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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/)

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## **Daily Calendar**

### **Thursday, October 16, 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**

October 22, 2003 8:30 am – 4 pm  Comissioner Peevey	Hiram Johnson State Building 455 Golden Gate Avenue Auditorium San Francisco
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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

**COMMISSIONER OFFICE HOURS**

NONE

**PUBLIC MEETING & WORKSHOPS**

**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.

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

California Relay Service Advisory  
 Committee (CRSAC)  
 October 24, 2003  
 10 am – 4 pm

DDTP Office  
 505 14<sup>th</sup> Street, Suite 400  
 Oakland

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

**PUBLIC MEETING AGENDA**

- I. Routine Business, A. Introductions, B. Agenda Modifications and Approval, C. Public Input – Morning Session, D. Review of Minutes of the Previous Meeting, E. Action Items, F. CRS Report (Sprint and MCI Representatives), 1. Data Report – Sprint, 2. Data Report – MCI, 3. Speech-to-Speech Report, G. CRS Contract Manager’s Report, H. DDTP Staff Reports, 1. Field Operations, 2. Consumer Affairs, 3. Outreach, 4. Marketing, I. Telecommunications Division Report, II. Public Input – Afternoon Session, III. Status of New CRS Contracts, IV. Contract Extensions for Sprint and MCI, V. Proposed Procedure Regarding Proxies, VI. Discussion on CapTel Trial Program, VII. Introduction of Non-voting Liaisons, VIII. Presentation of New Conflict of Interest and Disclosure Form by CPUC LD, IX. Review of Nominees, X. Appointment of Nomination Subcommittee, XI. Report from CRSAC Representative to TADDAC, XII. Member Reports, XIII. Future Meetings and Locations, and XIV. Adjournment.

**Meeting Information**

For more information, please contact Jane Elin, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

**Environmental Notice**

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

**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  
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 loop and transport issues pursuant to the Nine-Month FCC Triennial Review.

**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 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 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)

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 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  
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-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 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

- 10/6/03      **A03-10-032** – WilTel Communications, LLC (U 6146-C), for Approval of an Indirect Transfer of Control and Request for Expedited Ex Parte Relief.
- 10/6/03      **A03-10-033** - WilTel Communications, LLC (U 6146-C), for Approval of a Transfer of Control and Request for Expedited Ex Parte Relief.

- 10/6/03      **A03-10-034** - WiTel Local Network, LLC (U 6316-C), for Approval of an Indirect Transfer of Control and Request for Expedited Ex Parte Relief.
  
- 10/6/03      **A03-10-035** – WiTel Local Network, LLC (U 6316-C), for Approval of a Transfer of Control and Request for Expedited Ex Parte Relief.
  
- 10/9/03      **C03-10-036 – ECP** – Arthur J. Robbins vs. Comcast Phone of California, LLC (formerly, AT&T Broadband Phone of California, LLC), for inappropriate services.

**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

**NONE**

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

**NONE**

**ADVICE LETTER FILINGS**

**NONE**

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

**NONE**

**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**NONE**

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

- 10/8/03**  
ALJ Walker      **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.

**ADJOURNMENTS \* RESETTINGS \* HEARINGS 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 16**
- ALJ Brown      **A.03-07-032** - 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,  
**Evidentiary Hearing held and continued to October 16**

**REMOVALS FROM CALENDAR**

NONE

**NEW SETTINGS**

- 11/20/03**      **C.03-10-036 (ECP)** - Arthur J. Robbins, Complainant, vs. Comcast Phone of California, LLC (formerly, AT&T Broadband Phone of California, LLC), Defendant.  
1:00 p.m.  
ALJ Patrick      **Commission Courtroom, San Francisco**

**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.

- 10/20/03**      NONE SCHEDULED  
10:00 a.m.
- 10/27/03**      NONE SCHEDULED  
10:00 a.m.
- 11/3/03**      NONE SCHEDULED  
10:00 a.m.

**FINAL ORAL ARGUMENTS (FOA)**

NONE

**HEARINGS**

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

*(PHC) = Prehearing Conference*  
*(EH) = Evidentiary Hearing*  
*(PPH) = Public Participation Hearing*  
*(IAM) = Initial Arbitration Meeting*  
*(M) = Mediation*

*(ECP) = Expedited Complaint Procedure*  
*(OSC) = Order to Show Cause*  
*(WS) = Workshop*  
*(FPH) = Full Panel Hearing*  
*(AH) = Arbitration Hearing*

*(CA) = Closing Argument*  
*(LM) = Law & Motion*  
*(OA) = Oral Argument*

- 10/16/03** 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 17; October 20 – 24; October 27 – 28 and November 12 – 14)**
- 10/16/03** 9:30 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 17 and October 20 – 24)**
- 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 Patrick  
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**

- 10/27/03**  
10:00 a.m.  
ALJ Allen  
Comr Brown  
**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  
**A.00-11-056** - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and  
**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**  
1:00 p.m.  
ALJ Barnett  
**C.03-06-024 (ECP)** - Mark Tzalka, Complainant, vs. Southern California Gas Company, Defendant,  
**Commission Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Conference Room A, Los Angeles, CA**
- 10/28/03**  
10:00 a.m.  
ALJ Thorson  
Comr Brown  
**A.03-01-034 (EH)** - 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,  
**Commission Courtroom, San Francisco**
- 10/28/03**  
10:00 a.m.  
ALJ Patrick  
**C.03-09-017 (ECP)** - Maclyn Erickson, Complainant, vs. Southern California Edison Company, Defendant,  
**Department of Transportation, District 5, Sycamore Room, 50 Higuera Street, San Luis Obispo, CA**
- 10/28/03**  
10:00 a.m.  
ALJ Vieth  
Comr Wood  
**C.03-09-027 (TELEPHONIC PHC)** - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs. Southern California Edison Company, Defendant,  
**Commission Courtroom, San Francisco**
- 10/29/03**  
9:30 a.m.  
ALJ Malcolm  
Comr Peevey  
**R.03-09-007 (PHC and WS)** - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation,  
**Commission Courtroom, San Francisco**
- 10/29/03**  
10:00 a.m.  
ALJ Walker  
Comr Kennedy  
**A.02-07-021 (PHC)** - In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will Convey Water Rights in the Culver City Customer Service Area,  
**Commission Courtroom, San Francisco**
- 10/29/03**  
2:00 p.m.  
ALJ McVicar  
Comr Peevey  
**A.03-03-029 (PHC)** - 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**
- 10/30/03**  
10:30 a.m.  
ALJ Bushey  
Comr Kennedy  
**C.03-02-003 (PHC)** - 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**
- 10/31/03**  
10:00 a.m.  
ALJ Walwyn  
Comr Peevey  
**R.01-10-024 (PHC)** - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. (PHC on SDG&E Motion/Calpine Issues),  
**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  
Comr Wood  
**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**

- 11/19/03**  
10:00 a.m.  
ALJ Patrick  
**C.03-09-046 (ECP)** - Marcy A. Warner, Complainant, vs. Pacific Bell Telephone Company, dba SBC California, Defendant,  
**Commission Courtroom, San Francisco**
- 11/19/03**  
10:00 a.m.  
ALJ Malcolm  
Comr Peevey  
**R.03-08-018 (PHC)** - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges,  
**Commission Courtroom, San Francisco**
- 11/20/03**  
1:00 p.m.  
ALJ Patrick  
**C.03-10-036 (ECP)** - Arthur J. Robbins, Complainant, vs. Comcast Phone of California, LLC (formerly, AT&T Broadband Phone of California, LLC), Defendant.  
**Commission Courtroom, San Francisco**
- 11/24/03**  
12:00 noon  
ALJ Barnett  
**C.03-09-041 (ECP)** – Continental Building Control Systems, Inc., Complainant, vs. Allegiance Telecom of California, Inc., Defendant,  
**Commission Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, CA**
- 11/26/03**  
2:00 p.m.  
ALJ Barnett  
Comr Wood  
**C.01-01-032 (PHC)** - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and  
**C.01-01-051** - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and  
**C.01-09-011** - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant,  
**Commission Courtroom, San Francisco**
- 12/4/03**  
9:00 a.m.  
ALJ Terkeurst  
Comr Lynch  
**A.02-09-043 (EH)** - 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,  
**Commission Courtroom, San Francisco**  
**(also December 5 and December 8 – 10) (Note: December 8 at 10:00 a.m. and the remaining days at 9:00 a.m.)**
- 12/4/03**  
2:00 p.m.  
ALJ Grau  
Comr Brown  
**R.03-09-029 (PHC)** - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755,  
**Commission Courtroom, San Francisco**
- 12/8/03**  
2:00 p.m.  
ALJ Vieth  
Comr Wood  
**I.02-06-003 (OA)** - Investigation on the Commission’s own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively “Cingular”) to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers,  
**Commission Courtroom, San Francisco**
- 12/9/03**  
10:00 a.m.  
ALJ Brown  
Comr Brown  
**A.03-02-027 (EH)** - Application of SFPP, LP pursuant to Commission Resolution No. 0-0043 issued October 24, 2002,  
**Commission Courtroom, San Francisco**  
**(also December 10 - 12)**
- 1/12/04**  
10:00 a.m.  
ALJ Fukutome  
Comr Lynch  
**A.03-05-035 (EH)** - 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,  
**Commission Courtroom, San Francisco**  
**(Also January 13 - 16)**

- 1/12/04**  
10:00 a.m.  
ALJ Pulsifer  
Comr Kennedy  
**R.95-04-043 (EH)** - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,  
**Commission Courtroom, San Francisco**  
**(also January 13 - 16)**
- 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**
- 3/1/04**  
10:00 a.m.  
ALJ Barnett  
Comr Wood
- A.02-05-004 (EH)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and  
**I.02-06-002 (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**  
**(also March 2 - 4; March 8 - 11; and March 15 - 18)**
- 3/1/04**  
10:00 a.m.  
ALJ TerKeurst  
Comr Lynch
- I.02-11-040 (EH)** - 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  
**I.03-02-033** - 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,  
**Commission Courtroom, San Francisco**  
**(also March 2 - 5; March 8 - 12; March 15 - 19; and March 22 - 26)**
- 6/14/04**  
9:30 a.m.  
ALJ Duda  
Comr Peevey
- R.93-04-003 (EH)** - 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,  
**Commission Courtroom, San Francisco**  
**(also June 15 - 18)**

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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

**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.

10/8/03	A00-11-038	Southern California Edison Company, for authority to institute a rate stabilization plan with a rate increase and end of rate freeze tariffs.
	A00-11-056	Pacific Gas and Electric Company, for emergency application to adopt a rate stabilization plan.
	A00-10-028	The Utility Reform Network, for modification of Resolution E-3527.

**Summary:** *THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION THAT WAS FILED ON OCTOBER 3, 2003 AND APPEARED IN THE CALENDAR OF OCTOBER 10, 2003.* On September 30, 2003, Greg Bass, Direct Access Operations Manager, Sempra Energy Solutions, representing the Alliance for Retail Energy Markets (AReM), met with David Gamson, advisor to Cmmr. Brown, in San Francisco. Also present were Mike Campbell, advisor to Cmmr. Lynch, Julie Fitch, advisor to Pres. Peevey, Manuel Ramirez, advisor to Cmmr. Wood, Mona Petrochko, Director of Government Affairs, Constellation New Energy, for AReM, and John Leslie, counsel, and Marcie Milner, Director of Regulatory Affairs, for Coral Power. Parties discussed the draft decision of ALJ Wong on AB 117 ESP registration requirements. AReM representatives noted that the DD was circulated without an opportunity for comment and that AB 117 was not self-implementing. AReM representatives stated that the Commission should have initiated a process to accommodate comments respecting the proper balance between the expanded registration requirements of AB 117 and other statutory provisions (e.g. Public Utilities Code Section 391(d)-(f)) that recognize that large commercial and industrial customers do not require the same consumer protections as small commercial and residential customers. AReM representatives expressed concern regarding four of the ESP registration requirements recommended in the DD: fingerprinting, disclosure of officers' felony convictions, reporting of the background of key personnel, and the security deposit. AReM representatives further discussed the applicability and value of ESPs presenting executed copies of ESP-UDC Agreements during the registration process and also mentioned of the appropriate level of the DA-CRS for continuously bundled Southern California Edison's customers that are DA eligible and elect direct access.

**Filer:** Alliance for Retail Energy Markets

**Contact:** Daniel W. Douglass

**Phone:** (818) 936-2466

10/9/03	A03-08-002	Community Redevelopment Agency of Union City and Pacific Gas and Electric Company, for an order authorizing the sale and conveyance of a certain parcel of land in Alameda County pursuant to Public Utilities Code Section 851.
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**Summary:** On October 7, 2003, Mark Evanoff, Redevelopment Agency Manager, Community Redevelopment Agency of the City of Union City, left a telephone message with ALJ Thomas. In the message, Evanoff requested permission to respond to the Response of the Office of Ratepayer Advocates filed October 3, 2003, and clarified the distinction between the "Haul Road" and "11<sup>th</sup> Street".

**Filer:** City of Union City

**Contact:** Mark Evanoff

**Phone:** (510) 471-3232

10/10/03	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:** On October 7, 2003, Greg Hoffman, Senior Attorney of AT&T Communications of California, Inc., met with Tim Sullivan, advisor to Cmmr. Kennedy, in San Francisco. Hoffman discussed issues related to the Federal Communications Commission's Triennial Review Order. Hoffman explained

that the Commission should not bifurcate this proceeding with respect to the trigger and potential deployment analyses. Hoffman asserted that a two-phased approach to the batch cut process is not workable or necessary.

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

**Contact: Doretta Dea**

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

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