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## Public Utilities Commission of the State of California

**Public Agenda 3303**  
**Thursday, October 25, 2012 9:30 a.m.**  
**505 Van Ness Avenue**  
**Irvine, California**

### Commissioners

**Michael Picker, President**  
**Martha Guzman Aceves**  
**Carla J. Peterman**  
**Liane M. Randolph**  
**Clifford Rechtschaffen**

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 92105 or access our website at <http://www.cpuc.ca.gov>

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### Scheduled Commission Meetings

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (10:00 a.m.) <b>Closed to the Public</b>	<i>Commission Meeting</i> Auditorium (9:30 a.m.) <b>Open to the Public</b>
Monday, October 22, 2012 (San Francisco)	Thursday, October 25, 2012 (Irvine)
Monday, November 5, 2012 (San Francisco)	Thursday, November 8, 2012 (San Francisco)
Monday, November 26, 2012 (San Francisco)	Thursday, November 29, 2012 (San Francisco)
Monday, December 17, 2012 (San Francisco at 2:30 p.m.) [Will be held]	Thursday, December 20, 2012 (San Francisco)
Monday, January 7, 2013 (San Francisco)	Thursday, January 24, 2013 (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](mailto:public.advisor@cpuc.ca.gov)



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## PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 5, 23, 26, 27, 28, 32

### 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 Recently Filed Formal Applications

[11590]

Res ALJ 176-3303

#### 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=31571595>

**Consent Agenda - Orders and Resolutions (continued)**

2 **Commission Review of the Energy Division's Disposition for Pacific Gas and Electric Company's Advice Letter**

[11530]

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=33030859>

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

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Agenda 3301, Item 5 9/27/2012 (Staff);

Agenda 3302 ,Item 4 10/11/2012 (Staff)

**Consent Agenda - Orders and Resolutions (continued)**

**3 Southern California Edison Company's Revisions to the  
Station Power Protocol Tariff**

[11531]

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=30512518>

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

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Agenda 3301, Item 6 9/27/2012 (Staff);

Agenda 3302 ,Item 5 10/11/2012 (Staff)

**Consent Agenda - Orders and Resolutions (continued)**

4

**Disclosure of Records of an Investigation**

[11591]

Res L-443

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of two July 2010 incidents involving the Los Angeles County Metropolitan Transportation Authority vehicles that occurred on Long Beach Boulevard and 16th Street in the City of Long Beach and Washington Boulevard and Broadway in the City of Los Angeles, California.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31562901>

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

**Consent Agenda - Orders and Resolutions (continued)**

**5 Intercarrier Compensation for Internet Service Provider**

[11595]

C07-09-010

Pac-West Telecomm, Inc. vs. Comcast Phone of California, LLC.

PROPOSED OUTCOME:

- Orders Pac-West Telecomm, Inc. to refund to Comcast Phone of California, LLC excess termination charges.
- Closes the proceeding.

ESTIMATED COST:

- \$379,446 plus interest charged to Pac-West Telecomm, Inc.

(Comr Simon - Judge Bemederfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31562677>

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

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

**Consent Agenda - Orders and Resolutions (continued)**

6

**Disclosure of Records of an Investigation**

[11596]

Res L-444

Authorizes the disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of an electrocution incident that occurred on April 20, 2012, in San Mateo County, once the investigation is complete.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30519686>

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

**Consent Agenda - Orders and Resolutions (continued)**

7

**Del Oro Water Company's (River Island and Strawberry Districts) Quantity Surcharge for Twelve Months**

[11598]

Res W-4933, Advice Letter (AL) 340 and AL 341 filed on June 8, 2012 - Related matters.

**PROPOSED OUTCOME:**

- Authorizes Del Oro Water Company (DOWC) to collect a surcharge of \$0.041 per 100 cubic feet over a period of twelve months for its River Island District.
- Authorizes DOWC to collect a surcharge of \$0.300 per 100 cubic feet over a period of thirty six months for its Strawberry District.

**ESTIMATED COST:**

- \$4,129.14 for River Island District.
- \$9,098.00 for Strawberry District.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30997806>

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



**Consent Agenda - Orders and Resolutions (continued)**

**8 Santa Clara Valley Transportation Authority's Permanent  
Variance From General Order 143-B**

[11602]

Res ST-141

**PROPOSED OUTCOME:**

- Grants Santa Clara Valley Transportation Authority's (VTA) request for a permanent variance to General Order 143-B, Section No. 9.06 c (1) Side Clearance requirements for the platform stations on their entire system.
- Allows VTA to install Between-Car Barriers on the station platform edges for their entire system.

**ESTIMATED COST:**

- Not within the scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30512544>

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

**Consent Agenda - Orders and Resolutions (continued)**

9 **Los Angeles County Metropolitan Transportation Authority's  
Safety Certification Plan for the Regional Connector Transit  
Corridor Project**

[11603]  
Res ST-144

PROPOSED OUTCOME:

- Grants the Los Angeles County Metropolitan Transportation Authority's request for approval of its Safety Certification Plan for the Regional Connector Transit Corridor Project.

ESTIMATED COST:

- Not within the scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30511535>

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

**Consent Agenda - Orders and Resolutions (continued)**

10

**Final Report of the 2012 Triennial Security Review of the  
Metropolitan Transit System**

[11604]

Res ST-145

PROPOSED OUTCOME:

- Grants approval of the 2012 Triennial Security Report of Metropolitan Transit System dated August 10, 2012.

ESTIMATED COST:

- Not within scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30513849>

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

**Consent Agenda - Orders and Resolutions (continued)**

11 **Final Report of the 2012 Triennial Security Review of the  
North County Transit District**

[11605]

Res ST-146

PROPOSED OUTCOME:

- Grants approval of the 2012 Triennial Security Report of North County Transit District dated July 23, 2012.

ESTIMATED COST:

- Not within scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30511452>

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

**Consent Agenda - Orders and Resolutions (continued)**

12

**Vacates Prior Decision on Natural Gas Public Purpose  
Program Funding Issued in this Same Proceeding**

[11608]

R09-11-014

Order Instituting Rulemaking to Examine the Commission's Post-2008 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.

PROPOSED OUTCOME:

- Vacates Decision 11-10-014 which was made unnecessary by the Superior Court's determination that the transfer of \$155 million of Public Purpose Programs authorized by Senate Bill 87 was unlawful.

ESTIMATED COST:

- None.

(Comr Ferron - Judge Farrar)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31572460>

*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

**Consolidated Applications for a Certificate of Public Convenience and Necessity**

[11609]

A10-08-025, A10-09-005, A10-10-008 - Related matters.

In the Matter of the Application of

San Francisco Deluxe Sightseeing, LLC for Passenger Stage Authority under Pub. Util. Code Section 1031 et seq. to transport passengers and their baggage on a regularly scheduled basis between various points in the City and County of

San Francisco, and various points in the County of Marin; and to establish a Zone of Rate Freedom under Pub. Util. Code Section 454.2 et seq.

PROPOSED OUTCOME:

- Denies Protest of Open Top Sightseeing San Francisco.
- Grants Certificates of Public Convenience and Necessity to San Francisco Deluxe Sightseeing, LLC, Citysighting Corporation, and SF Navigator, Inc.
- Closes the proceeding.

ESTIMATED COST:

- None.

(Comr Simon - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33143704>*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                                **Utility Consumers' Action Network's Motion for Emergency Interim Relief**

[11610]

A10-12-005, A10-12-006 - Related matters.

Application of San Diego Gas & Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2012.

PROPOSED OUTCOME:

- Denies the motion filed by Utility Consumers' Action Network (UCAN) requesting that an intervenor compensation emergency fund be established, or in the alternative, that a decision awarding intervenor compensation to UCAN be issued at the same time the underlying decision is issued on the general rate case of San Diego Gas & Electric Company.

ESTIMATED COST:

- None.

(Comr Ferron - Judge Wong)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31067592>

*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)**

15

**PacifiCorp's Request to Modify Decision 11-05-002**

[11612]

A10-03-015

In the Matter of the Application of PacifiCorp, an Oregon Company, for an Order Authorizing a Rate Increase Effective January 1, 2011 and Granting Conditional Authorization to Transfer Assets, pursuant to the Klamath Hydroelectric Settlement Agreement.

**PROPOSED OUTCOME:**

Due to the delayed institution of the Klamath surcharge and PacifiCorp's need to collect a required amount of Klamath surcharge by December 31, 2019 and for the reasons discussed in this decision, the Commission grants PacifiCorp's requested modifications to Decision (D) 11-05-002. In particular, this decision authorizes:

- PacifiCorp to revise its Klamath surcharge to collect \$13.76 million over a period of less than eight years from its California customers.
- PacifiCorp's requested modifications to D11-05-002, as well as further revisions required to coordinate PacifiCorp's requested modifications with the balance of D11-05-002.
- Closes the proceeding.

**ESTIMATED COST:**

- Even though the monthly Klamath surcharge rate changes because of this decision, the total surcharge amount collected (and previously authorized in D11-05-002) does not increase.

(Comr Peevey - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31562095>

*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

**New General Order Relating to the Inspection and Safety of Electric Utility Substations**

[11613]

R10-09-001

Order Instituting Rulemaking to Implement Commission Regulations Relating to the Safety of Electric Utility Substations.

PROPOSED OUTCOME:

- Adopts a new general order which will require all jurisdictional utilities, both publicly and investor-owned, to adopt and implement new safety rules and inspection practices for electric substations.
- Finds that the Commission has safety jurisdiction over publicly owned utilities and therefore may require them to comply with this general order.
- Requires both publicly owned and investor-owned utilities meet on an annual basis with the Commission's Consumer Protection and Safety Division to review and compare their safety rules and inspection practices for electric substations in order to develop a "best practice" in California.
- Closes the proceeding.

ESTIMATED COST:

- None.

(Comr Simon - Judge Long)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31562442>

*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)**

17

**Declaring Preemption of County Ordinance and the Exercise of Paramount Jurisdiction**

[11615]

A12-04-019

Application of California-American Water Company for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates.

PROPOSED OUTCOME:

- Declaration that Monterey County Ordinance, Title 10, Chapter 10.72, is preempted by Commission authority.

ESTIMATED COST:

- None.

(Comr Peevey - Judge Weatherford)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31095444>

*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

**Order Extending Statutory Deadline**

[11619]

A10-12-005, A10-12-006 - Related matters.

Application of San Diego Gas & Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2012.

**PROPOSED OUTCOME:**

- Extends Statutory Deadline in General Rate Case Application of San Diego Gas & Electric Company and Southern California Gas Company to December 31, 2012.

**ESTIMATED COST:**

- None.

(Comr Ferron - Judge Wong)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28168021>

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

**Consent Agenda - Orders and Resolutions (continued)**

19

**New Order Instituting Rulemaking**

[11622]

R. \_\_\_\_\_

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

**PROPOSED OUTCOME:**

- Revises the eligibility requirements for participation in the California Advanced Service Fund (CASF) to permit an entity that is not a "telephone corporation" as defined under the Public Utilities Code, to apply for CASF infrastructure grants and loans.

**ESTIMATED COST:**

- Potential efficiency gains for CASF program if non-certificated service providers have lower costs and would encourage more applicants to bring broadband service to unserved and underserved communities.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31569576>

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Agenda 3302 ,Item 22 10/11/2012 (Staff)

**Consent Agenda - Orders and Resolutions (continued)**

20

**Southern California Edison Company's One-Time Modified  
On-Bill Financing Agreement**

[11627]

Res E-4551, Advice Letter 2738-E filed on May 25, 2012 - Related matters.

**PROPOSED OUTCOME:**

- Approves a modified California Department of Corrections and Rehabilitation (CDCR) On Bill Finance Loan Agreement to enable the CDCR to access on bill finance loans from Southern California Edison Company (SCE).

**ESTIMATED COST:**

- No new costs.
- \$2 million total: \$1 million from previously authorized SCE on bill financing funds for 2010-2012 and \$1 million from (expected) 2013-2014 on bill financing funds (subject to Commission approval of SCE's 2013-2014 energy efficiency portfolio (Application 12-07-004)).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31560778>

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

**Consent Agenda - Orders and Resolutions (continued)**

21 **Pacific Coast Sightseeing Tours and Charters, Inc. for a  
Passenger Stage Corporation Certificate**

[11629]

A12-06-011

PROPOSED OUTCOME:

- Grants the application of Pacific Coast Sightseeing Tours and Charters, Inc. to operate as a scheduled passenger stage corporation between Los Angeles and San Francisco with stops in San Jose and Oakland and between San Francisco and Sacramento.
- Establishes a Zone of Rate Freedom.
- Closes the proceeding.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27153316>

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

**Consent Agenda - Orders and Resolutions (continued)**

22

**Jet Mex Transportation, LLC for a Passenger Stage Corporation Certificate**

[11630]

A12-07-020

PROPOSED OUTCOME:

- Grants the application of Jet Mex Transportation, LLC to operate as an on-call passenger stage corporation between San Ysidro, Los Angeles, Fontana, Moreno Valley and Santa Ana.
- Establishes a zone of rate freedom.
- Closes the proceeding.

ESTIMATED COST:

- None.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=27155206>

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

**Consent Agenda - Orders and Resolutions (continued)**

23

**Order Extending Statutory Deadline**

[11637]

C11-11-003

S.W.R.L. vs. LaPlata Enterprises, Inc.

PROPOSED OUTCOME:

- Extends statutory deadline to November 1, 2013.

ESTIMATED COST:

- None.

(SysAdmin Sandoval - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=28949647>

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



**Consent Agenda - Orders and Resolutions (continued)**

24

**Order Extending Statutory Deadline**

[11640]

A10-11-015

Application of Southern California Edison Company for Authority to, Among Other Things, Increase its Authorized Revenues for Electrical Service in 2012, and to Reflect that Increase in Rates.

**PROPOSED OUTCOME:**

- Extends statutory deadline for this proceeding to December 29, 2012.

**ESTIMATED COST:**

- None.

(Comr Simon - Judge Darling)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29837498>

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

**Consent Agenda - Orders and Resolutions (continued)**

25

**Order Extending Statutory Deadline**

[11641]

A09-04-007, A09-04-009 - Related matters.

Application of Pacific Gas and Electric Company in its 2009 Nuclear Decommissioning Cost Triennial Proceeding.

PROPOSED OUTCOME:

- Extends the statutory deadline for these consolidated proceedings to December 26, 2012.

ESTIMATED COST:

- None.

(Comr Simon - Judge Darling)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29828835>

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

**Consent Agenda - Orders and Resolutions (continued)**

26

**Order Extending Statutory Deadline**

[11644]

C11-04-018

Maria V. Lawrence vs. Pacific Gas and Electric Company.

PROPOSED OUTCOME:

- Extends the time for completion of this complaint case until January 31, 2013.

ESTIMATED COST:

- None.

(Comr Simon - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29623775>

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

**Consent Agenda - Orders and Resolutions (continued)**

27

**Order Extending Statutory Deadline**

[11645]

C11-04-019

Maria V. Lawrence vs. Pacific Gas and Electric Company.

PROPOSED OUTCOME:

- Extends the time for completion of this complaint case until January 31, 2013.

ESTIMATED COST:

- None.

(Comr Simon - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29830612>

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

**Consent Agenda - Orders and Resolutions (continued)**

28

**Order Extending Statutory Deadline**

[11646]

C10-02-026

Maria V. Lawrence vs. Pacific Gas and Electric Company.

PROPOSED OUTCOME:

- Extends the time for completion of this complaint case until January 31, 2013.

ESTIMATED COST:

- None.

(Comr Simon - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29743504>

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

**Consent Agenda - Orders and Resolutions (continued)**

29

**Fireline Network Solutions, Inc's Certificate of Public Convenience and Necessity for Limited Facilities and Resold Local Exchange Services**

[11648]

A12-04-013

In the Matter of the Application of Fireline Network Solutions, Inc. for a Certificate of Public Convenience and Necessity in Order to Provide Limited Facilities-Based and Resold Local Exchange and Interexchange Telecommunications Services within the State of California.

**PROPOSED OUTCOME:**

- Approves Application of Fireline Network Solutions, Inc. dba Fireline Broadband for a Certificate of Public Convenience and Necessity for authority to provide limited facilities-based and resold local exchange and interexchange services in the service territories of Pacific Bell Telephone Company, dba AT&T California, and Verizon California Inc.
- Closes the proceeding.

**ESTIMATED COST:**

- None.

(SysAdmin Sandoval - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30967244>

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

**Consent Agenda - Orders and Resolutions (continued)**

30

**Order Extending Statutory Deadline**

[11650]

A11-02-003

Joint Application of Citizens Telecommunications Company of California Inc. d/b/a Frontier Communications of California, SureWest Telephone, and Verizon California Inc. to Exempt Uniform Regulatory Framework ILECs From General Order 77-M.

PROPOSED OUTCOME:

- Extends the statutory deadline for this proceeding to December 27, 2012.

ESTIMATED COST:

- None.

(SysAdmin Sandoval - Judge Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30511837>

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

**Consent Agenda - Orders and Resolutions (continued)**

31 **Order Extending Statutory Deadline**

[11651]

R07-01-041

Order Instituting Rulemaking regarding policies and protocols for demand response load impact estimates, cost-effectiveness methodologies, megawatt goals and alignment with California Independent System Operator Market Design Protocols.

PROPOSED OUTCOME:

- Extends the statutory deadline for this proceeding to January 6, 2013.

ESTIMATED COST:

- None.

(Comr Peevey - Judge Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30985956>

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



**Consent Agenda - Orders and Resolutions (continued)**

32

**Order Extending Statutory Deadline**

[11657]

C10-10-010

Michael Hetherington and Janet Hetherington vs. Pacific Gas & Electric Company.

PROPOSED OUTCOME:

- Extends the statutory deadline of this proceeding to October 13, 2013.

ESTIMATED COST:

- None.

(SysAdmin Florio - Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29835983>

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

## Regular Agenda

### Regular Agenda- Energy Orders

#### 33 **Implementation of Fees Imposed by Assembly Bill 32**

[11607]

A10-08-002, A11-03-010 - Related matters.

Application of Pacific Gas and Electric

Company, San Diego Gas & Electric

Company, Southern California

Edison Company, and Southern California Gas Company for Authority to Increase Electric and

Natural Gas Rates and Charges to Recover California Air Resources Board Assembly Bill 32

Cost of Implementation Fee.

PROPOSED OUTCOME:

- Denies memorandum account recovery for Application (A) 10-08-002.
- Grants memorandum account recovery for A11-03-010.
- Closes the proceeding.

ESTIMATED COST:

- No current changes in rates.

(Comr Ferron - Judge Long)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31572357>

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

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

**Regular Agenda- Energy Orders (continued)**

33A **Alternate Implementation of Fees Imposed by Assembly Bill 32**

[11614]

A10-08-002

**PROPOSED OUTCOME:**

- Grants Authority for Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas and Electric Company, Southern California Gas Company and Southwest Gas Company to recover Assembly Bill 32 Cost of Implementation Fees in rates.

**ESTIMATED COST:**

- Minimum of \$25 million.

(Comr Ferron)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31570472>

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

**Regular Agenda- Energy Orders (continued)**

34

**New Order Instituting Investigation**

[11659]

I. \_\_\_\_\_

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas and Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

**PROPOSED OUTCOME:**

- Pursuant to the provisions of Public Utilities Code Section 455.5, the Commission opens this investigation to consolidate and consider issues raised by the extended outage of units 2 and 3 of the San Onofre Nuclear Generating Station.
- The Commission may issue orders based on this investigation to address ratemaking and other matters under our jurisdiction.

**ESTIMATED COST:**

- None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30513811>

**Regular Agenda- Energy Resolutions and Written Reports****35 Five Amended and Restated Power Purchase Agreements With Brightsource Energy, Inc.**

[11487]

Res E-4522, Advice Letter (AL) 2339-E filed on April 6, 2009, AL 2339-E-A filed on May 20, 2009, AL 2339-E-B filed on June 10, 2010, AL 2339-E-C filed on November 28, 2011 and AL 2339-E-D filed on February 1, 2012 - Related matters.

Southern California Edison Company requests approval of five amended and restated purchase power agreements with five special purpose entities that are wholly owned subsidiaries of Brightsource Energy Inc.: Solar Partners XVI LLC, Solar Partners XVII LLC, Solar Partners XVIII LLC, Solar Partners XIX LLC, and Solar Partners XX LLC.

PROPOSED OUTCOME:

- Denies cost recovery for Solar Partners XVI LLC and Solar Partners XVII LLC.
- Approves cost recovery for Solar Partners XVIII LLC, Solar Partners XIX LLC and Solar Partners XX LLC.

ESTIMATED COST:

- Actual costs are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30510696>

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

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Agenda 3299, Item 48 8/23/2012 (Peevey);

Agenda 3302 ,Item 27 10/11/2012 (Ferron)

**Regular Agenda- Energy Resolutions and Written Reports** (continued)

35A

[11593]

Res E-4522

PROPOSED OUTCOME:

- Denies cost recovery for Solar Partners XVI LLC, Solar Partners XVIII LLC and Solar Partners XIX.
- Approves cost recovery for Solar Partners XVII LLC and Solar Partners XX LLC.

ESTIMATED COST:

- Actual costs are confidential at this time.

(Comr Peevey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31186580>

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

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Agenda 3302 ,Item 1 10/11/2012 (Ferron)

**Regular Agenda- Communication Orders**

36A

[11471]

R09-06-019

**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:

- null The APD establishes tariff filing requirements.
- null 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.
- null 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.
- null The APD requires that all incoming calls be provided without per-minute or per-call charges.
- null 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.
- null The APD requires 911/Enhanced 911 location accuracy and reliability comparable to that required of existing wireline carriers.
- null 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.
- null The APD retains access to operator services as a separate element of basic service.
- null The APD retains free access to 800 and 8YY toll-free services, with no per-minute or per-call charges.
- null 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.

(SysAdmin Florio)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=37152939>*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

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Agenda 3298, Item 1 8/2/2012 (Pub. Util. Code §311(e));

Agenda 3299, Item 1 8/23/2012 (Sandoval);

Agenda 3301, Item 1 9/27/2012 (Ferron)

**Regular Agenda- Communication Orders** (continued)36 **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 - Judge Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39593260>*Pub. Util. Code § 311 – This item was mailed for Public Comment.**Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.*

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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 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);

Agenda 3301, Item 27 9/27/2012 (Ferron)



**Regular Agenda- Communication Orders** (continued)**37 Uniform Regulatory Framework Incumbent Local Exchange Carriers  
Exemption From General Order 77-M**

[11563]

A11-02-003

Joint Application of Citizens Telecommunications Company of California Inc. d/b/a Frontier Communications of California, SureWest Telephone, and Verizon California Inc. to Exempt Uniform Regulatory Framework ILECs From General Order 77-M.

**PROPOSED OUTCOME:**

- Denies Applicant's request for Uniform Regulatory Framework Incumbent Local Exchange Carriers (URF ILECs) to be exempt from the requirements of General Order (GO) 77-M based on, amongst other reasons, the Commission's continuing duty to ensure rates remain reasonable and affordable.
- GO 77-M is a monitoring tool to assist the Commission in this duty.
- Requires continuing URF ILEC compliance of GO 77-M.
- Requires Commission staff to develop Order Instituting Rulemaking to review reporting thresholds and definition of compensation in GO 77-M.

**ESTIMATED COST:**

- None.

(SysAdmin Sandoval - Judge Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33026327>

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

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

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Agenda 3302 ,Item 28 10/11/2012 (Simon)

**Regular Agenda- Legal Division Matters**

38 **New Regulations Regarding Disclosure of Records and Requests of Confidential Treatment of Records**

[11182]

Res L-436

Interim Resolution regarding adoption of new regulations regarding public access to records of the California Public Utilities Commission and requests for confidential treatment of records.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=48767561>

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

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Agenda 3292, Item 72 4/19/2012 (Staff);  
Agenda 3298, Item 39 8/2/2012 (Staff);  
Agenda 3299, Item 53 8/23/2012 (Sandoval);  
Agenda 3302 ,Item 29 10/11/2012 (Staff);  
Agenda 3307, Item 33 1/10/2013 (Staff)

**Regular Agenda- Legislative and Other Matters**

**Regular Agenda- Commissioner Reports**

**Regular Agenda- Management Reports and Resolutions**

39

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

[11638]

**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**

40

**Conference with Legal Counsel - Application for Rehearing**

[11639]

Compilation of applications for rehearing recently filed with the Commission.  
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

**Closed Session - Applications for Rehearing** (continued)

41                      **Conference with Legal Counsel - Application for Rehearing**

[11600]

A09-09-001

Disposition of the Application for Rehearing of Decision (D) 10-11-034 filed by Great Oaks Water Company. D10-11-034 resolved the general ratecase for Great Oaks for test year July 1, 2010 to June 30, 2011 and the following two escalation years.

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

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Agenda 3302 ,Item 35 10/11/2012

**Closed Session - Applications for Rehearing** (continued)

42

**Conference with Legal Counsel - Application for Rehearing**

[11632]

A10-01-012

Disposition of the application for rehearing of Decision (D) 11-03-035 (Decision) filed by the Monterey Peninsula Water Management District (the District). In D11-03-035, the Commission considered a California-American Water Company (Cal-Am) application, and subsequent proposed settlement agreement between Cal-Am, the District, and the Division of Ratepayer Advocates (DRA). Both the application and proposed settlement recommended approval of a District User Fee set at 8.325% of Cal-Am's total revenue. Cal-Am would collect the User Fee in its Monterey customer rates and remit those costs to the District for its cost to implement the Carmel River Mitigation and Aquifer Storage and Recovery Programs. The Decision rejected the proposed settlement and authorized Cal-Am to amend its application with additional information to support the proposal.

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

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Agenda 3307, Item 37 1/10/2013



**Closed Session - Applications for Rehearing** (continued)

43

**Conference with Legal Counsel - Application for Rehearing**

[11643]

A08-03-015

Disposition of Applications for Rehearing of Decision (D) 09-06-049, filed by Division of Ratepayer Advocates and The Utility Reform Network (jointly), and Californians for Renewable Energy. D09-06-049 adopted a solar photovoltaic on existing commercial rooftops in the service territory of Southern California Edison Company (SCE), with 250 Megawatts (MW) of distributed solar photovoltaic projects owned by SCE and 250 MW owned by independent power producers.

Gov. Code § 11126(e)(2)(B)(i), 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 - 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**

**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*

**Closed Session - Federal**

**Closed Session - Existing Litigation - Federal**

Existing Litigation - Federal

**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 - 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 - 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 - 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*