
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>

Daily Calendar Wednesday, December 17, 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

Commission Decisions and Resolutions for the Conference of December 3, 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

January 7, 1998 10:00 a.m. San Francisco

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.

The Payphone Service Provider's Enforcement Committee has proposed a Charter for approval by the CPUC. A protest must be made in writing and received within 20 days from the date of this calendar item. Protest must be delivered to Director, Telecommunications Division, 505 Van Ness Ave., Room 3203, 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 centers 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).

Date/Time Commissioner Location

NONE SCHEDULED

PUBLIC MEETINGS & WORKSHOPS

Public Meeting

<i>December 17, 1997 10 am - 1 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The California Relay Service Advisory Committee (CRSAC) of the Deaf and Disabled Telecommunications Program will hold scheduled interviews for CRSAC Open Committee Seats. 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 17, 1997 10 am - 4pm</i> <i>With a Break for Lunch (A brief break will be called prior to lunch)</i>	<i>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</i> <i>To join via teleconference: dial (303) 633-1880; Passcode 6687053#</i>
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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 **303-633-1880** 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 under "Advisory Committee". Amy Hopper is the contact person at (510) 251-2888, extension 2015.

Public Meeting

<i>December 17, 1997 1 pm - 5 pm</i>	<i>Natural Resources Defense Council 71 Stevenson Street, Suite 1825 San Francisco</i>
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The New Programs Subcommittee of the Technical Advisory Committee for the California Board for Energy Efficiency will meet to discuss (1) the program and portfolio planning process, (2) environmental externalities, and (3) data and information necessary for evaluation, and (4) the subcommittee's report to the TAC during its December 18 meeting. The contact person is Sheryl Carter at (415) 777-0220.

Public Meeting

<p>December 17, 1997 1:30 am - 4 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) San Francisco</p>
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The Universal Lifeline Telephone Service (ULTS) Trust Administrative Committee will hold its regularly scheduled monthly meeting to approve the payment of telephone claims, review and approve administrative expenses, finalize the January through June 1998 Administrative Committee meeting dates, and other general administrative matters. If you would like to join the meeting by phone conference or receive a copy of the agenda please notify Vivien Wright, Executive Assistant, five (5) working days in advance of the meeting (510) 452-2757.

Public Workshop and Public Meeting

<p>December 18, 1997 9 am - 1 pm and 1 pm - 4 pm</p>	<p>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</p>
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A Public Workshop will be conducted by the Technical Services Consultants to the California Board for Energy Efficiency to discuss (1) definitions, (2) cost-effectiveness tests and their application, (3) measures of performance and evaluation, and (4) methods to classify programs.

The Technical Advisory Committee for the California Board for Energy Efficiency will meet to discuss SPC program performance indicators; New Program and SPC subcommittee activities and work products; 1998 program changes based on recent CPUC decisions; TAC membership activities, including the recent TAC membership survey, and agenda planning for 1998. The contact person is Beverly Coleman (415) 564-3082.

Public Meeting

<p>December 18, 1997 10 am - 4 pm</p>	<p>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The California Relay Service Advisory Committee (CRSAC) of the Deaf and Disabled Telecommunications Program will hold scheduled interviews for CRSAC Open Committee Seats. 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.

Workshop Notice

<p>December 19, 1997</p>	<p>California Public Utilities Commission</p>
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9:30 am	505 Van Ness Avenue Training Room San Francisco
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The Energy Division staff will conduct a workshop to address compliance issues associated with utility advice filings ordered in ordering paragraph 1 of Decision (D)97-12-039. The workshop is open to the public and the training room is wheelchair accessible. For more information contact Steve Layman at (415) 703-3332.

Public Meeting

December 19, 1997 10 am - 4 pm	Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland
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The California Relay Service Advisory Committee (CRSAC) 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

January 6, 1998 10 am - 4 pm	Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland
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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

January 8, 1998 (Thursday) 9:30 am - 12:00 noon	California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) San Francisco
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The Interim Administrative Committee for the California High Cost Fund B and the California Teleconnect Fund will hold its 9th meeting to discuss the status of its motion filed on October 29, 1997, and to discuss administrative matters. The contact person for this meeting is Angela Young at (415) 703-2837.

Public Meeting

<p>January 8, 1998 9:30 am - 3:30 pm</p>	<p><i>Deaf and Disabled Telecommunications Program</i> 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

<p>January 9, 1998 10 am</p>	<p><i>San Diego Gas & Electric Company</i> 601 Van Ness Avenue, Suite 2060 San Francisco</p>
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San Diego Gas & Electric Company will hold a settlement conference for their 1997 Annual Energy Cost Adjustment Clause (ECAC) A96-10-022, in accordance with Rule 51.1 of the Commission's Rules of Practice and Procedure. Please RSVP to Monica Wiggins at (619) 696-4056 no later than Monday, January 5, 1998.

Public Meeting

<p>January 16, 1998 10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program</i> 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The California Relay Service Advisory Committee (CRSAC) 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>February 3, 1998 10 am - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

<i>February 12, 1998 9:30 am - 3:30 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

<i>February 20, 1998 10 am - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The California Relay Service Advisory Committee (CRSAC) 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.

NEW FILINGS

12/8/97	C97-12-022	S. Martinelli & Company vs Union Pacific Company, for refusing to issue a permit with reasonable conditions for construction of a private crossing
12/10/97	A97-12-021	Pacific Bell, for authority to lease 420 square feet of space to Pacific Bell Video Services

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

NONE

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

12/16/97	A97-09-012	Request of COX CALIFORNIA TELCOM, INC. (U-5684-C) for Arbitration under Section 252(b) of the Telecommunications Act of 1996 Regarding Interconnection with the Local Exchange Network of GTE California Incorporated; Final Arbitrator's Report of Arbitrator Mattson.
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ADVICE LETTER FILINGS

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division (703-1889) or Water Division (703-2028).

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

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

12/11/97	Telecom 1265	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Introduce a service contract for State Calling Service, AT&T 800 Readyline Service, and AT&T Megacom 800 Service (effective TBD)
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12/11/97	Telecom 188-A	HAPPY VALLEY TELEPHONE CO., Supplements A.L.No.188 , Comply with T-16086 regarding Federal Communications Commission Report and Order on Universal service (effective TBD)
12/11/97	Telecom 162-A	HORNITOS TELEPHONE COMPANY, Supplements A.L.No.162 , Comply with T-16086 regarding Federal Communications Commission Report and Order on Universal service (effective TBD)
12/11/97	Telecom 19155	PACIFIC BELL, Amendment No. 2 to the Interconnection Agreement with TCG-Los Angeles (effective TBD)
12/11/97	Telecom 19156	PACIFIC BELL, Customer specific contract for DDD, VPP, Calling Card, Custom 8 and Zone 3 service (effective TBD)
12/11/97	Telecom 19157	PACIFIC BELL, Realign the common base rate area and exchange boundary between Martinez and Walnut Creek Exchanges (effective TBD)
12/11/97	Telecom 19158	PACIFIC BELL, Contract with a governmental agency for Centrex and ADN (effective TBD)
12/11/97	Telecom 130-A	PINNACLES TELEPHONE COMPANY, Supplements A.L.No.130 , Comply with T-16086 and FCC 97-157 regarding universal service (effective TBD)
12/11/97	Telecom 271	SPRINT COMMUNICATIONS COMPANY L.P., Introduce the Sprint Sense Anytime Promotion (effective TBD)
12/11/97	Telecom 83-A	WINTERHAVEN TELEPHONE COMPANY, Supplements A.L.No.83 , Comply with T-16086 pursuant to Federal Communications Commission's Report and Order on Universal Service (effective TBD)
12/12/97	Telecom 1266	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Extend IntraLATA mileage band promotion for AT&T customers in Independent Telephone Company territory, except for GTE CA territory (effective TBD)
12/12/97	Telecom 1267	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Extend AT&T Software Defined Network and Virtual

		Telecommunications Network Service IntraLATA Short Haul Promotion (effective TBD)
12/12/97	Telecom 13	COX CALIFORNIA TELCOM, INC., Seeks approval for a blanket deviation from GO 96-A Section X, to allow Utility to conduct market trials or technology tests at rates or under condition different from those in effect in existing tariffs (effective TBD)
12/12/97	Telecom 8612	GTE CALIFORNIA INCORPORATED, Add Call Waiting ID to Custom Calling Service (effective TBD)
12/12/97	Telecom 8613	GTE CALIFORNIA INCORPORATED, Interconnection agreement with Teligent, LLC (effective TBD)
12/12/97	Telecom 19159	PACIFIC BELL, Introduce new promotion called Advantage 25 (effective TBD)
12/12/97	Telecom 19160	PACIFIC BELL, Customer Specific Contract for Centrex Service (effective TBD)
12/12/97	Telecom 19161	PACIFIC BELL, Customer specific contract for HiCap and PRI Service (effective TBD)
12/12/97	Telecom 19162	PACIFIC BELL, Local Directory Assistance Service Floor, Adjustment (effective TBD)
12/12/97	Telecom 19163	PACIFIC BELL, IEC Directory Assistance Service Floor, Adjustment (effective TBD)
12/12/97	Telecom 272	SPRINT COMMUNICATIONS COMPANY L.P., Decrease the surcharge to fund Universal Lifeline Telephone Service (effective TBD)
12/12/97	Telecom 273	SPRINT COMMUNICATIONS COMPANY L.P., Increase the Station to Station Non-PublicFon Connection Fee (effective TBD)
12/12/97	Telecom 42	SPRINT TELECOMMS VENTURE (NEWTELCO L.P), Revise verbiage pertaining to temporary service (effective TBD)
12/12/97	Telecom 43	SPRINT TELECOMMS VENTURE (NEWTELCO L.P), Reduce the surcharge to fund Universal Lifeline Telephone Service (effective TBD)

12/12/97	Telecom 239-A	THE PONDEROSA TELEPHONE COMPANY, Supplements A.L.No.239 , Comply with T-16086 pursuant to the Federal Communications Commission's Report and Order on Universal Service (effective TBD)
12/12/97	Telecom 229	THE VOLCANO TELEPHONE COMPANY, Offer a block of 20 DID Station Numbers (effective TBD)
12/12/97	Water 1017-W	SOUTHERN CALIFORNIA WATER COMPANY, [Desert District]Impose a one-time surcharge to recover DHS fees and water testing costs resulting from EPA regulations. (effective TBD)
12/15/97	Telecom 9	ACCESS NETWORK SERVICES, INC., Transfer of control of Access Network Services, Inc. to Shared Technologies Fairchild Inc. and Intermedia Communications Inc. (effective TBD)
12/15/97	Telecom 1268	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Change usage rates, service charges, and surcharges for Operator Services (effective TBD)
12/15/97	Telecom 1269	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Introduce a Non-Recurring Charge Waiver Promotion for Various Private Line Services (effective TBD)
12/15/97	Telecom 1270	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Extend UniPlan Promotion (effective TBD)
12/15/97	Telecom 1271	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Extend the AT&T Uniplan Service IntraLATA "P" Promotion (effective TBD)
12/15/97	Telecom 1272	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Contract for SDN, Megacom 800, 800 Readyline (effective TBD)
12/15/97	Telecom 8601-A	GTE CALIFORNIA INCORPORATED, Supplements A.L.No.8601 , ContraNet Contract with University of California, Los Angeles (effective TBD)
12/15/97	Telecom 65	MCIMETRO ATS, INC. (WESTERN UNION ATS), Add a new NXX (effective TBD)

12/15/97	Telecom 19152-A	PACIFIC BELL, Supplements A.L.No.19152 , Express contract for DDD, VPP and Custom 8 service (effective TBD)
12/15/97	Telecom 19164	PACIFIC BELL, Reduce the Residence Custom Calling Feature Packages discount pricing, rename the individual package names and change the discount rate for Saver Packs (effective TBD)
12/15/97	Telecom 19165	PACIFIC BELL, Customer specific contract for DDD, VPP, Calling Card, Custom 8 and Zone 3 service (effective TBD)
12/15/97	Telecom 19166	PACIFIC BELL, Express contract for DDD, VPP and Calling Card service (effective TBD)
12/15/97	Telecom 19167	PACIFIC BELL, Update language on Authorized Payment Location (effective TBD)
12/15/97	Telecom 25	TELTRUST, INC., Add rate schedules to product offering (effective TBD)
12/15/97	Water 41	BIG BASIN WATER CO., INC., General rate increase pursuant to Resolution W-4078, dated November 19, 1997. (effective TBD)
12/15/97	Water 42	BIG BASIN WATER CO., INC., Establish Sch. LC, Late Payment Charge and bad check charge in Rule 9 (Rendering and Payment of Bills), and increase the reconnection charges in Rule 11 (Discontinuance and Restoration of Service) pursuant to Resolution No. W-4035. (effective TBD)
12/15/97	Water 318	CITIZENS UTILITIES COMPANY OF CALIF, [Felton, Larkfield, Montara, Sacramento Districts]To add a one-time surcharge to offset fees paid to the Dept. of Health Services. (anticipated effective)

ADVICE LETTER PROTESTS

To inquire about a protest, call the Energy Division (703-1093), Telecommunications Division (703-1889) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

12/12/97	Telecom 62	MCIMETRO ATS, INC. (WESTERN UNION ATS), Discontinue R1 service in Pacific Bell Exchange Areas Protest by Susan Switzer & Howard Melworm.
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MISCELLANEOUS TRANSPORTATION ITEMS

December 17, 1997

Filings with Safety and Enforcement

NONE

ADJOURNMENTS * RESETTINGS * SUBMISSIONS

CORRECTION TO DAILY CALENDAR

R93-04-003	Reed-Commission Order Instituting Rulemaking, open access to bottleneck services, et al., Evidentiary Hearing held and submitted, opening briefs due January 20, reply on February 13
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REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

1/6/98 ALJ Bushey Comr Duque	10:00 am C97-09-059	(PHC)-Peter Wood vs. Pacific Bell, for failure to provide adequate services and for discriminatory treatment, Commission Courtroom, San Francisco
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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.

12/23/7	9:30 am	NONE SCHEDULE
12/30/97	9:30 am	NONE SCHEDULE
1/6/98	9:30 am	NONE SCHEDULED

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

12/17/97 ALJ Malcolm Comr Conlon	10:00 am A97-07-030	(EH) -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, Commission Courtroom, San Francisco (December 18 and 19, San Francisco)
12/19/97 ALJ Bennett Comr Bilas	10:30 am C97-10-077	Bennett-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, Office of Governmental Affairs, 1227 O Street, Fourth Floor, Sacramento
12/19/97 ALJ Bushey Comr Duque	2:00 pm C97-11-018	(PHC) -Brook Fiber Communications of Fresno, Inc., Brooks Fiber Communications of Stockton, Inc., Brook Fiber Communications of Bakersfield, Inc., Brooks Fiber Communications of San Jose, Inc. and Brooks Fiber Communications of Sacramento, Inc. vs. Pacific Bell, for

		unreasonable and unlawful anti-competitive activities, Commission Courtroom, San Francisco
12/22/97 ALJ Ryerson Comr Duque	10:00 am A97-09-040	(PHC) -Catalina Channel Express, Inc., for such additional authority as may be necessary to affirm its scheduled service certificate of public convenience and necessity to operate as a common carrier by vessel between Dana Point and Avalon/Two Harbors and for authority to file a tariff and timetable to commence such service, Commission Courtroom, San Francisco
12/22/97 ALJ Walwyn Comr Duque	10:00 am C97-03-049	(PHC) -California Cable Television Association vs. Pacific Bell, for offering and promoting the bundled offering of the basic exchange service and Internet service in violation of due procedures and without authorization, Commission Courtroom, San Francisco
1/6/98 ALJ Bushey Comr Duque	10:00 am C97-09-059	(PHC) -Peter Wood vs. Pacific Bell, for failure to provide adequate services and for discriminatory treatment, Commission Courtroom, San Francisco
1/7/98 ALJ McVicar Comr Duque	9:00 am C97-08-054	(EH) -Carl Brandstetter vs. Holiday Retreats, Inc., Paul Derebery, Surinder S. Dang, and Gurinder Singh, for serving water without authority, Council Chambers, City Hall, 3900 Main Street, Riverside
1/9/98 ALJ Barnett Comr Neeper	10:00 am C97-10-076	(ECP) -Lorna Shofner vs. D.C.N. Wireless, for overbilling and unfair business practices, Commission Courtroom, Los Angeles,
1/9/98 ALJ Barnett Comr Duque	10:30 am C97-10-078	(ECP) -Fariborz Hamzel vs. Pacific Bell, for unauthorized ISDN calls, Commission Courtroom, State Office Building, 107 S. Broadway, Los Angeles

1/12/98 ALJ Careaga Comr Duque	10:00 am C97-04-025	(EH) -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, Commission Courtroom, San Francisco
1/12/98 ALJ Patrick ALJ Stalder Comr Conlon	10:00 am A96-05-045	(EH) -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	(EH) -Southern California Edison Company, for review of the reasonableness of operations during the period from April 1 1996, through March 31, 1997 (Reasonableness Phase), Commission Courtroom, San Francisco
1/13/98 ALJ Henderson Comr Neeper	10:00 am A96-10-022	(EH) -San Diego Gas & Electric Company, for annual energy cost adjustment clause for the period from 5/1/97 to 4/30/98, Commission Courtroom, San Francisco
1/14/98 ALJ Ramsey Comr Conlon	10:00 am I91-08-029	(PHC) -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, Commission Courtroom, San Francisco

1/15/98 ALJ Patrick Comr Bilas	1:30 pm A97-11-012	(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, Commission Courtroom, San Francisco
1/16/98 ALJ Walker Comr Duque	7:00 pm C97-09-056	(PHC) -Marna An Powell and Donna M. Hufford vs. GTE Northwest, dba GTE West Coast, for enlargement of the 488 prefix to include a toll free one-way extended area service, Orick Community Center, 101 Swan Road, Orick
1/22/98 ALJ Econome Comr Bilas	1:30 pm A97-03-002	(PHC) -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, Commission Courtroom, San Francisco (EH), for 10 am, January 26, San Francisco (also January 27-30 and February 2-6, San Francisco),
1/27/98 ALJ Stalder Comr Conlon	10:00 am A95-08-038	(EH) -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, Commission Courtroom, San Francisco (also January 28, San Francisco)
1/30/98 ALJ Walker Comr Duque	7:00 p.m. C97-09-054	(PHC) -Robert W. Merwin vs. Citizens Communications, for arbitrary definition of service areas, Jean Harvie Community Center, 14273 River Road, Walnut Grove
2/3/98 ALJ Malcolm Comr Duque	10:00 am A95-12-043	(EH) -Pacific Bell, for authority to increase and restructure certain rates of its Integrated Services Digital Network services, Commission Courtroom, San Francisco
2/5/98 ALJ Wetzell Comr Conlon	1:00 pm A97-09-049	(PHC) -San Diego Gas & Electric Company, for a permanent gas procurement performance-based ratemaking mechanism, Commission Courtroom, San Francisco

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, Commission Courtroom, San Francisco
2/10/98 ALJ Malcolm Comr Bilas	10:00 am A97-10-014 A97-10-015 A97-10-024	(PHC) -Pacific Gas and Electric Company, for recovery of 1996 capital additions costs, and, (PHC) -San Diego Gas & Electric Company, for competition transition charge recovery of 1996 capital additions, and (PHC) -Southern California Edison Company, for authority to recover capital additions to its fossil generating facilities made between 11/1/96 AND 12/31/96, Commission Courtroom, San Francisco (EH) for 10 am, March 9, San Francisco (also March 10-13, San Francisco)
2/18/98 ALJ Garde Comr Neeper	9:30 am A96-12-050	(EH) -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, Commission Courtroom, San Francisco (also February 19, San Francisco)
3/16/98 ALJ Bushey Comr Knight	9:00 am C96-12-043	(EH) -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," Commission Courtroom, San Francisco (also March 17-18, San Francisco)
3/30/98 ALJ Patrick Comr Bilas	10:00 am A97-03-015	(EH) -Southern California Gas Company, for approval of a long-term gas transmission service contract with Distribudora de Gas Natural de Mexicali, s. de R.L. de C.V., Commission Courtroom, San Francisco (also March 31, and April 1-3, San Francisco)

EXECUTIVE ORDERS SIGNED

12/1/97	D97-12-001	A96-09-027 - Gregory McCord, dba On the Move, for a certificate of public convenience and necessity to operate as a passenger stage to transport passengers, primarily,
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- children between designated points in Marin, San Francisco, Contra Costa and Alameda, Solano, and Napa counties. **Dismissed upon written and unopposed request of applicant.**
- D97-12-002 A97-10-056 - Telephone Services, Inc., dba FSNB-TSI. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**
- D97-12-003 A97-10-067 - New Century Telecom, Inc. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**
- D97-12-004 A97-10-055 - UNA Telecommunications, Inc. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.** (Inadvertently mailed out as D97-12-001, corrected by D97-12-058)
- D97-12-005 A97-10-065 - Kern County Cellular Telephone Company, Inc. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**
- D97-12-006 A97-10-066 - Cellular Pacific. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**
- D97-12-007 A97-10-054 - Peak Communications. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**
- D97-12-008 A97-10-052 - Midwest Telecom of America, Inc. dba Midwest Telecom. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**

- 12/2/97 D97-12-009 A97-05-034 - London Telecom Network, Corp. For approval of the stock purchase of Strategic Alliances, Inc. **Granted, as set forth. This proceeding is closed.**
- D97-12-010 A96-12-009 - Pacific Gas & Electric Company. To identify and separate components of electric rates. Related matters A96-12-011, A96-12-019. **Corrects D97-08-056, as set forth.**
- 12/8/97 D97-12-056 R95-04-043 - Rulemaking on Competition for local exchange service. Related matter I95-04-044. **Corrects D97-10-049, as set forth.**
- D97-12-057 A97-10-080 - Catholic Telecom, Inc. For a Certificate of Public Convenience and Necessity to provide InterLATA and IntraLATA Telecommunications Service in California. **Granted. This proceeding is closed.**
- 12/10/97 D97-12-058 A97-10-055 - UNA Telecommunications, Inc. **The decision number in this proceeding is D97-12-004.**

COMMISSION MEETING OF DECEMBER 3, 1997

- 12/3/97 D97-12-011 A96-12-029 - California Water Service Company. **Approves settlement agreement authorizing company to reorganize into a holding company structure with conditions. This proceeding is closed.**
- D97-12-012 A95-12-043 - Pacific Bell. For authority to increase and restructure certain rates of its Integrated Services Digital Network Services. **Awards The Utility Consumers' Action Network \$79,068.06 in compensation for its substantial contribution to D97-03-021 as set forth.**
- D97-12-013 A97-07-029 - Cross Communications, Inc. For a certificate of public convenience and necessity to resell local, interLATA, and intraLATA telecommunications services within the State of California. **Denied on the basis that applicant has not demonstrated that it has a minimum in \$25,000 in unencumbered cash. This proceeding is closed.**
- D97-12-014 C97-08-068 - ECP - Howard Golden vs Southern

- California Edison Company. **Dismissed for lack of jurisdiction. Complainant seeks damages to electrical equipment allegedly caused by defendant. This Commission has no authority to award damages; our authority is limited to awarding reparations. This proceeding is closed.**
- D97-12-015 C97-07-059 - ECP - Judy Lam vs Southern California Edison Company. **Dismissed for failure to prosecute. This proceeding is closed.**
- D97-12-016 A97-08-062 - Sanjit S. Taunk dba California Airport Shuttle. For authority to operate an on-call passenger stage between the Counties of Santa Clara and a portion of San Mateo, on the one hand, and San Jose International Airport, on the other. **Granted. This proceeding is closed.**
- D97-12-017 A97-06-006 - Farman Textile, Inc. (Farman) and Apollo Soyuz Airport Passenger Service, Inc. (Apollo). For authority to Farman to acquire, and Apollo to transfer a passenger stage certificate of public convenience and necessity and certain other assets, pursuant to Section 851, et seq., of the California Public Utilities Code. A97-07-026 - Related matter. **Despite unusual financial situation of Farman, the purchaser, this decision finds the sales and transfer of shuttle operations in the Los Angeles general area to be in the public interest and authorizes them. These proceedings are closed.**
- D97-12-018 A97-04-051 - California-American Water Company. For an order authorizing a rate increase of the following amount for its Los Angeles Division, 1998 - 0.00%; 1999 - 1.61%; 2000 - 2.47%. This increase is based upon a rate of return on the applicant's rate base of 9.05% for the test years 1998 and 1999 and attrition year 2000, with a corresponding return on common equity of 10.30% for each of the three years. **Granted. This proceeding is closed.**
- D97-12-019 C95-08-063 - Bruce Kennedy, et al. vs GTE California, Inc. and Pacific Bell. **Dismisses Bruce Kennedy, et al. complaint for the establishment of one-way Extended Area Service (EAS) from the Felton exchange to Los Gatos because the subscribers' calling patterns do not**

- justify the need for the requested EAS route. This proceeding is closed.**
- D9712-020 A97-08-052 - City of Coachella (City). For an authorization to construct 50th Avenue/1st Street Overhead at separated grades over the tracks of the Union Pacific Railroad Company's Los Angeles - Yuma Main Line in Coachella, Riverside County. The 50th Avenue/1st Street grade separation overhead will improve public access and traffic circulation in an area of growing residential and industrial development. **Granted. Upon completion of construction of 50th Avenue/1st Street overhead and its opening to vehicular traffic, the existing at grade crossings at 50th Avenue and 5th Street will be closed and physically removed. This proceeding is closed.**
- D97-12-021 A97-09-017 - City of San Buenaventura (City). For authority to construct the Johnson Drive Underpass at separated grades under the tracks of the Union Pacific Railroad Company's Coast Main Line in the City, Ventura County. **Granted. Upon completion of the Johnson Drive Underpass, the existing Auto Center Drive at-grade crossing will be closed and physically removed. This proceeding is closed.**
- D97-12-022 A92-05-002 - GTE California, Inc. and Pacific Bell. For review of the operations of the incentive-based regulatory framework adopted in D89-10-031. A92-05-004 - Related matter. **Closes A92-05-002 and A92-05-004. These proceedings are closed.**
- D97-12-023 A96-03-045 - Mather Field Utilities, Inc. For a certificate of public convenience and necessity for its gas utility distribution system at Mather Field, California. **Closes this docket upon representation by the parties that a single remaining issue has been amicably resolved. This proceeding is closed.**
- D97-12-024 A97-03-045 - Southern California Gas Company (SoCalGas) and Southern California Edison Company (Edison). For approval of demand-side management (DSM) pilot bidding contract. **Approves a contract negotiated jointly by SoCalGas and Edison with SESCO, Inc. (SESCO), subject to one condition. This**

contract has been negotiated as part of the DSM pilot bidding programs required by Public Utilities Code § 747 and our adopted rules governing DSM. Because this contract will be cost effective only under a limited set of performance scenarios, we require that SESCO provide cost-effectiveness security in the amount of \$200,000 consistent with other contracts we have approved under residential DSM pilot bidding programs.

- D97-12-025 A91-09-055 - Stan and Svetlana Stukov dba The Best Airport Shuttle. For authority to operate as a passenger stage company between points in San Francisco, San Mateo, Santa Clara, Napa, Santa Cruz, Alameda, Sonoma, Marin, and Solano Counties on one hand, and San Francisco, San Jose and Oakland International Airports on the other hand. **The petition to modify D92-05-015 to allow applicants additional time to commence service at SFO is dismissed as moot. Applicants failed to obtain San Francisco International Airport's authority to operate. This proceeding is closed.**
- D97-12-026 A94-04-009 - Royya's Transportation, Inc. dba Express Airport Shuttle. For authority to transfer control from Kamran, Hadi and Kambiz Chitgar to David M. Haydari. **Denied, since D94-11-021 in I93-12-009 revoked applicant's authority and prohibits him from transferring the operations to another. This proceeding is closed.**
- D97-12-027 I91-01-012 - Order instituting investigation on the Commission's own motion to develop policies and procedures for addressing the potential health effects of electric and magnetic fields of utility facilities. **Modifies decision 93-11-013, which implemented and funded a Electric and Magnetic Fields coordinated education and research program, to expand nonexperimental (formalized) research activities, to authorize the use of program interest for the expanded formalized research activities, to set a March 1, 1999 completion date for the program's educational, formalized research and administrative activities, and to set a deadline of March 1, 2000 for the issuance of a final report. This proceeding is closed.**

- D97-12-028 A97-04-028 - Call and Save, Inc. For a certificate of public convenience and necessity to resell long distance intrastate and intraLATA interexchange telecommunications services within California. **Granted. This proceeding is closed.**
- D97-12-029 A97-06-051 - Roseville Telephone Company. For authority to continue using its currently authorized depreciation rates for the 1998 calendar year. **Granted. This proceeding is closed.**
- D97-12-030 A97-06-048 - Pacific Bell (Pacific). For authority to increase its 1998 depreciation accrual by \$34.453 million with no change in the rates Pacific charges its customers for telephone services. **Granted. This proceeding is closed.**
- D97-12-031 A97-05-013 - Pacific Gas and Electric Company (PG&E) and TYEE Development Company., LLC (TYEE). For an order authorizing PG&E to sell and transfer a certain parcel of land in Alameda County to TYEE, pursuant to Public Utilities Code Section 851. **Granted. This proceeding is closed.**
- D97-12-032 A96-09-028 - Pacific Gas and Electric Company (PG&E). In D 97-05-093, the Commission approved the uncontested application of PG&E for authority to unbundle, or separately identify, the interstate portion of the charges to core customers for the transportation of natural gas during 1997. **Approves a continuation of this program for January 1, 1998 and beyond. This proceeding is closed.**
- D97-12-033 A97-08-006 - Pacific Gas and Electric Company (PG&E) and Bailey Farms Company (Bailey). For an order authorizing the agreement for PG&E to sell a 3.4-acre parcel of land to Bailey, while retaining public utility easements for access to gas and electric lines. **Granted. The net gain on sale will be credited to the Competition Transition Charge balancing account. This proceeding is closed.**
- D97-12-034 A97-06-050 - GTE California Incorporated (GTE). For authority to change its depreciation

- rates for the 1998 calendar year, resulting in a \$55 million increase in depreciation expense based on year-end 1996 recorded plant investments. **Granted. This proceeding is closed.**
- D97-12-035 A96-04-001 - Pacific Gas and Electric Company (PG&E). For authority to adjust its electric rates effective January 1, 1997, and for Commission order finding that electric and gas operations during the reasonableness review period from January 1, 1995 to December 31, 1995 were prudent. **Denies the petition to modify D97-07-052.**
- D97-12-036 A97-06-052 - Citizens Telecommunications Company of California Inc. For authority to maintain its currently authorized depreciation rates for the 1998 calendar year. **Granted. This proceeding is closed.**
- D97-12-037 A97-05-023 - SFPP, L.P. (SFPP). For authorization to issue Facility B Notes in an aggregate principal amount not to exceed \$25 million and enter into the Facility B loans contemplated by the Amended and Restated Credit Agreement; the Facility B Notes and related loans being upon terms and conditions substantially consistent with those set forth in or contemplated by SFPP's Petition to Modify D97-07-048. **Granted. This proceeding is closed.**
- D97-12-038 A93-02-065 - Pacific Gas and Electric Company (PG&E). For authority to use the effective date of this order as the "base date" for calculating the average life of its long-term debt pursuant to its evergreening authority granted in D94-04-084; to extend the evergreening term for a period of five years from the effective date of this order. **Granted. This proceeding is closed.**
- D97-12-039 A96-08-001 - Pacific Gas and Electric Company (PG&E), Southern California Edison Company (Edison), and San Diego Gas & Electric Company (SDG&E). For approval of valuation and categorization of non-nuclear generation-related sunk costs eligible for recovery in the competition transition charge. A96-08-006, A96-08-007, A96-08-070, A96-08-071, A96-08-072 - Related matters. This decision addresses specific issues raised in workshops addressing transition cost balancing accounts

and terms and conditions tariffs. **Allows PG&E, Edison and SDG&E to finalize their tariffs by December 12, 1997 to be effective on January 1, 1998.**

D97-12-040 A93-05-044 - Southern California Edison Company (Edison). For a Commission order finding that gas operations during the reasonableness review period from April 1, 1992 to March 31, 1993 were prudent. A94-05-044, A95-05-049, A96-05-045, A97-05-050 - Related matters. **This decision settles the disputed Canadian gas issues arising between April 1992 and March 1997. The basic elements of the settlement include: (1) a \$39 million disallowance for Canadian gas costs incurred through December 31, 1996; (2) a disallowance of \$257,000/month per contract for each of Edison's four supply contracts for Canadian gas costs beginning after January 1, 1997 and continuing until each of the commodity contracts is terminated; (3) a cost sharing mechanism in lieu of reasonableness review, whereby shareholders would absorb at least 20% of the termination of restructuring costs associated with the El Paso Natural Gas Company Transportation Contract which the Commission has already found reasonable. The disallowance will flow through to ratepayers through the Energy Deferred Refund Account. Although three of the five dockets are included in the SB 960 experiment to the extent they address reasonableness issues, this decision does not address QF issues, and is not subject to the SB 960 experiment.**

D97-12-041 A92-10-017 - San Diego Gas & Electric Company (SDG&E). For authority to establish an experimental performance-based ratemaking mechanism. **Vacates the requirement that SDG&E file a general rate case (GRC) for a 1999 test year, and the requirement for a GRC filing in future years is suspended. In lieu of a GRC, SDG&E is directed to include a 1999 cost-of-service showing in the distribution performance-based ratemaking (PBR) application that D97-04-067 directed SDG&E to file by December 31, 1997. The midterm evaluation of SDG&E's experimental base rate PBR mechanism which was ordered in D94-08-023 is concluded, and the requirement for a final evaluation of the experiment is suspended.**

Suspends the PBR experiment's revenue sharing mechanism for 1998, and SDG&E is directed to allocate earnings in excess of its authorized rate of return as an offset to uneconomic generation costs. This proceeding is closed.

- D97-12-042 A96-07-001 - Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (Edison). For ex parte interim approval of a loan guarantee and trust mechanism to fund the development of an independent system operator (ISO) and a Power Exchange (PX) pursuant to D95-12-063 et al. Addresses the request presented in the Petition to Modify D96-08-038 filed by PG&E, SDG&E, and Edison for recovery of the PX's and ISO's implementation costs, under the provisions of Public Utilities Code Section 376. **Denied, except as granted in D97-11-077 and in this decision.**
- D97-12-043 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. **Adopts final rules to implement Senate Bill (SB) 960, effective January 1, 1998. This proceeding is closed.**
- D97-12-044 A94-12-005 - Pacific Gas and Electric Compny (PG&E). For authority to decrease its rates and charges for electric and gas service, and increase rates and charges for pipeline expansion service. This revised decision addresses the revenue allocation and rate design issues remaining in Phase 2 of Pacific Gas and Electric Company's 1996 general rate case. **Provides guidance to parties if they wish to pursue these issues in other proceedings, particularly in regard to the electric rate freeze required by Assembly Bill 1890. Phase 2 of this proceeding is closed.**
- D97-12-045 A95-05-030 - Roseville Telephone Company. For authority to restructure intrastate rates and charges and to implement a new regulatory framework for telephone services furnished within the State of California. I95-09-001 - Related matter. **Grants Roseville Telephone Company's petition for modification. Roseville's**

CHCF-B surcredit shall be eliminated and surcharge of 2.775% shall be applied. Motion of the Office of Ratepayer Advocates to receive Exhibit 157 is denied. These proceedings are closed.

- D97-12-046 I97-04-045 - Investigation on the Commission's own motion into the operations, practices, and conduct of Brittan Communications International Corp. (BCI) to determine whether it has violated the laws, rules and regulations governing the manner in which California consumers are switched from one long distance carrier to another. **Concludes that it is in the public interest to continue to restrain respondent from submitting changes to a customer's presubscribed interexchange carrier or selling its customer base until this proceeding is completed. We conclude that there is insufficient evidence showing a need to modify or cancel the preliminary injunction. We do not find that respondent should post a bond to ensure compliance with any final Commission orders in this proceeding because respondent currently refunds all charges to most customers who allege their service was switched.**
- D97-12-047 A97-09-045 - Pacific Gas and Electric Company (PG&E). For confirmation of Ms. Gail P. Seneca to serve on the Committee of PG&E Nuclear Decommissioning Trust Funds. **Granted. This proceeding is closed.**
- D97-12-048 R94-04-031 - Order instituting rulemaking on the Commission's proposed policies governing restructuring California's Electric Services Industry and Reforming Regulation. I94-04-032 - Related matter. This decision addresses the proposals contained in the July 25, 1997 workshop report on meter and data communications standards. **Adopts all of the interim metering-related standards, as set forth. Directs PG&E, SDG&E, and Edison to file metering related standards reports; interested parties may file comments on the reports within 35 days of the date of service of the notice of availability.**
- D97-12-049 C94-08-025 - Disposition of application for rehearing of D95-02-086 in which applicant Pacific Gas and Electric Company (PG&E) challenges the Commission's

- requirement that PG&E file an advice letter amending PG&E's Rule 12 tariff so as to require PG&E to notify new agricultural customers of, and place new agricultural customers on, the lowest-cost available rate schedule. **Modifies D95-02-086, as set forth. Denies application for rehearing of D95-02-086, as modified. This proceeding is closed.**
- D97-12-050 C97-01-014 - Disposition of application filed by complainants Robert E and Patricia J. Lee for rehearing of D97-06-089. The decision denied the complaint against Pacific Gas and Electric Company for the cost of trenching required for electric service. **Denies application for rehearing of D97-06-089, as modified. This proceeding is closed.**
- D97-12-051 C96-06-046 - Order on an application for rehearing by Thomas Horsley (Horsley) of D96-10-010. That decision had denied Horsley's complaint on the grounds that Horsley had received the relief he requested in a previous proceeding so that the issues here were thereby moot. **Denies application for rehearing of D96-10-010.**
- D97-12-052 C92-08-031, C92-09-009 - Disposes of Application for Rehearing of D.97-09-060 filed by Phillip Ortega and Centro Legal de la Raza, alleging that the Decision on Rehearing was in error regarding jurisdiction of the Commission over pay telephone rates. **Denies application for rehearing of D97-09-060, as modified.**
- D97-12-053 C96-10-003 - Disposition of application filed by complainant Harold Curry for rehearing of D97-06-011 regarding costs of attic insulation in connection with the weatherization program of Southern California Gas Company. **Application for rehearing of D97-06-011 is denied. This proceeding is closed.**
- D97-12-054 C95-09-030 - Disposition of application for rehearing of D 97-01-043 in C95-09-030. The application for rehearing was filed by Pacific Gas and Electric Company and Pacific Gas Transmission (PG&E). PG&E alleges principles of res judicata should be applied in C.95-09-030 and that D.97-01-043 mistakenly found PG&E contravened Commission orders. PG&E further alleges

other errors in D.97-01-043 should be corrected. Complainants, Selwyn and Loretta Vos oppose the application for rehearing. **Grants limited rehearing of D97-01-043 and denies rehearing in all other respects.**

D97-12-055 A96-01-017 - Disposition of application for rehearing of Resolution G-3173, filed by Pacific Gas and Electric Company (PG&E), alleging the Commission improperly created a new procedure by accepting the letter request from a customer for a gas main extension, and thus, has changed General Order 96-A and the Commission's Rules of Practice and Procedure without giving interested parties notice and an opportunity to be heard, as required by Public Utilities Code Section 1708. PG&E also argues that the resolution constitutes an arbitrary and unreasonable abuse of discretion, and that the Commission erred by not providing for reimbursement to PG&E in the event it responds to emergencies involving the line. **Vacates Resolution G-3173 and dismisses the application for rehearing as moot.**

RESOLUTIONS

12/3/97 E-3503 Advice Letter 1678-E of Pacific Gas and Electric Company. Request for approval of its plan to begin drawing upon the Humboldt Bay Decommissioning Trust Funds to finance three projects leading to decommissioning of Humboldt Bay Power Plant Unit 3. **Granted as modified. The protests of The Utility Reform Network and Redwood Alliance are denied.**

E-3507 Advice Letter 1626-E of Pacific Gas and Electric Company. Request for approval of an agreement for the installation of a 115kV transmission line serving Meyer Cookware's Vallejo facility, including a deviation from tariff Rules 2, 15 and 16 to use a contribution to margin calculation when determining customer payment for construction. **Granted with one clarification.**

E-3509 Advice Letters 1041-E and 1050-E/1070-G of San Diego Gas and Electric Company (SDG&E). Request for approval to increase its electric distribution revenue requirement to reflect its 1997 performance-based

- ratemaking authorized revenue requirement increment. **Granted with modifications. The protests of Office of Ratepayer Advocates and Utility Consumers Action Network on the issues of Electric Revenue Adjustment Mechanism account balance and sales forecast are denied without prejudice. Protests on the other issues are denied.**
- G-3229 Advice Letters 2617, 2617-A, 2633, 2633-A, of Southern California Gas Company (SoCalGas). Request for 1) approval of tariff revisions implementing its base rate performance-based ratemaking mechanism, and 2) request for approval of revisions to its revenue requirement and rates effective January 1, 1998. **Granted.**
- SR-92 Union Pacific Railroad Company. Request for exemption from the requirements of Sections 2.1 and 3.2 of General Order 26-D relating to minimum overhead and side clearances at the tandem rotary dumper at the Los Angeles Export Terminal at Pier 300 on Terminal Island. **Granted.**
- ST-30 San Francisco Bay Area Rapid Transit District (BARTD). For approval of the BARTD's security portion of the System Safety Program Plan. **Granted.**
- ST-31 Los Angeles County Transportation Authority Metropolitan Transit Agency (LACMTA). For approval of an extension of time for LACMTA to submit the security portion of its System Safety Program Plan. This time extension will constitute a deviation from the requirements in General Order No. 164-A. **Granted.**
- ST-32 San Diego Trolley, Inc. (SDTI). For approval of the SDTI's security portion of the System Safety Program Plan. **Granted.**
- ST-33 Santa Clara Valley Transportation Authority (VAT). For approval of the security portion of VAT's System Safety Program Plan. **Granted.**
- ST-34 Sacramento Regional Transit District (SRTD). For approval of the security portion of SRTD's System Safety Program Plan. **Granted.**

- ST-35 San Francisco Municipal Railway's (MUNI). For approval of the security portion of MUNI's System Safety Program Plan. **Granted.**
- T-16091 Advice Letter 223 of Sierra Telephone Company. For authority to make permanent a Promotional Pricing Tariff. **Granted.**
- T-16092 Interim Administrative Committee and Pacific Bell (Pacific). Request for approval to transfer control of the California High Cost Fund A (CHCF-A) from Pacific to the Commission. **Granted.**
- T-16094 Advice Letter (AL) 19004 as supplemented by AL 19004A, of Pacific Bell (Pacific). Request for approval of an interconnection agreement between Pacific and Federal Communications Corporation pursuant to Rule 4.3 of ALJ-174 and Section 252 of the 1996 Telecommunications Act. **Granted.**
- T-16095 Advice Letter 8553 of GTE California, Inc. (GTEC). Request for approval of an interconnection agreement between GTEC and GTE Communications Corporation pursuant to Rule 4.3 of ALJ-174 and Section 252 of the Telecommunications Act of 1996. **Granted.**
- T-16096 Advice Letter 8558 of GTE California, Inc. (GTEC). Request for approval of an interconnection agreement between GTEC and GTE Mobilnet Incorporated, Contel Cellular Inc., and GTE Wireless of the Pacific Incorporated pursuant to Rule 4.3 of ALJ-174 and Section 252 of the 1996 Telecommunications Act. **Granted.**
- TL-18824 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). **Adopted.**
- TL-18825 Resolution denying issuance of charter-party carrier authority, highway carrier authority, and household goods carrier authority for failure to satisfy statutory

provisions of the Public Utilities Code and Commission
General Orders. **Adopted.**

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.

12/15/97 A96-11-020 Pacific Gas and Electric Company, for authorization to sell Hunters Point, Morro Bay, Moss Landing, and Oakland generating plants and related assets.

Summary: On December 11, 1997, Steven L. Kline, Vice President, Regulation, Pacific Gas and Electric Company (PG&E), contacted Cmmr. Duque in San Francisco. Also present were Michelle L. Cooke, adv. to Cmmr. Duque; Leslie Everett, Vice President and Project Manager of Divestiture for PG&E; and Joe Malkin, attorney, representing PG&E. Everett stated that PG&E completed its auction for the sale of Morro Bay, Moss Landing, and Oakland power plants consistent with the Commission's directive. Duke Energy Power Services, Inc. submitted the highest bid of \$501 million for the three plants. Everett explained that PG&E has filed a compliance filing that requests a final order on December 16, 1997.

Filer: Pacific Gas and Electric Company

Contact: Maryann Friel

Phone: (415) 972-5611

12/15/97 R92-03-050 Commission Order Instituting Rulemaking, to consider the line extension rules of electric and gas utilities

Summary: On December 10, 1997, Robert Finkelstein, staff attorney for The Utility Reform Network (TURN), and representing Utility Consumers Action Network (UCAN), contacted Michelle Cooke, adv. to Cmmr. Duque. Finkelstein stated that TURN and UCAN fully supported the Proposed Decision (PD) of ALJ Patrick and, although they had raised some minor concerns in their opening comments, would not object were the Commission to adopt the PD unchanged. Finkelstein remarked that the PD would serve to substantially reduce the current subsidies embodied in the line and service extension allowances. He then noted that given the direct benefits their members enjoy under the current subsidies, it is not surprising that the California Building Industry Association (CBIA) and the California Farm Bureau Federation (CFBF) sought to derail the adoption of the PD. Finkelstein noted that TURN and UCAN favor outright elimination of the allowances, but chose not to propose such elimination at this time primarily for strategic reasons.

Filer: The Utility Rate Normalization

Contact: Dan Cox

Phone: (415) 929-8876, ext. 307

12/15/97 A97-10-001 Pacific Gas and Electric Company, for approval of 1998 Energy Efficiency Programs, Shareholder Incentive Mechanism for 1998 programs, a cost accounting process for transfer of Surcharge Funds, and Update of Energy Efficiency Commitments

Summary: LATE FILED - On December 9, 1997, Ralph Cavanagh of the Natural Resources Defense Council (NRDC), had three telephone conversations with Cmmr. Conlon; ALJ Gottstein; David Gamson, adv. to Cmmr. Neep. On December 10, 1997, Ralph Cavanagh, NRDC, also contacted Cmmr. Knight. In all four conversations, Cavanagh stated that the proposed Interim Opinion misconstrues the intent of AB 1890 by concluding that the statute implicitly compel a \$14 million/year increase in PG&E's previously authorized DSM budget. Cavanagh contended, based on his participation in the legislative process and the language of the statute itself, that the legislature's intent was to set the statutory funding floor at PG&E's 1996 authorized budget. He emphasized the undisputed fact the DSM funding floor specified in the statute is identical to PG&E's authorized overall DSM funding level for 1996.

Filer: Natural Resources Defense Council

Contact: Ralph Cavanagh

Phone: (415) 777-0220

12/15/97 A96-12-009 Pacific Gas and Electric Company, to identify and separate components of electric rates effective January 1, 1998,
A96-12-011 San Diego Gas & Electric Company, for authority to
unbundle rates and products,
A96-12-019 Southern California Edison Company, proposing the

functional separation of cost components for energy, transmission and ancillary services, distribution, public benefit programs and nuclear decommissioning, to be effective 1/1/98 in conformance with D95-12-036 as modified by D96-01-009, the 6/21/96 ruling of assigned Commissioner Duque, D96-10-074, and AB 1890.

Summary: On December 10, 1997, Bruce Foster, Vice President of Regulatory Policy and Affairs, Southern California Edison Company (Edison), had two separate telephone conversations with John Scadding, adv. to Cmmr. Conlon and Cmmr. Neep in San Francisco. On the same day, Foster also left three separate messages for Julie Halligan, adv. to Cmmr. Bilas; Dorothy Duda, adv. to Cmmr. Knight; and Bob Lane, adv. to Cmmr. Knight in their offices in San Francisco. Foster summarized Edison's position that payments to the ISO for must-run generation costs should be recovered under the Commission jurisdiction. Foster suggested that a memorandum account should be established to record the payments until such time as the Federal Energy Regulatory Commission rules on the jurisdictional issue.

Filer: Southern California Edison Company

Contact: Bobbie Cao

Phone: (626) 302-2310

Summary: On December 10, 1997, Bruce Foster, Vice President of Regulatory Policy and Affairs, Southern California Edison Company (Edison), sent a written communications to all Cmmrs. in San Francisco. Foster addressed Edison's position that payments to the ISO for must-run generation costs should be recovered under the Commission jurisdiction. In addition, Foster recommended an alternative modification to Conclusion of Law 29 of D97-08-056 than that contained in the Proposed Decision on petitions to modify. A copy of the written material is attached to this notice.

Filer: Southern California Edison Company

Contact: Bobbie Cao

Phone: (626) 302-2310

12/16/97 A96-11-046 Southern California Edison Company, for authority to sell gas-fired electrical generation facilities.

Summary: On December 11, 1997, Henry Weissman, counsel for Southern California Edison Company (Edison) contacted ALJ Careaga. Weissman addressed the Office of Rate Advocates' concern regarding the lack of information in Edison's December 1, 1997 divestiture compliance filing on the number of losing bidders. Weissman also addressed the absence of an evidentiary record on whether Edison prevented parties from bidding on the plants. There was further discussion of the possibility of Edison providing a declaration under seal that would provide further detail regarding how Edison conducted the auction, including the manner in which Edison encouraged parties to participate in all phases of the auction.

Filer: Southern California Edison Company

Contact: Bobbie Cao

Phone: (626) 302-2310

12/16/97	A97-10-001	Pacific Gas and Electric Company, for approval of 1998 Energy Efficiency Programs, Shareholder Incentive Mechanism for 1998 programs, a cost accounting process for transfer of Surcharge Funds, and Update of Energy Efficiency Commitments
	A97-10-002	Southern California Edison Company, for 1998 DSM Program Funding
	A97-10-011	Southern California Gas Company, for approval of 1998 Energy Efficiency Programs
	A97-10-012	San Diego Gas and Electric Company, for approval of 1998 Energy Efficiency Program
	R94-04-031	Commission Order Instituting Rulemaking on its proposed policies governing restructuring California's electric services industry and reforming regulation, and
	I94-04-032	Commission Order Instituting Investigation on its proposed policies governing restructuring California's electric services industry and reforming regulation.

Summary: On December 11, 1997, Yolanda Whiting, Public Policy Programs Manager, San Diego Gas and Electric Company (SDG&E), initiated a telephone conversation with David Gamson, adv. to Cmmr. Neep. Joseph R. Kloberdanz, Regulatory Affairs Manager, SDG&E, was also present. Whiting and Kloberdanz discussed two concerns with the draft decision on the Commission's December 16, 1997 agenda. They hoped the Commission would make it clear that the co-branding directive would not cause delay in implementing the 1998 programs until the CBEE could develop its logo. Whiting and Kloberdanz also expressed concerns regarding the requirement to bid out energy management services, and information and education programs. While SDG&E agrees with this philosophically, it is impractical to do so for only nine months of utility administration in 1998. As a practical matter, the contracts would be in effect for less than nine months, and there could be significant breaks in service while bidding and contracting are accomplished.

Filer: San Diego Gas & Electric Company E-Mail: etotah@sdge.com

Contact: Elizabeth M. Totah

Phone: (415) 346-1385

12/16/97	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

A96-08-072 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 San Diego Gas & Electric Company, to estimate transition costs and establish a transition cost balancing account; prepared direct testimony attached.

Summary: On December 12, 1997, Russell G. Worden, Regulatory Affairs Manager, Southern California Edison Company (Edison), contacted Julie Halligan, adv. to Cmmr. Bilas. On the same day, Worden left two separate messages to Michelle Cooke, adv. to Cmmr. Duque; and David Gamson, adv. to Cmmr. Neeper. In his telephone communication and messages, Worden stated that the Commission had correctly interpreted Public Utilities Code Section 369 in Decision 97-12-039 and that no revisions would be necessary or appropriate. Worden pointed out that a number of parties are now filing comments in an effort to undermine the clear direction in the status that was embodied in D97-12-039.

Filer: Southern California Edison Company E-Mail:
Contact: Bobbie Cao Phone: (626) 302-2310
