
Public Utilities Commission of the State of California

***Public Agenda 2982
Tuesday, December 16, 1997, 10 a.m.*
San Francisco, California***

****If necessary to complete consideration of matters listed on the
December 16 Agenda, that meeting may be continued to December 17 at 9
a.m.***

Commissioners

**P. Gregory Conlon, President
Jessie J. Knight, Jr.
Henry M. Duque
Josiah L. Neeper
Richard A. Bilas**

*For each agenda item, a summary of the proposed action is included; the Commission's
decision may, however, differ from that proposed.*

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

Wednesday, January 7, 1998

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; these are HEX and EX items.
- 6

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.

- CA-1 Res TL-18826 - Resolution approving issuance of charter-party carrier certificates pursuant to Section 5374 of the Public Utilities Code and approving issuance and transfer of highway carrier authority pursuant to the Commission's contract with the Department of Motor Vehicles as permitted by Vehicle Code Section 34605(b).
- CA-2 Res TL-18827 - Resolution denying issuance of charter-party carrier authority, highway carrier authority, and household goods carrier authority for failure to satisfy statutory provisions of the Public Utilities Code and Commission General Orders.
- CA-3 A97-03-029 - Southern California Water Company (SCWC). For authority to increase gross revenues by \$429,300, or 15%, in 1998; \$429,300, or 15%, in 1999; \$429,300, or 15%, in 2000; and \$429,300, or 15%, in 2001, in the Bay Point District. A97-03-030, A97-03-031 - Related matters. This decision authorizes general rate increase to SCWC for test years 1998 and 1999 and attrition year 2000 for its Arden-Cordova, Bay Point, and Los Osos Districts. This proceeding is closed.
(Com Neeper - ALJ Garde)
(Section 311)

- CA-4 A96-05-045 - Southern California Edison Company (Edison). For authority to revise its Energy Cost Adjustment Billing Factor (ECABF), its electric revenue adjustment billing factor, its California Alternate rates for energy, and its base rate levels effective January 1, 1997; authority to revise the incremental energy rate, the energy reliability index and avoided capacity cost pricing; and review of the reasonableness of Edison's operations during the period from April 1, 1995 through March 31, 1996. This decision concludes that Edison should set its ECABF's residually for rates in effect for 1997.
(Com Conlon - ALJ Patrick)
(Section 311)
(SB 960 Experiment: Ratesetting Category)
- CA-5 Res W-4081 - California Water Service Company, Mid-Peninsula District. Order authorizing refund of a balancing account overcollection of \$495,300 or 3.5%. Granted.
(Advice Letter 1440, filed October 9, 1997)
- CA-6 Res T-16100 - Contel of California. Request for authority to conduct market trials and technology tests pursuant to the guidelines adopted by the Commission in Resolution T-14944 dated June 17, 1992. Granted.
(Advice Letter 1084, filed October 17, 1997)
- CA-7 Res T-16099 - GTE California Incorporated. Request for authority to conduct market trials and technology tests pursuant to the guidelines adopted by the Commission in Resolution T-14944 dated June 17, 1992. Granted.
(Advice Letter 8572, filed October 17, 1997)

- CA-8 A96-08-029 - Southern California Edison Company (Edison). For approval of specified provisions of a settlement agreement that would resolve long-standing litigation with Vulcan/BN Geothermal Power Company, Del Ranch, L.P., Elmore L.P., and Leathers, L.P. The principal issue in the litigation is whether Edison was required to pay forecasted contract prices rather than posted avoided costs for energy above contract nameplate ratings. This decision also addresses a proposed agreement and stipulation between Edison and the Office of Ratepayer Advocates (ORA). In their stipulation, Edison and ORA propose that the issue dealing with purchased power above nameplate ratings be considered in another proceeding currently before the Commission. This decision approves Edison's application, and it approves the stipulation between Edison and ORA. This proceeding is closed.
(Com Knight - ALJ Walker)
- CA-9 A97-07-052 - Atlas Communications, Ltd. dba Atlas Services. For a certificate of public convenience and necessity (CPCN) to provide resold local exchange services. This decision grants CPCN to operate as a competitive local carrier reseller. This proceeding is closed.
(Com Knight - ALJ O'Donnell)
- CA-10 R97-08-003 - Rulemaking on the Commission's own motion into implementation of Public Utilities Section 455.3, which revises the manner in which oil pipeline corporations may change rates. This decision adopts, unchanged, the modification to Section VI of General Order 96-A initially proposed. This proceeding is closed.
(Com Bilas - ALJ Hale)
- CA-11 A97-06-032 - GlobalCom Telecommunications, Inc. (GlobalCom). This decision grants petition for modification to authorize acquisition of control of GlobalCom by COMCAST Telephone Communications, Inc. No change in operations or management of GlobalCom will take place and GlobalCom will continue to provide interLATA and intraLATA telecommunications services in California as a reseller under its present name and certificate of public convenience and necessity. This proceeding is closed.
(Com Knight - ALJ Ramsey)

- CA-12 A90-11-011 - Pacific Bell. For approval of COMMSTAR features. A90-12-065, A91-01-039 - Related matters. This decision closes these proceedings. (Com Duque - ALJ Hale)
- CA-13 A97-05-014 - Clint E. Kemp dba West Water Company (Kemp) and Tom W. and Lorie Beth Johnson (the Johnsons). For authority of Kemp to sell and the Johnsons to buy the water system in Sonoma County. Granted. This proceeding is closed. (Com Duque - ALJ Rosenthal)
- CA-14 A97-08-038 - EZ Phone, Inc. For a certificate of public convenience and necessity (CPCN) to offer resold local and interexchange telecommunications services. This decision grants CPCN to operate as a competitive local carrier reseller. This proceeding is closed. (Com Knight - ALJ O'Donnell)
- CA-15 Res W-4082 - California Water Service Company, East Los Angeles District. Order authorizing refund of a balancing account overcollection of \$734,600 or 4.8%. (Advice Letter 1439, filed October 6, 1997)
- CA-16 Res T-16097 - GTE California (GTEC). For approval of a local interconnection agreement between GTEC and California RSA No. 1 dba US Cellular, a facilities-based cellular carrier, submitted under provisions of Resolution ALJ-174 and GO 96-A. The agreement becomes effective today and will remain in effect for one year. Granted (Advice Letter 8570, filed October 7, 1997)
- CA-17 Res W-4083 - Big Lagoon Water Company. Order authorizing a general rate increase producing additional annual revenues of \$8,649 or 47.11% in 1997.

- CA-18 A97-08-067 - OpTex, Inc. (OpTex) and Claremont Technology Group, Inc. (Claremont). This decision grants joint application of OpTex and Claremont for approval of transfer of control of OpTex (U-5697-C) by Claremont through Claremont Acquisition Corporation, a wholly owned subsidiary of Claremont Technology Group, Inc. OpTex to continue to operate as a nondominant interchange carrier under its present management and tariffs. Change will be in ownership only. This proceeding is closed.
(Com Knight - ALJ Ramsey)
- CA-19 A97-09-037 - LCI International, Inc. (LCII), USLD Communications Corp. (USLDC) and USLD Communications, Inc. (USLDI). For authority for LCII to acquire control of USLDI through purchase of all outstanding stock of USLDI's parent, USLDC. Granted. After acquisition, USLDI will continue operations under its current name and tariffs. This proceeding is closed.
(Com Knight - ALJ Ramsey)
- CA-20 A96-03-031 - Southern California Gas Company. For authority to revise its rates effective January 1, 1997, in its Biennial Cost Allocation Proceeding. A96-04-030 - Related matter. This decision grants The Utility Reform Network \$174,267.20 in intervenor compensation for its contribution to D97-04-082.
(Com Conlon - ALJ O'Donnell)
- CA-21 R93-06-001 - Rulemaking to consider the Commission's compliance with the Energy Policy Act of 1992. This decision closes this proceeding. If we determine that standards addressed in the 1992 Energy Policy Act should be incorporated within revised regulatory structures, we will implement those findings on either a utility-specific basis or in a broader generic proceeding, to be designated.
(Com Conlon - ALJ Minkin)
- CA-22 A97-09-028 - Sierra Pacific Power Company (Sierra). For an order authorizing Sierra to issue short-term unsecured promissary notes in an aggregate amount not to exceed \$200,000,000 payable to banks and purchasers of commercial paper during 1998 to 2000. Granted. This proceeding is closed.
(Exam Evans)

- CA-23 A97-08-065 - Microwave Services Inc. (MSI) and Teligent, L.L.C. (Teligent). For authority to transfer assets of MSI to Teligent, a joint venture limited liability company in which MSI holds a 55% majority ownership interest. Granted. This proceeding is closed.
(Com Knight - ALJ Ramsey)
- CA-24 I90-07-037 - Investigation on the Commission's own motion into the matter of post-retirement benefits other than pensions. A88-12-005, I89-03-033 - Related matters. This decision transfers the remaining issue of determining the simplest method of recovering post-retirement benefits other than pensions through Z-factor filings to Pacific Bell's and GTE California Incorporated's 1998 Triennial New Regulatory Framework proceedings. These proceedings are closed.
(Com Knight - ALJ Galvin)
- CA-25 A97-10-047 - Family Telecommunications Incorporated (FTI). For approval of the acquisition of FTI by Medcross, Inc. (Medcross) and name change to Utah I-Link Communications, Inc., which becomes a wholly-owned subsidiary of Medcross, which is to be renamed I-Link Incorporated. The certificate of public convenience and necessity held by FTI transferred to I-Link Incorporated. Granted. This proceeding is closed.
(Com Knight - ALJ Ramsey)
- CA-26 A94-11-047 - Mark Lee Brand. For authority to operate as a charter-party carrier. This application is dismissed as moot, since applicant has been granted operating authority by the Commission and is operating properly. This proceeding is closed.
(Com Conlon - ALJ Stalder)
- CA-27 I94-04-004 - Investigation on the Commission's own motion to establish a forum to consider issues concerning the merger of American Telephone and Telegraph Company and McCaw Cellular Communications, Inc., and to resolve disputes and address issues regarding a settlement related to the merger. This decision modifies I94-04-004. This proceeding is closed.
(Com Conlon - ALJ Cragg)

- CA-28 I92-01-002 - Investigation on the Commission's own motion into all facilities-based cellular carriers and their practices, operation and conduct in connection with their siting of towers, and compliance with the Commission's General Order No. 159 (G.O. 159). This decision approves a settlement agreement between the Consumer Services Division and GTE Mobilnet Incorporated (GTEM). The settlement resolves all remaining issues connected with GTEM's compliance with G.O. 159, which governs the siting of cellular towers. Under the agreement, GTEM will pay \$800,000 to the General Fund and undergo a year-long audit procedure to ensure that it and its affiliates have all necessary permits with respect to sites covered by the settlement. In exchange, GTEM and its affiliates are released from further Commission-imposed liability, and GTEM's affiliates are dismissed as respondents in this proceeding.
(Com Conlon - ALJ McKenzie)
- CA-29 R95-04-043 - Order instituting rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044 - Related matter. This decision grants authority to Justice Technology Corp., Justice Long Distance Corp., Access Network Services, Inc., and Ameritech Communications International, Inc. for certificates of public convenience and necessity to offer facilities-based competitive local exchange service and related authority within the service territories of Pacific Bell and GTE California.
(Com Conlon - ALJ Pulsifer)
- CA-30 C97-09-032 - MFS Intelenet of California, Inc. vs. Pacific Bell. This decision denies request of complainant for preliminary injunction and assesses outside costs of holding expedited hearing against complainant.
(Com Bilas - ALJ Watson)

REGULAR AGENDA

UTILITY AND TRANSPORTATION ORDERS

ORDERS HELD OVER

- H-1 I94-10-014 - Order Instituting Investigation and Order to Show Cause into whether the passenger stage corporation certificate and charter-party carrier permit of Universal Transit System, Inc. (Universal), dba Airway Shuttle, and its corporate officers: Mohammad (Mike) A. Kohsari, Mohamad (Robert) Bagher Pakzadian, and Fariborz (Fred) Alishahi, respondents, should be revoked. A95-11-014 - Related matter. This decision fines the two present principals of Universal \$1,000 each for prior involvement in unauthorized transfers of ownership and control of the shuttle operation to Los Angeles International Airport, and fines Universal \$3,500 for operations during suspensions and failure to consistently participate in the Department of Motor Vehicle Pull Notice Program. This decision further concludes that these and past other transgressions did not reflect the pattern or deliberate refusal to comply or conform as would be required pursuant to Leonard A. Kinzel (1967)66 CPUC 816, for revocation or suspension of operating authorities, and authorize the transfer of Universal's passenger stage certificate and charter-party permit to applicants Kohsari and Pakzadian upon payment of Public Utilities Code § 1036(b) transfer fees. This proceeding is closed.
(Com Conlon - ALJ Weiss)
(Section 311)
(Agenda 2972, Item 8, 6/25/97; Agenda 2973, Item H-13, 7/16/97; Agenda 2974, Item H-13, 8/1/97; Agenda 2975, Item H-11, 9/3/97; Agenda 2976, Item H-8, 9/24/97; Agenda 2978, Item H-3, 10/22/97; Agenda 2980, Item H-1, 11/19/97; Req - Commission)
- H-2 A97-09-027 - Pacific Bell (Pacific). For authority pursuant to Public Utilities Code Section 851, to lease space to affiliate corporations which will perform administrative support functions for Pacific. Pacific states that the lease arrangements comply with affiliate transaction rules of this Commission and of the federal government. The Office of Ratepayer Advocates has examined the application and has no objection to Pacific's request. Granted. This proceeding is closed.
(Com Duque - ALJ Walker)
(Agenda 2981, Item CA-14, 12/3/97; Req - Commission)

- H-3 R97-04-011 - Order instituting rulemaking to establish standards of conduct governing relationships between energy utilities and their affiliates. I97-04-012 - Related matter. This order adopts rules governing the relationship between California's natural gas local distribution companies and electric utilities and certain of their affiliates. For purposes of a combined gas and electric utility, these rules apply to all utility transactions with affiliates engaging in the provision of a product that uses gas or electricity or the provision of services that relate to the use of gas or electricity, unless otherwise exempted by these rules. For purposes of an electric utility, these rules apply to all utility transactions with affiliates engaging in the provision of a product that uses electricity or the provision of services that relate to the use of electricity, unless otherwise exempted by the rules. For purposes of a gas utility, these rules apply to all utility transactions with affiliates engaging in the provision of a product that uses gas or the provision of services that relate to the use of gas, again unless otherwise exempted by these rules. Our adopted rules are quite detailed and are attached to this order as Attachment A. The rules address nondiscrimination, disclosure and information, and separation standards. They also address to what extent a utility should be required to have its nonregulated or potentially competitive activities conducted by its affiliate. This proceeding is closed.
(Coms Bilas/Knight - ALJ Econome)
(SB 960 Experiment: Quasi-legislative Category)
- (Rev.) (Agenda 2981, Item 3, 12/3/97; Req - Commission)
This revision was not listed on the agenda distributed to the public.
- H-3a ALTERNATE PAGES TO ITEM H-3. These alternate pages concern 1) a provisional ban on transactions between an electric utility and an affiliate offering direct access in the utility's service territory and 2) a prohibition on the affiliates' use of the utilities' name and logo.
(Coms Knight/Bilas)
(Agenda 2981, Item 3a, 12/3/97; Req - Commission)

H-3b ALTERNATE PAGES TO ITEM H-3. These alternate pages adopt limitations on transactions between an electric utility and any affiliate offering direct access within a utility's service territory. An electric utility shall limit its transactions with any affiliate offering direct access within a utility's service territory so that the utility's affiliates do not have greater than 20% market share for each class of customers (based on volume) among those customers choosing direct access. This 20% market share will be calculated separately for residential, commercial, and industrial customers. The provision of renewable power to residential customers by an affiliate of the utility shall not be counted toward calculation of the 20% market share. Appropriate reporting requirements are adopted. The alternate pages allow a board member or corporate officer to serve on the holding company and with either the utility or the affiliate (but not both).
(Com Conlon)
(Agenda 2981, Item 3b, 12/3/97; Req - Commission)

H-4 A97-05-016 - Pacific Gas and Electric Company (PG&E). For authority to establish its authorized rate of return on common equity, establish its authorized capital structure, and establish its overall rate of return for Calendar Year 1998. This decision establishes costs of capital for calendar year 1998 for PG&E as follows:

	<u>Description</u>	<u>Capital Ratios</u>	<u>Cost</u>	<u>Weighted</u>
	<u>Cost</u>			
	Long-Term Debt	46.20%	7.36%	3.40%
	Preferred Stock	5.80%	6.65%	0.39%
(Rev.)	Common Equity	48.00%	11.20%	5.38%
	Total	100.00%		9.17%

(Rev.) The estimated revenue requirement impact of adopting a rate of return of 9.17% for PG&E is a decrease of \$41.3 million for the electric department and a decrease of \$12.8 million for the gas department, for a total decrease of \$54.1 million. Rate of Return workshops are ordered to commence prior to February 1998 on the topic of unbundled utility services. This proceeding is closed.
(Com Bilas - ALJ Wright)

(Section 311)

(Agenda 2981, Item 4, 12/3/97; Req - Commission)

This revision was not listed on the agenda distributed to the public.

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H-4a ALTERNATE PAGES TO ITEM H-4a. These alternate pages provide more complete descriptions of the positions of the parties.
(Com Bilas)
This item was not listed on the agenda distributed to the public.

- H-5 R94-04-031 - Order instituting rulemaking on the Commission's proposed policies governing restructuring California's electric services industry and reforming regulation. I94-04-032 - Related matter. This decision addresses the proposals contained in the July 25, 1997 workshop report on retail settlements and information flow and the related supplements.
(Coms Knight/Neeper - ALJ Wong)
(Agenda 2981, Item 9, 12/3/97; Req - Commission)
- H-6 C96-05-015 - Comtech Mobile Telephone Company (Comtech) vs Sprint Communications Company L.P. (Sprint). This decision grants the motion of Comtech to withdraw its motion against Sprint. The Commission disburses to Comtech amounts Comtech deposited with the Commission pending resolution of its complaint.
(Com Neeper - ALJ Malcolm)
(Agenda 2981, Item 10, 12/3/97; Req - Commission)
- H-6a ALTERNATE ORDER TO ITEM H-6. This decision grants the motion of Comtech Mobile Telephone Company (Comtech) for dismissal of its complaint against Sprint Communications Company L.P. (Sprint). This order provides Sprint an opportunity to pursue its claims against Comtech in civil court. In the interim, we retain funds deposited with the Commission by Comtech.
(Com Neeper)
(Agenda 2981, Item 10a, 12/3/97; Req - Commission)

ORDERS

- 1 A90-09-043 - GTE Corporation (GTEC) and Contel Corporation (Contel). A95-12-006, I96-03-021 - Related matters. This is a final order granting a motion for adoption of an all party Settlement Agreement (Attachment A to the order). The Settlement integrates rates in the service areas of GTEC and the former Contel. Applicants shall file revised tariffs within 20 days of the date of this order. New rates shall become effective January 1, 1998. After review and approval of the notice by the Commission's Public Advisor and Director of the Telecommunications Division, applicants shall notify customers in the former Contel service areas of the new rates, terms and conditions. These proceedings are closed.
(Com Duque - ALJ Mattson)
(Section 311)
- (Rev.) **(A90-09-043 SB 960 Experiment: Ratesetting Category)**
This revision was not listed on the agenda distributed to the public.
- 2 C97-07-020 - County of Fresno (Fresno) vs. Pacific Bell, Code Administrator and Code Relief Coordinator for California. This decision denies the complaint of Fresno which sought to have the Commission reject the proposed relief plan filed by the California Area Code Coordinator for a geographic split of the 209 Numbering Plan Area. Fresno objected to the plan's provision for assigning the new area code to the southern portion of the split. This decision finds no grounds to grant the complaint. The relief plan proposed by the California Code Coordinator complies with applicable Commission rules and industry guidelines, and is approved. This proceeding is closed.
(Com Conlon - ALJ Pulsifer)
(Section 311)
- 3 A97-05-011 - PacifiCorp. For approval of PacifiCorp's transition plan. A97-06-046, A97-07-005, A97-08-064 - Related matters. This decision approves transition plans for PacifiCorp, Sierra Pacific Power Company, Kirkwood Gas & Electric Company, and Southern California Water Company in compliance with Assembly Bill 1890. These proceedings are closed.
(Com Duque - ALJ Weissman)
(Section 311)

- 4 R97-01-009 - Order instituting rulemaking on the Commission's intervenor compensation program. I97-01-010 - Related matter. Revisions to our implementation of the intervenor compensation program are adopted and legislative amendments to the governing statutes are invited, both with the intent to broaden participation by customers and improve the effectiveness of that participation. The Public Advisor is directed to report to the Commission on certain matters. Parties are invited to propose legislative amendments to the General Counsel for the Commission's consideration. This proceeding is closed.
(Com Knight - ALJ Hale)
(SB 960 Experiment: Quasi-legislative)
- 5 C96-10-018 - Pac-West Telecomm, Inc. (Pac-West) vs. Evans Telephone Company (Evans Telephone) and the Volcano Telephone Company (Volcano Telephone). I97-03-025 - Related matter. This order addresses the compliance phase of this proceeding. This phase examines a specific dispute between Pac-West, complainant, and defendants Evans Telephone and Volcano Telephone. In brief, Pac-West alleges that these incumbent local exchange carriers are improperly routing calls made to Pac-West's customers such that the calls cannot be completed. Evans Telephone and Volcano Telephone argue that Pac-West is manipulating the telecommunications network in an attempt to cause toll calls to be carried on intraLocal Access and Transport Area toll facilities without payment of the tariffed charges associated with use of those toll facilities.
(Com Neeper - ALJ Gottstein)
(Section 311)
(I97-03-025 SB 960 Experiment: Quasi-legislative)
- 6 I95-06-005 - Investigation on the Commission's own motion into the operations and practices of Mr. Trucker, a California corporation, and of its president, Rodney Lawley. This decision concludes that the Commission retains authority to enforce the requirement that carriers comply with insurance requirements. Respondents are fined \$20,000 for operating during two separate periods without adequate public liability and property damage insurance. This proceeding is closed.
(Com Duque - ALJ Stalder)
(Section 311)

- 7 A96-07-009 - Southern California Edison Company (Edison). For authority to adopt the performance based ratemaking and incentive based ratemaking mechanisms specified in D95-12-063, as modified by D96-01-009, and related changes. A96-07-018 - Related matter. As an alternative to performance-based ratemaking, the Commission adopts a mechanism for determining Pacific Gas and Electric Company (PG&E) hydroelectric and geothermal generation revenue requirements for 1998. The mechanism applies to PG&E's conventional hydroelectric, Helms Pumped Storage, and geothermal facilities.
(Com Duque - ALJ Wetzell)
(Section 311)
- 8 A91-11-010 - Citizens Utilities Company (Citizens). For authority to increase rates and charges for water service in its Montara District. C92-01-026, C92-01-045, C92-02-031 - Related matters. This decision closes this 6-year proceeding involving the inadequate plant problems of a Class C water utility. Despite efforts, the utility over a long period has been unsuccessful in obtaining water sources adequate for its present requirements. The rate application portion of this proceeding was resolved by prior decisions; the fire flow problems have been or presently are being resolved. The decision authorizes Citizens to proceed to complete its proposed 10-year Master Plan designed to bring the system up to industry and General Order 103 standards, with improvement projects including water supply; water quality; operational, emergency, and fire fighting storage; pumping; emergency power; and replacement of undersized leaking pipes. A desalination plant proposal has been rejected for cost reasons, and known economically accessible water sources cannot provide for projected future population growth. A 1998 Department of Water Resources (DWR) hydrological study may definitely answer whether additional unknown sources exist. The decision requires Citizens to review this study after issued and to timely propose to the Commission possible additions, changes, or eliminations of Master Plan projects herein authorized as may be indicated from review of the study. The Large Water Branch is also required to review the DWR study with the same objective, and if necessary to propose to the Commission an Order Instituting Investigation.
(Com Duque - ALJ Weiss)
(Section 311)

- 9 R92-03-050 - Order instituting rulemaking on the Commission's own motion to consider the line extension rules of electric and gas utilities. The Commission modifies the existing line and service extension rules and practices for gas and electric utilities in several ways that will serve to reduce the amounts by which ratepayers already connected to the utility systems subsidize the costs caused by new ratepayers requiring new line and service extensions. These modifications will also result in more uniform and consistent practices among the utilities. First, we address the treatment of the costs of transformers, meters, regulators and services that are provided by the utility at no additional cost to the applicant. The Commission concludes that applicants should receive such free allowances only to the extent that the revenue expected to be received from the load to be served matches the utility's investment ("revenue justifying"). Second, we adopt "distribution basing" these costs to reflect the unbundling of utility rates mandated by Assembly Bill (AB) 1890. Third, we adopt a streamlining mechanism to keep the extension rules current with changes adopted by the Commission in the new worlds of gas and electric regulation.
(Com Conlon - ALJ Patrick)
(*Section 311*)
- 10 R92-03-050 - Order instituting rulemaking on the Commission's own motion to consider the line extension rules of electric and gas utilities. A91-06-016 - Related matter. Since the applicant design pilot program for residential gas and electric distribution services was a success, the Commission concludes that the program should be implemented as a regular utility tariff option. Under the tariff option, the utilities would provide an applicant for utility service with a bid for designing the proposed system. The applicant could "shop" the utility's bid and have a third-party designer undertake the system design. If the applicant decided not to use the utility's design services, the utility would credit the applicant with the amount of the utility's bid. This new tariff option will provide builders with a choice between utility design or design by third-party designers for residential gas and electric distribution facilities serving their projects. A91-06-016 is closed.
(Com Conlon - ALJ Patrick)

- 11 (Rev.) R95-04-043 - Pacific Bell (Pacific). Order instituting rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044 - Related matter. This decision disposes of the application for rehearing of D97-02-017 filed by Pacific. In its application, Pacific alleges that the Commission erred by not adopting an overlay rather than a split to provide relief for the exhausting 213 numbering plan area. This decision finds that Pacific's pleading contains no meritorious claim of legal error and treats its pleading as a Petition For Modification of D97-02-017. This decision goes on to find that Pacific has failed to show good cause for modifying D97-02-017 and denies Pacific's petition to modify D97-02-017. (Com Conlon - ALJ Kenney)
This revision was not listed on the agenda distributed to the public.
- 12 R90-02-008 - Order instituting rulemaking on the Commission's own motion to change the structure of gas utilities' procurement practices and to propose refinements to the regulatory framework for gas utilities. This decision denies the petition to modify D95-07-048 filed by Southern California Gas Company on September 30, 1997, seeking relief from the requirement that it present a proposal to the Commission by January 1, 1998, for the unbundling of its interstate gas transportation system for core aggregation customers. This proceeding is closed. (Com Bilas - ALJ Malcolm)
- 13 A96-07-009 - Southern California Edison Company (Edison). To adopt the performance based ratemaking and incentive based ratemaking mechanisms specified in D95-12-063, as modified by D96-01-009, and related changes. A96-07-018 - Related matter. As an alternative to performance-based ratemaking, the Commission adopts a mechanism for determining Edison hydroelectric revenue requirement beginning in 1998 and for the duration of the electric industry restructuring transition period, or until market valuation of the generating facilities. The mechanism relies largely upon Edison's 1995 general rate case and recent industry restructuring decisions, including decisions in the unbundling (or ratesetting) proceeding (A96-12-009, et al.) and the transition cost proceeding (A96-08-001, et al.). (Com Duque - ALJ Wetzell)

- 14 R87-11-012 - Order instituting rulemaking to review the time schedules for the rate case plan and fuel offset proceedings. A95-06-002 - Related matter. This decision adopts with modifications Southern California Gas Company's proposed adjustment mechanism to its core fixed cost account filed in compliance with D97-07-054. A95-06-002 is closed.
(Rev.) (Coms Duque/Neeper - ALJ Ryerson)
This revision was not listed on the agenda distributed to the public.
- 15 A97-10-001 - Pacific Gas and Electric Company (PG&E). For approval of 1998 energy efficiency programs, shareholder incentive mechanisms for 1998 programs, a cost accounting process for transfer of surcharge funds, and update of energy efficiency commitments. A97-10-002, A97-10-011, A97-10-012, R94-04-031, I94-04-032 - Related matters. This decision addresses the applications of PG&E, Southern California Edison Company, San Diego Gas & Electric Company and Southern California Gas Company for approval of 1998 energy efficiency program plans. We adopt most of the California Board for Energy Efficiency's (CBEE) recommendations with respect to the policy rules, budgets, program design and shareholder incentives that will apply to these programs. This decision also adopts several safeguards against the potential anti-competitive effects of continuing utility administration in a restructured electric industry. This decision also addresses the issues of cost accounting, fund transfers and tracking of pre-1998 commitments and carryover funds. Finally, this decision approves PG&E's proposed modifications to the contract pay-out deadlines adopted in D.97-09-117, which are also supported by CBEE.
(Coms Neeper/Knight - ALJ Gottstein)
- 15a ALTERNATE PAGES To ITEM 15. These alternate pages allow Pacific Gas & Electric to include funds expended for low-income weatherization and energy efficiency programs within the \$106 million of funding provided in Public Utilities Code 381 for use in cost-effective energy conservation.
(Com Conlon)
This item was not listed on the agenda distributed to the public

- 16 R97-10-018 - Order instituting rulemaking on the Commission's own motion to design and implement a program that provides for publicly available telecommunications devices capable of servicing the needs of the deaf or hearing impaired in existing buildings, structures, facilities, and public accommodations. I97-10-019 - Related matter. This is an interim order which designates the Payphone Service Providers Committee to establish, on an interim basis, an organization to begin implementing Public Utilities Code Section 2881.2. It establishes the parameters for the selection and operation of committee members, and sets forth the immediate tasks and responsibilities to be carried out by the interim committee.
(Com Duque - ALJ Galvin)

- 17 R95-01-020 - Rulemaking on the Commission's own motion into Universal Service and to comply with the mandates of Assembly Bill 3643. I95-01-021 - Related matter. This decision elaborates on the role and purpose of the Universal Lifeline Telephone Service Marketing Working Group (ULTSMWG). This decision also appoints members to the ULTSMWG. In addition, this decision identifies and describes the rules that the ULTSMWG must follow in its role as an advisory board to the Commission.
(Com Knight - ALJ Kenney)
- 18 A96-11-046 - Southern California Edison Company (Edison). For authority to sell gas-fired electrical generation facilities. This decision addresses the requests of Edison relative to the sale of its ten plants.
(Coms Conlon/Bilas - ALJ Careaga)
- 19 A97-11-038 - Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (Edison). For an order under Public Utilities Code Section 853 exempting them from the provisions of Section 851 or in the alternative for authority to convey operational control of designated transmission lines and associated facilities to an independent system operator. This decision addresses the requests of PG&E, SDG&E, and Edison relative to the transfer of operational control of their respective transmission lines and associated facilities.
(Coms Conlon/Bilas - ALJ Careaga)
- 20 R94-04-031 - Order instituting rulemaking on the Commission's proposed policies governing restructuring California's electric service industry and reforming regulation. I94-04-031 - Related matter. The Electric Education Trust (EET) was authorized in D97-05-040 and D97-08-064 to design and oversee community-based outreach and education efforts in connection with the statewide customer education program. This decision establishes a funding mechanism to permit the EET to carryout its authorized tasks.
(Coms Knight/Neeper - ALJ Wong)

- 21 A96-08-001 - Pacific Gas and Electric Company (PG&E). For approval of valuation and categorization of non-nuclear generation-related sunk costs eligible for recovery in the competition transition charge. A96-08-006, A96-08-007, A96-08-070, A96-08-071, A96-08-072 - Related matters. This decision determines how new customer load where the load is being met through a direct transaction and the transaction does not otherwise require the use of transmission or distribution facilities owned by the utility, as described in Section 369, will be treated in terms of applying the competition transition charge, if that customer is paying standby charges. These proceedings are closed.
(Coms Conlon/Bilas - ALJ Minkin)
- 22 A96-11-020 - Pacific Gas and Electric Company (PG&E). For authorization to sell certain generating plants and related assets pursuant to Public Utilities Code Section 851. This decision addresses the requests of PG&E relative to the sale of its three plants, its request for certain ratesetting treatment, and the motion of the Southeast Alliance for Environmental Justice for compensation. This proceeding is closed.
(Com Conlon/Bilas - ALJ Careaga)
- 23 R95-04-043 - Order instituting rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044 - Related matter. This decision resolves the outstanding issue regarding the cost recovery procedures for the "End User Common Line" (EUCL) charge in contracts involving access lines pursuant to Ordering Paragraph 9 of D97-08-059. The decision finds the current EUCL cost recovery procedures do not competitively disadvantage competitive local carrier (CLC) resellers. With this issue resolved, the local exchange carriers are directed to immediately make available for resale to CLCs their contracts for Centrex/CentraNet access lines.
(Com Conlon - ALJ Pulsifer)

- 24 A96-12-009 - Pacific Gas & Electric Company (PG&E). To identify and separate components of electric rates, effective January 1, 1998. A96-12-011, A96-12-019 - Related matters. This decision resolves several outstanding petitions to modify D97-08-056. Specifically, we address a petition to modify filed jointly on September 25, 1997 by PG&E, Southern California Edison Company (Edison), and San Diego Gas & Electric Company (SDG&E) seeking changes to the operation of the Catastrophic Events Memorandum Accounts; a petition to modify filed jointly by The Utility Reform Network and Utility Consumer Action Network on October 28, 1997 seeking disclosure on customer bills of the costs of Rate Reduction Recovery Bonds; a petition to modify filed by Office of Ratepayer Advocates filed on October 17, 1997 requesting clarification of SDG&E's ERAM balances, and; petitions to modify filed by Edison on October 15, 1997 and SDG&E on October 27, 1997 seeking ratemaking mechanisms for recovery of "must run" generation costs. We deny the petitions to modify D97-08-056 with the exception that we slightly modify D97-08-056 to refer to the disclosure of rate reduction bond costs on customer bills and direct SDG&E to adjust its distribution revenue requirement consistent with D97-10-057.
(Coms Conlon/Duque - ALJ Malcolm)
- 25 I97-05-045 - Order Instituting Investigation on the Commission's own motion into the operations and practices of A Better Moving and Storage Co., Inc., and Its President Bennet D. Mattingly. This decision approves all-party settlement agreement among Commission's Consumer Services Division, A Better Moving and Storage Co., Inc., and Bennet D. Mattingly. Settlement provides for payment of a \$15,000 fine, restitution of overcharges, arbitration of loss and damage claims, and other relief. Respondent Mattingly is required to undergo counseling or medical treatment for abusive and threatening behavior. The settlement agreement satisfies the Commission's criteria for adoption of an all-party settlement. This proceeding is closed.
(Com Duque - ALJ Ryerson)

UTILITIES RESOLUTIONS***ENERGY MATTERS***

- E-1 Res E-3510 - Pacific Gas and Electric Company (PG&E), Southern California Edison Company (Edison), and San Diego Gas and Electric Company (SDG&E). Request Commission approval of revisions to their tariffs to reflect the unbundling/cost separation D97-08-056. Approved as modified.
(PG&E Advice Letter (AL) 1692-E, as supplemented by E-A, E-B and E-C; Edison AL 1245-E, as supplemented by E-A; SDG&E AL 1042-E, as supplemented by E-A, and E-B)
- E-2 Res E-3512 - San Diego Gas & Electric Company (SDG&E). Requests approval of its performance-based ratemaking base rate mechanism final report for 1996, which details revenue sharing calculations and performance rewards and penalties for the subject year. SDG&E's Advice Letter (AL) 1036-E/1051-G, as modified by AL 1036-E-A/1051-G-A, is approved in part. Revenue sharing shall be recalculated.
(Advice Letter (AL) 1036-E/1051-G filed May 15, 1997 and AL 1036-E-A, 1031-G-A, filed August 14, 1997)
- E-3 Res G-3231 - Pacific Gas and Electric Company (PG&E). Request authorization to deviate from its gas tariff preliminary statement Section C.11B, and not file the core portion of the annual true-up of balancing accounts. PG&E proposes revisions to its gas rates to adjust for the annual true-up of balancing account rate components for noncore gas customers only and to defer true-up of balancing account rate components for core customers until it is addressed in the pending Biannual Cost Allocation Proceeding A97-03-002.
(Advice Letter 2045-G and 2046-G, filed November 10, 1997, and November 17, 1997 respectively)
- E-4 Res E-3514 - Pacific Gas and Electric Company (PG&E), Southern California Edison Company (Edison), and San Diego Gas & Electric Company (SDG&E). Request Commission approval of revisions to their tariffs to reflect the streamlining D97-10-057. Approved as modified.
(PG&E Advice Letters (AL) 1705-E, 1706-E, Edison AL 1254-E, 1255-E, and SDG&E AL 1052-E)

- E-5 Res E-3511 - Southern California Edison Company (Edison). Request to modify Resolution 3506-E to permit Edison to enter into gas risk management instruments with Edison's customers and to classify these gas risk management instruments as contracts other than contracts for differences. This advice letter also submits revised tariffs pursuant to Resolution 3506-E.
(Advice Letter 1259-E, filed November 3, 1997)
(Agenda 2981, Item E-3, 12/3/97; Req - Commission)
- E-5a ALTERNATE RESOLUTION TO ITEM E-5. This Resolution deletes the word "customer" from Ordering Paragraph 1.h. of Resolution E-3506. In addition, the Resolution relaxes the restrictive nature of Ordering Paragraph 1.h. of E-3506 by adding two conditions that allow Edison to contract with parties who are only incidentally an Edison customer.
(Exam Clanon)
This item was not listed on the agenda distributed to the public.
- E-5b ALTERNATE PAGES TO ITEM E-5*. These pages modify Resolution E-3511 to change the recovery period over which Edison may collect its out-of-pocket gas hedging costs to the earlier of March 31, 2002 or the date on which the commission-authorized costs for utility generation-related assets and obligations are fully recovered.
(Com Conlon)
This item was not listed on the agenda distributed to the public.
- E-6 Res E-3515 - Southern California Edison Company, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Gas Company. Seek Commission approval of their 1998 low income program plans, submitted pursuant to D97-09-117.
(Advice Letters 1250-E, 2039-G/1696-E, 1047-E/1068-G, and 2631, filed October 1, 1997)

TELECOMMUNICATIONS MATTERS

- C-1 Res T-16101 - Roseville Telephone Company. Order applying the adopted price cap mechanism in compliance with D96-12-074 through adjustments to surcharges to be effective January 1, 1998.
(Advice Letter (AL) 400, filed October 1, 1997, as supplemented by AL 400-A, filed November 6, 1997)
- C-2 Res T-16102 - Pacific Bell. Order applying the adopted price cap mechanism in compliance with D89-10-031 and D94-06-065 through adjustments to surcharges/surcredits to be effective January 1, 1998.
(Advice Letter 19050 and 19050A, filed October 1, 1997 and November 17, 1997)
- C-3 Res T-16103 - GTE California, Incorporated. Order applying the adopted price cap mechanisms in compliance with D89-10-031 and D94-06-065 through adjustments to surcharges/surcredits to be effective January 1, 1998.
(Advice Letter (AL) 8566 and AL 1083, both filed October 1, 1997)
- C-4 Res T-16104 - Citizens Telecommunications Company of California. Order applying the adopted price cap mechanism in compliance with D95-11-024, D94-09-065, D94-06-011, and D89-10-031 through adjustments to surcharges/surcredits to be effective January 1, 1998.
(Advice Letter (AL) 618, filed October 1, 1997, as supplemented by AL 618A, filed November 4, 1997)
- C-5 Res T-16090 - Deaf and Disabled Telecommunications Program Administrative Committee (DDTPAC). To establish the Deaf and Disabled Telecommunications equipment and service programs (Public Utilities (PU) Code Section 2881, et seq.) 1998 annual budget pursuant to D89-05-060 on an interim basis. This resolution adopts an interim 1998 annual budget of \$48,720,453 for the Deaf and Disabled Telecommunications Equipment and Service Programs pursuant to PU Code Section 2881, et seq. The interim adopted budget is \$2,097,672 or approximately 4.13% less than that proposed by the DDTPAC. The interim 1998 annual budget is designed to reimburse the DDTPAC for its expenses as well as each participating utility, as required by PU Code Section 2881.(d).

- C-6 Res T-16105 - All incumbent local exchange carriers, Sprint PCS, and MGC Communications, Inc. To designate eligible telecommunications carriers pursuant to the Federal Telecommunications Commission's Report and Order (FCC 97-157) in the matter of Federal-State Joint Board on Universal Service (CC Docket No. 96-45).
- C-7 (Rev.) Res T-16098 - This resolution establishes a 2.1% surcharge for the Universal Lifeline Telephone Service (ULTS) program for the 1998 calendar year. This surcharge provides sufficient funding for projected expenses for the ULTS program for the 1998 calendar year, with a reserve balance of \$33 million. This resolution will reduce the current ULTS surcharge of 3.2% to 2.1%.
This revision was not listed on the agenda distributed to the public.

RAIL SAFETY AND CARRIERS RESOLUTIONS

- T-1 Res ST-29 - Granting approval of a Commission Staff report on an on-site safety audit of the San Francisco Bay Area Rapid Transit District.

COMMISSIONERS' REPORTS

- Status/Coordination: Telecommunications Infrastructure Proceedings (D94-12-053).
- Status/Coordination: Electric Restructuring Proceedings (R94-04-031 and I94-04-032).
- Election of Commission President

EXECUTIVE DIRECTOR'S REPORT

Wesley M. Franklin, Executive Director

Business Plan: Report and Discussion of Agency Key Performance Indicators. (October 1997)
(Agenda 2980, 11/19/97; Agenda 2981, 12/3/97; Req - Commission)

Business Plan: Report and Discussion of Agency Key Performance Indicators. (November 1997)

GENERAL COUNSEL'S REPORT

Peter Arth, Jr., General Counsel

Legal Division Memorandums

- L-1 Res L-265 - Disposes of Public Records Act request by California Alliance for Utility Safety and Education and Karen Johanson for authority to inspect and/or copy all utility incident reports filed with the Commission in the past ten years by Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas and Electric Company, Sierra Pacific Power Company, and Pacific Power and Light.

MANAGEMENT REPORTS

Lynn T. Carew, Chief
Administrative Law Judge Division

Paul Clanon, Director
Energy Division

Jack Leutza, Director
Telecommunications Division

Dean J. Evans, Director
Water Division

Kenneth L. Koss, Director
Rail Safety and Carriers Division

William Meyer, Director
Strategic Planning Division

Elena Schmid, Director
Office of Ratepayer Advocates

William Schulte, Director
Consumer Services Division

Michael A. Doyle, Representative
Southern California

Robert T. Feraru
Public Advisor

CLOSED SESSION

This notice is furnished under Government Code Section 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 institution of proceedings and pending litigation as provided under Government code Section 11126(p) and (q), and personnel matters as provided under Government Code Section 11126(a). Items to be considered under Government Code Section 11126(p), 11126(q)(2) and (3) and 11126(a) are not required to be made public. The list of items on the following pages, to be considered under Government Code Section 11126(q) (1), are required by the Government Code to be made public.

APPELLATE SECTION ITEMS

ORDERS HELD OVER

- HEX-1 R93-10-002 - Disposition of application for rehearing of D.97-09-045 and motion to stay decision filed by Southern Pacific Transportation Company, Union Pacific Railroad Company, and The Burlington Northern and Santa Fe Railway Company (the Railroads). The Railroads allege legal error in decision which adopts rules relating to local safety hazard sites on railroad lines in California.
(Agenda 2980, Item EX-2, 11/19/97; Agenda 2981, Item HEX-4, 12/3/97; Req - Commission)
- HEX-2 A96-03-031, A96-04-030 - Disposition of applications for rehearing of D97-04-082, filed by the City of Long Beach (Long Beach) and The Utility Reform Network (TURN). Long Beach claims legal error on the ground that D97-04-082 retroactively eliminates the core cap for Long Beach and changes the allocation of the Interstate Transition Cost Surcharge (ITCS). TURN argues that D97-04-082: (1) results in the allocation of most surcharges to the core and all benefits to noncore, and thus, the decision is arbitrary, unduly discriminatory, and unsupported by either the record or past Commission decisions; (2) is arbitrary and violates Public Utilities Code Section 451 because it fails to require tracking of excess core procurement costs; and (3) adopts a core storage withdrawal reservation which is inconsistent with the record and within the decision itself.
(Agenda 2981, Item EX-2, 12/3/97; Req - Commission)

HEX-3 C96-06-042 - Disposition of application for rehearing of D97-02-040 filed by San Martin County Water District (San Martin County). D97-02-040 requires: (1) San Martin County to return possession, control and operation of certain facilities and customers to West San Martin Water Works; (2) to cease and desist from further unauthorized interference with West San Martin Water Works; and (3) to provide an accounting of all revenues charged and collected improperly as a result of unauthorized operations. San Martin County claims that the order in D97-02-040 is legal error as it is beyond the Commission's jurisdiction and that it illegally grants public property to a private water company. San Martin County further claims that compliance with the Decision will force the dissolution of the water district. (Agenda 2981, Item EX-6, 12/3/97; Req - Commission)

HEX-4 I _____ - Order instituting investigation of abusive marketing and sales practices of GTE California's Foreign Language Assistance Center. (Agenda 2980, Item EX-10, 11/19/97; Agenda 2981, Item HEX-3, 12/3/97; Req - Commission)

HEX-5 Annual Performance Evaluation for Managers Reporting Directly to the Commission.

Wesley M. Franklin, Executive Director
Peter Arth, Jr., General Counsel
Lynn T. Carew, Chief Administrative Law Judge
William Meyer, Director of Strategic Planning Division
Rob Feraru, Public Advisor

(Agenda 2979, Item EX-4, 11/5/97; Agenda 2980, Item HEX-2, 11/19/97; Agenda 2981, Item HEX-2, 12/3/97; Req - Commission)

ORDERS

- EX-1 Compilation of Applications for Rehearing filed with the Commission and Petitions filed with the California Supreme court since the last Commission Conference.
- EX-2 A93-09-006 - Disposes of applications of San Diego Gas and Electric Company and Southern California Gas Company for rehearing of D95-05-044, which allocates hazardous waste cleanup costs to all customer classes on an equal cents per therm basis.
- EX-3 A95-04-002 - Disposes of application of Toward Utility Rate Normalization (now, The Utility Reform Network) for rehearing of D.95-12-051, which, among other things, allowed Pacific Gas and Electric Company to recover Hazardous Substances Mechanism costs on a limited equal percent marginal cost basis.
- EX-4 C94-09-037 - Disposes of application for rehearing of D96-03-003, filed by Dan Lacey, Milton Grinstead, et al. relating to the adequacy of bill inserts and representation by counsel.
- EX-5 I92-01-002 - Disposes of application for rehearing of D97-11-018, filed by GTE Mobilnet of California Limited Partnership (GTEM). D97-11-018 fined GTEM \$343,000 for failing to seek Commission approval before beginning construction at its Santa Rose East cell site. GTEM claims that the Commission cannot directly impose a fine on GTEM pursuant to Public Utilities Code 2107, that assuming *arguendo* that it can impose such a fine, the fine is unlawful since it is excessive, improperly based on daily violations rather than a single violation, and violates GTEM's constitutional rights.
- EX-6 C93-06-051 - Disposition of the application filed by Matrix Telecom for rehearing of D95-03-040 concerning the award of compensation from the Advocacy Trust Fund to the complainants, Mike and Kathleen Lyon.

- EX-7 C96-03-027 - Disposes of application for rehearing of D96-09-093 filed by California Alliance for Utility Safety and Education (CAUSE). D96-09-093 dismisses CAUSE's complaint against San Diego Gas and Electric Company (SDG&E) which alleged that SDG&E acted unreasonably and failed to follow Commission policy concerning a number of its power lines.
- EX-8 C94-08-025 - Disposition of application for rehearing of D97-09-114 in which applicant Pacific Bell challenges the Commission's finding that Pacific Bell charged for work it did not do, after Pacific Bell billed installation charges for delivering a dial tone over preexisting wire to a preexisting jack. Pacific Bell argues that the work was on the customer's side of the demarcation point, and that the decision deprives Pacific Bell of its property without compensation since it must work on the customer's side of the demarcation point without charge.
- EX-9 C96-04-036 - Disposition of applications for rehearing of D96-09-025 by Ethel Dotson (Complainant) and PG&E (Defendant). The decision dismisses the complaint because it raises the same issues decided in D95-02-015.
- EX-10 R94-04-031, I94-04-032 - Disposes of application for rehearing and petition for modification by the Low Income Governing Board of D97-09-117, which established certain start-up procedures for the Low Income Governing Board and the California Board for Energy Efficiency, both advisory boards.
- EX-11 A96-02-004 - Disposition of application for rehearing of D97-01-021, filed by The Utility Reform Network, arguing that the Commission improperly finds that Public Utilities Code section 2889.5 does not apply to transfers of customers from one long-distance carrier to another long-distance carrier.

FEDERAL SECTION ITEMS

FEX-1 A monthly summary of recent developments in Federal Agency and Federal court Cases in which the California Public Utilities Commission is a party or has intervened.

CLOSED SESSION - INTERNAL AGENDA

IMPORTANT NOTICE

The Closed Session - Internal Agenda is NOT mailed or available to the public. It is only distributed internally within the Commission. The contents of the Internal Agenda, the memoranda or discussion relating to these matters shall not be disclosed to anyone outside the Commission.