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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 Tuesday, December 2, 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
- 



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.

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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>   |
|------------------------|---------------------|---|
| 12/5/97, 10 am - 12 pm | Henry M. Duque      | Veterans Affairs Building<br>1227 "O" Street, Room 404<br><b>Sacramento</b> |
| 12/10/97, 9 am - 12 pm | Josiah L. Neeper    | State Office Building<br>1350 Front Street, Room 4006<br><b>San Diego</b>   |

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**PUBLIC MEETINGS & WORKSHOPS**

**Public Meeting**

|  |  |
|--|--|
| <i>December 2, 1997<br/>9 am - 12 noon</i> | <i>Deaf and Disabled Telecommunications Program<br/>San Francisco Marriott Hotel<br/>55 Fourth Street (ROOM TO BE ANNOUNCED)<br/>San Francisco</i> |
|--|--|

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<br/>9:30 am - 4</i> | <i>Pacific Gas and Electric Company Energy Center<br/>851 Howard Street<br/>(1 block west of the Moscone Center)<br/>San Francisco</i> |
|---|--|

The Technical Advisory Committee for the California Board for Energy Efficiency will meet to discuss the RFP for program administrators and the RFP process, including comments on the filing; SPC programs and new programs in 1999 and beyond; New Program and SPC subcommittee activities; and the Board's addendum to its filing regarding the October 24 Public Workshop related to 1998 utility programs. The nonresidential SPC subcommittee will meet from 8 a.m. until the TAC meeting starts at 9:30 and again during the lunch hour beginning at noon to discuss SPC programs in 1999 and beyond. The contact person is Beverly Coleman (415) 564-3082.

**Public Meeting**

|   |  |
|---|--|
| <i>December 2, 1997<br/>12 noon - 1</i> | <i>Deaf and Disabled Telecommunications Program<br/>San Francisco Marriott Hotel<br/>55 Fourth Street (ROOM TO BE ANNOUNCED)<br/>San Francisco</i> |
|---|--|

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<br/>1 pm - 4</i> | <i>Deaf and Disabled Telecommunications Program<br/>San Francisco Marriott Hotel<br/>55 Fourth Street (ROOM TO BE ANNOUNCED<br/>San Francisco</i> |
|--------------------------------------|---|

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<br/>9:30 am - 4</i> | <i>California Public Utilities Commission<br/>505 Van Ness Avenue, Room 5305<br/>San Francisco</i> |
|---|--|

The California Board for Energy Efficiency will meet to discuss the RFP for independent administrators and governing rules, utility pre-1998 commitments, assets and liabilities, program funding levels, the CBEE 1988 budget and other Board operational matters, utility 1998 program plans and associated reports to the ALJ, 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**

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

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 3, 1997<br/>10 am - 4pm</i>   | <i>Wyndham Hotel at Los Angeles Airport<br/>6225 West Century Boulevard<br/>Los Angeles</i>       |
| <i>With a Break for Lunch<br/>(A brief break will be called prior to lunch)</i> | <i>To join via teleconference at your own expense:<br/>dial (303) 633-6220; Passcode 1376417#</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 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<br/>9 am - 5 pm</p> | <p>Double Tree Club Hotel<br/>(Orane County Airport)<br/>7 Hutton Center Drive<br/>Santa Ana</p> |
|---|--|

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 REVISED TIMES AND AGENDA ITEMS (as of November 20, 1997)**

|                         |   |
|-------------------------|---|
| <p>December 4, 1997</p> | <p>Wyndham Hotel at Los Angeles Airport<br/>6225 West Century Boulevard<br/>Los Angeles</p> <p>To join via teleconference at your own expense:<br/>dial (415) 904-8901; Passcode 6143668#</p> |
|-------------------------|---|

**The Administrative Subcommittee will meet from 9 a.m. to 10 a.m.**  
**The Financial Fiscal Management Subcommittee will meet from 10 a.m. to 11 p.m.**  
**The Data Systems Subcommittee will meet from 11 a.m. to 12 p.m.**  
**The entire Advisory Committee will meet from 12:30 p.m. to 4 p.m.**

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, subcommittee reports, utility presentations, 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). Amy Hopper is the contact person at (510) 251-2888, extension 2015.

**Public Meeting**

|                         |  |
|-------------------------|--|
| <p>December 5, 1997</p> | <p>Offices of Graham &amp; James LLP</p> |
|-------------------------|--|

(Friday)  
9:00 am - 12 noon

Third Floor Reception Area (ask for M. Mattes)  
1 Maritime Plaza (Clay Street at Front Street)  
**San Francisco**

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**

December 5, 1997  
9 am - 5 pm

Double Tree Club Hotel  
(Orange County Airport)  
7 Hutton Center Drive  
**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**

December 9, 1997  
10 am - 4pm

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

With a Working Lunch  
(A brief break will be called prior to lunch)

**To join via teleconference at your own expense:  
dial (415) 904-2864; Passcode 6687053#**

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 December 9, 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, December 10 filing, 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**

December 10, 1997

California Public Utilities Commission  
505 Van Ness Avenue, Room 4300  
**San Francisco**

|  |  |
|--|--|
|  | <b><i>To join via teleconference at your own expense:<br/>dial (415) 904-2864; Passcode 6680753#</i></b> |
|--|--|

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 December 10, 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, December 10 filing, update on the Executive Coordinator role, new Board member identification, 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.

### ***Public Meeting***

|  |   |
|--|---|
| <i>December 11, 1997<br/>9:30 am - 3:30 pm</i> | <i>Deaf and Disabled Telecommunications Program<br/>1939 Harrison Street<br/>DDTP Conference Room, Suite 555<br/><b>Oakland</b></i> |
|--|---|

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 11, 1997<br/>9:30 am - 4pm</i> | <i>Pacific Gas and Electric Company Energy Center<br/>851 Howard Street<br/>(1 block west of the Moscone Center)<br/><b>San Francisco</b></i> |
|--|---|

The California Board for Energy Efficiency will meet to discuss the RFP for independent administrators and governing rules, utility pre-1998 commitments, assets and liabilities, program funding levels, the CBEE 1988 budget, work plan and other Board operational matters, utility 1998 program plans and associated reports to and decisions by the ALJ, 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***

|  |   |
|--|---|
| <i>December 15, 1997<br/>9 am - 5 pm</i> | <i>Caltrans (<b>REVISED LOCATION</b>)<br/>111 Grand Avenue<br/><b>1<sup>st</sup> Floor Auditorium (REVISED LOCATION)</b><br/><b>Oakland</b></i> |
|--|---|



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**

|  |  |
|--|--|
| <p>December 16, 1997<br/>9 am - 5 pm</p> | <p>Caltrans (<b>REVISED LOCATION</b>)<br/>111 Grand Avenue<br/>1<sup>st</sup> Floor Auditorium (<b>REVISED LOCATION</b>)<br/>Oakland</p> |
|--|--|

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**

|  |  |
|--|--|
| <p>December 16, 1997<br/>10 am - 4pm</p> <p>With a Break for Lunch<br/>(A brief break will be called prior to lunch)</p> | <p>Pacific Gas and Electric Company Energy Center<br/>851 Howard Street<br/>(1 block west of the Moscone Center)<br/>San Francisco</p> <p>To join via teleconference:<br/>dial (303) 633-1013; Passcode 2362359#</p> |
|--|--|

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 also participate in the meeting on **December 16, 1997** by calling **303-633-1013**.

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, 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 17, 1997<br/>10 am - 4pm</p> | <p>Pacific Gas and Electric Company Energy Center<br/>851 Howard Street<br/>(1 block west of the Moscone Center)<br/>San Francisco</p> |
|--|--|

*With a Break for Lunch*  
*(A brief break will be called prior to lunch)*

**To join via teleconference:**  
**dial (303) 633-1880; Passcode 6687053#**

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 **303-633-1880** on **December 17, 1997**.

The Low Income Governing Board Advisory Committee will meet to discuss the following agenda items: Continuation in addressing issues related to the transition of the programs and planning for upcoming meetings. 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**

*December 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**

*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

C92-02-032

**CORRECTION FROM THE DAILY CALENDAR OF NOVEMBER 21, 1997.**

**(47th Supplemental) W. Victor vs. GTE California, Inc., GTE Corporation and Does 320-329, for**

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|          |            |   |
|----------|------------|---|
| 11/18/97 | C92-02-032 | correction of telephone billing of \$1955.95 due to billing errors<br><b>CORRECTION FROM THE DAILY CALENDAR OF NOVEMBER 21, 1997.</b><br>(48th Supplemental) W. Victor vs. GTE California, Inc., GTE Corporation and Does 340-349, for correction of telephone billing of \$340.63 due to billing errors  |
| 11/19/97 | I95-04-044 | <b>CORRECTION FROM THE DAILY CALENDAR OF NOVEMBER 26, 1997. Please note that A97-11-029 was incorrectly docketed.</b><br><b>Petition #95</b> , Phoenix Integration Corporation, for a certificate of public convenience and necessity to operate both as a facilities-based carrier and reseller to offer local exchange, access and interexchange services |
| 11/25/97 | A97-11-038 | Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company, for an order exempting them from the provisions of CPU Code Section 851 or in the alternative for authority to convey operational control of designated transmission lines and associated facilities to an independent system operator          |

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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**

NONE FILED

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**MISCELLANEOUS TRANSPORTATION ITEMS**

**December 2, 1997**

Filings with Safety and Enforcement

**NONE**

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

|            |   |
|------------|---|
| R93-04-003 | Reed-Commission Order Instituting Rulemaking, open access to bottleneck services, etc., and related matter, |
| I93-04-002 | <b>Evidentiary Hearing held and continued to 9 am, December 8, San Francisco</b>                            |
| A97-03-012 | Weiss-MHC Acquisition One, L.L.C., CPCN, <b>Evidentiary Hearing held and no report given</b>                |

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**REMOVALS FROM CALENDAR**

**NONE**

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**NEW SETTINGS**

|               |            |   |
|---------------|------------|---|
| 12/9/97       | 10:00 am   | (PHC)-San Diego Gas & Electric Company, for annual energy cost adjustment clause for the period from 5/1/97 to 4/30/98,   |
| ALJ Henderson | A96-10-022 | <b>Commission Courtroom, San Francisco</b>  |
| Comr Neeper   |            |   |
| 12/11/97      | 10:00 am   | (PHC)-Pacific Gas and Electric Company, for authority to increase the price of water delivered to the El Dorado Irrigation District from the El Dorado Project, effective in 1998 and 1999, |
| ALJ Patrick   | A97-11-012 | <b>Commission Courtroom, San Francisco</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.

|          |         |                |
|----------|---------|----------------|
| 12/2/97  | 9:30 am | NONE SCHEDULED |
| 12/9/7   | 9:30 am | NONE SCHEDULE  |
| 12/16/97 | 9:30 am | NONE SCHEDULE  |

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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.*

**(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**

|            |            |   |
|------------|------------|---|
| 12/2/97    | 9:30 am    | <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,<br><b>County Government Center, Board of Supervisors<br/>Chambers, Fifth Floor, 701 Ocean Street, Santa Cruz</b> |
| ALJ Weiss  | A97-03-012 |   |
| Comr Duque |            |   |

|             |            |   |
|-------------|------------|---|
| 12/2/97     | 10:30 am   | <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,<br><b>Office of Governmental Affairs, 1227 O Street,<br/>Fourth Floor, Sacramento</b> |
| ALJ Bennett | C97-10-077 |   |
| Comr Bilas  |            |   |

|               |            |   |
|---------------|------------|---|
| 12/2/97       | 2:00 pm    | <b>(PHC)</b> -Pacific Gas and Electric Company, for recovery of 1996 capital additions costs, and   |
| ALJ Malcom    | A97-10-014 |   |
| Comr Conlon   | A97-10-015 | <b>(PHC)</b> -San Diego Gas & Electric Company, for competition transition charge recovery of 1996 capital additions, and   |
| Comr Bilas    | A97-10-024 | <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,<br><b>Commission Courtroom, San Francisco</b>   |
|               |            |   |
| 12/4/97       | 9:00 am    | <b>(PHC)</b> -Commission Order Instituting Investigation on the Commission's own motion into the operations, practices, rates, and charges of the Hillview Water Company, a corporation, and Roger L. Forrester, the principal shareholder and president,<br><b>Oakhurst Public Library, 49044 Civic Center, Oakhurst</b> |
| ALJ Ryerson   | I97-07-018 |   |
| Comr Duque    |            |   |
|               |            |   |
| 12/4/97       | 9:30 am    | <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.,<br><b>Commission Courtroom, Los Angeles</b>       |
| ALJ Rosenthal | I94-05-040 |   |
| Comr Neeper   |            |   |
|               |            |   |
| 12/4/97       | 9:30 am    | <b>(EH)</b> -California Western Railroad, Inc., to modify scheduled commuter passenger service and obtain relief from excursion passenger service schedule and fare regulation,<br><b>Town Hall, City of Fort Bragg, 363 North Main Street, Fort Bragg</b>  |
| ALJ Garde     | A97-08-007 |   |
| Comr Conlon   |            |   |
|               |            |   |
| 12/4/97       | 10:00 am   | <b>(ECP)</b> -Leonard Bruno vs. California Real Estate Cellular Service Corp, dba AirTel, for unauthorized charges or calls not made by complainant,<br><b>Commission Courtroom, San Francisco</b>  |
| ALJ Bennett   | C97-10-079 |   |
| Comr Knight   |            |   |
|               |            |   |
| 12/4/97       | 1:00 pm    | <b>(PHC)</b> -Richard T. and Jane M. Cavin vs. Hillview water Company, for over-billing in the amount of \$11,014 for an extension to receive water service,<br><b>Oakhurst Public Library, 49044 Civic Center, Oakhurst</b>  |
| ALJ Ryerson   | C96-07-004 |   |
| Comr Duque    |            |   |

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| 12/8/97<br>ALJ Reed<br>Comr Duque          | 9:00 am<br>R93-04-003  | (EH)-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             | (EH)-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,<br><b>Commission Courtroom, San Francisco</b>       |
| 12/8/97<br>ALJ Weiss<br>Comr Conlon        | 9:30 am<br>C92-04-034  | (EH)-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,<br><b>Commission Courtroom, San Francisco</b> |
| 12/9/97<br>ALJ Stalder<br>Comr Conlon      | 9:30 am<br>A90-12-018  | (EH)-Southern California Edison Company, generate rate increase for electric service for 1992 in the amount of \$440 million, and   |
|  | I91-02-079             | (EH)-Commission Investigation into the rates, charges, and practices of Southern California Edison Company,<br><b>Commission Courtroom, San Francisco</b>   |
| 12/9/97<br>ALJ<br>Henderson<br>Comr Neeper | 10:00 am<br>A96-10-022 | (PHC)-San Diego Gas & Electric Company, for annual energy cost adjustment clause for the period from 5/1/97 to 4/30/98,<br><b>Commission Courtroom, San Francisco</b>   |
| 12/9/97<br>ALJ Bennett<br>Comr Knight      | 10:00 am<br>C97-10-038 | (ECP)-Jesus G. Gumban vs. Pacific Bell, for billing on a dropped or canceled service,<br><b>Commission Courtroom, San Francisco</b>   |
| 12/9/97<br>ALJ Wetzell<br>Comr Conlon      | 2:00 pm<br>A97-09-049  | (PHC)-San Diego Gas & Electric Company, for a permanent gas procurement performance-based ratemaking mechanism,<br><b>Commission Courtroom, San Francisco</b>   |

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| 12/10/97<br>ALJ<br>Henderson<br>Comr Duque | 10:30 am<br>C97-05-028 | <b>(EH)</b> -Clark and Gudrun Beck vs. Bishop Water Company and California American Water Company, for inadequate operational and structural maintenance of a 200,000 gallon water storage tank<br><b>Seaside Community Center, Room C, 986 Hillby Street, Seaside</b>   |
| 12/11/97<br>ALJ Walker<br>Comr Duque       | 10:00 am<br>C96-10-004 | <b>(EH)</b> -Roger Collin, Georgia Collin, and Charles Acker vs. Pacific Bell, for improper rates and toll chares,<br><b>Greenwood Community Church, 5921 South Highway 1, Elk, California (also December 12, Elk)</b>   |
| 12/11/97<br>ALJ Patrick                    | 10:00 am<br>A97-11-012 | <b>(PHC)</b> -Pacific Gas and Electric Company, for authority to increase the price of water delivered to the El Dorado Irrigation District from the El Dorado Project, effective in 1998 and 1999,<br><b>Commission Courtroom, San Francisco</b>  |
| 12/17/97<br>ALJ Malcolm<br>Comr Conlon     | 10:00 am<br>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,<br><b>Commission Courtroom, San Francisco (December 18 and 19, San Francisco)</b> |
| 1/7/98<br>ALJ McVicar<br>Comr Duque        | 9:00 am<br>C97-08-054  | <b>(EH)</b> -Carl Brandstetter vs. Holiday Retreats, Inc., Paul Derebery, Surinder S. Dang, and Gurinder Singh, for serving water without authority,<br><b>Council Chambers, City Hall, 3900 Main Street, Riverside</b>  |
| 1/9/98<br>ALJ Barnett<br>Comr Neeper       | 10:00 am<br>C97-10-076 | <b>(ECP)</b> -Lorna Shofner vs. D.C.N. Wireless, for overbilling and unfair business practices,<br><b>Commission Courtroom, Los Angeles,</b>   |
| 1/9/98<br>ALJ Barnett<br>Comr Duque        | 10:30 am<br>C97-10-078 | <b>(ECP)</b> -Fariborz Hamzel vs. Pacific Bell, for unauthorized ISDN calls,<br><b>Commission Courtroom, State Office Building, 107 S. Broadway, Los Angeles</b>   |



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| 1/12/98<br>ALJ Careaga<br>Comr Duque                 | 10:00 am<br>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,<br><b>Commission Courtroom, San Francisco</b>   |
| 1/12/98<br>ALJ Patrick<br>ALJ Stalder<br>Comr Conlon | 10:00 am<br>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<br><b>(Reasonableness Phase),<br/>Commission Courtroom, San Francisco</b>   |
| 1/14/98<br>ALJ Ramsey<br>Comr Conlon                 | 10:00 am<br>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,<br><b>Commission Courtroom, San Francisco</b>  |
| 1/22/98<br>ALJ Econome<br>Comr Bilas                 | 1:30 pm<br>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,<br><b>Commission Courtroom, San Francisco (EH), for 10 am, January 26, San Francisco (also January 27-30 and February 2-6, San Francisco),</b>  |

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| 1/27/98<br>ALJ Stalder<br>Comr Conlon | 10:00 am<br>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,<br><b>Commission Courtroom, San Francisco (also January 28, San Francisco)</b> |
| 2/9/98<br>ALJ Careaga<br>Comr Neeper  | 10:00 am<br>C96-01-019 | The City of Vernon vs. The Atchison, Topeka and Santa Fe Railway, for non-compliance with zoning,<br><b>Commission Courtroom, San Francisco</b>   |
| 2/18/98<br>ALJ Garde<br>Comr Neeper   | 9:30 am<br>A96-12-050  | <b>(EH)</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,<br><b>Commission Courtroom, San Francisco (also February 19, San Francisco)</b>   |
| 3/16/98<br>ALJ Bushey<br>Comr Knight  | 9:00 am<br>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,"<br><b>Commission Courtroom, San Francisco (also March 17-18, San Francisco)</b>  |
| 3/30/98<br>ALJ Patrick<br>Comr Bilas  | 10:00 am<br>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.,<br><b>Commission Courtroom, San Francisco (also March 31, and April 1-3, San Francisco)</b>   |

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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.*

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| 12/1/97 | 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 24, 1997, Karen Norene Mills, attorney for the California Farm Bureau Federation, contacted Cmmr. Neep in San Francisco. David Gamson, adv. to Cmmr. Neep was also present. The Proposed Decision of ALJ Minkin on Transition Cost Tariff Issues was addressed. Mills specifically discussed the issue of tracking transition cost

obligations for rate groups. Mills noted that any methodology other than a residual calculation of CTC, which sets all other components and attributes the remainder to CTC, violates Commission policy and AB 1890 and will result in cost shifting. Mills also pointed out that the CTC tracking by rate group will require several adjustments to make-up for its inconsistency with various provisions of AB 1890, thereby increasing the potential for cost shifting. The Proposed Decision indicates consideration will be given to adjusting June 1996 levels of marginal cost allocations for CTC determination would clearly be inconsistent with AB 1890. CTC tracking by rate group would greatly disadvantage any group whose electrical load shrinks during the transition period.

**Filer: California Farm Bureau Federation**

**Contact: Nancy Bogart**

**Phone: (916) 561-5651**

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