
Public Utilities Commission of the State of California

Public Agenda 3501
Thursday, January 27, 2022, 10:00 a.m.
Remotely

Commissioners
Alice Reynolds, President
Clifford Rechtschaffen
Genevieve Shiroma
Darcie L. Houck

Pursuant to [Section 2 of Assembly Bill 361, Stats. 2021, Ch.165, signed by Governor Newsom on September 16, 2021](#), Commissioners may participate remotely from teleconferencing locations. The public may observe, provide public comment during the public comment period, and otherwise participate remotely pursuant to the Bagley-Keene open meeting act.

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.).

To listen or make comments not to exceed 1 minute by phone **dial, 1-800-857-1917 and enter passcode 9899501.**

Para escuchar esta reunión en español, por favor llame: (800) 857-1917, código de acceso: 3799627.

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<http://www.adminmonitor.com/ca/cpuc/>

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

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

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, January 24, 2022 (Remotely) | Thursday, January 27, 2022 (Remotely) |
| Monday, February 7, 2022 (Remotely) | Thursday, February 10, 2022 (Remotely) |
| Monday, February 21, 2022 (Remotely) | Thursday, February 24, 2022 (Remotely) |
| Monday, March 14, 2022 (Remotely) | Thursday, March 17, 2022 (Remotely) |
| Monday, April 4, 2022 (San Francisco) | Thursday, April 7, 2022 (San Francisco) |

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



If specialized accommodations for the disabled are needed, please call the Public Advisor at (415) 703-2074 or TTY # (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

**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.*

Consent Agenda - Orders and Resolutions (continued)

- 2 **Modified Presiding Officer's Decision Addressing Order to Show Cause Why Southern California Gas Company is Entitled to Shareholder Incentives for Energy Efficiency Codes and Standards Advocacy, and Other Reasonable Remedies**

[19962]

R.13-11-005

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

(Comr Shiroma - Judge Kao)

Pub. Util. Code § 1701.2(h), allows this Modified 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.

- Agenda 3496, Item 11 11/4/2021 (Shiroma);
- Agenda 3497, Item 4 11/18/2021 (Staff);
- Agenda 3498, Item 2 12/2/2021 (Staff);
- Agenda 3499, Item 2 12/16/2021 (Guzman Aceves);
- Agenda 3500, Item 2 1/13/2022 (Rechtschaffen)

Consent Agenda - Orders and Resolutions (continued)

3

Rules for Public Comment at Business Meetings

[20175]

Res ALJ-412

PROPOSED OUTCOME:

- Adopts rules for public comment at the Commission's business meetings.
- Replaces the rules adopted in Resolution ALJ-252.

SAFETY CONSIDERATIONS:

- Adopts rules to promote safety at the Commission's business meetings.
- Allows the Commission to override the rules in case of emergency or other unforeseen circumstances.

ESTIMATED COST:

- There are no costs associated with this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=427636944>

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

Consent Agenda - Orders and Resolutions (continued)

4 **Power Charge Indifference Adjustment Issues in Energy Resource Recovery Account Proceedings**

[20192]

R.17-06-026

Order Instituting Rulemaking to Review, Revise, and Consider Alternatives to the Power Charge Indifference Adjustment.

PROPOSED OUTCOME:

- Adopts improvements to support efficient consideration of Power Charge Indifference Adjustment (PCIA) issues in Energy Resource Recovery Account (ERRA) proceedings.
- Modifies the PCIA market price benchmark release date and deadlines for ERRA forecast applications to enable the Commission to timely issue decisions on ERRA forecast applications.
- Establishes a policy for disposition of the year-end balance in the ERRA account.
- Modifies the calculation of the ERRA trigger point and threshold.
- Supports efficient party access to ERRA forecast proceeding data.

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 Wang)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=444145033>

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

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

Consent Agenda - Orders and Resolutions (continued)

5 **Fiber Unity, Inc. Certificate of Public Convenience and Necessity to Provide Telecommunication Services**

[20193]

A.21-06-014

Application of Fiber Unity, Inc. for a Certificate of Public Convenience and Necessity to Provide Full Facilities Based and Resold Competitive Local Exchange and Non-Dominant Interexchange Service.

PROPOSED OUTCOME:

- Grants Fiber Unity, Inc. authority to provide full facilities-based and resold competitive local exchange and non-dominant interexchange service in California.
- Denies Fiber Unity, Inc. request to be exempt from Public Utilities Code Sections 851 – 854.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- This decision requires Fiber Unity, Inc. to ensure the safety, health, comfort, and convenience of its patrons, employees, and the public.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Houck - Judge Ayoade)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=443336016>

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

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

Consent Agenda - Orders and Resolutions (continued)

6 Appeal by GoGo Charters LLC of Citation No. T.21-08-003

[20198]

Res ALJ-414

Appeal of GoGo Charters LLC of Citation Number T.21-08-003 in the amount of \$3,000 issued on August 12, 2021 by the Consumer Protection and Enforcement Division.

PROPOSED OUTCOME:

- Resolves the appeal of GoGo Charters LLC (GoGo Charters) of Citation No. T.21-08-003 (Citation) issued by the California Public Utilities Commission's Consumer Protection and Enforcement Division (CPED).
- Dismisses the appeal of GoGo Charters as moot as a result of CPED's withdrawal of the Citation.
- Closes K.21-09-015.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this resolution.

ESTIMATED COST:

- There are no costs associated with this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=443164610>

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

Consent Agenda - Orders and Resolutions (continued)

7 **Renewables Portfolio Standard Program Rules Enforcement
and Penalty for Gexa Energy CA LLC**

[20200]

R.18-07-003

Order Instituting Rulemaking to Continue Implementation and Administration, and Consider Further Development, of California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

- Enforces Renewables Portfolio Standard (RPS) program compliance rules against Gexa Energy California LLC (Gexa) for not including non-modifiable standard terms and conditions in its RPS contract.
- Penalizes Gexa \$348,500 for 353 days that its contract was out of compliance.
- Accepts Gexa's RPS contract as a long term contract for Compliance Period 2014-2016.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- \$348,500 in penalty to be paid by Gexa for credit to the State General Fund.

(Comr Rechtschaffen - Judge Lakhanpal)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=444145773>

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

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

Consent Agenda - Orders and Resolutions (continued)

- 9 **Transfer of Mendocino County's 2-1-1 Operation and Grant of Authority to United Way of the Wine Country to Serve as the 2-1-1 Service Provider for Mendocino County**

[20203]
Res T-17760

PROPOSED OUTCOME:

- Approves the transfer of the operation of Mendocino County's 2-1-1 service from the Inland Empire United Way to the United Way of the Wine Country.
- Grants the United Way of the Wine Country the authority to use the 2-1-1 abbreviated dialing code to provide information and referral services to Mendocino County.

SAFETY CONSIDERATION:

- 2-1-1 Mendocino will provide direct, public safety impact on Mendocino County residents during emergencies and disasters. The United Way of the Wine Country will work under the direction of the County of Mendocino Emergency Operations Center to disseminate critical public information, such as information on evacuations, shelters, road closures, utility outages, and other disaster-related information.

ESTIMATED COST:

- None. 2-1-1 service is provided free of charge to callers.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=443164704>

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

Consent Agenda - Orders and Resolutions (continued)

10 **Havasu Water Company's General Rate Case Increase**

[20211]

Res W-5250, Advice Letter 48-W filed October 22, 2021 - Related matters.

PROPOSED OUTCOME:

- Rejects Havasu Water Company's (Havasu) Advice Letter (AL) 48-W for the following reasons: 1) Havasu did not comply with the Commission's AL requirements set-forth in General Order 96-B, Water Industry Rule 4.1(3) requiring that utilities serve all interested parties; 2) Havasu's request that the Commission find that the easement exists is denied because the Commission has already found that the easement has expired; and 3) Havasu's request for a rate increase to pay for the construction of wells is not properly before the Commission at this time because the wells have not been constructed or placed in service.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this resolution.

ESTIMATED COST:

- There are no costs associated with this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=444145523>

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

Consent Agenda - Orders and Resolutions (continued)

11 **Petitions for Modification of Recent Rate Design Settlements Affecting Pacific Gas and Electric Company's Agricultural Customers**

[20217]

A.16-06-013, A.18-11-013 - Related matters.

Application of Pacific Gas and Electric Company to Revise its Electric Marginal Costs, Revenue Allocation and Rate Design.

PROPOSED OUTCOME:

- Grants unopposed petitions for modification filed by Pacific Gas and Electric Company to change certain provisions of agricultural rate design settlements approved by Decision (D.) 18-08-013 and D.19-05-010.
- Revises ratemaking treatment of deferral-related costs to include direct access (DA) and community choice aggregation (CCA) agricultural customers in cost sharing.
- Defers transition of certain highly impacted DA and CCA agricultural customers to new rate designs until March 2022.
- Closes the proceedings.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with the this decision.

ESTIMATED COST:

- Unknown costs associated with the deferral of highly impacted DA and CCA agricultural customers to new rate designs.
- DA and CCA agricultural class customers will now contribute to those costs as a result of this decision.

(Comr Shiroma - Judge Doherty)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=438844542>

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

Consent Agenda - Orders and Resolutions (continued)

12

California High-Speed Rail Authority's Construction of Underpass Grade Separated Crossing at State Route 198, Kings County

[20242]

A.21-02-012

Application of the California High-Speed Rail Authority for Approval to construct One New Grade Separated Crossing, Under the Proposed High-Speed Rail Tracks at SR198 (MP 223.94) 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 State Route 198, Milepost 223.94, 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=429908492>

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

Consent Agenda - Intervenor Compensation Orders

13

Intervenor Compensation to Green Power Institute

[20194]

R.17-07-007

Order Instituting Rulemaking to Consider Streamlining Interconnection of Distributed Energy Resources and Improvements to Rule 21.

PROPOSED OUTCOME:

- Awards Green Power Institute (GPI) \$259,278.75 for substantial contribution to Decision (D.) 20-09-035. D. 20-09-035 adopts recommendations from Working Groups two and three and subgroups aimed at improving the Rule 21 interconnection process. GPI originally requested \$309,296.00.

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:

- \$259,278.75, plus interest, to be paid by the ratepayers of Southern California Edison Company, San Diego Gas & Electric Company, Bear Valley Electric Service, Pacific Power, and Liberty Utilities.

(Comr Guzman Aceves - Comr Reynolds - Judge Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=444926836>

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

Agenda 3500, Item 17 1/13/2022

Consent Agenda - Intervenor Compensation Orders (continued)

14

**Intervenor Compensation to Protect Our Communities
Foundation**

[20209]

R.19-11-009

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Forward Resource Adequacy Procurement Obligations.

PROPOSED OUTCOME:

- Awards Protect Our Communities Foundation (PCF) \$41,797.00 for substantial contribution to Decision 20-06-031. That Decision adopted 2021-2023 local capacity requirements and 2021 flexible capacity requirements for Commission-jurisdictional load-serving entities. PCF originally requested \$68,599.50.

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:

- \$41,797.00, plus interest, to be paid by Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company.

(Comr Batjer - Judge Chiv)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=444953008>

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

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

Regular Agenda**Regular Agenda- Energy Orders**15 **2021 Preferred System Plan**

[20204]

R.20-05-003

Order Instituting Rulemaking to Continue Electric Integrated Resource Planning and Related Procurement Processes.

PROPOSED OUTCOME:

- Approves or certifies individual integrated resource plans of twenty load-serving entities (LSEs) and allows exemptions for eight others. Twenty-four LSEs will need to resubmit additional information in an advice letter to have their plans certified or approved.
- Adopts a preferred system plan and portfolio through 2032 based on a greenhouse gas (GHG) emissions target of 38 million metric tons (MMT) in 2030. This portfolio will be transferred as the base case to the California Independent System Operator's 2022-2023 transmission planning process (TPP). A sensitivity portfolio is also recommended that is based on a 30 MMT GHG target.
- Requires procurement by Pacific Gas and Electric Company of two electric storage projects identified in the last TPP as alternatives to transmission upgrades.

SAFETY CONSIDERATIONS:

- This decision is intended to ensure that sufficient electricity resource investments, including transmission, are planned for to ensure safe and reliable delivery of electricity.

ESTIMATED COST:

- This decision mostly addresses long-term planning, with the exception of ordering two specific storage projects as alternatives to transmission upgrades. Costs will be determined during the course of the procurement of the associated resources by the load-serving entities, only some of which are subject to the Commission's cost oversight.

(Comr Rechtschaffen - Judge Fitch)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=434547053>

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

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

Regular Agenda- Orders Extending Statutory Deadline

16 Order Extending Statutory Deadline

[20186]

A.20-07-020

Application of Pacific Gas and Electric Company for Recovery of 2011-2014 Gas Transmission and Storage Capital Expenditures Reviewed and Certified by the Safety and Enforcement Division.

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of this proceeding until July 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 Reynolds - Judge Lau)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=444145065>

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

Regular Agenda- Orders Extending Statutory Deadline (continued)

17 **Order Extending Statutory Deadline**

[20190]

C.19-04-005

Fred Sahadi, individually and as Trustee of the Fred Sahadi Revocable Living Trust vs. San Jose Water Company.

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of this proceeding until March 31, 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=432519281>

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

Regular Agenda- Orders Extending Statutory Deadline (continued)

18 **Order Extending Statutory Deadline**

[20208]

C.20-08-003

Utility Telecom Group, LLC. vs. Bandwidth.com CLEC, LLC

PROPOSED OUTCOME:

- Extends Statutory Deadline for completion of this proceeding until October 4, 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 Rechtschaffen - Judge Toy)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=434236855>

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

Regular Agenda- Legal Division Matters

19

U.S. Department of Commerce, National Telecommunications and Information Administration

[20247]

Docket number NTIA-2021-0002

On January 7, 2021, the National Telecommunications and Information Administration (NTIA) released a draft *Request for Comments* (RFC) seeking comments on implementing the federal Infrastructure Investment and Jobs Act, which includes investment of \$65 billion to help close the digital divide and ensure that all Americans have access to reliable, affordable, high-speed broadband. The NTIA is responsible for distributing more than \$48 billion in broadband funding through several different programs. Staff seeks authority to file comments on NTIA implementation of these programs. The due date for comments is February 4, 2022.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=443701294>

Regular Agenda- Legislative and Other Matters

Regular Agenda- Management Reports and Resolutions

20

Report and Discussion on Recent Consumer Protection and Safety Activities

[20250]

Regular Agenda- Management Reports and Resolutions (continued)

21
[20251]

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

22

Conference with Legal Counsel - Application for Rehearing

[20252]

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 - 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

23 **Modified Presiding Officer's Decision to Show Cause Why Southern California Gas Company is Entitled to Shareholder Incentives for Energy Efficiency Codes and Standards Advocacy, and Other Reasonable Remedies**

[20268]

R.13-11-005

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

Pub. Util. Code § 1701.2(h), allows this Modified 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 - Existing Litigation - Non-Federal

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

[20253]

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)

25

Conference with Legal Counsel - Existing Litigation

[20254]

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)

26

Conference with Legal Counsel - Existing Litigation

[20255]

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)

27

Conference with Legal Counsel - Existing Litigation

[20256]

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)

28

Conference with Legal Counsel - Existing Litigation

[20258]

Case No: A162842

Brandon Rittiman and Tegna Inc. vs. California Public Utilities Commission, Court of Appeal of the State of California First Appellate District, Case No: A162842.

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.

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[20179]

FERC Docket No. EL00-95-000, EL02-60-000, EL02-62-000 et al - Related matters.

Update on Crowe audit of Energy Crisis-era Joint Offer of Settlement of long-term contract claim and litigation between the California Public Utilities Commission and Dynegy Released Affiliated Entities, including NRG Energy, Inc. and discussion of next steps.

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

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

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.

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[20259]

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.

Closed Session - Existing Litigation - Federal

Existing Litigation - Federal

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

[20260]

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

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

[20261]

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

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

[20262]

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 - Existing Litigation - Federal (continued)

Existing Litigation - Federal

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

[20263]

Case No. 21-1016 (D.C. Circuit)

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