
Public Utilities Commission of the State of California

Public Agenda 3343

Thursday, October 2, 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 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)
Monday, December 01, 2014 (San Francisco)	Thursday, December 04, 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.

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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 9, 17, 18, 23

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**
[13249] **Recently Filed Formal Applications**

Res ALJ 176-3343

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=107923522>

Consent Agenda - Orders and Resolutions (continued)

2 **Citation Program for California Rail Transit Agencies**
[12928]

Res ST-163

PROPOSED OUTCOME:

- ® Establishes citations for violations of State and Federal laws and regulations concerning the safety of public transit fixed guideway systems. (Rail Transit Agencies [RTA])
- ® Establishes fixed penalties for specific violations of relevant Commission General Orders and state statutes.
- ® Implements a citation program including a penalty schedule for public and private rail transit guideway systems in California.

SAFETY CONSIDERATIONS:

- ® Requires that Rail Transit Agencies and private guideway systems serving the public comply with relevant state and federal rules and regulations including the Commission’s General Orders for these systems and provides for the issuance of citations in instances in which the RTA or guideway system fails to timely correct defects following notice by PUC Inspectors.

ESTIMATED COST:

- ® Unknown.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=113220169>

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

Agenda 3337, Item 5 6/12/2014 (Staff);
Agenda 3339, Item 3 7/10/2014 (Staff);
Agenda 3341, Item 2 8/28/2014 (Staff)

Consent Agenda - Orders and Resolutions (continued)

3 **Qualifying Facility and Combined Heat and Power Program**
[13248] **Settlement Agreement**

A08-11-001, R06-02-013, R04-04-003, R04-04-025, R99-11-022 - Related matters.

Application of Southern California Edison Company for Applying the Market Index Formula and As-Available Capacity Prices adopted in D.07-09-040 to Calculate Short-Run Avoided Cost for Payments to Qualifying Facilities beginning July 2003 and Associated Relief.

PROPOSED OUTCOME:

- ® Denies the petition of the Energy Producers and Users Coalition to modify Decision 10-12-035.
- ® Closes Application 08-11-001 and Rulemaking (R.) 06-02-013, R.04-04-025, R.04-04-003 and R.99-11-022.

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 Peevey - Judge Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=108132285>

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)

4 **Pacific Gas and Electric Company Requests Modifications to**
[13256] **the Photovoltaic Program Solicitation Power Purchase**
 Agreement and Protocol

Res E-4659, Advice Letter No. 4368-E filed on February 28, 2014 - Related matters.

PROPOSED OUTCOME:

® Approves Pacific Gas and Electric Company’s Photovoltaic Program pro forma power purchase agreement and protocol with modifications.

SAFETY CONSIDERATIONS:

® Approves a revised pro forma power purchase agreement and solicitation protocols that contain provisions requiring the seller to comply with all applicable requirements of law relating to the projects including those related to planning, construction, ownership, and/or operation of the projects. As a result, there are not any expected incremental safety implications associated with approval of this resolution.

ESTIMATED COST:

® There are no expected costs associated with the changes made to the Photovoltaic Program adopted by this Resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=115120580>

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

Consent Agenda - Orders and Resolutions (continued)

5 **Pacific Gas and Electric Company's Renewable Energy**
[13257] **Power Purchase Agreement with CA Flats Solar 150, LLC**

Res E-4686, Advice Letter No. 4367-E filed on February 25, 2014 - Related matters.

PROPOSED OUTCOME:

® Approves cost recovery for the long-term renewable energy power purchase agreement between Pacific Gas and Electric Company and CA Flats Solar 150, LLC. The power purchase agreement is approved without modification.

SAFETY CONSIDERATIONS:

® Requires the seller of the generation to comply with all applicable safety requirements of law relating to the project.

ESTIMATED COST:

® Actual costs of the power purchase agreement are confidential at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=103420651>

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

Consent Agenda - Orders and Resolutions (continued)

6
[13261] **Joint Utilities' Request for Approval of 21st Century Energy
Systems Research and Development Projects and
Cooperative Agreement**

Res E-4677, Joint Advice Letter (AL) 4402-E (PG&E), AL 4040-E (SCE), and AL 2592-E (SDG&E) filed on April 25, 2014 - Related matters.

PROPOSED OUTCOME:

- ® Approves the proposed budget.
- ® Approves the proposed project business cases and Cooperative Research and Development Agreement, subject to a compliance filing incorporating modifications made herein.

SAFETY CONSIDERATIONS:

- ® The Commission anticipates that the proposed energy modeling and computing research projects will protect public safety by helping to prevent cyber-attacks and by mitigating any potential adverse impacts of intermittent generation on grid resources.

ESTIMATED COST:

- ® This Resolution approves the proposed CES-21 projects with a \$35 million budget that was authorized in D.14-03-029. This Resolution does not authorize incremental spending beyond what the Commission has previously approved.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=111628668>

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

Consent Agenda - Orders and Resolutions (continued)

7 **Authority to Enter Into an Agreement with the Federal Transit
[13263] Administration for Formula Grant Fund Program Funding**

Res ST-169

PROPOSED OUTCOME:

® Authorizes the Executive Director, or his/her designee, to take any actions necessary to enter into an agreement with the Federal Transit Administration for Fixed Guideway Public Transportation State Safety Oversight Formula Grant Fund program funding.

SAFETY CONSIDERATIONS:

® Federal funding will relieve demand on the Public Transportation Account used for other safety programs.

ESTIMATED COST:

® Allows federal funding of up to 80% of the expenditures of the Commission's rail transit safety program.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104110427>

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

Consent Agenda - Orders and Resolutions (continued)

8 **Los Angeles County Metropolitan Transportation Authority**
[13268] **Safety and Security Certification Plan for the Crenshaw/LAX**
 Transit Corridor Project

Res ST-143

PROPOSED OUTCOME:

® Approves the Los Angeles County Metropolitan Transportation Authority Safety and Security Certification Plan for the Crenshaw/LAX Transit Corridor Project.

SAFETY CONSIDERATIONS:

® Considers the safety and security of the public and employees who might be affected this Los Angeles County Metropolitan Transportation Authority (LACMTA) rail construction project and subsequent revenue operations. The resolution approves the LACMTA plan that ensures important safety and security issues are identified and addressed during design and construction. LACMTA is responsible to adhere to all Commission rules, decisions, General Orders and statutes including Pub. Util. Code Section 451 to take all actions "...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

ESTIMATED COST:

® Not within the scope of this resolution.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=113049229>

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

Consent Agenda - Orders and Resolutions (continued)

9 **Complaint Seeking Reduction in Charges for Water Usage**
[13288] **from December 15, 2012, through March 15, 2013**

(ECP) C13-10-013

Burney Falls Module Estates vs. Del Oro Water Company.

PROPOSED OUTCOME:

® Denies complaint of Burney Falls Module Estates against Del Oro Water Company for lack of evidence to support the claim.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peterman - Judge Clark)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=107149100>

Consent Agenda - Orders and Resolutions (continued)

10 **Order to Close Investigation 12-03-008**
[13294]

A11-08-019, I12-03-008 - Related matters.

In the Matter of the Application of Golden Hills Sanitation Company for Authority to Increase Rates Charged for Sewer Service by \$148,076 or 120% in January 2012, \$148,076 or 54% in January 2013, and \$148,076 or 35% in January 2014.

PROPOSED OUTCOME:

® Closes Investigation (I.) 12-03-008 because there is nothing further pending in that proceeding since the Commission has disposed of all outstanding Applications for Rehearing and Petitions for Modification of decisions in I.12-03-008.

SAFETY CONSIDERATIONS:

® It is Golden Hills Sanitation Company's Responsibility to adhere to all Commission Rules, Decisions, General Orders and Statutes including Public Utilities Code Section 451 to take all actions "...necessary to promote the Safety, Health, Comfort, and Convenience of its Patrons, Employees, and the Public."

ESTIMATED COST:

® None.

(Comr Florio - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104110380>

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

Consent Agenda - Orders and Resolutions (continued)

11 **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=112553454>

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

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

Agenda 3342, Item 12 9/11/2014 (Peevey)

Consent Agenda - Orders and Resolutions (continued)

12 **Michael Villa dba Mike's L.A. Express for a Certificate of**
[13304] **Public Convenience and Necessity**

A14-06-005

Application of Michael Villa, doing business as Mike's L.A. Express for a Certificate of Public Convenience and Necessity to provide scheduled bus passenger stage service between points in Lancaster, California and Los Angeles, California.

PROPOSED OUTCOME:

- ® Grants the application of Michael Villa dba Mike's L.A. Express to provide scheduled bus passenger stage service between points in Lancaster, California and Los Angeles, California;
- ® 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:

- ® Costs to passengers cannot be quantified.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=112137861>

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

Consent Agenda - Orders and Resolutions (continued)

13
[13305] **Transfer of Passenger Stage Corporation From Berhanu
Lemma dba United Limou Service to Four Point
Transportation, LLC**

A14-05-006

Application Berhanu Lemma, doing business as United Limou Service, to Transfer PSC Certificate 25579 to Four Point Transportation, LLC; and to establish a Zone of Rate Freedom.

PROPOSED OUTCOME:

- ® Grants the application of Berhanu Lemma, dba United Limou to transfer PSC to Four Point Transportation, LLC.
- ® Establishes a Zone of Rate Freedom.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

- ® Costs to passengers cannot be quantified.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=99757501>

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

Consent Agenda - Orders and Resolutions (continued)

14
[13306] **Top Notch Group LLC dba Shuttle Kids for a Passenger
Stage Corporation Certificate of Public Convenience and
Necessity**

A14-04-007

In the matter of the Application of TOP NOTCH GROUP LLC dba SHUTTLE KIDS, for Certificate of Public Convenience and Necessity under Section 1031, et. seq., of the California Public Utilities (PU) Code, to transport Children and their baggage, on an on-call, door-to-door basis, between Azusa, Arcadia, Covina, Duarte, Glendora, LaVerne, Monrovia, San Dimas, Walnut and West Covina in San Gabriel Valley (Los Angeles County); and to establish a Zone of Rate Freedom (ZORF) under Section 454.2, et. Seq., of the PU Code.

PROPOSED OUTCOME:

- ® Grants the application of Top Notch Group LLC dba Shuttle Kids to transport children on an on-call basis in San Gabriel Valley.
- ® Establishes a Zone of Rate Freedom.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

- ® Costs to passengers cannot be quantified.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=96845022>

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

Consent Agenda - Orders and Resolutions (continued)

15 **Adventure Bros., Inc. dba Swoop for a Passenger Stage**
[13307] **Corporation Certificate of Public Convenience and Necessity**

A14-05-020

Application of Adventure Bros., Inc. dba Swoop for authority to operate as scheduled passenger stage corporation between points in the county of Ventura (including the city of Thousand Oaks and the community of Newbury Park) and to establish a Zone of Rate Freedom.

PROPOSED OUTCOME:

- ® Grants the application of Adventure Bros., Inc. dba Swoop for authority to operate as a scheduled Passenger Stage Corporation between points in the county of Ventura (including the city of Thousand Oaks and the community of Newbury Park.)
- ® Establishes a Zone of Rate Freedom.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® Applicant must comply with General Order 101 and other relevant Public Utilities Codes to ensure the safety of passengers and other persons and property sharing the state's public roadways.

ESTIMATED COST:

- ® None foreseen.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=111229854>

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

Consent Agenda - Orders and Resolutions (continued)

16 **Telecom North America, Inc., d/b/a Telna Inc. for a Certificate**
[13313] **of Public Convenience and Necessity**

A14-03-014

Application of Telecom North America, Inc. d/b/a Telna, Inc. for a Certificate of Public Convenience and Necessity to provide resold long distance telecommunications services to customers throughout the State of California.

PROPOSED OUTCOME:

- ® Grants Telecom North America, Inc., d/b/a Telna, Inc. (Telna) a Certificate of Public Convenience and Necessity to provide resold interexchange service throughout California as a Non-Dominant Interexchange Carrier.
- ® Authorizes Telna to provide detariffed service subject to Commission rules and regulations.
- ® Closes the proceeding.

SAFETY CONSIDERATIONS:

- ® The decision granted by this decision is for resold service. No authority to construct is granted and, as a result, no safety considerations are raised by this application.

ESTIMATED COST:

- ® None.

(Comr Picker - Judge MacDonald)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104404768>

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

Consent Agenda - Orders and Resolutions (continued)

17

Order Extending Statutory Deadline

[13315]

C13-10-008

DRY CREEK RANCHERIA BAND OF POMO INDIANS, a federally recognized Indian tribe, vs. SONOMA-MARIN AREA RAIL TRANSIT DISTRICT and NORTH COAST RAILROAD AUTHORITY.

PROPOSED OUTCOME:

® Extends statutory deadline of this proceeding to October 10, 2015.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peterman - Judge Burcham)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=107923502>

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

Consent Agenda - Orders and Resolutions (continued)

18

Order Extending Statutory Deadline

[13316]

I13-10-003

Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of Comcast Phone of California, LLC and its Related Entities (Collectively "Comcast") to Determine Whether Comcast Violated the Laws, Rules, and Regulations of this State in the Unauthorized Disclosure and Publication of Comcast Subscribers' Unlisted Names, Telephone Numbers, and Addresses.

PROPOSED OUTCOME:

® Extends statutory deadline of this proceeding to October 3, 2015.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peterman - Judge Burcham)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=107923745>

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

Consent Agenda - Orders and Resolutions (continued)

19 **Metro Star Networks, Inc. for a Certificate of Public
[13317] Convenience and Necessity**

A13-01-009

Application of Metro Star Networks, Inc. for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.

PROPOSED OUTCOME:

- ® Grants application for Certificate of Public Convenience and Necessity to Metro Star Networks, Inc.
- ® 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 - Judge Clark)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=103235018>

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

Consent Agenda - Orders and Resolutions (continued)

20 **Order Extending Statutory Deadline**
[13318]

A11-03-014, A11-03-015, A11-07-020 - Related matters.
Application of Pacific Gas and Electric Company for Approval of Modifications to its SmartMeter™
Program and Increased Revenue Requirements to Recover the Costs of the Modifications.

PROPOSED OUTCOME:

® Extends statutory deadline for these proceedings to December 3, 2014.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peevey - Judge Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=108127346>

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

Consent Agenda - Orders and Resolutions (continued)

21 **Order Extending Statutory Deadline**
[13319]

A11-02-011

Application of Pacific Gas and Electric Company for Review of Entries to the Energy Resource Recovery Account (ERRA) and Renewables Portfolio Standard Cost Memorandum Account (RPSMA), and Compliance Review of Fuel Procurement for Utility Retained Generation, Administration of Power Purchase Contracts, and Least Cost Dispatch of Electric Generation Resources for the Record Period of January 1, through December 31, 2010 and for Adoption of Electric Revenue Requirements and Rates Associated with the Market Redesign and Technology Upgrade (MRTU) Initiative.

PROPOSED OUTCOME:

® Extends the Statutory Deadline for this proceeding to December 14, 2014.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Florio - Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=108146699>

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

Consent Agenda - Orders and Resolutions (continued)

22 **Order Extending Statutory Deadline**
[13320]

A11-04-001

Application of Southern California Edison Company for a Commission Finding that its Procurement-Related and Other Operations for the Record Period January 1 Through December 31, 2010 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account and Other Regulatory Accounts; and for Recovery of \$25.613 Million Recorded in Three Memorandum Accounts.

PROPOSED OUTCOME:

® Extends the statutory deadline for this proceeding to December 15, 2014.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Florio - Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=111212503>

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

Consent Agenda - Orders and Resolutions (continued)

23
[13322] **Complaint of Dennis O'Keefe and Rosemary O'Keefe Against
California American Water Company and Orders Payment
for Past Due Charges**

(ECP) C14-03-017

Dennis G. O'Keefe, Sr. and Rosemary O'Keefe vs. California American Water Company.

PROPOSED OUTCOME:

- ® Denies Complaint. No evidence that utility owed any funds to Complainants.
- ® Orders Complainants to pay \$2,000.00 of past due charges.
- ® Closes of 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:

- ® \$2,000.00 payment of past due charges.

(Comr Peterman - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106592656>

Consent Agenda - Orders and Resolutions (continued)

24 **Order Extending Statutory Deadline**
[13325]

R12-12-011

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

PROPOSED OUTCOME:

® Extends the Statutory Deadline for this proceeding to December 1, 2014.

SAFETY CONSIDERATIONS:

® None as a result of this decision.

ESTIMATED COST:

® None.

(Comr Peevey - Judge Mason)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=109581329>

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

Consent Agenda - Intervenor Compensation Orders

25 **Compensation to Utility Consumers Action Network**
[13269]

A10-07-009

In the Matter of the Application of San Diego Gas & Electric Company for Approval of its Proposals for Dynamic Pricing and Recovery of Incremental Expenditures Required for Implementation.

PROPOSED OUTCOME:

® Awards Utility Consumers Action Network for substantial contribution to Decision 12-12-004.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

® \$178,736.60, plus interest, to be paid by San Diego Gas & Electric Company.

(Comr Peevey - Judge Hecht)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=115543267>

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)

26 **Compensation to The Utility Reform Network**
[13285]

A11-11-002

In the Matter of the Application of San Diego Gas & Electric Company and Southern California Gas Company for Authority to Revise Their Rates Effective January 1, 2013, in Their Triennial Cost Allocation Proceeding.

PROPOSED OUTCOME:

® Awards The Utility Reform Network for Substantial Contribution to Decision 14-06-007.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

® \$540,329.22 to be paid by San Diego Gas & Electric Company and Southern California Gas Company.

(Comr Florio - Judge Long)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104597647>

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

Consent Agenda - Intervenor Compensation Orders (continued)

27 **Compensation to Golden State Manufactured - Home**
[13297] **Owners League**

R11-02-018

Order Instituting Rulemaking into Transfer of Master-Meter/Submeter systems at Mobilehome parks and Manufactured Housing Communities to Electric and Gas Corporations.

PROPOSED OUTCOME:

® Awards Golden State Manufactured – Home Owners League for Substantial Contribution to D.14-03-021.

SAFETY CONSIDERATIONS:

® Substantial Contribution by Intervenor, 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:

® \$14,008.80, plus interest, to be paid by Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company.

(Comr Florio - Judge Vieth)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=103554973>

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

Consent Agenda - Intervenor Compensation Orders (continued)

28 **Compensation to The Utility Reform Network**
[13300]

A11-06-007

Application of Southern California Edison Company to Establish Marginal Costs, Allocate Revenues, Design Rates, and Implement Additional Dynamic Pricing Rates.

PROPOSED OUTCOME:

® Awards The Utility Reform Network for substantial contribution to Decision 13-03-031.

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:

® \$182,277.94, plus interest, to be paid by Southern California Edison Company.

(Comr Peevey - Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=105490484>

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

Consent Agenda - Intervenor Compensation Orders (continued)

29 **Compensation to L. Jan Reid**
[13309]

R07-05-025

Rulemaking regarding whether, or subject to what Conditions, the suspension of Direct Access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.

PROPOSED OUTCOME:

® Awards L. Jan Reid for substantial contribution to Decision 11-12-018.

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:

® \$41,133.99, plus interest, to be paid by Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company.

(Comr Peevey - Judge Pulsifer)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104428122>

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

Consent Agenda - Intervenor Compensation Orders (continued)

30 **Compensation to Sierra Club California**
[13321]

R11-05-005

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

PROPOSED OUTCOME:

® Awards Sierra Club California for substantial contribution to Decision 12-05-035.

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:

® \$46,861.50, plus interest, to be paid by Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company.

(Comr Peterman - Judge DeAngelis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104585043>

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

Consent Agenda - Intervenor Compensation Orders (continued)

31 **Compensation to Friends of the Earth**
[13323]

R12-03-014

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

PROPOSED OUTCOME:

® Awards Friends of the Earth for substantial contribution to Decision 12-12-010.

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:

® \$28,350.00, plus interest, to be paid by Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company.

(Comr Florio - Judge Gamson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106007003>

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

Consent Agenda - Intervenor Compensation Orders (continued)

32 **Compensation to the Utility Consumers' Action Network**
[13324]

I11-06-009

Order Instituting Investigation on the Commission's Own Motion Into the Planned Purchase and Acquisition by AT&T Inc. of T-Mobile USA, Inc., and its Effect on California Ratepayers and the California Economy.

PROPOSED OUTCOME:

® Awards Utility Consumers' Action Network for substantial contribution to Decision 12-08-025.

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:

® \$11,339.75, plus interest, to be paid by T-Mobile West LLC dba T-Mobile and New Cingular Wireless PCS, LLC, AT&T Mobility Wireless Operations Holdings Inc, Santa Barbara Cellular Systems, Ltd. and AT&T Mobility Wireless Operations Holdings, LLC.

(Comr Sandoval - Judge Hecht)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=101105566>

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

Regular Agenda

Regular Agenda - Energy Orders

33 **Compensation to National Consumer Law Center** [12988]

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 National Consumer Law Center 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:

® \$90,245, plus interest, to be paid by Pacific Gas & Electric Company, Southern California Edison Company, San Diego Gas and Electric Company, and Southern California Gas Company.

(Comr Sandoval - Judge Kim)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=104591203>

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

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

Agenda 3337, Item 47 6/12/2014 (Sandoval);

Agenda 3338, Item 30 6/26/2014 (Staff);

Agenda 3339, Item 28 7/10/2014 (Staff);

Agenda 3340, Item 48 8/14/2014 (Florio);

Agenda 3341, Item 29 8/28/2014 (Florio)

Regular Agenda - Energy Orders (continued)

33a ALTERNATE TO ITEM 12988
[13273]

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 Consumer Law Center 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:

® \$117,545.65, 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 Florio)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=114178544>

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)

34 **Addresses Compensation to California Environmental
[13274] Justice Alliance**

A13-06-015

Application of San Diego Gas & Electric Company to Fill Local Capacity Requirement Need Identified in D.13-03-029.

PROPOSED OUTCOME:

® Denies compensation to California Environmental Justice Alliance for lack of substantial contribution to Decision 14-02-016.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

® \$00.00

(Comr Peevey - Judge Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=114757930>

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)

34a ALTERNATE TO ITEM 13274
[13276]

Application of San Diego Gas & Electric Company to Fill Local Capacity Requirement Need Identified in D.13-03-029.

PROPOSED OUTCOME:

® Awards California Environmental Justice Alliance for substantial contribution to Decision 14-02-016.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

® \$26,940.74, plus interest, to be paid by San Diego Gas & Electric Company.

(Comr Peevey)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=114757946>

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)

35 **New Order Instituting Rulemaking**
[13326]

R _____

Order Instituting Rulemaking to Create a Consistent Regulatory Framework for the Guidance, Planning, and Evaluation of Integrated Demand Side Resource Programs.

PROPOSED OUTCOME:

- ® Initiates new rulemaking to consider the development and adoption of a regulatory framework to provide policy consistency for the direction and review of integrated demand side resource programs.
- ® Preliminarily determines Phase I to be a quasi-legislative proceeding and Phase II to be ratesetting.
- ® Preliminarily determines that no hearings are necessary.

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:

- ® Unknown.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=106798140>

Regular Agenda - Water/Sewer Orders

36 **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=107396832>

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));

Agenda 3342, Item 27 9/11/2014 (Sandoval)

Regular Agenda - Water/Sewer Orders (continued)

36a 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=108094638>

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;

Agenda 3342, Item 27a 9/11/2014 (Sandoval)

Regular Agenda - Transportation/Rail Safety Orders

37 **Modification of Decision 13-09-045 Adopting Rules and**
[13072] **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=109070965>

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);

Agenda 3342, Item 29 9/11/2014 (Staff)

Regular Agenda - Transportation/Rail Safety Orders (continued)

37a ALTERNATE TO ITEM 13072
(Rev.)
[13354]

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

PROPOSED OUTCOME:

® Imposes insurance requirements on Transportation Network Company Services (TNCS) (including Uber Technologies, Inc.) now in conformity with limits set forth in Assembly Bill 2293. Requires that insurers writing coverage for TNCs be admitted in California or conform with Insurance Code Section 1763. Imposes reporting requirements set forth in Rule 8.4 on communications between interested persons and decisionmakers. Imposes reporting requirements set forth in Rule 4 on communications between interested persons and the Commission's Policy and Planning Division.

SAFETY CONSIDERATIONS:

® The insurance requirements imposed are designed to protect the TNC drivers, TNC passengers, other drivers, passengers, and pedestrians by providing coverage for personal injury and property damage.

ESTIMATED COST:

® Insurance premium costs are unknown.

(Comr Sandoval)

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

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

10/01/2014 - This item was not listed on the agenda distributed to the public.

Regular Agenda - Legal Division Matters

38 **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=109397292>

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

Agenda 3342, Item 30 9/11/2014 (Peevey)

Regular Agenda - Legislative and Other Matters

39
[13327]

Office of Governmental Affairs Legislative Wrap Up

Regular Agenda - Commissioner Reports

40 **Commissioner Catherine J.K. Sandoval Report**
[13312]

Commissioner Catherine J.K. Sandoval's Recommendations Seeking Commission's Approval of Appointments of two Members to the Low Income Oversight Board.

Regular Agenda - Management Reports and Resolutions

41 **Report and Discussion by Safety and Enforcement Division**
[13250] **on Recent Safety Program Activities**

42 **Management Report on Administrative Activities**
[13251]

43 **Director Ryan Dulin and Director Marzia Zafar Report on**
[13209] **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);

Agenda 3342, Item 37 9/11/2014 (Staff)

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

44 **Conference with Legal Counsel - Applications for Rehearing**
[13252]

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.

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

109-12-016

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.

Agenda 3342, Item 44 9/11/2014

46 **Conference with Legal Counsel - Application for Rehearing**
[13283]

R09-06-019

Disposition of Application for Rehearing of Decision (D.) 12-12-038 filed by The Utility Reform Network. In D.12-12-038, the Commission adopted updated requirements for residential basic telephone service.

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

Closed Session - Applications for Rehearing (continued)

47 **Conference with Legal Counsel - Application for Rehearing**
[13287]

C11-06-024

Disposition of application for rehearing of Decision 14-05-008 (Decision) filed by William R. Sarale and Julie Ann Sarale (Sarale). The Decision dismissed a complaint filed by Sarale against Pacific Gas and Electric Company (PG&E). Sarale owns a commercial walnut orchard in San Joaquin County, California. PG&E owns and operates two sets of 115 kV transmission lines on an easement and right-of-way on the Sarale property. General Order (GO) 95, Rule 35, and Appendix E require PG&E to maintain minimum radial clearances between the transmission lines and the trees within the right-of-way. The complaint alleged improper and excessive tree trimming of walnut trees directly under the transmission lines (in the "belly zone").

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

48 **Conference with Legal Counsel - Application for Rehearing**
[13289]

C13-08-020

Disposition of application for rehearing of Decision 14-06-040 (Decision) filed by Tri-Villa Trust, Ann Marie Lewis, Trustee. The Decision denies the request of Tri-Villa Trust for a refund from Southern California Edison Company for electricity overbilling in 2012.

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

49 **Conference with Legal Counsel - Application for Rehearing**
[13298]

C08-12-007

Disposition of the application for rehearing of Decision (D.) 10-07-038 filed by Point Arena Water Works, Inc. (Point Arena) In D.10-07-038 the Commission required Point Arena to undertake a water supply augmentation study to assess the water needs of prospective water customers in the Whiskey Shoals service area.

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

50 **Conference with Legal Counsel - Application for Rehearing**
[13311]

R11-11-006

Disposition of Application for Rehearing of Decision (D.) 13-05-035, filed by Cricket Communications, Inc., Sprint Nextel and T-Mobile West LLC dba T-Mobile. D.13-05-035 adopts revisions to the certification processes for telephone corporations seeking or holding certificates of public convenience and necessity, and wireless carriers seeking or holding registration.

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

Closed Session - Appeals from Presiding Officer's Decisions

51 **Conference with Legal Counsel - Appeals from Presiding**
[13303] **Officer's Decisions**

I12-01-007, I11-02-016, I11-11-009

I12-01-007 - Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company to Determine Violations of Public Utilities Code Section 451, General Order 112, and Other Applicable Standards, Laws, Rules and Regulations in Connection with the San Bruno Explosion and Fire on September 9, 2010. I11-02-016 - Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Facilities Records for its Natural Gas Transmission System Pipelines. I11-11-009 - Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company's Natural Gas Transmission Pipeline System in Locations with High Population Density.

Discussion of Appeals of the Presiding Officer's Decisions related to the San Bruno gas transmission pipeline explosion.

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

Closed Session - Initiation of Litigation - Non-Federal

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

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

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

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

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

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

Closed Session - Initiation of Litigation - Federal

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

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

Closed Session - Federal

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

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

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

Closed Session - Personnel Matters

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

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