
Public Utilities Commission of the State of California

Public Agenda 3301

Thursday, September 27, 2012 9:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Mark J. Ferron

Michel Peter Florio

Catherine J.K. Sandoval

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

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

Scheduled Commission Meetings 505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (9:00 a.m.) <i>Open to the Public</i>
Monday, September 24, 2012 (San Francisco)	Thursday, September 27, 2012 (San Francisco)
Monday, October 08, 2012 (San Francisco)	Thursday, October 11, 2012 (San Francisco)
Monday, October 22, 2012 (San Francisco)	Thursday, October 25, 2012 (Irvine)
Monday, November 05, 2012 (San Francisco)	Thursday, November 08, 2012 (San Francisco)
Monday, November 26, 2012 (San Francisco)	Thursday, November 29, 2012 (San Francisco)

**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.
- 19, 20, 23

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 and Hearing Determinations for**
[11578] **Recently Filed Formal Applications**

Res ALJ 176-3301

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 Procedure.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28946804>

Consent Agenda - Orders and Resolutions (continued)

2 **Deaf and Disabled Telecommunications Program's Budget**
[11485] **Resolution for Fiscal Year 2013-2014**

Res T-17372

PROPOSED OUTCOME:

® Establishes the Deaf and Disabled Telecommunications Program budget at \$76.11 million for Fiscal Year 2013-2014.

ESTIMATED COST:

® \$76.11 million.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27154320>

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

Agenda 3299, Item 20 8/23/2012 (Staff)

3 (Rev.) **California Teleconnect Fund Budget Resolution for Fiscal**
[11491] **Year 2013-2014**

Res T-17377

Proposed Outcome:

® Approves California Teleconnect Fund budget of \$92,429,000 for Fiscal Year 2013-2014.

® A \$194,000 increase to the annual appropriation cap, from \$92,234,000 to \$92,429,000.

® A cap of \$11,167,000 on the total discounts available for community colleges for Fiscal Year 2013-2014.

Estimated Cost:

® \$92,429,000.

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

Agenda 3299, Item 24 8/23/2012 (Staff)

09/20/2012 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

4 **California LifeLine Program's Budget Resolution for Fiscal**
[11493] **Year 2013-2014**

Res T-17376

PROPOSED OUTCOME:

® Establishes the California LifeLine Program budget at \$347.553 million for Fiscal Year 2013-2014.

ESTIMATED COST:

® \$347.553 million.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28950723>

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

Agenda 3299, Item 26 8/23/2012 (Staff)

5 **Commission Review of the Energy Division's Disposition for**
[11530] **Pacific Gas and Electric Company's Advice Letter**

Res E-4533, Pacific Gas & Electric Company Advice Letter 3278-G/4006-E filed on February 16, 2012 - Related matters.

PROPOSED OUTCOME:

® Affirms Energy Division's disposition of Pacific Gas and Electric Company's Advice Letter (AL) 3278-G/4006-E.

® Approves the AL as filed.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27847204>

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

Agenda 3300, Item 16 9/13/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

6 **Southern California Edison Company's Revisions to the**
[11531] **Station Power Protocol Tariff**

Res E-4532, Southern California Edison Company's Advice Letter 2576-E-A filed on November 18, 2011
- Related matters.

PROPOSED OUTCOME:

® Approves Southern California Edison Company's (SCE) proposed revisions to the Station Power Self Supply (SPSS) Schedule to assess certain retail charges to station power load of generators that participate in the California Independent System Operator's Station Power Protocol.

® Directs SCE to modify the SPSS Schedule so that the station power load is permitted to be netted with on-site generation within the same 15-minute interval.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27845793>

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

Agenda 3300, Item 17 9/13/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

7
[11547] **San Diego Gas & Electric Company, Southern California Edison Company and Pacific Gas and Electric Company's Tier 2 Advice Letters and Proposed Tariffs to Implement Privacy and Security Rules**

Res E-4535, San Diego Gas & Electric Company's Advice Letter (AL) 2297-E filed on October 27, 2011, Southern California Edison Company AL 2644-E filed on October 27, 2011 and Pacific Gas and Electric Company AL 3251-G/3934-E filed on October 27, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Rejects the Tier 2 Advice Letters (AL) and proposed tariffs filed by San Diego Gas & Electric Company (SDG&E), Southern California Edison Company (SCE) and Pacific Gas and Electric Company (PG&E) to implement the privacy and security rules adopted by Decision (D) 11-07-056.
- ® Directs SDG&E, SCE and PG&E to re-file these ALs based on discussions held in a future workshop, as ordered by D12-08-045.

ESTIMATED COST:

- ® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28609033>

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

Consent Agenda - Orders and Resolutions (continued)

8 **San Diego Gas & Electric Company's Two Purchase and**
[11549] **Sale Agreements**

Res E-4538, Advice Letter (AL) 2377-E filed on July 6, 2012 and AL 2377-E-A filed on July 11, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for San Diego Gas & Electric Company's purchase and sale agreements for renewable energy credits with Cabazon Wind Partners LLC and Whitewater Hill Wind Partners LLC.

ESTIMATED COST:

® Costs of these power purchase agreements are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28948106>

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

9 **California Teleconnect Fund Surcharge Rate Increase**
[11551]

Res T-17375

PROPOSED OUTCOME:

® Approves the California Teleconnect Fund surcharge rate increase from 0.079% to 0.59%, effective November 1, 2012, until further revised by the Commission.

ESTIMATED COST:

® Increase in surcharge revenue is \$40.388 million for Fiscal Year (FY) 2012-2013.

® \$80.776 million for FY 2013-2014.

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

Consent Agenda - Orders and Resolutions (continued)

10 **Extension of Month-to-Month Bridge Funding**
[11553]

A11-06-016, A11-06-018, A11-06-019, A11-06-020, A11-06-021, A11-07-015 - Related matters.
In the matter of the Application of PacifiCorp for approval of the 2012-2014 California Alternate Rates for Energy and Energy Savings Assistance Program Programs and Budgets.

PROPOSED OUTCOME:

® Approves continued bridge funding starting October 1, 2012, for the Small and Multi-Jurisdictional Utilities, at the same levels and terms as the current bridge period which is set to expire on September 30, 2012.

ESTIMATED COST:

- ® Approximately \$400,000 per month in Energy Savings Assistance Program Budget.
- ® Approximately \$1 million per month in California Alternate Rates for Energy Program.

(Comr Simon - ALJ Kim)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28946806>

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)

11

Petition to Modify Decision 11-12-053

[11556]

A10-03-014

Application of Pacific Gas and Electric Company To Revise Its Electric Marginal Costs, Revenue Allocation, and Rate Design, including Real Time Pricing, to Revise its Customer Energy Statements, and to Seek Recovery of Incremental Expenditures.

PROPOSED OUTCOME:

® Denies Petition of Modification of Decision 11-12-053, filed by Western Manufactured Housing Communities Association, to revise the Schedule ET Discount applicable to Mobile Home Park Master Meter Customers.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=26471670>

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 **New Fiscal Agent for the Inland Empire Regional Broadband
[11558] Consortium**

Res T-17379

PROPOSED OUTCOME:

® Approves SmartRiverside as the fiscal agent for the Inland Empire Regional Broadband Consortium (in Riverside and San Bernardino Counties) under the California Advanced Services Fund's Rural and Urban Regional Broadband Consortia Grant Account.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28167432>

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

13 **California-American Water Company to Establish a
[11561] Memorandum Account to Track Costs For the Main San
 Gabriel Groundwater Basin**

Res W-4930, Advice Letter 952 filed on June 15, 2012 - Related matters.

PROPOSED OUTCOME:

® Authorizes California-American Water Company to establish the Main San Gabriel Groundwater Basin Contamination Memorandum Account.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28504538>

Consent Agenda - Orders and Resolutions (continued)

14 **Ivan Valentino Ivanov for a Passenger Stage Corporation**
[11569] **Certificate**

A12-05-022

PROPOSED OUTCOME:

- ® Grants the application of Ivan Valentino Ivanov to operate as an on-call passenger stage corporation between points in Alameda, Contra Costa, Marin, Napa, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano and Sonoma Counties, and San Francisco, Oakland, and San Jose International Airports.
- ® Establishes a zone of rate freedom.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27105577>

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

Consent Agenda - Orders and Resolutions (continued)

15 **Abu Al Kassim Mohamed Agag, Mohamed A. Hussain, and**
[11570] **Dina Mahgoub Ahmed Agag for a Passenger Stage**
 Corporation Certificate

A12-06-001

PROPOSED OUTCOME:

- ® Grants the application of Abu Al Kassim Mohamed Agag, Mohamed A. Hussain, and Dina Mahgoub Ahmed Agag to operate as an on-call passenger stage corporation between points in Alameda, Contra Costa, Marin, Napa, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, and Sonoma Counties and San Francisco, Oakland, and San Jose International Airports.
- ® Establishes a zone of rate freedom.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27104142>

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

Consent Agenda - Orders and Resolutions (continued)

16 **Cuong Huu Nguyen for a Passenger Stage Corporation**
[11571] **Certificate**

A12-06-015

PROPOSED OUTCOME:

® Grants the application of Cuong Huu Nguyen to operate as an on-call passenger stage corporation between points in Alameda, Contra Costa, Marin, Napa, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, and Sonoma Counties and San Francisco, Oakland, and San Jose International Airports.

® Establishes a zone of rate freedom.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27106234>

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

17 **Southern California Gas Company's Waiver for Chevron USA**
[11572]

Res G-3475, Southern California Gas Company's Advice Letter 4358-G filed on April 17, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves Southern California Gas Company's request for a one-time, non-precedential waiver for Chevron USA from a portion of its three-year commitment for backbone transportation service rights from Southern California Gas Company.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27155585>

Consent Agenda - Orders and Resolutions (continued)

18 **Golden State Water Company to Establish the Income Tax
[11576] Repair Regulations Implementation Memorandum Account**

Res W-4932, Supplemental Advice Letter 1498-WB filed on August 28, 2012 - Related matters.

PROPOSED OUTCOME:

® Authorizes Golden State Water Company to establish the Income Tax Repair Regulations Implementation Memorandum Account for the limited purpose of tracking the necessary costs for implementing the new repair regulations incurred prior to January 1, 2013, the effective date of Golden State's current general rate case Application 11-07-017.

ESTIMATED COST:

® Capped at \$900,000.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28950829>

19 **Order Extending Statutory Deadline**
[11583]

C11-10-024
Rolando Menendez vs. Pacific Gas and Electric Company.

PROPOSED OUTCOME:

® Extension of statutory deadline from October 20, 2012, to July 20, 2013.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Weatherford)
<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27152072>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Order Extending Statutory Deadline**
[11585]

I12-01-007

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company to Determine Violations of Public Utilities Code Section 451, General Order 112, and Other Applicable Standards, Laws, Rules and Regulations in Connection with the San Bruno Explosion and Fire on September 9, 2010.

PROPOSED OUTCOME:

® Extends statutory deadline for resolution of proceeding to January 12, 2014.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Wetzell)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27152513>

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

Consent Agenda - Orders and Resolutions (continued)

21 **G3 USA Telecom, Inc. for a Certificate of Public Convenience
[11592] and Necessity**

A12-03-020

Application of G3 Telecom USA Inc. for a Certificate of Public Convenience and Necessity to Operate as a Provider of Resold Interexchange Service Within the State of California.

PROPOSED OUTCOME:

- ® Grants the application of G3 Telecom USA, Inc. for a certificate of Public Convenience and Necessity authorizing the provision of resold inter-exchange services in this state.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Prestidge)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=25740490>

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

Consent Agenda - Orders and Resolutions (continued)

22 **Petition of Price Indexing Cases Settlement Class to Modify**
[11594] **Implementation of Decision 10-01-024**

R09-07-029

Order Instituting Rulemaking Adopting Rules to Account for the Consideration Allocated to California Core Natural Gas Ratepayers Under Settlements of Natural Gas Antitrust Cases I-IV.

PROPOSED OUTCOME:

- ® Modifies Implementation of Decision 10-01-024.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Clark)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28954263>

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

23 **Order Extending Statutory Deadline**
[11597]

C11-06-014

Maria Carmen Ozuna and Serapio Garcia vs. Southern California Edison Company.

PROPOSED OUTCOME:

- ® Extension of statutory deadline to April 1, 2013.

ESTIMATED COST:

- ® None.

(Comr Florio - ALJ Colbert)

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

Regular Agenda

Regular Agenda - Energy Resolutions and Written Reports

24 **Pacific Gas and Electric Company's Agreements for the**
[11496] **Procurement of Renewable Energy Credits**

Res E-4520, Advice Letter (AL) 3600-E filed on January 26, 2010, AL 3632-E filed on March 12, 2010, AL 3854-E filed on June 2, 2011 and AL 3862-E filed on June 16, 2011 - Related matters.

PROPOSED OUTCOME:

® Denies cost recovery for Pacific Gas and Electric Company's agreements for renewable energy credits, also referred to as green attributes, with Barclays Bank PLC, Sierra Pacific Industries, and TransAlta Corporation.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27861252>

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

Agenda 3299, Item 49 8/23/2012 (Staff);

Agenda 3300, Item 36 9/13/2012 (Sandoval)

Regular Agenda - Energy Resolutions and Written Reports (continued)

25 **Directs Investor-Owned Utilities to File a Supplement To**
[11515] **Modify Their Home Area Network Implementation Plans**

Res E-4527, Pacific Gas and Electric Company Advice Letter (AL) 3956-E filed on November 28, 2011, Southern California Edison Company's AL 2662-E filed on November 29, 2011 and San Diego Gas & Electric Company's AL 2307-E filed on November 29, 2011 - Related matters.

PROPOSED OUTCOME:

® Directs Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company to revise their respective "Home Area Network Implementation Plan" filings to satisfy the intent and requirements of Ordering Paragraph 11 of the California Public Utilities Commission's Customer Data Access & Privacy Decision 11-07-056.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28949960>

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

Agenda 3300, Item 37 9/13/2012 (Staff)

Regular Agenda - Energy Resolutions and Written Reports (continued)

26 **Pacific Gas and Electric Company's Amended and Restated**
[11534] **Power Purchase Agreement With Bottle Rock Power LLC -**
 OPTION A

Res E-4521, Advice Letter 4048-E filed on May 25, 2012 - Related matters.

PROPOSED OUTCOME:

® Denies cost recovery for the amended and restated power purchase agreement between Pacific Gas and Electric Company and Bottle Rock Power LLC, owned by private investment companies.

ESTIMATED COST:

® Actual costs are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27845797>

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

Agenda 3300, Item 38 9/13/2012 (Sandoval)

26a OPTION B
[11535]

Advice Letter 4048-E filed on May 25, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the amended and restated power purchase agreement between Pacific Gas and Electric Company and Bottle Rock Power LLC, owned by private investment companies.

ESTIMATED COST:

® Actual costs are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27836696>

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

Agenda 3300, Item 38a 9/13/2012 (Sandoval)

Regular Agenda - Communication Orders

27 **Revisions to Basic Telephone Service** [10844]

R09-06-019

Order Instituting Rulemaking Regarding Revisions to the California High Cost Fund B Program.

PROPOSED OUTCOME:

- Ⓜ Adopts an updated definition of basic telecommunications service offered by any carriers of last resort.
- Ⓜ The revised definition is designed to:
- Ⓜ Consolidate and streamline existing listings of service elements.
- Ⓜ Apply technology-neutral terminology and definitions.
- Ⓜ Avoid degrading standards necessary to meet essential universal service needs.

ESTIMATED COST:

- Ⓜ No specific cost changes anticipated in basic rates.

(Comr Peevey - ALJ Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=26216449>*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

Agenda 3286, Item 52 12/15/2011 (Staff);
 Agenda 3287, Item 62 1/12/2012 (Peevey);
 Agenda 3288, Item 29 2/1/2012 (Peevey);
 Agenda 3290, Item 41 3/8/2012 (Ferron);
 Agenda 3292, Item 68 4/19/2012 (Florio);
 Agenda 3294, Item 38 5/24/2012 (Sandoval);
 Agenda 3296, Item 43 6/21/2012 (Florio);
 Agenda 3297, Item 36 7/12/2012 (Simon);
 Agenda 3298, Item 36 8/2/2012 (Pub. Util. Code §311(e));
 Agenda 3299, Item 50 8/23/2012 (Sandoval)

Regular Agenda - Communication Orders (continued)

27a ALTERNATE TO ITEM 10844
[11471]

PROPOSED OUTCOME:

Updates and consolidates requirements for residential basic telephone service for telephone corporations offering basic service. Substantive differences between the Alternate Proposed Decision (APD) and Revision 5 of the Proposed Decision exist in the following areas:

- ® The APD establishes tariff filing requirements.
- ® The APD requires that basic service be offered at monthly rates with no contracts, and on a stand-alone basis unless an exemption is obtained, but also allows other options.
- ® The APD requires that all basic service providers provide a dependable voice-grade connection to the public telephone network, with compliance requirements depending on the technology used.
- ® The APD requires that all incoming calls be provided without per-minute or per-call charges.
- ® In addition to flat rate basic service for calling within specified geographic areas, the APD requires some basic service providers, and allows the others, to offer measured rate service in the same geographic areas.
- ® The APD requires 911/Enhanced 911 location accuracy and reliability comparable to that required of existing wireline carriers.
- ® The APD requires that customers be allowed to choose, without charge, whether to have a listing included, or not, in a White Pages directory and/or directory assistance.
- ® The APD retains access to operator services as a separate element of basic service.
- ® The APD retains free access to 800 and 8YY toll-free services, with no per-minute or per-call charges.
- ® The APD defers service quality issues for all basic service providers to Rulemaking 11-12-001. In the meantime, basic service providers using non-traditional technologies must meet service quality requirements applicable to Uniform Regulatory Framework Carriers of Last Resort.

ESTIMATED COST:

- ® No specific cost changes anticipated in basic rates.

(Comr Florio)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28949422>

Agenda 3298, Item 36a 8/2/2012 (Pub. Util. Code §311(e));

Agenda 3299, Item 50a 8/23/2012 (Sandoval)

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner Reports

28 **Commissioner Simon's Discussion and Action to the Low**
[11566] **Income Oversight Board**

Proposed Appointment to the Low Income Oversight Board.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28168115>

Regular Agenda - Management Reports and Resolutions

29
[11579]

**Report and Discussion by Consumer Protection and Safety
Division on Recent Safety Program Activities**

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

30 **Conference with Legal Counsel - Application for Rehearing**
[11541]

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.

31 (Rev.) **Conference with Legal Counsel - Application for Rehearing**
[11542]

109-12-016

Disposition of application for rehearing of Decision (D) 12-02-032 and related motion to stay D12-02-032 by TracFone Wireless, Inc. D12-02-032 issued in phase 1 of an adjudicatory investigation (I.09-12-016). It determined that TracFone is a telephone corporation operating as a public utility in California, that user fees and public purpose surcharges apply to the prepaid wireless telephony services TracFone provides in California, and that TracFone is ultimately responsible for those user fees and public purpose surcharges. The challenged decision also determined that TracFone violated provisions of the Public Utilities Code and Commission orders and decisions in failing to pay those fees and surcharges.

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

09/17/2012 - This revision was not shown on the Agenda mailed to the public.

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 - 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 - Existing Litigation - Non-Federal

32 **Conference with Legal Counsel - Existing Litigation**
[11580]

Gastelum v. Verizon California, Inc., San Francisco County Superior Court Case No. CGC-11-511467

Discussion regarding questions posed by the San Francisco County Superior Court in a letter received August 23, 2012.

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 - 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.

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