
Public Utilities Commission of the State of California

William Ahern, Executive Director

Headquarters

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Los Angeles, CA 90013
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Website: <http://www.cpuc.ca.gov>

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

Daily Calendar Thursday, May 27, 2004

- 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
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

May 27, 2004	10 am	San Francisco
June 9, 2004	10 am	San Francisco
July 8, 2004	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.

June 7, 2004	1:30 pm	San Francisco
July 2, 2004	1:30 pm	San Francisco
August 16, 2004	1:30 pm	San Francisco

OTHER COMMISSION MEETINGS

NONE

NOTICES**Central Files Revised Office Hours**

Starting May 24, 2004, the Central Files Office will be open for business from 8 a.m. to 12 noon only.

Delivery of Formal Pleadings for Filing

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

Charge for Commission Documents

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

Commission Resources Available for Rental

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

SUBSCRIPTION INFORMATION**Subscription 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
E-mail: pol@cpuc.ca.gov

September 30, 2004

9 am – 4 pm

October 20, 2004

10 am – 4 pm

October 21, 2004

9 am – 4 pm

The Water Division is hosting a continuation Workshop August 25 and 26, 2004; September 14, 29, and 30, 2004; and October 20 and 21, 2004, to solicit public input on the need for modification of the Rate Case Plan for Class A Water Utility General Rate Applications (Commission Decision 90-08-045).

The purpose of the workshop is two fold:

To identify the least controversial issues in the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications prepared by the Water Division and;

To discuss the necessary components of an interim rate case plan schedule for year 2004.

For your information, the Draft Proposed Rate Case Plan for Class A Water Utility General Rate Applications can be found on the Commission website at <http://www.cpuc.ca.gov>. (Go to the "Regulated Areas," select "Water" and scroll down to "Helpful Links".)

Questions regarding the workshop should be addressed to Peter Liu of the Water Division at (415) 703-1390 (ptl@cpuc.ca.gov).

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

This alternate to draft resolution T16818 differs from the proposed resolution in one significant way: It affirms and maintains the Telecommunications Division's policy as adopted in previous resolutions to use the "non-recurring burden test" to permit the discounting or waiver of non-recurring charges when the service provided covers costs. As a consequence, this resolution does not trigger immediate \$56 million in price increases for SBC's telecommunications services which were approved previously through use of the "burden test" is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/36560.htm

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/36559.htm (cover letter)

Contact person: Karen Miller @ (415) 703-3073 or knr@cpuc.ca.gov,

Tim Sullivan @ (415) 703-5462 or tjs@cpuc.ca.gov

The Telecommunications Division has prepared Resolution T-16842 for the July 8, 2004 Commission Agenda. This resolution authorizes Pinnacles Telephone Company (Pinnacles) to implement a Customer Notification and Education Plan (CNEP) for the passage of Calling Party Numbers (CPN). Pinnacles' CNEP will constitute a public education program which focuses on customer privacy and informed consent.

Any questions or comments should be directed to:

Richard C. Maniscalco
Telecommunications Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2005

NEW FILINGS

5/25/04

A04-05-038 - City of Mendota, for authority to construct an at-grade pedestrian crossing along the

prolongation of 2nd Street across the tracks of the Union Pacific Railroad Company in the City of Mendota, Fresno County.

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

NONE

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

5/26/04 **I00-11-001** - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve those Constraints, and Related Matters Affecting the Reliability of Electric Supply; **Alternate Proposed Decision of President Peevey.**

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

5/14/04
ALJ Vieth **A.03-10-006** - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its Metropolitan Service Area.

5/20/04
ALJ Walker **A.04-01-024** - In the Matter of the Application of F. Patrick Flynn & Joyce H. Flynn to sell 100% of the Outstanding Stock of Mesa Crest Water Company (U-333-W) to California-Michigan Land and Water Company, which operates a Water System in Los Angeles County, pursuant to Public Utilities Code Sections 851 through 854.

ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

- Correction to the Daily Calendar of 5/26/04**
- ALJ Malcolm **A.03-03-043** - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Viejo System Project,
Public Participation Hearing in Mission Viejo held and concluded
- ALJ Thorson **I. 03-10-038** - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,
Evidentiary Hearing held and continued to May 27
- ALJ Econome **I.04-02-008** – In the Matter of the Order Instituting Investigation on the Commission’s Own Motion, Notice of Opportunity for To Be Heard, and Order to Show Cause Regarding the Operations and Practices of Arnold Ray Baeza, an Individual Doing Business as Best Movers,
Evidentiary Hearing currently set for July 1 reset to June 30

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

NONE

LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judges Sarah R. Thomas and John E. Thorson 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.

- 5/31/04** NONE SCHEDULED
10:00 a.m.
- 6/7/04** NONE SCHEDULED
10:00 a.m.
- 6/14/04** 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

- 5/27/04** **I. 03-10-038 (EH)** - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,
Commission Courtroom, San Francisco
 9:00 a.m. to
 3:30 p.m.
 ALJ Thorson
 Comr Brown
- 6/1/04** **A.03-10-057 (EH)** - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief,
Commission Courtroom, San Francisco
(also June 2 - 3)
 9:00 a.m.
 ALJ Vieth
 Comr Peevey
- 6/1/04** **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 June 2 – 4 and June 7 - 11)
 9:30 a.m.
 ALJ Long
 Comr Wood
- 6/1/04** **C.03-08-030 (EH)** – County of Los Angeles, Complainant, vs. Union Pacific Railroad Company, Defendant,
Commission Courtroom, San Francisco
 10:00 a.m.
 ALJ Koss
 Comr Peevey
- 6/2/04** **C.04-04-023 (ECP)** - African American CalWorks Coalition, Complainant, vs. SBC Pacific Bell, Defendant,
Commission Courtroom, San Francisco
 10:00 a.m.
 ALJ Patrick
- 6/2/04** **R.03-10-003 (EH)** - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation,
Commission Courtroom, San Francisco
(also June 3 – 4; June 7 – 11; and June 14)
 10:00 a.m.
 ALJ Malcolm
 Comr Peevey

- 6/4/04**
10:00 a.m.
ALJ Galvin
Comr Peevey
A.04-04-005 (PHC) -Application of Southern California Edison Company (U 338-E) for a Commission Finding that its Procurement-Related and Other Operations for the Record Period July 1 Through December 31, 2003 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account; for Recovery of a Nuclear Unit Incentive Reward of \$9.7 million; and for Recovery of \$4.9 Million Recorded in the Electric Energy Transaction Administration Memorandum Account,
Commission Courtroom, San Francisco
- 6/4/04**
2:00 p.m.
ALJ Barnett
C.04-04-039 (ECP) – Luis A. Alvarez, Complainant, vs. Southern California Edison Company, Defendant,
Fontana Police Department Meeting Room, 8353 Sierra Avenue (behind City Hall, Brown Building) Fontana, CA
- 6/7/04**
10:00 a.m.
ALJ O'Donnell
Comr Brown
R.03-03-017 (EH) - 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,
Commission Courtroom, San Francisco
(also June 8 – 11 at 9:30 a.m.)
- 6/7/04**
10:30 a.m.
ALJ Duda
Comr Brown
A.04-05-002 (PHC) - In the Matter of the Request for Arbitration of XO California, Inc. Of an Amendment to an Interconnection Agreement with SBC California Pursuant to Section 252(B) of the Communications Act of 1934, as Amended,
Commission Courtroom, San Francisco
- 6/7/04**
4:00 p.m. &
7:00 p.m.
ALJ Walker
Comr Lynch
A.04-01-031 (PPH) - Application of Southern California Edison Company (U 338-E) for Authority to, Among Other Things, Increase Its Authorized Revenues for Gas Service for Santa Catalina Island in 2005, and to Reflect That Increase in Rates,
CIRS Golf Course Conference Room, 1 Country Club Road, Avalon, CA
- 6/8/04**
10:00 a.m.
ALJ Galvin
Comr Peevey
A.03-12-010 (EH) - Application of San Diego Gas & Electric Company (U 902 E) for a Finding of Prudence Regarding its Power Procurement Activities, and for Approval of Expenses Recorded to the Electric Resource Recovery Account,
Commission Courtroom, San Francisco
(also June 9 at 9:00 a.m.)
- 6/8/04**
10:00 a.m.
ALJ Walker
Comr Lynch
A.04-01-031 (EH) - Application of Southern California Edison Company (U 338-E) for Authority to, Among Other Things, Increase Its Authorized Revenues for Gas Service for Santa Catalina Island in 2005, and to Reflect That Increase in Rates,
CIRS Golf Course Conference Room, 1 Country Club Road, Avalon, CA
(also June 9 – 11)
- 6/9/04**
10:00 a.m.
ALJ Patrick
C.04-04-028 (ECP) - RNM Properties, Complainant, vs. Pacific Bell Telephone Company, dba SBC California, Defendant,
Commission Courtroom, San Francisco

- 6/14/04**
9:30 a.m.
ALJ Duda
Comr Peevey
R.93-04-003 (Verizon UNE Phase) (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 - 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)
- 6/14/04**
10:00 a.m.
ALJ Brown
Comr Lynch
A.02-05-046 (EH) - In the Matter of the Application of Southern California Edison Company (U 338 E) Regarding the Future Disposition of the Mohave Generating Station,
Commission Courtroom, San Francisco
(also June 15 – 18; June 21 – 25; and June 28 – 30)
- 6/15/04**
2:00 p.m.
ALJ Barnett
Comr Wood
A.04-04-008 (PHC) - Application of Southern California Edison Company (U 338-E) for Approval of Economic Development Rates,
Commission Courtroom, San Francisco
- 6/15/04**
10:00 a.m.
ALJ Walwyn
Comr Brown
I.04-04-001 (PHC) - In the matter of the Order Instituting Investigation an Order to Show Cause on the Commission's own motion into the operations and practices of Ronen Perez, an individual, Ford Moving and Storage, Inc., a California corporation, and its president, Ronen Perez, Applicants/Respondents,
Commission Courtroom, San Francisco
- 6/16/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
I.02-11-040 (EH) (Phase I. A) - 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,
Commission Courtroom, San Francisco
(also June 17 – 18; June 21 – 25; and June 28 – July 1) (Note: June 21 and 28 at 10:00 a.m. and the remaining days at 9:00 a.m.)
- 6/16/04**
11:00 a.m.
ALJ Econom
Comr Brown
I.04-02-008 (TELEPHONIC - PHC) – In the Matter of the Order Instituting Investigation on the Commission's Own Motion, Notice of Opportunity for To Be Heard, and Order to Show Cause Regarding the Operations and Practices of Arnold Ray Baeza, an Individual Doing Business as Best Movers,
Commission Room 5113, San Francisco
- 6/21/04**
9:00 a.m. -
10:00 a.m.
ALJ Thorson
Comr Brown
C.03-09-001 (PHC) - Casmalia Community Services District, Complainant, vs. Unocal Corporation, also known as Casmite Water System, Defendant,
Commission Courtroom, San Francisco
- 6/21/04**
10:00 a.m. -
3:00 p.m.
ALJ Thorson
Comr Brown
C.03-09-001 (EH) - Casmalia Community Services District, Complainant, vs. Unocal Corporation, also known as Casmite Water System, Defendant,
Commission Courtroom, San Francisco
(also June 22 – 25)
- 6/28/04**
12:00 noon
ALJ Barnett
C.04-05-024 (ECP) - Joseph Gorlock, Complainant, vs. San Diego Gas & Electric Company, Defendant,
San Diego State Office Building, 1350 Front Street, Room B-102, San Diego, CA

- 6/29/04**
10:00 a.m.
ALJ Simon
Comr Wood
A.04-03-003 (PHC) - Application of SAN TA CLARA VALLEY TRANSPORTATION AUTHORITY and SOBRATO INTERESTS III, a California limited partnership, for an Order Authorizing Convention of an Existing Private At-Grade Freight Railroad Crossing to a Public Crossing and Approving enhanced Safety Appliances and Procedures at the crossing, adjacent to Winchester Boulevard near State Route 85 located in the Town of Los Gatos, County of Santa Clara, State of California,
Commission Courtroom, San Francisco
- 6/30/04**
10:00 a.m.
ALJ Patrick
C.04-04-019 (ECP) - David Hohenfeldt, Complainant, vs. Pacific Gas and Electric Company, Defendant,
Commission Courtroom, San Francisco
- 6/30/04**
11:00 a.m.
ALJ Economie
Comr Brown
I.04-02-008 (EH) – In the Matter of the Order Instituting Investigation on the Commission’s Own Motion, Notice of Opportunity for To Be Heard, and Order to Show Cause Regarding the Operations and Practices of Arnold Ray Baeza, an Individual Doing Business as Best Movers,
Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA
- 7/2/04**
9:00 a.m.
ALJ TerKeurst
Comr Lynch
I.02-11-040 (EH) (Phase I. 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,
Commission Courtroom, San Francisco
(also July 6 – 9) (Note: July 6 at 10:00 a.m. and the remaining days at 9:00 a.m.)
- 7/19/04**
10:00 a.m.
ALJ Barnett
Comr Kennedy
A.99-04-048 (EH) - Application of Pacific Gas and Electric Company (U 39 M) for an Order Under Section 851 of the California Public Utilities Code to Sell and Convey Certain Limited Sole-Customer Public Utility Facilities, (U 39 M),
Commission Courtroom, San Francisco
(also July 20)
- 7/20/04**
9:00 a.m.
ALJ Reed
Comr Lynch
A.99-03-025 (EH) - In the Matter of the Application of Roseville Telephone Company (U 1015 C) to Review Its New Regulatory Framework,
Commission Courtroom, San Francisco
(also July 21 – 22)
- 7/21/04**
10:00 a.m.
ALJ Walwyn
Comr Brown
A.04-03-021 (EH) - Application of Pacific Gas and Electric Company Proposing Cost of Service and Rates for Gas Transmission and Storage Services for 2005 and Backbone Level Service and Rates Starting January 1, 2005, as Required by Commission Decision 03-12-061,
Commission Courtroom, San Francisco
(also July 22 – 23 and July 26 – 30)
- 7/26/04**
10:00 a.m.
ALJ Thomas
Comr Wood
R.04-01-006 (EH) - Order Instituting Rulemaking on the Commission’s Proposed Policies and Programs Governing post-2003 Low-Income Assistance Programs,
Commission Courtroom, San Francisco
(also July 27)
- 8/3/04**
9:00 a.m.
ALJ Mattson
Comr Wood
A.00-07-013 (EH) - Application of Pacific Gas and Electric Company for Review and Recovery of Costs Recorded in the Electric Restructuring Costs Account (ERCA) for 1999 and Forecast for 2000 and 2001. (U 39 E),
Commission Courtroom, San Francisco
(also August 4 - 6)

- 8/16/04**
10:00 a.m.
ALJ McKenzie
Comr Peevey
- A.04-03-023 (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 Coronado District to increase revenues by \$352.9 or 2.86% in the year 2005, to decrease revenues by (\$43.1) or (0.34%) in 2006, and to decrease revenues by (\$28.4) or (0.22%) in 2007, and
A.04-03-024 - In the Matter of the Application of California-American Water Company (U 210-W) for an order authorizing it to change its rates for water service in its Village District to decrease revenues by (\$1,254.0) or (6.36%) in the year 2005, to decrease revenues by (\$24.9) or (0.13%) in 2006, and to increase revenues by \$4.7 or 0.03% in 2007,
Commission Courtroom, San Francisco
(also August 17 – 18)
- 8/16/04**
10:00 a.m.
ALJ Economie
Comr Wood
- C.04-03-025 (TELEPHONIC - PHC)** - City of San Diego, a Charter City, The Redevelopment Agency of the City of San Diego, a public entity, and Padres, L.P., a limited partnership, Complainants, vs. San Diego Gas & Electric Company, a California Public Utility, Defendant,
Commission Room 5113, San Francisco
- 8/18/04**
10:30 a.m.
ALJ Economie
Comr Wood
- C.04-03-025 (EH)** - City of San Diego, a Charter City, The Redevelopment Agency of the City of San Diego, a public entity, and Padres, L.P., a limited partnership, Complainants, vs. San Diego Gas & Electric Company, a California Public Utility, Defendant,
San Diego State Building, 1350 Front Street, Room B-107, San Diego, CA
(also August 19 – 20 at 9:00 a.m.)
- 8/23/04**
10:00 a.m.
ALJ O'Donnell
Comr Brown
- A.04-01-009 (EH)** – Application of Pacific Gas and Electric Company (U 39 E) for authority to increase revenue requirements to recover the costs to replace steam generators in Units 1 and 2 of the Diablo Canyon Power Plant,
Commission Courtroom, San Francisco
(also August 24 – 27 and September 7 – 10) (Note: August 23 & September 7 at 10:00 a.m. and the remaining days at 9:30 a.m.)
- 9/24/04**
11:00 a.m.
ALJ Economie
Comr Wood
- C.04-03-025 (CA)** - City of San Diego, a Charter City, The Redevelopment Agency of the City of San Diego, a public entity, and Padres, L.P., a limited partnership, Complainants, vs. San Diego Gas & Electric Company, a California Public Utility, Defendant,
San Diego State Building, 1350 Front Street, Room B-107, San Diego, CA
- 9/27/04**
10:00 a.m.
ALJ McKenzie
Comr Lynch
- I.00-03-001 (EH)** - Investigation into the operations and practices of Qwest Communications Corporation, et al. in concerning compliance with Statutes, Commission decisions, and other requirements applicable to the utility's installation of facilities in California for providing Telecommunications service,
Commission Courtroom, San Francisco
(Also September 28 – October 1 and October 4 – 6)
- 10/19/04**
10:00 a.m.
ALJ Galvin
Comr Kennedy
- A.03-12-008 (EH)** - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing treatment of net proceeds from real property sales as subject to Public Utilities Code § 790 and for establishment of memorandum accounts to record net sales proceeds,
Commission Courtroom, San Francisco
(also October 20)

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

Summary: On May 18, 2004, Michael L. Whitehead, President of San Gabriel Valley Water Company (San Gabriel), met with David Gamson, advisor to Cmmr. Brown, in San Francisco. Also present was Belinda Gatti, advisor to Cmmr. Brown, and Margaret Catzen-Brown, and employee of Nossaman, Guthner, Knox & Elliott, LLP. Written materials (attached to the notice) were used. Whitehead expressed San Gabriel's opposition to the alternate decision (AD) of Cmmr. Brown. Whitehead explained that the AD's rate base cap of \$7.6 million for Test Year 2004 and attrition years 2005 and 2006 would deny San Gabriel any recovery in rates for investments that both the proposed decision and the AD recognize as necessary. Whitehead also expressed objections to the AD's removal from rate base of a large sum of company-funded plant additions based on a flawed conclusion that proceeds of an inverse condemnation settlement with the County of San Bernardino should be treated as contribution.

Filer: San Gabriel Valley Water Company

Contact: Jeannie Wong

Phone: (415) 398-3600

Email: jwong@nossaman.com

5/21/04	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: On May 18, 2004, Lad Lorenz, Vice President of Regulatory Affairs for San Diego Gas & Electric Company (SDG&E), met with Cmmr. Brown and Pres. Peevey in two separate meetings in San Francisco. At the meeting with Cmmr. Brown also present was David Gamson, advisor to Cmmr. Brown, and with Pres. Peevey – Julie Fitch, advisor to Pres. Peevey. Meredith Allen, Attorney, Regulatory Law for Sempra Energy, Karen Tomcala, Vice President, Regulatory Relations, and Mark Huffman, Attorney, for Pacific Gas and Electric Company, and Bruce Foster, Vice President, Regulatory Operations, and Michael Hoover, Director of Regulatory Affairs, for Southern California Edison Company (SCE), participated in both meetings. Written materials (attached to the notice), subsequently provided to Cmmr. Brown and David Gamson, and to Pres. Peevey and Julie Fitch were discussed. Lorenz explained SDG&E's opposition to SCE's proposed reallocation of the California Department of Water Resources Bond Charges and his support for the proposed decision of ALJ Allen.

Filer: San Diego Gas & Electric Company

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Summary: On May 18, 2004, Karen Tomcala, Vice President, Regulatory Relations, Pacific Gas & Electric Company (PG&E), met with Pres. Peevey and Cmmr. Brown in two separate meetings in San Francisco. At the meeting with Pres. Peevey also present was Julie Fitch, advisor to Pres. Peevey, and with Cmmr. Brown – David Gamson, advisor to Cmmr. Brown. Mark Huffman, Attorney for PG&E, participated in both meetings. Written material (attached to the notice) was used. Tomcala stated that PG&E supports ALJ Allen's proposed decision denying Southern California Edison Company's (SCE) Petition for Modification of D04-01-028 regarding allocation of the Department of Water Resources' bond charge revenue requirements. Huffman explained that there is a disconnect between those paying for the bond charges and those who received power paid for by the bond charges.

Filer: Pacific Gas and Electric Company

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5/24/04	A02-07-050	SBC Pacific Bell Telephone Company (U 1001-C), a corporation, for Authority to Categorize Local DA Service as a Category III Service.
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Summary: On May 20, 2004, Robert Finkelstein, Executive Director of The Utility Reform Network (TURN), met with Robert Wullenjohn, advisor to Cmmr. Brown, in San Francisco. Also present was

William Nusbaum, Senior Telecommunications Attorney for TURN. Finkelstein expressed TURN's support for the proposed decision (PD) of ALJ Malcolm, and urged rejection of Cmmr. Kennedy's alternate decision (AD) because it would unduly gloss over much of the criticism of the utility's actions surrounding its unilateral pronouncement that the proceeding was over. Finkelstein indicated that the discussion of sanctions in the PD is entirely appropriate – Pacific Bell had chosen to simply ignore a standing Commission directive. On the discovery issue, Finkelstein stated that the AD inexplicably seeks to shift the blame to TURN and other parties who had their discovery stymied by Pacific Bell's action. Finkelstein explained that the PD correctly notes that the appropriate course of action would have been for the utility to engage in 'meet and confer' activities, while the AD suggests intervenors should file a motion to compel any time a utility is late with its discovery request responses. Finally, Finkelstein stated that the PD's two-year prohibition on re-filing this application or any similar request for relief is appropriate, if not overly favorable to the utility. Finkelstein indicated that TURN continues to think a five-year prohibition is appropriate, but certainly the two-year prohibition in the PD is better than the absence of any prohibition in the AD.

Filer: The Utility Reform Network

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