

Public Utilities Commission of the State of California

*Public Agenda 3002
Thursday, October 22, 1998, 10 a.m.
San Francisco, California*

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

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

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings
505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
✓ Monday, October 19	Thursday, October 22
Monday, November 2	Thursday, November 5
Monday, November 16	Thursday, November 19
Monday, November 30	Thursday, December 3
Monday, December 14	Thursday, December 17

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered. A "✓" next to the date indicates that the meeting will be held. A "✓" next to the item number on the Agenda indicates that the matter will be considered during the Ratesetting Deliberative Meeting.*

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
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This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda; these are HEX and EX items.

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.

ORDERS AND RESOLUTIONS

- CA-1** **Res TL-18867** - Resolution approving issuance of charter-party carrier certificates pursuant to Section 5374(b) of the Public Utilities Code.
- CA-2** **A98-07-056 - TeleCenter, Inc.**
This decision grants applicant a certificate of public convenience and necessity to resell local exchange telecommunications service. This proceeding is closed.
(Com Knight - ALJ O'Donnell)
- CA-3** **C96-01-019 - City of Vernon (Vernon) vs. The Atchison, Topeka and Santa Fe Railway (Santa Fe).**
Vernon has failed to prove that implementation of Santa Fe's plans of expansion unnecessarily creates avoidable adverse environmental effects so as to make the expansion of the Hobart Yard unreasonable, in light of economically feasible alternatives. The complaint is denied. This proceeding is closed.
(Com Neeper - ALJ Careaga)
(Section 311)

- CA-4** **I91-03-046 - Investigation on the Commission's own motion into the proposed transfer of water pumping rights by Park Water Company (Park) to the City of Bell Gardens.**
This decision approves the uncontested all party settlement agreement between Park and Office of Ratepayer Advocates. This decision also allocates to ratepayers \$668,869 of the \$3,809,000 sale price for sale of Park's water distribution system to City of Bell Gardens. This proceeding is closed.
(Com Neeper - ALJ Wright)
(Section 311)
- CA-5** **Res T-16192 - Western Union Communications, Inc.**
This resolution revokes the certificate of public convenience and necessity of Western Union Communications, Inc., as requested by the company.
(Advice Letter 5, filed May 4, 1998)
- CA-6** **A98-03-052 - County of Stanislaus (County).**
This decision authorizes the County to construct Murphy Avenue (PUC crossing no. B-107.44) at grade across the tracks of the Union Pacific Railroad Company near Salida, Stanislaus County. Requires the closure of the existing Dakota-Murphy Avenue crossing (B-107.5) upon opening of the new crossing. This proceeding is closed.
(Exam Koss)
- CA-7** **A98-02-050 - City of Lodi (City).**
This decision authorizes the City to construct Guild Avenue (PUC crossing no. 61B-0.5) at grade across the tracks of the Central California Traction Company in Lodi, San Joaquin County. This proceeding is closed.
(Exam Koss)
- CA-8** **A98-02-051 - Sacramento Regional District (District).**
This decision authorizes the District to construct one pedestrian crossing at its Tiber Station, and two pedestrian crossings at its Mather Field Station; each at-grade with the District's AH-line (freight), formerly of the Union Pacific Railroad, in the City and County of Sacramento. This decision also authorizes the District to modify two pedestrian crossings at its Butterfield Station, both at-grade with said freight line, in said City and County. This proceeding is closed.
(Exam Koss)

- CA-9 Res T-16194 - L.A. Cellular Long Distance, LLC, Inc.**
This resolution revokes the certificate of public convenience and necessity of L.A. Cellular Long Distance, LLC., as requested by the company.
- CA-10 Res T-16195 - US One Communications Services Corp.**
This resolution revokes the certificate of public convenience and necessity of US One Communications Services Corp., as requested by the company.
- CA-11 A98-07-052 - Coyote Network Systems, Inc. (Coyote) and Interactive Network System, L.L.C. (INS).**
This decision approves the acquisition by Coyote of INS, nondominant interexchange carrier. This proceeding is closed.
(Com Knight - ALJ O'Donnell)
- CA-12 A96-12-050 - Tel-Save, Inc. of Pennsylvania dba The Phone Company.**
This order grants the jointly filed petition for modification of D98-07-020 to have the Commission approve and accept the voluntary surrender of American Business Alliance's certificate for public convenience and necessity pursuant to the decision's adopted settlement agreement. This proceeding is closed.
(Com Neeper - ALJ Reed)
- CA-13 A98-07-036 - Southern California Edison Company (SCE).**
This decision dismisses SCE's application for approval of ratepayer expenditures on the EnvestSCE pilot program without prejudice. SCE should file a new application within 90 days of the completion of the last EnvestSCE project. This proceeding is closed.
(Com Neeper - ALJ Gottstein)
- CA-14 C98-03-023 - Gina Guillamun DiResta vs. Esprit de Sol Apartments.**
This complaint is dismissed for lack of jurisdiction in situation where defendant apartment complex provides cold water at no charge, but charges for hot water it has heated, stored, and delivered only upon demand through a temperature triggered meter. This obviates tenant's need to pay a gas or electric utility for energy needed to operate an in-apartment hot water heater. PU Code § 2705.5 does not apply; the District supplying the apartment complex does not supply hot water. This proceeding is closed.
(Com Neeper - ALJ Weiss)

- CA-15 Res W-4118 - R.R. Lewis Small Water Company (R.R. Lewis).**
This resolution authorizes R.R. Lewis to borrow funds from the U.S. Small Business Administration to be used for flood damage repairs and to add a surcharge to water rates to repay the principal and interest.
- CA-16 Res W-4117 - Fulton Water Company (Fulton).**
This resolution authorizes Fulton to borrow additional funds from CoBank, ACB to complete the construction of its water system pursuant to the surface water treatment regulations.
- CA-17 Res T-16206 - Pacific Bell (Pacific).**
This resolution authorizes Pacific to extend the provisional offering of ATM Cell Relay Service until six months following the effective date of the final order in the Open Access and Network Architecture Development proceeding, R93-04-003/I93-04-002.
(Advice Letter 19586, filed July 28, 1998)
- CA-18 Res T-16196 - Computer Telephone Corp.**
This resolution revokes the certificate of public convenience and necessity as a competitive local carrier of Computer Telephone Corp., as requested by the company.
- CA-19 Res T-16197 - Trans-World Telecom America, Inc.**
This resolution revokes the certificate of public convenience and necessity of Trans-World Telecom America, Inc., as requested by the company.
- CA-20 Res T-16198 - Capital Network Systems, Inc.**
This resolution revokes the certificate of public convenience and necessity of Capital Network Systems, Inc., as requested by the company.
(Advice Letter 20, filed June 25, 1998)
- CA-21 Res E-3566 - San Diego Gas & Electric (SDG&E).**
This resolution approves as modified SDG&E's request for approval to adopt indefinitely tariff provisions that were previously approved for a one-year pilot program to provide a safe working environment for SDG&E employees who must perform their duties on customers' premises.
(Advice Letter 1110-E/1108-G, filed July 23, 1998)

- CA-22** **A98-07-017 - Lorrie's Travel and Tours, Inc.**
This decision grants applicant's request to establish scheduled service in its downtown San Francisco territory to the San Francisco International Airport. This proceeding is closed.
(Com Neeper - ALJ Rosenthal)
- CA-23** **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 modifies D97-12-105 to eliminate the requirement that a market study of low-income households be completed prior to any marketing of the Universal Lifeline Telephone Service (ULTS) program by the ULTS Marketing Board (ULTSMB). This decision also orders the ULTSMB to conduct a mass-marketing campaign for the ULTS program as soon as possible. Finally, this decision increases the ULTS marketing budget for the 1999 calendar year by \$2 million.
(Com Knight - ALJ Kenney)
- CA-24** **A94-12-005 - Pacific Gas and Electric Company (PG&E).**
For authority, among other things, to decrease its rates and charges for electric and gas service, and increase rates and charges for pipeline expansion service. This decision grants Agricultural Energy Consumer's Association an award of \$30,644.87 in compensation for its contribution to D97-09-047.
(Com Conlon - ALJ Vieth)
- CA-25** **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 denies the petition to modify D97-05-039 filed on May 4, 1998 by School Project for Utility Rate Reduction and Regional Energy Management Coalition (jointly, SPURR/REMAC) to permit customers who do not purchase electric service from utility competitors to have the choice of subscribing to metering services of utility competitors. We grant a related proposal filed by San Diego Gas & Electric, SPURR/REMAC, Cellnet, Itron, Southern California Edison Company, Pacific Gas & Electric Company, and Coalition of California Utility Employees.
(Com Duque - ALJ Malcolm)
(Agenda 3001, Item CA-32, 10/8/98; Req - Commission)

CA-26

A98-06-050 - Pacific Bell.

To modify certain affiliate transaction rules as contained in D92-07-072 and D86-01-026 to facilitate the post-merger consolidation of support services. Order approving Assigned Commissioner's Ruling changing the preliminary determination on need for hearing from yes to no.

(Com Conlon - ALJ Rosenthal)

(Rule 6.5(b)).

REGULAR AGENDA

UTILITY AND TRANSPORTATION ORDERS

ORDERS HELD OVER

- H-1** **A97-06-002 - Pacific Gas and Electric Company (PG&E) and Richard L. Wills and Donna M. Wills (buyers).**
This decision authorizes PG&E to sell and transfer two undeveloped parcels of land in Fremont, Alameda County, to buyers pursuant to Public Utilities Code Section 851. This proceeding is closed.
(Com Bilas - ALJ Wright)
(Agenda 3001, Item CA-7, 10/8/98; Req - Commission)
- H-2** **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 decision imposes a penalty of \$336,000 against Pacific Gas and Electric Company for 18 separate violations of Rule V.F.1 of the Affiliate Transaction Rules. This penalty consists of \$17,500 for each of the four publications of the March 16, 1998, "High Voltage" advertisement and \$19,000 for the publication of each of the fourteen remaining advertisements. The factors we consider in determining the amount of the penalty for each violation include the appropriateness of such a penalty to the size of the business, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance after having received notification of the violation.
(Coms Bilas/Knight - ALJ Econome)
(SB 960 Experiment: Quasi-legislative Category)
(Agenda 2999, Item 4, 9/3/98; Agenda 3000, Item H-7, 9/17/98; Agenda 3001, Item H-5, 10/8/98; Req - Commission)
- H-2a** **ALTERNATE ORDER TO ITEM H-2.** This alternate order would impose a penalty against Pacific Gas and Electric Company for 90 violations of Rule V.F.1 of the Affiliate Transaction Rules.
(Com Bilas)
(Agenda 3000, Item H-7a, 9/17/98; Agenda 3001, Item H-5a, 10/8/98; Req - Commission)

- H-2b** **ALTERNATE ORDER TO ITEM H-2.** In addition to imposing a penalty of \$336,000 against Pacific Gas & Electric (PG&E) for 18 separate violations of Rule V.F.1 of the Affiliate Transaction Rules, this alternate order requires PG&E to issue corrective advertising.
(Rev.)
(Com Conlon)
(Agenda 3001, Item H-5b, 10/8/98; Req - Commission)
- H-3** **A97-07-008 - Landmark Communications, Inc. (Landmark).**
On rehearing (D98-02-115) from D97-11-056. This decision finds Landmark and William Kettle, its alter ego, unfit to be awarded a Certificate of Public Convenience and Necessity. This proceeding is closed.
(Com Bilas - ALJ Ramsey)
(Section 311)
(Agenda 3001, Item 1, 10/8/98; Req - Commission)
- H-4** **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, A96-06-08-072 - Related matters. This decision addresses the issue of how the competition transition charge is applied to new customer load, where that load is served by a direct transaction that does not otherwise require the use of transmission or distribution facilities owned by PG&E, Southern California Edison Company, and San Diego Gas & Electric. These proceedings are closed.
(Coms Conlon/Bilas - ALJ Minkin)
(Section 311)
(Agenda 3001, Item 2, 10/8/98; Req - Commission)
- H-4a** **ALTERNATE ORDER TO ITEM H-4.** This alternate order concludes that new customer load which is connected to the utility's transmission and distribution system for any purpose, including standby service, is not exempt from the competition transition charge collection related to that load. These proceedings are closed
(Com Conlon)
(Agenda 3001, Item 2a, 10/8/98; Req - Commission)

H-4b

ALTERNATE ORDER TO ITEM H-4. This alternate order finds that new customer load served by a direct transaction that does not require use of the utilities' transmission and distribution systems may be connected for standby service and still be exempt from competition transition charge collection related to the new load served by the direct transaction. This alternate defines a physical test to determine whether a direct transaction requires use of the utilities' transmission and distribution systems.

(Coms Duque/Bilas)

[This item was not listed on the agenda distributed to the public.](#)

- H-5** **R97-04-011 - Order instituting rulemaking to establish standards of conduct governing relationships between energy utilities and their affiliates. I97-04-012 - Related matters.**
This decision addresses San Diego Gas & Electric Company's and Southern California Gas Company's June 30, 1998, petition for modification of the disclaimer requirement contained in Rule V.F.1 of the Commission's Affiliate Transaction Rules.
(Coms Bilas/Knight - ALJ Econome)
(SB 960 Experiment: Quasi-legislative Category)
(Agenda 3001, Item 9, 10/8/98; Req - Commission)
- H-5a** **ALTERNATE PAGES TO ITEM H-5.** These alternate pages would modify Rule V.F.1 to require the use of the disclaimer only for promotional materials.
(Com Neeper)
[This item was not listed on the agenda distributed to the public.](#)
- H-5b** **ALTERNATE PAGES TO ITEM H-5.** These alternate pages would clarify that Rule V.F.1 does not require the use of the disclaimer when the name or logo used by both the utility and its affiliates are owned by the parent company, and would modify Rule V.F.1 to require the use of the disclaimer only for promotional materials.
(Com Neeper)
[This item was not listed on the agenda distributed to the public.](#)
- H-6** **R95-04-043 - Order instituting rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044 - Related matter.**
This order grants the motion of the California Telecommunications Coalition (Coalition). Coalition filed a motion in the Local Competition Docket seeking a ruling affirming that calls to Internet Service Providers (ISPs) should be treated as local calls, under Commission jurisdiction, and subject to the bill-and-keep or reciprocal compensation provisions of applicable interconnection agreements. Under standard reciprocal compensation provisions of interconnection contracts, the cost of providing access for a customer's local call that originates from one local exchange carrier's network and terminates on another local exchange carrier's network is attributed to carrier from which the call originated. (47 CFR Sec. 51.701(e), 51.703 (1977).)
(Com Conlon - ALJ Pulsifer)
(Agenda 3001, Item 12, 10/8/98; Req - Commission)

H-6a (Rev.) **ALTERNATE ORDER TO ITEM H-6.** This alternate order affirms that calls to Internet Service Providers (ISPs) should be treated as intrastate calls and under Commission jurisdiction. This order takes note of statutory policies that delineate the importance of telecommunications infrastructure for the state's economy. The order solicits comments on appropriate policies for pricing calls destined for an ISP modem consistent with these statutory policies.

(Com Duque)

[This revision was not listed on the agenda distributed to the public.](#)

H-6b **ALTERNATE ORDER TO ITEM H-6.** This alternate order determines that calls to Internet Service Providers should be treated as interstate calls. (Com Neeper)

[This item was not listed on the agenda distributed to the public.](#)

H-7 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 adopts rules governing the nondiscriminatory access to the poles, ducts, conduits, and right-of-way of public utilities among all telecommunications carriers competing in the local exchange market within California.

(Com Conlon - ALJ Pulsifer)

(Agenda 2991, Item 1, 4/23/98; Agenda 2994, Item H-1, 6/4/98; Agenda 2995, Item H-2, 6/18/98; Agenda 2996, Item H-5, 7/2/98; Agenda 2998; Item H-1, 8/6/98; Agenda 2999, Item H-2, 9/3/98; Agenda 3000, Item H-4, 9/17/98; Agenda 3001, Item H-2, 10/8/98; Req - Commission)

H-7a ALTERNATE PAGES TO ITEM H-7. These alternate pages amend the decision to state the Commission can exercise its regulatory authority on owners and managers of multi-dwelling units who own telephone line facilities and operate for compensation but forbears from regulation provided that owners or managers do not unreasonably or unfairly impede the ability of competitive local carriers to access tenants premises for the provision of communications services.

(Com Neeper)

(Agenda 3001, Item H-2a, 10/8/98; Req - Commission)

H-7b ALTERNATE PAGES TO ITEM H-7. The alternate pages impose "fresh look" requirements and direct that previously executed contracts addressing ROW access issues be subject to renegotiations and/or modification to the extent their terms and conditions are in conflict with the rules adopted in the main order.

(Com Neeper)

(Agenda 3001, Item H-2b, 10/8/98; Req - Commission)

ORDERS

- 1** **A96-05-045 - Southern California Edison Company (Edison).**
For authority to revise its energy cost 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. A97-05-050 - Related matter. Edison requests a determination that its operations for the Record Periods April 1, 1995 through March 31, 1996, and April 1, 1996 through March 31, 1997 were reasonable with respect to "non-qualifying facility matters." The Office of Ratepayer Advocates and Edison are in agreement regarding all but one issue, that of the reasonableness of Edison's execution of a natural gas transportation contract with Southwest Gas Corporation (Southwest) to transport natural gas to the Mohave coal generating station. The Commission finds that Edison has met its burden of proof in providing the necessary cost-benefit analysis justifying the Southwest contract. Accordingly, the Commission concludes that the Southwest contract and Edison's operations with respect to non-qualifying facility matters for the Record Periods were reasonable.
(Com Conlon - ALJ Patrick)
(Section 311)
(SB 960 Experiment: Ratesetting Category A96-05-045 only)
- 2** **A97-10-024 - Southern California Edison Company (Edison).**
This decision adopts revenue requirements for non-nuclear capital additions added to rate base in 1996 by Edison. The amounts adopted in this decision for capital additions will be included in Edison's Transition Cost Balancing Account for recovery pursuant to Public Utilities Code Section 367. This proceeding is closed.
(Coms Bilas/Conlon - ALJ Malcolm)
(Section 311)

✓ 3

A97-11-007 - Citizens Utilities Company of California (Citizens).

For authority to increase rates and charges for water service in its Felton District. A97-11-008, A97-11-009 - Related matters.

This decision approves a modified settlement agreement between Citizens and Ratepayer Representation Branch of Water Division in Citizens' test years 1998 and 1999 water general rate cases. The Commission adopts the following test year revenue requirement increases: Felton District, \$65,900 (9.6%) in 1998 and \$41,300 (5.4% additional in 1999); Larkfield District, \$166,500 (13.0%) in 1998 and \$16,700 (1.1%) additional in 1999; and Sacramento District, \$704,800 (4.6%) *decrease* in 1998 to be followed by a \$1,348,500 (9.0%) increase in 1999. Citizens is authorized to implement one set of combined 1998/1999 levelized rate increases in each district to be effective through the end of 1999, and step rate increases on January 1, 2000. This proceeding is closed.

(Com Duque - ALJ McVicar)

(Section 311)

4

A97-12-039 - San Diego Gas & Electric (SDG&E).

For authority to sell electrical generation facilities and power contracts. This interim decision finds that SDG&E's proposed divestiture of its generation facilities is in the public interest. SDG&E's proposed auction procedures are reasonable; as is its proposed operations and maintenance agreement.

SDG&E's ratemaking treatment is not approved; that is a matter for the SDG&E Cost of Capital proceeding.

(Coms Conlon/Bilas - ALJ Barnett)

UTILITIES RESOLUTIONS

ENERGY MATTERS

- E-1 Res E-3548 - San Diego Gas & Electric Company (SDG&E).**
SDG&E transmits its affiliate transactions compliance plan in accordance with Ordering Paragraph (OP) 2 of D97-12-088. SDG&E's compliance plans were effective upon filing. This resolution rejects portions of SDG&E's filings and approves other portions. SDG&E is ordered to file a new Advice Letter to comply with OP 2 of the Decision.
(Advice Letter (AL) 1068-E/1078-G, filed December 31, 1997 and AL 1068-E-A/1078-G-A, filed January 30, 1998)
(Agenda 2996, Item E-6, 7/2/98; Agenda 2997, Item E-4, 7/23/98; Agenda 2999, Item E-2, 9/3/98; Agenda 3000, Item E-2, 9/17/98; Req - Commission)
- E-1a ALTERNATE PAGES TO RESOLUTION E-1.** These alternate pages allow the utility to share the company cafeteria with its affiliates as a corporate support function.
(Agenda 2999, Item E-2a, 9/3/98; Agenda 3000, Item E-2a, 9/17/98; Req - Commission)
- E-2 Res G-3238 - Southern California Gas Company (SoCalGas).**
SoCalGas transmits its affiliate transactions compliance plan in accordance with Ordering Paragraph (OP) 2 of D97-12-088. SoCalGas' compliance plans were effective upon filing. This resolution rejects portions of SoCalGas' filings and approves other portions. SoCalGas is ordered to file a new Advice Letter to comply with OP 2 of the Decision.
(Advice Letter (AL) 2661, filed December 31, 1997 and AL 2661-A, filed January 30, 1998)
(Agenda 2996, Item E-8, 7/2/98; Agenda 2997, Item E-6, 7/23/98; Agenda 2999, Item E-4, 9/3/98; Agenda 3000, Item E-4, 9/17/98; Req - Commission)
- E-2a ALTERNATE PAGES TO RESOLUTION E-2.** These alternate pages allow the utility to share the company cafeteria with its affiliates as a corporate support function.
(Agenda 2999, Item E-4a, 9/3/98; Agenda 3000, Item 4a, 9/17/98; Req - Commission)

- E-3 Res E-3570 - San Diego Gas & Electric (SDG&E).**
This resolution approves the request for confirmation of the reappointment of H. Wesley Pratt to serve on the SDG&E's Nuclear Facilities Decommissioning Master Trust Committees for an additional five-year term.
(Advice Letter 1116-E, filed August 19, 1998)
- E-4 Res G-3245 - Southern California Gas Company (SoCalGas).**
This resolution conditionally approves SoCalGas' request for approval to competitively bid the weatherization portion of its 1999 low-income program.
(Advice Letter 2731, filed August 4, 1998)
- E-5 Res G-3243 - Southern California Gas Company (SoCalGas).**
This resolution denies SoCalGas' request for authorization to adjust its cogeneration default rates due to the sale of a utility generating facility.
(Advice Letter 2701, filed April 20, 1998)
- E-6 Res G-3242 - Southern California Gas Company (SoCalGas).**
This resolution approves authorization to establish a single customer class for all electricity generators in its service territory. This resolution also denies request to eliminate the collateral discount rule and the cogeneration gas allowance.
(Advice Letter 2709, filed May 5, 1998)

TELECOMMUNICATIONS MATTERS

- C-1 Res T-16209 - Deaf and Disabled Telecommunications Program Executive Committee and Sprint Communication Services.**
This resolution approves the request to amend the contract for California Relay Service. Among other things it would raise the rate of remuneration to \$1.09 per conversation minute.
- C-2 Res T-16207 - Deaf and Disabled Telecommunications Program Administrative Committee (DDTPAC).**
This resolution approves the Settlement Agreement and Release between the DDTPAC and MCI Telecommunications Corporation regarding the California Relay Service.

WATER MATTERS

W-1

Res W-4119 - Great Oaks Water Company, Inc. (GOWC).

This resolution authorizes GOWC to serve the Coyote Valley, southeast of San Jose, California.

(Advice Letter 147, filed June 5, 1998)

ADMINISTRATIVE LAW JUDGE DIVISION RESOLUTIONS

- ALJ-1** **Res ALJ-176-3002** - Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure. (See also Rule 63.2(c) regarding notice of assignment.)

LEGAL DIVISION MATTERS

RESOLUTIONS AND MEMORANDUMS

- L-1** **Res L-274** - This resolution would authorize the release of information, including data which is not subject to public inspection pursuant to Section 583 of the Public Utilities Code and General Order No. 66C, in response to a Public Records Act request received by the Commission from counsel on behalf of the residents of the Avalon Carson Mobilehome Park in Carson, California. Among the documents sought is a Commission Staff Inspection Report for inspection conducted on March 13, 1997.

COMMISSIONERS' REPORTS

- Election of Commission President

Commissioner Conlon

- Electric Matters
- Transportation Matters

Commissioner Knight

- Telecommunications Matters

Commissioner Duque

- Water Matters
- Administrative Matters

Commissioner Neeper

- Consumer Protection Matters

President Bilas

- Natural Gas Matters

EXECUTIVE DIRECTOR'S REPORT

Wesley M. Franklin, Executive Director

GENERAL COUNSEL'S REPORT

Peter Arth, Jr., General Counsel

DIRECTORS' 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. 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 Section 11125.2 and 11126.3(f).

APPELLATE SECTION ITEMS

ORDERS HELD OVER

HEX-1 **R95-01-020, I95-01-021** - Disposes of applications for rehearing of D96-10-066 filed by Pacific Bell, GTE of California Incorporated, The Utility Reform Network (TURN), and Roseville Telephone Company. D96-10-066 adopts universal service rules for basic residential local telephone service. Rehearing applicants take issue with the size of the California High Cost Fund B (CHCF- B) and with various calculations and assumptions which form the basis for determining the universal service subsidies. TURN also claims that the use of an end-user surcharge to fund the CHCF-B is in error.
(Agenda 3000, Item EX-6, 9/17/98; Req - Commission)

HEX-2 **R96-11-004** - Disposition of the application for rehearing of D98-03-036 filed by the California Municipal Utilities Association, with response in support filed by the City and County of San Francisco. The California Municipal Utilities Association challenges the Commission's jurisdiction to impose on publicly-owned utilities distribution facility maintenance and inspection standards initially proposed for investor-owned utilities in D97-03-070.
(Agenda 2994, Item EX-6, 6/4/98; Agenda 2995, Item HEX-5, 6/18/98; Agenda 2996, Item HEX-3, 7/2/98; Agenda 2997, Item HEX-2, 7/23/98; Agenda 2998, Item HEX-2, 8/6/98; Agenda 2999, Item HEX-2, 9/3/98; Agenda 3000, Item HEX-2, 9/17/98; Agenda 3001, Item HEX-3, 10/8/98; Req - Commission)

HEX-3

C93-07-046, C94-02-009 - Disposition of application for rehearing of D98-07-013 by Utility Audit Company, Inc. (UA) The Commission's decision denied UA's complaints against Southern California Gas Company alleging that the gas company had incorrectly applied baseline allowances in billing multi-family apartment complexes served by master meters. UA now seeks rehearing on grounds of denial of due process, failure to follow precedent, and incorrect findings of fact.

(Agenda 3001, Item EX-2, 10/8/98; 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** **R95-04-043, I95-04-044** - Disposition of the application filed jointly by California Small Business Association, Utility Consumer Action Network, and League of California Cities, San Diego Division for rehearing of D98-06-018. In this decision, the Commission adopted a three-way geographic split of the present 619 Numbering Plan Area in order to relieve the impending exhaustion of numbers for telephone customers. The joint applicants had proposed an alternate plan, which included use of an area code overlay for part of the region.
- EX-3** **A96-03-054** - Disposition of applications for rehearing of D97-05-088 filed by: The Utility Reform Network ; Pacific Gas and Electric Company; The San Luis Obispo Mothers for Peace, Rochelle Becker and Life on Planet Earth; and San Luis Obispo County and San Luis Coastal Unified School District. In the context of electric restructuring, D97-05-088 established a revenue requirement for the Diablo Canyon Nuclear Power Plant by determining the amount of sunk costs and by instituting an incremental cost incentive price. Other matters, e.g. issues relating to safety and local tax revenue, were also decided.
- EX-4** Discussion of legal issues, including possible intervention, in Court of Appeals review of the decisions to stay proceedings pending the outcome of the Commission's investigation of water safety in Adler, et al. vs. Southern California Water Company (Los Angeles County Superior Court No. BC 169892) and related cases.

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.

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