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

*Wesley M. Franklin, Executive Director*

### Headquarters

505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2782

### Southern California Office

107 So. Broadway, Room 5109  
Los Angeles, CA 90012  
(213) 897-2973

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

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### **Daily Calendar Friday, November 7, 1997**

- Regular Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- New Filings
- Petitions for Modification of Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Adjournments/Resettings/Submissions
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of Ex Parte Communications

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**Commission Decisions and Resolutions for the Conference of October 22, 1997 are included in this calendar.**



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call (415) 703-1203. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.

### REGULAR COMMISSION MEETINGS

November 19, 1997	10:00 a.m.	San Francisco
December 3, 1997	10:00 a.m.	San Francisco
December 16, 1997	10:00 a.m.	San Francisco

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### NOTICES

#### ***Delivery of Formal Pleadings for Filing***

Unless otherwise directed, all *courier-delivered documents* submitted for filing as part of the formal record in a proceeding should be *hand-carried directly* to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Room 5109, 107 South Broadway in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All *documents sent through the mail* for formal filing should be addressed *ONLY* to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

#### ***Charge for Commission Documents***

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

### SUBSCRIPTION INFORMATION

#### ***Subscription Notice for Draft Agenda Items***

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003; 505 Van Ness Avenue; San Francisco, CA 94102; or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and the following field offices: El Centro, Eureka, Sacramento and San Bernardino. Since the agenda package will be mailed to these locations, it will be available at these locations a day

or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

*Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.*

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

***Subscription Notice for Daily Calendar and/or Agenda***

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003; 505 Van Ness Avenue; San Francisco, CA 94102; or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

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**COMMISSIONER OFFICE HOURS**

*(For further information or to make an appointment, please contact, Michelle Diamonon at (707) 445-7875 for Eureka and Chico locations, and Sandra Graham at (213) 897-3544 for other locations).*

<u>Date/Time</u>	<u>Commissioner</u>	<u>Location</u>
11/20/97, 9 am - 12 pm	Josiah L. Neeper	State Office Building 107 S. Broadway, Room 5109 <b>Los Angeles</b>
12/5/97, 10 am - 12 pm	Henry M. Duque	Veterans Affairs Building 1227 "O" Street, Room 404 <b>Sacramento</b>
12/10/97, 9 am - 12 pm	Josiah L. Neeper	State Office Building 1350 Front Street, Room 4006

**San Diego**

**PUBLIC MEETINGS & WORKSHOPS**

**Public Meeting THE NOVEMBER 7, 1997 MEETING HAS BEEN CANCELLED**

<i>November 7, 1997 10 am - 4 pm</i>	<i>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</i>
<i>With a Working Lunch (A brief break will be called prior to lunch)</i>	<i>To join via teleconference, dial (303) 633-1880; Passcode 1505225 #</i>

The Low Income Governing Board will meet to discuss the following agenda items: Chairperson's report, review meeting minutes, discuss legal issues, address budget planning/financial status, update on the advisory committee, update on the RFP for Technical Consultants, address policy planning issues on critical path, and develop agenda for next Board meeting. These meetings are open to the public. You can get the materials for this meeting from the LIGB website at [www.ligb.org](http://www.ligb.org). Amy Hopper is the contact person at (510) 251-2888, extension 2015. Member of the Public: If you would like to purchase a box lunch (\$10) please call Amy Hopper no later than November 3, 1997.

**Public Meeting**

<i>November 10, 1997 9:30 am - 4pm</i>	<i>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</i>
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The Technical Advisory Committee of the California Board for Energy Efficiency will meet to discuss the RFP for independent administrators, utility 1998 program plans, standard performance contracts, DSM policy rules, TAC operational issues, and other transition issues. The TAC's subcommittees for residential SPC, nonresidential SPC and new programs will meet during the lunch break and/or following the TAC meeting. The contact person is Beverly Coleman at (415) 564-3082.

**Public Meeting**

<i>November 12, 1997 9:30 am - 4 pm</i>	<i>California Public Utilities Commission 505 Van Ness Ave., Auditorium San Francisco</i>
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The Telecommunications Division of the California Public Utilities Commission will hold a public meeting to generate ideas and gain insight into the issues surrounding development of a statewide Public Policy Payphone program. The results of the meeting will be used as the basis for an OIR to resolve related Public Policy Payphone issues by the FCC's November 8, 1998, deadline. The Contact person is Linda Rochester (415)703-2770.

**Public Meeting**

<p>November 12, 1997 10 am - 4pm</p> <p><i>With a Working Lunch</i> (A brief break will be called prior to lunch)</p>	<p><i>Sheraton San Diego West Tower</i> 1590 Harbor Island Drive <b>San Diego</b></p> <p><b>To join via teleconference,</b> <b>dial (303) 633-1179; Passcode 1376417 #</b></p>
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The Low Income Governing Board will meet to discuss the following agenda items: Chairperson's report, review meeting minutes, discuss legal issues, address budget planning/financial status, update on the advisory committee, update on the Technical Consultants role, update on the Executive Coordinator role, address policy planning issues on critical path, and develop agenda for next Board meeting. These meetings are open to the public. You can get the materials for this meeting from the LIGB website at www.ligb.org. Amy Hopper is the contact person at (510) 251-2888, extension 2015.

**Public Meeting**

<p>November 13, 1997 9:30 am - 3:30 pm</p>	<p><i>Deaf and Disabled Telecommunications Program</i> 1939 Harrison Street DDTP Conference Room, Suite 555 <b>Oakland</b></p>
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<p>November 13, 1997 1 pm - 5 pm and November 14, 1997 8:30 am -3:30 pm</p>	<p><i>Pacific Gas and Electric Company Energy Center</i> 851 Howard Street (1 block west of the Moscone Center) <b>San Francisco</b></p>
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The California Board for Energy Efficiency will meet to discuss development of the RFP for independent administrators and governing rules, the utility 1998 program plans and associated reports to the ALJ, transition milestones, utility pre-1998 commitments, assets and liabilities, contract pay-out dates, Board operational matters, reports from or direction to the technical consultants and Technical Advisory Committee, and other Board filings. The contact person is Nancy Licht of Wm. Nesbit & Associates, (707) 523-1663.

**Public Meeting**

<p>November 14 1997 9 am - 5 pm</p>	<p><i>California Public Utilities Commission</i> 505 Van Ness Avenue, Room 5305</p>
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**San Francisco**

The Administrative Committee of the Electric Education Trust (EET) will hold a public meeting to conduct business related to establishing the trust and realizing its mission. The agenda includes, among other things, **presentation by staff counsel**, of the Consumer Education Plan, consideration of education and outreach activities, results of a request for proposal (RFP) for trust administrators and consultants, and various administrative matters. The contact person is William R. Schulte at (415) 703-2349.

**Public Meeting**

November 17, 1997  
9:30 am - 4 pm

*Pacific Gas and Electric Company Energy Center  
851 Howard Street  
(1 block west of the Moscone Center)  
San Francisco*

The California Board for Energy Efficiency will meet to discuss development of the RFP for independent administrators and governing rules, the utility 1998 program plans and associated reports to the ALJ, transition milestones, utility pre-1998 commitments, Board operational matters, reports from or direction to the technical consultants and Technical Advisory Committee, and other Board filings. The contact person is Nancy Licht of Wm. Nesbit & Associates, (707) 523-1663.

**Public Meeting**

November 17, 1997  
1:30 pm - 4:00 pm

*California Public Utilities Commission  
505 Van Ness Avenue  
Room 3204  
San Francisco*

The Administrative Committee of the Universal Lifeline Telephone Service Trust will hold its regular monthly meeting. This meeting can be accessed via teleconference call; however, please provide a 10-day notification prior to the meeting. For a copy of the agenda or more information, contact Terry Wilson-Gray at (510) 452-2757.

**Public Meeting**

November 17, 1997  
1:30 pm - 4:00 pm

*California Public Utilities Commission  
505 Van Ness Avenue  
Room 3204  
San Francisco*

The Universal Lifeline Telephone Service (ULTS) Administrative Committee will hold its regularly scheduled monthly meeting to approve the payment of telephone claims, review and approve administrative expenses, authorize administrative transfer, approve the 1988 Administrative Budget, and other general administrative matters. If you would like to join the meeting by phone conference or receive a copy of the agenda, please notify Vivien Wright, Executive Assistant, five (5) working days in advance of the meeting at (510) 452-2757.

**Public Meeting**

<p>November 18, 1997 10 am - 4pm</p> <p>With a Working Lunch (A brief break will be called prior to lunch)</p>	<p>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</p> <p>To join via teleconference at your own expense: dial (415) 904-2864; Passcode 6687053#</p>
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As provided for in Public Utilities Commission D97-09-117, one or more LIGB members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **415/904-2864 on November 18, 1997.**

The Low Income Governing Board will meet to discuss the following agenda items: Chairperson's report, review meeting minutes, discuss legal issues, address budget planning/financial status, update on the advisory committee, Technical Consultants projects, update on the Executive Coordinator role, new Board member identification, address policy planning issues on critical path, and develop agenda for the next Board meeting. These meetings are open to the public. You can get the materials for this meeting from the LIGB website at [www.ligb.org](http://www.ligb.org). Amy Hopper is the contact person at (510) 251-2888, extension 2015.

**Public Meeting**

<p>November 19, 1997 (Wednesday) 9:30 am - 12:00 noon</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) San Francisco</p>
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The Interim Administrative Committee for the California High Cost Fund B and the California Teleconnect Fund will hold its 8th meeting to review comments filed by interested parties on its motion filed on October 29, 1997, and to discuss administrative matters. The contact person for this meeting is Angela Young at (415)703-2837.

**Public Meeting**

<p>November 19, 1997 Lottery begins at 1:30 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room 5305 (Corner of Van Ness Avenue and McAllister Street) San Francisco</p>
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The Telecommunications Division of the California Public Utilities Commission will be conducting a lottery to determine allocations of central office codes (NXXs) in the 209, 213, 310, 408, 415/650, 510, 619, 714, 760, 805, 818/626 and 916/530 area codes pursuant to the provisions of D.96-09-087. Applications for NXXs should be submitted to the California Code Administrator prior to close of business November 11, 1997. For information on the lottery process, call (415) 703-1128. If specialized accommodations for the disabled are needed, call the Public Advisor at (415) 703-2032 five working days in advance of the event.

**Public Meeting**

<p>December 1, 1997</p>	<p>Deaf and Disabled Telecommunications Program</p>
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<i>1 pm - 5 pm</i>	<i>San Francisco Marriott Hotel 55 Fourth Street (ROOM TO BE ANNOUNCED) San Francisco</i>
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<i>December 2, 1997 9 am - 12 noon</i>	<i>Deaf and Disabled Telecommunications Program San Francisco Marriott Hotel 55 Fourth Street (ROOM TO BE ANNOUNCED) San Francisco</i>
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The California Relay Service Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend. [Call DDTP to obtain directions to CSPP/San Diego]

**Public Meeting**

<i>December 2, 1997 12 noon - 1 pm</i>	<i>Deaf and Disabled Telecommunications Program San Francisco Marriott Hotel 55 Fourth Street (ROOM TO BE ANNOUNCED) San Francisco</i>
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The Deaf and Disabled Telecommunications Program will hold its annual luncheon. The public may participate. For more information about the annual luncheon, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<i>December 2, 1997 1 pm - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program San Francisco Marriott Hotel 55 Fourth Street (ROOM TO BE ANNOUNCED) San Francisco</i>
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The Deaf and Disabled Telecommunications Program will hold its annual joint meeting. For more information about the annual joint meeting, please contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from



wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<i>December 3, 1997 10 am - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program San Francisco Marriott Hotel 55 Fourth Street (ROOM TO BE ANNOUNCED) San Francisco</i>
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<i>December 4, 1997 9 am - 5 pm</i>	<i>Double Tree Club Hotel (Orane County Airport) 7 Hutton Center Drive Santa Ana</i>
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The Administrative Committee of the Electric Education Trust (EET) will hold a public meeting to conduct business related to establishing the trust and realizing its mission. The agenda includes, among other things, presentations by representatives of the Consumer Education Plan, consideration of education and outreach activities with community-based organizations, results of a request for proposal (RFP) for trust administrators and consultants, and various administrative matters. The contact person is William R. Schulte at (415) 703-2349.

**Public Meeting**

<i>December 5, 1997 (Friday) 9:00 am - 12 noon</i>	<i>Offices of Graham &amp; James LLP Third Floor Reception Area (ask for M. Mattes) 1 Maritime Plaza (Clay Street at Front Street) San Francisco</i>
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The California High Cost Fund A Trust Administrative Committee will hold its next meeting. For a copy of the agenda or more information, contact Jean Boettger at (415) 542-1949.

**Public Meeting**

<i>December 5, 1997 9 am - 5 pm</i>	<i>Double Tree Club Hotel (Orane County Airport) 7 Hutton Center Drive</i>
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**Santa Ana**

The Administrative Committee of the Electric Education Trust (EET) will hold a public meeting to conduct business related to establishing the trust and realizing its mission. The agenda includes, among other things, presentations by representatives of the Consumer Education Plan, consideration of education and outreach activities with community-based organizations, results of a request for proposal (RFP) for trust administrators and consultants, and various administrative matters. The contact person is William R. Schulte at (415) 703-2349.

**Public Meeting**

<i>December 15, 1997</i> <i>9 am - 5 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue</i> <b>San Francisco</b>
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The Administrative Committee of the Electric Education Trust (EET) will hold a public meeting to conduct business related to establishing the trust and realizing its mission. The agenda includes, among other things, presentations by representatives of the Consumer Education Plan, consideration of education and outreach activities with community-based organizations, results of a request for proposal (RFP) for trust administrators and consultants, and various administrative matters. The contact person is William R. Schulte at (415) 703-2349.

**Public Meeting**

<i>December 16, 1997</i> <i>9 am - 5 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue</i> <b>San Francisco</b>
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The Administrative Committee of the Electric Education Trust (EET) will hold a public meeting to conduct business related to establishing the trust and realizing its mission. The agenda includes, among other things, presentations by representatives of the Consumer Education Plan, consideration of education and outreach activities with community-based organizations, results of a request for proposal (RFP) for trust administrators and consultants, and various administrative matters. The contact person is William R. Schulte at (415) 703-2349.

**Public Meeting**

<i>December 17, 1997</i> <i>1:30 pm - 4:00 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue</i> <i>Room 3204</i> <b>San Francisco</b>
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The Administrative Committee of the Universal Lifeline Telephone Service Trust will hold its regular monthly meeting. This meeting can be accessed via teleconference call; however, please provide a 10-day notification prior to the meeting. For a copy of the agenda or more information, contact Terry Wilson-Gray at (510) 452-2757.

**Public Meeting**

December 19, 1997  
10 am - 4 pm

Deaf and Disabled Telecommunications Program  
1939 Harrison Street  
DDTP Conference Room, Suite 555  
**Oakland**

The California Relay Service Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

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**NEW FILINGS**

10/22/97	C97-10-079	<b>Correction from the 11/6/97 Daily Calendar.</b> <b>ECP</b> - Leonard Bruno vs. California Real Estate Cellular Service Corp. dba AirTel for unauthorized charges on calls not made by complaint
10/30/97	A97-10-081	San Diego Gas & Electric Company, for approval of Biennial Resource Plan Update (BRPU) Settlements

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

**NONE**

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**DRAFT DECISIONS \* PROPOSED DECISIONS \* ALTERNATES \*  
ARBITRATOR'S REPORTS**

**NONE**

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**ADVICE LETTER FILINGS**

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division

(703-1889) or Water Division (703-2028).

To protest a filing, mail the original letter/telegram to the Chief of the appropriate division (i.e., "Chief, [Energy, Telecommunications or Water] Division"), to be received no later than 20 days after the date the Advice Letter was filed.

"Effective TBD" means that the date is to be determined by further Commission action. A date listed as "anticipated effective" may be subject to change. An Advice Letter Supplement is not a new filing, and there is no protest period unless indicated.

09/11/97	Water 17	JOHNSON PARK WATER WORKS, Establish Sch. LC, Late Payment Charge, and to revise Rule Nos. 9 and 11 pursuant to Resolution No. W-4035. (effective TBD)
10/31/97	Telecom 2	QUEST TELECOMMUNICATIONS, Teltrust Inc. will acquire control of Quest (effective TBD)
11/03/97	Energy 1706E	PACIFIC GAS & ELECTRIC COMPANY, Eliminates and revises several balancing and memorandum accounts in compliance with Decision 97-10-057. (effective TBD)
11/03/97	Telecom 1085-A	CONTEL SERVICE CORPORATION, Supplements A.L.No.1085, Comply with T-16018 to implement a self certification process for CHCF-B (effective TBD)
11/03/97	Telecom 1087-A	CONTEL SERVICE CORPORATION, Supplements A.L.No.1087, Proposes an exception to Rule No. 28 tariff concurrence in GTE Telephone Inc. Promotional Pricing (effective TBD)
11/03/97	Telecom 1088	CONTEL SERVICE CORPORATION, Comply with FCC 96-45 regarding discounted monthly recurring and non-recurring Lifeline rate (effective TBD)
11/03/97	Telecom 268	EVANS TELEPHONE COMPANY, Comply with T-16086 and FCC 97-157 regarding Universal service (effective TBD)
11/03/97	Telecom 8576-A	GTE CALIFORNIA INCORPORATED, Supplements A.L.No.8576, Comply with T-16018 to establish a customer self-certification process for CHCF-B (effective TBD)
11/03/97	Telecom 8583-A	GTE CALIFORNIA INCORPORATED, Supplements A.L.No.8583, Extend the promotional offering of GTE Long Distance Service (effective TBD)

11/03/97	Telecom 8584	GTE CALIFORNIA INCORPORATED, Comply with FCC 96-45 regarding discounted monthly recurring and non recurring Lifeline rate (effective TBD)
11/03/97	Telecom 188	HAPPY VALLEY TELEPHONE CO., Comply with T-16086 regarding Federal Communications Commission Report and Order on Universal service (effective TBD)
11/03/97	Telecom 162	HORNITOS TELEPHONE COMPANY, Comply with T-16086 regarding Federal Communications Commission Report and Order on Universal service (effective TBD)
11/03/97	Telecom 245	KERMAN TELEPHONE COMPANY, Comply with T-16086 and FCC 97-157 regarding universal service (effective TBD)
11/03/97	Telecom 1	MGC COMMUNICATIONS INC, Initial filing local exchange and inter- and intraLATA telecommunications services (effective TBD)
11/03/97	Telecom 2	MGC COMMUNICATIONS INC, Customer Notification and Education Plan for Caller ID (effective TBD)
11/03/97	Telecom 19096	PACIFIC BELL, Comply with T-16086 pursuant to Federal Communications Commission Report and Order on Universal service (effective TBD)
11/03/97	Telecom 19097	PACIFIC BELL, Express contract for DDD, VPP and Calling Card Service (effective TBD)
11/03/97	Telecom 19098	PACIFIC BELL, Express contract for DDD, VPP and Calling Card Service (effective TBD)
11/03/97	Telecom 130	PINNACLES TELEPHONE COMPANY, Comply with T-16086 and FCC 97-157 regarding universal service (effective TBD)
11/03/97	Telecom 1	RECONEX (STERLING INT'L. FUNDING), Initial filing for intrastate services (effective TBD)

11/03/97	Telecom 239	THE PONDEROSA TELEPHONE COMPANY, Comply with T-16086 pursuant to the Federal Communications Commission's Report and Order on Universal Service (effective TBD)
11/03/97	Telecom 227	THE VOLCANO TELEPHONE COMPANY, Comply with T-16086 and FCC 97-157 regarding Universal service (effective TBD)
11/03/97	Telecom 83	WINTERHAVEN TELEPHONE COMPANY, Comply with T-16086 pursuant to Federal Communications Commission's Report and Order on Universal Service (effective TBD)
11/04/97	Telecom 618-A	CITIZENS TELECOMMUNICATIONS CO. OF CA., Supplements A.L.No.618, 1998 Annual Price Cap Filing (effective TBD)
11/04/97	Telecom 61	GTE LONG DISTANCE (GTE CARD SVCS. INC.), Discontinue promotion (effective TBD)
11/04/97	Telecom 19099	PACIFIC BELL, Clarify language about providing free public payphones to customers at designated emergency shelters (effective TBD)
11/04/97	Telecom 19100	PACIFIC BELL, Make a correction in the rates and charges section of dial stations and calling card (effective TBD)
11/04/97	Water 220-W	SUBURBAN WATER SYSTEMS, [San Jose Hills and Whittier/La Mirada Districts]Step rate increase for 1998 pursuant to D.96-04-076. (anticipated effective 01/01/98)
11/05/97	Telecom 1225	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Introduce the AT&T Green Sense II Promotion (effective TBD)
11/05/97	Telecom 316	MCI TELECOMMUNICATIONS CORPORATION, Make changes to Option A and Option B (effective TBD)

**ADVICE LETTER PROTESTS**

To inquire about a protest, call the Energy Division (703-1093), Telecommunications

Division (703-1889) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

11/04/97      Telecom 27      ICG TELECOM GROUP, INC., Establish internet service provider Digital Access Service Restrict offering of PRI Service Late filed protest by Richard L. Kashdan.

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**MISCELLANEOUS TRANSPORTATION ITEMS**

**November 7 1997**

Filings with Safety and Enforcement

**NONE**

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

C97-08-060      Bushey-Reba Edwards vs. Pacific Bell, **Evidentiary Hearing held and continued to a time and place to be set**

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**REMOVALS FROM CALENDAR**

C97-06-035      Barnett-Barry Harman vs. Pacific Bell, and related matter, **hearing set for November 7, removed from calendar**

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**NEW SETTINGS**

11/12/97      10:00 am      **(PHC)**-Forest Lake Christian School, Inc., vs. Pacific  
ALJ Bennett      C97-09-039      Bell, for a wrongfully assigned perfix number,  
Comr Neeper      **Telephone Prehearing Conference**

11/20/97      10:00 am      **(PHC)**-Pacific Bell vs. AT&T Communications of  
ALJ Walker      C97-09-019      California, Inc., for revenue loss in the amount of \$.386  
Comr Conlon      for each intraLATA minute of MEGACOM provided by  
AT&T from 9/17/94 - 12/31/94, or \$5,239,300,  
**Commission Courtroom, San Francisco**

12/4/97 ALJ Bennett	10:00 am C97-10-079	<b>(ECP)</b> -Leonard Bruno vs. California Real Estate Cellular Service Corp, dba AirTel, for unauthorized charges or calls not made by complainant, <b>Commission Courtroom, San Francisco</b>
1/9/98 ALJ Barnett	10:30 am C97-10-078	<b>(ECP)</b> -Fariborz Hamzel vs. Pacific Bell, for unauthorized ISDN calls, <b>Commission Courtroom, State Office Building, 107 S. Broaday, Los Angeles</b>

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### LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judge Steven Kotz at 9:30 am in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

11/11/97	9:30 am	NONE SCHEDULED
11/18/97	9:30 am	NONE SCHEDULED
11/25/97	9:30 am	NONE SCHEDULED

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### HEARINGS

*Dates in parentheses following the word "also" are subject to change without notice. the assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.*

<b>(PHC) = Prehearing Conference</b>	<b>(OA) = Oral Argument</b>
<b>(EH) = Evidentiary Hearing</b>	<b>(WS) = Workshop</b>
<b>(PPH) = Public Participation Hearing</b>	<b>(FPH) = Full Panel Hearing</b>
<b>(IAM) = Initial Arbitration Meeting</b>	<b>(AH) = Arbitration Hearing</b>
<b>(M) = Mediation</b>	



11/7/97 ALJ Rosenthal Comr Duque	10:00 am A97-01-038	<b>(PHC)</b> -California Water Service Company, for an order adopting certain language for use in Rule 15 main extension contracts, <b>Commission Courtroom, San Francisco</b>
11/10/97 ALJ Bushey Comr Neeper	10:00 am I97-04-044	<b>(PHC)</b> -Commission Order Instituting Investigation into the operations and practices of L.D. Services, doing business as Long Distance Service, to determine whether the entity unlawfully switched subscribers' primary interexchange carrier without the subscriber's authorization in violation of Public Utilities Code Section 2889.5, <b>Commission Courtroom, San Francisco</b>
11/10/97 ALJ Careaga Comr Conlon	10:00 am A96-11-020	<b>(EH)</b> -Pacific Gas and Electric Company, for authorization to sell Hunters Point, Morro Bay, Moss Landing, and Oakland generating plants and related assets, <b>Commission Courtroom, San Francisco</b>
11/12/97 ALJ Econome Comr Bilas	9:30 am A97-04-005	<b>(EH)</b> -Unocal California Pipeline Company, to sell and Tosco Corporation to acquire public utility assets pursuant to Section 851 of the Public Utilities Code and to transfer control of a public utility pursuant to Section 854 of the Public Utilities Code, and
	A97-06-016	<b>(EH)</b> -Unocal California Pipeline Company, for authority to remove facilities from common carrier services, <b>Commission Courtroom, San Francisco (also November 13, San Francisco)</b>
11/12/97 ALJ Bennett Comr Neeper	10:00 am C97-09-039	<b>(PHC)</b> -Forest Lake Christian School, Inc., vs. Pacific Bell, for a wrongfully assigned prefix number, <b>Telephone Prehearing Conference</b>

11/12/97 ALJ Reed Comr Duque	10:00 am R93-04-003  I93-04-002	<b>(EH)</b> -Commission Order Instituting 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, and <b>(EH)</b> -Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier architecture development of dominant carrier networks, <b>Commission Courtroom, San Francisco (also November 13 and 14, 17-21, 24-26, and December 1-5, San Francisco)</b>
11/13/97 ALJ Garde Comr Conlon	5:00 pm A97-07-058	<b>(PHC)</b> -Ambler Park Water Utility and California - American Water Company, for an order authorizing Ambler Park Water Utility to sell and California-American Water Company to acquire the water utility assets of Ambler Park Water Utility <b>Church of Good Shepherd, 301 Corral de Tierra, Salinas (PPH) for 6:00 pm, Church of Good Shepherd, 301 Corral de Tierra, Salinas</b>
11/14/97 ALJ Bennett Comr Knight	10:00 am C97-10-038	<b>(ECP)</b> -Jesus G. Gumban vs. Pacific Bell, for billing on a dropped or canceled service, <b>Commission Courtroom, San Francisco</b>
11/17/97 ALJ Bennett Comr Neeper	9:00 am I97-04-045	<b>(EH)</b> -Commission Order Instituting Investigation into the operations and practices of Brittan Communications International, Inc., to determine whether the entity unlawfully switched subscribers' primary interexchange carrier without the subscriber's authorization in violation of Public Utilities Code Section 2889.5, <b>Commission Courtroom, San Francisco (also November 18-20 and 24-25, San Francisco)</b>
11/17/97 ALJ Pulsifer Comr Conlon	10:00 am R95-04-043 I95-04-044	<b>(PHC)</b> -Rulemaking on the Commission's own motion into competition for local exchange service, and <b>(PHC)</b> -Investigation on the Commission's own motion into competition for local exchange service, <b>Commission Courtroom, San Francisco</b>

11/18/97 ALJ Stalder Comr Conlon	10:00 am A95-08-038	<b>(EH)</b> -San Jose Water Company, for authority to increase rates by \$3,867,000 or 4.16% in 1995; \$4,348,000 or 4.43% in 1996; and \$1,713,000 or 1.67% in 1997, in Los Gatos, Saratoga, Monte Sereno, Campbell, portions of San Jose, Cupertino and Santa Clara, and in territory within the County of Santa Clara surrounding and adjacent in these municipalities, <b>Commission Courtroom, San Francisco (also November 19, San Francisco)</b>
11/18/97 ALJ Bushey Comr Bilas	10:00 am I97-09-001	<b>(OA)</b> -Commission Order Instituting Investigation into the operations, practices, and conduct of National Telephone and Communications, Inc., to determine whether it has violated the laws, rules, and regulations governing the manner in which California consumers are switched from one long distance carrier to another, <b>Commission Courtroom, San Francisco</b>
11/19/97 ALJ Garde Comr Neeper	9:30 am A97-01-029	<b>(PHC)</b> -San Diego Metropolitan Transit Development Board (MTDB) and City of San Diego (city), for authority to construct an at-grade crossing of two light-rail transit tracks and two freight intercity/commuter rail tracks at Vine Street in the City of San Diego, San Diego County, <b>State Office Building, Office of Administrative Hearings, Room 6022, 1350 Front Street, San Diego</b>
11/20/97 ALJ Walker Comr Conlon	10:00 am C97-09-019	<b>(PHC)</b> -Pacific Bell vs. AT&T Communications of California, Inc., for revenue loss in the amount of \$.386 for each intraLATA minute of MEGACOM provided by AT&T from 9/17/94 - 12/31/94, or \$5,239,300, <b>Commission Courtroom, San Francisco</b>
11/20/97 ALJ Garde Comr Conlon	11:00 am I96-04-022	<b>(EH)</b> -Commission Order Instituting Investigation into the operations and practices of Marco C. Araiza, dba Araiza Express, for allegedly operating as a contract permit carrier without liability insurance, <b>San Bernardino Field Office of the California Public Utilities Commission, 255 North D Street, Suite 310, San Bernardino</b>

11/24/97 ALJ Mattson Comr Conlon	10:00 am C93-06-007	<b>(PHC)</b> -Lorraine Brown, Christopher Gray, vs. Santa Clara County Transit District and the City of San Jose for failure to comply with Section 2-3324 of the State of California Building Code in failing to install 18-inch bands of clearly contrasting texture at the edges of the boarding platform so a blind person can detect the different platforms and failure to comply with ANSI A117.1, <b>Commission Courtroom, San Francisco</b>
11/25/97 ALJ Henderson Comr Neeper	10:00 am I97-04-013	<b>(EH)</b> -Commission Order Instituting Investigation into the Commission's own motion into whether the Bidwell Water Company and its owners, Thomas and Vicky Jernigan, misused its Safe Drinking Water Bond Act surcharge and revenues and have violated the rules, orders, and decisions of the Commission, <b>Department of Transportation Legal Department, Room 1450, 1120 N Street, Sacramento (also November 26, Sacramento)</b>
12/4/97 ALJ Bennett	10:00 am C97-10-079	<b>(ECP)</b> -Leonard Bruno vs. California Real Estate Cellular Service Corp, dba AirTel, for unauthorized charges or calls not made by complainant, <b>Commission Courtroom, San Francisco</b>
12/4/97 ALJ Bennett	10:30 am C97-10-077	<b>(ECP)</b> -Whiskey Run Homeowners Association vs. Kirkwood Gas and Electric Company, for relief from the payment for electricity used by a commercial unit not associated with the homeowners association, <b>Office of Governmental Affairs, 1227 O Street, Fourth Floor, Sacramento</b>
12/8/97 ALJ Weiss Comr Conlon	9:30 am C92-04-034	<b>(EH)</b> -Castlerock Estates Inc., Bruce B. Breiholz vs. Toro Water Service, Inc., California Utilities Service, Inc., and Robert T. Adcock, for refunds of taxes and contributions for plant and facilities made in 1988, <b>Commission Courtroom, San Francisco</b>
12/17/97 ALJ Malcolm Comr Conlon	10:00 am A97-07-030	<b>(EH)</b> -Pacific gas and Electric Company, to sell and Modesto Irrigation District to acquire electric distribution and transmission facilities serving the Cities of Ripon, Escalon, Riverbank, Oakdale, and surrounding rural areas, <b>Commission Courtroom, San Francisco (December 18 and 19, San Francisco)</b>

1/9/98 ALJ Barnett	10:00 am C97-10-076	<b>(ECP)</b> -Lorna Shofner vs. D.C.N. Wireless, for overbilling and unfair business practices, <b>Commission Courtroom, Los Angeles,</b>
1/12/98 ALJ Careaga Comr Duque	10:00 am C97-04-025	<b>(EH)</b> -ARCO Products Company, Mobil Oil Corporation, Texaco Refining and Marketing Inc. vs. SFPP, L.P., for violation of Section 451 of the Public Utilities Code by charging rates that are not just and reasonable for the intrastate transportation of refined petroleum products, <b>Commission Courtroom, San Francisco</b>
1/14/98 ALJ Ramsey Comr Conlon	10:00 am I91-08-029	<b>(PHC)</b> -Investigation on the Commission's own motion into the causes of recent derailments of Southern Pacific Transportation Company trains, compliance of Southern Pacific with applicable laws, rules, and regulations, the existence of any local safety hazards, and recommendations for improvements in state and federal laws or regulations, <b>Commission Courtroom, San Francisco</b>
1/9/98 ALJ Barnett	10:30 am C97-10-078	<b>(ECP)</b> -Fariborz Hamzel vs. Pacific Bell, for unauthorized ISDN calls, <b>Commission Courtroom, State Office Building, 107 S. Broadway, Los Angeles</b>
1/22/98 ALJ Econome Comr Bilas	1:30 pm A97-03-002	<b>(PHC)</b> -Pacific gas and Electric Company, for authority to revise its gas rates and tariffs to be effective 1/1/98, pursuant to D.89-01-040, D.90-09-089, D.91-05-029, D.93-12-058, D.94-07-024, and D.95-12-053, <b>Commission Courtroom, San Francisco (EH), for 10 am, January 26, San Francisco (also January 27-30 and February 2-6, San Francisco),</b>
2/9/98 ALJ Careaga Comr Neeper	10:00 am C96-01-019	The City of Vernon vs. The Atchison, Topeka and Santa Fe Railway, for non-compliance with zoning, <b>Commission Courtroom, San Francisco</b>
3/16/98 ALJ Bushey Comr Knight	9:00 am C96-12-043	<b>(EH)</b> -U.S. Long Distance, Inc. vs. Pacific Bell, for losses in excess of \$100,000 due to defendants improper administration of billing and collection services edit called "scan and reject edit," <b>Commission Courtroom, San Francisco (also March 17-18, San Francisco)</b>

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3/30/98	10:00 am	(EH)-Southern California Gas Company, for approval of a long-term gas transmission service contract with Distribudora de Gas Natural de Mexicali, s. de R.L. de C.V., <b>Commission Courtroom, San Francisco (also March 31, and April 1-3, San Francisco)</b>
ALJ Patrick	A97-03-015	
Comr Bilas		

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**EXECUTIVE ORDERS SIGNED**

10/24/97	D97-10-071	A97-09-019 - OLS, Inc., dba Georgia On Line Services. For a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA Telecommunications Service in California. <b>Granted. This proceeding is closed.</b>
	D97-10-072	A97-09-016 - Chadwick Telecommunications Corporation. For a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA Telecommunications Service in California. <b>Granted. This proceeding is closed.</b>
10/27/97	D97-10-073	A97-09-036 - Coleman Enterprises, Inc., dba Local Long Distance. For a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA Telecommunications Service in California. <b>Granted. This proceeding is closed.</b>
	D97-10-074	A97-09-034 - Communications Buying Group, Inc., dba CBG, Inc. For a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA Telecommunications Service in California. <b>Granted. This proceeding is closed.</b>
	D97-10-075	A97-09-029 - United Services Telephone, LLC. For a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA Telecommunications Service in California. <b>Granted. This proceeding is closed.</b>
	D97-10-076	A97-09-026 - USBG, Inc. For a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA Telecommunications Service in California.

- Granted. This proceeding is closed.**
- D97-10-077      A97-09-044 - FreedomStarr Communications, Inc. For a Certificate of Public Convenience and Necessity to provide interLATA and intraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**
- 10/28/97      D97-10-078      R95-04-043 - Order Instituting rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044/Related matter. **Modifies D97-10-033, as set forth.**
- D97-10-079      C96-02-014 - MCI Telecommunications Corporation and AT&T Communications of California, Inc. v. Pacific Bell and MFS Intelenet of California, Inc. **Corrects the effective date of D97-10-025 to 10/9/97. This proceeding is closed.**
- D97-10-080      C97-05-042 - ECP-Alex W. Love vs. Pacific Bell. **Dismissed upon written and unopposed request of complainant.**
- D97-10-081      A94-12-005 - Pacific Gas and Electric Company, for authority to decrease its rate and charges for electric and gas service and increase rates and charges for pipeline expansion service-test year 1996. I95-02-015 - related matter. **Corrects the effective date of D97-10-026 to 10/9/97. This proceeding is closed.**
- D97-10-082      C97-01-053 - Robert G. Winterbotham vs. Pacific Bell. **Dismissed upon written and unopposed request of complainant. \$12,182 currently on deposit with the Commission shall be forwarded to Pacific Bell.**
- D97-10-083      R95-04-043 - Rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044 - related matter. **Corrects Appendix B of D97-09-110 to include the corporate identification numbers for each of the approved Petitioners.**
- D97-10-084      A97-08-013 - Application for approval of transfer of control of Zenex Long Distance to Advanced Communications Group, Inc. **Dismissed without prejudice. Application is closed.**

D97-10-085 R94-04-031 - Commission Order Instituting Rulemaking on its proposed policies governing restructuring California's electric services industry and reforming regulation. I94-04-032 - related matter. **Corrects footnote 13, on page 37, of D97-09-117 as set forth.**

**COMMISSION MEETING OF OCTOBER 22, 1997**

10/22/97 D97-10-044 A97-08-016 - OCOM Corporation, dba Cellular Network. For exemption from tariffing requirements of Sections 454, 489, 491, and 495 of the Public Utilities Code. **Granted. This proceeding is closed.**

D97-10-045 A97-07-025 - Cox Communications PCS, L.P. For exemption from the tariffing requirements for its non-dominant interexchange carrier services. **Granted. This proceeding is closed.**

D97-10-046 I89-03-004 - Order instituting investigation on the Commission's own motion into the responsibilities of railroad corporations to improve walkway conditions along tracks in existence before the adoption of General Order 118. **Closes Investigation 89-03-004.**

D97-10-047 A97-08-010 - Pacific Bell (Pacific). For approval, pursuant to Public Utilities Code § 851, of space use arrangements with six affiliated companies. The arrangements involve affiliate use of existing, unused space in Pacific property that is deemed no longer necessary for utility operations. Pacific states that all of the arrangements comply with affiliate transaction rules of this Commission and of the federal government. **Grants Pacific to enter into the space use leases, and other arrangements with the affiliated entities as set forth in Exhibit A; to enter proposed space use leases and other arrangements with Pacific Bell Mobile Services, Pacific Bell Internet Services and Pacific Bell**



- Network Integration in Exhibit B. This proceeding is closed.**
- D97-10-048 C96-12-023 - Dale E. Fletcher vs. Southern California Water Company. **Orders Southern California Water Company to credit complainant with \$119 on his next water bill. This proceeding is closed.**
- D97-10-049 R95-04-043 - Order instituting rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044 - Related matter. **Grants the Utility Reform Network (TURN)'s motion to accept late-filed reply. TURN is awarded \$76,788 for its contribution to D96-09-089.**
- D97-10-050 A97-06-001 - Sullivan Land Company, Inc. dba Sierra King Water Company. For authority to sell its water system to Sierra King Homeowners Association Inc. and to be relieved of its public utility responsibility. **Granted as set forth. This proceeding is closed.**
- D97-10-051 A97-03-037 - City of Fremont, or an order authorizing construction of two crossings at separated grade between Paseo Padre Parkway and Washington Boulevard and the tracks of the Union Pacific Railroad Company, and for the elimination of eight grade crossings and two narrow underpasses. **Granted as set forth. This proceeding is closed.**
- D97-10-052 A97-04-057 - Santa Clara County Transit District, for an order authorizing construction of an at-grade pedestrian crossing across the eastbound LRT tracks at the Bayshore/NASA Station of the Tasman Corridor Project in the City of Mountain View, County of Santa Clara. **Granted as set forth. This proceeding is closed.**
- D97-10-053 A97-09-003 - GTE California Incorporated. For authority to issue, sell, and deliver debentures in an aggregate principal amount not to exceed \$200,000,000 up to and including December 31, 2000, for the purpose of retiring or refunding securities previously issued. **Granted as set forth. This proceeding is closed.**
- D97-10-054 A97-08-008 - The Washington Water Power Company. For authority to sell debt securities up to \$250,000,000;

- sell and/or guarantee conservation Bonds up to \$60,000,000; refund tax-exempt securities up to \$85,000,000; and sell up to \$45,000,000 of outstanding short-term debt in excess of the amount provided in Public Utilities Code Section 823. **Granted as set forth. This proceeding is closed.**
- D97-10-055 C97-07-055 - Oliver Svenson vs. Pacific Bell. **Pacific Bell shall cancel the \$1,202.47 charge on complainant's account. This proceeding is closed.**
- D97-10-056 I94-06-012 - Investigation on the Commission's own motion and order to show cause to determine if San Diego Gas & Electric Company should be held in violation of the Commission's General Order 95 for failure to have exercised reasonable tree trimming practices and procedures. **Addresses all outstanding issues in this investigation of the tree trimming practices of California's investor-owned electric utilities. This proceeding is closed.**
- D97-10-057 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. **Interim order - Pacific Gas and Electric Company (PG&E), Southern California Edison Company (Edison), and San Diego Gas and Electric Company (SDG&E) shall retain the regulatory accounts relating to DSM, CARE, and RD&D programs. ECAC forecasts for PG&E, Edison, and SDG&E are eliminated. PG&E, Edison, and SDG&E shall each file an application on January 15, 1999 which proposes ratemaking mechanisms. Grants Edison' request to use the Base Rate Performance Memorandum Account or track PBR rewards, penalties, sharing or other costs or revenues. Denies SDG&E's request to establish a memorandum account or balancing account to defer ratemaking treatment of PBR rewards, penalties, sharing or other costs or revenues. Comments on the Energy Reliability Index due November 17, 1997.**
- D97-10-058 A96-11-020 - Pacific Gas and Electric Company (PG&E). Pursuant to the requirements of the California Environmental Quality Act, the Commission certifies the

- mitigated negative declaration dated October 20, 1997 related to the application of PG&E for authority to sell certain generating plants and related assets pursuant to Public Utilities Section 851. **Interim order - The mitigated negative declaration related to this application is adopted.**
- D97-10-059      A96-11-046 - Southern California Edison Company (Edison). Pursuant to the requirements of the California Environmental Quality Act, the Commission certifies the mitigated negative declaration dated October 20, 1997 related to the application of Edison for authority to sell gas-fired electrical generating plants pursuant to Public Utilities Section 851. . **Interim order - The mitigated negative declaration related to this application is adopted.**
- D97-10-060      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. **Modifies D97-03-069 with respect to the composition and number of members who serve on the administrative committee of the electric education trust.**
- D97-10-061      I96-02-043 - Communications TeleSystems International.(CTS) - Investigation on the Commission's own motion into the operations, practices, and conduct of CTS and Edward S. Soren, President of CTS to determine whether they have complied with the laws, rules, regulations and applicable tariff provisions governing the manner in which California consumers are switched from one long distance company to another, and other requirements for long distance carriers. **denies Greenlining's motion to require CTS to post a bond but orders CTS to prepare timely payment plan and have it reviewed by an independent certified public accountant.**
- D97-10-062      I96-02-043 - Communications TeleSystems International.(CTS) - Investigation on the Commission's own motion into the operations, practices, and conduct of CTS and Edward S. Soren, President of CTS to determine whether they have complied with the laws, rules, regulations and applicable tariff provisions

- governing the manner in which California consumers are switched from one long distance company to another, and other requirements for long distance carriers. **Rejects settlement proposal submitted by Communications TeleSystems International.**
- D97-10-063 I96-02-043 - Communications TeleSystems International.(CTS) - Investigation on the Commission's own motion into the operations, practices, and conduct of CTS and Edward S. Soren, President of CTS to determine whether they have complied with the laws, rules, regulations and applicable tariff provisions governing the manner in which California consumers are switched from one long distance company to another, and other requirements for long distance carriers. **Modifies and grants limited rehearing of D97-05-089. Lifts the stay of D97-05-089.**
- D97-10-064 A97-05-006 - Pacific Gas and Electric Company, (1) Authority to reduce rates effective 1/1/98; (2) authority to sell or assign transition property to one or more financing entities; (3) authority to service rate reduction bonds on behalf of financing entities; (4) authority to establish charges sufficient to recover fixed transition amounts. A97-05-018; A97-05-022 - related matters. **Denies the Utility Reform Network's applications for rehearing of D97-09-054, D97-09-055, D97-09-056, and D97-09-057**
- D97-10-065 A97-02-005 - Pacific Gas and Electric Company, for authority to change core procurement rates on a monthly basis. **Pacific Gas and Electric Company to adopt a new core gas procurement rate tariff to provide for monthly revisions to rates. This proceeding is closed.**
- D97-10-066 A93-10-034 - Southern California Gas Company, for authority to establish an experimental gas cost incentive mechanism. R88-08-018; R92-12-016; I92-12-017; A90-06-030; A91-06-030; A92-06-015; A93-09-006; A92-11-017; A93-02-021; A93-01-018; A93-03-069; I93-02-026 - related matters. **Grants rehearing modifying D94-03-076 and denies rehearing of the decision as modified.**
- D97-10-067 I94-05-040 - Commission Order Instituting Investigation into the operations of Kenneth Bola Obatusin, dba

- Airport Ride, for failure to comply with safety requirements, airport regulations; failure to post rates in vehicles; failure to file annual report, etc. **Amends the investigation proceeding to also cover operations during the period subsequent to the issuance of this investigation, and whether the respondent has continued to engage in any of the unlawful operations or practices.**
- D97-10-068 C93-07-024 - Donna Matthews vs. Meadows Management Company, James M. Krueger And Rondell B. Hanson All Doing Business As Plantation On The Lake Mobilehome Park Safety. **Modifies Ordering paragraphs 2 and 3 of D97-08-052 as set forth. Application for rehearing, filed by Donna Matthews, of D97-08-052, as modified, is denied.**
- D97-10-069 C96-03-056 - Damashi Enterprises, Inc. vs. Pacific Bell. **Rehearing of D97-07-050 is denied.**
- D97-10-070 A96-08-058 - Wild Goose Storage Inc., for a certificate of public convenience and necessity to construct facilities for gas storage operations in Butte County. **Rehearing of D97-06-091 is denied.**
- R97-10-050 - Commission Order Instituting Rulemaking on the Commission's own motion into the regulation of containerized shipments of used household goods and personal effects transported to and from self-service storage facilities.

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### RESOLUTIONS

- 10/22/97 E-3341 Advice Letter (AL) 963-E/993-G and supplemental AL 963-E-A/993-G-A of San Diego Gas & Electric Company (SDG&E). Requests changes to its tariff rules 1, 3, and 11 including service establishment schedules for gas and electric in order to establish a safe working environment for its employees that must perform their duties on customers' premises. **Adopted.**
- G-3223 Advice Letter 2030-G of Pacific Gas and Electric Company (PG&E). Requests approval of its proposed

- standardized cost structure for recovery of start-up costs associated with the construction of interconnection plants requested by producers to accept California production gas into PG& E's gas plant. **Granted.**
- L-258A      Amendment to include under Ordering Paragraph 2A the U.S. Department of Treasury, Internal Revenue Service as one of the agencies to which the provisions of the Resolution will apply. **Adopted.**
- L-263      Resolution recommending release of documents requested pursuant to subpoena by F. Steve Ryneal in connection with Schwab v. Southern California Gas Company, C 293791, Riverside Superior Court. Request is for investigative records prepared pursuant to Public Utilities Code Section 315, concerning a gas explosion in San Jacinto on October 2, 1996, which injured plaintiff. **Granted.**
- TL-18817      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). **Granted.**
- TL-18818      Resolution denying issuance of charter-party carrier authority and highway carrier authority and household goods carrier authority for failure to satisfy statutory provisions of the Public Utilities Code and Commission General Orders. **Adopted.**
- W-4075      Mount Charlie Water Works, Inc. (Mt. Charlie) Order recognizing Christopher Asworth as the court-appointed receiver of Mt. Charlie. **Adopted.**

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#### NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting". The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van*

*Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

**NONE FILED**

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**NOTICE OF EX PARTE COMMUNICATIONS**

*Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

11/5/97            A96-03-007            Pacific Bell Communications, for a certificate of public convenience and necessity to provide InterLATA and IntraLATA and local exchange telecommunications services.

**Summary: Late Filed.** On October 30, 1997, Thomas Long, Senior Telecommunications Attorney for The Utility Reform Network (TURN), sent a letter (attached to notice) to Cmmrs. Conlon, Neeper, Knight, Duque, and Bilas. The letter stated that the record showed that Telesis would receive an unfair competitive advantage if PacBell Comm were allowed to provide local service in competition with PacBell. The letter stated that Telesis would pursue a strategy of steering high value customers to PacBell Comm to the detriment of the financial performance of PacBell. The letter stated that Telesis would have an incentive to create a premium network for the benefit of PacBell Comm customers, again to the detriment of PacBell customers. Furthermore, the letter stated that PacBell Comm could be used to make an "end-run" around regulations designed to curb PacBell Comm's market power in the local market. The letter stated that the foregoing examples are reasons for the development of a better record with respect to the GTE Card Services application, and that evidence in the PacBell Comm case led PacBell Comm to withdraw its proposal to offer local exchange service.

**Filer: The Utility Reform Network (TURN)**

**Contact: Dan Cox**

**Phone: (415) 929-8876, x307**

11/5/97            A97-05-027            Southern California Edison Company, for an order approving the settlement agreements between Southern California Edison Company and winning bidders in Edison's biennial resource plan update auction.

**Summary:** On October 31, 1997, Frank DeRosa, Vice President of U.S. Generating Co., met with James Hendry, advisor to Cmmr. Conlon, in San Francisco. Also present were: Jonathan Bromson, attorney for the Office of Ratepayer Advocates (ORA); Steven

Greenwald, attorney for Oxbow Power Co. and Bowerman/Olinda (successor to Air Products); Russell Worden, Regulatory Affairs Manager for Southern California Edison Company (Edison); and Russell Swartz, Senior Attorney for Edison. Bromson expressed concern that the confidential treatment sought by Edison would preclude certain parties, including The Utility Reform Network (TURN) from meaningfully participating in the Commission's consideration of the reasonableness of Edison's BRPU settlements. Bromson additionally pointed out that at least two other parties had also protested Edison's motion for confidential treatment. Swartz stated that Turn has never made a direct request to Edison for the confidential version of Edison's application, and that Edison would consider making the confidential version available to TURN provided that the settling bidders concur with respect to disclosure of their own confidential information and provided further that TURN is willing to enter into a suitable confidentiality agreement under circumstances that will not produce further delay in this proceeding. Swartz added that providing single interest parties with the information designated as confidential would provide them with more information than even the settling bidders have and that providing such access is also unnecessary for the purpose of permitting the "losing bidders" to argue their general position that Edison has settled with the wrong parties. Greenwald added that the "losing bidders" are not representing the general interest of ratepayers. Representatives from Edison agreed that counsel for Edison and ORA would determine whether certain portions of the confidential agreement could be made public. Greenwald stated that ORA was incorrect in assuming that any additional information would have been provided in the responses had the outstanding confidentiality issues been resolved. Greenwald further stated that the Commission should review the reasonableness of the settlements based on the descriptions of the negotiation process set forth in Edison's application. Swartz stated that Edison views this particular discovery issue as being between ORA and the settling bidders, but nonetheless Edison believes that ORA can assert its own view of the likely range of bid development or reliance costs incurred by the bidders. Representatives from the aforementioned parties discussed the possibility of entering into one or more stipulations without any party being unfairly surprised, and the possibility of reaching various agreements in order to avoid hearings.

**Filer: Southern California Edison Company**

**Contact: Bobbie Cao**

**Phone: (626) 302-2310**

11/5/97	A96-12-009	Pacific Gas and Electric Company, to identify and separate components of electric rates effective January 1, 1998, and
	A96-12-011	San Diego Gas and Electric Company, for authority to unbundle rates and products, and
	A96-12-019	Southern California Edison Company, proposing the functional separation of cost components for energy, transmission and ancillary services, distribution, public benefit programs and nuclear decommissioning, to be effective 1/1/98 in conformance with D95-12-036 as modified by D96-01-009, the 6/21/96 ruling of assigned Commissioner Duque, D96-10-074, and AB 1890.



**Summary: Late filed.** On October 20, 1997, William Booth, counsel for the California Large Energy Consumers (CLECA), met with Cmmr. Bilas, in San Francisco. Booth stated the concerns of CLECA regarding the recent Petition to Modify D96-08-038 filed by PG&E, Edison, and SDG&E with respect to the Commission's approval of certain loan guarantees provided by the three utilities to the Independent System Operator (ISO) and the California Power Exchange (PX). Booth stated that CLECA objects to the request of the utilities for assurances from the Commission that any amounts paid by the utilities to the ISO and PX will be treated as transition costs and permitted to be recovered under Section 376 of the Code. Booth stated that the utilities have incurred no costs to date under the loan guarantees and, until they do, there is no basis for a claim to Section 376 treatment. Booth argued that the mere payment by the utilities of PX and ISO charges and fees does not qualify for Section 376 treatment, but rather they are, respectively, costs of procuring power for full service customers and costs of operating a transmission and distribution system to serve all customers. Booth stated the costs should be recovered under the rates charged for such services and urged the Commissioner to reject this aspect of the Petition to Modify.

**Filer: California Large Energy Consumers Association (CLECA)**

**Contact: Susan Arce**

**Phone: (415) 433-1950**

11/5/97            A97-10-030            WorldCom, Inc. and Brooks Fiber Properties, Inc., for approval of agreement and Plan of Merger.

**Summary:** On October 31, 1997, Mary Wand, counsel for Brooks Fiber Properties, Inc. (Brooks), met with Cmmr. Conlon, in San Francisco. Also present were: Jose Jimenez, advisor to Cmmr. Nepper; and Kath Thomas, Director of Regulatory and Government Affairs-Western Region, for Brooks. Thomas distributed a copy of a newspaper article and press release (both attached to notice) announcing the merger of WorldCom, Inc. and Brooks. Wand stated that the transaction will benefit California ratepayers as well as competition for telecommunications

**Filer: Brooks Fiber Properties, Inc.**

**Contact: Mary McCombs**

**Phone: (415) 268-7607**

11/5/97            A96-12-009            Pacific Gas and Electric Company, to identify and separate components of electric rates effective January 1, 1998, and  
                          A96-12-011            San Diego Gas & Electric Company, for authority to unbundle rates and products, and  
                          A96-12-019            Southern California Edison Company, proposing the functional separation of cost components for energy, transmission and ancillary services, distribution, public benefit programs and nuclear decommissioning, to be effective 1/1/98 in conformance with D95-12-036 as

modified by D96-01-009, the 6/21/96 ruling of assigned Commissioner Duque, D96-10-074, and AB 1890.

**Summary:** On October 20, 1997, William H. Booth, counsel for California Large Energy Consumers Association (CLECA), met with Cmmr. Neeper, in San Francisco. Also present was: David Gamson, advisor to Cmmr. Neeper. Booth stated the concerns of CLECA regarding the recent Petition to Modify D96-08-038 filed by PG&E, Edison, and SDG&E with respect to the Commission's approval of certain loan guarantees provided by the three utilities to the Independent System Operator (ISO) and the California Power Exchange (PX). Booth stated that CLECA objects to the request of the utilities for assurances from the Commission that any amounts paid by the utilities to the ISO and PX will be treated as transition costs and permitted to be recovered under Section 376 of the Code. Booth stated that the utilities have incurred no costs to date under the loan guarantees and, until they do, there is no basis for a claim to Section 376 treatment. Booth argued that the mere payment by the utilities of PX and ISO charges and fees does not qualify for Section 376 treatment, but rather they are, respectively, costs of procuring power for full service customers and costs of operating a transmission and distribution system to serve all customers. Booth stated the costs should be recovered under the rates charged for such services and urged the Commissioner to reject this aspect of the Petition to Modify.

**Filer:** CLECA

**Contact:** Susan Arce

**Phone:** (415) 433-1950

11/5/97            A97-05-027            Southern California Edison Company, for an order approving the settlement agreements between Southern California Edison Company and winning bidders in Edison's biennial resource plan update auction (redacted version).

**Summary:** On October 31, 1997, Jonathan Bromson, attorney for the Office of Ratepayer Advocates (ORA), met with James Hendry, advisor to Cmmr. Conlon, in San Francisco. Also present were: Steve Greenwald, attorney for Oxbow Power Company and Bowerman Renewable Power Partners, L.P./Olinda Renewable Power Partners, L.P.; Frank DeRosa, for U.S. Generating Company; Russell Worden, Regulatory Policy and Affairs Manager for Southern California Edison Company (Edison); and Russell Swartz, attorney for Edison. Bromson stated that although ORA has completed substantial discovery from Edison, a resolution of the Motion for a Protective Order was the next necessary step in moving the proceeding along. Bromson and Swartz agreed to examine closely the text of the settlement agreements with an eye on perhaps making public redacted versions of the settlement agreements. Greenwald and DeRosa agreed that with respect to their clients who had negotiated option contracts with Edison, they would attempt to summarize non-price terms of the options with an eye toward making such summaries public. Swartz also agreed to contact the attorney for The Utility Reform Network (TURN) to discuss providing access for TURN to the unredacted versions of the application and accompanying settlement agreements under an appropriate protective order. Bromson stated that although it is true that ORA had substantially completed its discovery with Edison, the winning bidders had

provided non-responsive answers to certain data requests for factual information. Representatives of the parties pledged to work together to negotiate a stipulation regarding such factual information, and ORA reserved its rights to ask for a hearing on the motion or to file a motion to compel to obtain such information if negotiations with the bidders fell through.

**Filer: ORA-Bromson**

**Contact: Susie Toy**

**Phone: (415) 703-1858**

11/5/97                    A97-10-030            WorldCom, Inc. and Brooks Fiber Properties, Inc., for approval of agreement and plan of merger.

**Summary:** On October 31, 1997, Mary Wand, counsel for Brooks Fiber Properties, Inc. (Brooks), met with Cmmr. Duque, in San Francisco. Also present were: Tim Sullivan, advisor to Cmmr. Duque; and Kath Thomas, Director of Regulatory and Government Affairs-Western Region, for Brooks. Thomas distributed a copy of a newspaper article and press release (both attached to notice) announcing the merger of WorldCom, Inc. and Brooks. Wand stated that the transaction will benefit California ratepayers as well as competition for telecommunications services within California and urged the Commission to approve the application by 11/30/97.

**Filer: Brooks**

**Contact: Mary McCombs**

**Phone: (415) 268-7607**

11/5/97                    R95-01-020            Commission Order Instituting Rulemaking, to address the requirements of Assembly Bill 3643 and to develop new rules regarding universal service, and

                                  I95-01-021            Commission Order Instituting Investigation, to address the requirements of Assembly Bill 3643 and to develop new rules regarding universal service.

**Summary:** On November 3, 1997, Thomas Long Senior Telecommunications Attorney for The Utility Reform Network (TURN) spoke with ALJ O'Donnell, via telephone. Long stated TURN's willingness to update the matrices it submitted with its compensation request, in light of D97-10-049.

**Filer: TURN**

**Contact: Dan Cox**

**Phone: (415) 929-8876 x307**

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