC California), met with Cmmr. Brown in San Francisco. Also present were Robert Wullenjohn, Peter Hanson and Belinda Gatti, advisors to Cmmr. Brown, James Young – General Attorney and Assistant General Counsel, for SBC West, and Yvette Hogue, Executive Director, and Mary E. DeJong, Director – Regulatory, SBC California. Written materials (attached to the notice) were used. SBC California noted, in connection with R01-09-001/I01-09-002, that in contrast to the appropriate conclusions reached in the Alternate of Cmmrs Peevey and Kennedy, the Lynch/Wood alternate focuses on the negative and improperly refers issues such as affiliate transactions to Phase 3B of the proceeding. SBC California representatives urged the Commission to endorse the Kennedy/Peevey alternate.

**Filer:** Pacific Bell Telephone Company

**Contact:** Claudia Barros

**Phone:** (415) 542-3820

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