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

*Wesley M. Franklin, Executive Director*

### Headquarters

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

### Southern California Office

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

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

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### **Daily Calendar** **Thursday, October 15, 1998**

- Regular Commission Meetings
- Notices
- Glossary
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/  
Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Submissions
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c) )
- 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 BUSINESS MEETINGS**

October 22, 1998	10 am	San Francisco
November 5, 1998	10 am	San Francisco
November 19, 1998	10 am	San Francisco

**COMMISSION RATESETTING DELIBERATIVE MEETINGS  
(Not Open to the Public)**

*Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.*

October 19, 1998	1:30 pm	San Francisco
November 2, 1998	1:30 pm	San Francisco
November 16, 1998	1:30 pm	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.

***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.

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## GLOSSARY

After January 1, 1998, the California Public Utilities Commission is required by statute (SB 960) to categorize each case that comes before it. There are three categories, quasi-legislative, adjudicatory and ratesetting. If a case does not require hearings before it is resolved, the case is removed from the SB 960 category requirements. The legend below shows the abbreviation for each of the categories and provides a brief explanation.

- Q** **Quasi-legislative** proceedings are proceedings that establish policy or rules (including generic ratemaking policy or rules) affecting a class of regulated entities, including those proceedings in which the Commission investigates rates or practices for an entire regulated industry or class of entities within the industry.
- A** **Adjudicatory** proceedings are: (1) enforcement investigations into possible violations of any provision of statutory law or order or rule of the Commission; and (2) complaints against regulated entities, including those complaints that challenge the accuracy of a bill, but excluding those complaints that challenge the reasonableness of rates or charges, past, present, or future.
- RS** **Ratesetting** proceedings are proceedings in which the Commission sets or investigates rates for a specifically named utility (or utilities), or establishes a mechanism that in turn sets the rates for a specifically named utility (or utilities). Ratesetting proceedings include complaints that challenge the reasonableness of rates or charges, past, present, or future.
- N/A** Removed from the SB 960 category requirements.

## 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 Sandra Graham at (213) 897-3544).*

**Date/Time                      Commissioner                      Location**

NONE

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**PUBLIC MEETINGS & WORKSHOPS**

**Public Meeting**

<i>October 15, 1998</i> <i>9 am - 4:30 pm</i> <b>Electric Education Trust</b>	<i>Holiday Inn (Presidential Room)</i> <i>275 S. Airport Blvd.</i> <b>South San Francisco</b>
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The Administrative Committee of the Electric Education Trust (EET) meets to discuss and implement a CBO outreach (grant) program and an educational efforts plan, to address comments to the proposed plans filed pursuant to Decision 98-07-098, and to consider related matters. The contact person is William Schulte at (415) 703-2349.

**Public Meeting**

<i>October 15, 1998</i> <i>1:30 pm - 4 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue, Room 3204</i> <i>(Corner of Van Ness and McAllister Street)</i> <b>San Francisco</b>
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The Universal Lifeline Telephone Service (ULTS) Administrative Committee will hold its regularly scheduled monthly meeting to address the following: Review/Approve Meeting Minutes, Review/Approve Telephone Claims, Review/Approve ULTS/ULTSMB Administrative Expenses and Authorize Administrative Transfer, PUC Report and Action Items, Review/Acceptance of the Amervest Report, Review/Approve Administrative Report and Action Items, Review/Approve ULTS 1999 Administrative Budget, and Hear Public Comments.

This meeting is open to the public. The Board reserves the right to limit the time allocated to public comments and each speaker. If you would like to join the meeting by phone conference, and/or receive a meeting packet, please notify the ULTS Trust Office at (510) 452-2757.

**Public Meeting**

<i>October 16, 1998</i> <i>9 am - 4 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue, Training Room</i> <i>(Corner of Van Ness and McAllister Street)</i> <b>San Francisco</b>
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The Telecommunications Division of the California Public Utilities Commission will be holding a technical workshop on the efficient utilization of numbering resources. Number pooling offers the potential to reduce NXX demand by enabling multiple carriers to share numbers from a single NXX code. A workshop is scheduled to initiate a plan to implement number pooling within California in cooperation with the program underway at the national level. The October 16, 1998 second workshop will further address the formation of a number pooling task force and develop administrative protocol for the ongoing operation of the Task Force and for the submission of progress reports to the Commission.

Proposals regarding voting membership and mechanisms, and what constitutes consensus of the Task Force, should be E-mailed to all participants by October 9, 1998, so participants will have time to review all proposals. Participants should come prepared to adopt a definition of consensus and rules regarding voting membership and mechanisms at the October 16, 1998 meeting. Commission staff will E-mail a participants list to all concerned by October 2, 1998. Participants must E-mail their proposals to everyone on the participants list by October 9, 1998. Any persons interested in being included on the participants list who were not in attendance at the September 25, 1998 meeting should contact Mary Jo Borak, at 415/703-1879, Email: BOR@CPUC.CA.GOV or Risa Hernandez at 415/703-5331, Email: RHH@CPUC.CA.GOV

Participants should come prepared to nominate persons to the Task Force, and adopt self-governance rules regarding voting membership and mechanisms. Following the adoption of the above matters, the Task Force will then begin its work dealing with the substantive issues associated with implementing number pooling in California. If you plan to attend the October 16, 1998 workshop please RSVP by October 14, 1998 to Mary Jo Borak, at 415/703-1879, Email: BOR@CPUC.CA.GOV or Risa Hernandez at 415/703-5331, Email: RHH@CPUC.CA.GOV

If specialized accommodations for the disabled are needed, call the Public Advisor at (415) 703-2032 five working days in advance of the event.

**Workshop Notice**

<p><i>October 16, 1998</i> <i>10 am</i></p>	<p><i>California Public Utilities Commission</i> <i>505 Van Ness Avenue</i> <i>Commission Auditorium</i> <b><i>San Francisco</i></b></p>
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Pursuant to D.98-09-070, Ordering Paragraph 2, the Energy Division staff will conduct a workshop to discuss the Utility Distribution Company (UDC) Advice Letters implementing service fees for billing services. Workshop objectives are as follows:

To clearly define the service fees proposed by each utility.

To map and match between utilities the activities that underlie the service fees, noting where differences lie.

To clearly define the positions of other interested parties and the reasons for the inclusion or exclusion of an activity or estimate.

To resolve as many issues as possible regarding the level of the service fees to be implemented by Commission Resolution on or before January 1, 1999.

The workshop is open to the public and the Commission Auditorium is wheelchair accessible. For more information contact Kathryn Auriemma of the Energy Division (phone: 415-703-2072).

**Public Meeting - REVISED AS OF 9/30/98**

<i>October 20, 1998 10 am - 4 pm</i>	<i>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center)</i>
<i>Designated Conference Leader:</i>	<i>San Francisco</i>
<i>Sharon Weinberg/PG&amp;E</i>	<i>To join via teleconference:</i>
<i>Reservation No. <u>#4590512</u></i>	<i>Dial: <u>(415) 904-8907</u></i>
	<i>Passcode: <u>2408347#</u></i>

**As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling the above number on the day of the meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-314-3558.**

The Low Income Governing Board Advisory Committee (LIGBAC) will meet on the following agenda: Welcome and Introduction Chairperson's report, review meeting minutes, public comments, substantiative program designs, other business. These meetings are open to the public. You can get the materials for this meeting by phoning the LIGBAC at 415 703-2565 and leaving a message with your name, phone and fax number at least 24 hours in advance of the meeting time.

**Public Meeting**

<i>October 20, 1998 12 noon to 6 pm</i>	<i>CPUC Office Of Ratepayer Advocates- Sacramento Union Bank Building 10<sup>th</sup> Floor 770 "L" Street (corner of 8<sup>th</sup> &amp; L) Suite 1050 Sacramento, CA 95814</i>
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The California Board For Energy Efficiency Agenda items listed below but not covered on October 13<sup>th</sup> will be continued and heard at this meeting. Discussion and potential resolution of the following topics: the status of the Request for Proposals for Energy Efficiency Program Administrators (D. 98-07-036); draft reports produced as part of the CBEE program planning process for 1999; CBEE expectations for Interim Administrators' third quarterly status report, CBEE work plans, technical consultant work plans, and schedules, issues related to utility assets and liabilities, verification, measurement and assessment functions, and other reporting requirements, and the Technical Advisory Committee and Board operational matters. The contact person is **Mark Thayer (619) 594-5510**. For further details about CBEE and this meeting consult the CBEE Web Page at [www.cbee.org](http://www.cbee.org).

**Public Meeting - TIME CHANGE (REVISED AS OF 9/30/98)**

<i>October 21, 1998</i> <i>9 am - <u>3 pm</u></i>	<i>Pacific Gas and Electric Company Energy Center</i> <i>851 Howard Street (1 block west of the Moscone Center)</i>
<i>Designated Conference Leader:</i>	<i>San Francisco</i>
<i>Sharon Weinberg/PG&amp;E</i>	<i>To join via teleconference:</i>
<i>Reservation No. <u>#4590512</u></i>	<i>Dial: <u>(415) 904-8907</u></i>
	<i>Passcode: <u>2408347#</u></i>

**As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling the above number on the day of the meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-314-3558.**

The Low Income Governing Board Advisory Committee (LIGBAC) will meet on the following agenda: Welcome and Introduction Chairperson's report, review meeting minutes, public comments, substantiative program designs, other business. These meetings are open to the public. You can get the materials for this meeting by phoning the LIGBAC at 415 703-2565 and leaving a message with your name, phone and fax number at least 24 hours in advance of the meeting time.

**Public Meeting - DATE CHANGE (REVISED AS OF 10/14/98)**

<i>October 21, 1998</i> <i>9:30 am -3:30 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue, Room 3204</i> <i>(Corner of Van Ness Avenue and McAllister Street)</i> <i>San Francisco</i>
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The ULTS Marketing Board (ULTSMB) will hold its regular meeting to discuss the following: Review/Approve Meeting Minutes, Review/Approve Administrative Report and Action Items, PUC Report and Action Items, Proposed Interim Marketing Program Discussion and Planning, Review/Approve Request For Proposals (RFP) for ULTSMB Interim Marketing Program Advertising, Review Previous Studies and Data, Presentation/Information on 800 call center by the Consumer Services Division, Presentation/Information on RFP Requirements by Barbara Morton, Announcements, Set Future Agenda Items for Discussion and Hear Public Comments. This meeting is open to the public. The Board reserves the right to limit the time allocated to public comments and each speaker. If you would like to join the meeting by phone conference or in person, and/or receive a full meeting packet, please notify the ULTS Trust Office at (510) 452-2757.



**Public Meeting**

<i>October 21, 1998 Lottery begins at 1:30 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue, Training Room (Corner of Van Ness and McAllister Street) San Francisco</i>
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LOTTERY FOR TELEPHONE NUMBER PREFIX ASSIGNMENTS IN THE 209/559,  
213/323, 310, 408/831, 415, 510/925, 619, 714/949, 805/661, 818, AND 909  
NUMBERING PLAN AREAS

The Telecommunications Division of the California Public Utilities Commission will be conducting a lottery to determine allocations of central office codes (NXXs) in the 209/559, 213/323, 310, 408/831, 415, 510/925, 619, 714/949, 805/661, 818, and 909 area codes pursuant to the provisions of D.96-09-087. Applications should be submitted to the California Code Administrator prior to the close of business on October 13, 1998. All companies applying for central office codes must have a Jeopardy COCUS (Central Office Code Utilization Survey) on file with the California Code Administrator. For information on the Jeopardy COCUS filing, call (925) 363-8736. For information on the lottery process, call (415) 703- 1879. If specialized accommodations for the disabled are needed, call the Public Advisor at (415) 703-2032 five working days in advance of the event.

**Public Meeting**

<i>October 22, 1998 1:30 pm - 4:30 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The Speech-to-Speech Sub-Committee of the Deaf and Disabled Telecommunications Program will hold a 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 Elana Kalisher 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>October 23, 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 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 Elana Kalisher 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 - REVISED AS OF 10/14/98**

<p>October 26, 1998 10 am – 4 pm</p>	<p><i>Southern California Gas Company Tower 555 West Fifth Street, Room 2A Los Angeles, CA</i> <b><u>(Secured Building Site: You must register with security desk for access to meeting located on the 2<sup>nd</sup> floor)</u></b></p>
<p>October 27, 1998 9 am – 4pm</p>	<p><i>California Public Utilities Commission 505 Van Ness Avenue, Hearing Room C San Francisco, CA</i></p>
<p><b><u>Conference Call Information</u></b> <b><i>For October 26 &amp; 27, 1998 dial (415) 904-8907</i></b> <b><i>Passcode: 2408347#</i></b></p>	<p><b><i>Note: If you experience problems trying to access this conference call please contact Confertech at 1-800-525-8244 and have them verify the Dial-in # and Passcode scheduled under Master Reservation #4590512 for CH2M HILL (Sharon Weinberg is the designated Chairperson)</i></b></p>

The Low Income Governing Board will meet to discuss the following topics: Review and approve agenda, public comment, Chairperson's report, review and approval of meeting minutes (9/28-29, 10/13-14), Subcommittee reports, legislative update, preparation for Commission public hearing, and discuss program changes for CARE and LIEE. Agendas for both meetings are being developed and can be obtained from the LIGB's website at [www.ligb.org](http://www.ligb.org). The October 27, 1998 meeting will adjourn into the Commission's public hearing at 10 am and reconvene if the Commission's public hearing adjourns before 4 pm. The meetings are open to the public. For more information contact Sharon Weinberg at (510) 251-2888, extension 2025.

**Public Meeting**

<p>October 28, 1998 10 am - 3 pm</p>	<p><i>California Public Utilities Commission 505 Van Ness Avenue, Room 4206 (Corner of Van Ness and McAllister Street) San Francisco</i></p>
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The TDD Placement Interim Committee will conduct a monthly meeting. For more information, please contact Adam Thaler at (415) 703-1157.

**Public Meeting**

<i>October 29, 1998 2 pm - 5 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The Finance Sub-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 Elana Kalisher 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>November 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 Elana Kalisher 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>November 9, 1998 8:30 am - 12 pm</i>	<i>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</i>
<i>Designated Conference Leader:</i>	<i>To join via teleconference:</i>
<i>Sharon Weinberg/PG&amp;E</i>	<i>Dial: (415) 904-8907</i>
<i>Reservation No. #4590512</i>	<i>Passcode: 2408347#</i>

As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-314-3558.

The Low Income Governing Board Advisory Committee (LIGBAC) will meet on the following agenda: Welcome and Introduction Chairperson's report, review meeting

minutes, public comments, substantiative program designs, other business. These meetings are open to the public. You can get the materials for this meeting by phoning the LIGBAC at 415 703-2565 and leaving a message with your name, phone and fax number at least 24 hours in advance of the meeting time.

**Public Meeting - TIME CHANGE (REVISED AS OF 9/26/98)**

<p>November 12, 1998 9:30 am - 4:30 pm</p>	<p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></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 Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<p>November 20, 1998 10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p>
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The California Relay Service Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher 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**

9/30/98	I95-04-044	<b>Petition #125</b> , Rocky Mountain Broadband, Inc., for a certificate of public convenience and necessity to provide a competitive resold and facilities-based local exchange carrier service
10/1/98	A98-10-014	Airporter, Inc., dba Santa Rosa Airporter, for rehearing of Resolution TL-18864 granting Marin Airporter route revision request for an additional service point at the

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Embassy Suites Hotel in San Rafael (300 Larkspur  
Landing Circle, Larkspur, CA 94939; (415) 461-4203)

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

NONE

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**DRAFT DECISIONS \* PROPOSED DECISIONS \* ALTERNATES \* PRESIDING  
OFFICER'S DECISION \* ARBITRATOR'S REPORTS**

NONE

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**ADVICE LETTER FILINGS**

NONE

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**MISCELLANEOUS TRANSPORTATION ITEMS**

**October 15, 1998**

Filings with Rail Safety and Carriers Division

NONE

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**October 15, 1998**

<u>Date Filed</u>	<u>Subject</u>
October 1, 1998	Notice of filing of 1998 annual reports and proposed 1999 budgets by the Universal Lifeline Telephone Service Marketing Board and the Universal Lifeline Telephone Service Administrative Committee. Protests or comments should be made within 20 days from the date of this Daily Calendar and should be sent to the Director of

Telecommunications Division - Jack Leutza in Room 3210. To obtain a copy of this request contact Ms. Terry Gray at (510) 452-2757 or 1970 Broadway, Suite 650, Oakland, CA 94612.

October 1, 1998 Notice of filing by the California Teleconnect Fund (CTF) Administrative Committee of a proposed 1999 CTF budget and the suggested surcharge rate. Protests or comments should be made within 20 days from the date of this Daily Calendar and should be sent to the Director of Telecommunications Division - Jack Leutza in Room 3210. To obtain a copy of this budget contact Hassan Mirza at (415) 703-1638 or 505 Van Ness Avenue, San Francisco, CA 94102.

October 1, 1998 Notice of filing by the California High Cost Fund-B (CHCF-B) Administrative Committee of a proposed 1999 CHCF-B budget and the suggested surcharge rate. Protests or comments should be made within 20 days from the date of this Daily Calendar and should be sent to the Director of Telecommunications Division - Jack Leutza in Room 3210. To obtain a copy of this budget contact Hassan Mirza at (415) 703-1638 or 505 Van Ness Avenue, San Francisco, CA 94102.

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

A97-12-020 Wetzell-Pacific Gas and Electric Company for authority  
I97-11-026 to increase rates and charges for electric and gas service,  
and related matter, **Evidentiary Hearing held and  
continued for October 15**

A98-05-019 Barnett-San Diego Gas & Electric Company for authority  
A98-05-021 to increase its authorized return on common equity, and  
A98-05-024 related matter, **Evidentiary Hearing held  
and continued for October 15**

C98-05-054 Walker-Internet Specialties West vs. GTE California Inc.,  
**hearing set for November 16-17, reset for January 27-  
28, 1999**

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**REMOVALS FROM CALENDAR**

C98-02-047 Ryerson-City of Bakersfield vs. Union Pacific Railroad  
Company for failure and refusal to maintain certain at-

grade railroad crossings, **hearing set for October 21 removed from calendar**

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**NEW SETTINGS**

11/18/98            10:00 a.m.        **(EH)**-For rehearing of Resolution G-3233,  
ALJ Malcolm        A.98-05-023      **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

10/20/98            9:30 a.m.        NONE SCHEDULED  
  
10/27/98            9:30 a.m.        NONE SCHEDULED  
  
11/3/98             9:30 a.m.        NONE SCHEDULED

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**HEARINGS**

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

**(PHC) = Prehearing Conference**                      **(FOA) = Final Oral Argument**  
**(EH) = Evidentiary Hearing**                            **(WS) = Workshop**  
**(PPH) = Public Participation Hearing**                **(FPH) = Full Panel Hearing**  
**(IAM) = Initial Arbitration Meeting**                **(AH) = Arbitration Hearing**  
**(M) = Mediation**                                         **(CA) = Closing Argument**

10/15/98            9:00 a.m.        **(EH)**-Pacific Gas and Electric Company for authority to  
ALJ Wetzell        A.97-12-020      increase rates and charges for electric and gas service  
Com`r Bilas    effective 1/1/99,  
  
                          I.97-11-026      **(EH)**-Commission Order Instituting Investigation into  
    the out of service status of Pacific Gas and Electric  
    Company's El Dorado hydroelectric project and the  
    need to reduce electric rates related to this non-

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		functioning electric generating facility <b>Commission Courtroom, Hearing Room A, San Francisco (also October 16, December 14-18, San Francisco)</b>
10/15/98 ALJ Barnett Comr Duque	9:00 a.m. A.98-05-019 A.98-05-021  A.98-05-024	<b>(EH)</b> -San Diego Gas & Electric Company for authority to increase its authorized return on common equity, <b>(EH)</b> -Pacific Gas and Electric Company for authority to establish its authorized rates of return on common equity, <b>(EH)</b> -Southern California Edison Company for consideration of unbundled rate of return on common equity, <b>Commission Courtroom, San Francisco</b>
10/15/98 ALJ Rosenthal Comr. Bilas	1:30 p.m. I.97-04-046	<b>(PHC)</b> -Order Instituting Investigation into the operations and practices of Future Telephone Communications and its President Manuel G. Zepeda, Jr., and Vice-President Carlos G. Zepeda, <b>Commission Courtroom, San Francisco</b>
10/16/98 ALJ Vieth Comr Duque	10:00 a.m. A.98-09-013  A.98-09-014  A.98-09-015  A.98-09-016	<b>(PHC)</b> - California Water Service Company for a general rate increase to increase revenues by \$897,400 or 6.1% in the year 1999, \$307,400 or 2.0%, in the year 2000, \$369,000 or 2.3% in the year 2001, and \$377,000 or 2.3% in the year 2002 in the Los Angeles District, <b>(PHC)</b> -California Water Service Company for a general rate increase to increase revenues by \$1,371,800 or 12.3% in the year 1999, \$353,500 or 2.8% in the year 2000, \$325, 100 or 2.5% in the year 2001, and \$334,800 or 2.5% in the year 2002 in the Bear Gulch district, <b>(PHC)</b> -California Water Company for an order authorizing it to increase rates charged for water service in the Hermosa-Redondo district, <b>(PHC)</b> -California Water Service Company for an order authorizing it to increase rates charged for water service in the Visalia district <b>Commission Courtroom, San Francisco</b>
10/19/98 ALJ Gottstein Comr Neeper	10:00 a.m. A.98-06-045	<b>(EH)</b> -San Diego Gas and Electric Company for authority to revise line loss factors for energy payments to qualifying facility generators, <b>Commission Courtroom, San Francisco (also for 9:00 a.m., October 20-21)</b>
10/21/98	10:00 a.m.	<b>(EH)</b> -Leo Ferrick on behalf of the Laguna Shores



ALJ DeUlloa Comr Knight	C.98-03-049	Vacation Plan Owners Association vs. General Telephone for improperly charging commercial rates for residential customers, <b>City Hall Council Chamber, 200 S. Anaheim Blvd., Anaheim</b>
10/21/98 ALJ Bushey Comr Neeper	10:00 a.m. I.98-04-033	<b>(PHC)</b> -Commission Order Instituting Investigation into the operations and practices of affiliated companies Future Net Inc., and Future Net Online, Inc., dba Future Electric Network and individuals Alan Setlin and Larry Huff, <b>Commission Courtroom, San Francisco (also (EH) December 10-11, December 15</b>
10/21/98 ALJ Minkin Comr Bilas	10:00 a.m. A98-05-004  A.98-05-006  A.98-05-015	<b>(EH)</b> -Pacific Gas and Electric Company to establish the eligibility r and seek recovery of certain electric industry restructuring implementation costs as provided for in Public Utilities Code Section 376, <b>(EH)</b> -San Diego Gas & Electric Company, for (1) a determination of eligibility for recovery under Public Utilities Code Section 376 of certain cost categories and activities, (2) a finding of reasonableness of the costs incurred through 12/31/97, (3) approval of an audit methodology for verifying the eligibility of Section 376 costs for recovery from 1998 through 2001, and (4) approval of a Section 376 balancing account mechanism to recover eligible costs, <b>(EH)</b> -Southern California Edison Company, to address restructuring implementation costs pursuant to Public Utilities Code Section 376, in compliance with Ordering Paragraph 18 of D.97-11-074, <b>Commission Courtroom, San Francisco (also October 22-23, October 26-30, November 2, November 3, 9:00 a.m.)</b>
10/22/98 ALJ Barnett Comr Knight	9:00 a.m. C.98-05-055	<b>(EH)</b> -Richard Minetto vs. Sierra Pacific Power Company and Sierra Pacific Energy Company for violations of the affiliate transaction rules of the Commission's Rulemaking R97-04-011, <b>City Hall, Council Chamber, Second Floor, 490 Center St., Reno</b>
10/22/98 ALJ Ryerson Comr Knight	1:30 p.m. A.97-03-007	<b>(PHC)</b> -Island Boat Service for a certificate of public convenience and necessity to operate as an "on-call" vessel common carrier between points at and offshore of Santa Catalina Island, <b>Commission Courtroom, Los</b>

**Angeles**

10/22/98 ALJ Malcolm Comr Conlon	2:00 p.m. R.96-11-004	<b>(PHC)</b> -Commission Order Instituting Rulemaking to develop standards for electric system reliability and safety pursuant to D96-09-073 consolidated with I95-02-015, <b>Commission Courtroom, San Francisco</b>
10/26/98 ALJ Kenney Comr Duque	9:00 a.m. C.96-09-035	<b>(PHC)</b> -Michael A. Titell vs. GTE of California Inc., for unreasonable telephone rates and charges, <b>Telephone Conference, Commission Courtroom, San Francisco</b>
10/27/98] ALJ Gottstein Comr Neeper	10:00 a.m. R.98-07-037	<b>(EH)</b> -Order Instituting Rulemaking on the Commission,'s proposed policies and programs governing energy efficiency, low-income assistance, renewable energy and research development and demonstration, <b>Commission Auditorium, San Francisco</b>
10/28/98 ALJ Wright	10:00 a.m. C.98-09-028	<b>(ECP)</b> -Rosalinda M. Villarreal vs. Pacific Gas and Electric Company, <b>City Council Chambers, 1710 Tucker St., Selma</b>
10/29/98 ALJ Barnett	1:30 p.m. C.98-08-047	<b>(ECP)</b> -Carmen E. Didley vs. GTE California, Inc., for improper billings for calling card telephone service charges, <b>Pomona Unified School District, Education Center, Room 116, 800 South Garey Avenue, Pomona</b>
10/30/98 ALJ DeUlloa Comr Knight	10:00 a.m. C.98-06-028	<b>(PHC)</b> -Pacific Bell vs. MCI Telecommunications Corporation and MCI Metro Access Transmission Services, Inc., <b>Commission Courtroom, San Francisco</b>
10/30/98 ALJ McVicar Comr Duque	10:00 a.m. A.98-07-047	<b>(PHC)</b> -Blue & Gold, L.P. for authority to increase fare levels for the transportation of passengers in vessel common carriers service between Sausalito on the one hand, and authorized points in San Francisco, on the other hand,
	A.98-07-049	<b>(PHC)</b> -Blue and Gold Fleet, L.P. for authority to increase fare levels for the transportation of passengers in vessel common carriers service between Tiburon, on the one hand, and authorized points in San Francisco, on the other hand,
	A.98-07-050	<b>(PHC)</b> -Blue and Gold Fleet, L.P. for authority to

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		increase fare levels for the transportation of passengers in vessel common carriers service between Angel Island, on the one hand, and authorized points in San Francisco on the other hand, <b>Commission Courtroom, San Francisco</b>
10/30/98 ALJ Wright	11:00 a.m. C.98-09-022	<b>(ECP)</b> -Carroll S. Hayes vs. R.R. Lewis Small Water Company, <b>City Council Chamber, 277 North Second Avenue, Oakdale</b>
11/2/98 ALJ Kenney Comr Duque	10:00 a.m. C.98-06-008	<b>(PHC)</b> -Pacific Bell, Pacific Bell Public Communications vs. AT&T Communications of California, Inc., for violation of the Commission's decisions and resolution 15782 by failing to remit the PSSC to Pacific Bell for intraLATA non-sent-paid calls originating on Pacific Bell payphones and for other related violations, <b>Commission Courtroom, San Francisco (also (EH) November 30, December 1-2)</b>
11/2/98 ALJ Gottstein Comr Neeper	10:00 a.m. A.98-05-001	<b>(EH)</b> -Application of Pacific Gas and Electric Company for approval of demand-side management shareholder incentives for 1997 program year accomplishments and second claim for incentives for 1996 program year accomplishments,
	A.98-05-005	<b>(EH)</b> -San Diego Gas & Electric Company to increase its gas and electric revenue requirements to reflect its accomplishments for demand-side management program years 1996 and 1997 in the 1998 annual earnings assessment proceeding,
	A.98-05-013	<b>(EH)</b> -Southern California Edison Company for approval of demand-side management shareholder incentives for 1997 program year accomplishments and the second installment of shareholder incentives for the 1996 program year,
	A.98-05-018	<b>(EH)</b> -Southern California Gas Company for authority to increase its gas revenue requirements to reflect its accomplishments for demand-side management program years 1994, 1995, and 1996 in the 1997 annual earnings assessment proceeding <b>Commission Courtroom, San Francisco (also for 9:00 a.m., November 3-5, 10:00 a.m., November 9, 9:00 a.m., November 10-13; (CA) 10:00 a.m., December 8</b>
11/3/98 ALJ Rosenthal	10:30 a.m. A.97-10-069	<b>(EH)</b> -Jose Luis Ayala-Aroche dba El Corre Caminos to acquire and Mark K. Sneed and Jose Luis Ayala-Aroche,

Comr Duque		a partnership dba El Corre Caminos to transfer a certificate of public convenience and necessity to operate as a passenger stage corporation and certain other assets,
	I.98-07-039	<b>(EH)</b> -Commission Instituting Investigation into the operations of Mark K. Sneed and Jose Luis Ayal-Aroche, a partnership dba El Corre Caminos,
	A.98-07-063	<b>(EH)</b> -Mark K Sneed and Jose Luis Ayala-Arocha dba El Corre Caminos to amend certificate of Public Convenience and Necessity to operate as a passenger stage corporation (PO Box 1557, San Anselmo, CA 94979, (415) 455-9151), <b>San Diego Service Center, Employment Development Department, 6145 Imperial Avenue, Room F, San Diego (also November 4-5)</b>
11/3/98 ALJ Walker Comr Conlon	11:00 a.m. A.96-11-007	<b>(EH)</b> -Southern California Water Company to increase rates in order to recover costs resulting from participation in the State Water Project under contract with the Central Coast Water Authority and other related costs to deliver water in its Santa Maria District, <b>Commission Courtroom, San Francisco (also November 4-6)</b>
11/4/98 ALJ Weissman ALJ Malcolm Comr Bilas	11:00 a.m. R.98-01-011	<b>(PHC)</b> -Commission Order Instituting Rulemaking on the Commission's own motion to assess and revise the regulatory structure governing California's natural gas industry, <b>Commission Courtroom, San Francisco (also (EH) 10:00 a.m., December 7-11)</b>
11/4/98 ALJ Stalder Comr Neeper	9:00 a.m. C.98-07-031	<b>(EH)</b> -Wesley Crawford Muhammad and Shontelle Crawford Muhammad vs. Pacific Gas and Electric Company requesting to refund overcharged amounts, increase discounts and to restore medical baseline and LIRA baseline, <b>County Administrative Building, 1115 Truxtun Ave., 5<sup>th</sup> Floor, Bakersfield</b>
11/4/98 ALJ Stalder Comr Neeper	9:00 a.m. C.98-07-031	<b>(EH)</b> -Wesley Crawford Muhammad and Shontelle Crawford Muhammad vs. Pacific Gas and Electric Company requesting to refund overcharged amounts, increase discounts and to restore medical baseline and LIRA baseline, <b>County Administrative Building, 1115 Truxtun Ave.,</b>

**5<sup>th</sup> Floor, Bakersfield**

11/4/98 ALJ Galvin Comr Duque	7:00 p.m. A.98-05-038	<b>(PPH)</b> -In the matter of the application of Pacific Bell for authority for pricing flexibility and to increase prices of certain operator services, to reduce the number of monthly directory assistance call allowances, and adjust prices for four centrex optional features, <b>Council Chambers, 12<sup>th</sup> Floor, City Administration Building, 202 C Street, San Diego (also November 17, Ted C. Wills Community Center, 770 North San Pablo Avenue, Fresno; November 18, San Jose Unified School District, Board Room, 855 Lenzen Avenue, San Jose; November 24, Council Chambers, Room 247, 100 North Garfield Avenue, Pasadena; November 30, County Board Chamber, 700 H St., Suite 1450, Sacramento, Parking A &amp; G; (EH) 10:00 a.m., December 7-9, Commission Courtroom, San Francisco)</b>
11/5/98 ALJ Bushey Comr Neeper	10:00 a.m. C.98-04-004 C.98-06-003 C.98-06-027	<b>(PHC)</b> -The Utility Consumers' Action Network vs. Pacific Bell for unlawful and deceptive sales program and practices, <b>(PHC)</b> -The Greenlining Institute and Latino Issues Forum vs. Pacific Bell, for deceptive sales practices, false and deceptive advertising, unfair competition and invasion of privacy, <b>(PHC)</b> -The Utility Consumers' Action Network vs. Pacific Bell for unlawful marketing and education of the Caller ID and related services, <b>Commission Courtroom, San Francisco</b>
11/6/98 ALJ Minkin Comr Duque Comr Conlon	9:00 a.m. A.98-09-003 A98-09-008 A98-09-009	<b>(PHC)</b> -Pacific Gas and Electric Company for review and recovery of the costs, and recovery of the costs and revenues in the transition cost balancing account, <b>(PHC)</b> -Southern California Edison Company to review and recover transition cost balancing account entries and various generation-related memorandum account entries, <b>(PHC)</b> -San Diego Gas and Electric Company for review and find reasonableness in the annual transition cost proceeding regarding the transition cost balancing account, <b>Commission Courtroom, San Francisco</b>
11/6/98 ALJ Wright	10:00 a.m. C.98-07-032	<b>(EH)</b> -Pamela Gruszka vs. San Diego Gas and Electric Company, <b>Council Chamber, 202 C Street, San Diego</b>

Comr Neeper

11/9/98 ALJ Wright Comr Conlon	10:00 a.m. C.98-03-055	<b>(ECP)</b> -Rodney W. & LaDonna M. Lucas vs. Southern California Gas Company, <b>Commission Courtroom, Los Angeles</b>
11/12/98 ALJ Malcolm Comr Duque	10:00 a.m. A.96-12-009 A.96-12-011 A.96-12-019	<b>(EH)</b> -Pacific Gas and Electric Company to identify and separate components of electric rates effective January 1, 1998, <b>(EH)</b> -San Diego Gas & Electric Company for authority to unbundle rates and products, <b>(EH)</b> -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 January 1, 1998 in conformance with D.95-12-036 as modified by D.96-01-009, the June 21, 1996 ruling of assigned Commissioner Duque, D.96-10-074, and Assembly Bill 1890, <b>Commission Courtroom, San Francisco</b>
11/13/98 ALJ Bushey Comr Duque	9:00 a.m. I98-08-004	<b>(PHC)</b> -Commission Order Instituting Investigation, into the operations, practices, and conduct of Coral Communications, Inc. (Coral) and Michael Tinari, President of Coral; William Gallo, Senior Vice President of Coral; Devon Porcella, Vice President of Sales and Operations of Coral; Neal Deleo, Vice President Finance and MIS of Coral to determine whether the corporation or its principals have operated within California without having a certificate to operate from the Commission and whether they have charged California subscribers for telecommunications services the subscribers never authorized, <b>Commission Courtroom, San Francisco</b>
11/16/98 ALJ Pulsifer Comr Neeper	10:00 a.m. C.98-04-046	<b>(EH)</b> -Pac-West Telecomm, Inc., vs. Evans Telephone Company and Volcano Telephone Company for unlawful acts of charging toll rates for local calls placed by their customers to complainant Pac-West customers, <b>Commission Courtroom, San Francisco (also November 17-19)</b>
11/18/98 ALJ Malcolm	10:00 a.m. A.98-05-023	<b>(EH)</b> -For rehearing of Resolution G-3233, <b>Commission Courtroom, San Francisco</b>

Comr Bilas

11/23/98 1:00 p.m. **(EH)**-Bunteang Chay and Tha Chan vs. Pacific Gas and  
ALJ Weiss C.98-04-056 Electric Company for estopping from collecting a debt  
Comr Conlon resulting from the complainant's alleged use of  
unmetered energy, **City Hall, Council Chamber, 2600  
Fresno St., Fresno**

11/30/98 10:00 a.m. **(PHC)**-Southern California Gas Company for authority  
ALJ Stalder A.98-01-015 to sell its storage field in Montebello, California,  
Comr Conlon **Commission Courtroom, San Francisco (also (EH)  
9:00 a.m., December 7-9)**

12/1/98 10:00 a.m. **(EH)**-San Diego Gas and Electric Company for approval  
ALJ Malcolm A.98-07-006 of consolidated changes in 1999 authorized revenue and  
Comr Bilas revised rate components, the CTC rate component and  
associated headroom calculations, RGTCOMA balances,  
credit computations, disposition of various  
balancing/memorandum accounts, and electric revenue  
allocation and rate design changes,  
A.98-07-003 **(EH)**-Pacific Gas and Electric Company for verification,  
consolidation, and approval of costs and revenues in the  
Transition Revenue Account,  
A.98-07-026 **(EH)**-Southern California Edison Company to  
consolidate authorized rates and revenue requirements,  
verify residual competition transition charge revenues,  
review and dispose of amounts in various balancing and  
memorandum accounts, verify regulatory balances  
transferred to the transition cost balancing account on  
1/1/98; and propose rate recovery for Santa Catalina  
Island Diesel fuel costs,  
**Commission Courtroom, San Francisco, (also  
December 2-4, 9:00 a.m., December 7-10, 9:00 a.m.)**

12/1/98 10:00 a.m. **(EH)**-George W. Goldthorpe, as general partner of  
ALJ Walker A.98-04-065 Goldthorpe Partnership for an exemption from the  
Comr Walker Moratorium on new water service connections in the  
Montara Moss Beach District as set out in D86-05-078,  
**Commission Courtroom, San Francisco (also  
December 2)**

12/7/98 10:00 a.m. **(EH)**-Pacific Bell for authority for pricing flexibility and  
ALJ Galvin A.98-05-038 to increase prices of certain operator services to reduce  
Comr Duque the number of monthly directory assistance call  
allowances and adjust prices for four centrex optional

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		features, <b>Commission Courtroom, San Francisco (also December 8-9)</b>
12/8/98 ALJ Walker Comr Duque	7:00 p.m. A.98-06-005	<b>(PPH)</b> -Southern California Water Company for authority to assess a reservation fee for fire protection for persons occupying or owning property within the service territory of the Desert District, <b>Morongo Valley Elementary School, 10951 Hess Blvd., Morongo (also (EH) 10:00 a.m., February 9-10, Commission Courtroom, San Francisco)</b>
12/10/98 ALJ Econome Comr Neeper	9:00 a.m. A.95-10-024	<b>(CA)</b> -Pacific Gas and Electric Company, for authorization to implement a plan of reorganization which will result in a holding company structure, <b>Commission Courtroom, San Francisco</b>
12/17/98 ALJ Barnett Comr Bilas	10:00 a.m. A.98-04-015	<b>(EH)</b> -Unocal California Pipeline Company for authority to remove its line 700B oil pipeline in Los Angeles County from carrier service, <b>Commission Courtroom, Los Angeles (also December 18)</b>
1/5/99 ALJ Barnett Comr Conlon Comr Bilas	10:00 a.m. A.97-12-039	<b>(EH)</b> -San Diego Gas and Electric Company for authority to sell electrical generation facilities and power contracts, <b>Commission Courtroom, San Francisco (also January 6-8, January 11-14)</b>
1/12/99 ALJ Stalder Comr Duque	9:00 a.m. A.98-04-003	<b>(PHC)</b> -Pacific Gas and Electric Company for Commission order finding that its electric operations during the reasonableness period from January 1, 1997 to December 31, 1997 as well as certain of its gas operations during the reasonableness periods from January 1, 1996 to December 31, 1996 and January 1, 1997 to December 31, 1997, were prudent; made to seek recovery of costs related to the ISO-PX Implementation Delay Memorandum Account, <b>Commission Courtroom, San Francisco (also (EH) February 1-16)</b>
1/18/99 ALJ Walwyn Comr Bilas Comr Duque	10:00 a.m. R.93-04-003  I.93-04-002	<b>(EH)</b> -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, <b>(EH)</b> -Investigation of the Commission's Own Motion



into Open Access and Network Architecture  
Development of Dominant Carrier Networks,  
**Commission Courtroom, San Francisco (also  
January 19-22, 1999)**

1/19/99 1:30 p.m. (EH)-Southern California Edison Company for Orders  
ALJ Barnett A.98-05-033 approving contract amendments necessitated by Industry  
Comr Neeper Restructuring between Southern California Edison  
Company and AES Placerita, Brea Power Partners, Kern  
River Cogeneration Company, Midway Sunset  
Cogeneration, OLS-Camarillo, OLS-Chino, Ontario  
Cogeneration, Sycamore Cogeneration, and Watson  
Cogeneration,  
**Commission Courtroom, San Francisco (also  
January 20-21)**

1/27/99 10:00 a.m. (EH)-Internet Specialties West vs. GTE for improper  
ALJ Walker C.98-05-054 disconnection of ISDN over Centranet services,  
Comr Neeper **Commission Courtroom, Los Angeles (also January  
28)**

2/16/99 9:00 a.m. (EH)-Energy Alternatives vs. Pacific Gas and Electric  
ALJ Bennett C.97-09-030 Company for failure to conduct an open and fair bidding  
Comr Bilas process with respect to the awarding of the Energy  
Partners program administrative contract for 1997,  
**Commission Courtroom, San Francisco (also  
February 17)**

03/15/99 10:00 a.m. (EH)-Southern California Gas Company for authority to  
ALJ Gottstein A.96-03-031 revise its rates effective January 1, 1997 in its Biennial  
Comr Conlon Cost Allocation Proceeding for a total reduction in  
annual revenues of approximately \$147.9 million (5.7%),  
(EH)-San Diego Gas & Electric Company for authority  
A.96-04-030 to revise its rates effective January 1, 1997 in its Biennial  
Cost Allocation Proceeding for an approximately \$42  
million decrease over presently authorized revenues,  
**Commission Courtroom, San Francisco (also 9:00  
a.m., March 16-19)**

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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 ALL-PARTY MEETINGS (PU Code § 1701.3(c) )**

**NONE**

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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.*

10/8/98	R98-03-040	Commission Order Instituting Rulemaking, on the Commission's own motion, into the third triennial review of the regulatory framework adopted in Decision 89-10-031 for GTE California Incorporated and Pacific Bell.
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**Summary:** October 7, 1998, Mr. Tony DiTirro of MCI conveyed oral ex parte remarks to Commissioner Conlon and his advisor, Jose Jimenez, and to Dorothy Duda, advisor to Commissioner Knight. The occasion was a meeting at CPUC in which representatives from the following entities also attended: Pacific Bell, GTE California, California Manufacturer's Association, and the Office of Ratepayer Associates ("ORA"). MCI's Notice of Ex Parte Communication indicated Mr. DiTirro attended the meeting jointly with AT&T's representative, Gary Beckman, and that the AT&T representative concurred with the statements of Mr. DiTirro. Mr. DiTirro said MCI saw two problems with the draft NRF decision: (1) it would leave the Commission with no ability to ensure reasonable rates for Category I monopoly services, and (2) retention of the ILEC's ability to seek recovery of stranded investment must end with the elimination of depreciation reviews. Amplifying comments were added to support both contentions. Mr. DiTirro then stated the Commission prohibited parties from submitting evidence on the status of competition in this proceeding, and therefore the record in this case will not contain that element. PUC must base its findings on a public interest standard, Mr. DiTirro concluded.

**Filer:** MCI Telecommunications Corporation and AT&T Communications of

**California**

**Contact: Michelle deVillers**

**Phone: (415) 228-1199**

10/9/98	A96-08-001	<b>CORRECTION FOR THE DAILY CALENDAR OF OCTOBER 14, 1998.</b> 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 October 6, 1998, the "Parties" (see below) initiated two meetings and subsequently met with: (1) Commission President Bilas and his advisor, Ms Julie Halligan, and (2) Commissioner Neeper and his advisor, David Gamson at CPUC. The content of the ex parte communication was the same in each meeting. The parties urged support for the proposed decision ("PD") of Administrative Law Judge ("ALJ") Minkin. Designating themselves as the "parties" were representatives from Enron Capital & Trade Resources, Enron Energy Services, City and County of San Francisco, State of California Department of General Services, and Independent Energy Producers. The representatives involved were Michael B. Day, counsel for Enron; Ms Dian Grueneich and Ms Traci Grundon of Grueneich Resources; counsel for the City and County of San Francisco, and Mr. Andrew Brown of Ellison & Schneider, counsel for the Department of General Services and Independent Energy Producers. The parties stated ancillary or standby services provided to a customer whose new or incremental load was eligible for § 369 exemption would be

provided under separate tariff or standby agreement and that such agreements are not part of the direct access transaction defined in AB 1890. Thus, the parties said, the direct transaction itself would not “otherwise” utilize utility transmission or distribution facilities. They said AB 1890 states a preference for a reliable and integrated statewide electric grid. The alternate decision, which they said provides a financial incentive for customers to construct isolated “islands” of electric service, is inconsistent with that preference and would be less reliable. Finally, the parties said, the PD’s interpretation would benefit only a limited number of direct access projects, and that the utilities’ collective recovery of CTC would not be threatened.

**Filer:** Enron Capital & Trade Resources and Enron Energy Services;  
**City and County of San Francisco, State of California Department of General Services, and Independent Energy Producers**  
**Contact:** Betsie Diamond **Phone:** (415) 392-7900

- 10/9/98            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 October 6, 1998, Pacific Gas & Electric (“PG&E”) representatives Jana Corey, David Rubin, and Jack Fallin initiated a meeting at CPUC with Commission President Bilas. Mr. Fallin said that CTC exemptions distort competition by adversely affecting existing and future competitors who are not excused from its payment, and that

standby service is “insurance” and is used all the time, not just when back-up energy is consumed. Other assertions were made, including that the “contract only” theory would not work for self generation, that the § 369 only refers to the overall “transaction” in the critical phrase, that “otherwise required use” is intended to cover all factually required use, and that the Legislature’s intention to cover CTC exemptions for new loads served by co-gen and self-cogen is § 372 confirms § 369’s narrow scope. The broad intent of the restructuring legislation is what the Commission should rely upon, according to Mr. Fallin, and it starts with the premise that CTC should be equally shared among all existing and future consumers. Section 369 is the unique exception, according to PG&E, where that responsibility could be fairly avoided because there is no use whatever of utility facilities. Ms Corey added additional comments, including that with shared CTC responsibility, no competitor receives an unearned advantage. She said any decision on the matter should reflect the broad principle so cited.

**Filer: Pacific Gas and Electric Company**

**Contact: Heidi Holzhauser**

**Phone: (415) 972-5611**

**Summary:** On October 6, 1998, Pacific Gas & Electric (“PG&E”) representatives Jana Corey and Jack Fallin initiated a meeting at CPUC with James Hendry, advisor to Commissioner Conlon. Mr. Fallin said standby service is “insurance” and is used all the time, not just when back-up energy is consumed.. Mr. Fallin added “otherwise required use” was intended to cover all factually required use and that the Legislature’s intention to cover CTC exemption for new loads served by co-gen and self-cogen in § 372 confirms § 369’s narrow scope. Ms Corey said PUC should rely on the broad intent of restructuring legislation which provides utilities an opportunity to recover above market generation costs and starts with the premise that CTC should be equally shared among all existing and future consumers. These principles require exemptions be restricted she added. Ms Corey said interpreting § 369 more broadly would introduce a new class of exemptions in opposition to the fundamental elements in AB 1890. Ms Corey stated with shared CTC responsibility, no competitor receives an unearned advantage and that the exception in § 369 was only for the unique situation where that responsibility could be fairly avoided because there was no use whatever of utility facilities. In reference to other parties’ stated desire to use § 369 for CTC avoidance, Mr. Fallin stated § 369 bars any use of the utility grid involved, in any way, in the supply process.

**Filer: Pacific Gas and Electric Company**

**Contact: Heidi Holzhauser**

**Phone: (415) 972-5611**

- 10/13/98      R93-04-003      Commission Order Instituting Rulemaking on 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      Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.
- R95-04-043      Rulemaking on the Commission's own motion into

195-04-044 competition for local exchange service and  
Investigation on the Commission's own motion into  
competition for local exchange service.

**Summary:** LATE FILED. On October 13, 1998, Pacific Bell ("PacBell") filed a Notice of Ex Parte Communications containing copies of letters sent to all commissioners and the PUC executive director expressing support for PacBell's entry into the long distance market. The dates of such letters and their originators were as follows: 7/8/98 Marin YMCA (Seth Goldman, Executive Director), 7/9/98 Bank of Marin (W. Robert Griswold, Jr., President and CEO), West Covina Chamber of Commerce (Dr. Lee Laue, President), 10/6/98 sole proprietor businessman Charles J. Wilhelm, 10/7/98 City of Cudahy (Deputy City Clerk conveyed City Council Resolution No. 98-28 supporting PacBell's initiative), 10/8/98 City of Bell Garden Association of Merchants and Commerce (James Pollock, President), 10/8/98 Mexican American Chamber of Commerce, Stockton, CA. (Oscar Anzaldo, President), 10/8/98 Korean American Family Service Center, Los Angeles, CA (Youngbin Kim, Executive Director), 10/8/98 Pets Are Wonderful Support, Los Angeles, CA (Nadia Sutton, Executive Director), 10/9/98 Tel-Tec Security Systems, Inc. (Morgan E. Clayton, President), and 10/9/98 Foundation HOUSE Transitional Group (Mark Supper, Associate Executive Director).

**Filer: Pacific Bell**

**Contact: Lila Tam**

**Phone: (415) 542-9268**

10/13/98 R95-04-043 Rulemaking on the Commission's own motion into  
competition for local exchange service and  
195-04-044 Investigation on the Commission's own motion into  
competition for local exchange service.

**Summary:** On October 9, 1998 Bill Blase of Pacific Bell ("PacBell") called Commissioner Conlon and told him it is PacBell's position that reciprocal compensation for Internet calls is not appropriate because it creates an inequitable flow of funds from originating carriers to carriers serving Internet service providers. He said these calls are not local, but inter-exchange.

**Filer: Pacific Bell**

**Contact: Lila Tam**

**Phone: (415) 542-3820**

**Summary: THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION WHICH WAS FILED ON 10/8/98 AND APPEARED IN THE CALENDAR OF OCTOBER 13, 1998.** On October 6, 1998, the attorney for the Building Owners & Managers Association of California ("BOMA") sent a letter to all of the commissioners, their advisors, and certain PUC staff. After augmentation, a copy of the letter signed by C. Gregg Ankenman and accompanying legal memorandum, are now attached to BOMA's Notice of Ex Parte Communication. The writings express opposition to the provisions of the draft decision ("DD") issued on 9/16/98. Mr. Ankenman states the DD would effectively force private property owners to permit free, unfettered and uncompensated access to private property to scores of individual telecommunications

operators. He adds that the Commission's methodology proposed in the DD would be a draconian and unconstitutional threat of terminating telecommunications service to specific properties. He said imposition of this methodology would result in immediate litigation, and urges the Commission to recognize the limits of its jurisdiction. Mr. Ankenman's legal memorandum amplifies the aforesaid comments, and contains commentary on suppression of free speech, takings, the Commerce Clause, the Contract Clause, and due process.

**Filer: Building Owners & Managers Association of California**

**Contact: Rose Bie**

**Phone: (510) 834-6600**

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