
Public Utilities Commission of the State of California

Public Agenda 3517
Thursday, November 3, 2022

11:00 a.m.
326 Huss Drive
Chico, CA

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

Pursuant to Section 20 of Assembly Bill 189 (Stats. 2022, ch.48), signed by Governor Newsom on June 30, 2022, 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 (11:00 a.m.).

Information and instructions on how to make public comment are posted on the Commission's website at <https://www.cpuc.ca.gov/commissionmeetings>. Changes to this information may be posted up to 72 hours prior to the start of the Commission Voting Meeting.

Individuals wishing to observe the meeting online can do so by accessing our website at <http://www.adminmonitor.com/ca/cpuc/>.

Scheduled Commission Meetings

<i>Ratesetting Deliberative Meeting*</i> Remote (10:00 a.m.) Closed to the Public	<i>Commission Meeting</i> Remote (11:00 a.m.) Open to the Public
Monday, October 31, 2022 (Remote)	Thursday, November 3, 2022 (Chico) In Person
Monday, November 14, 2022 (Remote)	Thursday, November 17, 2022 (Remote)
Monday, November 28, 2022 (Remote)	Thursday, December 1, 2022 (Remote)
Monday, December 12, 2022 (Remote)	Thursday, December 15, 2022 (Remote)
Monday, January 9, 2023 (Remote)	Thursday, January 12, 2023 (Remote)

**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.*

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



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g., sign language interpreters, 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.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 10, 28

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

[21056]

Res ALJ-176-3517

PROPOSED OUTCOME:

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

ESTIMATED COST:

- None.

Consent Agenda - Orders and Resolutions (continued)

2 **Appeal of Jordan & Associates Investments, Inc. d/b/a Sun
Buggie Fun Rentals from Citation Number F-5598**

[20694]
Res ALJ-417

PROPOSED OUTCOME:

- Grants the appeal, and the citation is dismissed.
- Closes the proceeding.

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=497246463>

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

Agenda 3511, Item 5 7/14/2022 (Staff);
Agenda 3512, Item 2 8/4/2022 (Staff);
Agenda 3513, Item 2 8/25/2022 (Staff);
Agenda 3514, Item 2 9/15/2022 (Staff);
Agenda 3515, Item 2 10/6/2022 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **Database for Energy-Efficient Resources Updates for
Program Year 2024-2025 and Revised Version for Program
Years 2023 and 2022**

[20887]
Res E-5221

PROPOSED OUTCOME:

- Update Database for Energy-Efficient Resources (DEER) 2024 (effective January 1, 2024).
- Revises DEER 2023 Update (effective January 1, 2023).
- Revises DEER 2022 Update (retroactive to January 1, 2022).

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=497868178>

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

Agenda 3516, Item 2 10/20/2022 (Staff)

Consent Agenda - Orders and Resolutions (continued)

4 **PacifiCorp General Rate Case Revenue Requirement Effective Date and Memorandum Account**

[20937]

A.22-05-006

In the Matter of the Application of PacifiCorp, for an Order Authorizing a General Rate Increase Effective January 1, 2023.

PROPOSED OUTCOME:

- Sets effective date of PacifiCorp 2023 General Rate Case Revenue Requirement and establishes a General Rate Case Memorandum Account.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Alice Reynolds - Judge O'Rourke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498053413>

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 **Application of Etheric Communications, LLC for a Certificate of Public Convenience and Necessity and Designation as an Eligible Telecommunications Carrier**

[20939]

A.21-01-002

Application of Etheric Communications, LLC for a Certificate of Public Convenience and Necessity to Provide Full Facilities Based and Resold Competitive Local Exchange and Non Dominant Interexchange Service and Designation as an Eligible Telecommunications Carrier in California.

PROPOSED OUTCOME:

- Grants Etheric a Certificate of Public Convenience and Necessity to provide full facilities based and resold competitive local exchange services and resold interexchange services .
- Denies designation as an Eligible Telecommunications Carrier.
- Application 21-01-002 is closed.

SAFETY CONSIDERATIONS:

- The Commission is satisfied that Etheric meets safety expectations of competitive local exchange carriers.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Shiroma - Judge Miles)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497868401>

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

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

This matter may be considered during the Ratesetting Deliberative Meeting.

Agenda 3516, Item 8 10/20/2022 (Staff)

Consent Agenda - Orders and Resolutions (continued)

6 **Performance Metrics and Retaining Existing Requirements for the 2023 Wildfire Mitigation Plans of Electrical Corporations Pursuant to Public Utilities Code §§ 8389(d)(1) and (2)**

[20946]
Res SPD-3

PROPOSED OUTCOME:

- Adopts Energy Safety's recommendation to adopt new performance metrics, amend other metrics, and retain or remove the remaining metrics adopted in Resolution WSD-011 and required by Pub. Util. Code § 8386(c), for the 2023 WMPs under Pub. Util. Code § 8389(d)(1).
- Adopts Energy Safety's recommendation to retain existing WMP requirements for the 2023 WMPs under Pub. Util. Code § 8389(d)(2).

SAFETY CONSIDERATIONS:

- Mitigation of catastrophic wildfires in California is among the most important safety challenges the Commission-regulated electrical corporations face. WMPs provide an electrical corporation's proposed actions to help prevent catastrophic wildfires, so comprehensive WMPs are essential to safety.
- Any changes to WMPs should enhance California's ability to review and monitor the electrical corporations' actions in mitigating catastrophic wildfires.

ESTIMATED COST:

- This Resolution does not address or approve costs.
- Costs incurred to comply with WMPs are to be addressed in electrical corporation General Rate Cases or other applications, not in WMPs.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497868296>

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

Agenda 3516, Item 12 10/20/2022 (Staff)

Consent Agenda - Orders and Resolutions (continued)

7 **Pacific Gas and Electric Company to Sell Tule River
Hydroelectric Project to Tule Hydro LLC**

[20954]

A.22-02-010

Application of Pacific Gas and Electric Company for Approval Under Public Utilities Code Section 851 to Sell the Tule River Hydroelectric Project.

PROPOSED OUTCOME:

- Grants Pacific Gas and Electric Company's application to sell the Tule River Hydroelectric Project and associated electric facilities to Tule Hydro LLC pursuant to Section 851 of the California Public Utilities Code.
- Determines the proposed sale complies with all applicable Commission requirements and is in the public interest.
- Approves the proposed ratemaking treatment of the sale.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- The total value of the transaction represents an estimated \$8.2 million loss to Pacific Gas and Electric Company's customers.

(Comr John Reynolds - Judge Korpics)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498070482>

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

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

Agenda 3516, Item 16 10/20/2022 (Staff)

Consent Agenda - Orders and Resolutions (continued)

8 **Traci.net Inc. for Certificate of Public Convenience and Necessity**

[20987]

A.22-02-017

Application of Traci.net Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.

PROPOSED OUTCOME:

- Dismisses Application 22-02-017 of Traci.net Inc. without prejudice for failure to prosecute.
- 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 John Reynolds - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498050191>

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

Ventura Transit System's Application to Expand its Passenger Stage Authority

[20988]

A.21-06-006

In the matter of the Application of Ventura Transit System, Inc. to expand its passenger stage authority under to establish a scheduled route to serve three hotels in the immediate vicinity of the present service, under the existing Zone-of-Rate-Freedom granted in Decision 12-01-023, dated January 12, 2012.

PROPOSED OUTCOME:

- Grants the Application of Ventura Transit System to expand its Certificate of Public Convenience and Necessity.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Shiroma - Judge Kelly)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497632233>

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)

10

Modified Presiding Officer's Decision Order to Show Cause Whether T-Mobile USA Should be Sanctioned by the Commission for Violating Rule 1.1 of the Commission's Rules of Practice and Procedure

[20991]

A.18-07-011, A.18-07-012 - Related matters.

In the Matter of the Joint Application of Sprint Communications Company L.P. (U-5112) and T-Mobile USA, Inc., a Delaware Corporation, For Approval of Transfer of Control of Sprint Communications Company L.P. Pursuant to California Public Utilities Code Section 854(a).

(Comr Rechtschaffen - Judge Bemesderfer - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=496821066>

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.

Agenda 3516, Item 20 10/20/2022 (Alice Reynolds)

Consent Agenda - Orders and Resolutions (continued)

11 **Petition to Repeal and/or Amend Resolution SR-34**

[20995]

P.22-03-015

Petition to adopt, amend, or repeal a regulation pursuant to Pub. Util. Code § 1708.05.

PROPOSED OUTCOME:

- Denies the Petition of Union Pacific Railroad to repeal and/or amend Resolution SR-34.
- 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 Kelly)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497978959>

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)

12

Southern California Edison Company's Catalina Repower Project

[20996]

A.21-10-005

Application of Southern California Edison Company for Approval of its Catalina Repower Project.

PROPOSED OUTCOME:

- Approves all-party settlement agreement regarding Southern California Edison Company's proposed Catalina Repower Project and makes additional findings regarding the load forecast and reliability criteria to be used for the project.
- 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 Park)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498108775>

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)

13 **PacifiCorp's 2022 Energy Cost Adjustment Clause Rates**

[20998]

A.21-08-004

In the Matter of the Application of PacifiCorp for Approval of its 2022 Energy Cost Adjustment Clause and Greenhouse Gas-Related Forecast and Reconciliation of Costs and Revenue.

PROPOSED OUTCOME:

- Approves PacifiCorp's 2022 Energy Cost Adjustment Clause (ECAC) Rates to allow recovery of its net power costs.
- Directs PacifiCorp to conduct additional analysis in future ECAC cycles intended to ensure it considers options to reliably and economically serve its customers' electricity needs with alternatives to coal.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision

ESTIMATED COST:

- The combined effect of PacifiCorp's proposed ECAC and greenhouse gas cost recovery rate changes in this proceeding is a net revenue increase of approximately \$6,685,000, or a rate increase of approximately 6.6%.

(Comr Alice Reynolds - Judge O'Rourke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498050211>

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)

14 **Southern California Edison Company's Implementation Plan
for Programs and Projects funded with Low Carbon Fuel
Standard Holdback Credit Proceeds**

[20999]

Res E-5236, Advice Letter (AL) 4518-E filed June 15, 2021 and AL 4518-E-A filed February 24, 2022 - Related matters.

PROPOSED OUTCOME:

- Finds that the Implementation Plan Southern California Edison Company proposes for programs and projects funded with Low Carbon Fuel Standard residential base charging credit and electric forklift credit proceeds are reasonable, in part, with modifications.

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=497297025>

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

Consent Agenda - Orders and Resolutions (continued)

15 **Framework for Substation Microgrid Solutions to Mitigate Public Safety Power Shutoffs for Pacific Gas and Electric Company**

[21000]

A.21-06-022

Application of Pacific Gas and Electric Company Proposing Framework for Substation Microgrid Solutions to Mitigate Public Safety Power Shut Offs.

PROPOSED OUTCOME:

- Adopts a framework for single-season and multi-season microgrid resiliency solutions to mitigate public safety power shutoffs for Pacific Gas and Electric Company.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- Mitigates public safety power shutoffs for Pacific Gas and Electric Company customers.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Shiroma - Judge Rizzo)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498108789>

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)

- 16 **Voluntary Allocations and Market Offer Process Proposals of Load-Serving Entities to Sell Excess Renewable Resources to lower Power Charge Indifference Adjustment Cost Pursuant to Decision 21-05-030**

[21001]

R.18-07-003

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

PROPOSED OUTCOME:

- Approves all Voluntary Allocation offers made by the IOUs and accepted by the LSEs in this Voluntary Allocation and Market Offer cycle.
- 3 Phases Renewables Inc. shall file an updated status of their Voluntary Allocations within seven days of the issuance date of this decision.
- Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall each file a Tier 1 Advice Letter within 15 days of the issuance of this decision to include Market Offer process changes adopted in this decision, along with updated Market Offer pro formas.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Rechtschaffen - Judge Atamturk - Judge Lakhanpal)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497248057>

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)

17

**Bear Valley Electric 2019 Winter Storm Catastrophic Event
Memorandum Account Costs and Recovery of Costs in Rates**

[21002]

A.21-10-009

Application of Bear Valley Electric Service, Inc. for Authorization to Recover Costs Related to 2019 Winter Storm and Recorded in Its Catastrophic Event Memorandum Account.

PROPOSED OUTCOME:

- Approves Bear Valley Electric recovery of \$447,650 associated with the 2019 Winter Storm.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- \$447,650 will be recovered from customers through a surcharge assessed for twelve months.

(Comr Shiroma - Judge Watts-Zagha)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498000344>

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)

18 **San Diego Gas & Electric Company's Proposal for an Optional Residential Rate**

[21003]

A.21-09-001

Application of San Diego Gas & Electric Company to Update Rate Design to Include a Residential Un-tiered Time-of-Use Rate with a Fixed Charge.

PROPOSED OUTCOME:

- Adopts an opt-in un-tiered time-of-use rate, TOU-ELEC, with a \$16 fixed charge for residential customers who own one or more of the qualifying technologies: electric vehicles, energy storage, electric heat pump for water heating or climate control.
- Places a cap of 10,000 accounts on TOU-ELEC with the option to increase the cap by increments of 10,000.
- Adopts the partial settlement agreement on the issue of including a medical discount for customers who are otherwise eligible for the Medical Baseline Program for the TOU-ELEC rate.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There may be a cost shift onto non-participants; the amount is unknown at this time.

(Comr Shiroma - Judge Atamturk)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498053456>

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)

19 **Southern California Edison Company's Mid-term Reliability Energy Storage Contracts and Solar Photovoltaic Form of Agreement Submitted Pursuant to Decision 21-06-035**

[21004]

Res E-5234, Advice Letter 4850-E filed August 17, 2022 - Related matters.

PROPOSED OUTCOME:

- Approves five Southern California Edison Company's (SCE) Mid-term reliability energy storage contracts and a solar photovoltaic form of agreement and related costs for a total of 481 megawatts of nameplate capacity expected to come online August 1, 2023, or June 1, 2024.

SAFETY CONSIDERATIONS:

- SCE's Technology Neutral Pro Forma Contract requires the Seller to operate the energy storage facility in accordance with "Prudent Electrical Practices." See Section 6.01(a) of SCE's Technology Neutral Pro Forma Contract.
- SCE's Technology Neutral Pro Forma Contract also includes a provision providing that, prior to commencement of any construction activities on the project site, the seller must provide to SCE a report from an independent engineer certifying that the seller has a written plan for the safe construction and operation of the project in accordance with Prudent Electrical Practices.

ESTIMATED COST:

- Contract costs are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498144394>

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

Consent Agenda - Orders and Resolutions (continued)

20

Transportation Network Company Annual Reports for 2014-2019

[21005]

R.12-12-011

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

PROPOSED OUTCOME:

- Ends presumption of confidentiality and requires each Transportation Network Company to submit its Annual Reports for the years 2014-2019 to the Commission with redactions for information protected on privacy grounds. Denies request to treat the remaining trip data at issue as private, trade secret protected or protected under applicable balancing test considerations.

SAFETY CONSIDERATIONS:

- Public disclosure of the Transportation Network Companies will assist interested third parties in assessing the safety of Transportation Network Company passenger transport services.

ESTIMATED COSTS:

- There are no costs associated with this decision.

(Comr Shiroma - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497334003>

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)

21

**California Advanced Services Fund Broadband Infrastructure
Grant Account Program Rules**

[21006]

R.20-08-021

Order Instituting Rulemaking Regarding Revisions to the California Advanced Services Fund.

PROPOSED OUTCOME:

- Modifies program rules for the Broadband Infrastructure Grant Account.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Houck - Judge Kao)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498059352>

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)

22

Pure Water Monterey Groundwater Replenishment Project Expansion and the Related Amended and Restated Water Purchase Agreement

[21009]

A.21-11-024

Application of California-American Water Company to Obtain Approval of the Amended and Restated Water Purchase Agreement for the Pure Water Monterey Groundwater Replenishment Project, Update Supply and Demand Estimates for the Monterey Peninsula Water Supply Project, and Cost Recovery.

PROPOSED OUTCOME:

- California-American Water Company is authorized to construct three company-related facilities and enter into the related Amended WPA with Monterey One Water and the Monterey Peninsula Water Management District.
- This proceeding remains open to consider updated water supply and demand estimates for the Monterey Peninsula Water Supply Project and ratemaking for the EW-1/EW-2 facility in Phase 2.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- The estimated cost is \$44.9 million for California American Water Company's infrastructure and \$49.2 million for Monterey One Water's infrastructure.

(Comr Houck - Judge Kline)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498076217>

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)

23

Order Extending Statutory Deadline

[21035]

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 statutory deadline for completion of this proceeding until June 3, 2023.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Alice Reynolds - Judge Nojan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498077008>

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

Consent Agenda - Orders and Resolutions (continued)

24

Citation No. E-4195-0099 by Western Community Energy

[21043]

Res ALJ-426

PROPOSED OUTCOME:

- Grants the unopposed motion of Appellant to withdraw the appeal of Citation No. E-4195-0099 issued by the California Public Utilities Commission's Consumer Protection and Enforcement Division.
- Closes the proceeding.

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=497452795>

Consent Agenda - Orders and Resolutions (continued)

25

Order Extending Statutory Deadline

[21047]

I.15-08-019

Order Instituting Investigation on the Commission's Own Motion to Determine Whether Pacific Gas and Electric Company and PG&E Corporation's Organizational Culture and Governance Prioritize Safety.

PROPOSED OUTCOME:

- Extends statutory deadline for completion of this proceeding until November 8, 2023.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

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

(Comr John Reynolds - Judge Atamturk)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497487230>

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

Consent Agenda - Orders and Resolutions (continued)

26

Joint Application of Fusion Connect and the North Haven Entities for Authority for the North Haven Entities to Acquire Indirect Control of Fusion Connect Companies

[21049]

A.22-04-013

Joint Application of Fusion Connect, Inc. and the North Haven Entities for Authority for the North Haven Entities to Acquire Indirect Control of Fusion LLC and Fusion Cloud Services, LLC.

PROPOSED OUTCOME:

- Approves application.
- Grants authority for a financial transaction that will result in the North Haven Entities acquiring a controlling interest in Fusion Connect Inc. and, indirectly, in its telecommunications operating subsidiaries in California, Fusion LLC and Fusion Cloud Services, LLC.
- 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 John Reynolds - Judge Fogel)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=496945429>

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

Consent Agenda - Orders and Resolutions (continued)

27

Pacific Wyyerd, LLC Certificate of Public Convenience and Necessity

[21051]

A.22-05-027

In the Matter of the Application of Pacific Wyyerd, LLC for a certificate of public convenience and necessity to provide full facilities-based and resold competitive local exchange service throughout the service territories of Pacific Bell Telephone Company, Frontier California, Inc., Frontier Communications of the Southwest, Inc., Consolidated Communications of California Company, and Citizens Telecommunications Company of California, Inc. and full facilities-based and resold interexchange services on a statewide basis.

PROPOSED OUTCOME:

- Grants Pacific Wyyerd, LLC a certificate of public convenience and necessity to provide full facilities-based and resold local exchange and interexchange services in California.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- Pacific Wyyerd, LLC must pay user fees and surcharges at established rates.

(Comr John Reynolds - Judge Rambo)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497246282>

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

Consent Agenda - Orders and Resolutions (continued)

28

Order Extending Statutory Deadline

[21053]

I.21-12-001

Order Instituting Investigation on the Commission's Own Motion into the Operations, Policies and Practices of Uber Technologies, Inc. and Uber Black Sub-Carriers Operating on the Uber Black Platform.

PROPOSED OUTCOME:

- Extends statutory deadline for completion of this proceeding until September 30, 2023.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

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

(Comr Shiroma - Judge Stevens)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497286935>

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

Consent Agenda - Intervenor Compensation Orders

29

Intervenor Compensation to Center for Accessible Technology

[21050]

R.15-06-009

PROPOSED OUTCOME:

- Awards Compensation to Center for Accessible Technology (CforAT) \$54,715.50 for substantial contribution to Decision (D.) 21-05-019 which incorporates the requirements of Public Utilities (Pub. Util.) Code § 768.6 into General Orders (GO) 166 and 103-A; addresses the challenges of individuals with access and functional needs; and adds the term Public Safety Partners to GO 166 that includes water, wastewater, and communication providers. CforAT originally requested \$56,335.50.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

- \$54,715.50 plus interest, to be paid by the ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, PacifiCorp, Bear Valley Electric Service, and Liberty Utilities.

(Comr Rechtschaffen - Judge Kelly)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497728061>*Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

Consent Agenda - Intervenor Compensation Orders (continued)

30

Intervenor Compensation to The Utility Reform Network

[21054]

A.19-07-021

Application of Southern California Edison Company for Authorization to Recover Costs Related to 2017-2018 Drought and 2017 Firestorms and Recorded in the Catastrophic Event Memorandum Account.

PROPOSED OUTCOME:

- Awards The Utility Reform Network (TURN) \$15,026.30 for substantial contribution to Decision 21-08-024. That Decision granted Southern California Edison Company (SCE) the authority to recover the incremental expenses recorded in the Catastrophic Event Memorandum Account incurred in 2017-2018 responding to catastrophic drought conditions, but it denied without prejudice recovery of capital costs incurred in 2017 for responding to the Thomas and Rye firestorms. TURN originally requested \$15,844.55.

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 for each public utility, by taking all actions "necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- \$15,026.30, plus interest, to be paid by the ratepayers of SCE.

(Comr Houck - Judge Toy)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497801298>

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

Regular Agenda

Regular Agenda- Energy Orders

- 31 **Order Instituting Rulemaking to Develop Policy and Create a Consistent Regulatory Framework for Distributed Energy Resource Customer Programs**

[20959]
R._____

PROPOSED OUTCOME:

- Opens new rulemaking as a successor proceeding to Rulemaking 14-10-003 to develop and ensure consistent policy direction and review of behind-the-meter distributed energy resource (DER) customer programs.
- Envisioned as the procedural framework for pursuing the vision and carrying out the actions articulated in the customer programs track of the Commission's DER Action Plan.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=488223301>

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

Agenda 3515, Item 33 10/6/2022 (Staff);

Agenda 3516, Item 29 10/20/2022 (Alice Reynolds)

Regular Agenda- Energy Orders (continued)

32

Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company Applications to Establish Authorized Cost of Capital for Utility Operation for 2022

[21007]

A.21-08-013 , A.21-08-014 and A.21-08-015 - Related matters.

Application of Southern California Edison Company for Authority to Establish its Authorized Cost of Capital for Utility Operations for 2022 and Reset the Annual Cost of Capital Adjustment Mechanism.

PROPOSED OUTCOME:

- Finds that Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company meet the extraordinary circumstances requirements of Decision 08-05-035 which justify the filing of off-cycle cost of capital applications.
- Finds that extraordinary circumstances warrant a departure from the cost of capital mechanism adjustment for 2022.
- Orders the cost of capital for 2022 be determined in a second phase.

SAFETY CONSIDERATIONS:

- There are no safety considerations associated with this decision.

ESTIMATED COST:

- There are no costs associated with this decision.

(Comr Alice Reynolds - Judge Hecht - Judge Zhang)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=497343606>

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

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

This matter may be considered during the Ratesetting Deliberative Meeting.

Regular Agenda- Energy Orders (continued)

32A

President Alice Reynolds Alternate to Agenda Number 21007

[21008]

A.21-08-013 , A.21-08-014 and A.21-08-015 - Related matters.

Application of Southern California Edison Company (U338-E) for Authority to Establish its Authorized Cost of Capital for Utility Operations for 2022 and Reset the Annual Cost of Capital Adjustment Mechanism.

PROPOSED OUTCOME:

- Finds that Southern California Edison Company, San Diego Gas & Electric Company, and Pacific Gas and Electric Company meet the extraordinary circumstances requirements of Decision 08-05-035 which justify the filing of off-cycle cost of capital applications.
- Finds that extraordinary circumstances warrant a departure from the cost of capital mechanism adjustment for 2022.
- Return on equity, and other cost of capital components for 2022, remain at levels previously approved by Decision 19-12-056.
- 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 Alice Reynolds)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498145982>

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

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

This matter may be considered during the Ratesetting Deliberative Meeting.

Regular Agenda- Legal Division Matters

33 **Comments of the California Public Utilities Commission on the
Federal Energy Regulatory Commission's Notice of Proposed
Rulemaking re. Incentives for Advanced Cybersecurity**

[21012]

Docket No. RM22-19-000

Approval to file comments and/or joint comments in in response to Federal Energy Regulatory Commission's notice of proposed rulemaking in Docket No. RM22-19-000 (NOPR on Incentives for Advanced Cybersecurity).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=498139187>

Agenda 3516, Item 33 10/20/2022 (Staff)

Regular Agenda- Legislative and Other Matters

34
[20993]

2022 Legislative Outcomes Presentation

Agenda 3516, Item 34 10/20/2022 (Staff)

Regular Agenda- Management Reports and Resolutions

35 **Management Report on Administrative Actions and Consumer
Protection and Safety Activities**
[21057]

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

36 **Conference with Legal Counsel - Application for Rehearing**
[21058]

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

38 **Modified Presiding Officer's Decision Order to Show Cause Whether T-Mobile USA Should be Sanctioned by the Commission for Violating Rule 1.1 of the Commission's Rules of Practice and Procedure**

[20992]

A.18-07-011, A.18-07-012 - Related matters.

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.

Agenda 3516, Item 41 10/20/2022

Closed Session - Existing Litigation - Non-Federal

39

Conference with Legal Counsel - Existing Litigation

[21059]

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)

40

Conference with Legal Counsel - Existing Litigation

[21060]

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)

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

[21061]

Case No. B310811

Southern California Gas Company v. California Public Utilities Commission, Petition for Writ of Review, Second District Court of Appeal, 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)

42

Conference with Legal Counsel - Existing Litigation

[21062]

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 - 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 - 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.

43

Conference with Legal Counsel - Initiation of Litigation

[21064]

I. _____

Deliberation on institution of investigation of proceedings or disciplinary action 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 are 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

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

[21065]

Case No. 19-30088, Case No. 19-30089 - Related matters.

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

45

Conference with Legal Counsel - Existing Litigation

[21066]

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

46

Conference with Legal Counsel - Existing Litigation

[21067]

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

California Public Utilities Commission v. FCC. Case No. 21-1016; United States Court of Appeals for the District of Columbia Circuit.

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

Closed Session - Existing Litigation - Federal (continued)

Existing Litigation - Federal

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

[21068]

CDWR (EL02-60), CDWR (EL02-62-006) - Related matters.

California Public Utilities Commission v. Sellers of Long-Term Contracts to Department of Water Resources. Docket Nos. EL02-60, EL02-62-006; United States Federal Energy Regulatory Commission; related matters.

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

Closed Session - Existing Litigation - Federal (continued)

Existing Litigation - Federal

48

Conference with Legal Counsel - Existing Litigation

[21069]

Case No. S273340

Gantner v. PG&E, Cal. Supreme Ct., Case No. S27330 (and related 9th Cir. No. 21-15571.

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.

49 **Conference with Legal Counsel - Initiation of Litigation**

[21032]

Docket Number TBD

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