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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 Thursday, November 20, 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 November 5, 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

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.

**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 <b>San Diego</b>

**PUBLIC MEETINGS & WORKSHOPS**

***Informational Hearing***

November 20, 1997 10:00 am - 3:00 pm	Long Beach Public Library 101 Pacific Avenue <b>Long Beach</b>
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The purpose of this meeting is to identify the causes of the situation that the Union Pacific Railroad is currently experiencing in California, including at the Los Angeles and Long Beach Ports and to determine the extent of that situation upon service and safety. The scope of the meeting will include the effects on UP, the shippers that use UP, and other railroads. **If you would like to speak at this meeting, please sign up in advance with the Public Advisor's office by November 18 by calling (213) 897-3544.**

***Public Meeting***

November 24, 1997 9:30 am - 4 pm	Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) <b>San Francisco</b>
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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***

November 24, 1997 10:00 am - 2:00 pm	Natural Resources Defense Council 71 Stevenson Street, Suite 1825 <b>San Francisco</b>
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The New Programs Subcommittee of the Technical Advisory Committee for the California Board for Energy Efficiency will meet to discuss the scope of issues for the subcommittee, how to address short- and long-term issues, future programs and recommendations for the transition from the interim administrators, the next steps for the subcommittee, and the subcommittee's report to the TAC during its December 2, meeting. The contact person is Sheryl Carter at (415) 777-0220.

**Additional locations include:**

- Sera, Inc., 1511 3<sup>rd</sup> Ave., Suite 1000, Seattle, WA**
- 10949 S. W. 4<sup>th</sup> Ave., Portland, OR**
- Esource, Inc., 1033 Walnut St., Boulder, CO**
- SESCO, Inc., 77 Yacht Club Drive, #1000, Lake Forest, NJ**
- The Service Institute, 1335 Ridgedale Court, Roseville, CA**
- Elec. & Gas Industries Assn., 1645 Alvarado St., San Leandro, CA**

***Public Meeting***

*December 1, 1997  
1 pm - 5 pm*

*Deaf and Disabled Telecommunications Program  
San Francisco Marriott Hotel  
55 Fourth Street (ROOM TO BE ANNOUNCED)  
San Francisco*

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**

*December 2, 1997  
9 am - 12 noon*

*Deaf and Disabled Telecommunications Program  
San Francisco Marriott Hotel  
55 Fourth Street (ROOM TO BE ANNOUNCED)  
San Francisco*

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**

*December 2, 1997  
12 noon - 1 pm*

*Deaf and Disabled Telecommunications Program  
San Francisco Marriott Hotel  
55 Fourth Street (ROOM TO BE ANNOUNCED)  
San Francisco*

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**

*December 2, 1997  
1 pm - 4 pm*

*Deaf and Disabled Telecommunications Program  
San Francisco Marriott Hotel  
55 Fourth Street (ROOM TO BE ANNOUNCED)  
San Francisco*

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**

<p>December 3, 1997 10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program San Francisco Marriott Hotel 55 Fourth Street (ROOM TO BE ANNOUNCED San Francisco</i></p>
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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**

<p>December 3, 1997 10 am - 4pm</p> <p><i>With a Break for Lunch (A brief break will be called prior to lunch)</i></p>	<p><i>Wyndham Hotel at Los Angeles Airport 6225 West Century Boulevard Los Angeles</i></p> <p><b><i>To join via teleconference at your own expense: dial (303) 633-6220; Passcode 1376417#</i></b></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 303/633-6220 on December 3, 1997.**

The Low Income Governing Board will meet to discuss the following agenda items: Chairperson’s report, review meeting minutes, discuss legal issues, Technical Consultants projects, address budget planning/financial status, update on the advisory committee, 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>December 4, 1997 9 am - 5 pm</p>	<p><i>Double Tree Club Hotel (Orane County Airport) 7 Hutton Center Drive Santa Ana</i></p>
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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 4, 1997 10 am - 4pm</i>	<i>Wyndham Hotel at Los Angeles Airport 6225 West Century Boulevard Los Angeles</i>
<i>With a Break for Lunch (A brief break will be called prior to lunch)</i>	<i>To join via teleconference at your own expense: dial (415) 904-8901; Passcode 6143668#</i>

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) 904-8901 on December 4, 1997**. The Low Income Governing Board Advisory Committee will meet to discuss the following agenda items: continuation in addressing issues related to transition, legal issues, planning for upcoming meetings, and develop agenda for the next Committee 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) under "Advisory Committee". Amy Hopper is the contact person at (510) 251-2888, extension 2015.

**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 (Orange 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 15, 1997</i> <i>9 am - 5 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue</i> <b><i>San Francisco</i></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><i>San Francisco</i></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><i>San Francisco</i></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

11/18/97            A97-11-022        North American Telecommunications Corporation, for a certificate of public convenience and necessity to provide local exchange and interexchange telecommunications services within the State of California

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### PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

11/18/97            I90-11-033        Commission investigation into the financial and operational risks of Commission regulated water utilities, and whether current ratemaking procedures and policies require revision; **Petition for Modification of D92-03-093 by California Water Association**

**Petition for Modification of D93-11-066 by California Water Association**

11/19/97            A96-03-051        Pacific Gas and Electric Company, for authorization to sell the Placer County Canal System to Placer County Water Agency; **Application for Rehearing of D97-11-019 by Simpson Ranch**

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

NONE

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**ADVICE LETTER FILINGS**

**NONE**

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**MISCELLANEOUS TRANSPORTATION ITEMS**

**November 20, 1997**

Filings with Safety and Enforcement

11/18/97      TCP-11485-B      High Adventure Coach, Inc., dba Taylored Tours, 330 East Kettleman, Lodi, CA 95240, Tel. No. (209) 334-4005, application to transfer TCP Class B Certificate from TCP-182-B, Joseph Arnold Taylor, dba Taylored Tours

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

R93-04-003      Reed-Commission Order Instituting Rulemaking on the  
I93-04-002      Commission's own motion to govern open access to  
bottleneck services and establish a framework for  
network architecture, **Evidentiary Hearing held and  
continued to 10 am, November 20, San Francisco**  
A97-01-029      Garde-San Diego Metropolitan Transmit Development  
Board, etc., **Prehearing Conference held and  
completed**

**11/25/97**      10:00 am      **CORRECTIONS TO THE DAILY CALENDAR**  
ALJ Henderson      I97-04-013  
Comr Neeper      **(EH)-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,  
Department of Transportation Legal Department,  
Room 1450, 1120 N Street, Sacramento (also  
November 26, Sacramento)**

12/1/97 ALJ Weiss Comr Duquq	9:30 am A97-03-012	<b>(EH)</b> -MHC Acquisition One, L.L.C., for a certificate of public convenience and necessity to continue to construct a public utility water system and a public utility sewer system within the City of Santa Cruz in Santa Cruz County, and to establish rates for an interim application period and ongoing rates for water and sewer service, <b>County Government Center, Board o Supervisors Chambers, Fifth Floor, 701 Ocean Street, Santa Cruz (also December 2, Santa Cruz)</b>
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**REMOVALS FROM CALENDAR**

NONE

**NEW SETTINGS**

NONE

**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.

11/25/97	9:30 am	NONE SCHEDULED
12/2/97	9:30 am	NONE SCHEDULED
12/9/7	9:30 am	NONE SCHEDULE

**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.*

**(PHC) = Prehearing Conference**  
**(EH) = Evidentiary Hearing**  
**(PPH) = Public Participation Hearing**  
**(IAM) = Initial Arbitration Meeting**  
**(M) = Mediation**

**(OA) = Oral Argument**  
**(WS) = Workshop**  
**(FPH) = Full Panel Hearing**  
**(AH) = Arbitration Hearing**

11/20/97 ALJ Reed Comr Duque	10:00 am :R93-04-003	<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
	I93-04-002	<b>(EH)</b> -Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks, <b>Commission Courtroom, San Francisco (also November 21, 24-26, and December 1-5, San Francisco)</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>

11/20/97	1:30 pm	(PHC)-CABAC, Inc., for authority to operate as an “on-call” passenger stage corporation, pursuant to Section 1031 of the California Public Utilities Code, in Los Angeles and other counties, and
ALJ Bennett	A97-06-011	
Comr Duque		
Comr Neeper		
	A97-06-012	(PHC)-B.A.D.D.J., Inc., for authority to operate as an “on-call” passenger stage corporation, pursuant to Section 1031 of the California Public Utilities Code, in Los Angeles and other counties, and
	A97-06-013	(PHC)-AMRAT, Inc, for authority to operate as an “on-call” passenger stage corporation, pursuant to Section 1031 of the California Public Utilities Code, in Los Angeles and other counties, and
	A97-07-041	(PHC)-Rideshare Port Management LLC, dba Prime Time Shuttle, for authority to operate as a passenger stage corporation between points in Los Angeles and other counties, and
	A97-09-041	(PHC)-David Regwan, dba Prime Time Shuttle of Ventura, Orange and Los Angeles Counties, to sell and Amrat, Inc., a California Corporation, to purchase, granted by D.90-03-06 n Application 89-08-029, pursuant to Sections 854 and 1036(b) of the California Public Utilities Code, and establish a zone of rate freedom, <b>Commission Courtroom, Los Angeles</b>
11/21/97	10:00 am	(PHC)-Commission Order Instituting Investigation on the Commission’s own motion into the operations, practices, and conduct of Inter Continental Telephone Corporation to determine whether the company has complied with the laws, rules, regulations and applicable tariff provisions governing the manner in which California consumers are switched from one long-distance carrier to another, and other requirements for long distance carriers, <b>Commission Courtroom, San Francisco</b>
ALJ Bushey	197-01-011	
Comr Neeper		
11/24/97	10:00 am	(PHC)-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>
ALJ Mattson	C93-06-007	
Comr Conlon		

11/25/97 ALJ Bennett Comr Knight	10:30 am C97-09-024	<b>(PHC)</b> -Snow Valley, Inc. vs. Southern California Edison Company, for unjust, unreasonable and discriminatory rates and charges, for improper charges for construction of a power substation, <b>Telephone Prehearing Conference</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>
11/26/97 ALJ Garde Comr Neeper	10:00 am A96-12-050	<b>(PHC)</b> -Tel-Save, Inc. of Pennsylvania, dba The Phone Company, for a certificate of public convenience and necessity to operate as a reseller of local exchange service, <b>Telephone Prehearing Conference, Room 5305</b>
11/26/97 ALJ Bennett Comr Neeper	1:30 pm C97-08-066	<b>(PHC)</b> -Robert McCormick vs. Yosemite Spring Park Utility, for sub-standard water service, <b>Telephone Prehearing Conference</b>
12/1/97 ALJ Weiss Comr Duque	9:30 am A97-03-012	<b>(EH)</b> -MHC Acquisition One, L.L.C., for a certificate of public convenience and necessity to continue to construct a public utility water system and a public utility sewer system within the City of Santa Cruz in Santa Cruz County, and to establish rates for an interim application period and ongoing rates for water and sewer service, <b>County Government Center, Board of Supervisors Chambers, Fifth Floor, 701 Ocean Street, Santa Cruz (also December 2, Santa Cruz)</b>
12/2/97 ALJ Bennett Comr Bilas	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>

12/2/97 ALJ Malcom Comr Conlon Comr Bilas	2:00 pm A97-10-014 A97-10-015 A97-10-024	<b>(PHC)</b> -Pacific Gas and Electric Company, for recovery of 1996 capital additions costs, and <b>(PHC)</b> -San Diego Gas & Electric Company, for competition transition charge recovery of 1996 capital additions, and <b>(PHC)</b> -Southern California Edison Company, for authority to recover capital additions to its fossil generating facilities made between 11/1/96 and 12/31/96, <b>Commission Courtroom, San Francisco</b>
12/4/97 ALJ Rosenthal Comr Neeper	9:30 am I94-05-040	<b>(EH)</b> -Commission Order Instituting Investigation into the operations of Kenneth Bola Obatusin, dba Airport Ride, for failure to comply with safety requirements and airport regulations, failure to post rates in vehicles, failure to file annual report, etc., <b>Commission Courtroom, Los Angeles</b>
12/4/97 ALJ Bennett Comr Knight	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>
12/8/97 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>
12/9/97 ALJ Stalder Comr Conlon	9:30 am A90-12-018 I91-02-079	<b>(EH)</b> -Southern California Edison Company, generate rate increase for electric service for 1992 in the amount of \$440 million, and <b>(EH)</b> -Commission Investigation into the rates, charges, and practices of Southern California Edison Company, <b>Commission Courtroom, San Francisco</b>
12/9/97 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>
12/11/97 ALJ Walker Comr Duque	10:00 am C96-10-004	<b>(EH)</b> -Roger Collin, Georgia Collin, and Charles Acker vs. Pacific Bell, for improper rates and toll chares, <b>Greenwood Community Church, 5921 South Highway 1, Elk, California (also December 12, Elk)</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 Comr Neeper	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>
1/9/98 ALJ Barnett Comr Duque	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>
1/12/98 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>
1/12/98 ALJ Patrick ALJ Stalder Comr Conlon	10:00 am A96-05-045	<b>(EH)</b> -Southern California Edison Company, for authority to freeze rates t their current levels by deferring a \$1.7 million rate decrease, plus interest to 1998, for a finding that 1/1/97 balances in the energy cost adjustment clause (ECAC) and electric revenue adjustment mechanism (ERAM) accounts are reasonable, for authority to set aside overcollection in the ECAC and ERAM accounts as of 12/31/96 to reduce the level of competition transition cost, for authority to revise its incremental energy rate, the energy reliability index and avoided capacity cost pricing, and for a review of the reasonableness of Edison's operations during the period from April 1, 1995, through March 31, 1996, and
	A97-05-050	<b>(EH)</b> -Southern California Edison Company, for review of the reasonableness of operations during the period from April 1 1996, through March 31, 1997 <b>(Reasonableness Phase), 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>
1/22/98 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>
1/27/98 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 January 28, 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>
3/30/98 ALJ Patrick Comr Bilas	10:00 am A97-03-015	<b>(EH)</b> -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>

**EXECUTIVE ORDERS SIGNED**

- 11/3/97      D97-11-001      A97-09-047 - POS Systems Management, Inc. For a Certificate of Public Convenience and Necessity to Provide InterLATA and IntraLATA Telecommunications Service. **Granted. This proceeding is closed.**
- D97-11-002      A97-10-004 - SBR, Inc. For a Certificate of Public Convenience and Necessity to Provide InterLATA and IntraLATA Telecommunications Service. **Granted. This proceeding is closed.**
- D97-11-003      C97-08-021 - Richard Beagle vs. MCI Telecommunications Corporation. for wrongful termination of telephone services and improper billing. **Dismissed upon written request of complainant. This proceeding is closed.**
- 11/7/97      D97-11-036      C97-06-041 - Southern California Edison Company vs. Southern California Gas Company. for offering firm inventory services at an excessive rate. **Dismissed upon written request of complainant. This proceeding is closed.**
- D97-11-037      C97-09-041 - Cox California Telcom, Inc. v. GTE California Inc. For wrongful re-programming of tandem switches for the purpose of preventing telephone calls originating in GTE California, Inc.'s territory from being completed in accordance with the Local Exchange Routing Guide. **Dismissed. This proceeding is closed.**
- D97-11-038      I95-07-003 - Investigation for the purpose of establishing a list for the fiscal years 1996-97 and 1997-98 of existing and proposed crossings at grade of city streets, county roads, or state highways most urgently in need of separation, or projects effecting the elimination of grade crossings by removal or relocation of streets or railroad tracks, or existing separations in need of alteration or reconstruction as contemplated by Section 2452 of the Streets and Highways Code. **Corrects clerical errors in D97-06-051, as set forth.**
- 11/12/97      D97-11-039      A97-09-048 - TCI Telephony Services of California, Inc.

- For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service. **Granted. This proceeding is closed.**
- D97-11-040      A97-09-052 - One Step Billing, Inc. For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service. **Granted. This proceeding is closed.**
- D97-11-041      A97-10-007 - Travelers Telecommunications, Inc. For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service. **Granted. This proceeding is closed.**
- D97-11-042      A97-10-005 - CRG International, Inc. For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service. **Granted. This proceeding is closed.**
- D97-11-043      A97-10-010 - PTT Telekom, Inc. For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service. **Granted. This proceeding is closed.**
- 11/13/97      D97-11-044      C94-05-019 - RFA Natural Gas, Inc. vs. Pacific Gas and Electric Company for failure to enter into contract negotiations in good faith with respect to 11/1/93 agreement and has engaged in unfair and discriminatory pricing and contracting practices. **Dismissed with prejudice upon written request of complainant.**
- D97-11-045      A89-10-053 - Kern County Department of Public Works. To construct a highway crossing at grade over the tracks of the Southern Pacific Transportation. **Dismissed without prejudice.**
- D97-11-046      A97-09-013 - SmarTalk TeleServices, Inc. For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service. **Granted. This proceeding is closed.**
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COMMISSION MEETING OF 11/5/97

- 11/5/97      D97-11-004      A97-06-045 - Hillcrest Water Company (Hillcrest) and Daryl E. Morrison. For authority to pledge all of the shares of Hillcrest to Feather River State Bank as security for a loan. **Granted. This proceeding is closed.**
- D97-11-005      I96-02-043 - Communication 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 carrier to another, and other requirements for long distance carriers. **Denies motion of CTS to sanction Greenlining for sending a letter to CTS's attorneys which attempted to change their representation of CTS. Denies Greenlining's intervenor compensation request for the time spent on the letter and resulting litigation.**
- D97-11-006      A94-12-029 - Santa Clara Valley Transportation Authority (formerly Santa Clara County Transit District). For authority to construct pedestrian crossings of its tracks and the tracks of the Peninsula Corridor Joint Powers Board near Castro Street in Mountain View, Santa Clara County. **Granted. This proceeding is closed.**
- D97-11-007      A97-04-031 - City of Stockton (City). For authority to construct March Lane at separated grades across the tracks of Union Pacific Railroad Company in Stockton, San Joaquin County. **Granted. The City is also authorized to install a shoofly track and temporary crossings during construction. Upon completion of the underpass, the temporary crossings, existing March Lane grade crossing (Crossing 4-97.1) shoofly tracks shall be physically removed. This proceeding is closed.**
- D97-11-008      A97-02-042 - Wondewossen Mekbib, dba Green Earth Airport Shuttle. For authority to operate as an on-call passenger stage between the City of San Francisco and San Francisco International Airport. **Granted. This proceeding is closed.**

- D97-11-009      A97-06-054 - Eissa Hassan Mohammed, Ahmed Mohamed Zarroug, Kmel Sadek Bashir and Mowafi Mohamed Ginawi, dba International Shuttle, and Seyd M. Saidi, dba International Shuttle. For authority to transfer a certificate of public convenience and necessity as airport shuttle to and from Oakland International Airport. **Granted. This proceeding is closed.**
- D97-11-010      A91-03-057 - KVS, Inc. For a hearing on the Commission Resolution CE 12-90 suspending carrier operations for failure to comply with various citations. **Petition for modification of D91-08-001 is moot. This proceeding is closed.**
- D97-11-011      A97-07-040 - SA Telecommunications, Inc. (SA) and AddTel Communications, Inc. (AddTel). For approval of agreement for SA to purchase 100% of AddTel's issued and outstanding stock. **Following purchase, AddTel will be a wholly-owned subsidiary of SA and will continue to provide interLATA service as a switchless reseller in its current name. AddTel's certificate of public convenience and necessity (D93-03-016) will not be transferred to SA, but will remain in AddTel's name. This proceeding is closed.**
- D97-11-012      A97-08-051 - San Diego Gas & Electric Company (SDG&E). For authority to issue short-term obligations in the form of promissory notes and commercial paper in the aggregate principal amount up to \$200,000,000 until December 31, 2002. **Granted. This authorization is in addition to the aggregate principal amount of notes otherwise authorized without Commission approval by Public Utilities Code Section 823 (c). This proceeding is closed.**
- D97-11-013      A95-11-057 - San Diego Gas & Electric Company, Southern California Edison Company, and Pacific Gas and Electric Company. For an order approving modification to Uniform Standard Offer No.1 and Standard Offer No.3 and modifications to Uniform Standard Offer No.1. A96-01-008, A96-01-014 - Related matters. Certain broadly applicable proposals to change the methodology for setting as-available capacity payments which are required under Uniform Standard

- Offer 1 and Standard Offer 3 are found to exceed the limited scope of this proceeding and are not considered herein. D96-10-036 contemplated setting capacity payments for new standard offers at zero during 1997, but the Commission is now persuaded that resolution of disputed factual questions requires a procedural schedule which is inconsistent with the limited time contemplated for applicability of the policy change. **Tables consideration of the proposed policy modification and orders closure of the proceeding, while recognizing that a proceeding addressing the broader policy issues associated with as-available capacity payments would be appropriate. This proceeding is closed.**
- D97-11-014      A96-02-056 - Southern California Edison Company (Edison). For authority to modify D96-12-083 (our decision regarding cost recovery for Palo Verde Nuclear Generating Station) so that it may recover \$1.7 million of administrative and general expenses annually through 2001. **Petition for modification of D96-12-083 by Southern California Edison Company is granted. The \$1.7 million had not been included in the Palo Verde costs authorized in D96-12-083. This proceeding is closed.**
- D97-11-015      A97-07-019 - Dial-A-Ride Transit Systems, Inc. For authority to operate an on-call passenger stage corporation between the cities or communities of Anaheim, Buena Park, Costa Mesa, Irvine, Laguna Hills, Laguna Beach, and Newport Beach, on the one hand, and Los Angeles Harbor, Los Angeles International and John Wayne Airports, on the other hand. **Granted. This proceeding is closed.**
- D97-11-016      C96-12-052 - Richard D. Corson, Juanita A. Corson and Richard DeWorken vs. Pacific Bell Telephone Company. For unlawful wiretaps and failure to provide private telephone services. **Denied. This proceeding is closed.**
- D97-11-017      A96-07-009 - Southern California Edison Company (Edison). For authority to adopt the performance based ratemaking and incentive based ratemaking mechanisms specified in D.95-12-063, as modified by D.96-01-009, and related changes. A96-07-018 - Related matter. **Determines that the proposal of Edison for approval**

- of a contingency cost recovery plan that would remain in effect while divestiture of its non-must-run gas-fired generating plants is pending is not permitted under governing statutes. Dismissed with prejudice.**
- D97-11-018      A97-07-004 - MTX, Inc. (MTX) and ConnectOne Communications Corporation. For authority to acquire MTX's customer base. MTX's public convenience and necessity suspended for one year at expiration of which period it will be considered voluntarily surrendered and canceled. **Granted. This proceeding is closed.**
- D97-11-019      A96-03-051 - Pacific Gas and Electric Company (PG&E). For authority to sell the Placer County Canal System to Placer County Water Agency pursuant to Public Utilities Code Section 851. **Granted. Protest of Simpson Ranch, a California Limited Partnership, denied as the relief requested is unnecessary to preservation of protestant's rights. This proceeding is closed.**
- D97-11-020      A96-12-045 - GTE California Incorporated and Contel of California, Inc. For approval of elimination of charges for Nonpublished/Nonlisted services and offsetting increase of rates for residential flat and measured services. **Finds the market for applicants' local telephone service is competitive within the terms of Public Utilities Code Section 2893(e). Dismissed. This proceeding is closed.**
- D97-11-021      R84-12-028 - Rulemaking on the Commission's own motion for purposes of compiling the Commission's rules of procedure in accordance with Public Utilities Code Section 322 and considering changes in the Commission's Rules of Practice and Procedure. **Makes minor changes to final SB 960 rules, as set forth in Decision 97-07-065. Comments on these changes are due within 15 days.**
- D97-11-22      R94-04-031 - Order instituting rulemaking on the Commission's proposed policies governing restructuring California's electric service industry and reforming regulation. I94-04-032 - Related matter. This decision addresses disputed issues related to 1) the transfer of funding from Southern California Edison Company

- (SCE), Pacific Gas and Electric Company and San Diego Gas & Electric Company to the California Energy Commission (CEC) for research, development and demonstration (RD&D) and 2) funding responsibilities for renewable energy sources. **Interim Order - grants SCE's June 3, 1997 Petition For Modification of Decision (D.) 97-04-044 and Clarification of Commission RD&D Balancing Account Policy. Clarifies that beginning January 1, 1998, funding for public interest RD&D will be transferred to the CEC from the utilities' authorized RD&D balancing account funds. We find that this clarification is consistent with the intent of D.97-04-044. We also find that all three utilities are responsible under Public Utilities Code Section 381(d) to contribute a pro rata share of any amounts collected during the first quarter of 2002 in order to provide \$540 million in total funding for renewables. This decision also approves the Low Income Governing Boards's (LIGB) September 19, 1997 proposal to add two public members, increasing the number of public members on the LIGB to eight. Within 20 days of the effective date of this decision, individuals interested in serving on the LIGB should submit a letter with a summary of their qualifications to the LIGB and the Commission, as described in this decision.**
- D97-11-023      A95-02-011 - GTE California Incorporated (GTEC) and Pacific Bell (Pacific). Application pursuant to D.90-10-039, for modification of D.88-09-030 and D.89-12-048 to eliminate the requirement for annual rate adjustment filings to reflect the impact of the Uniform System of Accounts rewrite and for modification of Resolution T-15696 to eliminate the Uniform System of Accounts adjustment required therein of \$11.527 million for 1995. A95-05-018 - Related matter. **Interim Order - Grants GTEC's and Pacific's petition to modify D.96-11-006 by suspending any further Uniform System of Accounts rewrite step-down rate reductions until the Commission rules on the merits of the utilities' applications for authority to eliminate their annual step-down reductions.**
- D97-11-024      R95-04-043 - Order instituting rulemaking on the Commission's own motion into competition for local



- exchange service. I95-04-044 - Related matter. **Affirms the obligation of all telecommunications carriers to route and terminate calls of other carriers irrespective of whether they are satisfied with underlying intercarrier compensation arrangements. Separate procedural remedies are available to resolve inequities in compensation.**
- D97-11-025 R95-04-043 - Order instituting rulemaking on the Commission's own motion into competition for local exchange service. I95-04-044 - Related matters. **Modifies Ordering Paragraph 4 of Decision 97-04-046 which requires a \$2,000 deposit from Competitive Local Carriers (CLCs) filing petitions for facilities-based Certificate of Public Convenience and Necessity (CPCN) authority within California to cover the Commission's costs of complying with the California Environmental Quality Act. Relieves CLCs from complying with the Ordering Paragraph if they are seeking CPCN for authority only within the territories of Roseville and/or Citizens Telephone Company.**
- D97-11-026 A96-12-009 - Pacific Gas and Electric Company (PG&E). For authority to identify and separate components of electric rates, effective January 1, 1998. A96-12-011, A96-12-019 - Related matters. Addresses two petitions to modify Decision 97-08-056 with regard to the method of calculating the Competition Transition Charge on customer bills. **Denies petition for modification of D97-08-056 filed by PG&E, Edison, et al. Petition for modification of D97-08-056 filed by the California Energy Commission, the Center for Energy Efficiency and Renewable Technologies, et al, is granted to the extend set forth. Declines to adopt any substantive changes to the method at this time.**
- D97-11-027 A96-02-030 - Catalina Explorer Co., Inc. For a certificate of public convenience and necessity to operate as a vessel common carrier between Dana Point and Avalon. A96-04-013 - Related matter. Addresses two consolidated applications for authority to operate vessel common carrier services between Santa Catalina Island and the California mainland. **Granted in part and denied in part. These proceedings are closed.**

- D97-11-028      A96-12-047 - GTE Card Services Incorporated. For authority to expand its certificate of public convenience and necessity to operate as a facilities-based provider of local exchange services with the territories of GTE California and Pacific Bell. **Granted in part and remanded in part, as set forth.**
- D97-11-029      C95-08-039 - Bayside Village, The Fillmore Center and North Point Apartments vs. Pacific Bell (Pacific). **Finds that Pacific has violated Public Utilities Code Section 532 and D92-01-023 by charging customers and property owners for work on certain telephone facilities referred to as cross-connects. The Commission has defined cross-connects as utility property and not, as Pacific asserts, inside wire which is unregulated. Pursuant to D92-01-023, Pacific is responsible for all work on cross-connects. Pacific's tariffs do not permit Pacific to charge customers for such work. The decision orders Pacific to cease immediately from charging all customers and property owners for work on cross-connects, to proceed to refund past overcharges to complainants and their tenants, and to propose a process for identifying and notifying property owners and customers who may have been charged in error for work on cross-connects.**
- D97-11-030      A96-11-020 - Pacific Gas and Electric Company (PG&E). For authority to sell certain generating plants and related assets pursuant to Public Utilities Code Section 851. **Interim order - PG&E shall require as a condition of sale of the Moss Landing Power Plant and Oakland Power Plant, that the successful bidder enter into an agreement with the Independent System Operator (ISO) substantially in the form filed by the ISO with the Federal Energy Regulatory Commission on March 31, 1997 or provide a certificate of the ISO to the effect that it has determined that the related plant is not required for the ISO's purposes. PG&E shall require the successful bidder to disclose to the Commission all other generation assets in California under common ownership or control with the bidder. PG&E shall require the successful bidder to enter into an Operation and Maintenance Agreement**

- substantially in the form attached to its application.**
- D97-11-031 R94-04-031 and I94-04-032 - Commission order instituting rulemaking on its proposed policies governing restructuring California's electric services industry and reforming regulation. Disposition of applications for rehearing of D96-04-054, filed by Energy Producers and Users Coalition, University of California and California State University, Texas-Ohio West, Inc., Merced Irrigation District and Foster Poultry Farms, Agricultural Energy Consumers Association, City and County of San Francisco, Praxair, Inc. and Destec Power Services, Inc., California Manufacturers Association, and California Independent Petroleum Association. **Denies application for rehearing of D96-04-054.**
- D97-11-032 I93-05-004 - Commission Order Instituting Investigation into the passenger stage corporation operations of Prime Time International Shuttle, Inc. to determine if "independent contractors" were used; rights were leased to unauthorized subcarriers; drivers were required to pay workers comp; rates weren't posted in vehicles; annual report wasn't filed. **Decision D97-11-032 was issued in error and is rescinded.**
- D97-11-033 C96-08-028 - Disposition of the application filed by Palm Springs Mobilehome Properties, dba Sahara Mobilehome Park, for rehearing of D.97-07-009. This matter concerns the costs that may be charged to mobilehome park tenants for natural gas service delivered through a submetered distribution system. **Denies application for rehearing of D97-07-009 by Sahara Park. Complainant's motion to strike the application for rehearing is denied.**
- D97-11-034 A96-08-040 - AT&T Communications of California, Inc. (AT&T). For arbitration pursuant to Section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell. **Petition for modification of Decision 96-12-034 filed by AT&T regarding access charges imposed in addition to unbundled network element charges is denied. This proceeding is closed.**
- D97-11-035 A96-04-038 - Disposition of application for rehearing of

- D97-03-067 (concerning the merger of SBC Communications, Inc. and Pacific Telesis Group) filed by The Utility Reform Network (TURN), and of the petition for modification of that decision filed by the Office of Ratepayer Advocates (ORA). **Application for rehearing of D97-03-063 by The Utility Reform Network and petition for modification of D97-03-063 by Office of Ratepayer Advocates are denied in part and granted in part.**
- 10/22/97
- R97-10-048 - Order instituting rulemaking on the Commission's own motion to provide guidelines for the acquisition and mergers of water companies.
- R97-10-049 - Order instituting rulemaking on the Commission's own motion to set rules and provide guidelines for the privatization and excess capacity as it relates to investor owned water companies.
- R97-10-050 - 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

- 11/5/97      E-3492      Advice Letter 950-E/975-G of San Diego Gas & Electric (SDG&E). For approval of SDG&E's proposal to change its Delinquent Notices-Closing Accounts (101-321) form; and its proposal to reduce the number of notices mailed to closing bill customers from three to two; et. al.  
**Adopted.**
- E-3502      Advice Letter 1662-E/2014-G of Pacific Gas and Electric Company (PG&E). This alternate resolution approves PG&E's request to tariff installation of pulse-metering and recording devices on customers' standard metering equipment is granted with certain modifications.  
**Adopted.**
- E-3506      Advice Letter 1247-E and 1247-E-A of Southern California Edison Company (Edison). This alternate

- resolution approves Edison's derivatives advice letter, subject to a maximum program limitation of \$150 million and other conditions. **Adopted.**
- G-3226 Advice Letter 2478-G of Southern California Gas Company. Requests to establish a memorandum account to record and track intervenor compensation payments authorized by the Commission. **Adopted. The protest of DRA is denied.**
- T-16087 Advice Letter 18978 of Pacific Bell (Pacific). Request for approval of an interconnection agreement between Fred Daniel d/b/a Orion Telecom and/or C-Fone and Pacific pursuant to Section 252 of the Telecommunications Act of 1996. **Adopted.**
- T-16089 Advice Letter 18507 of Pacific Bell. Request for approval of an administrative budget for the California High Cost Fund (CHCF) also known as the California High Cost Fund A (CHCF-A) for 1997. Advice Letter 18507 as supplemented requests an administrative budget of \$115,500 to be paid out of the CHCF/CHCF-A. **Adopted.**
- TL-18820 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-18821 Resolution denying issuance of charter-party carrier authority, highway carrier authority and hold goods carrier authority for failure to satisfy statutory provisions of the Public Utilities Code and Commission General Orders **Adopted.**
- W-4077 Baycliff Water Company. Order authorizing a general rate increase producing additional annual revenues of \$10,430 or 85.21% in 1997. **Granted.**

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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**

**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.*

11/17/97	A96-04-038	Pacific Telesis Group, to transfer and SBC Communications Inc., to acquire control of Pacific Bell, which will occur indirectly as a result of Telesis' merger with a wholly owned subsidiary of SBC, SBC Communications (NV) Inc.
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**Summary:** On November 12, 1997, Mark Savage, counsel for the Southern Christian Leadership Conference, National Council of La Raza, Korean Youth and Community Center, Association of Mexican-American Educators, California Association for Asian-Pacific Bilingual Education, California Association for Bilingual Education, Korean Community Center of the East Bay, Filipinos for Affirmative Action, and Filipino Civil Rights Advocates (Intervenors), sent a letter (attached to the notice) to Lester Wong, advisor to Cmmr. Bilas. The letter presented a question of whether the organizational charter meets the Commission's purposes under D97-11-035, and it provided information about the seven months of work by the nine community signatories and their efforts to meet the Commission's concerns for independence and public accountability.

**Filer: Intervenors**

**Contact: Daisy Muhammad**

**Phone: (415) 431-7430**

11/18/97	A96-07-001	Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company, for approval of a loan guarantee and trust mechanism to fund expenditures up to the amount of \$250 million for development and implementation of an independent system operator (ISO) and a power exchange (PX) by January 1, 1998.
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**Summary:** On November 14, 1997, Keith McCrea, attorney for the California Manufacturers Association, met with Cmmr. Knight, in San Francisco. Also present was Michael Perreira, Manager, Purchasing, Transportation, Energy—Western Area, Owens-Brockway Glass Container, Inc. McCrea stated that the loan guarantees, in regard to the utilities request for Section 376 treatment of ISO and OX costs, did not constitute funding within the meaning of Section 376 regardless of how the ISO and PX charge the utilities and other users for their services. McCrea stated that Section 376 does not provide for recovery of such costs unless utilities provided original funding.

**Filer: CMA**

**Contact: Dianne Raley**

**Phone: (202) 383-0679**

11/18/97	A96-08-001	Pacific Gas and Electric Company, for approval of valuation and categorization of non-nuclear generation related sunk costs eligible for recovery in the competition transition charge,
	A96-08-006	San Diego Gas & Electric Company, to identify and value the sunk costs of its non-nuclear generation assets,
	A96-08-007	Southern California Edison Company, to identify and value the sunk costs of its non-nuclear generation assets,
	A96-08-070	Pacific Gas and Electric Company, to establish the competition transition charge,
	A96-08-071	Southern California Edison Company, to estimate transition costs and establish a transition cost balancing account; transition cost executive summaries; transition cost policy; transition cost collection; 1998 market price used to determine transition costs; transition costs for nuclear generation; transition costs for fossil generation; fuel and fuel transportation contract obligations; plant-related sunk costs and rate base for fossil generation; transition costs for hydro generation; transition costs arising from interutility contracts; transition costs for regulatory assets, obligations, and balancing accounts; early retirement, severance, and retraining transition costs; and transition costs ratemaking attached, and
	A96-08-072	San Diego Gas & Electric Company, to estimate transition costs and establish a transition cost balancing account; prepared direct testimony attached.

**Summary:** On November 14, 1997, Bruce Williams, Principal Regulatory Project Administrator for San Diego Gas and Electric Company (SDG&E), met with Cmmr. Duque, in San Francisco. Also present were: Michelle Cooke, advisor to Cmmr. Duque; and other parties as listed on the attached sign-in sheet. Williams stated that SDG&E commends ALJ Minkin's efforts in preparing the Phase 2 proposed decision (PD) and that the Company in the main supports the PD as drafted. Williams stated three areas which

SDG&E believes should be changed: 1) The implementation date for the reduced rate of return should be January 1, 1998. 2) SDG&E will incur fixed costs during the first 90 days of 1998 which will likely not be recovered by ISO or PX revenues. 3) SDG&E asks that the truing-up of expenses and revenues not be done on a monthly basis, but rather annually so that seasonal variations as well as maintenance cycles may be properly accounted for.

**Filer: San Diego Gas & Electric Company**

**Contact: Elizabeth M. Totah**

**Phone: (415) 346-1385**

**Summary:** On November 14, 1997, James Scarff, attorney for the Office of Ratepayer Advocates (ORA), met with Cmmr. Duque, in San Francisco. Also present were: Michelle Cooke, advisor to Cmmr. Duque; John Scadding, advisor to Cmmr. Conlon; Chris Danforth, and Mark Loy, for ORA; Jana Corey, Jim Macias, Bev Alexander, and Bill Manheim for PG&E; Russ Worden, Frank McNulty, and Bruce Foster for Southern California Edison Company; Bruce Williams for SDG&E; Bob Finkelstein for TURN; Michael Alcantar and Jim Ross for CAC/EPUC; Catherine George for Enron; Tom Sparks for Unocal Geothermal; Karen Mills for the California Farm Bureau; Keith McCrea for the CMA; Diane Fellman for the City of San Diego; and Jim Squeri for the CRA. ORA stated that it agreed that the interval for calculating any generation revenue surplus should be annual rather than monthly. ORA stated that it would support PG&E's proposal that the Commission assume that the market value of materials and supplies equaled its book value. ORA stated its support for the conclusion of the Proposed Decision (PD) regarding application of a reduced rate of return for the second half of 1997. ORA stated that the PD correctly identifies that the utilities faced less risk during the second half of 1997 as a result of AB 1890 and the transfer of over-collections to the Interim Transition Cost Balancing Account. ORA stated that Edison's concern about under-collections in the 1997 ECAC balancing account was irrelevant because those under-collections are CTC assets and are less than they would have been but for the rate freeze imposed for 1997. ORA also supported the Proposed Decision's findings regarding the application of the 1997 cost of debt to all three utilities in calculating the reduced return on equity. ORA stated that it agreed with SDG&E that the utility should be allowed to apply for recovery of reasonable costs associated with operation of its must-run plants during the first 90 days of 1998 before they are eligible for cost recovery under the ISO agreement B.

**Filer: Office of Ratepayer Advocates**

**E-Mail: [mnt@cpuc.ca.gov](mailto:mnt@cpuc.ca.gov)**

**Contact: Susie Toy**

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

**Summary:** On November 14, 1997 Keith McCrea, attorney for California Manufacturers Association, was present at an all party meeting with Cmmr. Duque, in San Francisco. Also present were the parties listed on the sign-up sheet (attached to notice). McCrea stated his support for the Proposed Decision and indicated that the issues raised by the utilities were relatively narrow in scope. McCrea stated his opposition to the SDG&E request for CTC treatment relating to operation of must-run plants under Agreement A for 90 days. Agreement A should not be permitted.

**Filer: CMA**

**Contact: Dianne Raley**

**Phone: (202) 383-0679**



11/18/97      A96-08-043      Pacific Gas and Electric Company, to restructure and establish natural gas rates; modify its core aggregation and core subscription programs; obtain approval of the principles of a post-1997 core gas procurement incentive mechanism; and obtain approval of principles for disposition of its gas gathering facilities and Related Matters.

A92-12-043  
A93-03-038  
A94-05-035  
A94-06-034  
A94-09-056  
A94-06-044  
R90-02-008  
R88-08-018  
R92-12-016  
I92-12-017  
A92-07-049  
A95-02-008  
A95-02-010  
A94-11-025  
A93-04-011  
A94-04-002  
A95-04-002  
A96-04-001  
A94-12-039

**Summary:** On November 14, 1997, Keith McCrea attorney for the California Manufacturers Association, met with Cmmr. Knight, in San Francisco. Also present was Michael Perreira, Manager, Purchasing, Transportation, Energy—Western Area, Owens-Brockway Glass Container, Inc. McCrea stated that the draft resolution would require that the \$80 million buyout by Edison be credited to Line 401 capital costs rather than allowing PG&E shareholders to retain it. McCrea stated that although this treatment is favorable to noncore customers, it would amount to a material and substantial change in the Gas Accord bargaining and should not be adopted.

**Filer:** CMA

**Contact:** Dianne Raley

**Phone:** (202) 383-0679

11/19/97      A95-05-030      Roseville Telephone Company, for authority to increase its intrastate rates by \$26,890,729 effective 1/1/96 and adopt the new regulatory framework proposal and Commission Order Instituting Investigation, into the rates, charges, service, practices and regulation of Roseville Telephone Company; consolidated with A95-05-030.

I95-09-001

**Summary:** On November 14, 1997, Michael Campbell, Executive Director—Regulatory for Roseville Telephone Company (Roseville), met with Jose Jimenez, advisor to Cmmr. Conlon, in San Francisco. Also present was Greg Gierczak, Executive Director—Regulatory for Roseville. Campbell and Gierczak asked that the Commission modify the proposed decision in order to account for the complete recovery of the revenue shortfall which results from rate design errors related to the ZUM area changes adopted in the rate case decision from the date the new rates were implemented

**Filer: Roseville**

**Contact: Maria Incardona**

**Phone: (415) 433-1900**

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