
Public Utilities Commission of the State of California

Public Agenda 3042
Thursday, July 6, 2000, 10 a.m.
San Francisco, California

Commissioners
Loretta M. Lynch, President
Henry M. Duque
Josiah L. Neeper
Richard A. Bilas
Carl W. Wood

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.) Closed to the Public	<i>Commission Meeting</i> Auditorium (10 a.m.) Open to the Public
Monday, July 3	Thursday, July 6
Monday, July 17	Thursday, July 20
Monday, July 31	Thursday, August 3
Tuesday, September 5	Thursday, September 7
Monday, September 18	Thursday, September 21

**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.*

A "◆" next to the item number on the Agenda indicates that the matter may be considered during Closed Session pursuant to Public Utilities Code Section 1701.2(c); thereafter the Commissioners will reconvene in Public Session to vote on the item.

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



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.
- H-2, H-11

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-18936** - Resolution approving issuance of charter-party carrier certificates pursuant to Section 5374(b) of the Public Utilities Code.
- CA-2** **Res ALJ-176-3042** - 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.
- CA-3** **Res E-3679 - San Diego Gas & Electric Company.**
This resolution confirms Donna J. Weston's reappointment to serve on the Nuclear Decommissioning Master Trust Funds Committees.
(Advice Letter 1226-E, filed May 1, 2000)
- CA-4** **A92-05-002 - GTE California Incorporated.**
For review of the operations of the incentive-based regulatory framework adopted in D89-10-031. A92-05-004, I87-11-033 - Related matters.
This decision denies Pacific Bell's petition to modify D94-06-011 to revise funding for the upcoming and future telephone service affordability study updates. These proceedings are closed.
(Com Duque - ALJ Reed)
(Section 311(g)(1))

- CA-5 Res W-4205 - California-American Water Company (Cal-Am),
Monterey Division.**
This resolution orders Cal-Am to continue paying the Public Utilities Commission for the increased cost of consulting services in connection with the contingency plan that Cal-Am must pursue, if the new Carmel River Dam Project does not go forward, pursuant to Assembly Bill 1182.
- CA-6 Res T-16426 - C-Cellular.**
This resolution revokes the certificate of public convenience and necessity held by C-Cellular, as requested by the company.
- CA-7 A00-03-037 - Laguna Irrigation District.**
For modification of Resolution E-3531 revising Special Condition 2.e of Pacific Gas and Electric Company's Schedule E- Exempt extending the eligibility period for an irrigation district actively engaged in the process of constructing or purchasing distribution facilities. Denied. This proceeding is closed.
(Exam Clanon)
(Section 311(g)(1))
- CA-8 C95-05-028 - T. R. Lyon vs. Southern California Edison Company
(Edison).**
This decision denies complainant's request that the Commission order Edison to assign certain laundry facility accounts at the Leisure World of Seal Beach retirement community to a lower-cost tariff schedule. This proceeding is closed.
(Com Neeper - ALJ Wetzell)
(Section 311(g)(1))
(Agenda 3040, Item CA-8, 6/8/00; Req - Commission)
- CA-9 Res M-4798 - Resolution adopting level of Transportation Rate Fund Fee
for fiscal year 2000-01.**
(Section 311(g)(1))
- CA-10 Res M-4799 - Resolution adopting level of Public Utilities Commission
Transportation Reimbursement Account Fees for fiscal year 2000-01.**
(Section 311(g)(1))

- CA-11** **Res M-4800** - Resolution adopting level of Public Utilities Commission Utilities Reimbursement Account Fees for fiscal year 2000-01.
(Section 311(g)(1))
- CA-12** **A99-10-017 - San Diego Metropolitan Transit Development Board (MTDB) and The Jacobs Center for Nonprofit Innovation (JCNI).**
This decision grants MTDB and JCNI's request to construct a pedestrian/vehicular undercrossing of Market Creek Plaza at separated grades under two existing freight/light rail vehicle tracks of the MTDB's orange line in San Diego, San Diego County. This proceeding is closed.
(Exam Koss)
- CA-13** **Res SX-33** - Resolution granting authorization to deviate from the provisions of Section 7.8 of General Order 75-C by modifying the sounding of bells at the grade crossing of Lincoln Road in Placer County.
- CA-14** **A96-08-068 - MCI Telecommunications Corporation.**
For Arbitration pursuant to 252(b) of the Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell. A96-09-012 - Related matter. This decision finds that the customer proprietary network information issue remanded to the Commission by a federal court is moot. These proceedings are closed.
(Com Duque - ALJ Kenney)
- CA-15** **Res W-4206 - California-American Water Company (Cal-Am).**
This resolution authorizes an offset rate increase producing \$740,624 (3.18%) in additional annual revenue for the undercollection of Cal-Am's water revenue adjustment mechanism balancing account over a 24-month period.
- CA-16** **A00-04-028 - Yosemite Concession Services Corporation.**
This decision grants Yosemite Concession Services Corporation authority to operate as a scheduled passenger stage corporation between points in the counties of Merced, Mariposa and Yosemite National Park, and to establish a Zone of Rate Freedom. This proceeding is closed.
(Exam Koss)

- CA-17** **A00-03-030 IP Networks, Inc.**
This decision grants IP Networks, Inc. a certificate of public convenience and necessity to provide limited facilities-based and resold local exchange and interexchange telecommunications services. This proceeding is closed.
(Com Duque - ALJ Duda)
- CA-18** **A96-09-008 - Southern California Edison Company (Edison).**
For authority to begin leasing communication facility sites and communication equipment placements to Pacific Bell Mobile Services. Since the issues in this proceeding were subsequently disposed of in A97-06-021 by D99-09-070, this decision closes this application.
(Com Neeper - ALJ Pulsifer)
- CA-19** **C90-04-049 - Robert Mondavi Winery, Everitt Bellani, Hean Bellani, Bernard Skoda (Rutherford Vintners), Joe Taddei, Josephine Taddei, Don Hudson, Kay Hudson (Chateau Bottlers), Heitz Wine Cellars, Beringer Vineyards, Denis Boulton, Jackie Boulton, Arthur B. McCrystle, Hal Beeler, Brenda Beeler, Vine Hill Ranch, Beckstoffer Vineyard I, Baritelle Vineyards, Louis Martini Winery, Rick Tomasco, Mrs. M. H. Annab vs. Napa Valley Wine Train, Inc.**
This decision closes this proceeding, no party having provided any basis for it remaining open.
(Com Neeper - ALJ Weismehl)
- CA-20** **A97-12-014 - Pacific Gas and Electric Company.**
For a permit to construct a realignment of the Colusa Jct.-Knights Landing Jct. 60kV power line in Yolo County, pursuant to General Order 131-D. Granted. This proceeding is closed.
(Com Bilas - ALJ Wright)

- CA-21** **A00-04-015 - CRL Network Services, Inc. (CRL) and AppliedTheory Corporation (ATC).**
This application seeks retroactive approval under Sections 852 and 854 of the Public Utilities Code of a transfer of control of CRL, a non-dominant telecommunications carrier, to ATC, a Delaware corporation with headquarters in New York. While the application is unopposed, the parties are required to show cause why sanctions should not apply for their failure to seek approval in advance, pursuant to Sections 852 and 854 of the Code. After review of the parties' filings, and based on the record as a whole, this decision grants the application. This proceeding is closed.
(Com Duque - ALJ Walker)
- CA-22** **A00-01-016 - Pacific Gas and Electric Company (PG&E) and City of Santa Rosa (City).**
This decision authorizes PG&E to sell and convey its streetlight system in Santa Rosa to the City. This proceeding is closed.
(Com Wood - ALJ Wright)
- CA-23** **A88-03-024 - Southern California Edison Company (SCE).**
For authority to issue Debt Securities, and/or guarantee the Debt Securities of an SCE affiliate, to finance its Fuel Oil, Nuclear Fuel, and Coal Inventories in an aggregate principal amount not to exceed \$900,000,000. This decision grants SCE's petition to extend the expiration date of D88-07-069, as modified from June 30, 2000 to June 30, 2003. This proceeding is closed.
(Exam Clanon)
- CA-24** **A98-05-019 - San Diego Gas & Electric Company (SDG&E).**
For authority to (i) increase its authorized return on common equity, (ii) adjust its existing ratemaking capital structure, (iii) adjust its authorized embedded costs of debt and preferred stock, (iv) decrease its overall rate of return, and (v) revise its electric distribution and gas rates accordingly, and for related substantive and procedural relief. A98-05-021, A98-05-024 - Related matters. This decision awards intervenors Ronald L. Knecht and Raymond Czahar \$48,129.08 for their substantial contribution to D99-06-057. These proceedings are closed.
(Com Duque - ALJ Ryerson)
(Section 311(g)(1))
(Agenda 3041, Item CA-5, 6/22/00; Req - Commission)

- CA-25** **C99-10-033 - David W. Crain (Complainant) vs. Southern California Gas Company, San Diego Gas & Electric Company (SDG&E), and Sempra Energy (Joint Defendants).**
In October 1999, the Complainant, a former employee of SDG&E, filed a complaint alleging multiple causes of action against Joint Defendants bottomed on their 1992 payments to a Mexican governmental relations firm and a Mexican law firm. Assuming the factual allegations in the complaint to be true, the Commission finds that Complainant cannot prevail as a matter of law, and grants Joint Defendants' motion to dismiss the complaint. It does so without prejudice to re-filing it, in amended form, at a later time. This proceeding is closed.
(Com Wood - ALJ Biren)
(Section 311(g)(1))
(Agenda 3041, Item CA-6, 6/22/00; Req - Commission)
- CA-26** **A99-07-049 - Tito Balling Inc.**
For a certificate of public convenience and necessity (CPCN) to purchase the Traver Water Company, a Mutual Water Company in the Town of Traver in Tulare County, and to establish flat rates for water service. This decision grants CPCN to former court appointed receiver of a recordless inchoate mutual water system following court ordered and supervised sale after appraisal of the assets to the low bid receiver. It establishes the sale price (less than RCNLD) as the rate base to be used for future ratesetting, but for the present authorizes continuation of the existing flat rates to the 180 residents. This proceeding is closed.
(Com Duque - ALJ Weiss)
- CA-27** **A98-09-003 - Pacific Gas and Electric Company (PG&E).**
For review and recovery of the costs and revenues in the transition cost balancing account. A98-09-008 - Related matter. This decision grants Aglet Consumer Alliance an award of \$32,805.94 in compensation for its contribution to D00-02-048. These proceedings are closed.
(Com Duque - ALJ Cooke)

CA-28 R93-04-003 - Rulemaking on the Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks. I93-04-002 - Related matter.

This decision grants The Utility Reform Network an award of \$98,992.16 for its contribution to D99-11-050, the Pacific Bell pricing decision in the unbundled network element phase of the Commission's open access and network architecture development rulemaking.

(Com Duque - ALJ Duda)

REGULAR AGENDA

UTILITY AND TRANSPORTATION ORDERS

ORDERS HELD OVER

- H-1** **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 a back-up contingency plan to address the need for number resources in the 310 Numbering Plan Area pursuant to D99-09-067, and as required by the Federal Communications Commission. The Commission hereby adopts as the back-up plan Alternative 1A, the geographic split originally proposed by the industry as described in D98-05-021. It also adopts a contingency plan under which the implementation of the back-up plan would be triggered.
(Com Lynch - ALJ Pulsifer)
(Section 311(g)(1))
(Agenda 3030, Item 2, 1/6/00; Agenda 3031, Item H-16, 1/20/00; Agen0; Agenda 3033, Item H-10, 2/17/00; Agenda 3034, Item H-4, 3/2/00; Agenda 3035, Item H-2, 3/16/00; Agenda 3036, Item H-3, 4/6/00; Req - Commission)
- ◆H-2** **C99-01-039 - The Greenlining Institute, Latino Issues Forum vs. Pacific Bell, Pacific Bell Information Services.**
This decision denies the complaint after concluding, among other things, that the preponderance of the evidence does not establish that defendants deceptively marketed and sold voicemail to business customers. This proceeding is closed.
(Com Neeper - ALJ Vieth)
(Agenda 3038, Item 7, 5/4/00; Agenda 3040, Item H-4, 6/8/00; Req - Commission)

H-3 R99-11-021 - Rulemaking for the purpose of revising settlement provisions in the Rules of Practice and Procedure.

This order addresses proposed new procedural rules governing settlements before the Commission. The proposed rules now will be sent to the Office of Administrative Law for publication in the California Regulatory Notice Register. This publication will start the 45-day notice-and-comment process, which is the first stage leading to adoption and codification of these rules in the California Code of Regulations. The proposal incorporates changes to an earlier draft of the proposed settlement rules in response to the comments of interested parties in their written statements and in a public workshop.

(Com Neeper - ALJ Walker)

(Agenda 3040, Item 5, 6/8/00; Req - Commission)

H-4 A99-09-049 - Southern California Edison Company (Edison).

For approval of Program Year 2000 (PY) and 2001 energy efficiency program plans, budgets, and performance award mechanism. A99-09-050, A99-09-057, A99-09-058 - Related matters. This decision adopts revisions to the PY 2000 energy efficiency programs, market assessment and evaluation studies, and budgets implemented by Edison, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Gas Company (utilities) pursuant to Interim D99-12-053. It defers a decision on the proposed performance award mechanisms pending further review and issuance of the decision in the 1998 Annual Earnings Assessment Proceeding. It requires the utilities to submit revised budgets and other compliance filings, quarterly status reports, and program manuals. It also requires the utilities to file new applications for PY 2001 by August 15, 2000 and adopt protocols for those filings.

(Com Neeper - ALJ Bytof)

(Section 311(d))

(Agenda 3040, Item 6, 6/8/00; Req - Commission)

- H-4a** **ALTERNATE PAGES TO ITEM H-4.** These alternate pages direct applicants and parties to provide program options for a Summer 2000 Energy Efficiency Initiative that will result in measurable demand and energy usage demand reductions. The program options must be submitted to the Commission by July 21, 2000 to allow for the maximum opportunity to address supply shortages in the Summer 2001. The Initiative is intended to result in the maximum amount of demand reduction and energy usage in the upcoming years of possible supply shortages. Funds for the Initiative total \$67.718 million. The funds are derived from unutilized categories and are in addition to program funding for the PY2000. The funds result from three sources: funds unexpended in 1999 carried over into PY 2000 and 2001; funds budgeted for CBEE; and funds included in PY 2000 program budgets for shareholder incentives there were freed up by the Commission's decision directing that shareholder incentives come from headroom rather than program funds [D. 99-06-052]. They also delete Section XIB of the proposed decision and add a Section XIIA.
(Coms Wood/Lynch)
This revision was not listed on the agenda distributed to the public.
- (Rev.)
(7/5/00)

- H-5** **R98-09-005 - Order Instituting Rulemaking on the Commission's own motion to consider modifications to the Universal Lifeline Telephone Service (ULTS) Program and General Order (GO) 153.**
This decision adopts the following revisions to the ULTS program and GO 153. First, GO 153 is revised to incorporate all changes to the ULTS program that have occurred since GO 153 was issued in 1984. Second, the ULTS program is revised to conform with specific aspects of the Federal Lifeline and Link Up programs. Third, ULTS program benefits are expanded to provide more low-income households with access to affordable basic telephone service. Finally, ULTS program administrative procedures are revised to make the program more efficient and effective. This decision also orders the Telecommunications Division to convene a workshop to develop a comprehensive proposal for using CMRS to provide ULTS. This proceeding is closed.
(Com Neeper - ALJ Kenney)
(Section 311(g)(1))
(Agenda 3033, Item 5, 2/17/00; Agenda 3034, Item H-7, 3/2/00; Agenda 3035, Item H-4, 3/16/00; Agenda 3036, Item H-5, 4/6/00; Agenda 3037, Item H-4, 4/20/00; Agenda 3038, Item H-2, 5/4/00; Agenda 3040, Item H-1, 6/8/00; Agenda 3041, Item H-3, 6/22/00; Req - Commission)

- H-5a** **ALTERNATE PAGES TO ITEM H-5.** These alternate pages allow CLCs pricing flexibility for ULTS rates.
(Com Bilas)
(Agenda 3040, Item H-1a, 6/8/00; Agenda 3041, Item H-3a, 6/22/00; Req - Commission)
- H-6** **I98-03-013 - Investigation on the Commission's own motion into whether existing standards policies of the Commission regarding drinking water quality adequately protect the public health and safety with respect to contaminants such as Volatile Organic Compounds, Perchlorate, MTBE, and whether those Standards and policies are being Uniformly compiled with by Commission regulated utilities.** This Second Interim Opinion in this investigation of water quality finds state requirements adequate and holds proceeding open to resolve pending motions. Discovery and withdrawal issues are considered in a separate Final Opinion.
(Com Duque - ALJ Bennett)
(Section 311(g)(1))
(Agenda 3034, Item 2, 3/2/00; Agenda 3036, Item H-1, 4/6/00; Agenda 3037, Item H-1, 4/20/00; Agenda 3039, Item H-1, 5/18/00; Agenda 3040, Item H-5, 6/8/00; Agenda 3041, Item H-6, 6/22/00; Req - Commission)
- H-7** **R97-10-049 - Order Instituting Rulemaking on the Commission's own motion to set rules and to provide guidelines for the privatization and excess capacity as it relates to investor owned water companies.** This decision holds that the gross revenue sharing proposal put forward by California Water Association fails to sufficiently protect ratepayers. It allows water utilities to submit advice letters to obtain Commission approval of accounting for sales of non-tariffed goods and services. This proceeding is closed.
(Coms Duque/Neeper - ALJ Bushey)
(Section 311(g)(1))
(Agenda 3034, Item 3, 3/2/00; Agenda 3036, Item H-2, 4/6/00; Agenda 3037, Item H-2, 4/20/00; Agenda 3038, Item H-1, 5/4/00; Agenda 3039, Item H-2, 5/18/00; Agenda 3040, Item H-6, 6/8/00; Agenda 3041, Item H-7, 6/22/00; Req - Commission)

H-7a **ALTERNATE ORDER TO ITEM H-7.** This alternate order approves a process for water utilities to offer non-tariffed products and services that is similar in structure to the method adopted by the Commission in D99-06-021 for Southern California Edison Company. The method allows sharing of gross revenues. Shareholders would receive 90% of gross revenues for active investments and 70% for passive investments. Shareholders would pay all costs. A threshold revenue assumption is also included. This alternate requires advice letters for products and services proposed as active investments.

(Coms Neeper/Duque)

(Agenda 3038, Item H-1a, 5/4/00; Agenda 3039, Item H-2a, 5/18/00;

Agenda 3040, Item H-6a, 6/8/00; Agenda 3041, Item H-7a, 6/22/00; Req - Commission)

H-8 **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 issues for which rehearing was granted as prescribed in D99-04-072. The decision concludes that Pacific Bell (Pacific) and GTE California Incorporated (GTEC) have failed to rebut the presumption that their end-user toll aggregation restrictions are unreasonable, and likewise, that they have failed to rebut the presumption that the resale restrictions on Centrex and Centranet service are unreasonable. Pacific and GTEC are directed to file amended tariffs removing these restrictions on the resale of the applicable services within 30 days of the effective date of this decision.

(Com Bilas - ALJ Pulsifer)

(Section 311(g)(1))

(Agenda 3038, Item 1, 5/4/00; Agenda 3039, Item H-6, 5/18/00; Agenda

3040, Item H-8, 6/8/00; Agenda 3041, Item H-8, 6/22/00; Req -

Commission)

- H-9** **A99-07-002 - Southern California Gas Company (SoCalGas).**
For authority to continue low-income assistance programs and funding through 2000. A99-07-004, A99-07-011, A99-07-012 - Related matters. This decision addresses the applications for approval of Program Year 2000 low-income assistance programs submitted by Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, and SoCalGas.
(Com Neeper - ALJ Gottstein)
(Section 311(d))
(Agenda 3039, Item 1, 5/18/00; Agenda 3040, Item H-11, 6/8/00; Agenda 3041, Item H-9, 6/22/00; Req - Commission)
- H-9a** **ALTERNATE PAGES TO ITEM H-9.** These alternate pages represent text revisions interpreting AB 1393 as it relates to assuring a role for community based organizations in the provision of Low Income Energy Efficiency programs and services, to emphasize a balance among the objectives of CBO participation, maximizing bill and usage savings for low income customers and assuring cost effectiveness for ratepayers. Other revisions include reducing the size of a Pay-for Measured-Savings pilot program from not more than 25 % of treated dwelling units to not more than 10% of treated dwelling units.
(Com Wood)
(Agenda 3040, Item H-11a, 6/8/00; Agenda 3041, Item H-9a, 6/22/00; Req - Commission)

H-10 I99-04-022 - Order Instituting Investigation into the operations and practices of the Southern California Gas Company (SoCalGas), concerning the accuracy of information supplied to the Commission in connection with its Montebello Gas Storage Facility.

This decision conditionally approves the settlement of this proceeding reached between SoCalGas and the Commission's Consumer Services Division, provided that the settling parties agree to the following two changes. First, the \$3,495,000 voluntary monetary contribution SoCalGas is to make for the benefit of certain organizations should instead be paid to the General Fund of the State of California. Second, SoCalGas should expand the scope of its ethics course to address a utility's ethical obligations in exercising the power of eminent domain. In their comments to the draft decision, the settling parties should indicate whether each change is acceptable to them. The settling parties should address each change separately. If the settling parties do not agree to the changes, the Commission will deny the motion to adopt the settlement. The settling parties are also directed to state in their comments to the draft decision whether tax deductibility was one of the bases for the parties' agreement to the amount of the monetary contribution. If so, and if the settling parties believe that as a result of the changes we impose, the monies would not now be tax deductible, they may recommend a monetary adjustment to the settlement. The Commission can then determine in its final decision whether the entire settlement, including the adjusted amount, is reasonable and in the public interest. This proceeding is closed.

(Com Duque - ALJ Econome)

(Section 311(g)(1))

(Agenda 3040, Item 2, 6/8/00; Agenda 3041, Item H-10, 6/22/00; Req - Commission)

◆H-11 C99-08-001 - Airporter, Inc., dba Santa Rosa Airporter vs. Sonoma County Airport Express, Inc., dba Airport Express.

This decision finds Santa Rosa Airport Express has violated D99-02-068 and imposes a penalty totaling \$83,000. This proceeding is closed.

(Com Neeper - ALJ Rosenthal)

(Agenda 3041, Item 3, 6/22/00; Req - Commission)

ORDERS

- 1 A98-10-012 - Southern California Gas Company (SoCalGas).**
For authority to revise its rates effective August 1, 1999 in its Biennial Cost Allocation Proceeding. This decision denies a petition to modify D.00-04-060, the recent SoCalGas BCAP decision. The petition requested an immediate reduction in SoCalGas' Interstate Transition Cost Surcharge on the ground that it was overcollected. The petition is denied because the overcollection will be part of a general revision of balancing accounts in SoCalGas' rates effective January 1, 2001. This proceeding is closed.
(Com Duque - ALJ Barnett)
(Section 311(g)(1))

- 2 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 addresses the issue of cost recovery for number pooling trials mandated by this Commission pursuant to the authority delegated by the Federal Communications Commission (FCC). The FCC directed the California Public Utilities Commission to determine a method for carriers to recover the incremental costs of state-mandated pooling trials. This decision is issued in conformance with that directive. The cost recovery principles adopted in this decision shall apply to all state-mandated number pooling trials, including those already scheduled for the 310, 415, 714, and 909 Numbering Plan Areas, as well as for any subsequent state-mandated pooling trials.
(Com Lynch - ALJ Pulsifer)
(Section 311(g)(1))

- 3 A00-01-022 - AT&T Communications of California, Inc. et al (AT&T).**
For arbitration of an Interconnection Agreement (agreement) with Pacific Bell Telephone Company (Pacific) pursuant to Section 252(b) of the Telecommunications Act of 1996. This decision affirms the results adopted in the Final Arbitrator's Report, and approves the resulting arbitrated agreement between AT&T and Pacific. Commission adoption of the arbitrated agreement between AT&T and Pacific does not constitute approval of, or precedent regarding, any principle or issue in this proceeding or in any future proceeding. Parties shall each sign the adopted agreement within one day of the date of this order, and shall file the signed agreement within five days of today. This proceeding is closed.
(Com Wood - ALJ Jones)

- 4** **I98-03-013 - Investigation on the Commission's own motion into whether existing standards policies of the Commission regarding drinking water quality adequately protect the public health and safety with respect to contaminants such as Volatile Organic Compounds, Perchlorate, MTBE, and whether those Standards and policies are being Uniformly compiled with by Commission regulated utilities.**
This final opinion in this investigation of water quality resolves pending motions to compel answers to data requests and motions to withdraw. This proceeding is closed.
(Com Duque - ALJ Bennett)

UTILITIES RESOLUTIONS AND WRITTEN REPORTS**ENERGY MATTERS**

- E-1 Res G-3280 - Pacific Gas and Electric Company (PG&E).**
This resolution conditionally approves, subject to the removal of such costs from noncore gas rates, PG&E's request to charge core customers who decide to switch to noncore service to pay for the cost of installing electronic correction with audit trail devices and required associated equipment on their gas meters prior to commencing noncore service. PG&E shall not retroactively charge customers previously reclassified from core to noncore status for installed equipment upgrades.
- (Rev.) (Section 311(g)(1))
(7/3/00) (Advice Letter 2148-G, filed April 29, 1999)
This revision was not listed on the agenda distributed to the public.
- E-2 Res E-3674 - Pacific Gas and Electric Company (PG&E).**
This resolution approves with modifications PG&E's revisions to its electric tariff sheets pursuant to D00-02-046, Ordering Paragraph 1A. This resolution also approves with modification PG&E's request to establish an Electric Supply Cost Memorandum Account.
- (Rev.) (Section 311(g)(1))
(7/3/00) (Advice Letter 1972-E, filed March 1, 2000)
This revision was not listed on the agenda distributed to the public.
- E-3 Res E-3680 - San Diego Gas & Electric Company (SDG&E), Southern California Gas Company (SoCalGas).**
This resolution denies SDG&E's request to implement a new electric and gas tariff Rule 28, Provision of Utility Right-of-Way Information, and for approval of a Consent Agreement, Form 142-01959, and a Right of Way Use Agreement, Form 142-02059. This resolution denies SoCalGas' request to implement a new tariff Rule 34, Provision of Utility Right-of-Way Information, and for approval of a new Sample Form 6679, Consent to Common Use Agreement.
- (Rev.) (Section 311(g)(1))
(7/3/00) (SDG&E Advice Letter (AL) 1224-E/1196-G; SoCalGas AL 2909, both filed April 14, 2000)
This revision was not listed on the agenda distributed to the public.

- E-4** **Res E-3663 - San Diego Gas & Electric Company (SDG&E).**
This resolution denies SDG&E's request to modify definitions in Tariff Rule 1 which are applicable to Schedules A-V1, A-V2, A-V3 and RTP 2, and Special Conditions 13 and 14 of Schedule RTP-2 which are applicable to interruptible customers.
(Rev.) (Section 311(g)(1))
(7/3/00) (Advice Letter 1198-E, filed November 14, 1999)
 (Agenda 3041, Item E-1, 6/22/00; Req - Commission)
This revision was not listed on the agenda distributed to the public.
- E-5** **Res E-3621 - Southern California Edison Company (SCE).**
This resolution approves as modified SCE's request to revise its Tariff Rule 18 to add language which allows SCE to provide master-metering for certain non-residential installations when individual utility metering is impractical.
(Advice Letter (AL) 1294-E, filed March 10, 1998; Supplemental AL 1294-E-A, filed January 31, 2000)
(Section 311(g)(1))
(Agenda 3039, Item E-1, 5/18/00; Agenda 3040, Item E-3, 6/8/00; Agenda 3041, Item E-2, 6/22/00; Req - Commission)
- E-6** **Res E-3683 - Southern California Edison Company (SCE), and Pacific**
(6/30/00) **Gas and Electric Company (PG&E).**
This resolution approves with modifications SCE and PG&E's request to participate and recover costs associated with their participation, in the California Power Exchange Corporation Daily Block Forward Market and Balance-of-the-Month Block Forward Market. Prior to considering this Resolution the Commission will vote on whether to place this item on the agenda.
(Gov. Code Sec. 11125.3(a)(2).)
(SCE Advice Letter (AL) 1453-E, filed May 17, 2000; PG&E AL 2003-E, filed May 25, 2000)
This item was not listed on the agenda distributed to the public.

WATER MATTERS

W-1

Res W-4195 - Conlin Strawberry Water Company, Inc.

This resolution authorizes a rate decrease of \$10,473 or 7.93%, from interim rates authorized in Res. W-4144, dated April 22, 1999, resulting in a final rate increase of \$18,597 or 18.06%; a refund to customers of \$10,688 due to non-compliance with D96-09-043; and a \$9,655 reduction in Safe Drinking Water Bond Act (SDWBA) surcharge revenue per year approximately for 6.5 years to repay \$64,030 of missing funds in the SDWBA Trust Account.

(Agenda 3039, Item W-1, 5/18/00; Agenda 3040, Item W-1, 6/8/00; Agenda 3041, Item W-1, 6/22/00; Req - Commission)

COMMISSIONERS' REPORTS

MANAGEMENT REPORTS

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).

NON-FEDERAL ITEMS

ORDERS HELD OVER

- HEX-1** **Conference with Legal Counsel - Applications for Rehearing A96-03-031, A96-04-030** - Disposition of Applications for Rehearing of D99-11-021 filed by California Industrial Group and California Manufacturers Association (jointly, CIG/CMA); Southern California Generation Coalition; and Southern California Edison Company, and a related motion filed by Southern California Gas Company (SoCalGas) regarding its petition for modification of this decision. D99-11-021 involves the 1996 BCAP Decision for SoCalGas (D97-04-082), and the limited rehearing of this decision granted in D98-07-100 concerning the appropriate cost allocation for costs resulting from SoCalGas' relinquishments (or "stepdowns") of interstate natural gas pipeline capacity on both the El Paso and Transwestern pipelines. D99-11-021 also resolves the allocation issue surrounding the stepdowns of Pacific Gas and Electric Company and other shippers on El Paso.
(Gov. Code Sec. 11126(e)(2)(B)(i).)
(Agenda 3041, Item EX-5, 6/22/00; Req - Commission)

HEX-2 **Conference with Legal Counsel-Applications for Rehearing**
C99-07-005 - Disposition of Applications for Rehearing of D00-04-025 filed by Samuel Anderson, PRO Engineering and Oasis Nuclear, Inc. D00-04-025 dismissed applicants' complaint against Pacific Gas and Electric Company for failure to state a claim upon which the Commission should grant relief. Applicants' complaint had alleged violations of General Order 156 and Public Utilities Code Sections 8281 through 8286, provisions governing the Women, Minority, and Disabled Veterans Business Enterprises program.
(Gov. Code Sec. 11126(e)(2)(B)(i).)
(Agenda 3041, Item EX-7, 6/22/00; Req - Commission)

HEX-3 **Conference with Legal Counsel-Applications for Rehearing**
C99-09-024 - Disposition of the joint Applications for Rehearing of D00-04-004 filed by California Personnel Resources and Clarence A. Hunt, Jr. (Applicants). In this decision, the Commission dismissed the complaint of the Applicants against Pacific Gas and Electric Company. The complaint alleged violations of General Order 156 regarding Women, Minority, and Disabled Veterans Business Enterprises. The complaint was dismissed for failing to state sufficient facts for a viable claim.
(Gov. Code Sec. 11126(e)(2)(B)(i).)
(Agenda 3041, Item EX-8, 6/22/00; Req - Commission)

ORDERS

- EX-1 Conference with Legal Counsel – Applications for Rehearing**
Compilation of applications for rehearing recently filed with the
Commission. (Gov. Code Sec. 11126(e)(2)(B)(i).)
- EX-2 Conference with Legal Counsel – Threatened Litigation**
Significant exposure to litigation. (Gov. Code Sec. 11126(e)(2)(B).)
- EX-3 Conference with Legal Counsel – Initiation of Litigation**
Consideration of possible Commission initiation of, or intervention in,
litigation. (Gov. Code Sec. 11126(e)(2)(C)(i).)

FEDERAL ITEMS

- HFEX-1 Conference with Legal Counsel - Existing Litigation**
In the Matter of Numbering Resources Optimization, **FCC Docket 99-200.**
(Gov. Code Sec. 11126(e)(2)(A).)
(Agenda 3041, Item FEX-2, 6/22/00; Req - Commission)
- FEX-1 Conference with Legal Counsel – Initiation of Litigation**
Consideration of possible Commission initiation of, or intervention in,
federal agency or court proceedings. (Gov. Code Sec. 11126(e)(2)(C)(i).)

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