
Public Utilities Commission of the State of California

Public Agenda 3304

Thursday, November 8, 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, November 05, 2012 (San Francisco)	Thursday, November 08, 2012 (San Francisco)
Monday, November 26, 2012 (San Francisco)	Thursday, November 29, 2012 (San Francisco)
Monday, December 17, 2012 (San Francisco)	Thursday, December 20, 2012 (San Francisco)
Friday, January 07, 2013 (San Francisco)	Thursday, January 10, 2013 (San Francisco)
Monday, January 18, 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
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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, 13, 17, 19, 20, 25

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**
[11677] **Recently Filed Formal Applications**

Res ALJ 176-3304

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=33033734>

Consent Agenda - Orders and Resolutions (continued)

2 **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=33030859>

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

Agenda 3300, Item 16 9/13/2012 (Staff);
Agenda 3301, Item 5 9/27/2012 (Staff);
Agenda 3302 , Item 4 10/11/2012 (Staff);
Agenda 3303 , Item 2 10/25/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **Consolidated Applications for a Certificate of Public
[11609] Convenience and Necessity**

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 - ALJ 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.

Agenda 3303 , Item 13 10/25/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

4 **Pacific Gas and Electric Company's Proposed Amendments**
[11625] **to the California Solar Initiative Program Handbook**

Res E-4534, Advice Letter 4064-E filed on June 15, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves with modifications Pacific Gas and Electric Company's proposed amendments to the California Solar Initiative (CSI) application process that automate and expedite the review of CSI applications.

ESTIMATED COST:

® \$0 incremental cost to ratepayers.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=32988057>

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

Consent Agenda - Orders and Resolutions (continued)

5 **Pacific Gas and Electric Company, Southern California**
[11628] **Edison Company and San Diego Gas and Electric**
 Company's Changes to the Renewable Auction Mechanism

Res E-4546, SCE Advice Letter (AL) 2759-E filed on July 12, 2012, SDG&E AL 2392-E filed on August 8, 2012 and PG&E AL 4100-E filed on August 16, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves changes to the Renewable Auction Mechanism for Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company.

® Specifically, this Resolution creates a unilateral termination right to protect ratepayers from excessive increases in upgrade costs; modifies guaranteed energy performance requirements; increases certainty around the amount of resource adequacy a project will provide; adopts dual time of delivery factors; modifies the program rules regarding the eligibility of existing projects; standardizes treatment of generation in excess of contracted quantities; and simplifies the program by eliminating variable deposit amounts for different sized projects.

® Authorizes the third Renewable Auction Mechanism solicitation to be held in accordance with the adopted program changes.

ESTIMATED COST:

® There are no expected costs associated with the changes made to the Renewable Auction Mechanism adopted by this Resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33143632>

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

Consent Agenda - Orders and Resolutions (continued)

6 (Rev.) **Southern California Edison Company's Proposal to Extend
[11631] Applicability of Schedule TOU-8**

Res E-4514, Advice Letter 2699-E filed on February 13, 2012 - Related matters.

PROPOSED OUTCOME:

® Southern California Edison Company (SCE) filed Advice Letter 2699-E requesting that the Commission approve its proposal to extend the applicability of Schedule TOU-8, Option A to customers charging zero emissions electric buses.

® Rather than place these customers on Schedule TOU-8, Option A, this Resolution directs SCE to extend the eligibility of TOU-GS-1, for a period of three years, to government agencies that have purchased or obtained zero emissions electric buses.

ESTIMATED COST:

® The costs are unknown at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=32702823>

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

11/01/2012 - This revision was not shown on the Agenda mailed to the public.

7 **Sonora Water Company's General Rate Increase to Produce
[11633] Additional Annual Revenue for Test Year 2012**

Res W-4934, Advice Letter 53 filed on April 11, 2012 - Related matters.

PROPOSED OUTCOME:

® Grants an increase in gross annual revenues of \$84,352 or 43.8% over current rates for test year 2012.

ESTIMATED COST:

® \$84,352 or 43.8%.

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

Consent Agenda - Orders and Resolutions (continued)

8
[11634] **Pacific Gas and Electric Company and the City and County
of San Francisco's Community Choice Aggregation Service
Agreement**

Res E-4397, Advice Letter (AL) 3682-E filed on June 3, 2012 and AL 4063-E filed on June 15, 2012 -
Related matters.

PROPOSED OUTCOME:

® Approves the negotiated Community Choice Aggregator Service Agreement and the First
Amendment to this negotiated Service Agreement between the City and County of San Francisco
and Pacific Gas and Electric Company.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33029852>

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

Consent Agenda - Orders and Resolutions (continued)

9 **Cytel, Inc. for Registration Under Public Utilities Code**
[11635] **Section 1013**

A12-04-002

Application of Cytel, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.

PROPOSED OUTCOME:

- ® Dismisses application of Cytel, Inc. for registration under Public Utilities Code Section 1013 as a reseller of interexchange services.
- ® Requires Cytel, Inc. to reference this proceeding in any subsequent application.
- ® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33134315>

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 **Dismissal of Case for Lack of Prosecution**
[11636]

C12-03-010

Susan Michael Montana vs. Pacific Bell Telephone Company dba AT&V California.

PROPOSED OUTCOME:

- ® Grants motion to dismiss for lack of prosecution.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33174448>

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)

11 **Closes and Finalizes the Appeal of Citation No. FC-509**
[11642] **(Amended)**

Res ALJ-285

PROPOSED OUTCOME:

- ® Dominic Orlando Cabrera, doing business as American Passenger Services, agrees to pay the \$1,500.00 fine assessed in Citation FC-509 (amended).
- ® As a result, the appeal of Citation FC-509 (amended) is closed, and the citation is final.
- ® Unless already paid, Dominic Orlando Cabrera shall, within 30 days of the date this resolution is issued, pay the fine of \$1,500.00, or begin to make payments based on a written payment plan approved in writing by the Director of the Consumer Protection and Safety Division.

ESTIMATED COST:

® \$1,500.00.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33793119>

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

Consent Agenda - Orders and Resolutions (continued)

12
[11652] **Extends Critical Emergency Access Protections of
Enhanced 9-1-1 Provisioning to Business Customers and
Multi-Line Telephone System Users in California**

R10-04-011

Order Instituting Rulemaking to Improve Public Safety by Determining Methods for Implementing Enhanced 9-1-1 Services for Business Customers and for Multi-Line Telephone System Users.

PROPOSED OUTCOME:

® Resolves the rulemaking proceeding by directing:

® (1) the local exchange carriers to take certain actions designed to raise customer awareness of the critical Enhanced 9-1-1 PBX /MLTS safety issue that affects many of California's large businesses and other public facilities, including distributing the customer advisory brochure, and providing links on their webpages to the Commission's CalPhoneInfo website and specifically the PBX 9-1-1 Advisory and filing and/or revising their 9-1-1 tariffs such that their current and prospective business and PBX/MLTS customers are fully informed of options for provisioning accurate caller location information.

® (2) AT&V California to file a tariff for its "Inform 9 1 1" service.

® (3) the Commission's Communications Division and Office of Governmental Affairs to take all reasonable actions toward continuing the Commission's ongoing leadership role in raising awareness of the critical public safety Enhanced 9-1-1 concerns associated with the PBX/MLTS and placing the PBX 9-1-1 Advisory, on the Commission's CalPhoneInfo website, and supporting reasonable legislative efforts/solutions to the E9-1-1 public safety concerns, as necessary.

® Closes the proceeding.

ESTIMATED COST:

® No Fiscal Impact.

(Comr Simon - ALJ Kim)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29977255>

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)

13 **Order Extending Statutory Deadline**
[11662]

C11-05-025

James and Marie Hughes, Kathleen Palmer, Gregory and Michelle Land, Patrick and Delores McMillen, Jeffery and Tina Strunc, and Michael and Robin Beals vs. Big Oak Valley Water District.

PROPOSED OUTCOME:

® Statutory deadline is further extended to May 24, 2013.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Weatherford)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29563647>

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

Consent Agenda - Orders and Resolutions (continued)

14 **Motion for Adoption of Conservation Rate Design Settlement**
[11668] **in All California-American Water Company Districts**

A10-07-007, A11-09-016 - Related matters.

PROPOSED OUTCOME:

® Adopts the joint settlement between California-American Water Company, the Division of Ratepayer Advocates, The Utility Reform Network and the Natural Resources Defense Council on conservation rate design for all districts other than the Monterey County District.

ESTIMATED COST:

® None.

® The rate design merely implements conservation rates that produce the adopted revenue requirement.

(Comr Florio - ALJ Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33033718>

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

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

15 **SFPP, L.P. to Cancel Three Origin and Destination**
[11670] **Movements**

Res O-0055, Advice Letter (AL) 29 filed on March 29, 2012 and AL 29-O-A filed on July 20, 2012 - Related matters.

SFPP, L.P. requests authority to cancel three origin and destination movements previously provided by SFPP, L.P. to shippers on its intrastate oil pipelines.

PROPOSED OUTCOME:

® Grants SFPP, L.P.'s request.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30998895>

Consent Agenda - Orders and Resolutions (continued)

16 **Southern California Edison Company to Offer Distribution
[11671] Line and Service Extension Installations to all Federal
 Government Agencies**

Res E-4549, Advice Letter 2769-E Filed on August 30, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves Southern California Edison Company's request to deviate from Tariff Rules 15 and 16, which require advance payments for distribution and service line extensions, for all Federal government agencies of the United States of America subject to Federal Acquisition Regulations.

® The Federal government shall demonstrate that specific funds were obligated for the extension projects in lieu of providing an advance payment.

ESTIMATED COST:

® Not determinable.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=32716458>

17 **Order Extending Statutory Deadline
[11673]**

I11-02-016

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Facilities Records for its Natural Gas Transmission System Pipelines.

PROPOSED OUTCOME:

® Extends statutory deadline to February 24, 2014.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30517031>

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

Consent Agenda - Orders and Resolutions (continued)

18 **Petition for Modification of Decision 07-09-044**
[11674]

R10-05-006

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.

PROPOSED OUTCOME:

® Grants a Petition for Modification of Decision 07-09-044 to eliminate the requirement in that decision to conduct energy auctions for residual Back-to-Back and Call Options products.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Gamson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30512246>

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

Consent Agenda - Orders and Resolutions (continued)

19

Order Extending Statutory Deadline

[11675]

I11-11-009

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company's Natural Gas Transmission Pipeline System in Locations with High Population Density.

PROPOSED OUTCOME:

® Extends statutory deadline to November 10, 2013.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31072880>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Order Extending Statutory Deadline**
[11676]

I09-01-018

Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company, Cellco Partnership LLP d/b/a Verizon Wireless, Sprint Communications Company LP, NextG Networks of California, Inc. and Pacific Bell Telephone Company d/b/a AT&V California and AT&V Mobility LLC, Regarding the Utility Facilities and the Canyon Fire in Malibu of October 2007.

PROPOSED OUTCOME:

® Extends the 12-month statutory deadline for resolving this proceeding to February 28, 2014.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Kenney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=29740134>

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

21 **Order Extending Statutory Deadline**
[11681]

R10-05-004

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

PROPOSED OUTCOME:

® Order extending statutory deadline to January 7, 2013.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ MacDonald)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31065952>

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

Consent Agenda - Orders and Resolutions (continued)

22 **Order Extending Statutory Deadline**
[11682]

A08-05-019

Application of California Water Service Company for an order confirming its discontinuance of the ESP program as provided in D.07-12-055, Ordering Paragraph 19, approving accounting for the residual affiliate transaction, and confirming under D.07-12-055, Ordering Paragraph 16 that Applicant's residual services to its affiliate CWS Utility Services comply with applicable law.

PROPOSED OUTCOME:

® Extends statutory deadline until January 25, 2013.

ESTIMATED COST:

® None.

(Comr Florio - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33026551>

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

23 **New Order Instituting Rulemaking**
[11684]

R_____

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

PROPOSED OUTCOME:

® Initiates new rulemaking to continue the work from Rulemaking (R) 10-05-004 to develop and refine policies, rules, and programs for the California Solar Initiative and the Self-Generation Incentive Program.

® R10-05-004 is closed for purposes of Public Utilities Code § 1701.5.

ESTIMATED COST:

® Unknown at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=30520466>

Consent Agenda - Orders and Resolutions (continued)

24 **Change of Control of Network Billing Systems, LLC**
[11685]

A12-06-009

In the Matter of the Joint Application of Fusion Telecommunications International, Inc., and Fusion NBS Acquisition Corp., and Network Billing Systems, LLC to Authorize the Transfer of Control of Network Billing Systems, LLC.

PROPOSED OUTCOME:

® Grants joint application of Fusion Telecommunications International Inc. and Network Billings Systems, LLC for change of control.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Prestidge)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31572120>

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

Consent Agenda - Orders and Resolutions (continued)

25

Order Extending Statutory Deadline

[11686]

C11-06-024

William R. Sarale, Julie Ann Sarale, Julie Ann Sarale as Trustee of the James J. Cavalli Testamentary Trust, and Julie Ann Sarale, as Trustee of the Eva M. Cavalli 2007 Trust vs. Pacific Gas and Electric Company.

PROPOSED OUTCOME:

® Extends Statutory Deadline to April 30, 2013.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=31066705>

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

Regular Agenda

Regular Agenda - Energy Orders

26 **2013-2014 Energy Efficiency Programs and Budgets**
[11655]

A12-07-001, A12-07-002, A12-07-003, A12-07-004 - Related matters.

Application of Pacific Gas and Electric Company for Approval of 2013-2014 Energy Efficiency Programs and Budget.

PROPOSED OUTCOME:

- ® Approves energy efficiency funding for 2013 and 2014 for:
- ® The program portfolios of the large electricity and natural gas utilities.
- ® Proposals brought forward by two regional energy networks (RENs) in the San Francisco Bay Area and Southern California.
- ® Proposals from Marin Energy Authority.
- ® Also sets forth the definition of RENs and how they should be administered.
- ® In addition, several issues in the utility portfolio filings are resolved, including:
- ® An interim estimate of spillover (market effects).
- ® Clarification of cost-effectiveness methodology.
- ® A process for rolling third-party solicitations and a new set of codes and standards goals.
- ® Also includes numerous details on the delivery of specific energy efficiency programs, including financing programs, where some are extended and new pilot activities will begin early in 2013.

ESTIMATED COST:

- ® Approximately \$1.7 billion from ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company over two years.
- ® Unspent funds from prior years will be utilized to offset these amounts.
- ® In addition, the program benefits to ratepayers are designed to exceed the costs.

(Comr Ferron - ALJ Fitch)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33171249>

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)

27 (Rev.) **2012 Renewables Portfolio Standard Plans**
[11653]

R11-05-005

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

® Conditionally accepts, as modified herein, the 2012 Renewables Portfolio Standard (RPS) Procurement Plans, including the related Solicitation Protocols, filed by Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) pursuant to the authority provided in Public Utilities Code § 399.13(a)(1).

® Accepts SCE's request in its August 15, 2012 updated RPS Procurement Plan not to hold a 2012 RPS solicitation but rejects SCE's request to execute bilateral contracts during the time period covered by its 2012 RPS Procurement Plan. This restriction will remain effective until the Commission removes it when accepting a future RPS Procurement Plan filed by SCE.

® Directs PG&E and SDG&E to file final RPS Procurement Plans with the Commission to initiate the RPS solicitation process within 15 days of the mailing date of this decision pursuant to the RPS solicitation schedule adopted herein. While SCE will not hold a 2012 solicitation, we direct SCE to file a final RPS Procurement Plan within 15 days of the mailing date of this decision to reflect modifications adopted herein.

® Addresses the significant modifications in the 2012 RPS Procurement Plans, as compared to the 2011 plans, presented by PG&E, SCE, and SDG&E, as set forth in the May 23, 2012 draft plans and updated on August 15, 2012.

® Accepts the Integrated Resource Plan Off-Year Supplement filed by PacifiCorp, a multi-jurisdictional utility and the RPS Procurement Plans filed by the small utilities, Bear Valley Electric Service, a Division of Golden State Water Company, and California Pacific Electric Company, LLC. Pursuant to § 365.1(c)(1) and Decision (D.) 11-01-026, this decision accepts for the first time RPS Procurement Plans filed by electric service providers.

® This proceeding remains open.

ESTIMATED COST:

® Not determined.

(Comr Ferron - ALJ DeAngelis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=33030926>

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

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

11/01/2012 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Communication Orders**28 Uniform Regulatory Framework Incumbent Local Exchange
[11563] Carriers Exemption From General Order 77-M**

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.

(Comr Sandoval - ALJ 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.

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

Agenda 3303 , Item 37 10/25/2012 (Ferron)

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

29 **Report and Discussion by Consumer Protection and Safety**
[11678] **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**
[11679]

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 **Conference with Legal Counsel - Application for Rehearing**
[11680]

A11-03-014

Disposition of applications for rehearing of Decision (D) 12-02-014 (Decision) filed by Californians for Renewable Energy, Inc. and Wilner & Associates. In D12-02-014, the Commission modified Pacific Gas and Electric Company's (PG&E) SmartMeter Program to approve an option for residential customers who do not wish to have a wireless SmartMeter with radio frequency transmission capability (opt-out option). A customer requesting the opt-out option will be provided with an analog electric and/or gas meter to replace an existing SmartMeter at their home. The Decision also adopted interim fees and charges to cover PG&E's cost to provide the opt-out option.

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 - 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