
Public Utilities Commission of the State of California

Public Agenda 3307

Thursday, January 10, 2013 9:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Mark J. Ferron

Michel Peter Florio

Catherine J.K. Sandoval

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>
Friday, January 07, 2013 (San Francisco)	Thursday, January 10, 2013 (San Francisco)
Monday, January 18, 2013 (San Francisco)	Thursday, January 24, 2013 (San Francisco)
Monday, February 11, 2013 (San Francisco)	Wednesday, February 13, 2013 (San Francisco)
Monday, February 25, 2013 (San Francisco)	Thursday, February 28, 2013 (San Francisco)
Monday, March 18, 2013 (San Francisco)	Thursday, March 21, 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



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.
- 2, 8, 18, 19, 20, 21, 24, 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**
[11772] **Recently Filed Formal Applications**

ALJ Res 176-3307

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.

Consent Agenda - Orders and Resolutions (continued)

2 **Dismissal of Complaint**

[11696]

C12-05-025

Cinderella Hair, Inc. vs. MCI Communications Services, Inc., dba Verizon Business Services.

PROPOSED OUTCOME:

- ® Grants the Defendants Motion to Dismiss the Complaint.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42177162>

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

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

Agenda 3305, Item 15 11/29/2012 (Ferron);

Agenda 3306, Item 5 12/20/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **Apple Valley Ranchos Water Company to Permit Payment of**
[11713] **Water Bills Using Credit or Debit Card**

Res W-4935, Advice Letter No. 171-W filed on May 17, 2012 - Related matters.

PROPOSED OUTCOME:

- ® To file a supplement to its approved Advice Letter 171 within five days of the effective date of this Resolution that includes tariff language consistent with Appendix A of the Resolution.
- ® Approves the utility to continue to allow customers to pay their water bills by credit or debit card on an optional basis and the charge for the service shall not exceed \$2.50 per transaction to be paid by those customers who use this service.
- ® Within 30 days, the utility is ordered to file a Tier 2 advice letter to establish a credit card memorandum account authorized by this Resolution to record all costs and savings associated with providing credit/debit card payment services.
- ® For its next general rate case, utility shall remove all ongoing costs associated with providing credit/debit card payment options from its base rates consistent with Public Utilities Code Section 755.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39593594>

Agenda 3305, Item 26 11/29/2012 (Staff);

Agenda 3306, Item 8 12/20/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

4 **Park Water Company to Permit Payment of Water Bills Using**
[11714] **a Credit or Debit Card**

Res W-4936, Advice Letter No. 231-W filed on May 10, 2012 - Related matters.

PROPOSED OUTCOME:

® To file a supplement to its approved Advice Letter 231-W consistent with directions provided in Ordering Paragraph 1. The supplement shall be filed within five days of the effective date of this resolution.

® Approves the utility to continue to allow customers to pay their water bills by credit or debit card on an optional basis and the charge for the service shall be \$2.50 per transaction to be paid by those customers using this service.

® Within 30 days, utility is ordered to file a Tier 2 advice letter to establish a credit card memorandum account to record all costs associated with providing credit/debit card payment services.

® For its next general rate case, utility shall remove all ongoing costs associated with providing credit/debit card payment options from its base rates consistent with Public Utilities Code Section 755.

ESTIMATED COST:

® None.

Agenda 3305, Item 27 11/29/2012 (Staff);

Agenda 3306, Item 9 12/20/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

5 **Rural Telecommunications Infrastructure Grant Program**
[11746] **Project**

Res T-17382

PROPOSED OUTCOME:

® Brings telephone service to four Channel Islands, off the coast of Ventura, that are currently unserved.

ESTIMATED COST:

® \$2,693,000.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=40674725>

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

Agenda 3306, Item 17 12/20/2012 (Florio)

Consent Agenda - Orders and Resolutions (continued)

6

Petition for Modification of Decision 12-02-035

[11749]

A08-03-015

Application of Southern California Edison Company for Authority to Implement and Recover in Rates the Cost of its Proposed Solar Photovoltaic Program.

PROPOSED OUTCOME:

® Denies a petition for modification of Decision 12-02-035 (Solar Photovoltaic Program) filed by Southern California Edison Company.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Ebke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39603768>

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

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

Agenda 3306, Item 20 12/20/2012 (Florio)

Consent Agenda - Orders and Resolutions (continued)

7 **Electric Service Provider Financial Security Requirements**
[11750] **for Incremental Procurement Costs**

R07-05-025

Rulemaking regarding whether, or subject to what Conditions, the suspension of Direct Access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.

PROPOSED OUTCOME:

® Determines and implements financial security and re-entry fee requirements applicable to Electric Service Providers' (ESP) provision of Direct Access (DA) to residential and small commercial and industrial electric retail customers to cover the risks of an involuntarily return of DA customers to bundled utility service as prescribed by Public Utilities Code Section 394.25(e).

® As determined in Decision 11-12-018, ESP financial security requirements for these customers include incremental procurement cost risks applicable to involuntary returns.

ESTIMATED COST:

® Unknown.

(Comr Ferron - ALJ Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=40631586>

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

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

Agenda 3306, Item 21 12/20/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

8 **Dismissal of Complaint**

[11751]

C12-05-021

Western Water and Power Production Limited, LLC, a New Mexico Limited Liability Corporation vs. Southern California Edison Company.

PROPOSED OUTCOME:

- ® Dismisses complaint.
- ® Denies request to open investigation.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Simon)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42170662>

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

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

Agenda 3306, Item 22 12/20/2012 (Staff)

Consent Agenda - Orders and Resolutions (continued)

9 **Refunds of Overcharges**
[11753]

A08-09-024, C08-03-021, C09-02-007, C09-03-027 - Related matters.
Application of San Pablo Bay Pipeline Company LLC for Approval of Tariffs for the San Joaquin Valley Crude Oil Pipeline.

PROPOSED OUTCOME:

- ® Orders Shell Entities to pay refunds to independent shippers for the period April 1, 2005, to July 1, 2011.
- ® Closes the proceeding.

ESTIMATED COST:

- ® \$104 million.

(Comr Peevey - ALJ Bemserfer)
<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39593932>

Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3306, Item 24 12/20/2012 (Staff)

10 **Los Angeles County Metropolitan Transportation Authority's**
[11773] **Safety Certification Plan**

Res ST-149

PROPOSED OUTCOME:

- ® Grants the Los Angeles County Metropolitan Transportation Authority's request for approval of the Safety Certification Plan for the P3010 Light Rail Vehicle procurement.

ESTIMATED COST:

- ® Not within the scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42175841>

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

Consent Agenda - Orders and Resolutions (continued)

11 **Division of Water and Audits Disposition Regarding**
[11789] **California American Water Company's Advice Letter**

Res W-4940, Advice Letter (AL) No. 923 filed on November 15, 2011 and AL No. 932 filed on February 27, 2012 - Related matters.

PROPOSED OUTCOME:

- ® Affirms the Division of Water and Audit's letter of disposition rejecting California American Water Company's (Cal-Am) Advice Letter 923.
- ® Any future claims by Cal Am pursuant to Decision (D)10-12-016 should be accompanied by appropriate supporting documentations and mapping to the authorized projects in D10-12-016.
- ® Cal Am's claim for \$236,516 including \$4,011 for Allowance for Funds Used During Construction (AFUDC), to be added to rate base is disallowed without prejudice.
- ® Cal Am may transfer to rate base \$480,105 which includes AFUDC of \$8,152 within 5 days after effective date of this Resolution.
- ® Authorizes Cal Am to file a supplement to Advice Letter 932 to modify the tariff sheets (6284-W through 6288-W) for the Monterey Tariff District and to reflect the transfer to rate base of the amount authorized in Ordering Paragraph No. 3.
- ® New rates to be effective 5 days after filing of the supplement to AL 932 subject to approval or rejection by DWA consistent with this Resolution.

ESTIMATED COST:

- ® \$480,105.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42449002>

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

Consent Agenda - Orders and Resolutions (continued)

12 **Vessel Common Carriers to Adjust Fares and Rates**
[11790]

Res TL-19106

PROPOSED OUTCOME:

® Grants the request of Blue & Gold Fleet, L.P., Catalina Freight Line, and Star & Crescent Boat Company to authorize vessel common carriers to adjust their fares and rates within a “zone of reasonableness” that has an upper limit of 20% above currently authorized base fares and rates.

ESTIMATED COST:

® No immediate impact on fares and rates.

® If fuel prices increase, however, the increases will likely be passed on to the users of vessel common carrier services.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43916856>

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

13 **Pacific Gas and Electric Company's Procurement of**
[11792] **Renewable Energy Credits With Sierra Pacific Industries**

Res E-4560, Advice Letter (AL) 3854-E filed on June 2, 2011 and by AL 3854-E-A filed on November 9, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for Pacific Gas and Electric Company's agreement for renewable energy credits, also referred to as green attributes, with Sierra Pacific Industries.

ESTIMATED COST:

® Actual costs are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42169195>

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

Consent Agenda - Orders and Resolutions (continued)

14 **Los Angeles County Metropolitan Transportation Authority's
[11795] Safety Certification Plan**

Res ST-142

PROPOSED OUTCOME:

® Grants the Los Angeles County Metropolitan Transportation Authority's request for approval of the Safety Certification Plan for the Westside Subway Extension Project.

ESTIMATED COST:

® Not within the scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42174874>

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

15 **Amended Power Purchase Agreement with Starwood
[11796] Power-Midway, LLC**

A12-09-016

Application of Pacific Gas and Electric Company for Approval of an Amendment of its Power Purchase Agreement with Starwood Power-Midway, LLC and for Authority to Recover the Costs of the Amended Agreement in Rates.

PROPOSED OUTCOME:

® Approves Pacific Gas and Electric Company's Amended Power Purchase Agreement with Starwood Power-Midway, LLC.

® Closes the proceeding.

ESTIMATED COST:

® Modest cost savings. (Specific cost information filed under seal.)

(Comr Ferron - ALJ Barnett)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43746028>

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 **City of Baldwin Park to Construct a Pedestrian**
[11799] **Grade-Separated Crossing**

A12-10-010

Application of the City of Baldwin Park for an order authorizing it to construct an elevated, grade-separated, pedestrian bridge overcrossing at Mile Post 18.81 over the Southern California Regional Rail Authority rail adjacent to the Metrolink Station in the City of Baldwin Park, County of Los Angeles.

PROPOSED OUTCOME:

- ® Grants authorization to the City of Baldwin Park to construct a pedestrian-rail grade-separated crossing connecting the Baldwin Park Transit Center to the Metrolink Station at mile post 18.81 of Metrolink San Gabriel Subdivision tracks.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Discretionary project, not within the scope of this proceeding.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=38581188>

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

Consent Agenda - Orders and Resolutions (continued)

17 (Rev.) **Petition for Modification of Decision 11-12-002**
[11802]

A11-01-004

Application of San Diego Gas & Electric Company for Authority to Acquire the CalPeak El Cajon Energy Facility.

PROPOSED OUTCOME:

® Authorizes San Diego Gas & Electric Company (SDG&E) to record revenue requirements for the Calpeak El Cajon Energy Facility from January 1, 2013 until the date a final decision is issued in Application 10-12-005.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® Assists SDG&E to provide reasonable and safe service at just and reasonable rates.

ESTIMATED COST:

® \$4.1 million in 2013.

® \$4.0 million in 2014.

® \$3.9 million in 2015.

(Comr Peevey - ALJ Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=37168886>

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

01/08/2013 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

18

Dismissal of Complaint

[11804]

(ECP) C12-10-007

Gezahegn Mekuria vs. T-Mobile West Corporation.

PROPOSED OUTCOME:

- ® Dismisses complaint for lack of prosecution.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39008137>

19

Decision Denying Relief

[11808]

(ECP) C12-05-013

Larry B. Hawkins vs. Southern California Edison Company.

PROPOSED OUTCOME:

- ® Denies relief for unauthorized charges.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Complainant pays \$2,155.

(Comr Sandoval - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39010937>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Southern California Edison Company's Settlement Offer**
[11809]

(ECP) C12-08-014

Destiny Home Health Services, Inc. vs. Southern California Edison Company.

PROPOSED OUTCOME:

® Approves settlement offer of Southern California Edison Company's refund of \$398.63 to Destiny Home Health Services, Inc. for Customer Charges accruing since May 2010 on a second meter at the service address that is registering zero consumption.

® Closes the proceeding.

ESTIMATED COST:

None.

(Comr Sandoval - ALJ Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39606816>

21 **Decision Denying Relief**
[11810]

(ECP) C12-10-005

Mark Joseph vs. Southern California Edison Company.

PROPOSED OUTCOME:

® Denies refund of charges.

® Closes the proceeding.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39603506>

Consent Agenda - Orders and Resolutions (continued)

22 **Adjusting Rates in Maximum Rate Tariff 4**
[11812]

Res TL-19107

PROPOSED OUTCOME:

® Adjusts the rates in Maximum Rate Tariff 4, governing the transportation of used household goods and personal effects by household goods carriers.

ESTIMATED COST:

® The maximum impact of this resolution upon ratepayers would be approximately \$8,457,432.69, which is 3.0% of the total California gross revenue reported to the Commission by household goods carriers in 2011.

® However, many movers assess rates below the maximum rates, so the actual impact will be less.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43634879>

Consent Agenda - Orders and Resolutions (continued)

23 (Rev.) **OpticAccess, LLC's Certificate of Public Convenience and
[11817] Necessity**

A12-07-014

Application of opticAccess, LLC for a Certificate of Public Convenience and Necessity to Provide Full Facilities-Based and Resold Competitive Local Exchange Service, Access and Interexchange Service in the State of California.

PROPOSED OUTCOME:

- ® Grants opticAccess, LLC a Certificate of Public Convenience and Necessity in order to provide full facilities-based local exchange service, access and interexchange service.
- ® Permits detariffing.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Applicant shall comply with all applicable Commission rules, decisions, General Orders and statutes including Public Utilities Code Section 451.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43806112>

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

01/08/2013 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

24 **Order Extending Statutory Deadline**
[11818]

C10-01-005
City of Santa Barbara vs. Verizon California, Inc.

PROPOSED OUTCOME:

® Extends statutory deadline for completion of this proceeding until January 19, 2014.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=41403451>

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

25 **Order Extending Statutory Deadline**
[11819]

C12-01-011
Lost Creek Canyon Ranch Certified Organics vs. Southern California Edison Company.

PROPOSED OUTCOME:

® Extends statutory deadline until May 9, 2013.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=40837728>

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

Consent Agenda - Orders and Resolutions (continued)

26 (Rev.) **Citrix Communications for a Certificate of Public
[11820] Convenience and Necessity**

A12-09-003

In the Matter of the Application of Citrix Communications LLC for a Certificate of Public Convenience and Necessity to Provide Limited Facilities-Based and Resold Competitive Local Exchange Service, Intrastate Switched Access Service, and IntraLATA and InterLATA Interexchange Service Throughout the State of California.

PROPOSED OUTCOME:

- ® Grants Citrix Communications LLC a Certificate of Public Convenience and Necessity for resold and limited facilities-based competitive local exchange and interexchange services in California.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Applicant shall comply with all applicable Commission rules, decisions, General Orders and statutes including Public Utilities Code Section 451.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Clark)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=36022088>

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

01/08/2013 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Intervenor Compensation Orders

27 **Compensation to Consumer Federation of California**
[11803]

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:

® Awards Consumer Federation of California \$7,560.13 in intervenor compensation for contributions to Decision 11-12-038.

ESTIMATED COST:

® Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay the awarded amount of \$7,560.13, plus interest.

(Comr Ferron - ALJ Farrar)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39001318>

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

Consent Agenda - Intervenor Compensation Orders (continued)

28 **Compensation to Aglet Consumer Alliance**
[11805]

A11-03-014

Application of Pacific Gas and Electric Company for Approval of Modifications to its SmartMeter Program and Increased Revenue Requirements to Recover the Costs of the Modifications.

PROPOSED OUTCOME:

® Awards Aglet Consumer Alliance \$22,142.04 in intervenor compensation for its substantial contribution to Decision 12-02-014.

ESTIMATED COST:

® \$22,142.04.

(Comr Peevey - ALJ Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39593710>

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

Regular Agenda

Regular Agenda - Energy Orders

29 **San Diego Gas & Electric Company's Local Capacity**
[11757] **Requirement and Power Tolling Agreements**

A11-05-023

Application of San Diego Gas & Electric Company for Authority to Enter into Purchase Power Tolling Agreements with Escondido Energy Center, Pio Pico Energy Center and Quail Brush Power.

PROPOSED OUTCOME:

- ® Determines a local capacity requirement need and directs San Diego Gas & Electric Company (SDG&E) to procure up to 343 megawatts of local generation capacity beginning in 2018.
- ® Denies SDG&E authority to enter into purchase power tolling agreements with Escondido Energy Center, Pio Pico Energy Center, and Quail Brush Power, without prejudice to a renewed application for their approval, if amended to match the timing of the identified need, or upon a different showing of need.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42169532>

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

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

Agenda 3306, Item 58 12/20/2012 (Ferron)

Regular Agenda - Energy Orders (continued)

29a ALTERNATE TO ITEM 11757
[11758]

PROPOSED OUTCOME:

- ® Determines a local capacity requirement need and directs San Diego Gas & Electric Company (SDG&E) to procure up to 298 megawatts of local generation capacity beginning in 2018.
- ® Grants SDG&E authority to enter into a purchase power tolling agreement with Escondido Energy Center.
- ® Denies authority to enter into purchase power tolling agreements with Pio Pico Energy Center and Quail Brush Power.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Costs will be confidential at this time.

(Comr Ferron)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=40640185>

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

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

Agenda 3306, Item 58a 12/20/2012 (Ferron)

Regular Agenda - Energy Orders (continued)

30 **New Order Instituting Rulemaking**
[11821]

R. _____

Order Instituting Rulemaking to Adopt Standards and Requirements Relative to Biogas Health and Safety; Policies and Programs to Promote In-State Production and Distribution of Biomethane; and Rules to Ensure Pipeline Open Access.

PROPOSED OUTCOME:

® Opens a proceeding to implement the provisions of Assembly Bill 1900 (Gatto, Stats. 2012, Ch. 602) with respect to biomethane issues and pipeline open access.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=40632903>

Regular Agenda - Communication Orders

31 (Rev.) **Extends Critical Emergency Access Protections of**
 [11652] **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&T California to file a tariff for its "Inform 9 1 1" service.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® This rulemaking directs 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.

ESTIMATED COST:

® No Fiscal Impact.

(Comr Peevey - ALJ Kim)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39593561>

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

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

Agenda 3304, Item 12 11/8/2012 (Simon);

Agenda 3305, Item 3 11/29/2012 (Simon);

Agenda 3306, Item 3 12/20/2012 (Sandoval)

01/04/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Communication Orders (continued)

32 **Telephone Corporations Seeking Certificates of Public
[11669] Convenience and Necessity and Wireless Carriers Seeking
 Registration**

R11-11-006

Order Instituting Rulemaking to Revise the Certification Process for Telephone Corporations and the Registration Process for Wireless Carriers.

PROPOSED OUTCOME:

Ⓡ Revises the application process for telephone corporations seeking Certificates of Public Convenience and Necessity (CPCN) and wireless carriers seeking registration. The decision proposes to:

Ⓡ Require all applicants seeking or holding a CPCN, and wireless carriers seeking or holding registration to post a bond to facilitate the collection of fines, fees, taxes, penalties, and restitution. Existing CPCN holders and wireless registrants must obtain a bond equal to or greater than 10% of intrastate revenues reported to the Commission during the preceding calendar year or \$25,000, whichever is greater. New applicants granted a CPCN or wireless carriers granted registration must obtain a bond of \$25,000.

Ⓡ Exempts Uniform Regulatory Framework and General Rate Case Local Exchange Carriers from the requirement to obtain a performance bond.

Ⓡ Requires CPCN applicants and wireless registrants to provide resumes of all key officers, directors, and owners of 10% or more of outstanding shares, listing all previous employment held by these individuals, and to provide information on prior or current known investigations by governmental agencies, and any settlement agreements, voluntary payments, or any other type of monetary forfeitures.

Ⓡ Requires applicants seeking to transfer licenses or registration to verify compliance with Commission reporting, fee, and surcharge transmittals.

Ⓡ Directs the Commission to seek legislative action to increase the application fee for new and transferred CPCN authority from \$75 to \$500.

Ⓡ Requires wireless registrants to pay a \$250 fee for new and transferred wireless registration.

Ⓡ Establishes a minimum annual user fee of \$100 for CPCN holders and wireless registrants including those reporting no intrastate revenues.

ESTIMATED COST:

Ⓡ Zero dollars to ratepayers.

Ⓡ Fee increase to carriers to offset administrative costs.

(Comr Sandoval - ALJ MacDonald)

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

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

Agenda 3305, Item 48 11/29/2012 (Sandoval);

Agenda 3306, Item 60 12/20/2012 (Sandoval)

Regular Agenda - Legal Division Matters

33 **New Regulations Regarding Disclosure of Records and**
 [11182] **Requests of Confidential Treatment of Records**

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=39595523>

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

Agenda 3292, Item 72 4/19/2012 (Staff);

Agenda 3294, Item 42 5/24/2012 (Staff);

Agenda 3298, Item 39 8/2/2012 (Staff);

Agenda 3299, Item 53 8/23/2012 (Sandoval);

Agenda 3300, Item 43 9/13/2012 (Staff);

Agenda 3302 , Item 29 10/11/2012 (Staff);

Agenda 3303 , Item 38 10/25/2012 (Staff);

Agenda 3305, Item 49 11/29/2012 (Staff);

Agenda 3306, Item 61 12/20/2012 (Staff)

34 **The Federal Communications Commission's Petition by**
 [11813] **AT&T to Launch a Proceeding**

GN Docket No. 12-383

Federal Communications Commission (FCC) Petition by AT&T to Launch a Proceeding Concerning the TDM-to-IP Transition; Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to IP Evolution, GN Docket No. 12-383.

The FCC is seeking comment on two petitions:

AT&T's petition proposing that the FCC conduct trial where some equipment would be retired and Internet Protocol (IP) -based services offered, and a petition from the National Telecommunications Cooperative Association asking that the FCC open a rulemaking to examine the means of promoting and sustaining the evolution of the Public Switched Telephone Network to an IP-based network. Staff seeks authority to file comments on behalf of the California Public Utilities Commission in response to these two petitions.

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

35 (Rev.) **Report and Discussion by Safety and Enforcement Division**
[11797] **on Recent Safety Program Activities**

01/09/2013 - This revision was not shown on the Agenda mailed to the public.

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

36 **Conference with Legal Counsel - Application for Rehearing**
[11798]

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.

37 **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.

Agenda 3303 , Item 42 10/25/2012;

Agenda 3305, Item 52 11/29/2012;

Agenda 3306, Item 66 12/20/2012

Closed Session - Applications for Rehearing (continued)

38 **Conference with Legal Counsel - Application for Rehearing**
[11778]

R11-10-003

Disposition of application for rehearing of Decision 11-12-035 filed by Southern California Edison Company.

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

Agenda 3306, Item 69 12/20/2012

39 **Conference with Legal Counsel - Application for Rehearing**
[11781]

R11-05-005

Disposition of applications for rehearing of Decision (D) 12-05-035, filed by the Center for Energy Efficiency and Renewable Technologies; Placer County Air Pollution Control District; Sustainable Conservation; CALifornians for Renewable Energy, Inc.; and jointly by the Clean Coalition and Sierra Club California. D12-05-035 implemented amendments to Public Utilities Code Section 399.20. Among other things, D12-05-035 adopted a new pricing mechanism and other new or revised components for the Feed-in Tariff (FiT) program under section 399.20. D12-05-035 also denied two petitions for modification of D07-07-027, the decision that initially established the tariffs and standard contracts for the investor-owned utilities under section 399.20.

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

Agenda 3306, Item 70 12/20/2012

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.

40 **Conference with Legal Counsel - Initiation of Litigation**
[11794]

I. _____

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions is not commenced.)

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

Gov. Code § 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