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# ***Public Utilities Commission of the State of California***

## ***Public Agenda 3355***

***Thursday, April 9, 2015 9:30 a.m.***

***San Francisco, California***

### **Commissioners**

**Michael Picker, President**

**Michel Peter Florio**

**Carla J. Peterman**

**Liane M. Randolph**

**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>*

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### **Scheduled Commission Meetings 505 Van Ness Avenue, San Francisco**

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <b><i>Closed to the Public</i></b>	<i>Commission Meeting</i> Auditorium (9:30 a.m.) <b><i>Open to the Public</i></b>
Monday, April 06, 2015 (San Francisco)	Thursday, April 09, 2015 (San Francisco)
Monday, May 04, 2015 (San Francisco)	Thursday, May 07, 2015 (San Francisco)
Monday, May 18, 2015 (San Francisco)	Thursday, May 21, 2015 (San Francisco)
Monday, June 08, 2015 (San Francisco)	Thursday, June 11, 2015 (San Francisco)
Monday, June 22, 2015 (San Francisco)	Thursday, June 25, 2015 (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](mailto: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.
- 13, 14, 30, 31, 32, 33, 33a, 40, 41

**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**  
[13767]       **Recently Filed Formal Applications**

Res ALJ 176-3355

**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=150959104>

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Consent Agenda - Orders and Resolutions (continued)

**2 Disclosure of Records of an Investigation**

[13734]

Res L-468

Authorizes the disclosure of records concerning a Santa Clara Valley Transportation Authority (VTA) Accident Investigation Report related to a transit incident on January 17, 2014, at the Stokes Street crossing in San Jose, California. The Resolution also authorizes disclosure of records concerning a June 22, 2014 transit incident at the same crossing, once the Commission's investigation of the incident is complete.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150761544>

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

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**3 Disclosure of Records of an Investigation**

[13777]

Res L-469

Authorizes the disclosure of records concerning the California Public Utilities Commission Safety and Enforcement Division's investigation of an electrical incident which occurred on May 15, 2014, at Whittier, California, once the investigation is complete.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150756896>

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

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**4 Disclosure of Records of an Investigation**

[13778]

Res L-470

Authorizes the disclosure of records concerning the California Public Utilities Commission Safety and Enforcement Division's investigation of an electric incident which occurred on November 10, 2010, in Martinez, California.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150376359>

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

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Consent Agenda - Orders and Resolutions (continued)

5

### City of Ontario's Amended Petitions

[13779]

A07-06-031

In the Matter of the Application of Southern California Edison Company for a Certificate of Public Convenience and Necessity Concerning the Tehachapi Renewable Transmission Project (Segments 4 through 11).

#### **PROPOSED OUTCOME:**

® Denies the City of Ontario's (Ontario) amended petitions for modification of Decision (D.) 09-12-044 and related decisions; the petitions seek (1) a construction stay of Segment 8 of the Tehachapi Renewable Transmission Project within Ontario and (2) the undergrounding of Segment 8 within that City. Ontario has not met its burden of proof under Rule 16.4 to show that its request is justified and timely filed, and that its determination not to participate in this proceeding earlier was warranted.

® Closes the proceeding.

#### **SAFETY CONSIDERATIONS:**

® No direct safety consequences, though granting the petitions likely would delay completion of the Tehachapi Renewable Transmission Project by five years or more.

#### **ESTIMATED COST:**

® No ratepayer cost is associated with this decision.

(Comr Sandoval - Judge Vieth)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150792743>

*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 - Orders and Resolutions (continued)

6                    **Graeagle Water Company General Rate Case**  
[13788]

Res W-5027, Advice Letter 50 filed January 10, 2014 - Related matters.

**PROPOSED OUTCOME:**

® Authorizes Graeagle Water Company to file a supplemental advice letter with the revised rate schedule attached to the Resolution as Appendix B and concurrently cancel its presently effective rate Schedule No. 1, General Metered Service; Schedule No. 2, General Flat Rate Service; Schedule No. 2S, Seasonal Flat Rate Service; Schedule No. 4, Private Fire Protection Service; Schedule No. 5, Public Fire Protection Service; and Schedule No. 6, Seasonal Flat Rate Irrigation Service.

® Authorizes Graeagle Water Company to file a Tier 2 Advice Letter within 30 days from the effective date of the authorized rates to collect the under-collected revenues from January 10, 2014, the interim rate date, to the effective date of the new rates established by the Resolution.

® Adopts the quantities (Appendix D) used to develop the Division of Water and Audits' recommendations.

® Orders Graeagle Water Company to refund the empty lot fee collected from in the former Smith Creek Mutual Water Company for the three year period ending with the effective date of this resolution. To the extent practical the refund should be made to the lot owners from which the fee was collected. The refund shall be completed within 60 day and the utility shall inform the Division of Water and Audits when it has completed the refund.

**SAFETY CONSIDERATIONS:**

® The resolution provides adequate revenues to the utility so that it can provide safe and reliable water service to its customers. The water served by the utility meets all applicable water quality standards set forth by the State Water Resources Control Board.

**ESTIMATED COST:**

® \$179,133.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150241183>

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

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Consent Agenda - Orders and Resolutions (continued)

7                   **Approves San Diego Gas & Electric Company's Request of**  
[13789]           **the Final Costs Related to the Acquisition of the El Cajon**  
                      **Energy Facility**

Res E-4715, Advice Letter 2658-E filed on October 10, 2014 - Related matters.

**PROPOSED OUTCOME:**

- ® Approves \$16.7 million as the final recognized cost of acquiring the El Cajon Energy Facility.
- ® Requires no change in ratemaking with this approval, which is below the previously determined cost cap.

**SAFETY CONSIDERATIONS:**

- ® Some minor safety improvements to an existing and operational facility were completed as part of the acquisition process.

**ESTIMATED COST:**

- ® The final acquisition cost related to the El Cajon Energy Facility is \$16.7 million.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150534603>

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

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Consent Agenda - Orders and Resolutions (continued)

8                    **Agate Bay Water Company General Rate Case**  
[13790]

Res W-5031, Advice Letter 37 filed on May 13, 2014 - Related matters.

**PROPOSED OUTCOME:**

- ® Authorizes Agate Bay Water Company to increase the Test Year 2014 water revenues by \$7,157 or 2%.
- ® Authorizes Agate Bay Water Company to file a supplement to Advice Letter 37-W to incorporate the rate schedules (Appendix B), and to concurrently cancel its presently effective rate schedules.
- ® Authorizes Agate Bay Water Company to file an advice letter within 30 days from the effective day of this Resolution to collect, over a 12-month period, the under-collected revenues from the interim rate date to the effective date of the new rates.

**SAFETY CONSIDERATIONS:**

- ® The resolution provides adequate revenues to the utility so that it can provide safe and reliable water service to its customers. The water served by the utility meets all applicable water quality standards set forth by the State Water Resources Control Board.

**ESTIMATED COST:**

- ® \$7,157.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=149917990>

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

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Consent Agenda - Orders and Resolutions (continued)

9                    **Implementation Details for Five Electric Utilities to Provide**  
[13791]            **CA Industry Assistance to Emissions-Intensive and**  
                         **Trade-Exposed Customers**

Res E-4716

**PROPOSED OUTCOME:**

- ® Develops attestation requirements for facilities that have direct greenhouse gas emissions less than 10,000 MTCO<sub>2e</sub> per year and that wish to be eligible for CA Industry Assistance.
- ® Develops attestation requirements for facilities that operate in multiple industrial subsectors to voluntarily report electricity use by subsector activity.
- ® Defines formulas to allocate allowance revenue to petroleum refineries during the second and third compliance periods of the Cap-and-Trade Program.

**SAFETY CONSIDERATIONS:**

- ® This resolution implements part of the greenhouse gas emissions reduction program envisioned by the Global Warming Solutions Act of 2006 (Assembly Bill 32) and Public Utilities Code Section 748.5 and, as a result, will improve the health and safety of California residents.
- ® No additional safety concerns have been identified.

**ESTIMATED COST:**

- ® The costs the electric utilities will incur to implement the CA Industry Assistance program are unknown at this time.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150866788>

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

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Consent Agenda - Orders and Resolutions (continued)

10                   **Approves Settlement Agreement on Economic Development**  
[13793]               **Rate Previously Approved in Resolution E-4675**

A14-03-013

Application of Southern California Edison Company for Approval of 2014-2018 Economic Development Rates.

**PROPOSED OUTCOME:**

- ® Approves settlement between Southern California Edison Company and the Office of Ratepayer Advocates on matters related to Southern California Edison Company's request for economic development rates, previously approved by the Commission in Resolution E-4675.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® There are no safety matters associated with the rate discounts approved at this time.

**ESTIMATED COST:**

- ® Per Resolution E-4675, the estimated value of the economic development rate discounts is expected to be minimal.

(Comr Peterman - Judge DeAngelis)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150768837>

*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 - Orders and Resolutions (continued)

11  
[13795]      **Proposes Adoption of Commission's Response to Ducor Telephone Company's Application for Rehearing Addressing Five Capital Expenditure Items from Resolution T-17157**

Res T-17312, Advice Letter 318C filed on June 7, 2010 - Related matters.

**PROPOSED OUTCOME:**

® Resolves Ducor Telephone Company's (Ducor) limited rehearing of five capital expenditure items in Decision 10-05-022, in response to Ducor's Application 09-03-002 for Rehearing of Resolution T-17157. Ducor's California High Cost Fund-A (CHCF-A) Test Year 2009 support increased \$46,892 to \$2,561,408.

**SAFETY CONSIDERATIONS:**

® Reliable telephone service is essential in isolated, generally rural areas. The Resolution ensures that the CHCF-A program continues to promote the goals of safe, reliable, and affordable telephone service by subsidizing essential communication links in high cost rural communities.

**ESTIMATED COST:**

® Resolution increases CHCF-A support by \$46,892 annually.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150231692>

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

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Consent Agenda - Orders and Resolutions (continued)

12                    **Adopting the 2015, 2016, and 2017 Revenue Requirement for**  
[13796]                **California-American Water Company**

A13-07-002

Application of California-American Water Company for Authorization to Increase its Revenues for Water Service by \$18,473,900 or 9.55% in the year 2015, by \$8,264,700 or 3.90% in the year 2016, and by \$6,654,700 or 3.02% in the year 2017.

**PROPOSED OUTCOME:**

- ® Concludes California-American Water Company’s 2015 General Rate Case and adopts the 2015, 2016 and 2017 Revenue Requirement.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® Considers replacement, maintenance and improvement projects.

**ESTIMATED COST:**

- ® \$204,019,500.

(Comr Peterman - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150936408>

*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 - Orders and Resolutions (continued)

13  
[13797]      **Determines if California-American Water Company Violated  
Rule 1.1 of the Commission's Rules of Practice and  
Procedure**

A13-07-002

Application of California-American Water Company for Authorization to Increase its Revenues for Water Service by \$18,473,900 or 9.55% in the year 2015, by \$8,264,700 or 3.90% in the year 2016, and by \$6,654,700 or 3.02% in the year 2017.

**PROPOSED OUTCOME:**

- ® Finds California-American Water Company (Cal-Am) in violation of Rule 1.1 by not accurately filing Minimum Data Requirements (MDR) information and for not promptly correcting its misstatement.
- ® Imposes a penalty of \$870,000.

**SAFETY CONSIDERATIONS:**

- ® By holding Cal-Am accountable, the Commission ensures the integrity of the regulatory process.

**ESTIMATED COST:**

- ® \$870,000.

(Comr Peterman - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150958553>

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

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

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Consent Agenda - Orders and Resolutions (continued)

14                    **Assessment of \$5,000 Penalty on Aspen Forest Investment  
[13805]                Co., LLC for its Violation of Public Utilities Code § 854(a)**

A11-04-013

Application of James L. and Marianne S. Orvis to sell, and Aspen Forest Investment Co., LLC, to buy, Five Thousand (5,000) Shares of the Common Stock of the water system known as Lake Alpine Water Company, Inc. Located in Alpine County, California.

**PROPOSED OUTCOME:**

® Authorizes a penalty of \$5,000 on Aspen Forest Investment Co., LLC (Aspen) pursuant to Public Utilities (Pub. Util.) Code § 2111. This penalty for one violation of Pub. Util. Code § 854(a) is assessed on just one of the applicants, Aspen, because the other applicants, James L. and Marianne S. Orvis, have both passed away.

**SAFETY CONSIDERATIONS:**

® By imposing a penalty for not complying with Public Utilities Code, we reinforce the requirement tha all Public Utilities operating in California must comply with all applicable rules, codes, regulations, and decisions.

**ESTIMATED COST:**

® There is no cost to the ratepayers, as the purchaser of 50 percent of the stock will pay the penalty.

(Comr Picker - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150860121>

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

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

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Consent Agenda - Orders and Resolutions (continued)

15                    **Five 9, Incorporated's Application for a Certificate of Public  
[13828]                and Convenience and Necessity**

A14-08-025

Application of Five9, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.

**PROPOSED OUTCOME:**

® Grants a Certificate of Public Convenience and Necessity to Five 9, Incorporated (Five 9). The decision also approves a Settlement Agreement that requires Five 9 to pay retroactive surcharges and fees in the amount of \$148,021, interest of \$14,000 and a \$10,000 penalty.

® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

® No safety considerations were raised by this application.

**ESTIMATED COST:**

® There is no cost to ratepayers from approval of this application for a Certificate of Public Convenience and Necessity.

(Comr Sandoval - Judge MacDonald)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=147646834>

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

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Consent Agenda - Orders and Resolutions (continued)

16                    **Amending Investigation 14-05-012**  
[13829]

I14-05-012

Order Instituting Investigation to Address Intrastate Rural Call Completion Issues.

**PROPOSED OUTCOME:**

® Amends Investigation (I.) 14-05-012, to expand the preliminary scope of this investigation to incorporate public safety issues related to 911 calls, address concerns raised in the initial responses to questions in I.14-05-012, and add further respondents.

**SAFETY CONSIDERATIONS:**

® This investigation will now include review of 911 call completion, which has critical safety impact for all Californians.

**ESTIMATED COST:**

® Cost implications are not known at this time.

(Comr Sandoval - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148319122>

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

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Consent Agenda - Orders and Resolutions (continued)

17 (Rev.)            **Application of Webpass Telecommunications, LLC for a**  
[13839]            **Certificate of Public Convenience and Necessity to Provide**  
**Full Facilities-Based and Resold Local Exchange and**  
**Interexchange Service**

A14-03-007

In the Matter of the Application of Webpass Telecommunications, LLC for a certificate of public convenience and necessity to provide: (1) full facilities based and resold competitive local exchange service throughout the service territories of Pacific Bell Telephone Company, Verizon California, Inc., SureWest Telephone, and Citizens Telecommunications Company of California, Inc.; and (ii) full facilities-based and resold interexchange service statewide.

**PROPOSED OUTCOME:**

- ® Grants authority to Webpass Telecommunications LLC to provide full-facilities-based and resold local and interexchange service.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® Webpass Telecommunications LLC must comply with all applicable Rules, Decisions, Statutes and General Orders, particularly those related to safety, for offering its services to the public.

**ESTIMATED COST:**

- ® There is no cost to granting this application.

(Comr Peterman - Judge Rochester)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148825070>

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

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04/02/2015 - This revision was not shown on the Agenda mailed to the public.

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Consent Agenda - Orders and Resolutions (continued)

18  
[13847]      **Granting Application of Conterra Wireless Broadband, LLC  
to Expand its Existing Certificate of Public Convenience and  
Necessity**

A14-12-004

Application of Conterra Wireless Broadband, LLC for Modification of Existing Certificate of Public Convenience and Necessity to Include Full Facilities-Based Authority

**PROPOSED OUTCOME:**

- ® Grants application of Conterra Wireless Broadband, LLC to expand its existing Certificate of Public Convenience and Necessity to include full-facilities based telecommunications services.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® The staff of the Commission's Energy Division is authorized to review, process, and act upon Conterra Wireless Broadband, LLC's requests for a determination that its full facilities-based construction activities are exempt from the requirements of the California Environmental Quality Act.

**ESTIMATED COST:**

- ® There are no costs associated with the outcome of this proceeding.

(Comr Peterman - Judge Duda, Judge Rahman)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150844067>

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

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Consent Agenda - Orders and Resolutions (continued)

19                    **Withdrawal of Application and Motion for Leave to File**  
[13849]                **Confidential Material Under Seal**

A14-09-017

Application of Black Cloud Networks, Inc. for a Certificate of Public Convenience and Necessity to Provide Local Exchange Switchless Resale Telecommunications Services throughout the State of California.

**PROPOSED OUTCOME:**

- ® Grants request to withdraw application.
- ® Grants motion for leave to file confidential material under seal.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® There are no direct safety implications.

**ESTIMATED COST:**

- ® There are no costs resulting from withdrawal of the application.

(Comr Peterman - Judge Lirag)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150396577>

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

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## Consent Agenda - Intervenor Compensation Orders

### 20                    **Compensation to The Utility Reform Network** [13604]

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

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

#### **PROPOSED OUTCOME:**

® Awards The Utility Reform Network (TURN) \$20,377.00 for substantial contribution to Decision (D.) 13-07-024. D.13-07-024 adopted Smart Grid Deployment Plans for electric utilities. TURN requested \$36,839.50.

#### **SAFETY CONSIDERATIONS:**

® Substantial contribution by intervenors, as found here, enhances the Commission's regulation and oversight of public utilities, which under Pub. Util. Code § 451 must "promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

#### **ESTIMATED COST:**

® \$20,377.00, plus interest, to be paid by ratepayers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company.

(Comr Picker - ALJ Division)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=149734027>

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

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

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Agenda 3350, Item 29 1/29/2015 (Staff);

Agenda 3351, Item 24 2/12/2015 (Staff);

Agenda 3352, Item 19 2/26/2015 (Staff);

Agenda 3353, Item 22 3/12/2015 (Staff);

Agenda 3354, Item 33 3/26/2015 (Staff)

Consent Agenda - Intervenor Compensation Orders (continued)

21                    **Compensation to Hans Laetz**

[13780]

R08-11-005

Order Instituting Rulemaking to Revise and Clarify Commission Regulations Relating to the Safety of Electric Utility and Communications Infrastructure Provider Facilities.

**PROPOSED OUTCOME:**

® Awards Hans Laetz \$40,618.58 for substantial contribution to Decision (D.) 14-02-015. D.14-02-015 incorporated new and modified rules to reduce fire hazards associated with overhead power lines and aerial communication facilities. Hans Laetz requested \$80,099.25.

**SAFETY CONSIDERATIONS:**

® Substantial contribution by intervenors, as found here, enhances the Commission's regulation and oversight of public utilities, which under Pub. Util. Code § 451 must "promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

**ESTIMATED COST:**

® \$40,618.58, plus interest, to be paid by the Commission's Intervenor Compensation Fund.

(Comr Florio - Judge Kenney)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150850231>

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

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

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Consent Agenda - Intervenor Compensation Orders (continued)

22                    **Compensation to The Utility Reform Network**  
[13848]

R08-12-009

Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System.

**PROPOSED OUTCOME:**

® Awards The Utility Reform Network \$44,077.46 for substantial contribution to Decision (D.) 14-05-016. D.14-05-016 adopted rules to provide access to energy usage and usage-related data to local entities, researchers and state/federal agencies when such access is consistent with laws and procedures that protect the privacy of customer data. The Utility Reform Network requested \$48,842.46.

**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:**

® \$44,077.46, plus interest, to be paid by the ratepayers of Pacific Gas and Electric Company, Southern California Electric Company, and San Diego Gas & Electric Company.

(Comr Picker - ALJ Division)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148995648>

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

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Consent Agenda - Intervenor Compensation Orders (continued)

23

### **Compensation to Clean Coalition**

[13852]

R10-12-007

Order Instituting Rulemaking Pursuant to Assembly Bill 2514 to Consider the Adoption of Procurement Targets for Viable and Cost-Effective Energy Storage Systems.

#### **PROPOSED OUTCOME:**

® Awards Clean Coalition \$34,706.50 for substantial contribution to Decision (D.) 13-10-040. D.13-10-040 established the policies and mechanisms for procurement of electric energy storage pursuant to Assembly Bill 2514. Clean Coalition requested \$42,697.

#### **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:**

® \$34,706.50, plus interest, to be paid by Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company.

(Comr Peterman - Judge Kersten)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148826184>

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

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Consent Agenda - Intervenor Compensation Orders (continued)

24                    **Compensation to Center for Accessible Technology**  
[13860]

A11-10-002

Application of San Diego Gas & Electric Company for Authority to Update Marginal Costs, Cost Allocation, and Electric Rate Design.

**PROPOSED OUTCOME:**

® Awards Center for Accessible Technology \$57,610.60 for substantial contribution to Decision (D.) 14-01-002. D.14-01-002 addresses the application of San Diego Gas & Electric Company (SDG&E) to establish marginal costs, allocate revenues, design rates for service provided to its customers and, among other issues, it addresses requests for changes to the design of residential rates, denying all such requests without prejudice. Center for Accesible Technology requested \$59,335.

**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:**

® \$57,610.60plus interest, to be paid by ratepayers of SDG&E.

(Comr Picker - Judge Roscow, Judge Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148495369>

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

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Consent Agenda - Intervenor Compensation Orders (continued)

25                    **Compensation to the Greenlining Institute**  
[13861]

A11-10-002

Application of San Diego Gas & Electric Company for Authority to Update Marginal Costs, Cost Allocation, and Electric Rate Design.

**PROPOSED OUTCOME:**

® Awards the Greenlining Institute \$40,109.63 for substantial contribution to Decision (D.) 14-01-002. D.14-01-002 addresses the application of San Diego Gas & Electric Company (SDG&E) to establish marginal costs, allocate revenues, design rates for service provided to its customers and, among other issues, it addresses requests for changes to the design of residential rates, denying all such requests without prejudice. The Greenlining Institute requested \$40,259.

**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:**

® \$40,109.63 plus interest, to be paid by ratepayers of SDG&E.

(Comr Picker - Judge Yip-Kikugawa, Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148334603>

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

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## Regular Agenda

### Regular Agenda - Energy Orders

26                    **Southern California Edison Company's 2015 Energy**  
 [13606]            **Resource Recovery Account Proceeding Revenue**  
                          **Requirement Forecast**

A14-06-011

Application of Southern California Edison Company for Approval of its Forecast 2015 ERRR Proceeding Revenue Requirement.

#### **PROPOSED OUTCOME:**

- ® Adopts Southern California Edison Company's 2015 Energy Resource Recovery Account Proceeding Revenue Requirement Forecast.
- ® Closes the proceeding.

#### **SAFETY CONSIDERATIONS:**

- ® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes, including Public Utilities Code Section 451 which requires the utility to take actions that are "... necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

#### **ESTIMATED COST:**

- ® Forecast amount is \$5.593 billion.

(Comr Florio - Judge Miles)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=149915183>

*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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Agenda 3350, Item 15 1/29/2015 (Florio);

Agenda 3351, Item 3 2/12/2015 (Staff);

Agenda 3352, Item 2 2/26/2015 (Pub. Util. Code §311(e));

Agenda 3354, Item 42 3/26/2015 (Picker)

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Regular Agenda - Energy Orders (continued)

26a PRESIDENT PICKER'S ALTERNATE TO ITEM 13606  
[13751]

A14-06-011 - Application of Southern California Edison Company for Approval of its Forecast 2015 ERRRA Proceeding Revenue Requirement.

**PROPOSED OUTCOME:**

® Adopts the Southern California Edison Company's 2015 Energy Resource Recovery Account Proceeding Revenue Requirement.

® Defers resolution of the allocation of \$206 million in electricity crisis related refunds among bundled service and direct access customers to a subsequent phase of this proceeding.

**SAFETY CONSIDERATIONS:**

® It is the utility's responsibility to adhere to all Commission rules, decisions, General Orders and statutes, including Public Utilities Code Section 451 which requires the utility to take actions that are "... necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

**ESTIMATED COST:**

® \$5.983 billion.

(Comr Picker)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=149912394>

*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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Agenda 3352, Item 2a 2/26/2015 (Pub. Util. Code §311(e));

Agenda 3354, Item 42a 3/26/2015 (Picker)

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Regular Agenda - Energy Orders (continued)

27                    **Petition for a Rulemaking to Examine the Rate Regulation of**  
[13792]                **Diablo Canyon, a Nuclear-Powered Generating Station**

P14-10-007

Petition of Friends of the Earth to Adopt, Amend, or Repeal a Regulation Pursuant to Pub. Util. Code Section 1708.5 Regarding the Economics of, and Appropriate Method of Compensation for, the Diablo Canyon Nuclear Power Plant.

**PROPOSED OUTCOME:**

- Ⓡ Denies the Petition.
- Ⓡ Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- Ⓡ None.

**ESTIMATED COST:**

- Ⓡ None. There is no change to utility operations.

(Comr Florio - Judge Long)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150793612>

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

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Regular Agenda - Energy Orders (continued)

28  
[13794]      **San Diego Gas & Electric Company's Application for  
Authority to Enter Into Purchase Power Tolling Agreement  
with Carlsbad Energy Center, LLC**

A14-07-009

Application of San Diego Gas & Electric Company for Authority to Partially Fill the Local Capacity Requirement Need Identified in D.14-03-004 and Enter into a Purchase Power Tolling Agreement with Carlsbad Energy Center, LLC.

**PROPOSED OUTCOME:**

- ® Denies application without prejudice.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® Balances the need for electric reliability and the need to reduce greenhouse gas through the Loading Order.

**ESTIMATED COST:**

- ® There are no costs associated with the outcome of the proposed decision.

(Comr Florio - Judge Yacknin)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148259638>

*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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## Regular Agenda - Energy Orders (continued)

28a PRESIDENT PICKER'S ALTERNATE TO ITEM 13794  
(Rev.)  
[13887]

Application of San Diego Gas & Electric Company (U 902 E) for Authority to Partially Fill the Local Capacity Requirement Need Identified in D.14-03-004 and Enter into a Purchase Power Tolling Agreement with Carlsbad Energy Center, LLC.

**PROPOSED OUTCOME:**

® Approves San Diego Gas & Electric Company's (SDG&E) request for authority to enter into a purchase power tolling agreement with Carlsbad Energy Center, LLC subject to the following two conditions:

® The project contract capacity is reduced from 600 megawatts (MWs) to 500 MWs while otherwise subject to the same per unit price and other terms and conditions as the agreement first presented in the application; and

® All of the 100 MWs in residual procurement authority resulting from the amendment of the purchase power tolling agreement must consist of preferred resources or energy storage.

**SAFETY CONSIDERATIONS:**

® Approval of the purchase power tolling agreement will provide local reliability needs in SDG&E's service territory and will assist with the integration of renewables resources in the state.

**ESTIMATED COST:**

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

(Comr Picker)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150379054>

*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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04/06/2015 - This item was not listed on the agenda distributed to the public.

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Regular Agenda - Energy Orders (continued)

29  
[13806]      **Application of Southern California Edison Company, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and California Energy Commission for 2015 Through 2017 Electric Program Investment Charge Funding**

A14-04-034, A14-05-003, A14-05-004 and A14-05-005 - Related matters.

Application of the California Energy Commission for Approval of Electric Program Investment Charge Proposed 2015 through 2017 Triennial Investment Plan.

**PROPOSED OUTCOME:**

- ® Approves the triennial Electric Program Investment Charge Program Applications, with modifications.
- ® This proceeding remains open.

**SAFETY CONSIDERATIONS:**

- ® Provides funding for Research Development and Demonstration studies to enhance reliability, improve the environment and improve the efficiency of the electric grid.

**ESTIMATED COST:**

- ® \$509 million over three years from the Electric Program Investment Charge Program change allocated as follows: \$407.8 million to the California Energy Commission, \$51.1 million to Pacific Gas and Electric Company, \$41.9 million to Southern California Edison Company, and \$8.8 million to San Diego Gas & Electric Company.

(Comr Picker - Judge Gamson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150958965>

*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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Regular Agenda - Energy Orders (continued)

30  
[13813]      **Modified Presiding Officer's Decision Regarding Allegations  
of Violations Regarding Pacific Gas and Electric Company's  
Operations and Practices with Respect to Facilities Records  
for its Natural Gas Transmission System Pipelines**

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.

**PROPOSED OUTCOME:**

® Finds Pacific Gas and Electric Company (PG&E) violated Title 49 of the Code of Federal Regulations, Section 192 and Public Utilities Code § 451 by failing to maintain its gas transmission pipeline records in a manner to allow safe operation of its gas transmission pipeline system.

**SAFETY CONSIDERATIONS:**

® PG&E is required to maintain and operate its gas transmission pipeline system in a safe manner. This decision finds that deficiencies in PG&E's recordkeeping practices do not allow it to safely maintain and operate its gas transmission pipeline system. PG&E's failure to maintain proper records regarding the design, installation, testing, operations and maintenance of its gas transmission pipeline system increases the risk to public safety.

**ESTIMATED COST:**

® To be determined in coordinated decision on fines and remedies (issued in I.12-01-007, I.11-02-016 and I.11-11-009).

(Comr Picker - Judge Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148364509>

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

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

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Regular Agenda - Energy Orders (continued)

31  
[13812]      **Modified Presiding Officer's Decision Regarding Allegations  
of Pacific Gas and Electric Company's Violation Regarding  
Operation of its Natural Gas Transmission Pipeline System**

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 Higher Population Density.

**PROPOSED OUTCOME:**

® Finds Pacific Gas and Electric Company (PG&E) violated Title 49 of the Code of Federal Regulations, Section 192 and Public Utilities Code Section 451 by failing to maintain and operate all segments of its natural gas transmission pipeline system at the proper class location. The total number of violations is 2,360, which results in a total of 18,038,359 days in violation.

**SAFETY CONSIDERATIONS:**

® PG&E is required to maintain and operate its gas transmission pipeline system in a safe manner. This decision finds that PG&E had incorrect class location designations for segments of its pipeline system and, thus, was operating at an operating pressure higher than appropriate. Failing to maintain the proper class location increases the risk to public safety.

**ESTIMATED COST:**

® To be determined in coordinated decision on fines and remedies (issued in I.12-01-007, I.11-02-016 and I.11-11-009).

(Comr Picker - Judge Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148365173>

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

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

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Regular Agenda - Energy Orders (continued)

32  
[13814]      **Modified Presiding Officer's Decision Regarding Alleged  
Violations by Pacific Gas and Electric Company in  
Connection with the San Bruno Explosion and Fire**

112-01-007

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.

**PROPOSED OUTCOME:**

® Whether Pacific Gas and Electric Company (PG&E) violated natural gas transmission safety laws in connection with the September 9, 2010 San Bruno explosion and fire.

**SAFETY CONSIDERATIONS:**

® Promotes safety by identifying, and therefore holding PG&E accountable for, violations of safety laws.

**ESTIMATED COST:**

® No direct cost impact; however, the findings will be considered in a separate decision that could impose over a billion dollars in penalties on PG&E.

(Comr Picker - Judge Wetzell)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=149264105>

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

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

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Regular Agenda - Energy Orders (continued)

33  
[13815]      **Modified Presiding Officer's Decision on Fines and Remedies to be Imposed on Pacific Gas and Electric Company for Specific Violations in Connection with the Operation and Practices of its Natural Gas Transmission System Pipelines**

112-01-007, 111-11-009, 111-02-016 (Not Consolidated)

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.

**PROPOSED OUTCOME:**

® Adopts penalties to be imposed on Pacific Gas and Electric Company (PG&E) for violations arising from: (1) the September 9, 2010 San Bruno explosion and fire; (2) PG&E's recordkeeping practices for its gas transmission pipeline system; and (3) PG&E's failure to maintain the proper class designation for pipeline in areas of higher population density as follows:

- ® Fine payable to General Fund: \$950,000,000
- ® One-time bill credit to customers: \$400,000,000
- ® Remedies: \$50,000,000

**SAFETY CONSIDERATIONS:**

® PG&E is required to maintain and operate its gas transmission pipeline system in a safe manner. The penalties imposed serves to deter future violations of state and federal statutes and regulations regarding gas transmission pipeline operations by PG&E and other gas pipeline operators.

**ESTIMATED COST:**

® \$1.4 billion to be paid by PG&E shareholders.

(Comr Picker - Judge Wetzell, Judge Yip-Kikugawa)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148364752>

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

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

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Regular Agenda - Energy Orders (continued)

33a PRESIDENT PICKER'S DECISION DIFFERENT TO ITEM 13815  
[13818]

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.

I11-11-009 - 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 Higher Population Density.

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.

Regular Agenda - Energy Orders (continued)

## **PROPOSED OUTCOME:**

Ⓡ Adopts penalties to be imposed on Pacific Gas and Electric Company (PG&E) for violations arising from: (1) the September 9, 2010 San Bruno explosion and fire; (2) PG&E's recordkeeping practices for its gas transmission pipeline system; and (3) PG&E's failure to maintain the proper class designation for pipeline in areas of higher population density.

Ⓡ Adopts penalties and remedies totaling \$1.6 billion as follows:

Ⓡ \$850 million in future gas infrastructure improvements related to transmission pipeline safety to be paid for by PG&E shareholders;

Ⓡ \$300 million fine payable to the General Fund;

Ⓡ \$400 million refund to PG&E's gas ratepayers in the form of a one-time bill credit; and

Ⓡ Approximately \$50 million to implement over 75 remedies proposed by the Commission's Safety and Enforcement Division (previously called the Consumer Protection and Safety Division) and other intervenors to enhance pipeline safety.

## **THE DECISION DIFFERENT OF PRESIDENT PICKER DIFFERS FROM THE PRESIDING OFFICER'S DECISION ON FINES AND REMEDIES AS FOLLOWS:**

Ⓡ The Decision Different's overall amount of penalties and remedies is increased by \$200 million, from \$1.4 billion to \$1.6 billion;

Ⓡ The amount of future gas infrastructure improvements related to transmission pipeline safety to be paid for by PG&E shareholders is increased from zero to \$850 million;

Ⓡ PG&E will pay a fine to the General Fund of \$300 million instead of \$950 million; and

Ⓡ Intervenor compensation will be processed through our statutory intervenor compensation program as is standard practice.

## **SAFETY CONSIDERATIONS:**

Ⓡ PG&E is required to maintain and operate its gas transmission pipeline system in a safe manner. The penalties and remedies imposed serve to: penalize PG&E for violations of state and federal statutes and regulations regarding gas transmission pipeline operations and deter future violations by PG&E and other gas pipeline operators; make PG&E's gas transmission system as safe as possible for the public, ratepayers, utility workers, and the environment, and enhance pipeline safety; recognize the statutory tool for penalties (i.e., General Fund fines); and recognize that PG&E breached the trust of its customers and the public to maintain and operate a safe gas transmission system.

## **ESTIMATED COST:**

Ⓡ \$1.6 billion to be paid by PG&E shareholders.

(Comr Picker)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150539121>

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

**Regular Agenda - Communication Orders****34 Denying Bright Fiber Network LLC's Application for a  
[13783] Certificate of Public Convenience and Necessity**

A13-03-010

In the Matter of the Application of Bright Fiber Network, LLC for a Certificate of Public Convenience and Necessity to Provide Full Facilities Based and Competitive Local Exchange Access and Interexchange Services within California and specifically, within Nevada County.

**PROPOSED OUTCOME:**

- ® Denies Bright Fiber Network LLC a Certificate of Public Convenience and Necessity (CPCN).
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® By not issuing a CPCN, the Commission avoids permitting a non-telephone company to operate without the ability to regulate it.

**ESTIMATED COST:**

- ® This decision denies the application and therefore there are no costs.

(Comr Sandoval - Judge Colbert)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148259629>

*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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Regular Agenda - Communication Orders (continued)

34a COMMISSIONER SANDOVAL'S ALTERNATE TO ITEM 13783  
[13785]

A13-03-010 In the Matter of the Application of Bright Fiber Network, LLC for a Certificate of Public Convenience and Necessity to Provide Full Facilities Based and Competitive Local Exchange Access and Interexchange Services within California and specifically, within Nevada County.

**PROPOSED OUTCOME:**

- ® Grants the application of Bright Fiber Network, LLC (Bright Fiber) for a Certificate of Public Convenience and Necessity (CPCN) for limited-facilities based local exchange and access services.
- ® Requires Bright Fiber to file tariffs with the Commission before it can offer local exchange services.
- ® Requires that Bright Fiber must receive additional authority from the Commission as part of its California Advanced Services Fund (CASF) grant application before it can perform any construction activities other than installation of equipment in existing buildings or structures.
- ® Closes the proceeding.

**SAFETY CONSIDERATIONS:**

- ® Holders of CPCNs are subject to Commission Orders, Rules, Decisions and Regulations, including those enforcing consumer protection, service quality, privacy, and providing reliable access to emergency services via 911.

**ESTIMATED COST:**

- ® No cost.

(Comr Sandoval)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=148259085>

*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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**Regular Agenda - Water/Sewer Orders**

- 35  
[13843]      **Resolution Ordering Water Utility Compliance with the State Water Resources Control Board's Resolution No. 2015-0015 Adopting an Emergency Regulation for Statewide Urban Water Conservation as Codified in the California Code of Regulations, Title 23, Sections 863, 864, and 865**

Res W-5034

**PROPOSED OUTCOME:**

- ® Adopts for the California Public Utilities Commission (CPUC) jurisdictional water utilities the Emergency Regulations adopted by the Water Board for public water agencies.
- ® Re-adopts the prohibitions on use of potable water for outside washing, ornamental fountain and irrigation of landscapes and turf from 2014 and establishes new water restrictions for 2015.
- ® Requires limitations on number of days per week that customers can irrigate and restaurants can only serve water on a customer's request and hotels/motels must provide guests with the option of choosing not to have towels and linens laundered daily.
- ® Orders CPUC water utilities to notify their customers of these potable water prohibitions.

**SAFETY CONSIDERATIONS:**

- ® Safe and reliable drinking water for Californians is at risk due to the continuing drought and these water use restrictions are intended to reduce the use of potable water for irrigation and outside washing purposes to reserve it for future human use.

**ESTIMATED COST:**

- ® No intended financial impact.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150959235>

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**Regular Agenda - Orders Extending Statutory Deadline****36            Order Extending Statutory Deadline**  
[13851]

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 statutory deadline for completion of this proceeding until June 10, 2015.

**SAFETY CONSIDERATIONS:**

® There are no safety considerations implicated with this Order Extending Statutory Deadline.

**ESTIMATED COST:**

® There are no costs associated.

(Comr Florio - Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150761563>

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

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Regular Agenda - Orders Extending Statutory Deadline (continued)

37                    **Order Extending Statutory Deadline**  
[13854]

A11-04-013

Application of James L. and Marianne S. Orvis to sell, and Aspen Forest Investment Co., LLC, to buy, Five Thousand (5,000) Shares of the Common Stock of the water system known as Lake Alpine Water Company, Inc. Located in Alpine County, California.

**PROPOSED OUTCOME:**

® Extends statutory deadline for completion of this proceeding until June 26, 2015.

**SAFETY CONSIDERATIONS:**

® There are no safety considerations implicated with this Order Extending Statutory Deadline.

**ESTIMATED COST:**

® There are no costs associated.

(Comr Picker - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150787854>

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

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Regular Agenda - Orders Extending Statutory Deadline (continued)

38                    **Order Extending Statutory Deadline**  
[13855]

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 completion of this proceeding until June 13, 2015.

**SAFETY CONSIDERATIONS:**

® There are no safety considerations implicated with this Order Extending Statutory Deadline.

**ESTIMATED COST:**

® There are no costs associated.

(Comr Florio - Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150716013>

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

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Regular Agenda - Orders Extending Statutory Deadline (continued)

39                    **Order Extending Statutory Deadline**  
[13856]

A11-06-003

Application of San Diego Gas & Electric Company for Approval of: (i) Contract Administration, Least Cost Dispatch and Power Procurement Activities in 2010, (ii) Costs Related to those Activities Recorded to the Energy Resource Recovery Account and Transition Cost Balancing Account in 2010 and (iii) Costs Recorded in Related Regulatory Accounts in 2010.

**PROPOSED OUTCOME:**

® Extends statutory deadline for this proceeding to June 28, 2015.

**SAFETY CONSIDERATIONS:**

® There are no safety considerations implicated with this Order Extending Statutory Deadline.

**ESTIMATED COST:**

® There are no costs associated.

(Comr Florio - Judge Roscow)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150764136>

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

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Regular Agenda - Orders Extending Statutory Deadline (continued)

40                    **Order Extending Statutory Deadline**  
[13857]

C14-04-028

Georkeshia Denise Campbell vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

® Extends statutory deadline for this proceeding to October 25, 2015.

**SAFETY CONSIDERATIONS:**

® There are no safety considerations implicated with this Order Extending Statutory Deadline.

**ESTIMATED COST:**

® There are no costs associated.

(Comr Florio - Judge Miles)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150761566>

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

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Regular Agenda - Orders Extending Statutory Deadline (continued)

41                    **Order Extending Statutory Deadline**  
[13866]

C14-05-022

Marlow and Carol LaFontaine dba Obsidian Family Trust (Partnership) and Desert Pacific Development, Inc., vs. Southern California Edison Company.

**PROPOSED OUTCOME:**

® Extends statutory deadline for this proceeding to November 16, 2015.

**SAFETY CONSIDERATIONS:**

® There are no safety considerations implicated with this Order Extending Statutory Deadline.

**ESTIMATED COST:**

® There are no costs associated.

(Comr Peterman - Judge Wilson)

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150862835>

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

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## Regular Agenda - Legal Division Matters

42  
[13867]      **Comments Before the Department of Transportation Federal  
Transit Administration on a Notice of Proposed Rulemaking  
and Request for Comments**

Department of Transportation (DOT) Federal Transit Administration (FTA) Notice of Proposed Rulemaking and Request for Comments; Docket No. FTA-2015-0003; Released: February 27, 2015.

The Federal Transit Administration of the Department of Transportation has issued a Notice of Proposed Rulemaking (NPRM) seeking public comment on proposed rules that would transform and strengthen State Safety Oversight (SSO) of rail fixed guideway public transportation systems. California Public Utilities Commission (CPUC) staff seeks authority to submit comments.

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150459573>

## Regular Agenda - Legislative and Other Matters

43

### **Freight Rail Crew Safety**

[13840]

SB 730 (Wolk)

This bill would require freight rail operators in California to staff trains with no fewer than two individuals and would enact penalties for failure to abide by statutory requirements (Recommended Position: To be determined).

<http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=150866908>

## **Regular Agenda - Commissioner Reports**

**Regular Agenda - Management Reports and Resolutions**

44            **Report and Discussion by Safety and Enforcement Division**  
[13771]       **on Recent Safety Program Activities**

45            **Management Report on Administrative Activities**  
[13772]

## 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

46                    **Conference with Legal Counsel - Applications for Rehearing**  
[13773]

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.*

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47                    **Conference with Legal Counsel - Application for Rehearing**  
[13720]

A15-01-003

Disposition of Application for Rehearing of Resolution E-4698, filed by San Diego Gas & Electric Company (SDG&E). In the Resolution, the Commission approved SDG&E's Advice Letter 2600-E, which requested approval of the amended Power Purchase Agreement (PPA) executed with Goal Line, a combined heat and power (CHP) facility. The Resolution also denied SDG&E's request for a shareholder incentive associated with the restructuring of the qualifying facility PPA.

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

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Agenda 3352, Item 33 2/26/2015;

Agenda 3353, Item 36 3/12/2015;

Agenda 3354, Item 60 3/26/2015

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Closed Session - Applications for Rehearing (continued)

48                    **Conference with Legal Counsel - Application for Rehearing**  
[13798]

A14-09-009

Disposition of Application for Rehearing of Resolution E-4674 filed by Dynegy Moss Landing, LLC, Dynegy Morro Bay, LLC, and Dynegy Oakland, LLC. In Resolution E-4674, the Commission approved with modifications the proposed revisions of Pacific Gas and Electric Company to its Electric Schedule S, Standby Service, Special Condition 15 in light of orders issued by the Federal Energy Regulatory Commission, which now allow states to use their own station power load-netting methodologies for assessing certain retail charges under the applicable retail tariffs.

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

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49                    **Conference with Legal Counsel – Application for Rehearing**  
[13799]

A14-09-010

Disposition of Application for Rehearing of Resolution E-4673 filed by Dynegy Moss Landing, LLC, Dynegy Morro Bay, LLC, and Dynegy Oakland, LLC. In Resolution E-4673, the Commission approved with modifications the proposed revisions of Southern California Edison Company to its Station Power Self-Supply Schedule (Schedule SPSS) in light of orders issued by the Federal Energy Regulatory Commission, which now allow states to use their own station power load-netting methodologies for assessing certain retail charges under the applicable retail tariffs.

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

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## **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**

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**Closed Session - Appeals from Presiding Officer's Decisions**

Discussion of Appeals of Presiding Officer's Decision.

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

50                    **Conference with Legal Counsel - Appeals from Presiding**  
[13774]                **Officer's Decision**

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. This item may also be considered in Public Session.

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

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## **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 - Federal**

51                    **Conference with Legal Counsel – Existing Litigation**  
[13842]

FERC Docket ER14-2529-000

Pacific Gas and Electric Company, FERC Docket ER14-2529-000.

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

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## **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 - 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*