
Public Utilities Commission of the State of California

Public Agenda 3342

Thursday, September 11, 2014 9:30 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Michel Peter Florio

Carla J. Peterman

Michael Picker

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 08, 2014 (San Francisco)	Thursday, September 11, 2014 (San Francisco)
Monday, September 29, 2014 (San Francisco)	Thursday, October 02, 2014 (San Francisco)
Monday, October 13, 2014 (San Francisco)	Thursday, October 16, 2014 (San Francisco)
Monday, November 03, 2014 (San Francisco)	Thursday, November 06, 2014 (Bakersfield)
Monday, November 17, 2014 (San Francisco)	Thursday, November 20, 2014 (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.
- 14, 19

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**
[13213] **Recently Filed Formal Applications**

Res ALJ 176-3342

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=101266349>

Consent Agenda - Orders and Resolutions (continued)

2 **Hillview Water Company's Surcharge on the Monthly Service**
[13103] **Charge to Recover Difference in Interim and Final Rates for**
 Test Year 2009 General Rate Case

Res W-4991, Advice Letter No. 99, filed on December 19, 2013 - Related matters.

PROPOSED OUTCOME:

® Hillview Water Company is hereby authorized to file a supplemental advice letter to implement a surcharge to recover \$231,782 over a thirty-six month period.

® This supplemental advice letter shall become effective upon approval by the Division of Water and Audits.

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:

® \$231,782.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104446929>

Agenda 3339, Item 18 7/10/2014 (Florio);

Agenda 3340, Item 11 8/14/2014 (Florio);

Agenda 3341, Item 5 8/28/2014 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **Petition for Modification of Decision 12-05-036 Filed by Solar**
[13211] **Energy Initiative**

R12-11-005

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

PROPOSED OUTCOME:

® Dismisses as moot the Petition for Modification of Decision (D.) 12-05-036 filed by the Solar Energy Industries Association. D.12-05-036, which established a method for calculating the statutorily required limit on the number of megawatts of renewable distributed generation that may receive service under the Net Energy Metering tariffs, was superseded by legislation and, as a result, was vacated by D.13-11-026. Because D.12-05-036 has been vacated, this petition for modification is moot.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peevey - Judge Hecht)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106754572>

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

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

Consent Agenda - Orders and Resolutions (continued)

4
[13221] **Amended On Bill Repayment Tariffs of Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company and San Diego Gas and Electric Company for Energy Efficiency Finance Pilots Program**

Res E-4680, PG&E Advice Letter (AL) 3443-G/4338-E and SCE AL 190-G/2991-E filed on December 30, 2013; SoCal Gas AL 4582 and SDG&E AL 2560-E/2255G filed on December 19, 2013 - Related matters.

PROPOSED OUTCOME:

® Approves as amended four draft "On Bill Repayment" tariffs filed in December of 2013 by Pacific Gas and Electric Company, Southern California Edison Company, Southern California Gas Company, and San Diego Gas & Electric Company, pursuant to Decision 13-09-044.

® Requires the four Investor Owned Utilities to re-file the approved tariffs after the California Alternative Energy and Advanced Transportation Financing Authority hires a master servicer later this year.

SAFETY CONSIDERATIONS:

® There are no safety considerations in relation to these financing pilot programs.

ESTIMATED COST:

® There are no additional ratepayer costs associated with this Resolution beyond the \$75,244,931 authorized by Decision (D.) 12-11-015, of which \$65.9 million was allocated by D.13-09-044.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106626012>

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

Consent Agenda - Orders and Resolutions (continued)

5 **Recommendation to California Transportation Commission**
[13225] **for Funding for Fiscal Year 2015-2016 for Maintaining**
 Automatic Grade Crossing Protection Devices

Res SX-114

PROPOSED OUTCOME:

® Recommendation to the California Transportation Commission for increasing funding under the California Public Utilities Code Section 1231.1 to an amount of \$3,765,000 to be allocated in fiscal year 2015-2016 for maintaining automatic grade crossing protection devices.

SAFETY CONSIDERATIONS:

® The recommendation to the California Transportation Commission for increasing funding under the California Public Utilities Code section 1231.1 to an amount of \$3,765,000 to be allocated in fiscal year 2015-2016 for maintaining automatic grade crossing protection devices will increase at-grade rail crossing safety throughout California by assuring properly maintained automatic warning devices.

ESTIMATED COST:

® Not within the scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=105873891>

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

Consent Agenda - Orders and Resolutions (continued)

6
[13227] **California Advanced Services Fund Matching Funds for
Federal Communications Commission Rural Broadband
Experiments in California**

Res T-17452

PROPOSED OUTCOME:

® Authorizes up to 10% matching funds from the California Advanced Services Fund for Federal Communications Commission "Rural Broadband Experiments" in California.

SAFETY CONSIDERATIONS:

® Funded projects would improve broadband infrastructure in rural areas and facilitate the transmission of data and communications amongst first responders and the public.

ESTIMATED COST:

® \$1 million (10%) of an estimated \$10 million in federal funding for California.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106951071>

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

Consent Agenda - Orders and Resolutions (continued)

7 **Larkspur Meadows Water Company's General Rate Increase**
[13229] **Over Current Approved Gross Revenues**

Res W-5004, Advice Letter No. 18-A filed December 27, 2013 - Related matters.

PROPOSED OUTCOME:

® Authorizes Larkspur Meadows Water Company to file a supplemental advice letter with the revised rate schedule attached as Appendix B and concurrently cancel its presently effective Rate Schedule No. 2R, Residential Flat Rate Service. The effective date of the revised schedule shall be five days after the date of filing.

® Adopts the Division of Water and Audits' recommended quantities in Appendix D.

SAFETY CONSIDERATIONS:

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statues 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:

® \$5,894.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=101789347>

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

Consent Agenda - Orders and Resolutions (continued)

8
[13230] **North Gualala Water Company's Establishment of Mandatory Water Conservation Program, Establishment of Water Conservation Memorandum Account, and Compliance with State Water Resources Control Board's Drought Emergency Water Conservation Regulations**

Res W-5002, Advice Letter No. 83-W-A filed on February 13, 2013 - Related matters.

PROPOSED OUTCOME:

- ® Approves North Gualala Water Company's Water Conservation Program under Tariff Rule and Schedule 14.1 included in Appendix A.
- ® Establishes North Gualala Water Company's Mandatory Water Conservation Memorandum Account included in Appendix B.
- ® Authorizes North Gualala Water Company to file a supplemental Advice Letter within 30 days from the effective date of this Resolution to add Tariff Rule and Schedule 14.1 to its tariffs and concurrently cancel its existing Rule 14.1, and add the authorized Mandatory Water Conservation Memorandum Account to its preliminary statement.
- ® Requires North Gualala Water Company to comply with the State Water Resources Control Drought Emergency Water Conservation regulations by enforcing the water use restrictions contained in the regulations on an on-going basis, until the restrictions are lifted.

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:

- ® Not available.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=101779152>

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

Consent Agenda - Orders and Resolutions (continued)

9 **NMG Telecom LLC for a Certificate of Public Convenience
[13232] and Necessity**

A13-02-027

In the Matter of the Application of NMG Telecom LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Limited Facilities Based Local Exchange and Interexchange Telecommunications Services within California.

PROPOSED OUTCOME:

® Dismisses the application without prejudice.

SAFETY CONSIDERATIONS:

® No safety issues are raised by this decision.

ESTIMATED COST:

® None.

(Comr Sandoval - Judge Moosen)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106768334>

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 **Ramona Water Company to Transfer to Western Water
[13233] Conservation, a Public Benefits Corporation**

A13-10-006

Joint Application of Ramona Water Company to sell, and Western Water Conservation, a California Public Benefit Corporation, to buy, the water system of Ramona Water Company in the County of Riverside.

PROPOSED OUTCOME:

- ® Grants Ramona Water Company's request to sell, and Western Water Conservation's request to buy Ramona Water Company.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Transfer will allow water system to receive grant funding reserved for non-profit entities and construct system upgrade, improving customer safety by improving water quality.

ESTIMATED COST:

- ® None.

(Comr Sandoval - Judge Tsen)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=100984952>

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

Agenda 3341, Item 26 8/28/2014 (Staff)

Consent Agenda - Orders and Resolutions (continued)

11 **Reinstatement of the Operating Authority Held by Nationwide**
[13234] **Long Distance Service, Inc.**

Res T-17450

PROPOSED OUTCOME:

® Reinstates the operating authority held by Nationwide Long Distance Service, Inc. (Nationwide.)

SAFETY CONSIDERATIONS:

® Licensing Nationwide will put this carrier under the jurisdiction of the California Public Utilities Commission (CPUC), thus better ensuring the carrier follows all applicable CPUC requirements, including those rules associated with safety.

ESTIMATED COST:

® None.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=105490451>

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

Consent Agenda - Orders and Resolutions (continued)

12 **Transfererring Responsibility for Collecting Solar Statistics**
[13235] **from California Solar Initiative to the Net Energy Metering**

R12-11-005

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

PROPOSED OUTCOME:

- ® Orders the investor owned electric utilities to update the customer Net Energy Metering interconnection application to include data fields previously collected in the California Solar Initiative application process.
- ® Directs the investor owned electric utilities to establish a single statewide web-based Net Energy Metering application portal.
- ® Determines the relevant data fields that the investor owned electric utilities must collect and identifies the data they must transfer to the California Solar Statistics contractor for processing and posting to the California Solar Statistics website.

SAFETY CONSIDERATIONS:

- ® Transfer of data collection does not raise any direct safety concerns.

ESTIMATED COST:

- ® Reasonable costs to create web-based application portal shall be covered through the established California Solar Initiative budget.

(Comr Peevey - Judge MacDonald)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=101125940>

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

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

Consent Agenda - Orders and Resolutions (continued)

13
[13236] **i-wireless, LLC to be Designated as an Eligible
Telecommunications Carrier to Provide Federal Lifeline
Wireless Service**

Res T-17449

PROPOSED OUTCOME:

® Conditionally grants the request of i-wireless, LLC to be designated as an Eligible Telecommunications Carrier to provide only Federal Lifeline Wireless Service to qualifying customers in specified areas of California.

SAFETY CONSIDERATIONS:

® Addresses safety concerns requiring notification of service coverage limitations.

ESTIMATED COST:

® \$0.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=105127636>

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

Consent Agenda - Orders and Resolutions (continued)

14 **Alleged Improper Billing of Late Fee and 411 Charge**
[13239]

(ECP) C14-04-029

Martha K. Williams vs. AT&V Mobility Wireless Operations Holdings, dba AT&V Mobility.

PROPOSED OUTCOME:

- ® Dismisses the complaint because complainant's account was credited for the full amount of the claim.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® None as a result of this decision.

ESTIMATED COST:

- ® None.

(Comr Peterman - Judge Bemederfer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=100984340>

Consent Agenda - Orders and Resolutions (continued)

15 **Addressing the two Petitions for Modification of Ordering**
[13244] **Paragraph 9 of Decision 10-05-010**

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

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

PROPOSED OUTCOME:

® Grants the joint petition of San Diego Gas & Electric Company (SDG&E) and the Coalition of California Utility Employees to modify Ordering Paragraph 9 of Decision 13-05-010. The modification will result in updated performance reliability measures that target areas where SDG&E's electric reliability could be improved.

® The March 17, 2014 Petition for Modification of Decision 13-05-010 is moot.

® Closes the proceedings.

SAFETY CONSIDERATIONS:

® These performance reliability measures will help to assess and improve SDG&E's electric operations.

ESTIMATED COST:

® The adoption of performance incentives to improve reliability may increase costs to ratepayers in the future.

(Comr Peevey - Judge Wong)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=100357725>

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

Consent Agenda - Orders and Resolutions (continued)

16
[13246] **Pacific Gas and Electric Company's Power Purchase Agreement with Midway Sunset Cogeneration Company for Procurement of Combined Heat and Power Energy and Capacity**

Res E-4661, Advice Letter No. 4377-E filed on March 18, 2014 - Related matters.

PROPOSED OUTCOME:

® Approves without modification the power purchase agreement (PPA) between Pacific Gas and Electric Company and Midway Sunset Cogeneration Company.

SAFETY CONSIDERATIONS:

® This Resolution approves a PPA for an existing combined heat and power (CHP) facility. Because facility operations will either remain unchanged or scale back, there are no new safety risks associated with the approval of this contract.

ESTIMATED COST:

® Cost components of the Midway Sunset PPA are confidential at this time due to its selection through the CHP Request for Offers process, which is a competitive solicitation process.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106569042>

Consent Agenda - Orders and Resolutions (continued)

17 **Addresses an All-Party Settlement and Great Oaks Water**
[13254] **Company to Issue New Debt Securities**

A14-01-023

Application of Great Oaks Water Company for an Order authorizing it to issue long-term debt in the amount of \$4,000,000.

PROPOSED OUTCOME:

- ® Adopts the all-party settlement reached by Great Oaks Water Company (Great Oaks) and the Office of Ratepayer Advocates.
- ® Grants Great Oaks the authority to issue new long-term debt not exceeding \$4 million pursuant to Public Utilities Code §§ 816-830, and an exemption from the New Financing Rule.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® With the issuance of this financing, Great Oaks Water Company has the funding necessary to comply with Public Utilities Code § 451, providing service to its patrons, employees, and the public in a safe manner.

ESTIMATED COST:

- ® Unknown.

(Comr Picker - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=101240645>

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

Consent Agenda - Orders and Resolutions (continued)

18 **Vista Grande Water System's General Rate Increase to**
[13260] **Produce Additional Annual Revenue for Test Year 2014**

Res W-4999, Advice Letter No. 36 filed October 10, 2013 - Related matters.

PROPOSED OUTCOME:

® Authorizes Vista Grande Water System to file a supplement to Advice Letter No. 36 to incorporate the rate schedules (Appendix B), and to concurrently cancel its presently effective Rate Schedule No. 1, Metered Service. The effective date of the revised rate schedule shall be 5 days after the date of the supplemental filing.

® Authorizes Vista Grande Water System to increase the Test Year 2014 water revenues by \$4,121, or 6.4%.

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:

® \$4,121.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=100149117>

Consent Agenda - Orders and Resolutions (continued)

19

Order Extending Statutory Deadline

[13262]

I13-09-012

Order Instituting Investigation on the Commission's Own Motion into the fatal accident at the San Francisco Municipal Transportation Agency's Mission Rock Station in the City and County of San Francisco, on December 1, 2012.

PROPOSED OUTCOME:

® Extends statutory deadline of this proceeding until March 13, 2015.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Picker - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104105571>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Order Extending Statutory Deadline**
[13267]

A12-10-003

In the Matter of the Application of California-American Water Company for an Order Authorizing the Transfer of Costs Incurred in 2011 for a Long-Term Water Supply Project for the Monterey County District to its Special Request 1 Surcharge Balancing Account.

PROPOSED OUTCOME:

® Extends statutory deadline until November 26, 2014.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peevey - Judge Long)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104237639>

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

Consent Agenda - Orders and Resolutions (continued)

21 **Motion for Adoption of Settlement in Limited Rehearing of**
[13270] **Decision 10-11-035**

A08-07-010, A07-01-014 - Related matters.

In the matter of the Application of the Golden State Water Company for an order authorizing it to increase rates for water service by \$20,327,339 or 20.12% in 2010; by \$2,646,748 or 2.18% in 2011; and by \$4,189,596 or 3.37% in 2012 in its Region II Service Area and to increase rates for water service by \$30,035,914 or 32.67% in 2010; by \$1,714,524 or 1.39% in 2011; and by \$3,664,223 or 2.92% in 2012 in its Region III Service Area.

PROPOSED OUTCOME:

- ® Grants request and adopts settlement.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Ensures safe, reliable and affordable drinking water to Golden State customers.

ESTIMATED COST:

- ® Santa Maria District ratebase offset of \$336,350.24 and customer refund of \$974,024.

(Comr Sandoval - Judge Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106753715>

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

Consent Agenda - Orders and Resolutions (continued)

22

Petition for Modification of Decision 13-02-015

[13272 AMHF F]

R12-03-014

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

PROPOSED OUTCOME:

® Denies Terra-Gen Power, LLC’s Petition for Modification of Decision 13-02-015, regarding Southern California Edison’s procurement Request for Offers. (Due to technical difficulties, Agenda ID# 13272 replaces Agenda ID# 13181.)

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 Florio - Judge Gamson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106780828>

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

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

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Consent Agenda - Intervenor Compensation Orders

23

Compensation to EMF Safety Network

[13205]

A11-03-014

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 EMF Safety Network for substantial contribution to Decision 12-02-014.

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:

® \$24,384.70, plus interest, to be paid by Pacific Gas and Electric Company.

(Comr Peevey - Judge Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106783523>

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)

24

Compensation to The Utility Reform Network

[13265]

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 The Utility Reform Network for substantial contribution to Decision (D.) 12-12-035 and D.13-04-032.

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:

® \$137,328.76 plus interest, to be paid by Pacific Gas and Electric Company.

(Comr Peevey - Judge Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106969036>

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

Regular Agenda

Regular Agenda - Energy Orders

25 **Southern California Edison Company and San Diego Gas &
[12583] Electric Company's Interim Refund to Ratepayers**

112-10-013, A13-01-016, A13-03-005, A13-03-013, A13-03-014 - Related matters.

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas and Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

PROPOSED OUTCOME:

® Authorizes some of 2012 San Onofre Nuclear Generating Station (SONGS)-related expenses recorded by Southern California Edison Company and San Diego Gas & Electric Company, but defers final review of all costs related to the outages to Phase 3.

SAFETY CONSIDERATIONS:

® Authorized expenses are adequate to maintain the SONGS facility including critical systems, in a safe and secure condition, and to meet federal and state regulatory requirements.

ESTIMATED COST:

® Refunds to ratepayers totaling \$94 million.

(Comr Florio - Judge Darling)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=102072950>

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

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

Agenda 3328, Item 36 12/19/2013 (Peevey);

Agenda 3329, Item 47 1/16/2014 (Peevey);

Agenda 3331, Item 39 2/27/2014 (Staff);

Agenda 3333, Item 26 3/27/2014 (Picker);

Agenda 3334, Item 32 4/10/2014 (Florio);

Agenda 3336, Item 36 5/15/2014 (Staff);

Agenda 3338, Item 35 6/26/2014 (Staff);

Agenda 3340, Item 57 8/14/2014 (Staff)

Regular Agenda - Energy Orders (continued)

26
[13149] **Compensation to Black Economic Council, National Asian American Coalition, and Latino Business Chamber of Greater Los Angeles.**

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

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

PROPOSED OUTCOME:

® Awards the National Asian American Coalition and Latino Business Chamber of Greater Los Angeles for substantial contribution to Decision 12-08-044.

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:

® \$13,797.80; plus interest, to be paid by Southern California Edison Company, Southern California Gas Company, San Diego & Electric Company, and Pacific Gas and Electric Company.

(Comr Sandoval - Judge Kim)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106952503>

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

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

Agenda 3340, Item 51 8/14/2014 (Pub. Util. Code §311(e))

Regular Agenda - Energy Orders (continued)

26a ALTERNATE TO ITEM 13149
[13228]

~~OFFICE OF~~, A11-05-018, A11-05-019, A11-05-020 - Related matters.

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

PROPOSED OUTCOME:

® Awards National Asian American Coalition and Latino Business Chamber of Greater Los Angeles for substantial contribution to Decision 12-08-044.

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:

® \$29,036.00, plus interest, to be paid by Southern California Edison Company, Southern California Gas Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company.

(Comr Peevey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106794329>

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

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

Agenda 3340, Item 51a 8/14/2014 (Pub. Util. Code §311(e))

Regular Agenda - Water/Sewer Orders

27 **Guidance on Intra-Utility Rate Balancing for Multi-District** [13035] **Water Utilities with High-Cost and/or Affordability Problems**

R11-11-008

Order Instituting Rulemaking on the Commission's Own Motion into Addressing the Commission's Water Action Plan Objective of Setting Rates that Balance Investment, Conservation, and Affordability for the Multi-District Water Utilities of: California-American Water Company, California Water Service Company, Del Oro Water Company, Inc., Golden State Water Company, and San Gabriel Valley Water Company.

PROPOSED OUTCOME:

- ® Each Commission-regulated multi-district water utilities must:
- ® Prior to its next general rate case filing, review its own districts for high-cost and affordability problems;
- ® Report on the review in its next general rate case filing; and
- ® Where high-cost and affordability problems exist, propose one or more intra-utility solutions, which may include a Rate Support Fund or other cross-subsidization mechanism, some form of additional district consolidation, or other relief, as further discussed in the decision.

SAFETY CONSIDERATIONS:

- ® Furtherance of the Commission's Water Action Plan's sixth objective: to set rates that balance investment, conservation and affordability.

ESTIMATED COST:

- ® Minimal, additional general rate case preparation costs.

(Comr Sandoval - Judge Vieth, Judge Weatherford)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=102419149>

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

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

Agenda 3338, Item 43 6/26/2014 (Sandoval);

Agenda 3339, Item 38 7/10/2014 (Peevey);

Agenda 3340, Item 71 8/14/2014 (Pub. Util. Code §311(e))

Regular Agenda - Water/Sewer Orders (continued)

27a ALTERNATE TO ITEM 13035
[13224]

Order Instituting Rulemaking on the Commission's Own Motion into Addressing the Commission's Water Action Plan Objective of Setting Rates that Balance Investment, Conservation, and Affordability for the Multi-District Water Utilities of: California-American Water Company, California Water Service Company, Del Oro Water Company, Inc., Golden State Water Company, and San Gabriel Valley Water Company.

PROPOSED OUTCOME:

- ® Each Commission-regulated multi-district water utility must:
- ® Prior to its next general rate case filing, review its own districts for high-cost and/or affordability problems;
- ® Report on the review in its next general rate case filing; and
- ® Where high-cost and affordability problems exist, propose one or more intra utility solutions, including consolidation requests that balance investment, conservation and affordability. The decision eliminates the 1992 Guidelines for Combining Water Utility Districts for Ratemaking and Public Utilities Commission Reporting Purposes.

SAFETY CONSIDERATIONS:

- ® Furtherance of the Commission's Water Action Plan's sixth objective: to set rates that balance investment, conservation and affordability.

ESTIMATED COST:

- ® Minimal, additional general rate case preparation costs.

(Comr Peevey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106770364>

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

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

Agenda 3340, Item 71a 8/14/2014

Regular Agenda - Water/Sewer Orders (continued)

28 **Southern California Edison Company's Rate Increase for**
 [13063] **Santa Catalina Island Water Operations**

A10-11-009

Application of Southern California Edison Company for Authority to, Among Other Things, Increase its Authorized Revenues for Santa Catalina Island Water Operations, and to Reflect that Increase in Rates.

PROPOSED OUTCOME:

- ® Adopts all-party settlement agreement on revenue requirement and rate design for Southern California Edison Company's (SCE) Santa Catalina Water operations.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Allows SCE's Catalina Water operations to continue to provide safe, reliable water at reasonable rates.

ESTIMATED COST:

- ® Average water users will see a 31.37% increase in their monthly rate from \$74.04 to \$97.27. Includes a \$8.895 million rate base transfer to SCE's electric customers and \$2.485 million capital disallowance borne by SCE shareholders.

(Comr Peevey - Judge Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104590893>

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

Agenda 3338, Item 23 6/26/2014 (Sandoval);
 Agenda 3339, Item 39 7/10/2014 (Sandoval);
 Agenda 3341, Item 38 8/28/2014 (Florio)

Regular Agenda - Water/Sewer Orders (continued)

28a ALTERNATE TO ITEM 13063
(Rev.)
[13290]

Application of Southern California Edison Company for Authority to, Among Other Things, Increase its Authorized Revenues for Santa Catalina Island Water Operations, and to Reflect that Increase in Rates.

PROPOSED OUTCOME:

® Denies the joint, all-party motion for adoption of a settlement agreement and requires parties to file an alternate proposal to transferring \$8.895 million to Southern California Edison electric customers.

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 as settlement is rejected.

(Comr Sandoval)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=105501528>

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

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

09/10/2014 - This item was not listed on the agenda distributed to the public.

Regular Agenda - Transportation/Rail Safety Orders

29
[13072] **Modification of Decision 13-09-045 Adopting Rules and Regulations to Protect Public Safety While Allowing New Entrants to the Transportation Industry**

R12-12-011

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

PROPOSED OUTCOME:

® Defines providing Transportation Network Company (TNC) services, expands and clarifies the insurance requirements for TNCs, modifies certain holdings to explain the holdings and rationale, and makes this quasi-legislative proceeding subject to the ex parte reporting rules.

SAFETY CONSIDERATIONS:

® This decision clarifies and expands the safety protections for TNC drivers, subscribing TNC passengers, other drivers, and pedestrians.

ESTIMATED COST:

® None.

(Comr Peevey - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104590904>

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

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

Agenda 3339, Item 40 7/10/2014 (Sandoval);

Agenda 3340, Item 73 8/14/2014 (Sandoval);

Agenda 3341, Item 40 8/28/2014 (Florio)

Regular Agenda - Legal Division Matters

30 **Comments Before the Federal Communications Commission**
[13222] **on Notice of Proposed Rulemaking**

GN Docket No. 14-28

Notice of Proposed Rulemaking (NPRM) in the Matter of Protecting and Promoting the Open Internet; GN Docket No. 14-28; Released: May 15, 2014.

The Federal Communications Commission (FCC) has issued a NPRM in which the FCC seeks comment on the very broad question of “[w]hat is the right public policy to ensure that the Internet remains open?” Specifically, the FCC proposes to enhance its transparency rule, and to attempt for a third time to adopt rules against blocking and discrimination. The FCC also asks for comment on its statutory authority to adopt the proposed rules. Staff seeks authority to file reply comments.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106831490>

Agenda 3341, Item 41 8/28/2014 (Staff)

31 **Comments Before the Federal Communications Commission**
[13247] **on Further Notice of Proposed Rulemaking**

WC Docket No. 13-184 (FCC 14-99)

Report and Order and Further Notice of Proposed Rulemaking in the Matter of Modernizing the E-rate Program for Schools and Libraries; WC Docket No. 13-184 (FCC 14-99); Released: July 23, 2014.

The Federal Communications Commission (FCC) has issued a Further Notice of Proposed Rulemaking in which the FCC seeks further comment on the future funding levels needed for the E-rate program and ways to further simplify the administration of the E-rate program.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=105834508>

Regular Agenda - Legislative and Other Matters

' & O&) * QLIST OF LEGISLATION:

- ® a . AB 876 (Bonta) . California Teleconnect Fund
- ® b . AB 1434 (Yamada) . Low-Income Water Programs
- ® c . AB 1499 (Skinner) – Self-Generation Incentive Program Sunset Extension
- ® d . AB 1624 (Gordon) – Self-Generation Incentive Program Sunset Extension
- ® e . AB 1678 (Gordon) – LGBT Supplier Diversity
- ® f . AB 1693 (Perea) – Small Telephone Corporation General Rate Cases
- ® g . AB 1717 (Perea) – Telco: Prepaid Mobile Telephony Services: State Surcharge and Fees:
Local Charges Collection
- ® h . AB 1918 (Williams) . Air Conditioner Code Compliance
- ® i . AB 2017 (Muratsuchi) – On-Bill Repayment
- ® j . AB 2045 (Rendon) – Non-Residential Energy Retrofit Financing
- ® k . AB 2068 (Nazarian) – Transportation Network Company operating requirements
- ® l . AB 2218 (Bradford) . Food Bank Energy Discounts
- ® m . AB 2229 (Bradford) . Military Base Energy Efficiency
- ® n . AB 2272 (Gray) – Prevailing Wage for California Advanced Services Fund Projects
- ® o . AB 2293 (Bonilla) – Transportation Network Company Insurance Disclosure
- ® p . AB 2334 (Gray) – Military Base Economic Development
- ® q . AB 2363 (Dahle) – Electricity Procurement
- ® r . AB 2584 (Nestande) – Military Distributed Generation
- ® s . AB 2649 (Mullin) . Military Base NEM
- ® t . AB 2672 (Perea) – Gas Service Extension
- ® u . AB 2761 (Dickson) – Oil Spill Prevention and Response
- ® v . SB 48 (Hill) – R&Ö Peer Review
- ® w . SB 434 (Hill) – Non-State Entity Boards
- ® xÁ SB 611 (Hill) – Limousine Inspections
- ® y . SB 636 (Hill) – California Public Utilities Commission Ethics
- ® z . SB 699 (Hill) – Utility Security
- ® aa . SB 831 (Hill) – Behested Payments
- ® ab . SB 900 (Hill) – Safety Ratemaking
- ® ac . SB 936 (Monning) – Water Infrastructure Financing
- ® ad . SB 1064 (Hill) – Railroad Safety Reporting
- ® aeÁ SB 1078 (Jackson) – Independent System Operator Grid Management
- ® af . SB 1090 (Fuller) – Central Valley Time-of-Use Rates
- ® ag . SB 1139 (Hueso) – Geothermal Procurement
- ® ah . SB 1277 (Steinberg) – Independent System Operator Capacity Product Approval
- ® ai . SB 1364 (Fuller) . California High-Cost Fund Sunset Extension
- ® aj . SB 1371 (Leno) – Natural Gas Leakage Abatement
- ® ak . SB 1389 (Hill) – Transmission Maximum Allowable Operating Pressure
- ® alÁ SB 1409 (Hill) – Utility Rates
- ® am . SB 1414 (Wolk) . Demand Response

Regular Agenda - Legislative and Other Matters (continued)

Agenda 3335, Item 37 5/1/2014 (Staff);
 Agenda 3336, Item 41 5/15/2014 (Staff);
 Agenda 3337, Item 63 6/12/2014 (Staff);
 Agenda 3338, Item 45 6/26/2014 (Staff);
 Agenda 3339, Item 42 7/10/2014 (Staff);
 Agenda 3340, Item 75 8/14/2014 (Staff);
 Agenda 3341, Item 44 8/28/2014 (Staff)

33 **Legislative Matters**
 [13026]

LIST OF LEGISLATION:

- ® an . AB 1763 (Perea) – State Energy Plan
- ® ao . AB 1782 (Chesbro) – Wire Theft Penalties
- ® ap . AB 1937 (Gordon) – Emergency Response Standards
- ® aq . AB 2137 (Quirk) – Small Business Informational Website
- ® ar . AB 2145 (Bradford) – Community Choice Aggregation
- ® as . AB 2200 (Perez, J) – California Cyber Security
- ® at . AB 2227 (Quirk) – Citizens Oversight Board; Implementation
- ® au . AB 2319 (Bonilla) – Education Broadband Grants
- ® av . AB 2529 (Williams) – Plug-In Equipment
- ® aw . AB 2760 (U&Ö) – Women, Minority, and Disabled Veteran Business Enterprise
- ® ax . AB 2761 (Dickson) – Oil Spill Prevention and Response
- ® ay . SB 711 (Padilla) – Certificate of Public Convenience and Necessity Fees
- ® az . SB 962 (Leno) – Mobile Phone Shut-Off
- ® aaa . SB 1211 (Padilla) – NextGen 911
- ® aab . SB 1275 (De Leon) – Charge Ahead California
- ® aac . SB 1319 (Pavley) . Oil Spill Prevention and Response

Agenda 3337, Item 64 6/12/2014 (Staff);
 Agenda 3338, Item 46 6/26/2014 (Staff);
 Agenda 3339, Item 43 7/10/2014 (Staff);
 Agenda 3340, Item 76 8/14/2014 (Staff);
 Agenda 3341, Item 45 8/28/2014 (Staff)

Regular Agenda - Legislative and Other Matters (continued)

34 **Legislative Matters**
[13091]

LIST OF LEGISLATION:

- ® aad . AB 365 (Mullin) . Electricity: Distributed Generation
- ® aae . AB 380 (Dickinson) – Spill Response for Railroads
- ® aaf . SB 115 (Hill) . Electric Program Investment Charge Fund
- ® aag . SB 506 (Hill) . Railroad Tank Car Hazardous Materials Safety Fund

Agenda 3339, Item 44 7/10/2014 (Staff);
Agenda 3340, Item 77 8/14/2014 (Staff);
Agenda 3341, Item 46 8/28/2014 (Staff)

Regular Agenda - Commissioner Reports

Regular Agenda - Management Reports and Resolutions

35
[13215] **Report and Discussion by Safety and Enforcement Division
on Recent Safety Program Activities**

36
[13242] **Management Report on Administrative Activities**

37 (Rev.)
[13209] **Director Ryan Dulin and Director Marzia Zafar Report on
Telecommunications Guiding Principles**

The Commission's telecommunications policy goals are to promote public safety, consumer protection, universal service, competition, and network reliability. Similar to the Commission's Water Action Plan and Energy Action Plan, this document sets policy direction for the telecommunications industry. This document directs staff to create a comprehensive Action Plan detailing the steps necessary to create a path for achieving our vision and goals based on the guiding principles we have established in this document. This agenda item is before the Commission for discussion.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106580163>

Agenda 3340, Item 80 8/14/2014 (Staff);

Agenda 3341, Item 49 8/28/2014 (Staff)

09/08/2014 - This revision was not shown on the Agenda mailed to the public.

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

38 **Conference with Legal Counsel - Application for Rehearing**
[13216]

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.

39 **Conference with Legal Counsel - Application for Rehearing**
[13195]

R11-03-013

Disposition of Application for Rehearing of Decision (D.) 14-01-036, filed by AT&T California and Affiliated Entities. In D.14-01-036, the Commission set a LifeLine rate cap for wireline providers, and no rate cap for wireless providers.

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

Agenda 3340, Item 85 8/14/2014

40 **Conference with Legal Counsel - Application for Rehearing**
[13245]

R11-10-023

Disposition of the application for rehearing of Decision (D.) 14-06-050 jointly filed by Energy Producers and Users Coalition (EPUC) and the Cogeneration Association of California (CAC) (collectively, EPUC/CAC). In D.14-06-050, the Commission adopted local capacity procurement and flexible capacity obligations for 2015 for Commission jurisdictional electric load serving entities. D.14-06-050 also adopted interim flexible capacity framework for 2015 through 2017 as an additional component of Resource Adequacy (RA) requirements.

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

Closed Session - Applications for Rehearing (continued)

41 **Conference with Legal Counsel - Application for Rehearing**
[13255]

R06-06-028

Disposition of application for rehearing of Decision (D.) 08-09-042 filed by the Office of Ratepayer Advocates and The Utility Reform Network. In D.08-09-042, the Commission adopted a transitional plan permitting adjustments in retail rates for basic telephone service effective January 1, 2009.

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

42 **Conference with Legal Counsel - Application for Rehearing**
[13258]

A12-11-026

Disposition of the Application for Rehearing of Resolution E-4533 filed by Edward Hasbrouck. In Resolution E-4533, the Commission affirmed the Energy Division's disposition of Pacific Gas and Electric Company's (PG&E) Advice Letter 3278-G/4006-E. PG&E filed the Advice Letter to comply with Ordering Paragraph 2 of Decision 12-02-014 which required it to submit tariffs necessary to implement an opt-out option for customers who do not wish to have a wireless SmartMeter installed at their location.

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

43 **Conference with Legal Counsel - Application for Rehearing**
[13259]

A09-08-020

Disposition of Application for Rehearing of Decision (D.) 14-03-040, filed by Ms. Ruth Henricks (Ms. Henricks). D.14-03-040 denied intervenor compensation to Ms. Henricks for failing to make a substantial contribution to D.12-12-029.

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

44 **Conference with Legal Counsel - Application for Rehearing**
[13264]

I09-12-016

Disposition of application for rehearing of Decision (D.) 14-01-037 by TracFone Wireless, Inc. (TracFone). D.14-01-037 is a decision in Phase 2 of this Order Instituting Investigation/Order to Show Cause (OII) proceeding, I.09-12-016. Phase 2 of this OII concerns two issues: (1) determination of the amount of delinquent user fees and public purpose program (PPP) surcharges (also known as, "universal end user" surcharges) that TracFone owes; (2) determination of appropriate penalties, if any, in light of TracFone's violations of and non-compliance with the various laws, regulations and directives requiring it to remit such surcharges and pay such fees. D.14-01-037 determined that TracFone owed a total of \$24,397,441.17 (including interest) in delinquent surcharges and fees, from the years 2000 and 2004, respectively, until issuance of D.12-02-032 in Phase 1 of this OII.

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

45 **Conference with Legal Counsel - Existing Litigation**
[13266]

FERC ER13-2412-00

Trans Bay Cable FERC ER13-2412-00.

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

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