
Public Utilities Commission of the State of California

Public Agenda 3313

Thursday, April 18, 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>

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 (9:30 a.m.) <i>Open to the Public</i>
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)
Monday, July 08, 2013 (San Francisco)	Thursday, July 11, 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.
- 10, 23, 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**
[11993] **Recently Filed Formal Applications**

Res ALJ 176-3313

PROPOSED OUTCOME:

® Ratification of preliminary determination of category for proceedings initiated by application. The Preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

ESTIMATED COST:

® None.

Consent Agenda - Orders and Resolutions (continued)

2

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=63801555>

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);

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

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

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

Agenda 3312 , Item 2 4/4/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **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 Bemserfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63363906>

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);

Agenda 3308, Item 4 1/24/2013 (Staff);

Agenda 3309, Item 2 2/13/2013 (Staff);

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

Consent Agenda - Orders and Resolutions (continued)

4 **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=64130040>

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

Agenda 3308, Item 7 1/24/2013 (Staff);
Agenda 3309, Item 4 2/13/2013 (Staff);
Agenda 3311, Item 4 3/21/2013 (Peevey);
Agenda 3312 , Item 3 4/4/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

5 **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=64130174>

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

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

Agenda 3312 , Item 8 4/4/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

6 **Hourly Rate Tables to Calculate Fee Components of**
[11982] **Intervenor Compensation Awards**

Res ALJ-287

PROPOSED OUTCOME:

® Hourly rate tables (used for calculating fee component of awards to eligible intervenors) are adjusted by a cost-of-living allowance of 2%, applicable to work performed in 2013.

SAFETY CONSIDERATIONS:

® Substantial contributions by intervenors assist the Commission's efforts to ensure that adequate and reasonable facilities, equipment, services, and water supplies are available to promote the safety and health of ratepayers, utility employees, and the public.

ESTIMATED COST:

® Utilities paying awards that reflect intervenor work performed in 2013 will incur increased costs due to the 2% cost-of-living allowance.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=55451596>

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

Consent Agenda - Orders and Resolutions (continued)

7 **Cypress Ridge Sewer Company's Increase in Gross Annual**
[11995] **Revenue**

Res W-4946, Advice Letter 16-SS filed on August 9, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Authorizes Cypress Ridge Sewer Company (Cypress) to transfer \$119,749 to a balancing account for recovery.
- ® Authorizes Cypress to collect interest based on the 3-month Commercial Paper Rate on the uncollected amounts in their excess labor memorandum account.
- ® Cypress shall submit a request for a general rate case by June 30, 2013.

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:

- ® \$119,749.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64162236>

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

Consent Agenda - Orders and Resolutions (continued)

8

Order Extending Statutory Deadline

[12002]

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

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

PROPOSED OUTCOME:

® Extends the statutory deadline for resolving these proceedings to July 1, 2013.

SAFETY CONSIDERATIONS:

® Allows the Commission to continue to fulfill the duties under Pub. Util. Code § 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 Ferron - ALJ Wong)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=59500267>

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

Consent Agenda - Orders and Resolutions (continued)

9 **Demand Response Program Revisions for 2013-2014 to**
 [12003] **Mitigate the San Onofre Nuclear Generating Station Outage**

A12-12-016, A12-12-017 - Related matters.

Application of San Diego Gas & Electric Company for Approval of Demand Response Program Augmentations and Associated Funding for the Years 2013 through 2014.

PROPOSED OUTCOME:

- ® Continues San Diego Gas & Electric Company's (SDG&E) Demand Bidding Program and makes it available on a day-of basis.
- ® Approves SDG&E's request to issue a Request for Proposals for new load control technologies.
- ® Continues SDG&E's Community Partners Initiative and expands it to San Diego County.
- ® Discontinues SDG&E's Peak Time Rebate program for small commercial customers.
- ® Modifies Southern California Edison Company's (SCE) Summer Discount Plan and targets the marketing/outreach to the San Onofre Nuclear Generating Station (SONGS)-affected area.
- ® Increases SCE's Auto Demand Response Incentives program funding; targets the SONGS-affected area.
- ® Increases funding to educate SCE customers on the Flex Alert program.
- ® Approves SCE's proposal for three Emerging Technologies Studies focusing on new sources of load.
- ® Approves SCE's Capacity Bidding Program for 2013.
- ® Approves cost recovery through additional funds and fund shifting.
- ® Directs staff to continue its analysis on the 2012 Demand Response program data submitted by the applicants and provide a report by April 30, 2013. The report should describe the lessons learned from 2012 and recommend any additional program or operational revisions.

SAFETY CONSIDERATIONS:

- ® Considers Demand Response program revisions in order to ensure the reliability of electric service for Southern California customers during the SONGS outage.

ESTIMATED COST:

- ® \$0 for SCE, costs for revisions are recovered through the shifting of funds.
- ® \$1.63 million for SDG&E to fund the Capacity Bidding Program and the Community Partners Initiative; costs for other approved revisions are recovered through the shifting of funds.

(Comr Peevey - ALJ Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64162237>

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 (Rev.) **Resolves Investigation of Great Oaks Water Company**
[12004]

I12-04-011

Order Instituting an Investigation on Whether Great Oaks Water Company's Failure to Inform the Commission and its Staff of its Treatment of Pump Tax Revenues Collected from Customers Violated the Commission's Rule of Practice and Procedure 1.1, the Uniform System of Accounts for Class A Water Companies, the Rate Case Plan, or Public Utilities Code Sections 451 and 794.

PROPOSED OUTCOME:

- ® Dismisses alleged violations and requires Great Oaks Water Company to file information on pump tax litigation and accounting treatment in future general rate cases.
- ® 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 § 451 to take all action "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=64160570>

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

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

04/16/2013 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

11

Motion to Adopt Two Settlement Agreements

[12006]

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

Application of California-American Water Company for Authorization to increase its Revenues for Water Service by \$4,134,600 or 2.55% in the year 2011, by \$33,105,800 or 19.68% in the year 2012, by \$9,897,200 or 4.92% in the year 2013, and by \$10,874,600 or 5.16% in the year 2014.

PROPOSED OUTCOME:

- ® Adopts a settlement increasing the low income surcredit to 20%.
- ® Adopts a settlement establishing a service connection moratorium trigger mechanism in the Larkfield District.

SAFETY CONSIDERATIONS:

- ® Both settlements ensure continued access to a safe, reliable and in the case of the low income program, affordable, water supply.

ESTIMATED COST:

- ® Slight increase to non-low income customers' support of low income program.

(Comr Florio - ALJ Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64154526>

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 **Settlement Agreement Regarding Direct Access and**
[12007] **Community Choice Aggregation Service Fees**

A11-12-009

Application of Pacific Gas and Electric Company to Reassess its Direct Access and Community Choice Aggregation Service Fees.

PROPOSED OUTCOME:

- ® Adopts Settlement Agreement setting Direct Access and Community Choice Aggregation service fees pending a comprehensive reevaluation in Phase 2 of Pacific Gas and Electric Company's 2017 General Rate Case, and related matters.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Approval of the service fees does not alter the applicant's responsibility to adhere to all Commission rules, decisions, General Orders, and statues 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:

- ® Cost will depend on services solicited by Energy Service Providers and Community Choice Aggregators.

(Comr Ferron - ALJ Semcer)

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

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

Consent Agenda - Orders and Resolutions (continued)

13
[12017] **Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas and Electric Company's Amended Tariffs to Incorporate the Electric Service Provider's Financial Security and Re-Entry Fee Provisions**

Res E-4479, Pacific Gas and Electric Company's Advice Letter (AL) 3983-E/E-A, filed on December 29, 2011 and February 3, 2012 respectively; Southern California Edison Company's AL 2687-E, filed on January 6, 2012; and San Diego Gas & Electric Company's AL 2324-E file - Related matters.

PROPOSED OUTCOME:

® Adopts the Electric Service Provider (ESP) financial security calculation methodology and security amounts for each ESP to cover administrative costs of the involuntary return of Direct Access customers to bundled service, pursuant to Decision 11-12-018 and Public Utilities Code Section 394.25.e.

SAFETY CONSIDERATIONS:

® This resolution is limited to approving the ESP financial security calculation methodology and as such has no incremental impact on safety.

ESTIMATED COST:

® No impact on utilities' authorized revenue requirements.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=62423694>

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

Consent Agenda - Orders and Resolutions (continued)

14 **Pacific Gas and Electric Company's Power Purchase**
[12023] **Agreement With RE Kansas, LLC**

Res E-4577, Advice Letter 4111-E filed on September 12, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the power purchase agreement (PPA) between Pacific Gas and Electric Company (PG&E) and RE Kansas, LLC, a wholly-owned subsidiary of Recurrent Energy, LLC.

SAFETY CONSIDERATIONS:

® The PPA is between PG&E and RE Kansas, LLC. The Commission's jurisdiction extends only over PG&E, not RE Kansas, 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=64129413>

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

Consent Agenda - Orders and Resolutions (continued)

15 **Utility Budgets for the Flex Alert Program for 2013 and 2014**
[12024]

A12-08-007, A12-08-008, A12-08-009, A12-08-010 - Related matters.

Application of Pacific Gas and Electric Company for Approval of 2013-2014 Statewide Marketing, Education, and Outreach Program and Budget.

PROPOSED OUTCOME:

- ® Establishes annual utility budgets for the Flex Alert program for 2013 and 2014.
- ® Approves the cost recovery proposals of Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas and Electric Company (SDG&E), as described and modified in this decision.
- ® SCE is designated as the lead utility for Flex Alert for 2013 and 2014.
- ® The lead utility shall initiate and coordinate an EM&X study of Flex Alert. A portion of the total Flex Alert budget adopted in this decision shall be used to fund this study.
- ® PG&E, SCE, and SDG&E shall work with the California Independent System Operator (CAISO) to develop a proposal for the transfer of the administration and funding of the Flex Alert program to the CAISO, effective in 2015.
- ® This proceeding remains open to consider Phase 2 issues.

SAFETY CONSIDERATIONS:

- ® This decision has an indirect positive impact on customer safety through approval of funding for Flex Alerts that can support the State's and the CAISO's emergency efforts for summer preparedness to avoid system emergencies or power shortages.

ESTIMATED COST:

- ® For 2013 and 2014, PG&E's authorized annual budget is \$2.5 million, SCE's authorized annual budget is \$6 million, and SDG&E's authorized annual budget is \$1.5 million, for a total annual Flex Alert budget of \$10 million.

(Comr Ferron - ALJ Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64184647>

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

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

Consent Agenda - Orders and Resolutions (continued)

16 **Final Report of the 2011 On-Site Safety Review of Angels**
[12025] **Flight Railway Company**

ST-138

PROPOSED OUTCOME:

® Approves the 2011 Angels Flight Railway Company On-Site Safety Review Report dated February 5, 2013.

SAFETY CONSIDERATIONS:

® This resolution considers the overall system safety of the Angels Flight Railway Company (AFRC) covering all aspects of its operation and maintenance in measuring AFRC adherence to applicable regulations, national standards, the AFRC System Safety Program Plan, and AFRC standard operating and maintenance procedures. AFRC 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:

® Not within the scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64129218>

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

Consent Agenda - Orders and Resolutions (continued)

17 **Pacific Gas and Electric Company's Amended Power**
[12026] **Purchase Agreement With Sierra Power Corporation**

Res E-4575, Advice Letter 4007-E filed on March 1, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the amended and restated power purchase agreement between Pacific Gas and Electric Company and Sierra Power Corporation.

SAFETY CONSIDERATIONS:

® This resolution approves an amendment to a contract for the sale of renewable energy that will not alter any facility operations. Since this sales contract does not require a change in facility operations there are no incremental safety implications associated with approval of this contract amendment beyond the status quo.

ESTIMATED COST:

® Confidential.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64177357>

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

Consent Agenda - Orders and Resolutions (continued)

18 **San Diego Gas & Electric Company's Sale of License Rights**
[12033] **to Intellectual Properties to GridSense, Inc**

Res E-4574, Advice Letter 2425-E, Filed on December 4, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves the sale of license rights to intellectual properties under the terms specified.

SAFETY CONSIDERATIONS:

® None as a result of this resolution.

ESTIMATED COST:

® The transaction will have no impact on ratebase, and may result in income to ratepayers and shareholders.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63513778>

Consent Agenda - Orders and Resolutions (continued)

19 **Appeal of Revocation of Escapade Transportation LLC's**
[12037] **Charter-Party Carrier Permit**

Res ALJ-288

PROPOSED OUTCOME:

® Rescinds revocation of Escapade Transportation LLC's charter-party carrier permit.

SAFETY CONSIDERATIONS:

® This resolution is consistent with the Commission's safety enforcement obligation to secure the safety of charter-party carrier passengers.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63351090>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Pacific Gas and Electric Company's Power Purchase**
[12038] **Agreement with Placer County Water Agency**

A12-05-024

Application of Pacific Gas and Electric Company for Expedited Approval of the Power Purchase Agreement with Placer County Water Agency and for Authority to Recover the Costs of the Agreement in Rates.

PROPOSED OUTCOME:

- ® Grants the Application of Pacific Gas and Electric Company for Approval of a Power Purchase Agreement (PPA) with Placer County Water Agency.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

® Commission General Order 167 implements and enforces standards for the safe and reliable operation of power plants in California, including the powerhouses that are the subject of this application. The Federal Energy Regulatory Commission is also responsible for licensing these powerhouses.

ESTIMATED COST:

- ® Costs of this PPA are confidential at this time.

(Comr Ferron - ALJ Semcer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63552353>

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

Consent Agenda - Orders and Resolutions (continued)

21 **Pacific Gas and Electric Company's 2014 General Rate Case**
[12047]

A12-11-009

Application of Pacific Gas and Electric Company for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2014.

PROPOSED OUTCOME:

- ® Grants the unopposed motion of Pacific Gas and Electric Company (PG&Ö), as follows:
- ® Adopts PG&Ö's General Rate Case (GRC) revenue requirement for the 2014 test year, pending determination in this proceeding, shall be effective as of January 1, 2014, even if the Commission issues a final decision regarding the 2014 GRC revenue requirement after that date.
- ® The adopted 2014 GRC revenue requirement shall include accrued interest subsequent to January 1, 2014, based on the applicable three-month commercial paper rate published in the Federal Reserve Statistical Release H.15 or its successor, to the extent necessary to keep PG&Ö, its ratepayers, and other affected parties indifferent to the timing of the Commission's final decision.

SAFETY CONSIDERATIONS:

- ® By allowing the flexibility for sufficient time to review the record, the Commission's findings relating to any safety considerations can be made based on a proper analysis.

ESTIMATED COST:

- ® Allows interest on the 2014 GRC revenue requirement but cost cannot be estimated at this time.

(Comr Florio - ALJ Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63331195>

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

Consent Agenda - Orders and Resolutions (continued)

22 **Order Extending Statutory Deadline**
[12048]

A11-07-017

In the matter of the Application of the Golden State Water Company for an order authorizing it to increase rates for water service by \$58,053,200 or 21.4% in 2013, by \$8,926,200 or 2.7% in 2014; and by \$10,819,600 or 3.2% in 2015.

PROPOSED OUTCOME:

® Decision extends statutory deadline until July 2, 2013.

SAFETY CONSIDERATIONS:

® The decision will provide the Commission time to fully consider the proposed decision to ensure that adequate and reasonable facilities, equipment, services, and water supplies are available to promote the safety and health of Golden State Water Company's customers, employees, and the public.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Smith)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63701533>

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

Consent Agenda - Orders and Resolutions (continued)

23 **Order Extending Statutory Deadline**
[12051]

C11-06-024

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

PROPOSED OUTCOME:

® Extends Statutory Deadline to July 31, 2013.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63599497>

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

Consent Agenda - Orders and Resolutions (continued)

24

Order Extending Statutory Deadline

[12052]

I12-04-011

Order Instituting an Investigation on Whether Great Oaks Water Company's Failure to Inform the Commission and its Staff of its Treatment of Pump Tax Revenues Collected from Customers Violated the Commission's Rule of Practice and Procedure 1.1, the Uniform System of Accounts for Class A Water Companies, the Rate Case Plan, or Public Utilities Code Sections 451 and 794.

PROPOSED OUTCOME:

® Extends the statutory deadline until July 19, 2013.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63718503>

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

Consent Agenda - Orders and Resolutions (continued)

25 **Petition for Modification of Decision 13-01-024**
[12053]

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:

- ® Revises language in Decision (D) 13-01-024 in order to:
- ® Obviate the requirement to implement a test event if a dispatch event has been previously implemented and eliminate the ambiguity that allows test events held by Pacific Gas and Electric Company's (PG&Ö's) contractors, also known as Sellers, to count against PG&Ö's annual two-test event minimum.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Considers Demand Response program refinements in order to ensure the reliability of electric service of Southern California Edison Company and PG&Ö.

ESTIMATED COST:

- ® There are no additional costs to ratepayers as a result of the granted modification.
- ® With the revisions to D13-01-024, we eliminate unintended event overlaps that could have resulted in unnecessary test events.

(Comr Peevey - ALJ Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63606490>

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

Consent Agenda - Orders and Resolutions (continued)

26 **New Order Instituting Rulemaking**
[12054]

R. _____

Order Instituting Rulemaking for Adoption of a General Order and Procedures to Implement the Franchise Renewal Provisions of the Digital Infrastructure and Video Competition Act of 2006.

PROPOSED OUTCOME:

® Opens rulemaking for Commission to implement a process for renewal of video franchises for a ten year period pursuant to the Digital Infrastructure and Video Competition Act of 2006.

SAFETY CONSIDERATIONS:

® Supports safe operation of video digital infrastructure by establishing renewal process for franchisees.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63758886>

Consent Agenda - Orders and Resolutions (continued)

27 **Order Extending Statutory Deadline**
[12057]

C12-05-011

Tom Schweikert vs. Pacific Bell Telephone Company, dba AT&V California.

PROPOSED OUTCOME:

® Extends statutory deadline for this proceeding to November 8, 2013.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Sullivan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=63760596>

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

Consent Agenda - Intervenor Compensation Orders

28 **Compensation to the Center for Biological Diversity**
[11994]

A10-07-001

In the Matter of the Application of The Nevada Hydro Company for a Certificate of Public Convenience and Necessity for the Talega-Escondido/Valley-Serrano 500 kV Interconnect Project.

PROPOSED OUTCOME:

® Awards intervenor compensation to the Center for Biological Diversity for substantial contribution to Decisions (D) 11-07-036 and D12-05-022.

SAFETY CONSIDERATIONS:

® This award of intervenor compensation does not directly implicate safety considerations.

ESTIMATED COST:

® \$45,408.58 to be paid by the Nevada Hydro Company.

(Comr Florio - ALJ Minkin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64177368>

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

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

Consent Agenda - Intervenor Compensation Orders (continued)

29 **Compensation to the Forest Residents Opposed to New**
[12001] **Transmission Lines**

A10-07-001

In the Matter of the Application of The Nevada Hydro Company for a Certificate of Public Convenience and Necessity for the Talega-Escondido/Valley-Serrano 500 kV Interconnect Project.

PROPOSED OUTCOME:

® Awards intervenor compensation to the Forest Residents Opposed to New Transmission Lines for substantial contribution to Decisions (D) 11-07-036 and D12-05-022.

SAFETY CONSIDERATIONS:

® This award of intervenor compensation does not directly implicate safety considerations.

ESTIMATED COST:

® \$29,127.16 to be paid by the Nevada Hydro Company.

(Comr Florio - ALJ Minkin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=64177063>

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

30 **Joint Standard Contract and Tariffs for the Section 399.20**
 [12027] **Feed-in Tariff Program and Petitions for Modification of**
 Decision 12-05-035

R11-05-005

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

PROPOSED OUTCOME:

® Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company are ordered to revise their Feed-in Tariff (FiT) programs to include a new streamlined standard contract and revised tariffs.

® The new streamlined standard contract incorporates the FiT program requirements adopted in Decision (D) 12-05-035 as modified.

® Adopts the terms of the standard contract and the provisions of the related tariffs and will be implemented through a Tier 2 advice letter filing.

® The FiT program is established pursuant to Pub. Util. Code § 399.20, as amended, by Senate Bill (SB) 380 (Kehoe, Stats. 2008, ch. 544, § 1), SB 32 (Negrete McLeod, Stats. 2009, ch. 328, § 3.5), and SB 2 of the 2011-2012 First Extraordinary Session (Simitian, Stats. 2011, ch. 1).

® This decision does not address the more recently effective amendments to § 399.20, enacted by SB 1122 (Rubio, Stats. 2012, ch. 612). The Commission will address SB 1122 and the FiT program will be modified accordingly in a subsequent decision.

® This decision also modifies certain FiT program requirements adopted in D12-05-035 in response to two petitions for modification. The modifications include some changes to the process used by the utilities to determine the amount of megawatts available for contracts in the three product types during each bi-monthly period. These modifications and others are further described in the decision.

® This decision also requires a Commission decision to increase the FiT program megawatt (MW) cap set forth in § 399.20.

® This proceeding remains open.

SAFETY CONSIDERATIONS:

® Adopts revisions to the § 399.20 FiT tariff and standard contract that conform to the existing interconnection procedures in Electric Tariff Rule 21 and the federal wholesale tariffs and, thereby maintains the existing safety standards of the electric grid. The safe operation of the three MW and under electric generation facilities to operate under the FiT program is furthered by adopting a requirement that generators maintain a daily log of material operations and maintenance.

ESTIMATED COST:

® Unknown.

(Comr Ferron - ALJ DeAngelis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=60848036>

Regular Agenda - Energy Orders

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 Resolutions and Written Reports

31 **Pacific Gas and Electric Company's Confirmation for**
[11951] **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=63881939>

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

Agenda 3312 , Item 27 4/4/2013 (Peevey)

Regular Agenda - Energy Resolutions and Written Reports (continued)

32
[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=63879756>

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

Agenda 3312 , Item 28 4/4/2013 (Peevey)

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=63856025>

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);

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);

Agenda 3312 , Item 29 4/4/2013 (Staff)

Regular Agenda - Communication Orders (continued)

34 **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=64015429>

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

Agenda 3310, Item 28 2/28/2013 (Peevey);
Agenda 3311, Item 47 3/21/2013 (Peevey);
Agenda 3312 , Item 30 4/4/2013 (Staff)

Regular Agenda - Water/Sewer Orders**35 Golden State Water Company to Increase Rates for Water
[12020] Service in 2013, 2014, and 2015**

A11-07-017

In the matter of the Application of the Golden State Water Company for an order authorizing it to increase rates for water service by \$58,053,200 or 21.4% in 2013, by \$8,926,200 or 2.7% in 2014; and by \$10,819,600 or 3.2% in 2015.

PROPOSED OUTCOME:

- ® Adopts settlement between Golden State Water Company (Golden State), Division of Ratepayer Advocates, and The Utility Reform Network resolving most rate case issues.
- ® Authorizes Golden State to enter into the stipulation resolving the Santa Maria Groundwater Adjudication and Litigation.
- ® Authorizes Golden State to recalculate the Aerojet Water Litigation Memorandum Account surcharge.
- ® Finds that Golden State's conservation rate pilot programs are achieving their stated purpose.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® The decision will help to ensure that adequate and reasonable facilities, equipment, services, and safe and reliable water supplies are available to promote the safety and health of Golden State's customers, employees, and the public.

ESTIMATED COST:

- ® Revenues will increase by \$43.5 million (16.0%) over 2013 revenues at current rates.

(Comr Sandoval - ALJ Smith)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=60848244>

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

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

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters**36 (Rev.) Economic Development**
[12040]

AB 66 (Muratsuchi)

This bill would require the California Public Utilities Commission to require an electrical corporation to publish and maintain on its website a report describing local level system reliability problems.

(Recommended Position: Support if amended).

04/16/2013 - This revision was not shown on the Agenda mailed to the public.

37 Renewable Resources
[12041]

AB 177 (Perez, V.M.)

This bill would require the California Public Utilities Commission, in consultation with the California Energy Commission, to identify all potentially achievable cost-effective electricity efficiency savings, demand response resources, and eligible renewable energy resources to establish procurement targets to be met by an electrical corporation to achieve pursuant to its procurement plan.

38 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);

Agenda 3312 , Item 33 4/4/2013 (Staff)

**39 Excavations: Regional Notification Center System:
Contractor Certification**
[12042]

AB 811 (Lowenthal)

This bill would authorize specified entities, including the California Public Utilities Commission, to require operators and excavators who practice unsafe excavation procedures to attend an education program.

Regular Agenda - Legislative and Other Matters (continued)

40 (Rev.) **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.

(Recommended Position: Support if amended).

Agenda 3312 , Item 34 4/4/2013 (Staff)

04/16/2013 - This revision was not shown on the Agenda mailed to the public.

41 **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.

Agenda 3312 , Item 35 4/4/2013 (Staff)

42 **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.

Agenda 3312 , Item 36 4/4/2013 (Staff)

43 **Energy: Electrical Corporations: Shared Renewable Energy**
[12043] **Self-Generation Program**

AB 1014 (Williams)

This bill would authorize a retail customer of an electrical corporation to acquire an interest in a shared renewable energy facility for the purpose of receiving a bill credit to offset all or a portion of the participant's electricity usage.

44 **Public Utilities: Renewable Energy: Community Renewables**
[12044] **Option**

AB 1295 (Hernandez)

This bill would establish a type of community renewables program. The program would allow subscribing customers to receive a bill credit for electricity purchases that electric utilities made on their behalf to participating renewable electrical generation facilities.

Regular Agenda - Legislative and Other Matters (continued)

45 **Telecommunications: Universal Service Programs:**
[12045] **California Advanced Services Fund**

AB 1299 (Bradford)

This bill would require the California Public Utilities Commission to develop, implement, and administer the California Advanced Services Fund to encourage deployment and adoption of broadband to Californians living in publicly supported housing communities in urban regions without increasing, or assessing a new, surcharge.

46 (Rev.) **Energy Efficiency and Renewable Energy Upgrades: On-Bill**
[12046] **Repayment Program**

SB 37 (de Leon)

This bill would authorize the California Public Utilities Commission to require an electrical or gas corporation with 250,000 or more service connections to develop and implement an on-bill repayment program providing financial assistance for energy efficiency, renewable energy, distributed generation, or demand response improvements by allowing for the repayment of the financial assistance to be included in the utility customer's utility bill. (Recommended Position: Support if amended).

04/16/2013 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

47 **Report and Discussion by Safety and Enforcement Division**
[12035] **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**
[12036]

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**
[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.

Agenda 3312 , Item 44 4/4/2013

50 **Conference with Legal Counsel - Application for Rehearing**
[12018]

R97-10-016, I97-10-017 - Related matters.

Disposition of application for rehearing of Decision (D) 01-01-037 filed by Verizon California, Inc. D01-01-037 adopted an interim decision model for the purpose of determining whether incumbent local exchange carriers' provision of operations support services to competitive local exchange carriers produced any competitive barriers. This step was one element in the development of a performance remedies plan. D01-01-037 anticipated that subsequent proceedings would establish incentives, and other actions would be undertaken, before a final model was adopted as part of a permanent remedies plan.

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

Closed Session - Applications for Rehearing (continued)

51 **Conference with Legal Counsel - Application for Rehearing**
[12032]

R07-01-041

Disposition of application for rehearing of Decision (D) 12-11-025 (Decision) filed by EnerNOC, Inc. In D12-11-025, the Commission resolved several policy issues in advance of final refinement and adoption of Electric Rule 24, the demand response direct participation rule. Among other things, the Decision: (1) confirmed Commission jurisdictional oversight over all demand response providers (DRPs) serving utility bundled customers; (2) required all DRPs to register with the Commission; and (3) affirmed an intent to maintain only limited oversight of DRPs serving medium and large commercial and industrial bundled customers.

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

52 **Conference with Legal Counsel - Application for Rehearing**
[12050]

A12-03-026

Disposition of applications for rehearing of Decision (D) 12-12-035, filed by: (1) Californians for Renewable Energy; (2) Independent Energy Producers Association ; (3) Communities for a Better Environment; and (4) The Utility Reform Network and Western Power Trading Forum. In the decision, the Commission granted the application of Pacific Gas and Electric Company for approval of its amended purchase and sale agreement with Contra Costa Generation Station LLC for the Oakley Generating Station.

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

Closed Session - Initiation of Litigation - Non-Federal

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

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

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

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

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

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

Closed Session - Federal

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

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

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session