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

*Wesley M. Franklin, Executive Director*

*Headquarters*

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

*Southern California Office*

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

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

[Online Calendar Archive: http://www.cpuc.ca.gov/daily\\_calendar\\_archive/](http://www.cpuc.ca.gov/daily_calendar_archive/)

## **Daily Calendar Thursday, September 27, 2001**

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



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

**REGULAR COMMISSION BUSINESS MEETINGS**

<b>October 2, 2001</b>	<b>10 am</b>	<b>San Francisco</b>
<b>October 10, 2001</b>	10 am	San Francisco
October 25, 2001	10 am	<b>San Francisco</b>
November 8, 2001	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 9, 2001	1:30 pm	San Francisco
October 22, 2001	1:30 pm	San Francisco
November 5, 2001	1:30 pm	San Francisco

**NOTICE TO PEOPLE WITH DISABILITIES**

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

**NOTICES**

**Delivery of Formal Pleadings for Filing**

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

**Charge for Commission Documents**

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

**Commission Resources Available for Rental**

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

### **SUBSCRIPTION INFORMATION**

#### **Subscription Notice for Draft Agenda Items**

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

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

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

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

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

#### **Subscription Notice for Daily Calendar and/or Agenda**

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

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**COMMISSIONER OFFICE HOURS**

**NONE**

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**PUBLIC MEETING & WORKSHOPS**

**Public Meeting**

September 27, 2001  
9:30 am

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

The ULTS Administrative Committee will hold a continuation meeting on this date to discuss: 1. Letters of Employment, 2. Audit Report, and 3. Fund Status. The contact person for this meeting is Angela Young at 415-703-2837.

**Public Meeting**

September 27, 2001  
9:30 am - 1 pm

PSP Enforcement  
One Crow Canyon Court, #110  
**San Ramon**

The Payphone Service Providers Enforcement Committee (PSPEC) will hold its regular meeting to for both the Payphone Service Providers Enforcement (PSPE) and Public Policy Payphone Program (PPPP) to discuss the following: (PSPE) - Review/Approve August 28, 2001 Meeting Minutes; Review/Approve PSPE Program Reports, Financials, and Staffing; Set Future Agenda Items; and Hear Public Comments. Transition of PSP/PPPP to CPUC. (PPPP) - Review/Approve August 28, 2001 Meeting Minutes; Review/Approve PPPP Program Reports, Financials, and Staffing; Set Future Agenda Items; and Hear Public Comments; and Review/Approve PPPP applications.

**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 packet, please notify the PSPE office at (925) 855-3890 or e-mail PSP\_Enforcement@yahoo.com.

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

Deaf and Disabled Telecommunications Program  
The SB 669 Transition Plan Task Force  
September 27, 2001  
11 am - 5 pm

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

### PUBLIC MEETING AGENDA

The Interview Task Force for the Hard of Hearing and Senior Citizen Community Representative Seat to EPAC will hold a meeting to address the following: I.) EPAC Hard of Hearing Community Representative Interviews, II.) EPAC Senior Citizen Community Representative Interviews, III.) Public Input, and IV.) Adjournment.

**Meeting Information:** For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 voice or (510) 302-1101 TTY.

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

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

*Deaf and Disabled Telecommunications Program  
Equipment Program Advisory Committee  
September 27, 2001  
12 noon – 1 pm*

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

The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following: I.) Recommendation from the EPAC Disabled Community Representative Interview Task, II.) Pending Recommendation from EPAC Hard of Hearing Community Representative Interview Task Force, III.) Public Input, and IV.) Adjournment.

**EPAC Meeting Information:** For more information, please contact Katy Franco at (510) 302-1100 voice or (510) 302-1101 TTY.

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

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

*California Relay Service Advisory  
Committee (CRSAC)  
September 28, 2001  
10 am – 4 pm*

*DDTP Offices  
505 14<sup>th</sup> Street, Suite 400  
Conference Room  
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.) CRS Report, F.) Executive Director's Report, G.) CRS Contract Manager's Report, H.) DDTP Staff Reports, II.) Public Input, III.) Unified Approach to Outreach Activities, IV.)

Discussion on CRS consumer meetings in Los Angeles and Fremont, V.) Make recommendation to award one independent contractor to do CRS/STS performance monitoring, VI.) MCI presentation on Internet Relay proposal, VII.) Recommendations from the Interviewing Task Force, VIII.) Follow-up on STS Procedures Regarding the 60-Second Rule on Disconnects, IX.) Revisiting the CRSAC Retreat of 2000, X.) CRSAC Representative To DDTPAC, XI.) Future Meetings, XII.) Report from CRSAC Representative to DDTPAC, XIII.) Member Reports, and XIV.) Adjournment.

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

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

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

<p><i>Deaf and Disabled Telecommunications Program Advisory Committee (DDTPAC) October 2, 2001 10 am– 4 pm</i></p>	<p><i>DDTP Offices 505 14<sup>th</sup> Street, Suite 400 Oakland</i></p>
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

**PUBLIC MEETING AGENDA**

I.) Minutes of the September 2001 DDTPAC Meeting, II.) Approval of Agenda, III.) Administrative Business, A.) Public Input (1:00 PM), B.) Report from the Chair, C.) Executive Director's Report, D.) Report from CRSAC, IV.) Financial Business, A.) Review of 2001 Program Budget vs.) Expenses, B.) Review of Customer Contact Department Report and Expenses, D.) Review of Marketing and Outreach Department Report and Expenses, E.) Review of CRS Department Report and SB 244 Expenses, F.) Review of Equipment Program Department Report and Expenses, G.) Review of Telco Reports and Expenses, H.) Review of Administrative Reports and Expenses, I.) Review of Bank of America Letter, J.) Balance in the D.E.A.F. Trust, V.) Other Business, A.) Recommendation from Interviewing Task Force Regarding Candidates for the Disabled, Hard-of-Hearing and Senior Seats on EPAC, B.) Review of Staff Recommendation Regarding Renewal of Call Center, C.) Presentation from MCI on IP Relay, D.) Review of a Proposed DDTP Structure in Response to SB 669, E.) Recommendations from CRSAC's September 28, 2001 Meeting, F.) Recommendation from Staff Regarding Status of DDTP Operations During Rolling Blackouts

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

**Environmental Notice:** People with environmental illness or multiple chemical

sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

**Workshop Notice**

October 10, 2001  
10 am - 5 pm

Country Suites by Ayres  
1945 East Holt Boulevard  
Ontario

The Administrative Committee of the Electric Education Trust (EET) meets to discuss the CBO outreach grant program and the non-CBO grant program. The contact person is Judy Cooper at (415) 703-2188.

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

The Telecommunications Division has placed Resolution T-16551 on the October 11, 2001 Commission agenda as Item CA-4. The resolution will revoke 20 long distance companies' CPCNs for failure to comply with Decision 93-05-010 Ordering Paragraph 4. The affected companies are:

- |                               |                                 |
|-------------------------------|---------------------------------|
| U-5201 Long Distance Network  | U-5209 One-2-One Comms.         |
| U-5219 WBC Communications     | U-5245 Telepacific Telecomms.   |
| U-5252 Int'l Telecom Exchange | U-5254 Comtech Mobile Telephone |
| U-5285 Am. Teletronics        | U-5305 Digicom                  |
| U-5322 Phoenix Comms.         | U-5309 Addtel Comms., Inc.      |
| U-5328 Ascending Technologies | U-5343 MTC Management Corp.     |
| U-5344 Paracom Corp.          | U-5325 Applied Signal Corp.     |
| U-5405 WATS Int'l             | U-5374 Cal-Tel Long Distance    |
| U-5430 Total Telecom          | U-5396 PowerNet Comms.          |
| U-5442 U.S. Digital Network   | U-5432 Int'l Digital Comms.     |

Anyone with questions or comments about this resolution may write or call:

Joe McIlvain  
Telecom Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Phone: (415) 703-2185

Draft Resolution M-4802 (CA-7) will be placed on the Commission Meeting Agenda of October 11, 2001. This resolution adopts level of transportation rate fund fee that should

be imposed for fiscal year 2001-02.

Draft Resolution M-4803 (CA-8) will be placed on the Commission Meeting Agenda of October 11, 2001. This resolution adopts level of public utilities commission transportation reimbursement account fees for fiscal year 2001-02.

Draft Resolution M-4804 (CA-9) will be placed on the Commission Meeting Agenda for October 11, 2001. This resolution adopts level of public utilities commission utilities reimbursement account fees for fiscal year 2001-02.

Interested parties may obtain a copy of Resolutions CA-7, CA-8, and CA-9 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

Mike Cooper  
Executive Division  
California Public Utilities Commission  
505 Van Ness Avenue, 3<sup>rd</sup> Floor  
San Francisco, CA 94102  
Telephone: (415) 703-2691  
E-mail: [dmc@cpuc.ca.gov](mailto:dmc@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 Public Records Act Request by Terry Singleton, Esq. of Singleton & Associates, on Behalf of the Mexican Consulate of San Diego, Seeking Disclosure of Commission Staff Investigative Records Relating to the Death of Ramon Maldonado-Colin (Incident No. EIR20010309-01).

A draft resolution (L-295) by the Legal Division authorizing disclosure of the Utilities Safety Division's investigative report concerning Incident No. EIR20010309-01, is scheduled for consideration on the October 25, 2001 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-295, amend or modify it, or set it aside and prepare a different resolution.

On September 13, 2001, the draft resolution was circulated to the requesting party and the subject utility, San Diego Gas & 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 25, 2001 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 Monday, October 15, 2001, at the address set forth below. Reply comments must be filed

by Monday, October 22, 2001. 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.

Charlyn Hook  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 4107-9  
San Francisco, CA 94102  
Telephone: (415) 703-3050 E-mail: chh@cpuc.ca.gov

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#### NEW FILINGS

9/5/01	A01-02-026	<b>Third Amendment to Application</b> – Catalina Red & White Cruises, Inc., for a Certificate of Public Convenience and Necessity to Operate as a vessel common carrier between Long Beach and Los Angeles (San Pedro), California on the one hand and all points and places on Santa Catalina Island on the other hand, and between all points and places at and within three miles of Santa Catalina Island; request for interim operating authority. <b>The Amendment consists of an Amendment to Section 8 of the Application.</b>
9/19/01	A01-09-027	Southern California Edison Company (U 338-E), for Order Approving Proposed Settlement Agreement Regarding QFID 2180 and Authorizing Edison's Recovery of Payments Made Under the Proposed Settlement Agreement Between Edison and the County of Los Angeles
9/19/01	A01-09-028	Sigma Networks Telecommunications, Inc., for a Certificate of Public Convenience and Necessity to Operate as a Provider of Facilities-Based and Resale Local Exchange and Interexchange Telecommunications Services within the State of California

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

NONE

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

NONE

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**ADVICE LETTER FILINGS**

NONE

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**MISCELLANEOUS TRANSPORTATION ITEMS  
Filings with Rail Safety and Carriers Division**

NONE

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

NONE

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

NONE

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

- R.93-04-003 Jones – 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 Jones – Investigation on the Commission’s Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, **Evidentiary Hearing held and continued to September 27**
- (Permanent Line Sharing Phase)**
- C.01-08-018 Brown – United States Can Company, Complainant, vs. Southern California Edison Company, Defendant, **Prehearing Conference originally set for October 12, reset to October 19, 11:00 a.m., Commission Courtroom, 320 W 4<sup>th</sup> Street, Los Angeles, CA**
- C.01-08-011 Sullivan – George Goldsmith, Complainant, vs. Verizon Select Services, Inc., Defendant, **Telephonic PHC held and concluded**
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**REMOVALS FROM CALENDAR**

**NONE**

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**NEW SETTINGS**

**NONE**

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**LAW AND MOTION**

Law and Motion Hearings are held before **Administrative Law Judge Victor Ryerson** 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.

9/24/01            10:00 a.m.            NONE SCHEDULED

10/01/01	10:00 a.m.	NONE SCHEDULED
10/08/01	10:00 a.m.	NONE SCHEDULED

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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*

*(WS) = Workshop*

*(EH) = Evidentiary Hearing*

*(FPH) = Full Panel Hearing*

*(PPH) = Public Participation Hearing*

*(AH) = Arbitration Hearing*

*(IAM) = Initial Arbitration Meeting*

*(CA) = Closing Argument*

*(M) = Mediation*

*(LM) = Law & Motion*

*(ECP) = Expedited Complaint Procedure*

*(OA) = Oral Argument*

9/27/01	9:00 a.m.	<b>(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
ALJ Jones Comr Bilas	R.93-04-003	
	I.93-04-002	<b>(EH)</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 September 28; October 22 to 26)</b>
	<b>(Permanent Line Sharing Phase)</b>	
10/1/01	10:00 a.m.	<b>(PHC)</b> – Application of Southern California Water Company to Increase Rates for Bear Valley Electric Customer Service Area, <b>Commission Courtroom, San Francisco</b>
ALJ DeBerry Comr Brown	A.01-08-020	

10/2/01 ALJ Sullivan Comr Bilas	10:30 a.m. C.01-04-031	<b>(EH)</b> – Advantage Energy, LLC, Complainant, vs. San Diego Gas & Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b> <b>(also October 3, to start at 9:30 a.m.)</b>
10/11/2001 ALJ Mattson Comr Wood	9:30 a.m. R.00-10-002	<b>(EH)</b> - Order Instituting Rulemaking into the operation of interruptible load programs offered by Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company and the effect of these programs on energy prices, other demand responsiveness programs, and the reliability of the electric system, <b>Commission Courtroom, San Francisco</b>
10/19/01 ALJ Brown Comr Wood	11:00 a.m. C.01-08-018	<b>(PHC)</b> – United States Can Company, Complainant, vs. Southern California Edison Company, Defendant, <b>Commission Courtroom</b> <b>320 W 4<sup>th</sup> Street, Room 500</b> <b>Los Angeles, CA</b>
10/16/01 ALJ O’Donnell Comr Wood	10:00 a.m. A.99-04-011	<b>(PHC)</b> – Application of VarTec Telecom, Inc. for a Certificate of Public Convenience and Necessity to offer Local Exchange and Access Services, <b>Commission Courtroom, San Francisco</b>
10/17/01 ALJ Sullivan Comr Duque	10:00 a.m. A.93-12-029	<b>(EH)</b> – Application of Southern California Edison Company to adopt a Performance Based Ratemaking Mechanism effective January 1, 1995, and
	I.94-04-003	<b>(EH)</b> – Order Instituting Investigation into Changing the Method, Timing and Process for Periodically Deriving a Reasonable Revenue Requirement for the Southern California Edison Company, <b>Commission Courtroom, San Francisco</b> <b>(also October 18 and 19)</b>
10/18/01 ALJ Jones Comr Wood	10:00 a.m. I.01-04-026	<b>(PHC)</b> – Order instituting Investigation into the Revenue Requirement of Roseville Telephone Company Pursuant to Decision 00-11-039, <b>Commission Courtroom, San Francisco</b>



10/23/01 ALJ Walwyn Comr Lynch	10:00 a.m. A.01-05-003	<b>(PHC)</b> – In the Matter of the Application of Pacific Gas and Electric Company Annual Earnings Assessment Proceeding (AEAP) for Approval of Energy Efficiency Shareholder Incentives for 2000 Program Year Accomplishments, 2000 Accomplishments for Pre-1998 Programs, Second Claim for Incentives for the 1999 Accomplishments for Pre-1998 Programs, and Third Claim for Incentives for the 1996 Program Year Accomplishments;
	A.01-05-009	<b>(PHC)</b> – In the Matter of the Application of Southern California Edison Company for Approval of Energy Efficiency and Low Income Energy Efficiency Performance Incentives for 2000 Program Year Accomplishments, the Second Installment of Demand-Side Management and Low Income Shareholder Incentives for the 1999 Program Year, and the Third Installment of Demand-Side Management Shareholder Incentives for the 1996 Program Year. (U 338-E); and
	A.01-05-017	<b>(PHC)</b> – In the Matter of the Application of Southern California Gas Company for Authority to increase its Gas Revenue Requirements to Reflect its Accomplishments for Demand-Side Management Program Years 1996 and 1997, Energy Efficiency Program Year 2000, and Low-Income Program Years 1999 and 2000 in the 2001 Annual Earnings Assessment Proceeding (“AEAP”). (U 904-G), <b>Commission Courtroom, San Francisco</b>
10/24/01 ALJ Grau Comr Brown	10:00 a.m. I.01-03-021	<b>(EH)</b> – Investigation on the Commission’s Own Motion and Order to show Cause into the Operations, Practices and Conduct of Titan Telecommunications, Inc. (U-6224), and Christopher Bucci, its President and Owner, Respondents, <b>Commission Courtroom, San Francisco</b> <b>(also October 25, 9:00 a.m.; January 2-4, 2002)</b>
10/25/01 ALJ Walker Comr Brown	10:00 a.m. C.01-04-028	<b>(EH)</b> – Skip and Gail Thomson, Complainants, vs. Pacific Bell Telephone Co., Defendant,  <b>Ulati Community Center</b> <b>1000 Ulati Drive</b> <b>Vacaville, CA</b>

10/30/01 ALJ Walwyn Comr Lynch	10:00 a.m. A.01-05-003	<b>(EH)</b> – In the Matter of the Application of Pacific Gas and Electric Company Annual Earnings Assessment Proceeding (AEAP) for Approval of Energy Efficiency Shareholder Incentives for 2000 Program Year Accomplishments, 2000 Accomplishments for Pre-1998 Programs, Second Claim for Incentives for the 1999 Accomplishments for Pre-1998 Programs, and Third Claim for Incentives for the 1996 Program Year Accomplishments;
	A.01-05-009	<b>(EH)</b> – In the Matter of the Application of Southern California Edison Company for Approval of Energy Efficiency and Low Income Energy Efficiency Performance Incentives for 2000 Program Year Accomplishments, the Second Installment of Demand-Side Management and Low Income Shareholder Incentives for the 1999 Program Year, and the Third Installment of Demand-Side Management Shareholder Incentives for the 1996 Program Year. (U 338-E); and
	A.01-05-017	<b>(EH)</b> – In the Matter of the Application of Southern California Gas Company for Authority to increase its Gas Revenue Requirements to Reflect its Accomplishments for Demand-Side Management Program Years 1996 and 1997, Energy Efficiency Program Year 2000, and Low-Income Program Years 1999 and 2000 in the 2001 Annual Earnings Assessment Proceeding (“AEAP”). (U 904-G), <b>Commission Courtroom, San Francisco</b> <b>(also October 31<sup>st</sup>, November 1 – 2, to start at 9 am)</b>
10/31/01 ALJ McVicar Comr Brown	10:00 a.m. A.99-10-027	<b>(PHC)</b> – Application of Arrowhead Manor Water Company for a General Rate Increase, and
	I.00-03-016	<b>(PHC)</b> – Investigation on the Commission’s Own Motion into the Operations, Practices, and Water Quality of the Arrowhead Manor Water Company and to Evaluate whether the Utility Property Handled its Safe Drinking Water Bond Act Surcharge Revenues, <b>Commission Courtroom</b> <b>State Office Building, Room 500</b> <b>320 W 4<sup>th</sup> Street</b> <b>Los Angeles, CA</b>

11/1/01 ALJ Patrick	1:00 p.m. C.01-08-045	<b>(ECP)</b> – Christopher Douglas, Complainant, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>
11/5/01 ALJ Reed Comr Bilas	2:00 - 4:00 pm also at 7:00 - 9:00 pm R.93-04-003	<b>(PPH)</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
	I.93-04-002	<b>(PPH)</b> - Investigation on the Commission’s Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks; and
	R.95-04-043	<b>(PPH)</b> - Order Instituting Rulemaking on the Commission’s Own Motion Into Competition for Local Exchange Service; and
	I.95-04-044	<b>(PPH)</b> - Order Instituting Investigation on the Commission’s Own Motion Into Competition for Local Exchange Service, <b>Commission Auditorium, San Francisco</b>
	2:00 - 4:00 pm also at 7:00 - 9:00 pm	<b>(also November 14)</b> <b>Carmel Room</b> <b>Junipero Serra Building, First Floor</b> <b>320 West 4<sup>th</sup> Street</b> <b>Los Angeles, CA 90013</b>
11/9/01 ALJ Walker Comr Duque	10:00 a.m. A.00-10-026	<b>(PHC)</b> - In the matter of the Application of 360networks (USA) Inc. for authority to construct facilities within the State of California required to provide InterLATA and IntraLATA Telecommunications Services, and
	A.99-08-021	<b>(PHC)</b> - Application of Pacific Fiber Link, L.L.C. (U-6028-C) for Modification of its Certificate of Public Convenience and Necessity (CPCN) to Review Proponent’s Environmental Assessment for Compliance with the California Environmental Quality Act (CEQA), <b>Commission Courtroom, San Francisco</b>

11/13/01 ALJ Prestidge Comr Bilas	10:00 a.m. A.01-06-029	<b>(EH)</b> – In the Matter of Application of Wild Goose Storage, Inc. to amend its Certificate of Public Convenience and necessity to expand and construct facilities for Gas Storage Operation, <b>Commission Courtroom, San Francisco</b> <b>(also November 14-20 and November 28-30)</b>
11/14/01 ALJ Vieth Comr Duque	10:00 a.m. C.01-05-057	<b>(EH)</b> – Crown Hills Homeowners Association, Complainant, vs. San Diego Gas & Electric Company, Defendant, <b>State Office Building</b> <b>1350 Front Street, Rm. B107</b> <b>San Diego, CA</b> <b>(also November 15)</b>
11/14/01 ALJ Patrick Comr Brown	1:00 p.m. A.99-03-064	<b>(PHC)</b> – In the matter of the Application of Southern California Water Company (U 133 W) for an Order authorizing it to include the remaining \$1,600,000 of the Cost of the Sonoma Treatment Clearlake District, <b>Commission Courtroom, San Francisco</b>
11/26/01 ALJ Allen Comr Lynch	10:00 a.m. A.01-04-012	<b>(EH)</b> – Conditional application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity authorizing the construction of the Los Banos-Gates 500 kv transmission project, <b>Commission Courtroom, San Francisco</b> <b>(also November 27 – December 7)</b>
11/27/01 ALJ Walker Comr Bilas	10:00 a.m. A.00-06-023	<b>(EH)</b> – In the matter of the application of Southern California Gas Company regarding year six (1999-2000) under its experimental gas cost incentive mechanism and related gas supply matters, <b>Commission Courtroom, San Francisco</b> <b>(also November 28 – 30)</b>
11/28/01 ALJ Econome Comr Brown	2:00 p.m. I.01-06-021	<b>(PHC)</b> – In the matter of the Order Instituting Investigation into the Operations and Practices of Arnold Ray Baeza, an individual dba Best Movers, <b>Commission Courtroom, San Francisco</b>

12/3/01 ALJ Econome Comr Brown	9:30 a.m. I.01-06-021	<b>(EH)</b> – In the matter of the Order Instituting Investigation into the Operations and Practices of Arnold Ray Baeza, an individual dba Best Movers, <b>Commission Courtroom State Office Building, Room 500 320 W 4<sup>th</sup> Street Los Angeles, CA (also December 4 &amp; 5)</b>
12/4/01 ALJ Barnett Comr Duque	2:00 p.m. A.96-10-038	<b>(AUDIT REPORT – PHC)</b> – Joint Application of Pacific Enterprises, Enova Corporation, Mineral Energy Company, B Mineral Energy Sub and G Mineral Energy Sub for approval for a plan for merger of Pacific Enterprises and Enova Corporation with and into B Energy Sub (“Newco Pacific Sub”) and G Energy Sub (Newco Enova Sub (“Newco Enova Sub”), the wholly-owned subsidiaries of a newly created holding company, Mineral Energy Company, <b>Commission Courtroom, San Francisco</b>
12/5/01 ALJ Vieth Comr Brown	9:00 a.m. C.01-06-009	<b>(EH)</b> – BH Properties, LLC, Complainant, vs. Suburban Water Systems, Defendant, <b>Commission Courtroom, San Francisco</b>
12/10/01 ALJ O’Donnell Comr Duque	10:00 a.m. A.01-05-002	<b>(EH)</b> – In the matter of application of California Water Service Company (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in each of its operating districts to recover increased operating expenditures at its General Office, <b>Commission Courtroom, San Francisco (also December 11-14 to start at 9:30 a.m.)</b>

12/10/01 ALJ McVicar Comr Bilas	9:30 a.m. A.00-08-056	<b>(EH)</b> - Cypress Ridge Service Co., Inc., for a Certificate of Public Convenience and Necessity to Construct and Operate a Public Utility Sewer System in the Unincorporated Area of San Luis Obispo County, near Arroyo Grande, California and to Establish Rates for Service and to Issue Stock; and
	A.01-02-006	<b>(EH)</b> - Rural Water Company, Inc., a California Corporation, for a Certificate of Public Convenience and Necessity to Construct and Operate a Public Utility Sewer System in the Unincorporated Area of San Luis Obispo, near Arroyo Grande, California, and to Establish Rates for Service, <b>Commission Courtroom, San Francisco (also December 11 &amp; 12)</b>
12/11/01 ALJ Sullivan Comr Wood	10:00 a.m. I.01-06-047	<b>(EH)</b> – Investigation into the natural gas procurement practices of Southwest Gas Company, <b>Commission Courtroom, San Francisco (also December 12 and 13)</b>
12/14/01 ALJ Sullivan Comr Wood	10:00 a.m. I.01-06-047	<b>(OA)</b> – Investigation into the natural gas procurement practices of Southwest Gas Company, <b>Commission Courtroom, San Francisco</b>
1/8/02 ALJ Sullivan Comr Wood	6:00-9:00 p.m. I.01-06-047	<b>(PPH)</b> – Investigation into the natural gas procurement practices of Southwest Gas Company, <b>Holiday Inn Big Bear Chateau Huntress Room 42-200 Moonridge Road Big Bear Lake, CA</b>
	6:00-9:00 p.m.	<b>(also January 9) Apple Valley Council Chamber (Inside Police Department) 14900 Dale Evans Parkway Apple Valley, CA</b>
1/10/02 ALJ Econome Comr Brown	10:00 a.m. I01-08-003	<b>(PHC)</b> – Investigation into Talk America, Inc., formerly Talk.com Holding Corporation, formerly Tel-Save, Inc. (U-5289-C and U-5535-C) to determine whether it has violated the laws, rules and regulations governing the manner in which California subscribers are switched from one presubscribed carrier to another, <b>Commission Courtroom, San Francisco</b>

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1/14/02	10:00 a.m.	<b>(EH)</b> – Investigation into Talk America, Inc., formerly Talk.com Holding Corporation, formerly Tel-Save, Inc. (U-5289-C and U-5535-C) to determine whether it has violated the laws, rules and regulations governing the manner in which California subscribers are switched from one presubscribed carrier to another,
ALJ Econome	I01-08-003	<b>Commission Courtroom, San Francisco</b>
Comr Brown		<b>(also January 15 – 23, to start at 9:00 a.m.)</b>

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### NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

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

NONE

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

#### All-Party Meeting – A.00-11-038 (CANCELLED)

September 28, 2001 11 am – 12 pm	California Public Utilities Commission 505 Van Ness Avenue, Hearing Room E San Francisco
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There will be an all-party meeting with Commissioner Henry M. Duque and Laura Krannawitter, Advisor to Commissioner Duque, to discuss the Draft Decision of ALJ Thomas R. Pulsifer on the Revenue Requirement of the California Department of Water Resources, A.00-11-038 et al. All parties are invited to meet with Commissioner Duque on this matter. No individual meetings will be granted. All participants must provide Commissioner Duque’s office with the names of individuals who will be participating, their affiliation, and telephone/fax number to be reached in the event of changes to this meeting. Please contact Mary Lou Tousey at (415) 703-2593 or e-mail her at [mlt@cpuc.ca.gov](mailto:mlt@cpuc.ca.gov) NO LATER than the end of business on Thursday, September 27, 2001, so that there is adequate time to advise the Commissioner’s office of the attendees

### NOTICE OF EX PARTE COMMUNICATIONS

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

09/13/01	A98-07-003	Pacific Gas and Electric Company, for verification, consolidation, and approval of costs and revenues in the Transition Revenue Account
	A98-07-006	San Diego Gas & Electric Company, for approval of consolidated changes in 1999 authorized revenue and revised rate components; the CTC rate component and associated headroom calculations, RGTCOMA balances; credit computations, disposition of various balancing/memorandum accounts; and electric revenue allocation and rate design changes
	A98-07-026	Southern California Edison Company, to consolidate authorized rates and revenue requirements; verify residual competition transition charge revenues; review and dispose of amounts in various balancing and memorandum accounts; verify regulatory balances transferred to the transition cost balancing account on 1/1/98; and propose rate recovery for Santa Catalina Island diesel fuel costs

**Summary:** On September 10, 2001, Sabrina Chaw, Senior Regulatory Representative, Regulatory Relations, Pacific Gas and Electric Company (PG&E), had two separate telephone conversations: with Steve Weissman, advisor to Cmmr. Wood, and with Robert Kinosian, advisor to Cmmr. Lynch. Chaw stated that PG&E takes no position on whether July 1, 2001, is an appropriate date to begin the direct access suspension. Chaw stated that the Commission should use the deadline date for submission of the direct access service requests as the date to determine whether the July 1, 2001 deadline had been met.

**Filer: Pacific Gas and Electric Company**

**Contact: Michelle Brown**

**Phone: (415) 972-5611**

09/14/01	A00-05-015	Citizens Utilities Company of California and California-American Water Company (Cal-Am), for an order authorizing: Citizens to sell and to transfer all of its water utility assets and indebtedness to Cal-Am; Cal-Am to acquire all of the water utility assets and indebtedness of Citizens and thereafter to engage
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A00-05-016 in and carry on the water utility business and service to the customers of Citizens; Citizens to withdraw from the water utility business; and for related relief San Jose Water Corporation (SJW) and California-American Water Company (Cal-Am), for an order authorizing: SJW Acquisition Corp. to merge with and into SJW Corp., with SJW Corp. as the surviving corporation; SJW Corp. thereafter to merge SJ Water with and into Cal-Am, with Cal-Am as the surviving corporation thereafter to carry on the water utility business and service to customers of SJ Water; SJ Water to withdraw from the water utility business; and for related relief

**Summary: AUGMENTATION REQUIRED.** On September 12, 2001, Robert Cagen, attorney for the Office of Ratepayer Advocates (ORA), met with Belinda Gatti, advisor to Cmmr. Brown. Also present was Ray Charvez of the ORA. Cagen and Charvez stated that the proposed decision (PD) adopts the sharing mechanism which is unsupported by record evidence. Cagen and Charvez also stated that Section 2720 of the Code is mandatory and the PD fails to meet its requirements to adjust rate base.

**Filer: Office of Ratepayer Advocates**

**Contact: Rosario Espino**

**Phone: (415) 307-1858**

**e-mail: [mre@cpuc.ca.gov](mailto:mre@cpuc.ca.gov)**

09/14/01 A00-05-015 Citizens Utilities Company of California and California-American Water Company (Cal-Am), for an order authorizing: Citizens to sell and to transfer all of its water utility assets and indebtedness to Cal-Am; Cal-Am to acquire all of the water utility assets and indebtedness of Citizens and thereafter to engage in and carry on the water utility business and service to the customers of Citizens; Citizens to withdraw from the water utility business; and for related relief

A00-05-016 San Jose Water Corporation (SJW) and California-American Water Company (Cal-Am), for an order authorizing: SJW Acquisition Corp. to merge with and into SJW Corp., with SJW Corp. as the surviving corporation; SJW Corp. thereafter to merge SJ Water with and into Cal-Am, with Cal-Am as the surviving corporation thereafter to carry on the water utility business and service to customers of SJ Water; SJ Water to withdraw from the water utility business; and for related relief

**Summary: AUGMENTATION REQUIRED.** On September 14, 2001, Robert Cagen,

attorney for the Office of Ratepayer Advocates (ORA), met with Tom Long, advisor to Cmmr. Lynch. Also present was Ray Charvez of the ORA. Cagen and Charvez stated that the proposed decision (PD) adopts the sharing mechanism which is unsupported by record evidence. Cagen and Charvez also stated that Section 2720 of the Code is mandatory and the PD fails to meet its requirements to adjust rate base.

**Filer: Office of Ratepayer Advocates**

**Contact: Rosario Espino**

**Phone: (415) 307-1858**

**e-mail: [mre@cpuc.ca.gov](mailto:mre@cpuc.ca.gov)**

09/14/01	A00-05-015	Citizens Utilities Company of California and California-American Water Company (Cal-Am), for an order authorizing: Citizens to sell and to transfer all of its water utility assets and indebtedness to Cal-Am; Cal-Am to acquire all of the water utility assets and indebtedness of Citizens and thereafter to engage in and carry on the water utility business and service to the customers of Citizens; Citizens to withdraw from the water utility business; and for related relief
	A00-05-016	San Jose Water Corporation (SJW) and California-American Water Company (Cal-Am), for an order authorizing: SJW Acquisition Corp. to merge with and into SJW Corp., with SJW Corp. as the surviving corporation; SJW Corp. thereafter to merge SJ Water with and into Cal-Am, with Cal-Am as the surviving corporation thereafter to carry on the water utility business and service to customers of SJ Water; SJ Water to withdraw from the water utility business; and for related relief

**Summary: LATE FILED. AUGMENTATION REQUIRED.** On September 5, 2001, Robert Cagen, attorney for the Office of Ratepayer Advocates (ORA), met with Jonathan Lakritz, advisor to Cmmr. Wood. Also present was Ray Charvez of the ORA. Cagen and Charvez stated that the proposed decision (PD) adopts the sharing mechanism which is unsupported by record evidence. Cagen and Charvez also stated that Section 2720 of the Code is mandatory and the PD fails to meet its requirements to adjust rate base.

**Filer: Office of Ratepayer Advocates**

**Contact: Rosario Espino**

**Phone: (415) 307-1858**

**e-mail: [mre@cpuc.ca.gov](mailto:mre@cpuc.ca.gov)**

09/17/01	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, emergency application to adopt a rate stabilization plan

A00-10-028      The Utility Reform Network, for modification of  
Resolution E-3527.

**Summary:** On September 12, 2001, Chris Warner, Attorney for Pacific Gas and Electric Company (PG&E), met with Cmmr. Wood in an all-party meeting in San Francisco and also had a telephone communication with Cmmr. Bilas. Les Guliasi, Director of Regulatory Relations, Mark Huffman, Attorney, Bruce Bowen, Director of Regulatory Analysis, and Roy Kuga, Director of Gas and Electric Supply, of PG&E, participated in both communications. At the meeting also present were Cmmr. Brown, Linda Serizawa and Steve Weissman, advisors to Cmmr. Wood, David Gamson, advisor to Cmmr. Brown; Cecelia Montana, Manager, and Erik Jacobson, consultant, of Revenue Requirements Department, for PG&E; and other parties listed on the attachment to the notice. Warner stated that there is no record evidence for the \$600 million cost shift to PG&E ratepayers. Warner added that PG&E is proposing that the Commission hold evidentiary hearings to determine the Department of Water Resources revenue requirement.

**Filer: Pacific Gas and Electric Company**

**Contact: Michelle Brown**

**Phone: (415) 972-5611**

**Summary:** On September 12, 2001, Leslie Katz, Regional Vice President of Regulatory Affairs of Sempra Energy (Sempra), attended an all-party meeting with Cmmr. Wood in San Francisco. Also present were: Robert Cagen and Chris Danforth of the Office of Ratepayer Advocates, Rob Feraru, Public Advisor, and Amy Chan and Amy Yip-Kikugawa, of CPUC; Chris King of American Energy Institute; Margery Neis and Tom Lumsden, of Pricewaterhouse Coopers; Sandra Rovetti and Theresa Mueller, of the City and County of San Francisco; Les Guliasi, Bruce Bowen, Roy Kuga, Mark Huffman, Christopher Warner, Cecelia Montana and Eric Jacobsen, of Pacific Gas and Electric Company; Sara Steck Myers for the City of San Diego; Mike Hoover and Bruce Foster, of Southern California Edison Company; and Bob Finkelstein of The Utility Reform Network. Joining the meeting via conference call were Keith Melville and Jim Hay of Sempra; Jeff Trace, San Diego Gas & Electric Company (SDG&E); Frank Purdue of Navigent; Andrew Ullman of the Department of Water Resources; and Ron Liebert of California Farm Bureau. Katz stated that SDG&E supports the cost-based allocation embraced by the proposed decision (PD) as this methodology ensures that customers pay only the cost incurred to supply power procured for their benefit. Katz asserted that the Commission should not adopt "postage stamp" allocation in electric ratemaking. Melville stated that the PD allows for collection of franchise fees.

**Filer: Sempra Energy**

**Contact: Renee Le Camus**

**Phone: (415) 202-9986**

09/17/01      R93-04-003      Commission order instituting rulemaking on  
Commission's own motion to govern open access to  
bottleneck services and establish a framework for  
network architecture development of dominant carrier  
networks

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|------------|--|
| I93-04-002 | Commission order instituting investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks |
| R95-04-043 | Order Instituting Rulemaking on the Commission's Own Motion Into Competition for Local Exchange Service  |
| I95-04-044 | Order Instituting Investigation on the Commission's Own Motion Into Competition for Local Exchange Service   |

**Summary:** On September 12, 2001, John Sumpter, Pac-West Telecomm, Inc.'s (Pac-West) Vice-President – Regulatory, met with Lester Wong, advisor to Cmmr. Bilas, in San Francisco. Also present was James Tobin, counsel for Pac-West. Sumpter discussed the recent filing of Pac-West and Working Assets Long Distance, and explained that the filing proposes that structural separation of Pacific Bell wholesale and retail operations be made a condition of Pacific Bell's authority to enter into the interLATA market. Tobin discussed the specific nature of the structural separation.

**Filer: Pac-West Telecomm, Inc.**

**Contact: Shannon Roberts**

**Phone: (415) 268-7034**

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|----------|------------|--|
| 09/18/01 | A00-05-015 | Citizens Utilities Company and California-American Water Company, for an order authorizing: Citizens to sell and to transfer all of its water utility assets and indebtedness to Cal-Am; Cal-Am to acquire all of the water utility assets and indebtedness of Citizens and thereafter to engage in and carry on the water utility business and service to the customers of Citizens; Citizens to withdraw from the water utility business; and for related relief     |
|          | A00-05-016 | SJW Acquisition Corp. and California-American Water Company, for an order authorizing: SJW Acquisition Corp. to merge with and into SJW Corp., with SJW Corp. as the surviving corporation; SJW Corp. thereafter to merge SJ Water with and into Cal-Am, with Cal-Am as the surviving corporation thereafter to carry on the water utility business and service to customers of SJ Water; SJ Water to withdraw from the water utility business; and for related relief |

**Summary:** On September 18, 2001, Edward O'Neill, counsel for Montara Sanitary District (MSD) met with Belinda Gatti, advisor to Cmmr. Brown, in San Francisco. Also present were Kathryn Slater-Carter and Paul Perkovic of MSD. Written material (attached to the notice) was used. O'Neill stated that American Water Works Company,

the parent corporation of California-American Water Company (Cal-Am), and RWE AG (RWE), a German holding company, have announced an agreement for the acquisition of American Water Works by RWE. O'Neill stated that this second acquisition has the potential to severely undermine the balancing of interests between ratepayers and shareholders assumed in the proposed decision. O'Neill stated that it also has the potential to saddle California ratepayers with significant new costs and risks. O'Neill stated that the proposed decision (PD) acknowledges the potential problem of multiple acquisitions but does not adequately address the concern. O'Neill stated that MSD intends to file a motion requesting that the Commission reopen this proceeding to consider the potential effects of multiple acquisitions. Slater-Carter explained that given the deteriorated condition of Citizens' Montara District facilities, high current rates and limited opportunity for future customer growth, there is no basis for attributing any acquisition premium to MSD facilities and no justification for charging Montara District ratepayers for any portion of the acquisition premium.

**Filer: Montara Sanitary District**

**Contact: Judy Pau**

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

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