
Public Utilities Commission of the State of California

Public Agenda 3318

Thursday, July 25, 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, July 22, 2013 (San Francisco)	Thursday, July 25, 2013 (San Francisco)
Monday, August 12, 2013 (San Francisco)	Thursday, August 15, 2013 (Carmel-by-the-Sea)
Monday, August 26, 2013 (San Francisco)	Thursday, August 29, 2013 (San Francisco at 1:00 p.m.)
Friday, August 30, 2013 (San Francisco)	Thursday, September 05, 2013 (San Francisco)
Monday, September 16, 2013 (San Francisco)	Thursday, September 19, 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.

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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 6, 19, 20, 22, 24, 29

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**
[12225] **Recently Filed Formal Applications**

Res ALJ 176-3318

PROPOSED OUTCOME:

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

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=70448963>

Consent Agenda - Orders and Resolutions (continued)

2 **Mandating Pipeline Safety Implementation Plan, Disallowing**
[12059] **Costs, and Authorizing Memorandum Account**

R11-02-019

Order Instituting Rulemaking on the Commission's Own Motion to Adopt New Safety and Reliability Regulations for Natural Gas Transmission and Distribution Pipelines and Related Ratemaking Mechanisms.

PROPOSED OUTCOME:

® Approves Southwest Gas Corporation's implementation plan.

SAFETY CONSIDERATIONS:

® Safe operation of natural gas pipeline system by Southwest Gas Corporation.

ESTIMATED COST:

® \$4.0 million.

(Comr Florio - ALJ Bushey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=71573668>

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

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

Agenda 3314, Item 9 5/9/2013 (Staff);

Agenda 3315, Item 7 5/23/2013 (Staff);

Agenda 3317, Item 5 7/11/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **Pacific Gas and Electric Company, Southern California**
[12169] **Edison Company and San Diego Gas & Electric Company's**
 Smart Grid Deployment Plans

A11-06-006, A11-06-029, A11-07-001 - Related matters.

In the Matter of the Application of San Diego Gas & Electric Company for Adoption of its Smart Grid Deployment Plan.

PROPOSED OUTCOME:

- ® Approves Smart Grid Deployment Plans.
- ® Rejects setting a demarcation point at this time.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® When deployed, Smart Grid will improve safety and reliability.

ESTIMATED COST:

- ® No direct costs associated with the decision.

(Comr Peevey - ALJ Sullivan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73518317>

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

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

Agenda 3317, Item 9 7/11/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

4 **Verizon California Incorporated's Deviation From Public**
[12064] **Utilities Code Section 320**

Res T-17397, Advice Letter (AL) No. 12415 filed on June 18, 2009, AL No. 12415 A filed on November 16, 2009 - Related matters.

PROPOSED OUTCOME:

® Authorizes Verizon California Incorporated request for a Public Utilities Code Section 320 deviation, upon the documented completion of three mitigation measures and a fine of \$5,000 within one calendar year.

SAFETY CONSIDERATIONS:

® During a site visit, Communications Division Staff observed sagging overhead distribution facilities, and leaning poles along Scenic Highway 395 in Mono County. While at the time there appeared to be no danger to the public or property, these facilities should be inspected for compliance with G.O. 95, as recommended in this Resolution.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72629522>

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

Agenda 3314, Item 14 5/9/2013 (Staff);

Agenda 3315, Item 8 5/23/2013 (Staff);

Agenda 3316, Item 3 6/27/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

5

Petition for Rulemaking

[12105]

P12-11-006

Petition to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5.

PROPOSED OUTCOME:

- ® Denies petition for rulemaking on the privacy practices of telecommunications corporations.
- ® 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:

- ® None.

(Comr Ferron - ALJ Hecht)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=69781520>

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

Agenda 3316, Item 8 6/27/2013 (Sandoval)

Consent Agenda - Orders and Resolutions (continued)

6

Dismissal of Complaint with Prejudice

[12176]

C12-07-016

Dr. Michael Karr vs. Verizon California, Inc. and Metropolitan Telecomm of Calif., Inc.

PROPOSED OUTCOME:

® Dismisses complaint with prejudice for failure to bring the Complaint forward with reasonable diligence.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Farrar)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73550375>

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

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

Consent Agenda - Orders and Resolutions (continued)

7

Del Oro Water Company General Rate Increase

[12184]

Res W-4954, Advice Letter 315-A filed on December 7, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Grants authority to Del Oro Water Company, California Pines District (Del Oro) to file a supplemental advice letter with the revised rate schedule attached to the Resolution as Appendix B.
- ® Concurrently cancels effective rate Schedule No. CP-1A and CP-1B.
- ® Effective date of Revised Schedules shall be five days after the date of filing.
- ® Del Oro will be required to file an advice letter on or before November 20, 2013, in order for the 2012 escalation rates to be made effective on January 1, 2014.
- ® Del Oro shall submit a revised Affiliate Transaction Compliance Plan and Procedures within 60 days of the effective date of the Resolution.

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:

- ® \$52,251.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=68475578>

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

Consent Agenda - Orders and Resolutions (continued)

8 **Process for Resolving Appeals of Violations of Public**
[12198] **Utilities Code Section 58387 by Charter-Party Carriers**

Res TL-19108

Resolution TL-19108 revises and partially rescinds TL-19099 which authorizes the Executive Director to notify a charter party carrier that its permit to operate may be permanently revoked absent the filing of an appeal or that a penalty may be issued against the carrier, and that the Commission may refuse to issue new operating authority to a charter party carrier that has committed a violation described in Public Utilities Code § 5387(C)(1).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73388413>

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

Consent Agenda - Orders and Resolutions (continued)

9 **PacifiCorp Petition to Modify Decision 12-10-006 and Waiver**
[12200] **of Three-Year Filing Requirement in Decision 07-07-004**

A09-11-015

In the Matter of the Application of PacifiCorp, an Oregon Company, for an Order Authorizing a General Rate Increase Effective January 1, 2011.

PROPOSED OUTCOME:

- ® Grants PacifiCorp's Petition to Modify Decision (D.) 12-10-006.
- ® Authorizes PacifiCorp to make a Post-Test Year Adjustment Mechanism Attrition Factor filing effective January 1, 2015.
- ® Authorizes PacifiCorp to forgo filing a General Rate Case (GRC) application for Test Year 2015 (as required by D.07-07-004).
- ® Authorizes PacifiCorp to file its next GRC application for Test Year 2016 and;
- ® Authorizes PacifiCorp to make selected revisions to the ordering paragraphs of D.12-10-006.
- ® 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:

- ® Delays general rate case for one year and allows PacifiCorp to file an Attrition Adjustment instead. The cost effect of the Attrition Adjustment is unknown at this time.

(Comr Peevey - ALJ Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73437085>

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 **Dismisses Application for Failure to Prosecute**
[12204]

A10-10-013

Application of Phillip N. Shuey, dba The Shuey Shell Canyon Water Company for a Certificate of Public Convenience and Necessity to Operate a Public Utility Water System for Service in Imperial County near Ocotillo; and to Establish Rates for Service.

PROPOSED OUTCOME:

- ® Dismisses Application for failure to prosecute.
- ® Applicant has not contacted Commission since filing.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® None as a result of this decision.

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Edmister)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73701614>

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)

11 **California High Cost Fund-A Program Surcharge**
[12207]

Res T-17398

PROPOSED OUTCOME:

® Reduces the California High Cost Fund-A Surcharge from 0.40% to 0.18% effective October 1, 2013.

SAFETY CONSIDERATIONS:

® The CHCF-A Program helps to promote universal service by providing an essential communications link in rural communities throughout California. This Resolution ensures continued funding, at an appropriate level, of the adopted CHCF-A budget.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=71742871>

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

Consent Agenda - Orders and Resolutions (continued)

12 **San Jose Water Company Settlement Agreement**
[12208]

A10-09-019

In the Matter of the Application of San Jose Water Company for Commission Approval of Cost Recovery for Upgrading the Montevina Water Treatment Plant.

PROPOSED OUTCOME:

- ® Approves settlement agreement providing for upgrades to Montevina Water Treatment Plant.
- ® Closes the Proceeding.

SAFETY CONSIDERATIONS:

- ® San Jose Water Company remains responsible for providing safe water service to its customers.

ESTIMATED COST:

- ® \$62 million.

(Comr Sandoval - ALJ Bushey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72454910>

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 **West Corporation to Acquire Indirect Control of Intrado**
[12209] **Communications Inc.**

A12-09-008

Joint Application of West Corporation and Intrado Communications Inc. for Authority for West Corporation to Acquire Indirect Control of Intrado Communications, Inc.

PROPOSED OUTCOME:

- ® Grants authority to West Corporation for acquisition of Intrado Communications.
- ® Approves All-Party Settlement Agreement.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

® It is Joint Applicants' responsibility to adhere to all Commission rules, decision, General Orders, and statutes including Public Utilities Code Section 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 Sandoval - ALJ Tsen)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=68469479>

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)

14 **Small Local Exchange Carriers' Petition for Modification of**
[12211] **Decision 13-01-010**

A12-07-014

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

PROPOSED OUTCOME:

- ® Grants relief requested by Small Local Exchange Carriers (LECs).
- ® Clarifies that opticAccess, LLC is granted a Certificate of Public Convenience to provide resold and full facilities-based local exchange service, including access service, in the territories of the five Uniform Regulatory framework companies, and interexchange services throughout California.
- ® Confirms that local competition is not permitted in the territories of the Small LECs and;
- ® Correctly names the five Uniform Regulatory Framework companies.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® The Petition for Modification did not request any safety considerations.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Hymes)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73537700>

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)

15 **Settlement Agreement Between San Diego Gas & Electric**
[12212] **Company and the Division of Ratepayer Advocates**

A12-06-003

Application of San Diego Gas & Electric Company for Approval of: (i) Contract Administration, Least Cost Dispatch and Power Procurement Activities in 2011, (ii) Costs Related to those Activities Recorded to the Energy Resource Recovery Account and Transition Cost Balancing Account in 2011 and (iii) Costs Recorded in Related Regulatory Accounts in 2011.

PROPOSED OUTCOME:

® Adopts Settlement Agreement between San Diego Gas & Electric Company (SDG&E), and the Division of Ratepayer Advocates regarding SDG&E's 2011 Energy Resource Recovery Account compliance application.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® It is SDG&E'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:

® \$2.9 million.

(Comr Florio - ALJ Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=67637385>

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 **Southern California Edison Company 2012 Power**
[12213] **Displacement Agreement**

Res E-4601, Advice Letter 2686-E, filed on January 6, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves the 2012 Power Displacement Agreement (PDA) between Southern California Edison Company (SCE) and the United States Department of Defense at Edwards Airforce Base (Edwards).

® The 2012 PDA replaces the 2001 PDA between SCE and Edwards.

SAFETY CONSIDERATIONS:

® The 2012 PDA approved by this Resolution will not fundamentally alter the electric service that SCE currently provides to Edwards under the 2001 PDA. There are no incremental safety implications associated with approval of the 2012 PDA beyond the 2001 PDA.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72316214>

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

Consent Agenda - Orders and Resolutions (continued)

17 **Golden State Water Company to Purchase Renewable**
[12222] **Energy Credits from Iberdrola Renewables, LLC**

Res E-4604, Advice Letter 277-E filed on February 12, 2013 - Related matters.

PROPOSED OUTCOME:

® Approves with modifications the Golden State Water Company (GSWC) on behalf of Bear Valley Electric Services (BVES) purchase and sale agreement for renewable energy credits with Iberdrola Renewables, LLC.

SAFETY CONSIDERATIONS:

® The purchase and sale agreement between GSWC and Iberdrola Renewables, LLC approved by this resolution has terms and conditions which assert that Iberdrola and GSWC are not and will not be in violation of any applicable law, rule, or regulation throughout the performance of the purchase and sale agreement.

® This agreement contains the above referenced terms and do not require a change in BVES energy portfolio or facilities and customers associated with approval of these agreements beyond the status quo.

ESTIMATED COST:

® Confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=70202561>

Consent Agenda - Orders and Resolutions (continued)

18 **Vodex Communications Corporation Certificate of Public
[12224] Convenience and Necessity**

A12-08-011

In the Matter of the Application of Vodex Communications Corporation for a Certificate of Public Convenience and Necessity to provide: (i) Full Facilities-Based and Resold Competitive Local Exchange Service throughout the service territories of Pacific Bell Telephone Company, Verizon California, Inc., Surewest Telephone and Citizens Telecommunications Company of California, Inc.; and (ii) Full Facilities-Based and Resold Interexchange Service statewide.

PROPOSED OUTCOME:

- ® Grants Vodex Communications Corporation's request for a Certificate of Public Convenience and Necessity to provide full facilities-based and resold competitive local exchange service in Pacific Bell, Verizon California, Sure West Telephone and Citizens Tele-Communications service territories.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Applicant must adhere to all applicable statutes and Commission rules, decisions, and general orders, including those pertaining to safe and reliable service.

ESTIMATED COST:

- ® Unknown.

(Comr Sandoval - ALJ Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=66768470>

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

Consent Agenda - Orders and Resolutions (continued)

19 **Extends Statutory Deadline for Conclusion of Proceeding**
[12226]

I09-12-016

Order Instituting Investigation on the Commission's own motion into the alleged failure of TracFone Wireless, Inc. to collect and remit public purpose program surcharges and user fees on revenue from its sale of intrastate telephone service to California consumers, in violation of the laws, rules and regulations of this State; Order to Show Cause why Respondent should not immediately be ordered to pay all such outstanding sums plus interest, and be subject to penalties for such violations.

PROPOSED OUTCOME:

® Extends statutory deadline for conclusion of proceeding until February 19, 2014.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Florio - ALJ McKinney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=70482684>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Extends Statutory Deadline for Conclusion of Proceeding**
[12229]

I11-05-028

Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of OSP Communications LLC and John Vogel, an individual, to determine whether OSP Communications LLC and John Vogel have violated the Laws, Rules and Regulations of this State in the Provision of Operator and Calling Card Services to California Consumers; and Whether The Billing Resource LLC, a Delaware Corporation, and The Billing Resource LLC d/b/a Integretel, a California Corporation should Refund and Disgorge All monies billed and collected on behalf of OSP Communications LLC.

PROPOSED OUTCOME:

® Extends statutory deadline for this proceeding until January 31, 2014.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Bemserfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=70481800>

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

Consent Agenda - Orders and Resolutions (continued)

21 **Extends Statutory Deadline for Conclusion of Proceeding**
[12230]

A11-06-006, A11-06-029, A11-07-001 - Related matters.

In the Matter of the Application of San Diego Gas & Electric Company for Adoption of its Smart Grid Deployment Plan.

PROPOSED OUTCOME:

® Extends statutory deadline for this proceeding until September 30, 2013.

SAFETY CONSIDERATIONS:

® This decision will provide the Commission time to complete the examination of the lengthy and complex Smart Grid Deployment Plans to promote the safety and health of the San Diego Gas & Electric Company, Pacific Gas and Electric Company, and Southern California Edison Company's customers, employees, and the public.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Sullivan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=70481587>

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

Consent Agenda - Orders and Resolutions (continued)

22

Modified Presiding Officer's Decision

[12232]

I12-08-004

Investigation on the Commission's Own Motion into the Operations and Practices of Live Oaks Springs Water & Power Company, and its Owner/Operator, Nazar B. Najor; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should not Petition the San Diego County Superior Court for a Receiver to Assume Possession and Operation of the Live Oaks Springs Water & Power Company pursuant to the California Public Utilities Code section 855. Other Named Respondents include City National Bank, Live Oak Holding, LLC, a Nevada Limited Liability Company; Matthew Semmer, Receiver for City National Bank.

PROPOSED OUTCOME:

- ® Authorizes and directs the Commission's Legal Division to commence proceedings in the Superior Court of San Diego County for appointment of a receiver to take possession of and operate Live Oak Springs Water Company, pursuant to Public Utilities Code Section 855.
- ® Upon the Superior Court's appointment of a receiver, the receiver shall expeditiously obtain the services of a licensed land surveyor to prepare and record in the San Diego Recorder's Office a record of survey delineating Live Oak Springs Water Company water utility real property.
- ® Voids the collateralization of Live Oak Springs Water Company public utility property used to collateralize a loan between Live Oak Holding, LLC and 1st Pacific Bank of California.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® The decision will help ensure that Live Oak complies with water quality requirements to protect the health and safety of its customers.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Galvin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72460233>

Pub. Util. Code § 1701.2(c), allows this modified Presiding Officer's Decision to be considered in Closed Session.

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

Consent Agenda - Orders and Resolutions (continued)

23 **Southern California Gas Company's Year 18 Gas Cost**
[12233] **Incentive Mechanism Shareholder Reward**

A12-06-005

PROPOSED OUTCOME:

- ® Grants \$5.4 million shareholder reward based on Year 18 Gas Cost Incentive Mechanism for gas purchases below benchmark pricing.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® None as a result of this decision.

ESTIMATED COST:

- ® Overall savings of \$37.5 million below benchmark pricing, ratepayer benefit \$32.1 million, shareholder reward of \$5.4 million.

(Comr Florio - ALJ Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=69621091>

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

Consent Agenda - Orders and Resolutions (continued)

24 **Extends Statutory Deadline for Conclusion of Proceeding**
[12234]

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 November 30, 2013, to resolve this proceeding.

SAFETY CONSIDERATIONS:

® The order extending statutory deadline does not involve any safety considerations.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=68602258>

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

Consent Agenda - Orders and Resolutions (continued)

25 **Synergy DAS, LLC Certificate of Public Convenience and**
[12235] **Necessity**

A12-08-020

Application of Synergy DAS, LLC for a Certificate of Public Convenience and Necessity in order to provide Limited Facilities-based, Full Facilities Based and Resold Competitive Local Exchange, Access and Interexchange Service.

PROPOSED OUTCOME:

- ® Grants Certificate of Public Convenience and Necessity to Synergy DAS, LLC to provide limited and full facilities-based and resold local exchange and inter exchange services.
- ® 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 Codes Section 457 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Miles)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=67994228>

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

Consent Agenda - Orders and Resolutions (continued)

26 **Extends Statutory Deadline for Conclusion of Proceeding**
[12236]

A10-02-028, A10-08-005 - Related matters.

Application of Pacific Gas and Electric Company for Approval of its 2010 Rate Design Window Proposal for 2-Part Peak Time Rebate and Recovery of Incremental Expenditures Required for Implementation.

PROPOSED OUTCOME:

® Extends statutory deadline for this proceeding to October 7, 2013.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=70737521>

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

Consent Agenda - Orders and Resolutions (continued)

27 **California American Water Company Phase 2 Rate Design**
[12238]

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 by all parties active in phase 2 on all issues.

SAFETY CONSIDERATIONS:

® This decision does not change or affect California American Water Company's (Cal-Am) obligations to continue to provide safe and reliable potable water to consumers as well as water suitable for non-consumption purposes.

ESTIMATED COST:

® This decision does not change Cal-Am's revenue requirement, but because it is a change in rate design, costs are reallocated between customer classes.

(Comr Florio - ALJ Long)

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

Consent Agenda - Orders and Resolutions (continued)

28 (Rev.) **Tijuana Express LLC for a Passenger Stage Corporation**
[12239] **Certificate**

A12-11-017

In the matter of the Application of Tijuana Express, LLC, for passenger stage authority under Section 1031 et seq., of the California Public Utilities (PU) Code, to transport passengers and their baggage express, on an on-call, county-to-county basis, between points in the counties of San Diego, Imperial, Orange, Los Angeles, San Bernardino, Riverside, Kern, Tulare, Fresno, Monterey, Santa Clara, San Francisco, Alameda, and Sacramento, described in the body of the application; and to establish a Zone of Rate Freedom (ZORF) under Section 454.2, et seq., of the PU Code.

PROPOSED OUTCOME:

- ® Grants the application of Tijuana Express, LLC for a Certificate of Public Convenience and Necessity to operate as on an on-call, county-to-county basis, between points in the counties of San Diego, Imperial, Orange, Los Angeles, San Bernardino, Riverside, Kern, Tulare, Fresno, Monterey, Santa Clara, San Francisco, Alameda, and Sacramento.®
- ® Establishes a Zone of Rate Freedom.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Approval of the application helps to ensure the safety of passengers and other persons and property sharing the state's public roadways.

ESTIMATED COST:

- ® None foreseen.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=66672243>

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

07/18/2013 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

29

Extends Statutory Deadline for Conclusion of Proceeding

[12240]

I12-08-004

Investigation on the Commission's Own Motion into the Operations and Practices of Live Oaks Springs Water & Power Company, and its Owner/Operator, Nazar B. Najor; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should not Petition the San Diego County Superior Court for a Receiver to Assume Possession and Operation of the Live Oaks Springs Water & Power Company pursuant to the California Public Utilities Code section 855. Other Named Respondents include City National Bank, Live Oak Holding, LLC, a Nevada Limited Liability Company; Matthew Semmer, Receiver for City National Bank.

PROPOSED OUTCOME:

® Extends statutory deadline until October 1, 2013.

SAFETY CONSIDERATIONS:

® This 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 Live Oak Water Company customers, employees, and the public.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Galvin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=70738504>

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

Consent Agenda - Orders and Resolutions (continued)

30 **San Diego Gas & Electric Company's Renewable Energy**
[12247] **Sales Contract with Exelon Generation Company**

Res E-4600, Advice Letter 2476-E filed on May 8, 2013 - Related matters.

PROPOSED OUTCOME:

® Approves San Diego Gas & Electric Company's request to enter into a renewable energy sales contract with Exelon Generation Company.

SAFETY CONSIDERATIONS:

® This resolution approves a contract for the sale of renewable energy that will not alter existing contracts or any facility operations.

® Because this sales contract does not require a change in facility operations, there are no incremental safety implications associated with approval of this contract beyond the status quo.

ESTIMATED COST:

® Costs of this contract are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=71577791>

Consent Agenda - Orders and Resolutions (continued)

31 **Extends Statutory Deadline for Conclusion of Proceeding**
[12248]

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:

® Extends statutory deadline for this proceeding until October 11, 2013.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=71161110>

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

Consent Agenda - Orders and Resolutions (continued)

45 (Rev.) **Rural Water Company's Revenue Surcharge**
[12098]

Res W-4950, Advice Letter 68 filed on April 29, 2011 - Related matters.

PROPOSED OUTCOME:

- ® Authorizes Rural Water Company to transfer a total of \$109,465 from its Pump Tax Memorandum Account to a balancing account for recovery.
- ® Authorizes Rural Water Company to collect interest on the surcharge.
- ® Authorizes Rural Water Company to file a supplemental advice letter within thirty days.
- ® Authorizes Rural Water Company to transfer \$64,306 from its Pump Tax Memorandum Account to its Plant Account.
- ® Rural Water Company shall accrue future expenses for activities required by the Stipulation.
- ® Authorizes Rural Water Company to file an Advice Letter to request the same treatment for the Stipulation as determined by the Commission in Application 11-07-017.

SAFETY CONSIDERATIONS:

- ® None as a result of this resolution.

ESTIMATED COST:

- ® \$119,749.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72180499>

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

Agenda 3316, Item 6 6/27/2013 (Staff);

Agenda 3317, Item 3 7/11/2013 (Staff)

07/16/2013 - This item was not listed on the agenda distributed to the public.

Consent Agenda - Intervenor Compensation Orders**32 Compensation to Southern Californians for Wired Solutions
[12186] to Smart Meters**

A11-03-014, A11-03-015, A11-07-020 - Related matters.

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

PROPOSED OUTCOME:

® Awards Southern Californians for Wired Solutions to Smart Meters (SCWSSM) \$4,959.00 for substantial contributions to Decision 12-04-019.

SAFETY CONSIDERATIONS:

® SCWSSM participation allowed the Commission to consider varied interests of ratepayers thereby improving quality of service and safety.

ESTIMATED COST:

® San Diego Gas & Electric Company will pay \$4,959.00 plus interest.

(Comr Peevey - ALJ Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73557578>

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)

33 **Compensation to Californians for Renewable Energy**
[12187]

A11-03-014, A11-03-015, A11-07-020 - Related matters.

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

PROPOSED OUTCOME:

® Awards Californians for Renewable Energy \$8,400.00 for substantial contributions to Decision 12-04-019.

SAFETY CONSIDERATIONS:

® Intervenor participation in proceeding allowed the Commission to consider additional issues and improve safety for ratepayers.

ESTIMATED COST:

® San Diego Gas & Electric Company will pay \$8,400.00 plus interest to intervenor for its participation in proceeding.

(Comr Peevey - ALJ Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=73701558>

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)

34

Compensation to The Vote Solar Initiative

[12243]

R10-05-006

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

PROPOSED OUTCOME:

® Awards The Vote Initiative \$27,907.00 for its substantial contribution to Decision 12-04-046.

SAFETY CONSIDERATIONS:

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

® Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall each pay their respective shares of the awarded \$27,907.00 plus interest, based on their 2010 California-jurisdictional electric revenues.

(Comr Peevey - ALJ Allen)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=65409143>

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

Regular Agenda

Regular Agenda - Energy Orders

35 **Triennial Investment Plans for the Electric Program**
 [12137] **Investment Charge Program for the Year 2012 Through 2014**

A12-11-001, A12-11-002, A12-11-003, A12-11-004 - Related matters.

Application of the California Energy Commission for Approval of Electric Program Investment Charge Proposed 2012 through 2014 Triennial Investment Plan.

PROPOSED OUTCOME:

® Addresses Applications of California Energy Commission (CEC), Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company for Approval of their Triennial Investment Plans for the Electric Program Investment (EPIC) charge Program for the years 2012 through 2014.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® As modified, the proposals in each investment plan offer a reasonable probability of providing electricity ratepayer benefits by promoting greater reliability, lowering costs, and increasing safety.

ESTIMATED COST:

® Decision (D) 12-05-037 adopted an interim annual EPIC Program budget \$162.0 million per year beginning January 1, 2013 and ending December 31, 2020.

® Increases by \$25 million per year in 2013 and 2014 the CEC budget adopted by D12-05-037 for Section 2851(e)(3) funding for solar on new construction.

(Comr Peevey - ALJ Smith)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=71433660>

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

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

Agenda 3316, Item 46 6/27/2013 (Staff);

Agenda 3317, Item 27 7/11/2013 (Staff)

Regular Agenda - Energy Orders (continued)

36

Petition for Rulemaking and Closes Proceeding

[12175]

P12-12-010

Petition of the Marin Energy Authority, Alliance for Retail Energy Markets, City and County of Santa Cruz, Climate Protection Campaign, Constellation NewEnergy, Inc., Direct Access Customer Coalition, Direct Energy, LLC, Energy Users Forum, IGS Energy, Retail Energy Supply Association, Sam's West, Inc., Shell Energy North America (US), L.P., South San Joaquin Irrigation District, Texas Retail Energy, LLC, and Wal-Mart Stores, Inc. to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5.

PROPOSED OUTCOME:

- ® Denies the Petition for Rulemaking to Re-evaluate and Revise Cost Allocation and Non-Bypassable Charges.
- ® 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 § 451 to take all actions "necessary to promote the safety, health, comfort, and convenience of patrons, employees, and the public.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Hecht)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72297416>

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

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

Agenda 3317, Item 30 7/11/2013 (Peterman)

Regular Agenda - Energy Orders (continued)

37 **Implementation of 2013-2014 Energy Efficiency Financing**
[12219] **Pilot Programs**

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

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

PROPOSED OUTCOME:

® Authorizes five statewide finance pilots characterized by their leverage of private capital via ratepayer funded credit enhancements, and testing for scale up in 2015 of innovative design features (e.g., tariffed transfer of loan obligation with the meter, a statewide platform providing an open market for financing.

® Specifies complex design and implementation details deferred by D.12-11-015, which allocated \$75.2 million for these pilots.

® Southern California Gas Company will perform certain start-up steps until California Alternative Energy & Alternative Transportation Financing Authority is able to assume this role when it gains statutory and budgetary authority from the Legislature in late August.

SAFETY CONSIDERATIONS:

® To the extent that Energy Efficiency (EE) financing expands customer access to EE improvements, it reduces energy consumption and upgrades gas and electric features.

ESTIMATED COST:

® \$65.9 million previously authorized.

(Comr Ferron - ALJ Darling)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=68703751>

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

38 **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.

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

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

Agenda 3313, Item 31 4/18/2013 (Peevey);

Agenda 3315, Item 32 5/23/2013 (Staff);

Agenda 3316, Item 48 6/27/2013 (Pub. Util. Code §311(e))

Regular Agenda - Energy Resolutions and Written Reports (continued)

38a ALTERNATE TO ITEM 11951
[12140]

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

PROPOSED OUTCOME:

® Rejects, in its current form, Pacific Gas and Electric Company's (PG&E) Confirmation for Resource Adequacy (RA) Capacity Product, which is an Agreement for Combined Heat and Power Resource Adequacy Capacity Product for 280.5 MW of combined heat and power resource adequacy capacity associated with the Los Medanos Energy Center.

® Provides guidance to PG&E for potential modifications to the Agreement which the Commission would approve in a subsequent Tier 1 Advice Letter filing, and provides additional guidance to PG&E for Combined Heat and Power solicitations in the future.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

® None.

(Comr Peevey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72151943>

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

Agenda 3315, Item 32a 5/23/2013;

Agenda 3316, Item 48a 6/27/2013 (Pub. Util. Code §311(e))

Regular Agenda - Energy Resolutions and Written Reports (continued)

38b ALTERNATE TO ITEM 11951
[12217]

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

PROPOSED OUTCOME:

- ® Rejects without prejudice the Confirmation for Resource Adequacy Product.
- ® Pacific Gas and Electric Company (PG&E) may seek approval of the contracts within the existing Resource Adequacy procurement framework, as long as the associated megawatts do not count towards the Qualifying Facility and Combined Heat and Power Program targets.
- ® Provides additional guidance to PG&E for Combined Heat and Power solicitations in the future.

SAFETY CONSIDERATIONS:

- ® The agreement is denied and we anticipate no adverse impacts on safety as a result.

ESTIMATED COST:

- ® None.

(Comr Ferron)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=69221249>

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

Agenda 3316, Item 48b 6/27/2013 (Pub. Util. Code §311(e))

Regular Agenda - Energy Resolutions and Written Reports (continued)

39
[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=70183525>

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

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

Agenda 3313, Item 32 4/18/2013 (Peevey);

Agenda 3315, Item 33 5/23/2013 (Staff);

Agenda 3316, Item 49 6/27/2013 (Pub. Util. Code §311(e))

Regular Agenda - Energy Resolutions and Written Reports (continued)

39a ALTERNATE TO ITEM 11953
[12141]

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

PROPOSED OUTCOME:

® Rejects, in its current form, Southern California Edison Company's (SCE) Confirmation for Resource Adequacy (RA) Capacity Product, which is an Agreement for Combined Heat and Power Resource Adequacy Capacity Product for (1) 280.5 Megawatts (MW) of combined heat and power resource adequacy capacity associated with the Los Medanos Energy Center, LLC, (2) 120 MW of combined heat and power resource adequacy capacity associated with the Calpine Gilroy Cogen, L.P.

® Provides guidance to SCE for potential modifications to the Agreements which the Commission would approve in a subsequent Tier 1 Advice Letter filing, and provides additional guidance to SCE for Combined Heat and Power solicitations in the future.

SAFETY CONSIDERATIONS:

® The two agreements approved here are Confirmations for Resource Adequacy associated with the Los Medanos Energy Center and Calpine Gilroy Cogen 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:

® None.

(Comr Peevey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=72140802>

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

Agenda 3315, Item 33a 5/23/2013;

Agenda 3316, Item 49a 6/27/2013 (Pub. Util. Code §311(e))

Regular Agenda - Energy Resolutions and Written Reports (continued)

39b ALTERNATE TO ITEM 11953
[12218]

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

PROPOSED OUTCOME:

- ® Rejects without prejudice the Confirmation for Resource Adequacy Product.
- ® Southern California Edison Company (SCE) may seek approval of the contracts within the existing Resource Adequacy procurement framework, as long as the associated megawatts do not count towards the Qualifying Facility and Combined Heat and Power Program targets.
- ® Provides additional guidance to SCE for Combined Heat and Power solicitations in the future.

SAFETY CONSIDERATIONS:

- ® The two agreements are denied and we anticipate no adverse impacts on safety as a result.

ESTIMATED COST:

- ® None.

(Comr Ferron)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=69241586>

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

Agenda 3316, Item 49b 6/27/2013 (Pub. Util. Code §311(e))

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

40
[12228]

**Report and Discussion by Safety and Enforcement Division
on Recent Safety Program Activities**

Closed Session

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

Closed Session - Applications for Rehearing

41 **Conference with Legal Counsel - Applications for Rehearing**
[12203]

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.

42 **Conference with Legal Counsel - Application for Rehearing**
[12223]

C12-07-022

Disposition of Application for Rehearing of Decision (D.) 12-11-028, filed by Alfred Labrada. D.12-11-028 dismissed a complaint filed by Mr. Labrada for failure to state a claim on which relief may be granted. The complaint involved the placement of a pad-mounted transformer by Southern California Edison Company and a street light located on the opposite side of the driveway from the transformer.

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

43 **Conference with Legal Counsel - Application for Rehearing**
[12227]

A12-04-019

Disposes of applications for rehearing of Decision (D.) 12-10-030 filed by the County of Monterey and the Marina Coast Water District. In D.12-10-030, the Commission determined that the Commission's authority over the application California-American Water Company for approval of the application of the Monterey Peninsula Water Supply Project preempts the Monterey County ordinance regulating the construction, operation, and ownership of desalination plants.

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

Closed Session - Applications for Rehearing (continued)

44 **Conference with Legal Counsel - Application for Rehearing**
[12231]

C10-02-026

Disposition of application for rehearing Decision 13-02-027, filed by Maria V. Lawrence (Complainant). In the decision, the Commission denied and dismissed the complaint filed by Complainant against Pacific Gas and Electric Company (PG&E), in which she alleged PG&E violated its tariffs in the initial placement and subsequent relocation of gas and electric lines on her property.

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