
Public Utilities Commission of the State of California

Public Agenda 3308

Thursday, January 24, 2013 9:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Mark J. Ferron

Michel Peter Florio

Carla J. Peterman

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. To listen by phone, dial 1-800-857-1917 and enter passcode 92105 or access our website at <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, January 18, 2013 (San Francisco)	Thursday, January 24, 2013 (San Francisco)
Monday, February 11, 2013 (San Francisco) (Will Be Held)	Wednesday, February 13, 2013 (San Francisco)
Monday, February 25, 2013 (San Francisco)	Thursday, February 28, 2013 (San Francisco)
Friday, March 18, 2013 (San Francisco)	Thursday, March 21, 2013 (San Francisco)
Monday, March 29, 2013 (San Francisco)	Thursday, April 04, 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



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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 16, 19, 20, 21, 24, 27

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**
[11800] **Recently Filed Formal Applications**

Res ALJ 176-3308

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=44115230>

Consent Agenda - Orders and Resolutions (continued)

2

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.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Ebke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43961327>

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);

Agenda 3307, Item 6 1/10/2013 (Florio)

Consent Agenda - Orders and Resolutions (continued)

3 **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.

SAFETY CONSIDERATIONS:

® Allows the Commission to continue fulfilling its duties under Pub. Util. Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

® Unknown.

(Comr Ferron - ALJ Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42178660>

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);

Agenda 3307, Item 7 1/10/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

4

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.

SAFETY CONSIDERATIONS:

® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® \$104 million.

(Comr Peevey - ALJ Bemesderfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43762569>

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);

Agenda 3307, Item 9 1/10/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

5 **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.

SAFETY CONSIDERATIONS:

- ® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® \$480,105.

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

Agenda 3307, Item 11 1/10/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

6 **Disclosure of Records of an Investigation**
[11801]

Res L-446

Authorizes disclosure of records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a September 25, 2010 electric incident that occurred at Bodega Bay, Sonoma County, California, once the investigation is complete.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=44107188>

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

7 **Cold Springs Water Company's General Rate Increase to**
[11807] **Produce Additional Annual Revenue for Test Year 2012**

Res W-4941, Advice Letter 57 filed on April 25, 2012 - Related matters.

PROPOSED OUTCOME:

® To file a supplemental Advice Letter (AL) with the revised rate schedule attached to the Resolution as Appendix B.

® Adopts the quantities in Appendix D used to develop the Division of Water and Audit's recommendations.

® Authorizes the utility to file a Tier 2 AL within 30 days from effective date of resolution to collect over a twenty-four month period the under-collected revenues from April 25, 2012, the interim rate date, to the effective date of the new rates established in this Resolution.

SAFETY CONSIDERATIONS:

® Authorizes a test-year revenue requirement in order to provide safe and reliable water service.

ESTIMATED COST:

® \$73,471 or 35.44%.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=34143365>

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

Consent Agenda - Orders and Resolutions (continued)

8

Petition for Modification of Decision 12-08-044

[11811]

A11-05-017, A11-05-018, A11-05-019, A11-05-020 - Related matters.

Application of Southern California Edison Company for Approval of its 2012- 2014 California Alternate Rates for Energy and Energy Savings Assistance Programs and Budgets.

PROPOSED OUTCOME:

® Denies Southern California Edison Company's Petition to Modify Decision 12-08-044, dated September 27, 2012.

SAFETY CONSIDERATIONS:

® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Kim)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=46233830>

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

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

Consent Agenda - Orders and Resolutions (continued)

9

Petition for Modification of Decision 12-04-046

[11816]

R10-05-006

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

PROPOSED OUTCOME:

- ® Denies Petition of Calpine Corporation for modification of Decision 12-04-046.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

® No safety issues were presented by this petition to modify. The decision allows the Commission to continue fulfilling its duties under Pub. Util. Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Allen)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=44270721>

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 **Mingqun Jiang for a Passenger Stage Corporation**
[11822] **Certificate**

A12-09-013

PROPOSED OUTCOME:

- ® Grants the application of Mingqun Jiang dba Sunrise Shuttle, to operate as a scheduled passenger stage corporation between Sacramento and San Francisco International Airport.
- ® Establishes a zone of rate freedom.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® This decision considers the safety of passengers and other persons and property sharing the state's public roadways.

ESTIMATED COST:

- ® None.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=40838687>

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

Consent Agenda - Orders and Resolutions (continued)

11 **Pacific Gas and Electric Company and Southern California**
 [11823] **Edison Company's Demand Response Aggregator Managed**
 Portfolio Program Agreements

A12-09-004, A12-09-007 - Related matters.

Application of Pacific Gas and Electric Company for Approval of Aggregator Managed Demand Response Agreements.

PROPOSED OUTCOME:

- ® Approves 10 Aggregator Managed Portfolio (AMP) Program Agreements for Pacific Gas and Electric Company (PG&E) and Southern California Edison (SCE).
- ® Approves budget of \$49.3 Million (M) for SCE agreements.
- ® Requires one pre-season test event be performed annually by PG&E and SCE.
- ® If no demand response event occurs by July 15, requires additional test event to be held by PG&E and SCE by end of August.
- ® Does not preclude additional test events.
- ® Authorizes SCE to file a Tier 1 Advice Letter revising its Demand Bidding Program tariff to ensure dually enrolled customers receive compensation for events solely from AMP program.
- ® The costs for the PG&E agreements, previously authorized in Decision 12-04-045, shall continue to be recovered through the PG&E Energy Resource Recovery Account.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® \$49.3M for SCE contract.

(Comr Peevey - ALJ Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45223852>

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

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

Consent Agenda - Orders and Resolutions (continued)

12 **San Diego Gas & Electric Company's Renewable Energy**
[11826] **Power Purchase Agreement and Fourth Amendment With**
 SolarGen 2, LLC

Res E-4565, Advice Letter 2423-E filed on November 30, 2012 - Related matters.

PROPOSED OUTCOME:

- ® Approves cost recovery for the long-term renewable energy power purchase agreement (PPA), as amended, between San Diego Gas & Electric Company and SolarGen 2, LLC.
- ® Approves the PPA, as amended, without modifications.

SAFETY CONSIDERATIONS:

- ® The project is owned, constructed and operated by a third party and will be subject to all applicable local, state and federal safety regulations, including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® Costs of the PPA, as amended, are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42170600>

Consent Agenda - Orders and Resolutions (continued)

13
[11829] **Riverside County Transportation Commission to Construct a
Pedestrian At-Grade Crossing in the City of Perris, Riverside
County**

A12-07-006

PROPOSED OUTCOME:

® Grants Riverside County Transportation Commission authorization to construct pedestrian at-grade crossing for the Downtown Perris Station, on Metrolink Perris Valley Line at mile post 18.20 in the City of Perris, Riverside County.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® This decision considers the safety of pedestrians crossing the tracks in the vicinity of the railroad passenger station. The Riverside County Transportation Commission is responsible to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

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

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42177149>

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

Consent Agenda - Orders and Resolutions (continued)

14 **The City of Sacramento to Construct Three At-Grade
[11830] Highway-Rail Crossings**

A12-09-018

PROPOSED OUTCOME:

® Grants the Sacramento Regional Transit District authority to construct three new at-grade highway-rail crossings across Franklin Boulevard, Center Parkway, and the Cosumnes River College Entrance Road in the City of Sacramento.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® This decision considers the safety of the public who will be using three new crossings on the Sacramento Regional Transit District's (SRTD) new line extension to its future terminus at the Consumnes River College campus. SRTD is responsible to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® Discretionary project, not within scope of applicant request.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42176796>

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

Consent Agenda - Orders and Resolutions (continued)

15 **Order Extending Statutory Deadline**
[11831]

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 for resolving this proceeding to March 25, 2013.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Florio - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42175799>

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

Consent Agenda - Orders and Resolutions (continued)

16 **Order Extending Statutory Deadline**
[11832]

C12-02-007

Pacific Bell Telephone Company d/b/a AT&V California vs. Halo Wireless, Inc.

PROPOSED OUTCOME:

® Extends the statutory deadline for completion of this proceeding until April 13, 2013.

SAFETY CONSIDERATIONS:

® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

None.

(Comr Sandoval - ALJ Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42174898>

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

Consent Agenda - Orders and Resolutions (continued)

17

Order Extending Statutory Deadline

[11841]

R09-08-009

Order Instituting Rulemaking on the Commission's own motion to consider alternative-fueled vehicle tariffs, infrastructure and policies to support California's greenhouse gas emissions reduction goals.

PROPOSED OUTCOME:

® Extends the Statutory Deadline for this proceeding to March 27, 2013.

SAFETY CONSIDERATIONS:

® Allows the Commission to continue fulfilling its duties under Pub. Util. Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ DeAngelis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42178919>

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

Consent Agenda - Orders and Resolutions (continued)

18

Petition for Modification of Decision 11-06-016

[11842]

A10-03-001, A10-03-010, A10-03-012, A10-03-013, A10-03-017 - Related matters.

In the matter of the Application of PacifiCorp for approval to implement a Net Surplus Compensation Rate.

PROPOSED OUTCOME:

® Upon unopposed Motion to Dismiss of petitioner, David Davis, this decision dismisses Petition for Modification of Decision 11-06-016.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Peevey - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45237803>

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

Consent Agenda - Orders and Resolutions (continued)

19 **Order Extending Statutory Deadline**
[11845]

C11-04-019

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

PROPOSED OUTCOME:

® Extends statutory deadline until May 31, 2013.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42176288>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Order Extending Statutory Deadline**
[11846]

C11-04-018

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

PROPOSED OUTCOME:

® Extends statutory deadline until May 31, 2013.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42174795>

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

Consent Agenda - Orders and Resolutions (continued)

21 **Order Extending Statutory Deadline**
[11847]

C10-02-026

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

PROPOSED OUTCOME:

® Extends statutory deadline until May 31, 2013.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42165112>

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

Consent Agenda - Orders and Resolutions (continued)

22 **Garrapata Water Company to Transfer Assets to California**
[11848] **American Water Company**

A12-05-010

Application of California-American Water Company and Garrapata Water Company for an Order Authorizing Garrapata Water Company to Sell and California-American Water Company to Purchase the Assets of Garrapata Water Company.

PROPOSED OUTCOME:

- ® Approves acquisition to Garrapata Water by California American Water Company.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® \$50,000.

(Comr Sandoval - ALJ Farrar)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45241708>

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

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

Consent Agenda - Orders and Resolutions (continued)

23

Order Extending Statutory Deadline

[11850]

A11-02-011

Application of Pacific Gas and Electric Company for Review of Entries to the Energy Resource Recovery Account and Renewables Portfolio Standard Cost Memorandum Account, and Compliance Review of Fuel Procurement for Utility Retained Generation, Administration of Power Purchase Contracts, and Least Cost Dispatch of Electric Generation Resources for the Record Period of January 1, through December 31, 2010 and for Adoption of Electric Revenue Requirements and Rates Associated with the Market Redesign and Technology Upgrade Initiative.

PROPOSED OUTCOME:

® Extends the Statutory Deadline for this proceeding to April 15, 2013.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Florio - ALJ Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42176283>

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

Consent Agenda - Orders and Resolutions (continued)

24 **Sprint Communications Company, LP's Settlement Offer**
[11851]

(ECP) C12-10-014

Jalal Soltanian vs. Sprint Communications Company, LP.

PROPOSED OUTCOME:

- ® Approval of settlement offer from Sprint Communications Company, LP.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Bemdesderfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=41397955>

Consent Agenda - Orders and Resolutions (continued)

25 **Order Extending Statutory Deadline**
[11853]

A11-04-001

Application of Southern California Edison Company for a Commission Finding that its Procurement-Related and Other Operations for the Record Period January 1 Through December 31, 2010 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account and Other Regulatory Accounts; and for Recovery of \$25.613 Million Recorded in Three Memorandum Accounts.

PROPOSED OUTCOME:

® Extends the Statutory Deadline for this proceeding to April 16, 2013.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® None.

(Comr Florio - ALJ Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=42165121>

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

Consent Agenda - Orders and Resolutions (continued)

26 **San Diego Gas & Electric Company's Request for Special**
[11854] **Relief**

R11-03-006

Order Instituting Rulemaking to Consider the Annual Revenue Requirement Determination of the California Department of Water Resources and related issues.

PROPOSED OUTCOME:

- ® Grants San Diego Gas & Electric Company's (SDG&E) October 16, 2012 motion.
- ® In particular, this relief consists of:
 - ® Adoption of the Agreement Regarding Procedures Applicable to the Return of Net Negative DWR Power Charge Revenue Requirements (Agreement) between SDG&E and the California Department of Water Resources, as clarified by the Joint Reply of SDG&E and Alliance for Retail Energy Markets (Reply).
 - ® Authority for SDG&E to implement those procedures set out in the Agreement, as clarified by the Reply.
 - ® The Agreement, as clarified by the Reply, does not change the California Department of Water Resources' authorized 2013 Revenue Requirement Determination (see Decision 12-11-040), but instead provides a methodology by which the net negative power charge revenue requirement is treated by SDG&E.

SAFETY CONSIDERATIONS:

- ® Allows the Commission to continue fulfilling its duties under Pub. Util. Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

- ® None.

(Comr Florio - ALJ Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45388348>

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

Consent Agenda - Orders and Resolutions (continued)

27 **Settlement Agreement Between Pacific Bell Telephone
[11858] Company and Halo Wireless, Inc.**

C12-02-007

Pacific Bell Telephone Company d/b/a AT&V California vs. Halo Wireless, Inc.

PROPOSED OUTCOME:

- ® Approves Settlement Agreement and concludes complaint.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® Unknown given that Bankruptcy Court will determine payment obligations.

(Comr Sandoval - ALJ Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39603428>

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

Regular Agenda

Regular Agenda - Energy Orders

28 **Management and Administration of the Nuclear**
[11647] **Decommissioning Trust Funds in Phase 2**

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:

- ® Recommends expansion of authorized investments types to potentially improve returns, and makes changes to achieve more uniformity and transparency regarding administration of the Funds.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® It is the utilities' responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Darling)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45420862>

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

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

Agenda 3305, Item 43 11/29/2012 (Sandoval);

Agenda 3306, Item 48 12/20/2012 (Peevey)

Regular Agenda - Energy Orders (continued)

28a/11658
[11658]

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

PROPOSED OUTCOME:

- ® Recommends expansion of authorized investments to potentially improve returns, including authority under certain circumstances to make limited investments in hedge funds, private equity, commodities, and real estate, including expanded use of derivatives.
- ® Makes changes to achieve more uniformity and transparency regarding administration of the Funds.

ESTIMATED COST:

® None.

(Comr Ferron)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=40847524>

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

Agenda 3305, Item 43a 11/29/2012 (Sandoval);
Agenda 3306, Item 48a 12/20/2012 (Peevey)

Regular Agenda - Energy Orders (continued)

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.

SAFETY CONSIDERATIONS:

- ® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43741925>

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);

Agenda 3307, Item 29 1/10/2013 (Ferron)

Regular Agenda - Energy Orders (continued)

29a/11758 [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=43758859>

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);

Agenda 3307, Item 29a 1/10/2013 (Ferron)

Regular Agenda - Energy Orders (continued)

30 **Long-Term Procurement Plans: Local Capacity**
[11814] **Requirements**

R12-03-014

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

PROPOSED OUTCOME:

® Authorizes Southern California Edison Company to procure between 1,050 and 1,500 Megawatts (MW) in the Los Angeles Basin, and between 215 and 290 MW in the Big Creek/Ventura local area, to meet local capacity requirements for 2021 and maintain safe and reliable service.

® For the Los Angeles Basin, between 1,000 and 1,200 MW must be from conventional gas-fired generation, at least 50 MW must be from energy storage resources, and up to 450 MW may be from preferred resources.

® An exception to the 1,500 MW cap is made for distributed generation sufficient to achieve current forecasts.

SAFETY CONSIDERATIONS:

® Allows the Commission to continue fulfilling its duties under Pub. Util. Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

® To be determined in subsequent applications.

(Comr Florio - ALJ Gamson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39597025>

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)

31 (Rev.) **New Order Instituting Rulemaking**
[11821]

R. _____

Order Instituting Rulemaking to Adopt Biomethane Standards and Requirements, Pipeline Open Access Rules, and Related Enforcement Provisions.

PROPOSED OUTCOME:

® Opens a proceeding to implement Assembly Bill 1900 (Gatto, Stats. 2012, Ch. 602) with respect to biomethane standards and requirements, pipeline open access rules, and related enforcement provisions relative to public health and safety for biomethane injected into common carrier pipelines.

SAFETY CONSIDERATIONS:

® Opens proceeding to allow the Commission to fulfill its duties under Public Utilities Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45080048>

Agenda 3307, Item 30 1/10/2013 (Staff)

01/17/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Resolutions and Written Reports**32 (Rev.) Pacific Gas and Electric Company's Amended and Restated
[11806] Power Purchase Agreement With Rice Solar Energy, LLC**

Res E-4545, Advice Letter 3989-E filed on January 17, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the amended and restated power purchase agreement between Pacific Gas and Electric Company and Rice Solar Energy, LLC.

SAFETY CONSIDERATIONS:

® The Project is owned, constructed and operated by a third party and will be subject to all applicable local, state and federal safety regulations, including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® Confidential.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=44755937>

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

01/23/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Communication Orders

33
[11669] **Telephone Corporations Seeking Certificates of Public 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.

SAFETY CONSIDERATIONS:

® Allows the Commission to continue fulfilling its duties under Pub. Util. Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

® Zero dollars to ratepayers.

® Fee increase to carriers to offset administrative costs.

(Comr Sandoval - ALJ MacDonald)

Regular Agenda - Communication Orders

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=43759066>

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);

Agenda 3307, Item 32 1/10/2013 (Peevey)

34 **New Order Instituting Rulemaking**
[11849]

R. _____

Order Instituting Rulemaking to Conduct a Comprehensive Examination of the California Teleconnect Fund.

PROPOSED OUTCOME:

® Opens rulemaking to conduct a comprehensive examination of the California Teleconnect Fund.

SAFETY CONSIDERATIONS:

® Opens proceeding to allow the Commission to fulfill its duties under Pub. Util. Code Section 451, including to take all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

® Unknown.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=39604748>

Regular Agenda - Communication Resolutions and Reports

35 (Rev.) **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.

SAFETY CONSIDERATIONS:

® The lack of access to 9-1-1 on the Channel Islands is an important consideration in this Resolution T-17382.

® In 2011, there were 243,000 visitors to the Channel Islands National Park. Access to 9-1-1 service for Channel Islands visitors will provide a safer visitor experience.

ESTIMATED COST:

® \$2,693,000.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45385039>

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

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

Agenda 3307, Item 5 1/10/2013 (Staff)

01/16/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legal Division Matters

36 **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);

Agenda 3307, Item 33 1/10/2013 (Staff)

37 **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.

Agenda 3307, Item 34 1/10/2013 (Staff)

Regular Agenda - Legislative and Other Matters**38 (Rev.) Energy-Related Research: Mergers: Entities Formed to
[11833] Receive Benefits on Behalf of Ratepayers**

SB 48 (Hill)

This bill would transfer from the Public Utilities Commission to the California Energy Commission certain ratemaking responsibilities and establish new rules governing mergers and acquisitions of public utilities. (Recommended Position: Oppose).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45241707>

01/17/2013 - This revision was not shown on the Agenda mailed to the public.

**39 (Rev.) Telecommunications: Pay Telephones
[11834]**

SB 50 (Lieu)

This bill would extend to credit or debit card-activated payphones the same consumer protections that currently apply to coin-activated payphones. (Recommended Position: Support).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45433236>

01/17/2013 - This revision was not shown on the Agenda mailed to the public.

**40 (Rev.) Proposed Legislation on California Advanced Services Fund
[11835] Eligibility**

This bill would extend California Advanced Services Fund eligibility to wireless internet service providers who do not hold a certificate of public convenience and necessity with the California Public Utilities Commission. (Recommended Position: Support as Sponsor).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45253665>

01/17/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

41 (Rev.) **Proposed Legislation on Certificates of Public Convenience
[11836] and Necessity**

This bill would revise the statutory cap on fees necessary to obtain a certificate of public convenience and necessity from the California Public Utilities Commission to adjust for inflation. (Recommended Position: Support as Sponsor).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45070660>

01/17/2013 - This revision was not shown on the Agenda mailed to the public.

42 (Rev.) **Proposed Legislation on the Deaf and Disabled
[11837] Telecommunications Program**

This bill would extend the sunset date for the Deaf and Disabled Telecommunications Program. (Recommended Position: Support as Sponsor).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=46107040>

01/17/2013 - This revision was not shown on the Agenda mailed to the public.

43 (Rev.) **Proposed Legislation on Excavation Penalties
[11838]**

This bill would strengthen the enforcement system for penalties against operators and excavators who negligently damage utility infrastructure while excavating. (Recommended Position: Support).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=46121369>

01/17/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Legislative and Other Matters (continued)

44 (Rev.) **Proposed Legislation on Safety Violation Citations**
[11839]

This bill would require the California Public Utilities Commission to devolve to staff the authority to issue citations for gas and electric safety violations. (Recommended Position: Support).
01/17/2013 - This revision was not shown on the Agenda mailed to the public.

45 (Rev.) **Proposed Legislation on Utility Receivership**
[11840]

This bill would authorize the California Public Utilities Commission to directly appoint a receiver in cases where a water or sewer corporation is unable or unwilling to adequately serve its ratepayers. (Recommended Position: Support as Sponsor).
<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=45105589>
01/17/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Commissioner Reports

46 **President Peevey Report**
[11863]

President Michael R. Peevey's Nomination of Commissioner Catherine J.K. Sandoval to the California Public Utilities Commission Low Income Oversight Board. This item is for Commission vote.

Regular Agenda - Management Reports and Resolutions

47 **Report and Discussion by Safety and Enforcement Division**
[11827] **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

48 **Conference with Legal Counsel - Application for Rehearing**
[11828]

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.

49 **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;

Agenda 3307, Item 37 1/10/2013

Closed Session - Applications for Rehearing (continued)

50 **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;

Agenda 3307, Item 39 1/10/2013

51 **Conference with Legal Counsel - Application for Rehearing**
[11582]

R06-06-028

Disposition of application for rehearing of Decision 08-09-042 filed jointly by The Utility Reform Network and the Commission's Division of Ratepayer Advocates.

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.

52 **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.

Agenda 3307, Item 40 1/10/2013

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