
Public Utilities Commission of the State of California

Public Agenda 3493
Thursday, September 23, 2021, 10:00 a.m.
Remotely

Commissioners
Marybel Batjer, President
Martha Guzman Aceves
Clifford Rechtschaffen
Genevieve Shiroma
Darcie L. Houck

Pursuant to Executive Order No N-29-20, paragraph 3, that was issued on March 17, 2020, Commissioners may participate remotely from teleconferencing locations. The public may observe, provide public comment during the public comment period, and otherwise participate remote pursuant to the Bagley-Keene open meeting act as described below.

Links to Executive Order N-29-20: <http://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf>

For each agenda item, a summary of proposed action is included on the agenda as well as a link to the related electronic document. The Commission's decision may, however, differ from that proposed. Public comments are taken up at the beginning of the meeting (10:00 a.m.).

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For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed. To listen by phone, dial 1-800-857-1917 and enter passcode 9899501 or access our website at

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Scheduled Commission Meetings

<i>Ratesetting Deliberative Meeting*</i> Remote (10:00 a.m.) Closed to the Public	<i>Commission Meeting</i> Remote (10:00 a.m.) Open to the Public
Monday, September 20, 2021 (Remotely)	Thursday, September 23, 2021 (Remotely)
Monday, October 4, 2021 (Remotely)	Thursday, October 7, 2021 (Remotely)
Monday, October 18, 2021 (Remotely)	Thursday, October 21, 2021 (Remotely)
Monday, November 1, 2021 (Remotely)	Thursday, November 4, 2021 (Remotely)
Monday, November 15, 2021 (Remotely)	Thursday, November 18, 2021 (Remotely)

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



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**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a commissioner has requested that a Ratesetting Deliberative Meeting be held.*

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 15, 17

Public Comment

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

1

Preliminary Categorizations for Recently Filed Formal Applications

[19847]

Res ALJ 176-3493

PROPOSED OUTCOME:

- Ratification of preliminary determination of category for proceeding initiated by application. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

ESTIMATED COST:

- None.

Consent Agenda - Orders and Resolutions (continued)

2 **San Gabriel Valley Water Company Purchase of the City of Montebello's Water System Assets**

[19670]

A.20-10-004

Application of San Gabriel Valley Water Company for an Order Authorizing the Purchase of the City of Montebello's Water System Assets and related Approvals.

PROPOSED OUTCOME:

- Denies without prejudice the application of San Gabriel Valley Water Company to purchase the City of Montebello's Water System Assets.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Guzman Aceves - Judge Cooke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=406306455>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3490, Item 18 8/5/2021 (Staff);

Agenda 3491, Item 3 8/19/2021 (Guzman Aceves);

Agenda 3492, Item 2 9/9/2021 (Staff)

Consent Agenda - Orders and Resolutions (continued)**3 Enforcement Program for Frontier Communications Corporation to Ensure Compliance with the Terms of Requirements, and Conditions Pursuant to Decision 21-04-008**

[19695]
Res T-17734

PROPOSED OUTCOME:

- Approves the adoption of an Enforcement Program to ensure compliance with the terms of requirements, and conditions pursuant to Decision 21-04-008 by Frontier Communications Corporation and its California local exchange and long-distance subsidiaries.

SAFETY CONSIDERATIONS:

- It is the policy of the Commission that every violation should result in an appropriate enforcement action consistent with the priority of the violation.¹⁹ In recognition of its finite resources, the Commission exercises its enforcement discretion to prioritize enforcement actions. Enforcement prioritization enhances the Commission's ability to leverage its finite enforcement resources and to achieve the general deterrence needed to encourage the regulated entity to anticipate, identify and correct violations. This Resolution establishes the largest monetary consequence for instances when Frontier fails to timely restore service outages. The Enforcement Program prioritizes the importance of ensuring that the communities of which Frontier serves will have reliable access to 911 services, 211 services, and the capability to receive emergency alerts and notifications.

ESTIMATED COST:

- There is no cost associated with this Resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=407459617>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3491, Item 17 8/19/2021 (Staff);

Agenda 3492, Item 3 9/9/2021 (Staff)

Consent Agenda - Orders and Resolutions (continued)**4 Electric Program Investment Charge Program Administrative Improvements**

[19764]

R.19-10-005

Order Instituting Rulemaking on the Commission's Own Motion to consider renewal of the Electric Program Investment Charge Program.

PROPOSED OUTCOME:

- Authorizes Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) to continue in their role as administrators of the Electric Program Investment Charge (EPIC) program.
- Authorizes EPIC 4 (2021-2025) investment plan budgets of \$18.444 million annually for PG&E, \$3.24 million annually for SDG&E, and \$15.131 million annually for SCE; EPIC 5 (2026-2030) investment plan budgets may increase by rate of inflation.
- Adopts administrative requirements to increase transparency and improve focus of EPIC program investments.
- Does not approve investment plans, which must still be filed.
- This proceeding remains open.

SAFETY CONSIDERATIONS:

- Among other projects, the EPIC Program funds projects that improve electricity reliability and public safety, especially in the area of wildfire risk reduction or mitigation.

ESTIMATED COST:

- \$37 million annually through 2025, if investment plans are approved.

(Comr Guzman Aceves - Judge Glegola)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=407554954>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3492, Item 11 9/9/2021 (Guzman Aceves)

Consent Agenda - Orders and Resolutions (continued)

- 5 **Bear Valley Electric Service Inc., Liberty Utilities (CalPeco Electric) LLC and PacifiCorp d/b/a Pacific Power to Establish New EV Infrastructure Rules and Associated Memorandum Accounts Pursuant to Assembly Bill 841**

[19765]

Res. E-5168, Bear Valley Electric Service Inc. Advice Letter (AL) 413-E filed March 1, 2021, Liberty Utilities (CalPeco Electric) LLC AL 166-E filed March 1, 2021 and PacifiCorp d/b/a Pacific Power AL 649-E filed May 21, 2021 and 649-E-A filed June 18, 2021 - Related matters.

PROPOSED OUTCOME:

- Finds that Bear Valley Electric Service Inc., Liberty Utilities (CalPeco Electric) LLC and PacifiCorp d/b/a Pacific Power proposed Electric Vehicle (EV) Infrastructure Rules and associated Memorandum Accounts are reasonable, with modifications, and are in compliance with Assembly Bill 841.

SAFETY CONSIDERATIONS:

- This Resolution has no direct impact on safety. The safety considerations associated with this Resolution are similar to the safety considerations associated with existing utility responsibilities in building new service and electrical distribution infrastructure. The utilities must continue to comply with existing utility and Commission policy on safety requirements and standards, as well as the Transportation Electrification Safety Requirements checklist adopted in 2018 via Decision 18-05-040.

ESTIMATED COST:

- The new Rules this Resolution establishes are expected to lead to increased ratepayer cost over time, as they will cover the utility-side costs associated with new EV charging. We are unable to estimate a total cost impact, since it is difficult to estimate the rate of EV charger deployment and the number of customers that will take service under the EV Infrastructure Rules.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=405060734>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3492, Item 12 9/9/2021 (Staff)

Consent Agenda - Orders and Resolutions (continued)

6 **Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company to Establish New Electric Vehicle Infrastructure Rules and Associated Memorandum Accounts Pursuant to Assembly Bill 841**

[19766]

Res E-5167 , Advice Letter (AL) 6102-E filed February 26, 2021, AL 6102-E-A filed March 17, 2021, Advice Letter 4429-E filed February 26, 2021, and Advice Letter 3705-E filed February 26, 2021 - Related matters.

PROPOSED OUTCOME:

- Finds that the proposals from Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to establish new Electric Vehicle (EV) Infrastructure Rules and associated Memorandum Accounts are reasonable with modifications and are in compliance with Assembly Bill 841.

SAFETY CONSIDERATIONS:

- There is no direct impact on safety. The safety considerations associated with this Resolution are similar to the safety considerations associated with existing utility responsibilities associated with building new service and electrical distribution infrastructure. The utilities must continue to comply with existing utility and CPUC policy on safety requirements and standards, as well as the Transportation Electrification Safety Requirements checklist adopted in 2018 via Decision 18-05-040.

ESTIMATED COST:

- The new Rules this Resolution establishes are expected to lead to increased ratepayer cost over time, as they will cover the utility-side costs associated with new EV charging. We are unable to estimate a total cost impact, since it is difficult to estimate the rate of EV charger deployment and the number of customers that will take service under the EV Infrastructure Rules.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=405054570>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3492, Item 13 9/9/2021 (Staff)

Consent Agenda - Orders and Resolutions (continued)**7 General Order 153, Authorizing Eligibility Verifications
Through Database Access and Establishing Specific Support
Amounts**

[19769]

R.20-02-008

Order Instituting Rulemaking to Update the California Universal Telephone Service (California LifeLine) Program.

PROPOSED OUTCOME:

- This decision *(i)* revises General Order 153 to reflect Commission decisions and resolutions issued since 2011, *(ii)* authorizes Program eligibility verifications through the review of qualifying program databases to streamline the renewals process, *(iii)* establishes Specific Support Amounts and Minimum Service Standards for California LifeLine, including replacement of federal support for wireline participants, effective December 1, 2021, and *(iv)* extends the statutory deadline for this proceeding until December 31, 2022.
- This proceeding remains open.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this order.

ESTIMATED COST:

- The estimated cost for replacement of federal support for wireline participants is between \$1.4 million and \$11.4 million per year.

(Comr Shiroma - Judge Wang)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=406778125>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Agenda 3492, Item 15 9/9/2021 (Staff)

Consent Agenda - Orders and Resolutions (continued)

8 Operating Authority of Eleven (11) Telephone Corporations

[19780]

Res T-17755

PROPOSED OUTCOME:

- Revokes the operating authority of eleven (11) Telephone Corporations for failing to comply with Commission-Mandated Annual Reporting Requirements and/or Performance Bond Requirements.

SAFETY CONSIDERATIONS:

- This Resolution seeks to achieve carrier compliance in the filing of required annual reports and proof of Performance Bond. Such reporting promotes public safety by increasing transparency, which reduces the risk of financial harm to California customers.

ESTIMATED COSTS:

- There are no costs associated to this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=397872520>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

9 **Additional Moratoriums on Disconnections for Non-Payment and Fees for Late Payment for Telephone Service through December 31, 2021**

[19781]
Res M-4857

PROPOSED OUTCOME:

- Affirms the extension of the current moratorium on fees for late payment and disconnection for non-payment of voice service for residential (including LifeLine) and small business customers through September 30, 2021.
- Approves an additional moratorium on fees for late payment and disconnection for non-payment of voice service for residential (including LifeLine) and small business customers through December 31, 2021.

SAFETY CONSIDERATIONS:

- This ensures that residential and small business customers do not lose essential telephone voice services during the COVID-19 Pandemic.

ESTIMATED COSTS:

- There are no estimated costs associated with this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=399660933>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

10

Need Assessment of Solar Consumer Assistance Fund for Net Energy Metering Customers

[19788]

R.14-07-002, A.16-07-015 - Related matters.

Order Instituting Rulemaking to Develop a Successor to Existing Net Energy Metering Tariffs Pursuant to Public Utilities Code Section 2827.1, and to Address Other Issues Related to Net Energy Metering.

PROPOSED OUTCOME:

- Adopts a process to assess the need for an assistance fund for residential customers of the investor-owned electric utilities who have not received the expected benefits of their net energy metering solar installations either due to fraud, poor workmanship, or other violations of Contractors License Law, and where no other administrative remedy for consumer financial assistance is available.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Guzman Aceves - Judge Kao)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=400897644>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Orders and Resolutions (continued)

11 **Track 2 Decision Regarding Pole Attachment Data Fields to be Included in Databases**

[19791]

I.17-06-027, R.17-06-028 - Related matters.

Order Instituting Investigation into the Creation of a Shared Database or Statewide Census of Utility Poles and Conduit in California.

PROPOSED OUTCOME:

- Track 2 decision adopts pole attachment data fields that pole owners must include in their databases.

SAFETY CONSIDERATIONS:

- Access to attachment data fields will promote better safety management of utility and communications poles.

ESTIMATED COST:

- Costs will be tracked and included in future general rate cases for potential recovery.

(Comr Batjer - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=401344701>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Orders and Resolutions (continued)

12

Varcomm Broadband, Inc Certificate of Public Convenience and Necessity

[19792]

A.20-12-014

Application of Varcomm Broadband, Inc. for a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resold Local Exchange Services and Interexchange Services.

PROPOSED OUTCOME:

- Grants a Certificate of Public Convenience and Necessity to Varcomm Broadband to provide Full Facilities-based and Resold Competitive Local Exchange Services and Full Facilities-Based and Resold Interexchange Services.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Guzman Aceves - Judge Lau)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=401110319>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

13

Improvements to Medical Baseline Programs in Compliance with SB 1338

[19793]

Res E-5169, PG&E Advice Letters (AL) 4293-G/5916-E, SCE AL 4276-E, SDG&E AL 3589-E/2890-G, and SoCalGas AL 5676-G filed August 17, 2020 - Related matters.

PROPOSED OUTCOME:

- Approves with modifications Tier 3 Advice Letters filed by Pacific Gas and Electric Company, Southern California Edison, San Diego Gas & Electric, and Southern California Gas Company reporting Medical Baseline outreach activities and establishing enrollment goals pursuant to Decision 20-06-003.

SAFETY CONSIDERATIONS:

- Customers who are eligible for Medical Baseline but not enrolled may not receive appropriate notification of Public Safety Power Shutoffs or wildfire threats requiring evacuation. These customers may also have difficulty affording sufficient electricity or gas to meet their basic medical needs.

ESTIMATED COST:

- Minor costs anticipated due to more customers receiving Medical Baseline allotment and outreach activities, which will be borne by ratepayers during each utility's next GRC.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=402296800>

Gov. Code § 11125.3(a)(2), allows this item to be added to the agenda.

Consent Agenda - Orders and Resolutions (continued)

14 **California Energy Commission Fiscal Year 2021-2022 Methane Gas Research Budget Including Two Hydrogen Research Projects**

[19794]

Res G-3584, Advice Letter 1-G filed April 1, 2021 - Related matters.

PROPOSED OUTCOME:

- Approves the California Energy Commission's Natural Gas Research and Development Program, Proposed Budget Plan for Fiscal Year 2021-22 with a budget of \$24 million, pursuant to California Public Utilities Commission Decision (D.) 04-08-010.

SAFETY CONSIDERATIONS:

- This Resolution approves and prioritizes \$4 million to advance fossil methane gas infrastructure safety and integrity projects. Successful research in this area will support safe infrastructure operation including monitoring ground movement around pipelines, mitigating natural force damages, and developing and demonstrating plastic pipeline repair and integrity improvement.
- This Resolution approves up to \$3.5 million to quantify exposures to indoor pollutants in multifamily homes that cook with natural gas or alternatives.

ESTIMATED COST:

- Approves \$24 million in ratepayer costs for Fiscal Year 2021-2022, as previously authorized by D.04-08-010.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=402317869>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

15 **Modified Presiding Officer's Decision on Alleged Violations of Pacific Gas and Electric Company with Respect to its Implementation of the Fall 2019 Public Safety Power Shutoff Events**

[19819]

R.18-12-005

Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions.

Addresses and resolves Appeals, pursuant to Rule 14.4, of the Presiding Officer's Decision on alleged violations of Pacific Gas and Electric Company with respect to its implementation of the Fall 2019 Public Safety Power Shutoff Events.

(Comr Batjer - Judge Poirier)

Pub. Util. Code § 1701.2(h), allows this modified Presiding Officer's Decision to be considered in Closed Session.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Pub. Util. Code §1701.1 -- This portion of the proceeding is categorized as Adjudicatory.

Consent Agenda - Orders and Resolutions (continued)

16

California High-Speed Rail Authority's Construction of Underpass Grade Separated Crossing at Lacey Boulevard, Kings County

[19821]

A.21-02-011

Application of the California High-Speed Rail Authority for Approval to Construct One Underpass Grade-Separated Crossing at Lacey Boulevard (MP 223.92), Under Two Proposed High-Speed Rail Tracks As Part of the Proposed High-Speed Rail Grade-Separated Structure, Hanford Viaduct, Located in the County of Kings, State of California.

PROPOSED OUTCOME:

- Authorizes the California High-Speed Rail Authority to construct one new underpass grade-separated highway-rail crossing at Lacey Boulevard, Milepost 223.92, Kings County;
- Provides the California High-Speed Rail Authority 36 months to complete construction of the authorized crossing; and
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- Application complies with all applicable regulatory and safety requirements.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Shiroma - Judge Susan Lee)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=406023648>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

17

Modified Presiding Office's Decision Addressing the Request for Review

[19827]

I.19-12-009

Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of Frontier Communications Corporation, Frontier of America, Inc., and Frontier California, Inc., to Determine Whether Frontier Violated the Laws, Rules, and Regulations of this State through Service Outages and Interruptions and Disclosing and Publishing Customer Addresses.

Resolves the request for review.

(Comr Batjer - Judge Zhang)

Pub. Util. Code § 1701.2(h), allows this modified Presiding Officer's Decision to be considered in Closed Session.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Consent Agenda - Orders and Resolutions (continued)

18

Zenith Energy West Coast Terminal LLC's Application for Approval of a Sale and Lease-Back Transaction Pursuant to PUC Section 851

[19832]

A.21-02-004

Application by Zenith Energy West Coast Terminals LLC for Approval of a Sale and Lease-Back Transaction Pursuant to California Public Utilities Code Section 851.

PROPOSED OUTCOME:

- Approves application for the sale of land underlying the Dominguez Hills Oil Terminal to Rexford Industrial Realty, Inc.
- Approves sealing of unredacted portions of sale and lease back contract and financial statements of applicant.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Shiroma - Judge Larsen)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=399201308>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

19

Construction of Two Grade-Separated Rail Crossings in Kings County

[19834]

A.20-12-008

Application of the California High-Speed Rail Authority for approval to Construct two New Underpass Grade Separated Crossings, Under the Proposed High-Speed Rail Tracks at 9th Avenue (215.67) and Cairo Avenue (216.09) Located in the County of Kings, State of California.

PROPOSED OUTCOME:

- Authorizes the California High-Speed Rail Authority to construct two new underpass rail crossings as part of the California High-Speed Train System;
- Provides the California High-Speed Rail Authority 36 months to construct the authorized crossings; and
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- The Application complies with all applicable regulatory and safety requirements.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Shiroma - Judge Toy)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=400603181>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

20

Construction of Seven Grade-Separated Rail Crossings From Lenwood to Yermo in San Bernardino County

[19840]

A.20-09-012

Application of DesertXpress Enterprises, LLC dba XpressWest to construct proposed high-speed tracks under the following public road crossings: Lenwood Rd. (MP 151.15), 247/15 Sep. (MP 146.40), Muriel Dr. (MP 145.79) and W40/S15 (MP 145.48), and over the following public road crossings: Rte. 15/58 Sep. (MP 149.83), L St. (MP 148.30) and H St. (MP 147.80).

PROPOSED OUTCOME:

- Authorizes DesertXpress to construct seven grade-separated rail crossings from Lenwood to Yermo as part of the DesertXpress Enterprises, LLC. (dba XpressWest) from Apple Valley, CA to Las Vegas, NV.
- Provides DesertXpress 60 months to construct the seven grade-separated rail crossings.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no cost associated with this decision.

(Comr Shiroma - Judge Daphne Lee)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=399212482>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Intervenor Compensation Orders**21 Intervenor Compensation to Small Business Utility Advocates**

[19728]

A.21-03-007

Application of Small Business Utility Advocates for Award of Intervenor Compensation for Substantial Contribution to Resolution E 5073.

PROPOSED OUTCOME:

- Awards Small Business Utility Advocates (SBUA) \$4,215.75 for substantial contribution to Resolution E-5073. That Resolution adopted, with modification, Pacific Gas and Electric Company's Advice Letter 5731-E and 5731-E-A to implement the WatterSaver program to enable shifting of electric water heating load in compliance with Assembly Bill 2868 and Decision 19-06-032. SBUA originally requested \$10,374.25.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- \$4,215.75, plus interest, to be paid by the ratepayers of Pacific Gas and Electric Company.

(Comr Guzman Aceves - Judge Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=396196713>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3492, Item 24 9/9/2021 (Staff)

Consent Agenda - Intervenor Compensation Orders (continued)

22

Intervenor Compensation to Green Power Institute

[19816]

R.18-04-019

Order Instituting Rulemaking to Consider Strategies and Guidance for Climate Change Adaptation.

PROPOSED OUTCOME:

- Awards Green Power Institute (GPI) \$83,875.50, for substantial contribution to Decision (D.) 19-10-054 and D.20-08-046. These Decisions define climate change adaptation sources and models; and specify elements of vulnerability assessments and examine climate effects on vulnerable communities. GPI originally requested \$91,221.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.

ESTIMATED COST:

- \$83,875.50, plus interest, to be paid by the ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company and Southern California Gas Company.

(Comr Houck - Judge Poirier)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=402378332>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Intervenor Compensation Orders (continued)

23

**Intervenor Compensation to Center for Accessible
Technology**

[19817]

R.18-07-006

Order Instituting Rulemaking to Establish a Framework and Processes for Assessing the Affordability of Utility Service.

PROPOSED OUTCOME:

- Awards Center for Accessible Technology (CforAT) \$71,600.69 for substantial contribution to Decision 20-07-032. Decision Adopting Metrics and Methodologies for Assessing the Relative Affordability of Utility Service. CforAT originally requested \$70,309.34.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions "necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- \$71,600.69 plus interest, to be paid the Commission's Intervenor Compensation Fund.

(Comr Houck - Judge Watts-Zagha)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=402942799>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Intervenor Compensation Orders (continued)

24

Intervenor Compensation to The Utility Reform Network

[19835]

R.12-10-012

Order Instituting Rulemaking to Consider Modifications to the California Advanced Services Fund.

PROPOSED OUTCOME:

- Awards The Utility Reform Network (TURN) \$27,597.50 for substantial contribution to Decision 20-08-005, Resolution T-17693, and Resolution T-17697. D.20-08-005 revised the California Advanced Services Fund (CASF) infrastructure account, approved technical assistance for tribes, and closed the proceeding. Resolution T-17693 adopted rules to leverage Rural Digital Opportunity Fund funds for CASF-eligible projects, and Resolution T-17697 responded to the COVID-19 pandemic. TURN originally requested \$27,597.50.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions "necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- \$27,597.50, plus interest, to be paid by the Commission's Intervenor Compensation Fund.

(Comr Guzman Aceves - Judge Stevens)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=404379134>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Intervenor Compensation Orders (continued)

25 **Intervenor Compensation to The Utility Reform Network**

[19838]

R.18-07-006

Order Instituting Rulemaking to Establish a Framework and Processes for Assessing the Affordability of Utility Service.

PROPOSED OUTCOME:

- Awards The Utility Reform Network (TURN) \$164,139.13 for substantial contribution to Decision 20-07-032. That decision adopted Metrics and Methodologies for Assessing the Relative Affordability of Utility Service. TURN originally requested \$163,369.13.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions "necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- \$164,139.13 plus interest, to be paid by the Commission's Intervenor Compensation Fund.

(Comr Houck - Judge Watts-Zagha)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=404627758>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Intervenor Compensation Orders (continued)

26

Intervenor Compensation to California Farm Bureau Federation

[19866]

A.18-03-003

Application of San Diego Gas & Electric Company for Approval of its 2019 Electric Sales Forecast, Effective on January 1, 2019.

PROPOSED OUTCOME:

- Awards California Farm Bureau Federation (CFBF) \$18,544.00 for substantial contribution to Decision 18-11-035. That Decision approved of San Diego Gas & Electric Company's 2019 electric sales forecast, to be effective on January 1, 2019. CFBF originally requested \$18,544.00.

SAFETY CONSIDERATIONS:

- Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Public Utilities Code Section 451 to take all actions necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.

ESTIMATED COST:

- \$18,544.00, plus interest, to be paid by the ratepayers of San Diego Gas & Electric Company.

(Comr Guzman Aceves - Judge Doherty)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=404853243>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda

Regular Agenda- Energy Orders

27 Energy Efficiency Goals for 2022-2032

[19785]

R.13-11-005

Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluation, and Related Issues.

PROPOSED OUTCOME:

- Adopts energy efficiency goals for 2022-2032 and associated implementation details.
- Provides updated guidance for 2022-2023 budget advice letters and 2024-2027 portfolio applications.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- No cost recovery is authorized by the proposed decision; the adopted goals will inform future cost recovery requests by the large investor-owned utilities.

(Comr Shiroma - Judge Kao)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=401543859>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda- Wildfire Safety Resolutions and Reports

28 **Action of the Office of Energy Infrastructure Safety on Pacific Gas and Electric Company's 2021 Wildfire Mitigation Plan Update Pursuant to Public Utilities Code Section 8386**

[19767]
Res WSD-021

PROPOSED OUTCOME:

- Ratifies the attached action of the Wildfire Safety Division to approve the 2021 Wildfire Mitigation Plan (WMP) Update of Pacific Gas and Electric Company.

SAFETY CONSIDERATIONS:

- WMP's articulate an electrical corporation's understanding of its utility-related wildfire risk and the proposed actions to reduce that risk and prevent catastrophic wildfires caused by utility infrastructure. By implementing measures such as vegetation management, system hardening, grid topology improvements, improving asset inspection and maintenance, situational awareness, improving community engagement and awareness, and other measures, utility-related catastrophic wildfire risk should be reduced over time.

ESTIMATED COST:

- Costs are not considered in this Resolution, as Public Utilities Code Section 8386.4 (b) provides for Commission cost review in a utility General Rate Case or, in some cases, a separate application. Nothing in this Resolution should be construed as approval of the costs associated with the WMP mitigation efforts.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=406765217>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3492, Item 28 9/9/2021 (Staff)

Regular Agenda- Communication Resolutions and Reports

29 **Grant Funding from the California Advanced Services Fund up to \$3,081,541.09 for Charter Communications, LLC Darlene Road and Mountain Shadows Projects; and Citizens Telecommunications of California dba Frontier Communications of California Crescent City Project**

[19787]
Res T-17747

PROPOSED OUTCOME:

- Enables broadband access of at least 50 Megabits per second (Mbps) download and 50 Mbps upload to a total of 125 unserved households in Ventura, San Bernardino, and Del Norte Counties.

SAFETY CONSIDERATIONS:

- The California Advanced Services Fund program encourages deployment of broadband throughout the State to enable the public to access Internet-based safety applications, telehealth services, emergency services, and to allow first responders to communicate with each other and collaborate during. emergencies.

Estimated Cost:

- \$3,081,541.09.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=398979918>

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Regular Agenda- Orders Extending Statutory Deadline

30 Order Extending Statutory Deadline

[19818]

A.19-07-004

Application of California-American Water Company for Authorization to Increase its Revenues for Water Service by \$25,999,900 or 10.60% in the year 2021, by \$9,752,500 or 3.59% in the year 2022, and by \$10,754,500 or 3.82% in the year 2023.

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of these proceedings until December 31, 2021.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.

(Comr Shiroma - Judge Sisto)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=402717030>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda- Orders Extending Statutory Deadline (continued)

31 **Order Extending Statutory Deadline**

[19822]

R.18-04-019

Order Instituting Rulemaking to Consider Strategies and Guidance for Climate Change Adaptation.

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of this proceeding until December 30, 2022.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.

(Comr Houck - Judge Poirier)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=404113062>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Regular Agenda- Orders Extending Statutory Deadline (continued)

32 **Order Extending Statutory Deadline**

[19826]

A.18-08-010

Application of the City of Lone for a public road crossing at the extension of Foothill Boulevard and Mile Post No.0.84 of the Amador Central Railroad (AMC) Recreational Railroad – Coalition Historical Society (RRCHS), City of Lone, County of Amador, State of California.

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of this proceeding until February 28, 2022.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.

(Comr Houck - Judge Ferguson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=406068536>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda- Orders Extending Statutory Deadline (continued)

33 Order Extending Statutory Deadline

[19836]

R.14-07-002, A.16-07-015 - Related matters.

Order Instituting Rulemaking to Develop a Successor to Existing Net Energy Metering Tariffs Pursuant to Public Utilities Code Section 2827.1, and to Address Other Issues Related to Net Energy Metering.

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of this proceeding until December 1, 2021.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.

(Comr Guzman Aceves - Judge Doherty - Judge Kao)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=404808930>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda- Orders Extending Statutory Deadline (continued)

34

Order Extending Statutory Deadline

[19837]

A.20-09-019

Application of Pacific Gas and Electric Company for recovery of recorded expenditures related to wildfire mitigation and catastrophic events, as well as other recorded costs.

PROPOSED OUTCOME:

- Extends the Statutory Deadline for the issuance of a proposed decision pursuant to Public Utilities Code § 8386.4(b)(2) to April 1, 2022.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.

(Comr Batjer - Judge Nojan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=404627810>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda- Orders Extending Statutory Deadline (continued)

35 **Order Extending Statutory Deadline**

[19845]

A.20-03-016

Application of Pacific Gas and Electric Company for Approval of Gas Demand Pilot Program.

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of this proceeding until September 29, 2022.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.

(Comr Guzman Aceves - Judge Ayoade)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=405044577>

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda- Legal Division Matters

Regular Agenda- Legislative and Other Matters

36
[19616]

Senate Bills

a. SB 28 (Caballero): Rural Broadband and Digital Infrastructure Video Competition Reform Act of 2021

Agenda 3489, Item 49 7/15/2021 (Staff);
Agenda 3490, Item 37 8/5/2021 (Staff);
Agenda 3491, Item 37 8/19/2021 (Staff);
Agenda 3492, Item 33 9/9/2021 (Staff)

Regular Agenda- Management Reports and Resolutions

37

**Report and Discussion on Recent Consumer Protection and Safety
Activities**

[19848]

Regular Agenda- Management Reports and Resolutions (continued)

38

[19849]

Management Report on Administrative Activities

Regular Agenda- Commissioner Reports

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126 (e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

39

Conference with Legal Counsel - Application for Rehearing

[19850]

Compilation of applications for rehearing recently filed with the commission.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

40 **Conference with Legal Counsel - Application for Rehearing**
[19815]
A.21-05-013

Disposition of application for rehearing of Resolution E-5139 filed by Public Advocates Office on May 19, 2021. In Resolution E-5139, the Commission approved five contracts in Tranche 2 and 3 totaling 140 MW for incremental system reliability resources that San Diego Gas & Electric Company procured via a competitive solicitation pursuant to Decision 19-11-016.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

41 **Conference with Legal Counsel - Application for Rehearing**
[19829]
A.20-03-010

Disposition of the Application for Rehearing of Decision (D.) 21-05-020 filed by Transit Systems Unlimited, Inc. The Decision denied Transit's application to self-insure for \$1 million under Commission General Order 115-G, which sets forth insurance requirements for charter-party carriers.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

42

Conference with Legal Counsel - Application for Rehearing

[19831]

R.20-11-003

Disposition of the application for rehearing of Decision (D.) 21-03-056 filed separately by Protect Our Community Foundation (PCF) and Californians for Renewable Energy (CARE), and jointly by Sierra Club, Union of Concerned Scientists, and the California Environmental Justice Alliance (on its own behalf and on behalf of its member organizations including but not limited to Communities for a Better Environment, Center for Community Action and Environmental Justice, Center on Race Poverty and the Environment, Central Coast Alliance United for a Sustainable Economy, and Leadership Counsel for Justice and Accountability) (collectively Joint Parties). In D.21-03-056 the Commission ordered Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to take specific actions to decrease peak and net peak demand and increase peak and net peak supply to avert the potential need for rotating outages in the summers of 2021 and 2022.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

43 **Conference with Legal Counsel - Application for Rehearing**
[19844]
A.21-05-008

Disposition of the application for rehearing of Resolution (Res.) E-5138 filed by Commercial Energy of Montana Inc. d/b/a Commercial Energy of California (Commercial Energy). In Res. E-5138 the Commission rejected Commercial Energy's appeal of the Energy Division's denial of Commercial Energy's request for a waiver of local Resource Adequacy procurement requirements for years 2021 and 2022.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

44 **Conference with Legal Counsel - Application for Rehearing**
[19846]
R.17-06-024

Disposition of the Applications for Rehearing of Decision (D.) 20-08-047, filed by Liberty Utilities (Park Water) Corp. and Liberty Utilities (Apple Valley Ranchos Water) Corp. (together, "Liberty"); and separately by California-American Water Company (Cal Am); California Water Association (CWA); California Water Service Company (Cal Water); and Golden State Water Company (Golden State). In D.20-08-047, the Commission evaluated the sales forecasting processes used by water utilities and concluded that the Water Revenue Adjustment Mechanism/Modified Cost Balancing Account (WRAM/MCBA) had proven to be ineffective in achieving its primary goal of conservation. To keep rates just and reasonable, the Decision precluded the continued use of the WRAM/MCBA mechanism in future general rate cases (GRC) but continued to allow use of the Monterey-style WRAM with an Incremental Cost Balancing Account (ICBA). The Decision also adopted other requirements relating to Class A water utilities' low-income rate assistance programs.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Appeals from Presiding Officer's Decisions

Discussion of Appeals of Presiding Officer's Decision.

Pub. Util. Code § 1701.2(h), allows a Presiding Officer's Decision to be considered in Closed Session

45 **Presiding Officer's Decision Imposing Penalties Against Uber Technologies, Inc. for Violating The Assigned Administrative Law Judge's December 19, 2019 and January 27, 2020 Rulings Requiring Information Regarding Sexual Assault and Sexual Harassment Claims**

[19851]

R.12-12-011

Order Instituting Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services.

Pub. Util. Code § 1701.2(h), allows this Presiding Officer's Decision to be considered in Closed Session once appealed.

Pub. Util. Code §1701.1 -- This portion of the proceeding is categorized as Adjudicatory.

Closed Session - Appeals from Presiding Officer's Decisions (continued)

Discussion of Appeals of Presiding Officer's Decision.

Pub. Util. Code § 1701.2(h), allows a Presiding Officer's Decision to be considered in Closed Session

46 **Modified Presiding Officer's Decision on Alleged Violations of Pacific Gas and Electric Company with Respect to its Implementation of the Fall 2019 Public Safety Power Shutoff Events**

[19820]

R.18-12-005

Addresses and resolves Appeals, pursuant to Rule 14.4, of the Presiding Officer's Decision on alleged violations of Pacific Gas and Electric Company with respect to its implementation of the Fall 2019 Public Safety Power Shutoff Events.

Pub. Util. Code § 1701.2(h), allows this modified Presiding Officer's Decision to be considered in Closed Session.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Pub. Util. Code §1701.1 -- This portion of the proceeding is categorized as Adjudicatory.

Closed Session - Appeals from Presiding Officer's Decisions (continued)

Discussion of Appeals of Presiding Officer's Decision.

Pub. Util. Code § 1701.2(h), allows a Presiding Officer's Decision to be considered in Closed Session

47 **Modified Presiding Office's Decision Addressing the Request for Review**

[19828]

I.19-12-009

Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of Frontier Communications Corporation, Frontier of America, Inc., and Frontier California, Inc., to Determine Whether Frontier Violated the Laws, Rules, and Regulations of this State through Service Outages and Interruptions and Disclosing and Publishing Customer Addresses.

Resolves the request for review.

Pub. Util. Code § 1701.2(h), allows this modified Presiding Officer's Decision to be considered in Closed Session.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Closed Session - Existing Litigation - Non-Federal

48

Conference with Legal Counsel - Existing Litigation

[19852]

Case No. A161002

Alice Stebbins vs. California Public Utilities Commission, Court of Appeal of the State of California First Appellate District, Case No. A161002.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal (continued)

49

Conference with Legal Counsel - Existing Litigation

[19853]

Case No: CGC-20-588148

Alice Stebbins vs. California Public Utilities Commission, et al., Superior Court of California of the City and County of San Francisco, Case No: CGC-20-588148.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal (continued)

50 **Conference with Legal Counsel - Existing Litigation**
[19854]
Case No. B310811

Southern California Gas Company v. California Public Utilities Commission, Petition for Writ of Review, Second District Court of Appeals, Case No. B310811.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal (continued)

51 **Conference with Legal Counsel - Existing Litigation**
[19855]
Case No.21-0377

Lucian Filler vs. California Public Utilities Commission, California State Personnel Board,
Appeals Division, Case No.21-0377

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal (continued)

52

Conference with Legal Counsel - Existing Litigation

[19856]

Case Nos. 20-1228 EK, Case Nos. 21-0066 WEK - Related matters.

Bernard Azevedo vs. California Public Utilities Commission, California State Personnel Board, Appeals Division, Case Nos. 20-1228 EK and 21-0066 WEK.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Non-Federal (continued)

53

Conference with Legal Counsel - Existing Litigation

[19857]

Case No: S270145

Brandon Rittiman and Tegna Inc. vs. California Public Utilities Commission, Supreme Court of the State of California, Case No: S270145.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

54

[19858]

FERC Docket No. EL00-95-000, et al

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

55

Conference with Legal Counsel - Initiation of Litigation

[19862]

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions is not commenced.)

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Federal

Existing Litigation - Federal

56 **Conference with Legal Counsel - Existing Litigation**

[19839]

FERC Docket No. RP15-1904

Gas Transmission Northwest LLC, FERC Docket No. RP15-1904

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Federal (continued)

Existing Litigation - Federal

57 **Conference with Legal Counsel - Existing Litigation**

[19841]

FERC Docket No. RP21-899-000

El Paso Natural Gas Company, L.L.C., FERC Docket No. RP21-899-000

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Federal (continued)

Existing Litigation - Federal

58 **Conference with Legal Counsel - Existing Litigation**
[19859]
Case No. 19-30088

PG&E Corporation Case, debtor. Case No. 19-30088; In re: Pacific Gas and Electric Company, Debtor. Case No 19-30089; United States Bankruptcy Court Northern District of California San Francisco Division.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Federal (continued)

Existing Litigation - Federal

59 **Conference with Legal Counsel - Existing Litigation**

[19860]

District Court Case No. 14-cr-00175-WHA

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Existing Litigation - Federal (continued)

Existing Litigation - Federal

60 **Conference with Legal Counsel - Existing Litigation**

[19861]

Case No. 6:21-bk-12821-SY

Western Community Energy, Debtor. Case No. 6:21-bk-12821-SY; United States Bankruptcy Court, Central District of California, Riverside Division.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Federal

Closed Session - Administrative Matters

Consideration and discussion of administrative matters.

Public Utilities Code section 1701.1(f) allows this item to be considered in Closed Session.

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session