
Public Utilities Commission of the State of California

Public Agenda 3322

Thursday, September 19, 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, September 16, 2013 (San Francisco)	Thursday, September 19, 2013 (San Francisco)
Monday, September 30, 2013 (San Francisco)	Thursday, October 03, 2013 (San Francisco)
Monday, October 14, 2013 (San Francisco)	Thursday, October 17, 2013 (Redding)
Monday, October 28, 2013 (San Francisco)	Thursday, October 31, 2013 (San Francisco)
Friday, November 08, 2013 (San Francisco)	Thursday, November 14, 2013 (San Francisco)

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

Matters of Public Interest

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

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 7, 15, 20, 21, 29, 31

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**
[12346] **Recently Filed Formal Applications**

Res ALJ 176-3322

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=77089395>

Consent Agenda - Orders and Resolutions (continued)

2 **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=77080399>

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

Agenda 3318, Item 7 7/25/2013 (Peterman);
Agenda 3319 , Item 3 8/15/2013 (Staff);
Agenda 3321, Item 4 9/5/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3
[12255] **Pacific Gas and Electric Company, San Diego Gas & Electric
Company and Southern California Edison Company's
Provision of Customer Energy Data to Third Parties Upon
Customer Request**

A12-03-002, A12-03-003, A12-03-004 - Related matters.

In the Matter of the Application of Pacific Gas and Electric Company for Adoption of its Customer Data Access Project.

PROPOSED OUTCOME:

- ® Authorizes new service providing energy data to third parties when requested by customer.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Provides required privacy protections.

ESTIMATED COST:

- ® \$16.6 million.

(Comr Peevey - ALJ Sullivan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77055307>

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

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

Agenda 3321, Item 5 9/5/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

4 **Pipeline Safety Implementation Plan, Disallowing Costs, and**
[12282] **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:

® Finds that implementation plan should be adopted and costs shared between ratepayers and shareholders.

SAFETY CONSIDERATIONS:

® Implementation plan improves system safety by replacing pipeline and adding a remote controlled shut-off valve to its gas transmission system.

ESTIMATED COST:

® \$7.3 million.

(Comr Florio - ALJ Bushey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76689723>

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

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

Agenda 3321, Item 12 9/5/2013 (Florio)

Consent Agenda - Orders and Resolutions (continued)

5 **California American Water Company's Request to Implement
[12283] a Rate Change**

Res W-4959, Advice Letter (AL) 944 filed May 15, 2012, AL 944-A filed June 22, 2012, and AL 944-B filed October 9, 2012 - Related matters.

PROPOSED OUTCOME:

- ® Affirms the Division of Water and Audits (DWA) rejection of California American Water Company's (Cal-Am) Advice Letter (AL) 944, AL 944-A and AL 944-B.
- ® Cal-Am may transfer to rate base \$417,512, which includes Allowance for Funds Used during Construction (AFUDC) of \$5,932.
- ® Disallows without prejudice Cal-Am's request for \$66,190, including \$941 for AFUDC, to be added to rate base.
- ® Authorizes Cal-Am, within 5 days of the effective date of this Resolution, to file:
- ® (1) A Supplement to AL 944-B, incorporating the Tariff Sheets shown in Attachment A for the Monterey District Tariff Area to reflect the transfer to rate base of the amount authorized in Ordering Paragraph (OP) No. 3 and;
- ® (2) A Supplement to AL 932 as ordered in Resolution W-4940.
- ® New rates will be effective 30 days after the filing of the Supplement to AL No. 932 subject to approval or rejection by DWA.
- ® Orders Cal-Am, within 30 days of the effective date of this Resolution, to file a Tier 1 AL implementing a one-time refund of the excess amount collected from customers pursuant to: (1) AL 944-A and AL 944-B from July 12, 2012 through the effective date of the Supplement to AL 944-B and 2) AL 932 from January 1, 2012 through the effective date of the Supplement to AL 932 in OP No. 5 of Resolution W-4940.

SAFETY CONSIDERATIONS:

- ® None as a result of this resolution.

ESTIMATED COST:

- ® \$417,512.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77091206>

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

Agenda 3321, Item 13 9/5/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

6

Appeal of Staff Determination

[12284]

Res E-4607

Upholds the determination of California Public Utilities Commission's Energy Division approving a Notice of Proposed Construction for a Distributed Antenna System Project by NewPath Networks, LLC located in the Town of Hillsborough.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76788049>

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

Agenda 3321, Item 14 9/5/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

7
[12301] **Settlement Agreement Between the Commission's Safety
and Enforcement Division and NextG Networks of California,
Inc.**

109-01-018

PROPOSED OUTCOME:

® Conditionally approves a settlement agreement between the Commission's Safety and Enforcement Division (SED) and NextG Networks of California, Inc. (NextG). The settlement resolves all issues regarding NextG's involvement with the Malibu Canyon Fire in October 2007.

® The Settlement requires NextG to pay a fine of \$8.5 million to the State General Fund and to provide \$6.0 million for a safety audit of all of NextG's poles and pole attachments in California.

® The Commission's approval of the settlement agreement is subject to the conditions listed in the ordering paragraphs, including the following:

® NextG shall start the safety audit within 60 days.

® The \$6 million the settlement provides for the safety audit shall pay only for material, labor, and services that are directly related to the safety audit of NextG's poles and pole attachments. The \$6 million shall not pay for internal overhead and administrative costs incurred by NextG.

® The safety audit shall assess whether all of NextG's poles and pole attachments in Malibu Canyon can withstand the maximum, reasonably foreseeable Santa Ana windstorm.

® SED may specify the audit plan, methods, procedures, and other details of the safety audit. NextG shall structure the safety audit to conform to SED's specifications.

® NextG shall henceforth conduct a safety audit of every pole and pole attachment that it installs in California.

SAFETY CONSIDERATIONS:

® The settlement agreement, with the conditions adopted by the decision, will enhance public safety by inspecting nearly 60,000 utility poles for compliance with GO 95. Substandard poles discovered by the inspections will be repaired or replaced, as necessary.

ESTIMATED COST:

® NextG must pay \$14.5 million under the settlement agreement, plus an additional but unknown amount to remediate substandard facilities. There are no direct costs to customers.

(Comr Peterman - ALJ Kenney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77059441>

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)

8

Addresses Rejection of Resolution T-17382

[12304]

Res T-17402, Advice Letter 2, filed on May 20, 2013 - Related matters.

PROPOSED OUTCOME:

- ® Affirms the rejection of Res. T-17382, rejected by a vote of Commissioners at the March 21, 2013, Commission Meeting, resulting in Denial of Rural Telecommunications Infrastructure Grant Program project for Channel Islands Telephone Company (CITC).
- ® Approves \$93,791.31 to reimburse CITC for Phase 2 preparation costs.
- ® Approves increase of \$18,000 to Energy Division's California Environmental Quality Act contract.

SAFETY CONSIDERATIONS:

- ® National Park Service already has communications resources available to meet emergency needs and stated the project would have limited benefit to the visiting public.

ESTIMATED COST:

- ® \$111,791.31.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=75444383>

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

Agenda 3321, Item 21 9/5/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

9 **San Diego Gas & Electric Company's Permit to Construct the**
[12310] **South Bay Substation Relocation Project**

A10-06-007

In The Matter of the Application of San Diego Gas & Electric Company for a Permit to Construct the South Bay Substation Relocation Project.

PROPOSED OUTCOME:

- ® Grants the permit to construct.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® All safety considerations will be mitigated to less than significant pursuant to California Environmental Quality Act.

ESTIMATED COST:

- ® None.

(Comr Florio - ALJ Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76787941>

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

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

Agenda 3321, Item 25 9/5/2013 (Ferron)

Consent Agenda - Orders and Resolutions (continued)

10 **Bigredwire.com, Inc. for a Certificate of Public Convenience
[12314] and Necessity**

A11-11-004

Application of Bigredwire.com, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.

PROPOSED OUTCOME:

- ® This decision denies without prejudice Bigredwire.com, Inc.'s application for a Certificate of Public Convenience and Necessity to Provide Resold Interexchange Service.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® None as a result of this decision.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Burcham)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76997079>

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
[12315] **San Diego Gas & Electric Company, Southern California Edison Company, Southern California Gas Company and Pacific Gas and Electric Company's Proposed Tariffs to Implement Privacy and Security Rules**

Res E-4599, SDG&E Advice Letter (AL) 2428-E, AL 2157-G, filed on December 5, 2012, SCE AL 2819-E, filed on December 5, 2012, SoCalGas AL 4433-G, filed on December 5, 2012, PG&E AL 3349-G, AL 4158-E filed on December 5, 2012 - Related matters.

PROPOSED OUTCOME:

® Approves the Tier 2 Advice Letters and proposed tariffs filed by San Diego Gas & Electric Company, Southern California Edison Company, Southern California Gas Company, and Pacific Gas and Electric Company to implement the privacy and security rules adopted by Decision (D) 11-07-056 and D12-08-45.

SAFETY CONSIDERATIONS:

® These tariffs permit the utilities to operate their systems in a safe and reliable manner while maintaining the privacy of customer energy data.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77114926>

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

Agenda 3321, Item 27 9/5/2013 (Staff)

Consent Agenda - Orders and Resolutions (continued)

12 **Final Report of the 2013 Triennial On-Site Security Review of**
[12316] **San Francisco International Airport - AirTrain**

Res ST-154

PROPOSED OUTCOME:

® Approves the 2013 Triennial On-Site Security Review of San Francisco International Airport – AirTrain, (AirTrain) dated July 3, 2013.

SAFETY CONSIDERATIONS:

® This resolution considers the safety and security of the public and employees who might be affected by the AirTrain automated people mover operations.

® The resolution presents a review required every three years to comprehensively review, evaluate, and improve the safety and security of an automated people mover system.

® AirTrain 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 scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77057235>

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

Consent Agenda - Orders and Resolutions (continued)

13 **Settlement Agreement Regarding Cox California Telecom,
[12321] LLC's Eligible Telecommunications Carrier Status**

A12-09-014

Application of Cox California Telcom, LLC for Designation as an Eligible Telecommunications Carrier.

PROPOSED OUTCOME:

- ® Adopts settlement agreement resolving application;
- ® Designates Cox California Telecom, LLC as an Eligible Telecommunications Carrier.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® The agreement promotes consumer protections regarding safe and reliable service by providing for Commission authority to resolve service inquiries and complaints.

ESTIMATED COST:

- ® None quantified.
- ® By receiving Eligible Telecommunications Carrier designation, however, Cox California Telecom, LLC can offer discounted rates to low-income Customers.

(Comr Sandoval - ALJ Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=75391657>

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 (Rev.) **NaMara Development LLC for a Passenger Stage
[12326] Corporation Certificate**

A11-08-008

Application of NaMara Development LLC, dba Mammoth LimoLiner for authority to operate as a Scheduled Passenger Stage Corporation between points in Los Angeles and Orange County and the town of Mammoth Lakes California, and to establish a Zone of Rate Freedom.

PROPOSED OUTCOME:

- ® Dismisses the application of NaMara Development LLC for a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation and authority to establish a Zone of Rate Freedom.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Helps to ensure the safety of passengers and other persons and property sharing the state's public highways.

ESTIMATED COST:

- ® None foreseen.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77051855>

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

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

09/12/2013 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

15
[12327] **Settlement Agreement Between the Commission's Safety and Enforcement Division and Southern California Edison Company**

I09-01-018

Investigation on the Commission's Own Motion into the Operations and Practices of Southern California Edison Company, Cellco Partnership LLP d/b/a Verizon Wireless, Sprint Communications Company LP, NextG Networks of California, Inc. and Pacific Bell Telephone Company d/b/a AT&T California and AT&T Mobility LLC, Regarding the Utility Facilities and the Canyon Fire in Malibu of October 2007.

PROPOSED OUTCOME:

- ® Conditionally approves a settlement agreement between the Commission's Safety and Enforcement Division (SED) and Southern California Edison Company (SCE).
- ® The settlement resolves all issues regarding SCE's involvement with the Malibu Canyon Fire in October 2007.
- ® The settlement requires SCE to pay \$37 million, of which \$20 million will be a fine paid to the State of California General Fund and \$17 million will be used to assess and remediate utility poles in the Malibu area.
- ® The Commission's approval of the settlement agreement is subject to several conditions listed in the ordering paragraphs.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® The settlement agreement, with the conditions adopted by the decision, will enhance public safety considerably.
- ® Among other things, SCE will assess approximately 1,453 poles in the Malibu area for compliance with General Order 95 safety factors and SCE's internal standards.
- ® Substandard poles found by the assessment will be repaired or replaced, as necessary.

ESTIMATED COST:

- ® SCE must pay \$37 million under the settlement agreement.
- ® There are no costs for SCE's ratepayers.

(Comr Peterman - ALJ Kenney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76996747>

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)

16
[12329] **Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company's Amendment to Renewable Auction Mechanism Power Purchase Agreements**

Res E-4609, Energy Division's own motion pursuant to Decision 10-12-048, as modified. - Related matters.

PROPOSED OUTCOME:

® This Resolution authorizes Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to offer an amendment to Renewable Auction Mechanism (RAM) Power Purchase Agreements (PPAs) executed as a result of the first three RAM solicitations, to align the regulatory delay extension provision in those contracts with the most recently adopted RAM PPAs.

SAFETY CONSIDERATIONS:

® Because this resolution only allows for the modification of an existing contract term for regulatory delay, there are not expected to be any incremental safety implications associated with approval of this resolution.

ESTIMATED COST:

® There are no expected costs associated with the changes made to the Renewable Auction Mechanism adopted by this Resolution agreement.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76914263>

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

Consent Agenda - Orders and Resolutions (continued)

17 **California Advanced Services Fund Expense Budget for**
[12338] **Fiscal Year 2014-2015**

Res T-17403

PROPOSED OUTCOME:

® Approves the California Advanced Services Fund (CASF)Expense Budget for Fiscal Year 2014-15 (July 1, 2014 through June 30, 2015) to Comply with the requirements of Public Utilities Code Section 270.

SAFETY CONSIDERATIONS:

® The CASF program encourages the deployment of broadband throughout the state which can enable the public to access Internet-based safety applications, access to emergency services, and allow first responders to communicate with each other and collaborate during emergencies. The forecasted FY2014-15 CASF budget ensures that there are sufficient funds for the program to continue to promote the deployment of broadband throughout California.

ESTIMATED COST:

® \$82,663,504.00.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77099742>

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

Consent Agenda - Orders and Resolutions (continued)

18 **California High Cost Fund-B Program Expense Budget for**
[12339] **Fiscal Year 2014-2015**

Res T-17399

PROPOSED OUTCOME:

® Appropriates \$22.392 million for expenses for the California High Cost Fund-B (CHCF-B) Program for Fiscal Year 2014-2015.

SAFETY CONSIDERATIONS:

® The CHCF-B subsidy provides carriers with the resources through which to provide affordable telephone service to its customers in rural, high cost areas. Reliable telephone service is crucial in these sometimes isolated areas, allowing residents to reach police, fire and medical responders, by dialing 911 when fire, natural disasters, medical emergencies, or other crises occur. This Resolution ensures adequate funding, at an appropriate level, to support the CHCF-B program's goal of providing universal service.

ESTIMATED COST:

® \$22.392 million.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77084158>

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

Consent Agenda - Orders and Resolutions (continued)

19 **California High Cost Fund-A Program Expense Budget for**
[12340] **Fiscal Year 2014-2015**

Res T-17400

PROPOSED OUTCOME:

® Approves California High Cost Fund-A (CHCF-A) Administrative Committee Fund Expense Budget for Fiscal Year 2014-2015 (July 1, 2014 through June 30, 2015) to comply with the requirements of Public Utilities Code Section 273 (a).

SAFETY CONSIDERATIONS:

® The small Incumbent Local Exchange Carriers are required to adhere to all Commission rules, decisions, General Orders and statutes including Public Utilities Code Section 451. Reliable service is crucial in these sometimes isolated areas, and program funding helps provide access for residents to dial 911 to reach police, fire and medical responders. This Resolution ensures that the CHCF-A program promotes universal service by subsidizing essential communications links in high cost, rural communities.

ESTIMATED COST:

® \$39.548 million.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77081700>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Petition for Modification of Decision 13-03-002**
[12342]

C12-02-021

John S. Davis vs. Southern California Edison Company.

PROPOSED OUTCOME:

- ® Denies the Petitions for Modification filed by John S. Davis regarding a transformer in his backyard.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® This decision does not order any actions by the utility relating to safety.

ESTIMATED COST:

- ® None.

(Comr Ferron - ALJ Gamson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77094249>

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)

21 **Decision Dismissing the Complaint**
[12344]

C13-02-004

City of Jurupa Valley vs. City of Riverside and Riverside Public Utilities

PROPOSED OUTCOME:

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

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

- ® None.

(Comr Florio - ALJ Kim)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77100586>

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)

22 **Pacific Coast Sightseeing Tours and Charters, Inc, for**
[12354] **Authority to Establish New Schedules and Rates on its**
 Passenger Stage Corporation Certificate

A13-05-011

Application of Pacific Coast Sightseeing Tours and Charters, Inc. for authority to establish new schedules, rates and Zones of Rate Freedom for service between points in the Cities of Anaheim, Buena Park and Garden Grove on the one hand, and Los Angeles International Airport and John Wayne Airport on the other hand.

PROPOSED OUTCOME:

- ® Grants the application of Pacific Coast Sightseeing Tours and Charters, Inc. for authority to establish new schedules and rates.
- ® Establishes new Zones 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=75019282>

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

Consent Agenda - Orders and Resolutions (continued)

23 **Order Extending Statutory Deadline**
[12362]

A11-07-005

In the Matter of the Application of San Gabriel Valley Water Company for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division by \$8,164,800 or 14.2% in July 2012, \$3,067,400 or 4.7% in July 2013, and \$3,758,200 or 5.6% in July 2014.

PROPOSED OUTCOME:

® Extends statutory deadline for this proceeding to November 30, 2013.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Ferron - ALJ Long)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76314894>

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

Consent Agenda - Orders and Resolutions (continued)

24 **Southern California Edison Company to Amend 80 California**
[12364] **Renewables Energy Power Purchase Agreements**

R11-05-005

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

PROPOSED OUTCOME:

® Grants petition for modification of ImMODO International Corporation to initial operation deadline.

SAFETY CONSIDERATIONS:

® Allow the Commission to continue to fulfill its 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:

® Unknown.

(Comr Ferron - ALJ DeAngelis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76428500>

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

Consent Agenda - Orders and Resolutions (continued)

25 **Union Pacific Railroad to Construct an At-Grade Public**
[12365] **Crossing Across Santiago Road in Kern County**

A12-11-015

Application of the Union Pacific Railroad for authority to construct an at grade public crossing at the Sunset Branch Line in Kern County at Mile Post 103SN-19.83.

PROPOSED OUTCOME:

- ® Grants the Union Pacific Railroad authorization to construct one new at-grade rail crossing over Santiago Road in an unincorporated area of Kern County.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Approval of the application will enhance safety by providing a protected at-grade rail crossing and improve the economy in Kern County through delivering crude oil.

ESTIMATED COST:

- ® Discretionary project. Not within the scope of this proceeding.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76751085>

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

Consent Agenda - Orders and Resolutions (continued)

26 **Peninsula Corridor Joint Powers Board to Reconstruct Paul
[12366] Avenue Bridge in the City of San Francisco**

A13-02-020

PROPOSED OUTCOME:

® Grants the Peninsula Corridor Joint Powers Board authority to reconstruct the grade separated highway-rail crossing of Paul Avenue Bridge with a minimum overhead track clearance of 20.3 feet over their tracks in the City and County of San Francisco.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® Approval of the application will help to enhance safety by reconstructing the 1930s vintage bridge structure of the grade separated crossing of Paul Avenue to accommodate regional and inter-regional traffic, and address identified structural deficiencies prior to any failures of the structure.

ESTIMATED COST:

® Discretionary project, not within scope of applicant request.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76484750>

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

Consent Agenda - Orders and Resolutions (continued)

27 **Peninsula Corridor Joint Powers Board to Reconstruct 22nd
[12367] Street Bridge in the City of San Francisco**

A13-02-021

PROPOSED OUTCOME:

® Grants the Peninsula Corridor Joint Powers Board authority to reconstruct the grade separated highway-rail crossing of 22nd Street Bridge with a minimum overhead track clearance of 20.4 feet over their tracks in the City and County of San Francisco.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® Approval of the application will help to enhance safety by reconstructing the 1907 vintage bridge structure of the grade separated crossing of 22nd Street to accommodate regional and inter-regional traffic, and address identified structural deficiencies prior to any failures of the structure.

ESTIMATED COST:

® Discretionary project, not within scope of applicant request.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76490891>

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

Consent Agenda - Orders and Resolutions (continued)

28 **Peninsula Corridor Joint Powers Board to Reconstruct 23rd
[12368] Street Bridge in the City of San Francisco**

A13-02-022

PROPOSED OUTCOME:

® Grants the Peninsula Corridor Joint Powers Board authority to reconstruct the grade separated highway-rail crossing of 23rd Street Bridge with a minimum overhead track clearance of 20.8 feet over their tracks in the City and County of San Francisco.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® Approval of the application will help to enhance safety by reconstructing the 1906 vintage bridge structure of the grade separated crossing of 23rd Street to accommodate regional and inter-regional traffic, and address identified structural deficiencies prior to any failures of the structure.

ESTIMATED COST:

® Discretionary project, not within scope of applicant request.

(Exam Hagan)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76494704>

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

Consent Agenda - Orders and Resolutions (continued)

29 **Complaint for Breach of Contract, Fraud and**
[12382] **Misrepresentation**

(ECP) C13-06-002

Leticia Rodriguez, Gabriel Garcia, and Jimmy Garcia vs. Verizon California, Inc.

PROPOSED OUTCOME:

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

SAFETY CONSIDERATIONS:

- ® No effect on public safety.

ESTIMATED COST:

- ® None.

(Comr Sandoval - ALJ Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76749778>

Consent Agenda - Orders and Resolutions (continued)

30 **Local Access Services LLC for a Certificate of Public
[12383] Convenience and Necessity**

A13-02-028

PROPOSED OUTCOME:

® Grants Local Access Services, LLC a Certificate of Public Convenience and Necessity to provide resold and limited facilities-based telecommunications services and interexchange service in California.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® Local Access Services, LLC must comply with all applicable safety regulations and standards.

ESTIMATED COST:

® None.

(Comr Sandoval - ALJ Semcer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76324273>

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

Consent Agenda - Orders and Resolutions (continued)

31 **Expedited Complaint Proceeding Disputes Early**
[12385] **Termination Fee**

(ECP) C13-06-006
Warren Edward Foster vs. Sprint Telephony PCS, LP

PROPOSED OUTCOME:

- ® Approves agreement between parties to settle case.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Allows the Commission to continue to fulfill its 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 Sandoval - ALJ Bemederfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76066196>

Consent Agenda - Intervenor Compensation Orders**32 Compensation to The Utility Reform Network**
[12379]

A12-03-026

Application of Pacific Gas and Electric Company for Approval of Amended Purchase and Sale Agreement between Pacific Gas and Electric Company and Contra Costa Generating Station LLC and for Adoption of Cost Recovery and Ratemaking Mechanisms.

PROPOSED OUTCOME:

® Awards \$145,470.88, plus interest, to The Utility Reform Network for substantial contributions to Decision 12-12-035.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

® Pacific Gas and Electric Company will pay \$145,470.88, plus interest.

(Comr Peevey - ALJ Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=76941668>

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

Consent Agenda - Intervenor Compensation Orders (continued)

33 **Compensation to The Greenlining Institute**
[12380]

R11-03-007

Order Instituting Rulemaking on the Commission's Own Motion to Consider Effectiveness and Adequacy of the Competitive Bidding Rule for Issuance of Securities and Associated Impacts of General Order 156, Debt Enhancement Features, and General Order 24-B.

PROPOSED OUTCOME:

® Awards The Greenlining Institute \$4,454.75, plus interest, for substantial contribution to Rulemaking 11 03 -007.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

® The California Public Utilities Commission's Intervenor Compensation Fund will pay \$4,454.75, plus interest.

(Comr Peevey - ALJ Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=75714364>

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

Consent Agenda - Intervenor Compensation Orders (continued)

34 **Compensation to the Conservation Groups**
[12381]

A10-03-015

In the Matter of the Application of PacifiCorp, an Oregon Company, for an Order Authorizing a Rate Increase Effective January 1, 2011 and Granting Conditional Authorization to Transfer Assets, pursuant to the Klamath Hydroelectric Settlement Agreement.

PROPOSED OUTCOME:

® Awards American Rivers, California Trout, and Trout Unlimited \$7,308 for their contribution to Decision 12-10-028.

SAFETY CONSIDERATIONS:

® Substantial contribution by intervenors, as found here, enhances the Commission's ability to resolve 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:

® Ratepayers of PacifiCorp will pay the awarded amount of \$7,308, plus interest.

(Comr Peevey - ALJ Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=75769120>

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

Regular Agenda

Regular Agenda - Energy Orders

35 **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 D12-11-015, which allocated \$75.2 million for these pilots.

® California Alternative Energy and Advanced Transportation Financing Authority has agreed to pursue legislation and budgetary authority to assume this role by December 2014, with program roll out beginning shortly thereafter.

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=77122761>

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

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

Agenda 3318, Item 37 7/25/2013 (Staff);

Agenda 3321, Item 47 9/5/2013 (Ferron)

Regular Agenda - Energy Orders (continued)

36 **Pacific Gas and Electric Company to Offer Economic
[12318] Development Rate Tariff Options**

A12-03-001

Application of Pacific Gas and Electric Company for Approval of Economic Development Rate for 2013-2017.

PROPOSED OUTCOME:

® Grants authority to Pacific Gas and Electric Company (PG&E) to offer both a Standard and an Enhanced Economic Development Rate (EDR) tariffed discount subject to certain ratepayer protections.

® Closes the proceeding.

SAFETY CONSIDERATIONS:

® PG&E's EDR program is modified to include protections for non-participating customers to ensure utility service is furnished and maintained in accordance with Public Utilities Code Section 451.

ESTIMATED COST:

® Program is designed to result in net benefit to PG&E ratepayers.

(Comr Ferron - ALJ Clark)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=75391752>

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

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

Regular Agenda - Energy Orders (continued)

37 **New Order Instituting Rulemaking**
[12363]

R_____

Order Instituting Rulemaking to Enhance the Role of Demand Response in Meeting the State's Resource Planning Needs and Operational Requirements.

PROPOSED OUTCOME:

® Initiates a rulemaking to determine whether and how to bifurcate current utility-administered ratepayer-funded Demand Response Programs into demand-side and supply-side resources.

SAFETY CONSIDERATIONS:

® Considers demand response program revisions in order to ensure the reliability of electric service for California customers in regard to the permanent closure of the San Onofre Nuclear Generating Station and the changing nature of the electrical grid.

ESTIMATED COST:

® Unknown.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77109230>

Regular Agenda - Energy Resolutions and Written Reports**38 Investor Owned Utilities to Implement Net Energy Metering
[12331] Aggregation Pursuant to Senate Bill 594**

Res E-4610

PROPOSED OUTCOME:

® Finds that allowing eligible customer-generators to aggregate their load from multiple meters, pursuant to Senate Bill (SB) 594 (Wolk, 2012), will not result in an increase in the expected revenue obligations of customers who are not eligible customer-generators.

® Within fourteen (14) days of the issuance of this resolution, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall each file a Tier 2 Advice Letter revising their Net Energy Metering (NEM) tariffs to enable meter aggregation pursuant to SB 594.

SAFETY CONSIDERATIONS:

® Implementation of NEM meter aggregation pursuant to this Resolution will not impact safety considerations.

ESTIMATED COST:

® No additional cost is associated with this Resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77089400>

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

Regular Agenda - Transportation/Rail Safety Orders

39 **Rules and Regulations to Regulate New Online Enabled**
[12291] **Transportation Services**

R12-12-011

Order Instituting Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services.

PROPOSED OUTCOME:

- ® Finds that Transportation Network Companies (TNC) are charter-party carriers subject to the Commission’s Jurisdiction.
- ® For example, Lyft, SideCar, and UberX are found to be TNCs.
- ® Commission’s existing Transportation Charter Party rules still apply to all limousines.

SAFETY CONSIDERATIONS:

- ® Compliance with the Commission’s rules and regulations should ensure public safety.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=77122741>

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

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

Agenda 3321, Item 50 9/5/2013 (Peevey)

Regular Agenda - Legal Division Matters

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

40 **Report and Discussion by Safety and Enforcement**
[12347] **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**
[12348]

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.

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.

42 **Conference with Legal Counsel - Initiation of Litigation**
[12355]

I. _____

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

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

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

43 **Conference with Legal Counsel - Initiation of Litigation**
[12361]

I. _____

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

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

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

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

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

Closed Session - Initiation of Litigation - Federal

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

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

Closed Session - Federal

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

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

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

Closed Session - Personnel Matters

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

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