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# ***Public Utilities Commission of the State of California***

## ***Public Agenda 3312***

***Thursday, April 4, 2013 9:30 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>*

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### **Scheduled Commission Meetings**

**505 Van Ness Avenue, San Francisco**

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|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <i>Ratesetting Deliberative Meeting*</i><br>Room 5305<br>(1:30 p.m.)<br><b><i>Closed to the Public</i></b> | <i>Commission Meeting</i><br>Auditorium<br>(9:30 a.m.)<br><b><i>Open to the Public</i></b> |
| Friday, March 29, 2013 (San Francisco)                                                                     | Thursday, April 04, 2013 (San Francisco )                                                  |
| Monday, April 15, 2013 (San Francisco)                                                                     | Thursday, April 18, 2013 (San Francisco )                                                  |
| Monday, May 06, 2013 (San Francisco)                                                                       | Thursday, May 09, 2013 (San Francisco )                                                    |
| Monday, May 20, 2013 (San Francisco)                                                                       | Thursday, May 23, 2013 (San Francisco)                                                     |
| Monday, June 24, 2013 (San Francisco)                                                                      | Thursday, June 27, 2013 (San Francisco)                                                    |

*\*Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

#### ***Matters of Public Interest***

***For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.***

For further information contact the Public Advisor  
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## PUBLIC COMMENT

**The following items are not subject to public comment:**

- All items on the closed session agenda.
- 6, 11, 20, 26

**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**  
[11999]       **Recently Filed Formal Applications**

Res ALJ 176-3312

#### **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.

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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=63415055>

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

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

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

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

Agenda 3308, Item 2 1/24/2013 (Ferron);

Agenda 3310, Item 2 2/28/2013 (Ferron);

Agenda 3311, Item 2 3/21/2013 (Staff)

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Consent Agenda - Orders and Resolutions (continued)

3                   **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=63715673>

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

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Agenda 3308, Item 7 1/24/2013 (Staff);  
Agenda 3309, Item 4 2/13/2013 (Staff);  
Agenda 3311, Item 4 3/21/2013 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

4  
[11874]      **Initiation of a Citation Program for Non-Compliance With  
Permits to Construct and Certificates of Public Convenience  
and Necessity Issued**

Res E-4550

**PROPOSED OUTCOME:**

® Authorizes Commission Staff to initiate a citation program to fine public utilities for non-compliance with Permits to Construct (PTC) and Certificates of Public Convenience and Necessity (CPCN) issued for natural gas storage facilities; electric generating plants; electric transmission/power/distribution line facilities and substations.

**SAFETY CONSIDERATIONS:**

® Provides an efficient way for the Commission to issue non-compliance fines for violations related to conditions of approval of PTC and CPCN permits, which typically include numerous safety-related conditions covering issues such as construction safety, hazardous materials safety, air and water quality, fire safety, and traffic safety.

**ESTIMATED COST:**

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=46462698>

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

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Consent Agenda - Orders and Resolutions (continued)

5                    **Southern California Gas Company to Implement New Terms  
[11926]                of California Gas Producers' Access to the Pipeline System**

Res G-3464, Advice Letter 4177 filed on November 30, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Adopts terms and conditions of access to the Southern California Gas Company (SoCalGas) gas pipeline system for California gas producers.

® To implement those terms and conditions, most of SoCalGas' proposals for a new rate schedule, new agreement forms, and revisions to existing tariff rules and an existing agreement and the deletion of an existing form are adopted, while others are modified.

**SAFETY CONSIDERATIONS:**

® Several of the terms discussed in this resolution could directly or indirectly impact the safety of the SoCalGas pipeline system and the safety of SoCalGas customers, particularly those related to balancing and gas quality. The Commission has taken into account these potential safety impacts. It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Public Utility 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.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63599572>

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

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Agenda 3311, Item 12 3/21/2013 (Peevey)

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Consent Agenda - Orders and Resolutions (continued)

6

**Southern California Edison Company's Motion to Dismiss**

[11939]

C12-08-015

David Davis vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

- ® Dismisses Complaint of David Davis against Southern California Edison Company (SCE).
- ® SCE did not violate the net energy metering statutes in refusing Davis' request to interconnect his solar voltaic installation.
- ® Closes the Proceeding.

**SAFETY CONSIDERATIONS:**

- ® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including Public Utilities 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:**

- ® Complainant cannot receive net energy metering rates for his solar installation.

(Comr Peevey - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63576392>

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

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

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Consent Agenda - Orders and Resolutions (continued)

7                    **Petition of City of American Canyon for Two-Year Extension**  
[11945]            **of Authority to Construct New Crossing at South Napa**  
                         **Junction Road**

A01-09-021, A05-05-014 - Related matters.

Application of the City of American Canyon for Approval to Construct a Public At-Grade Crossing of the California Northern Railroad Track, Located in Napa County, State of California.

**PROPOSED OUTCOME:**

- ® Grants a two-year extension of authority for City of American Canyon to construct a new public at-grade crossing at South Napa Junction Road.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® Crossing to be constructed in accordance with applicable safety standards.

**ESTIMATED COST:**

- ® City of American Canyon to bear construction and maintenance cost as specified in Settlement Agreement approved in Decision 06-09-016.

(Comr Peevey - ALJ Kotz)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=47670223>

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

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Consent Agenda - Orders and Resolutions (continued)

8                    **Sand City Desalination Plant's Purchased Water Balancing  
[11946]            Account and Partial Settlement Agreement**

A10-04-019

Application of California-American Water Company for an Order Authorizing Recovery of Costs for the Lease of the Sand City Desalination Facility and Associated Operating and Maintenance Costs.

**PROPOSED OUTCOME:**

- ® Adopts purchased water methodology for water produced at desalination plant.
- ® Approves partial settlement agreement.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® California American Water Company is responsible for safely operating Sand City Desalination Plant.

**ESTIMATED COST:**

- ® \$2,599 per acre-foot of water produced.

(Comr Florio - ALJ Bushey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=49629411>

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

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

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9 (Rev.)            **Disclosure of Records of an Investigation**  
[11949]

Res L-448

Authorizes disclosure of records concerning the California Public Utilities Commission Safety and Enforcement Division's investigation of a January 5, 2013 incident involving a fatal injury of Enrique Torres at 23 Packet Lane, Rancho Palos Verdes, California, once the investigation is complete.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63573971>

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

04/03/2013 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

10                    **Southern California Gas Company's Agreement to Provide**  
[11952]                **Compression Services to the Los Angeles Unified School**  
                             **District**

Res G-3481, Advice Letter 4337 filed on February 28, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Approves the agreement between Southern California Gas Company (SoCalGas) and the Los Angeles Unified School District (LAUSD) for SoCalGas to provide natural gas compression services to the District.

**SAFETY CONSIDERATIONS:**

® The service to be provided involves inherent safety risks associated with the compression of natural gas. It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders, and statutes including Public Utility 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:**

® No cost to ratepayers. LAUSD will pay for the cost under the agreement.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63720859>

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

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Consent Agenda - Orders and Resolutions (continued)

11            **The Welk Group Inc.'s Monies on Deposit**  
[11955]

C93-06-016

The Welk Group, Inc. vs. AT&V Communications of California, Inc. and General Telephone of California, Inc.

**PROPOSED OUTCOME:**

- ® Directs the Commission's Fiscal Office to return the monies deposited by The Welk Group, Inc. in connection with this complaint case, to The Welk Group, Inc.
- ® The prior decision in this proceeding did not address the disposition of these monies.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® There are no safety implications to this decision.

**ESTIMATED COST:**

- ® Directs the Fiscal Office to return \$28,839.92, plus any additional interest earned after May 17, 2012, to The Welk Group, Inc.

(Comr Peevey - ALJ Wong)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63598972>

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

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

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Consent Agenda - Orders and Resolutions (continued)

12                    **Disclosure of Records of an Investigation**  
[11956]

Res L-449

Authorizes disclosure of records concerning the California Public Utilities Commission Safety and Enforcement Division's investigation relating to Pacific Gas and Electric Company's Gateway Generating Station Ammonia Refrigeration System (Chiller) incident that occurred on July 14, 2009, at 3225 Wilbur Avenue, Antioch, California. Authorizes disclosure of records of the audit related to Gateway Station's Chiller, once the audit is complete.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63717344>

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

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13                    **Hornitos Telephone Company Withdraws Two and**  
[11976]                **Four-Party Residential and Ten-Party Business Service**

Res T-17390, Advice Letter No. 309 filed on December 27, 2012 - Related matters.

**PROPOSED OUTCOME:**

- ® Adopts Resolution T-17390 and authorizes Hornitos Telephone Company to withdraw Two and Four-Party Residential and Suburban Ten-Party business service for which there are no customers.
- ® Suburban Ten-Party Line Flat Rate residential service will only be available to existing customers effective April 4, 2013.

**SAFETY CONSIDERATIONS:**

- ® It is the carrier's responsibility to adhere to all Commission rules, decisions, General Orders and statutes including PU Code Section 451. The remaining customers receiving Suburban Ten-Party Line Flat Rate Service have Single Line Telephone Service with access to 9-1-1 but pay the lower Ten-Party rate.

**ESTIMATED COST:**

- ® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63532368>

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

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Consent Agenda - Orders and Resolutions (continued)

14                    **Golden State Water Company to Permit Payment of Water**  
[11981]                **Bills Using a Credit or Debit Card**

Res W-4942, Advice Letter (AL) No. 1494-W filed on June 7, 2012, as supplemented by AL 1494-W-A filed on November 8, 2012 - Related matters.

**PROPOSED OUTCOME:**

- ® To modify Tariff Rule No. 9 – Rendering and Payment of bills.
- ® To allow customers the option to pay their water bills by credit or debit card.
- ® To file a Tier 2 advice letter to add a credit card memorandum account to its preliminary statement authorized by this resolution to record all costs and savings associated with providing credit/debit card payment services.
- ® For Golden State Water Company, as part of its next general rate case, to remove all ongoing costs associated with providing credit/debit card payment options from its base rates consistent with Public Utilities Code § 755.

**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:**

- ® \$131,240.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63525530>

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

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Consent Agenda - Orders and Resolutions (continued)

15                    **East Pasadena Water Company's Rate Base Offset Revenue**  
[11988]                **Increase to Produce an Increase in Gross Annual Revenues**

Res W-4944, Advice Letter 77 filed on October 3, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes East Pasadena Water Company to file a supplemental advice letter incorporating the rate schedules attached to this resolution as Appendix B, and to concurrently cancel its presently effective Schedules 1, General Metered Service; and 4, Private Fire Protection Service.

® The effective date of the revised schedules shall be five days after the date of filing.

**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:**

® \$112,218.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=53272076>

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

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Consent Agenda - Orders and Resolutions (continued)

16                    **San Gabriel Valley Water Company to Establish the Income**  
[11989]                **Tax Repair Regulations Implementation Memorandum**  
                              **Account**

Res W-4945, Advice Letter 423 filed on January 14, 2013 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves San Gabriel Valley Water Company's (San Gabriel) Advice Letter 423, effective today.
- ® Authorizes San Gabriel to record costs associated with implementing the repair regulations identified in Ordering Paragraph 1.
- ® If San Gabriel seeks recovery in rates of net costs tracked in the Income Tax Repair Regulations Implementation Memorandum Account in its next general rate case, it has the burden of proof to show that: (1) it acted prudently when it incurred these costs; (2) the level of booked costs is reasonable; (3) the costs incurred are not covered by other authorized rates; and (4) it is appropriate for ratepayers to pay for these categories of costs in addition to otherwise authorized rates.

**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.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=55397139>

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

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Consent Agenda - Orders and Resolutions (continued)

17

## **New Order Instituting Investigation**

[11992]

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

Order Instituting Investigation on the Commission's Own Motion into the Reasonableness of the Rates Currently in Effect, and Other Matters, for Valencia Water Company, a Corporation.

### **PROPOSED OUTCOME:**

® Opens a companion investigation to pending Applications (A) 13-01-003, A13-01-004 and Case 13-01-005.

### **SAFETY CONSIDERATIONS:**

® Ensure that Valencia Water Company continues to comply with all applicable Health and Safety requirements to protect consumers and employees.

### **ESTIMATED COST:**

® Unknown at this time.

® Rates are made subject to refund dependent upon the eventual outcome of the proceeding.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63723826>

Agenda 3311, Item 34 3/21/2013 (Staff)



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Consent Agenda - Orders and Resolutions (continued)

18  
[11996]      **San Diego Gas & Electric Company's Renewable Energy  
Credit Agreement With Finerty Group LLC and Sales  
Agreement With Noble Americas Energy Solutions LLC**

Res E-4579, Advice Letter 2441-E filed on December 28, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Approves San Diego Gas & Electric Company's (SDG&O) purchase agreement for renewable energy credits with Finerty Group LLC and SDG&O's sales agreement with Noble Americas Energy Solutions LLC without modification.

**SAFETY CONSIDERATIONS:**

- ® The agreements approved by this resolution will not alter existing agreements or any facility operations.
- ® Since these agreements do not require a change in facility operations there are no incremental safety implications associated with approval of these agreements beyond the status quo.

**ESTIMATED COST:**

- ® Costs of the agreements are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63692538>

Consent Agenda - Orders and Resolutions (continued)

19                    **Henrietta Solar Power Purchase Agreement Between Pacific**  
[11997]                **Gas and Electric Company and Parrey, LLC**

Res E-4568, Advice Letter 4095-E filed on September 6, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Approves cost recovery for the Henrietta Solar power purchase agreement (PPA) between Pacific Gas and Electric Company (PG&E) and Parrey, LLC.

**SAFETY CONSIDERATIONS:**

® The Henrietta Solar PPA is between PG&E and Parrey, LLC. The Commission's jurisdiction extends only over PG&E, not Parrey, LLC. Based on the information before us, this PPA does not appear to result in any adverse safety impacts on the facilities or operations of PG&E.

**ESTIMATED COST:**

® Actual costs are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63532601>

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Consent Agenda - Orders and Resolutions (continued)

20                    **Order Extending Statutory Deadline**  
[12022]

C08-03-018

Joan E. Richardson, Steve Pegram, Carl J. Meir, Kathleen Thayer, Tracey Raybon, John L. Barnes, Donald H. Dawson, Patricia O. King, Jerry Amis, James H. Pelley, Dorothy Reed, James Vitale, and others similarly situated vs. Phillip and Linda Shuey, doing business as Shell Canyon Water Company, an unregulated water company.

**PROPOSED OUTCOME:**

® Extends the statutory deadline until December 1, 2013.

**SAFETY CONSIDERATIONS:**

® None as a result of this decision.

**ESTIMATED COST:**

® None.

(Comr Ferron - ALJ Barnett)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=62430155>

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

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**Consent Agenda - Intervenor Compensation Orders****21 Compensation to Backcountry Against Dumps**

[11962]

A09-08-003

In The Matter of the Application of San Diego Gas & Electric Company for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV and New Substations With High Side Voltages Exceeding 50kV: The East County Substation Project.

**PROPOSED OUTCOME:**

® Awards \$85,211.58 in compensation to Backcountry Against Dumps for its substantial contribution to Decision 12-06-039.

**SAFETY CONSIDERATIONS:**

® Backcountry Against Dumps contributed to California Public Utilities Commission's environmental review pursuant to California Environmental Quality Act.

**ESTIMATED COST:**

® San Diego Gas & Electric Company will pay the awarded amount of \$85,211.58, plus interest.

(Comr Ferron - ALJ Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63573476>

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

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

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Consent Agenda - Intervenor Compensation Orders (continued)

22

## **Compensation to the Center for Accessible Technology**

[11998]

R10-02-005

Order Instituting Rulemaking on the Commission's Own Motion to address the issue of customers' electric and natural gas service disconnection.

### **PROPOSED OUTCOME:**

® Awards the Center for Accessible Technology for itself and its predecessor, Disability Rights Advocates, an award of \$31,281.49 for its substantial contribution to Decision 12-03-054.

### **SAFETY CONSIDERATIONS:**

® This award compensates an intervenor's work that substantially contributed to the resolution of safety-related issues in this proceeding.

### **ESTIMATED COST:**

® Utilities will pay \$31,281.49, plus interest.

(Comr Florio - ALJ Ebke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=53030364>

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

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Consent Agenda - Intervenor Compensation Orders (continued)

23                    **Compensation to the National Consumer Law Center**  
[12016]

R10-02-005

Order Instituting Rulemaking on the Commission's Own Motion to address the issue of customers' electric and natural gas service disconnection.

**PROPOSED OUTCOME:**

® Awards the National Consumer Law Center \$43,196.23 for substantial contribution to Decision (D) 12-03-054 and D11-12-028.

**SAFETY CONSIDERATIONS:**

® This award compensates an intervenor's work that substantially contributed to the resolution of safety-related issues in this proceeding.

**ESTIMATED COST:**

® Utilities will pay \$43,196.23, plus interest.

(Comr Florio - ALJ Ebke)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=59541386>

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

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Consent Agenda - Intervenor Compensation Orders (continued)

24                    **Compensation to The Greenlining Institute**  
[12021]

A10-03-014

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

**PROPOSED OUTCOME:**

® Awards The Greenlining Institute \$6,944 for its substantial contribution to Decision 12-03-015.

**SAFETY CONSIDERATIONS:**

® Substantial Contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under Pub. Util. Code § 451 to take all actions" . . . necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

**ESTIMATED COST:**

® \$6,944; plus interest, to be paid by Pacific Gas and Electric Company.

(Comr Peevey - ALJ Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=60161392>

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

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Consent Agenda - Intervenor Compensation Orders (continued)

25

## **Compensation to Californians for Renewable Energy**

[12029]

A10-01-022

Application of Pacific Gas and Electric Company to Recover the Costs Associated with Renewal of the Diablo Canyon Power Plant Operating Licenses.

### **PROPOSED OUTCOME:**

® Awards Californians for Renewable Energy \$12,508.00 for substantial contributions to Decision 12-02-004.

### **SAFETY CONSIDERATIONS:**

® Substantial Contribution by intervenors, as found here, enhances the Commission's ability to resolve safety and other issues under 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:**

® Pacific Gas and Electric Company will pay \$12,508.00, plus interest.

(Comr Florio - ALJ Barnett)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=59517004>

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

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## Regular Agenda

### Regular Agenda - Energy Orders

26 (Rev.)      **Decision Approving Settlement, As Modified By Settling  
[11979]      Parties**

112-04-010

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company regarding Anti-Smart Meter Consumer Groups.

#### **PROPOSED OUTCOME:**

® Approves the contested settlement jointly proposed by the predecessor of the Commission's Safety and Enforcement Division (SED), known as the Consumer Protection and Safety Division, Pacific Gas and Electric Company (PG&E) and The Utility Reform Network. Opposing parties are EMF Safety Network, Californians for Renewable Energy, Inc., Joshua Hart and Ecological Options Network. The settlement requires PG&E to do four things:

- ® Pay \$390,000 to the general fund of the State of California.
- ® Carry through with improvements to the social media components of its employee policies and education about those policies.
- ® Sponsor three regulatory industry trainings on social media use which a third-party will teach.
- ® Verify the completion of these things to SED by 2015.
- ® Closes the proceeding.

#### **SAFETY CONSIDERATIONS:**

- ® This Commission-initiated investigation only indirectly concerns Commission safety jurisdiction.

#### **ESTIMATED COST:**

- ® Costs (civil penalty and funding of social media trainings) will be borne by PG&E shareholders.

(Comr Florio - ALJ Vieth)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63730519>

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

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

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04/03/2013 - This revision was not shown on the Agenda mailed to the public.

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**Regular Agenda - Energy Resolutions and Written Reports**

27  
[11951]      **Pacific Gas and Electric Company's Confirmation for  
Resource Adequacy Capacity Product With Calpine Energy  
Services, L.P.**

Res E-4529, Advice Letter 4074-E filed on July 2, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Approves, without modification, Pacific Gas and Electric Company's Confirmation for Resource Adequacy (RA) Capacity Product, which is an Agreement for Combined Heat and Power Resource Adequacy Capacity Product for 280.5 Megawatts of combined heat and power resource adequacy capacity associated with the Los Medanos Energy Center (LMEC).

**SAFETY CONSIDERATIONS:**

® As an existing and operational facility, there are no incremental safety implications associated with this contract beyond the status quo.

**ESTIMATED COST:**

® The contract costs are confidential at this time, because the LMEC Agreement for Combined Heat and Power Resource Adequacy Capacity Product contains competitive pricing terms for capacity. As this is a capacity-only transaction, there are no pricing components for energy deliveries, ancillary services, or other variable costs.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63753080>

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

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Regular Agenda - Energy Resolutions and Written Reports (continued)

28  
[11953]      **Southern California Edison Company's Two Confirmations  
for Resource Adequacy Capacity Products Executed With  
Calpine Energy Services, L.P.**

Res E-4569, Advice Letter 2771-E filed on August 31, 2012 - Related matters.

**PROPOSED OUTCOME:**

® Approves, without modification, Southern California Edison Company's (SCE) two Confirmations for Resource Adequacy (RA) Capacity Products, which are two separate Agreements for Combined Heat and Power Resource Adequacy Capacity Product.

® 280.5 Megawatts (MW) of combined heat and power resource adequacy capacity associated with the Los Medanos Energy Center, LLC (LMEC).

® 120 MW of combined heat and power resource adequacy capacity associated with the Calpine Gilroy Cogen, L.P. (Gilroy)

**SAFETY CONSIDERATIONS:**

® The two agreements approved here are Confirmations for Resource Adequacy associated with the LMEC and Gilroy facilities. The Commission's jurisdiction extends only over SCE, not to either of the Calpine facilities. Based on the information before us, neither agreement appears to result in any adverse safety impacts on the facilities or operations of SCE.

**ESTIMATED COST:**

® Both contract costs are confidential at this time, since both the LMEC and Gilroy agreements for Combined Heat and Power Resource Adequacy Capacity Product contain competitive pricing terms for capacity. As both agreements are capacity-only transactions, there are no pricing components for energy deliveries, ancillary services, or other variable costs.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63750658>

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

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## Regular Agenda - Communication Orders

29  
[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)

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## Regular Agenda - Communication Orders

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63415065>

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

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

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

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

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

Agenda 3308, Item 33 1/24/2013 (Peevey);

Agenda 3309, Item 27 2/13/2013 (Ferron);

Agenda 3310, Item 36 2/28/2013 (Staff);

Agenda 3311, Item 45 3/21/2013 (Staff)

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Regular Agenda - Communication Orders (continued)

30                    **Authority to Construct Telecommunications Facilities on the**  
[11920]                **Channel Islands**

A10-02-009

In the Matter of the application of Channel Islands Telephone Company to expand its existing certificate of public convenience and necessity to include full facilities-based authority to construct telecommunications facilities to serve certain previously-unserved Channel Islands.

**PROPOSED OUTCOME:**

- ® Grants a Certificate of Public Convenience and Necessary to provide facilities-based local and interexchange service to and within the Channel Island.
- ® Opens a Phase 2 to consider whether applicant violated Rule 1.1 of the Commission's Rules of Practice and Procedure.

**SAFETY CONSIDERATIONS:**

- ® Will increase telephone service in and around Channel Islands improving safety.

**ESTIMATED COST:**

- ® \$2,342,865 for construction provided by Rural Telecommunications infrastructure grant and \$125,000 from company founder.

(Comr Peevey - ALJ MacDonald)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63351181>

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

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Agenda 3310, Item 28 2/28/2013 (Peevey);

Agenda 3311, Item 47 3/21/2013 (Peevey)

**Regular Agenda - Legal Division Matters**

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**Regular Agenda - Legislative and Other Matters****31 Ratepayer-Funded Energy Efficiency Assistance**  
[11964]

AB 270 (Bradford)

This bill would obligate the California Public Utilities Commission to require the electrical and gas corporations to cooperate in establishing a public website with ratepayer-funded energy efficiency programs information.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63720860>

Agenda 3311, Item 51 3/21/2013 (Staff)

**32 Telecommunications: Prepaid Mobile Telephony Services:  
State Surcharge and Fees: Local Charges Collection**  
[11965]

AB 300 (Perea)

This bill would establish a prepaid mobile telephony service surcharge, consisting of a state component and a local component, and require all customers purchasing prepaid mobile telephony service at retail to pay the charge to the retail seller. (Recommended Position: Oppose).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63718471>

Agenda 3311, Item 52 3/21/2013 (Staff)

**33 Energy: Energy Efficiency**  
[11969]

AB 719 (Hernandez)

This bill would require an electrical corporation to replace certain low-efficiency light bulbs with high-efficiency light bulbs in street lights that the electrical corporation owns.

Agenda 3311, Item 56 3/21/2013 (Staff)

**34 Utilities: Emergency Response**  
[12008]

AB 869 (Medina)

This bill would require the California Public Utilities Commission, and gas and electric corporations of a certain size, to develop plans to respond to emergencies, including natural disasters, that have the potential to disrupt natural gas or electric service and cause damage, as provided in the bill.



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Regular Agenda - Legislative and Other Matters (continued)

35                    **Public Utilities: Rates: California Alternate Rates for Energy**  
[12009]            **Program: Eligibility**

AB 922 (Patterson)

This bill would require California Alternate Rates for Energy program applicants to submit proof of income, under penalty of perjury, when applying. In addition, the bill would: require utilities to randomly audit participants; impose specified monetary penalties on participants found ineligible; and require utilities to establish a procedure for a participant to challenge ineligibility.

36                    **Public Utilities: Intervenor Fees: Customers**  
[12010]

AB 995 (Frazier)

This bill would revise the time period for a customer to file a request for an award to 30 days of the issuance of a final order or decision.

37                    **Electricity: Eligible Fuel Cell Customer-Generators**  
[12011]

AB 1228 (Perez, V. M.)

This bill would increase the fuel cell net metering cap to three megawatts.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63692513>

38                    **Electricity: Hydroelectric Facilities**  
[12012]

AB 1258 (Skinner)

This bill would require the California Public Utilities Commission to examine in a new or existing proceeding the potential use of certain existing hydroelectric facilities and pumped storage facilities to provide additional operational flexibility that could facilitate the integration of renewable resources.

Regular Agenda - Legislative and Other Matters (continued)

39

**Public Utilities: Consumer Privacy**

[12013]

AB 1274 (Bradford)

This bill would require the California Public Utilities Commission to direct electrical and gas corporations to establish standards and protocols for home area network devices that communicate electrical or gas consumption data.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63715672>

40

**Public Utilities Commission: Organization: Proceedings**

[11974]

SB 611 (Hill)

This bill would remove the California Public Utilities Commission (CPUC) president's ability to direct the executive director, attorney, and other staff of the CPUC; require the CPUC to adopt procedures on the disqualification of commissioners due to bias or prejudice; and prohibit an officer, employee, or agent of the CPUC that is assigned to assist in the prosecution of, or to testify in, an adjudication case from participating in the decision of the case or in the decision of any factually related proceeding.

(Recommended Position: Oppose).

Agenda 3311, Item 61 3/21/2013 (Staff)

## Regular Agenda - Commissioner Reports

**Regular Agenda - Management Reports and Resolutions**

41            **Report and Discussion by Safety and Enforcement Division**  
[12000]       **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

42                    **Conference with Legal Counsel - Application for Rehearing**  
[11990]

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.*

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43                    **Conference with Legal Counsel - Application for Rehearing**  
[11912]

R08-01-025

Disposition of Applications for Rehearing of Decision (D) 09-06-028, filed by Center for Energy Efficiency and Renewable Technologies, and jointly by The Utility Reform Network, California Wind Energy Association, American Wind Energy Association, and Solar Alliance. D09-06-028 established local capacity procurement obligations for 2010 applicable to Commission-jurisdictional electric load-serving entities.

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

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Agenda 3310, Item 47 2/28/2013;

Agenda 3311, Item 65 3/21/2013

44                    **Conference with Legal Counsel - Application for Rehearing**  
[11991]

R11-10-003

Disposition of application for rehearing of Decision (D) 12-05-037, filed by Southern California Edison Company. D12-05-037 sets up a framework for Commission oversight of the Electric Program Investment Charge, including establishing purposes, governance, and funding collections for 2013-2020.

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

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Closed Session - Applications for Rehearing (continued)

45                    **Conference with Legal Counsel - Application for Rehearing**  
[12005]

A10-09-018

Disposition of the Application for Rehearing of Decision (D) 12-06-040, filed by the Division of Ratepayer Advocates. In D12-06-040, the Commission approved the request of California-American Water Company to implement its Carmel River Reroute and San Clemente Dam Removal Project. The Decision also resolved cost recovery and ratemaking issues for the Project and related expenses.

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

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## **Closed Session - Initiation of Litigation - Non-Federal**

Consideration of possible Commission initiation of, or intervention in, litigation.

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

## **Closed Session - Threatened Litigation - Non-Federal**

Significant exposure to litigation

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



**Closed Session - Existing Litigation - Non-Federal**

46                    **Conference with Legal Counsel - Existing Litigation**  
[12015]

Case No. G044796

Huntington Beach v. Public Utilities Comm., California Court of Appeal, Fourth Appellate District, Division Three, Case No. G044796.

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

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## **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*