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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** **Wednesday, November 25, 1998**

- Regular Commission Meetings
- Notices
- 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
- Final Oral Argument
- 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

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**The Commission Daily Calendar will not be published on November 26 and 27, 1998 due to a State Legal Holiday.**



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**

December 3, 1998	10 am	San Francisco
December 17, 1998	10 am	San Francisco
January 7, 1999	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.*

November 30, 1998	1:30 pm	San Francisco
<b>December 15, 1998</b>	<b>10:00 am</b>	San Francisco <b>(REVISED AS OF 11/24/98)</b>
January 4, 1999	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.

**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).

**NONE SCHEDULED**

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**PUBLIC MEETINGS & WORKSHOPS**

***Public Meeting: California Board for Energy Efficiency MA&E Briefing***

<i>December 1, 1998 9 am to 12:30 pm</i>	<i>Pacific Energy Center 851 Howard Street San Francisco</i>
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The California Board for Energy Efficiency (CBEE) will meet to hold a briefing for CBEE members and the public on four ongoing CBEE-related Market Assessment and Evaluation (MA&E) projects. Projects to be covered at the briefing will include interim reports on the evaluations of the 1998 Non-Residential and Residential SPC programs, and two MA&E scoping projects on (1) the Compilation and Analysis of Baseline Data, and (2) Market Share Tracking. The briefing will be organized by project, with each lead contractor providing a 20-minute long presentation on the interim results of the project, followed by up to 20-25 minutes of questions, answers, and discussion on that project. Members of the CBEE's Technical Services Consulting team will facilitate. The meeting is open to the public. The contact person is Mark Thayer (619) 594-5510. For further information about CBEE consult the CBEE Web Page at [www.cbee.org](http://www.cbee.org).

***Public Meeting***

<i>December 1, 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 (DDTPAC) 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: California Board for Energy Efficiency**

<i>December 1, 1998 1 pm to 5:30 pm</i>	<i>Pacific Energy Center 851 Howard Street San Francisco</i>
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The California Board for Energy Efficiency (CBEE) will meet to discuss the following topics: program planning for 1999, including comments on the utilities' advice letter filings, options for future administration of energy efficiency programs, alternative administrative structures, and processes for reaching resolution, CBEE tasks, priorities, and schedules for 1999, RFP(s) and work plans for support services in 1999, the milestones, procedural recommendations, and schedule filing (due December 17), the market assessment and evaluation (MA&E) planning process, Board operations and functioning, status reports on interactions with the Commission, support services, commitments tracking, reporting requirements, market assessment and evaluation activities, and the Technical Advisory Committee, the Treasurer's report, and Board member and consultant invoices. The meeting is open to the public. The contact person is Mark Thayer (619) 594-5510. For further information about CBEE and this meeting consult the CBEE Web Page at [www.cbee.org](http://www.cbee.org).

**Public Meeting**

<i>December 1, 1998 1:30 pm - 4:30 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness and McAllister) San Francisco</i>
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The Administrative Committee of the California High Cost Fund A (CHCF-A), the California High Cost Fund B (CHCF-B), and the California Teleconnect Fund (CTF) will hold a meeting. Purposes of the meeting are to: 1) approve public meeting minutes of 11/18/98; 2) review draft requests for bid for the selection of a financial institution(s) for CHCF-B and CTF; 3) review and approve CHCF-B claims and expenses; 4) review and approved CTF expenses; 5) review and approve CHCF-A expenses, and discuss financial condition of the trust; 6) discuss status of draft resolutions approving 1999 program and administrative budgets for CHCF-A, CHCF-B, and CTF.

**LIGB Meeting Notice**

<p>December 1 and 2, 1998 10 am – 4 pm (PST)</p> <p><u>Conference Call Information</u> December 1 and 2, 1998 Dial (415) 904-8907 Passcode = 2408347#</p>	<p>California Department of Community Services and Development 700 North 10<sup>th</sup> Street, Room 258 <b>Sacramento</b></p> <p>Note: If you experience problems trying to access this conference call please contact Confertech at 1-800-314-3558 and have them verify the Dial-in # and Passcode scheduled under Master Reservation #4590512 for CH2M HILL (Sharon Weinberg is the designated Chairperson)</p>
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The Board will meet to discuss the following topics: report from the Chair, subcommittee reports, direction to consultants, discussion of outcome of October 27, 1998 public hearing, discuss Year 2000 recommendations for LIEE and CARE programs, address issues related to assets and liabilities, and information systems transition, determine contract language to include affiliate rules, review and approval of meeting minutes, financial report and advisory committee report. An agenda for the meeting is being developed and can be obtained from the LIGB's website at [www.ligb.org](http://www.ligb.org). The meeting is open to the public. For more information contact Sharon Weinberg at (510) 251-2888, extension 2025.

**Public Meeting**

<p>December 2, 1998 9:30 am - 3:30 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) <b>San Francisco</b></p>
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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, Review/Approve Administrative Expenses, Review ULTSMB Correspondences, Review/Approve Errors and Omissions Insurance, Set Meeting Dates for 1999, PUC Report and Action Items, Interim Marketing Program Discussion and Planning, Review/Approve Marketing Program Timeline, Discussion and Final Approval of Proposed Interim Marketing Program Documents, Update on the RFP Selection Committee, Discussion of Bidder's Conference Committee, Update on Conflict of Interest Legal Ruling, Review Previous Studies and Data, Announcements, Set Future Agenda Items for Future Discussion and Hear Public Comments. **Update on Energy 800-Call Center.** 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: California Board for Energy Efficiency**

<p>December 2, 1998 9:30 am to 4 pm</p>	<p>Pacific Energy Center 851 Howard Street San Francisco</p>
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The California Board for Energy Efficiency (CBEE) will meet to discuss the following topics: program planning for 1999, including comments on the utilities' advice letter filings; options for future administration of energy efficiency programs, alternative administrative structures, and processes for reaching resolution; CBEE tasks, priorities, and schedules for 1999; RFP(s) and work plans for support services in 1999; the milestones, procedural recommendations, and schedule filing (due December 17); the market assessment and evaluation (MA&E) planning process; Board operations and functioning; status reports on interactions with the Commission, support services, commitments tracking, reporting requirements, market assessment and evaluation activities, and the Technical Advisory Committee; the Treasurer's report; and Board member and consultant invoices. The meeting is open to the public. The contact person is Mark Thayer (619) 594-5510. For further information about CBEE and this meeting consult the CBEE Web Page at [www.cbee.org](http://www.cbee.org).

**Public Meeting - UPDATED ADDRESS AND RESERVATION NO.**

<p>December 3, 1998 9 am - 2 pm</p> <p>Designated Conference Leader:</p> <p>Sharon Weinberg/PG&amp;E</p> <p>Reservation No. #10383502</p>	<p>California Department of Community Services &amp; Development 700 N. 10<sup>th</sup> Street, Room 258 Sacramento</p> <p>To join via teleconference: Dial: (415) 356-1431 Passcode: 2408347#</p>
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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**

<p>December 8, 1998 10 am - 1 pm</p>	<p>One Crow Canyon Court. Building. 7 - Conference Room <b>San Ramon</b></p>
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The Payphone Service Providers Enforcement Committee will conduct a monthly meeting. For more information, please contact Adam Thaler at (415) 703-1157

**LIGB Meeting Notice**

<p>December 8 and 9, 1998 10 am - 4 pm (PST)</p> <p><u>Conference Call Information</u> December 8 and 9, 1998 Dial (415) 904-8907 Passcode = 2408347#</p>	<p>PG&amp;E Energy Center HVAC Room 851 Howard St. <b>San Francisco</b></p> <p>Note: If you experience problems trying to access this conference call please contact Confertech at 1-800-314-3558 and have them verify the Dial-in # and Passcode scheduled under Master Reservation #4590512 for CH2M HILL (Sharon Weinberg is the designated Chairperson)</p>
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The Board will meet to discuss the following topics: report from the Chair, subcommittee reports, direction to consultants, **feedback for public about filing, final changes for Year 2000 LIEE & CARE**, review and approval of meeting minutes, financial report and advisory committee report. An agenda for the meeting is being developed and can be obtained from the LIGB's website at [www.ligb.org](http://www.ligb.org). The meeting is open to the public. For more information contact Sharon Weinberg at (510) 251-2888, extension 2025.

**Public Meeting**

<p>December 9, 1998 10 am - 4 pm</p>	<p>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 <b>Oakland</b></p>
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The NEW COMMITTEE MEMBER ORIENTATION 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**



<p>December 10, 1998 9:30 am - 3:30 pm</p>	<p><i>Deaf and Disabled Telecommunications Program</i> 1939 Harrison Street DDTP Conference Room, Suite 555 <b>Oakland</b></p>
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The EQUIPMENT PROGRAM ADVISORY COMMITTEE (EPAC) 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 - UPDATED NOTICE**

<p>December 16, 1998 8:30 am - 5 pm</p> <p><i>Designated Conference Leader:</i></p> <p>Sharon Weinberg/PG&amp;E</p> <p><b>Reservation No.#10834679</b></p>	<p><i>Pacific Gas and Electric Company Energy Center</i> 851 Howard Street (1 block west of the Moscone Center) <b>San Francisco</b></p> <p><b>To join via teleconference:</b> <b>Dial: (415) 904-2866</b> <b>Passcode: 5684827#</b></p>
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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.

**LIGB Meeting Notice**

<p>December 16 and 17, 1998 10 am – 4 pm (PST)</p> <p><u>Conference Call Information</u></p> <p>December 16, 1998 Dial (415) 356-1431 Passcode = 2408347#</p>	<p><i>PG&amp;E Energy Center</i> <i>Green Room</i> 851 Howard St. <b>San Francisco</b></p> <p><i>Note: If you experience problems trying to access this conference call please contact Confertech at 1-800-314-3558 and have them verify the Dial-in # and Passcode scheduled under Master Reservation</i></p>
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<p>December 17, 1998  Dial (415) 356-0687  Passcode = 2408347#</p>	<p>#4590512 for CH2M HILL (Sharon Weinberg is the designated Chairperson)</p>
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The Board will meet to discuss the following topics: report from the Chair, subcommittee reports, direction to consultants, **final review and closure for RFP**, review and approval of meeting minutes, financial report and advisory committee report. An agenda for the meeting is being developed and can be obtained from the LIGB's website at [www.ligb.org](http://www.ligb.org). The meeting is open to the public. For more information contact Sharon Weinberg at (510) 251-2888, extension 2025.

**Public Meeting**

<p>December 16, 1998  1:30 pm</p>	<p>California Public Utilities Commission  505 Van Ness Avenue, Training Room  San Francisco</p>
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LOTTERY FOR TELEPHONE NUMBER PREFIX ASSIGNMENTS IN THE  
209/559, 213/323, 310, 408/831, 415, 510/925, 619, 650, 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, 650, 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 December 8, 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**

<p>December 17, 1998  8:30 am - 5 pm</p> <p>Designated Conference Leader:</p> <p>Sharon Weinberg/PG&amp;E</p> <p>Reservation No. #4590512</p>	<p>Pacific Gas and Electric Company Energy Center  851 Howard Street (1 block west of the Moscone Center)  San Francisco</p> <p>To join via teleconference:  Dial: (415) 356-1431  Passcode: 2408347#</p>
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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**

<p><i>December 17, 1998</i>  <i>9 am - 5 pm</i></p> <p><i>and</i></p>	<p><i>Public Utilities Commission</i>  <i>505 Van Ness Avenue</i>  <i>1<sup>st</sup> Floor Training Room</i>  <b><i>San Francisco</i></b></p>
<p><i>December 18, 1998</i>  <i>9 am - 5 pm</i></p>	<p><b><i>Electric Education Trust</i></b>  <i>Ground Floor Location</i></p>

The Administrative Committee of the Electric Education Trust (EE T) meets to discuss and implement a CBO outreach grant program and an educational efforts plan, address any recent Commission action on the September 24<sup>th</sup> work plan, adopt a plan to receive community input into the grant process, discuss the Commission's consumer protection report, consider subcommittee recommendations on program design, fax newsletters and CSD activities in support of the EET, discuss and plan public forum meetings tentatively planned for January 1998, and related matters. The contact person is William Schulte at (415) 702-2349.

**Public Meeting**

<p><i>December 18, 1998</i>  <i>10 am - 4 pm</i></p>	<p><i>Deaf and Disabled Telecommunications Program</i>  <i>1939 Harrison Street</i>  <i>DDTP Conference Room, Suite 555</i>  <b><i>Oakland</i></b></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 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.

**NEW FILINGS**

11/9/98	C98-11-027	Reuben and Blanche Bercovitch vs. San Diego Gas & Electric Company and Sempra Energy, for cutting out electric poles to complainants' property
11/20/98	A98-11-026	Net2000 Group, Inc., dba Net2K, for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013

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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**

11/24/98	C98-02-014	James W. and Tammy M. McKenney, Complainants, vs. Pacific Gas & Electric Company (PG&E), Defendant; <b>Presiding Officer's Decision</b>
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We conclude that complainants should be charged for the costs of the power line relocation as stated in PG&E's original pole relocation estimate of October 18, 1996, in the amount of \$11,209. We further conclude that complainants should not be charged for the costs of providing underground service, because complainants did not execute the agreement for installation of underground services which was tendered by PG&E.

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**ADVICE LETTER FILINGS**

NONE

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**MISCELLANEOUS TRANSPORTATION ITEMS**

**November 25, 1998**

Filings with Rail Safety and Carriers Division

11/16/98	TCP 12208-B	Christopher L. Fox, DBA: Minuteman Parking
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Company, Address: 1601 North Sepulveda, Manhattan Beach, CA 90266, Telephone No: (310) 730-3218, Terminal address: same, Application filed for new Class B authority

11/19/98      TCP 12221-B      Odir Roman Morales, DBA: Express Enterprises, Address: 1658 S. Westmoreland Blvd., Los Angeles, CA 90006, Telephone: (213) 700-1841, Terminal Address: 6415 S. Avalon Blvd., Los Angeles, CA 90006, Application filed for new Class B authority

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**November 25, 1998**

**NONE**

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

R97-10-049      Bushey-Commission Order Instituting Rulemaking on the Commission's own motion to set rules and to provide guidelines for the Privatization and Excess Capacity as it relates to investor owned water companies, **Prehearing Conference held and competed**

A98-10-012      Barnett-Southern California Gas Company for  
A98-10-031      authority to revise its rates effective August 1, 1999,  
A98-07-005      and related matters, **Prehearing Conference held and continued to December 18 at 10 a.m.**

A98-05-038      Galvin-In the matter of the application of Pacific Bell for authority for pricing flexibility and to increase prices of certain operator services, **Public Participation Hearing held and continued to November 30**

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**REMOVALS FROM CALENDAR**

**NONE**

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**NEW SETTINGS**

12/10/98 ALJ Walker Comr Duque	1:30 p.m. A.98-09-040	<b>(PHC)</b> -Southern California Water Cocpany for authority pursuant to Public Utilities Code Section 454 to restructure the water rates of its Barstow, Calipatria-Niland, Claremont, Desert, Orange County, San Dimas, San Gabriel and Wrightwood Districts into region wide tariffs, <b>Commission Courtroom, San Francisco</b>
1/11/99 ALJ Rosenthal Comr Conlon	10:30 a.m. A.98-06-051	<b>(EH)</b> -Isam M. Alziq to transfer and A & M United Group, L.L.C. to acquire a certificate of public convenience and necessity and certain other assets, pursuant to Section 851, et seq., of the California Utilities Code, <b>Commission Courtroom, Los Angeles (also January 12-15)</b>

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**LAW AND MOTION**

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

12/1/98	9:30 a.m.	NONE SCHEDULED
12/8/98	9:30 a.m.	NONE SCHEDULED
12/15/98	9:30 a.m.	NONE SCHEDULED

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**FINAL ORAL ARGUMENT**

12/14/98 ALJ Malcolm Comr Knight	9:30 a.m. A97-12-048	For authority to unbundle core interstate pipeline transportation, <b>Commission Courtroom, San Francisco</b>
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**HEARINGS**

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

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

**(FOA) = Final Oral Argument**  
**(WS) = Workshop**  
**(FPH) = Full Panel Hearing**  
**(AH) = Arbitration Hearing**  
**(CA) = Closing Argument**

11/25/98 ALJ Rosenthal Comr Neeper	9:30 a.m. A.98-07-061  C.98-04-044	<b>(PHC)</b> -Sonoma County Airport Express, Inc., dba Airport Express for amendment of certificate of public convenience and necessity to obtain citywide authority for City of Santa Rosa, <b>(PHC)</b> -Airporter, Inc. dba Santa Rosa Airporter vs. Sonoma County Airport Express, Inc., dba Airport Express for violations of the terms of its passenger stage certificate by serving a point in Santa Rosa without the Commission authority. <b>575 Administration Drive, Room 102A, Board of Supervisors Chambers, Santa Rosa</b>
11/30/98 ALJ Stalder Comr Conlon	10:00 a.m. A.98-01-015	<b>(PHC)</b> -Southern California Gas Company for authority to sell its storage field in Montebello, California, <b>Commission Courtroom, San Francisco (also (EH) 9:00 a.m., December 7-9)</b>
11/30/98 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>November 30, County Board Chamber, 700 H St., Suite 1450, Sacramento, Parking A &amp; G; 3:00 p.m., December 3, Commission Courtroom, San Francisco, (EH) 10:00 a.m., December 7-9, Commission Courtroom, San Francisco)</b>
12/1/98 ALJ Malcolm Comr Bilas	10:00 a.m. A.98-07-006	<b>(EH)</b> -San Diego Gas and Electric Company for approval of consolidated changes in 1999 authorized revenue and 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)**

12/1/98 10:00 a.m. (PHC)-Commission Order Instituting Rulemaking, on  
ALJ Weissman R.98-01-011 the Commission's own motion to assess and revise the  
Comr Knight regulatory structure governing California's natural gas  
industry, **Commission Courtroom, San Francisco  
(also (EH) January 19-22)**

12/1/98 2:00 p.m. (PHC)-Pacific Bell for authority to categorize Toll-Free  
ALJ Galvin A.98-07-029 (8XX) and Business MTS IntraLATA Toll services as  
Comr Duque Category III services,  
A.98-07-020 (PHC)-Pacific Bell for authority to categorize Centrex  
as category III service,  
**Commission Courtroom, San Francisco**

12/1/98 7:00 p.m. (PPH)- California Water Service Company for a general  
ALJ Vieth A.98-09-013 rate increase to increase revenues by \$897,400 or 6.1%  
Comr Duque 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 East Los Angeles District,  
A.98-09-014 (PPH)-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,
A.98-09-015		(PPH)-California Water Company for an order authorizing it to increase rates charged for water service in the Hermosa-Redondo district,
A.98-09-016		(PPH)-California Water Service Company for an order authorizing it to increase rates charged for water service in the Visalia district
		<b>City of Commerce, Parks &amp; Recreation Aquatorium, 2515 Commerce Way, Commerce (also December 2, Hermosa Beach Civic Center, City Council Chambers, 1315 Valley Drive, Hermosa Beach; December 3, Menlo Park Civic Center, City Council Chambers, 701 Laurel St., Menlo Park; December 9, Visalia Convention Center, 303 East Acequia Avenue, Visalia, (EH) January 12-15, SF)</b>
12/2/98 ALJ Rosenthal Comr Bilas	10:00 a.m. I.97-04-046	(EH)-Order Instituting Investigation to 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 (also December 3)</b>
12/2/98 ALJ Bushey Comr Neeper	2:00 p.m. C.98-09-011	(PHC)-Ralph Azevedo, Ronald Azevedo, and Albert Ferrari vs. Union Pacific Railroad Company and California Northern Railroad Company for replacement and/or maintenance of fence line, <b>Commission Courtroom, San Francisco</b>
12/4/98 ALJ Wright	11:00 a.m. C.98-11-006	(ECP)-Peter K. Tiernan vs. Pacific Bell for indicating a wrong address on his bills, untimely billing and for reimbursement of fees, <b>Council Chambers, City Hall, 1033 Fifth Street, Clovis</b>
12/8/98 ALJ Bennett Comr Duque	10:00 a.m. C.98-08-008	(PHC)-Dorothy Dominguez and Ralph A. Martinez vs. Great American Stageline for refusal to allow passengers to board, <b>Telephone Conference, Conference Room 5209, San Francisco</b>
12/8/98 ALJ Wright Comr Neeper	10:00 a.m. C.98-07-032	(EH)-Pamela Gruszka vs. San Diego Gas and Electric Company, <b>Commission Courtroom, State Office Building, 1350 Front St., B102, San Diego</b>

12/8/98 ALJ Gottstein Comr Neeper	2:00 p.m. A.98-10-030	<b>(PHC)</b> -Pacific Gas and Electric Company and Mt. Poso Cogeneration Company, L.P. for order approving termination agreement of IS04 power purchase agreement between Pacific Gas and Electric Company and Mt. Poso Cogeneration Company, L.P. <b>Commission Courtroom, San Francisco</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>
12/9/98 ALJ Minkin Comr Conlon	10:00 a.m. C.98-04-037	<b>(EH)</b> -Universal Studios, Inc. vs. Southern California Edison Company for non-compliance with AB-1890 for improper transition charges, <b>Commission Courtroom, San Francisco</b>
12/9/98 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>
12/10/98 ALJ Economie 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>
12/10/98 ALJ Bushey Comr Neeper	10:00 a.m. I.98-04-033	<b>(EH)</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 December 11, December 15)</b>
12/10/98 ALJ Walker Comr Duque	1:30 p.m. A.98-09-040	<b>(PHC)</b> -Southern California Water Company for authority pursuant to Public Utilities Code Section 454 to restructure the water rates of its Barstow, Calipatria-Niland, Claremont, Desert, Orange County, San Dimas, San Gabriel and Wrightwood Districts into region wide tariffs, <b>Commission Courtroom, San Francisco</b>

12/14/98 ALJ Wetzell Comr Bilas	10:00 a.m. A.97-12-020  I.97-11-026	<b>(EH)</b> -Pacific Gas and Electric Company for authority to increase rates and charges for electric and gas service effective 1/1/99, <b>(EH)</b> -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-functioning electric generating facility, Pursuant to the ruling of ALJ Wetzell dated November 6, 1998, the purpose of this conference is to address results of operations/summary of earnings modeling issues. Those who plan to attend should so notify the Energy Division contact person, Manuel Ramirez at (415) 703-1826, <b>Commission Courtroom, San Francisco (also December 15-18)</b>
12/14/98 ALJ Weiss Comr Neeper	1:00 p.m. C.98-04-056	<b>(EH)</b> -Bunteang Chay and Tha Chan vs. Pacific Gas and Electric Company for estopping from collecting a debt resulting from the complainant's alleged use of unmetered energy, <b>City Hall, Council Chamber, 2600 Fresno St., Fresno</b>
12/14/98 ALJ Wetzell Comr Bilas	9:00 a.m. A.97-12-020  I.97-11-026	<b>(EH)</b> -Pacific Gas and Electric Company for authority to increase rates and charges for electric and gas service effective 1/1/99, <b>(EH)</b> -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-functioning electric generating facility <b>Commission Courtroom, Hearing Room A, San Francisco (also December 15-18, San Francisco)</b>
12/15/98 ALJ Wright	1:00 p.m. C.98-11-007	<b>(ECP)</b> -Laura Rogers vs. Pacific Gas & Electric Company for removal of billing charges, <b>Commission Courtroom, San Francisco</b>
12/15/98 ALJ Wright.	2:00 a.m. C.98-11-008	<b>(ECP)</b> -Lazanius Johnson vs. Pacific Gas & Electric Company for erroneous billing, <b>Commission Courtroom, San Francisco</b>
12/16/98 ALJ Bushey Comr Duque	9:00 a.m. A.98-09-001	<b>(EH)</b> -Xpress Management Systems LLC for authority to provide on-call-door-to-door passenger stage service to the extent required to enter into concessionaire agreement with Los Angeles World Airport,

**Commission Courtroom, Los Angeles, (also  
December 17-18)**

12/17/98 ALJ Kenney Comr Duque	9:30 a.m. C.98-06-008	(EH)-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 December 18)</b>
12/18/98 ALJ Barnett Comr Duque	10:00 a.m. A.98-10-012  A.98-10-031  A.98-07-005	(PHC)-Southern California Gas Company for authority to revise its rates effective August 1, 1999 in its biennial cost allocation proceeding, (PHC)-San Diego Gas & Electric Company for authority to revise its gas rates effective August 1, 1999 in its biennial cost allocation proceeding, (PHC)-San Diego Gas & Electric Company and Southern California Gas Company for approval of a gas transmission service tariff, <b>Commission Courtroom, San Francisco</b>
1/5/99 ALJ Barnett Comr Conlon Comr Bilas	10:00 a.m. A.97-12-039	(EH)-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>
1/7/99 ALJ Barnett Comr Duque	2:00 p.m. A.98-05-019  A.98-05-021  A.98-05-024	(OA)-San Diego Gas & Electric Company for authority to increase its authorized return on common equity, to adjust its existing ratemaking capital structure, to adjust its authorized embedded costs of debt and preferred stock, to decrease its overall rate of return and to revise its electric distribution and gas rates accordingly, (OA)-Pacific Gas and Electric Company for authority to establish its authorized rates of return on common equity for electric distribution and gas distribution and establish its unbundled rates of return for calendar year 1999 for electric distribution and gas distribution, (OA)-Southern California Edison Company for consideration of unbundled rate of return on common equity, capital structure, cost factors for embedded debt and preferred stock and overall rate of return for utility operations, <b>Commission Courtroom, San Francisco</b>

1/11/99 ALJ Bushey Comr Neeper	10:00 a.m. C.98-04-004  C.98-06-003  C.98-06-027	<p><b>(PHC)</b>-The Utility Consumers' Action Network vs. Pacific Bell for unlawful and deceptive sales program and practices,</p> <p><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,</p> <p><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 (also (EH) January 21-22)</b></p>
1/11/99 ALJ Malcolm Comr Bilas	10:00 a.m. A.98-07-058  A.98-08-012	<p><b>(EH)</b>- Application of Pacific Gas &amp; Electric Company to Recover 1997 and 1998 Non-Nuclear Generation Capital Additions in the Competition Transition Charge Pursuant to PU Code Section 367,</p> <p><b>(EH)</b>-Application of San Diego Gas &amp; Electric Company (U 902-E) for Competition Transition Charge ("CTC") Recovery of Capital Additions, <b>Commission Courtroom, San Francisco, (also January 12-14)</b></p>
1/11/99 ALJ Rosenthal Comr Conlon	10:00 a.m. A.98-06-051	<p><b>(EH)</b>-Isam M. Alziq to transfer and A&amp;M United Group, L.L.C. to acquire a certificate of public convenience and necessity and certain other assets, pursuant to Section 851, et. seq. of the California Public Utilities Code, <b>Commission Courtroom, Los Angeles (also January 12-15)</b></p>
1/11/99 ALJ Rosenthal Comr Conlon	10:30 a.m. A.98-06-051	<p><b>(EH)</b>-Isam M. Alziq to transfer and A &amp; M United Group, L.L.C. to acquire a certificate of public convenience and necessity and certain other assets, pursuant to Section 851, et seq., of the California Utilities Code, <b>Commission Courtroom, Los Angeles (also January 12-15)</b></p>
1/12/99 ALJ Stalder Comr Duque	9:00 a.m. A.98-04-003	<p><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</p>

		seek recovery of costs related to the ISO-PX Implementation Delay Memorandum Account, <b>Commission Courtroom, San Francisco (also (EH) February 1-16)</b>
1/13/99 ALJ DeUlloa Comr Knight	9:30 a.m. C.98-06-028	<b>(EH)</b> -Pacific Bell vs. MCI Telecommunications Corp., Inc., and MCI Metro Access Transmission Services, Inc., for breach of the interconnection agreement, <b>Commission Courtroom, San Francisco, (also January 14-15)</b>
1/13/9 ALJ Ryerson Comr Neeper	10:00 a.m. C.98-09-020	<b>(PHC)</b> -Greg Roberts vs. Pacific Bell and Southwestern Bell Corporation for not providing repair services, <b>Commission Courtroom, Los Angeles</b>
1/13/99 ALJ Wright Comr Duque	10:00 a.m. A.98-06-048	<b>(PHC)</b> -San Diego Gas & Electric Company for authority to recover ISO-PX implementation delay memorandum account costs and to establish the reasonableness of certain utility operations and expenses, <b>Commission Courtroom, San Francisco (also (EH) 10:00 a.m., February 1-5)</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, <b>Commission Courtroom, San Francisco (also January 19-22)</b>
1/19/99 ALJ Weissman Comr Bilas	10:00 a.m. R.98-01-011	<b>(EH)</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 January 20-22)</b>
1/19/99 ALJ Barnett Comr Neeper	1:30 p.m. A.98-05-033	<b>(EH)</b> -Southern California Edison Company for Orders approving contract amendments necessitated by Industry 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, <b>Commission Courtroom, San Francisco (also January 20-21)</b>
1/25/99 ALJ Barnett Comr Conlon	10:00 a.m. A.98-04-016	<b>(EH)</b> -Pacific Gas and Electric Company for authorization to sell the El Dorado Hydroelectric Project to El Dorado Irrigation District, <b>Commission Courtroom, San Francisco (also January 26-29)</b>
1/27/99 ALJ Walker Comr Neeper	10:00 a.m. C.98-05-054	<b>(EH)</b> -Internet Specialties West vs. GTE for improper disconnection of ISDN over Centranet services, <b>Commission Courtroom, Los Angeles (also January 28)</b>
1/28/99 ALJ Bushey Comr Duque	9:00 a.m. A98-07-043	<b>(EH)</b> -Rideshare Port Management, L.L.C., dba Prime Time Shuttle to provide on-call-door-to-door passenger stage service to the extent required to enter into concessionaire agreement with Los Angeles International Airport, <b>Commission Courtroom, Los Angeles, (also January 29)</b>
2/1/99 ALJ Barnett Comr Bilas Comr Conlon	10:00 a.m. A.97-12-039	<b>(EH)</b> -San Diego Gas & Electric Company for authority to sell electrical generation facilities and power contracts, <b>Commission Courtroom, San Francisco, (also February 2-5, February 8-11)</b>
2/16/99 ALJ Bennett Comr Bilas	9:00 a.m. C.97-09-030	<b>(EH)</b> -Energy Alternatives vs. Pacific Gas and Electric Company for failure to conduct an open and fair bidding process with respect to the awarding of the Energy Partners program administrative contract for 1997, <b>Commission Courtroom, San Francisco (also February 17)</b>
2/22/99 ALJ McVicar Comr Duque Comr Neeper	9:00 a.m. I.98-09-007	<b>(EH)</b> -Commission Order Instituting Investigation into the operations and practices of Pacific Gas and Electric Company in connection with compliance with PU Code Section 451, General Order 95, and other applicable standards governing tree-line clearances, <b>Commission Courtroom, San Francisco, (also February 23-26, March 1-5)</b>
03/15/99 ALJ Gottstein Comr Conlon	10:00 a.m. A.96-03-031	<b>(EH)</b> -Southern California Gas Company for authority to revise its rates effective January 1, 1997 in its Biennial Cost Allocation Proceeding for a total

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		reduction in annual revenues of approximately \$147.9 million (5.7%),
	A.96-04-030	<b>(EH)</b> -San Diego Gas & Electric Company for authority to revise its rates effective January 1, 1997 in its Biennial Cost Allocation Proceeding for an approximately \$42 million decrease over presently authorized revenues, <b>Commission Courtroom, San Francisco (also 9:00 a.m., March 16-19)</b>
3/29/99	10:00 a.m.	<b>(EH)</b> -The Utility Reform Network and Utility Consumers' Action Network vs. SBC Communications Inc., Pacific Telesis Group and Pacific Bell for violation of the service quality requirements of D97-03-067 and the Public Utilities Code and for attempting to mislead the Commission with respect to Pacific Bell's service quality performance, <b>Commission Courtroom, San Francisco, (also March 30, April 2)</b>
ALJ O'Donnell	C.97-09-043	
Comr Conlon		
Comr Neeper		
4/16/99	10:00 a.m.	<b>(PHC)</b> -Bayside Village, The Fillmore Center, and North Point Apartments vs. Pacific Bell for failure to take responsibility for all building cross connects, <b>Commission Courtroom, San Francisco</b>
ALJ Bushey	C.95-08-039	
Comr Knight		

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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.*

11/17/98	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 November 12, 1998, Russell G. Worden of Southern California Edison (“SCE”) left two voice mail messages for PUC advisors. The messages, in order, were left for Julie Halligan and David Gamson, advisors for Commissioner Neepner and Commissioner Duque respectively. Mr. Worden stated SCE continues to support the alternate offered by Commissioners Duque and Bilas regarding the correct interpretation of § 369 of AB 1890. He said SCE would work to develop a fair method to implement the “physical test” measure contemplated in the alternate.

**Filer: Southern California Edison Company**

**Contact: Anthony Archer**

**Phone: (626) 302-3104**

11/18/98	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 November 13, 1998, Russell G. Worden of Southern California Edison (“SCE”) left a voice mail message for Michelle Cooke, advisor to Commissioner Duque. Mr. Worden stated SCE continues to support the alternate offered by Commissioners Duque and Bilas regarding the correct interpretation of § 369 of AB 1890. He said SCE would work to develop a fair method to implement the “physical test” measure contemplated in the alternate.

**Filer: Southern California Edison Company**

**Contact: Anthony Archer**

**Phone: (626) 302-3104**

11/18/98	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.
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**Summary:** On November 17, 1998, Pacific Gas & Electric (“PG&E”) representative Jana

Corey made an ex parte telephone call to James Hendry, advisor to Commissioner Conlon. She said PG&E suggested the word "direct" be struck from the phrase "direct transaction" on Conclusion of Law "5" of Commissioners Duque and Bilas' proposed alternate decision ("AD"). The same modification should also be made in the first paragraph on page "25" of the AD she added.

**Filer: Pacific Gas and Electric Company**

**Contact: Sandra Ciach**

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

- 11/19/98      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 competition for local exchange service and
- I95-04-044      Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** LATE FILED. On November 19, 1998, Pacific Bell ("PacBell) filed a Notice of Ex Parte Communications containing copies of recent 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: 11/10/98 Solano County Small Business Development Center, Suisun, CA (Elizabeth Pratt, Director); 11/12/98 Geoffrey's Inner Circle, Oakland, CA (Geoffrey Pete, Proprietor); Duarte Chamber of Commerce, Duarte, CA (Jan Wight, Executive Director); Al Silva, Chico, CA (Consultant); AIDS Project Los Angeles, Los Angeles, CA (Craig E. Thompson, Executive Director); 11/13/98 M.K. Blake Estate Co., Berkeley, CA (Jeffrey Shattuck Leitter, Chairman and CEO); 11/16/98 Filipino-American Service Group, Inc., Los Angeles, CA (Susan E. Maguindang, Executive Director); Project Amiga, South El Monte, CA (Irene E. Portillo, Executive Director); Contra Costa Central Labor Council, Martinez, CA (John Dalrymple, Executive Secretary-Treasurer); 11/17/98 Fremont Union High School, Fremont, CA (Homer Tong, Trustee); 11/17/98 Greater LA African-American Chamber of Commerce, Los Angeles, CA (Gene Hale, Chairman); 11/18/98 Friends Unlimited, Inc., Gardena, CA (Julia Richmond, President); Foothill AIDS Project, Claremont, CA (Anna-Marie Gittings, Director of Resource Development).

**Filer: Pacific Bell**

**Contact: Lila Tam**

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

- 11/19/98      R95-04-043      Rulemaking on the Commission's own motion into competition for local exchange service and
- I95-04-044      Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** On November 18, 1998, representatives from AT&T Communications of California, Inc. ("AT&T") initiated three (3) consecutive ex parte meetings at CPUC with Commission officials. The AT&T agents were Rick Witherington, Michael Morris, and Steve Bowen. Mr. Bowen was also identified as an attorney for MCI. Mr. Morris and Mr. Bowen attended the first meeting only. The PUC officials were, respectively: (1) Jose Jimenez, advisor to Commissioner Conlon, (2) Ann Watson, Chief of Staff to Commission President Bilas, and (3) Lester Wong, advisor to the Commission President. The oral communication conveyed was the same in each session and was accompanied by a written handout. The one page handout was entitled "Collocation (R.95-04-043)." The five (5) paragraphs, respectively, are prefaced by the following topic sentences: "No provision for application to prior collocation applications," "Conclusion of Law 7 should be deleted," "The burden of proof requirement is unclear." "The Rule wrongly adopted Pacific's limits on the availability of physical collocation," and "The requirement (p. 15) requiring the CLC representative participating in a CO tour to be a licensed engineer, certified by the State of California, should be eliminated."

**Filer: AT&T Communications of California**

**Contact: Doreatta Dea**

**Phone: (415) 442-2985**

11/19/98	I87-11-033	Commission investigation into alternative regulatory frameworks for local telecommunications exchange carriers, and
	A85-01-034	Pacific Bell, general rate increase for telephone service in the amount of \$1,362,000,000, intrastate, and
	A87-01-002	General Telephone Co. of California, general rate increase for telecommunications services of approximately \$52,133 million, intrastate, and<
	I85-03-078	Commission investigation into rates, etc., of Pacific Bell re: interconnection, and
	C86-11-028	Extension Connection Inc. vs Pacific Bell, et al, that defendants not be allowed to enclose information re: maintenance service contracts in utility bill envelopes and that use of "611" telephone number to obtain repairs is a violation of anti-trust laws, and
	I87-02-025	Commission investigation into rates, etc., of General Telephone Co of California & Pacific Bell, and
	C87-07-024	General Telephone Co of California vs Wang Communications Inc, for cease and desist order directing defendant to refrain from commencing service in City of Industry without Commission authority, etc.

**Summary:** On November 16, 1998, Pacific Bell ("PacBell) representatives initiated an ex parte meeting at CPUC with Commissioner Duque and his advisor, Tim Sullivan. Oral communications were conveyed, and a written summary sheet was also provided the recipients. The PacBell representatives were Jim Callaway, President Pacific Telesis, and

Bill Blase, David Discher, and Cynthia Marshall. The following points were conveyed: Intralata presubscription (“ILP”) should not be implemented prior to long distance entry for PacBell’s affiliate, otherwise irreparable harm to the company would result; consumers will not receive the best possible offers if PacBell is not able to joint market long distance, local toll, and local exchange service at the start of ILP. The first sentence of the one page handout read: “Congress intended that ILP and PBCOM entry occur simultaneously.”

**Filer: Pacific Bell**

**Contact: Lila Tam**

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

- 11/20/98            R95-04-043        Rulemaking on the Commission's own motion into competition for local exchange service and
- I95-04-044        Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** On November 17, 1998, Pacific Bell (“PacBell”) representatives initiated two (2) consecutive sessions with PUC officials at Commission headquarters. Both oral and written ex parte communications were conveyed. The PacBell agents were Jim Callway, President Pacific Telesis, Bill Blase, David Discher, and Steve Dimmitt. They met with Commission President Bilas and advisor Lester Wong in the first session, and Commissioner Neeper and advisor Fassil Fenikile in the second session. PacBell asserted that Intralata presubscription (“ILP”) should not be implemented prior to long distance entry for PacBell’s affiliate. If it were, PacBell would experience irreparable harm the representatives stated. They concluded by saying consumers will not receive the best possible offers if PacBell is not able to joint market long distance, local toll and local exchange service at the start of ILP. The one page handout provided to each PUC official summarized PacBell’s oral presentation, with the first sentence reading: “Congress intended that ILP and PBCOM entry occur simultaneously.”

**Filer: Pacific Bell**

**Contact: Lila Tam**

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

- 11/20/98            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 November 17, 1998, two representatives from “School Project for Utility Rate Reduction” and “Regional Energy Management Coalition” (“SPURR/REMAC”) initiated and conducted four (4) ex parte meetings with PUC officials at Commission headquarters. The SPURR/REMAC representatives were Michael Rochman and Thomas Solberg. The order of the meetings was as follows: with (1) Commissisoner Neeper and advisor David Gamson, (2) Michelle Cooke, advisor to Commissioner Duque, (3) James Hendry, advisor to Commissioner Conlon, and (4) Robert Lane, advisor to Commissioner Knight. The oral and written ex parte communications in each meeting were the same. The

PUC decision makers were urged to support the administrative law judge's ("ALJ") proposed decision ("PD") to modify D97-05-039 as proposed by SPURR/REMAC. The representatives stated customers not currently in possession of interval meters must sign up with an electric service provider ("ESP") before they can get the meters. Many California school districts were impacted by the issue, SPURR/REMAC said, and that these districts supported the PD. Letters in support of the PD by the school districts were cited, and copies of twenty seven (27) such letters were provided. In support of their position, SPURR/REMAC said customers who installed interval meters would be able to better manage their own electric power consumption, more accurately assess ESP pricing options, and more readily form aggregations to improve their negotiating positions with an ESP. Mr. Solberg urged the Commission not to take any action that would jeopardize the current SPURR/Cellnet/PG&E interval meter installation program. In addition to the school district letters, SPURR/REMAC then provided each official a sample hourly load profile for a California high school. The written ex parte documents were attached to the filer's Notice of Ex Parte Communications.

**Filer: SPURR/REMAC**

**Contact: Michael Rochman**

**Phone: (925) 743-1292**

11/20/98          A97-03-015          Southern California Gas Company, for approval of a long term gas transmission service contract with Distribuidora de Gas Natural de Mexicali, S. de R.L. de C.V.

**Summary:** On November 17, 1998, Sempra Energy representatives met with Commission President Bilas and his advisor, Julie Halligan. Both oral and written ex parte communications were conveyed by the representatives, Claudine N. Swartz and William Reed. Southern California Gas' ("SoCalGas") "comments," previously filed in this proceeding, were brought to the meeting and distributed. Mr. Reed stated SoCalGas never contemplated serving Mexico when it incurred exclusion costs and that the Commission's policy of not allocating exclusions to EOR contracts should be applied in this case. Related details to that point were added. Additionally, Ms Swartz stated the Commission should not address future upstream costs in this decision because SoCalGas must return to the Commission for approval of a new contract if load exceeds the 25Mmcf/d maximum under the pending contract and additional facilities are necessary. Additional facilities are not contemplated, she said, and therefore the Commission is dealing with a purely hypothetical issue.

**Filer: Sempra Energy**

**Contact: Gwen Brooks**

**Phone: (415) 202-9999**

11/20/98          A97-10-024          Southern California Edison Company for, authority to recover capital additions to its fossil generating facilities made between 1/1/96 and 12/31/96.

**Summary:** On November 17, 1998, the Office of Ratepayer Advocates ("ORA") initiated three (3) consecutive ex parte sessions with PUC officials at Commission headquarters. The

ORA contingent consisted of James Scarff and Chris Danforth, but “The Utility Reform Network” (“TURN”) also joined ORA in the sessions. Robert Finkelstein was the TURN attendee. The PUC officials were, in order: (1) Michelle Cooke, advisor to Commissioner Duque, (2) Commissioner Knight and his advisor, Robert Lane, and (3) Commissioner Conlon and his advisor, James Hendry. ORA/TURN stated the proposed decision (“PD”) was inconsistent by not requiring Edison to demonstrate that it had changed its capital addition review process in light of its earlier disputed capital additions. They said the record shows Edison was using far more favorable criteria to evaluate its own capital projects. ORA asserted further that Edison’s first motion to strike should be granted only with respect to two sentences in ORA’s opening brief, but not the rest. ORA requested the Commission refer the case back to the ALJ to prepare an alternate that used as a project life the Commission’s best judgment on what was the appropriate period rather than the 20 year period used in the PD. The five (5) page handout provided the officials contained three major sections entitled, respectively, “what is at issue,” “errors in logic & consistency,” and “what we want the Commission to do.”

**Filer: ORA/Scarff**

**Contact: Susie Toy**

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

**Summary:** On November 17, 1998, The Utility Reform Network (“TURN”) conducted three (3) consecutive ex parte sessions with PUC officials at Commission headquarters. The TURN agent in question was Robert Finkelstein, staff attorney. Also in attendance were James Scarff and Chris Danforth of the Office of Ratepayer Advocates (“ORA”). The PUC officials were, in order: (1) Michelle Cooke, advisor to Commissioner Duque, (2) Commissioner Knight and his advisor, Robert Lane, and (3) Commissioner Conlon and his advisor, James Hendry. The oral and written ex parte communications in each session were the same. Mr. Finklestein proposed PUC reject the twenty (20) year payback period embraced by the proposed decision (“PD”) and instead apply a six (6) year payback as TURN and ORA had earlier proposed. Such an outcome, Mr. Finklestein said, was simply a matter of taking Edison at its word. Mr. Finklestein then cited certain Edison testimony to support that position. The TURN representative then said their review of Edison’s calculation which was placed in the PD contained inappropriate entries, most notably the inclusion of hydroelectric projects which had payback periods exceeding twenty (20) years. TURN said those entries should be removed and that all other Edison entries, too, be closely reviewed.

**Filer: The Utility Reform Network**

**Contact: Hayley Goodson**

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

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|----------|------------|---|
| 11/20/98 | I89-07-004 | Commission Investigation for the purpose of addressing all issues related to the Biennial Resource Plan Update following California Energy Commission's Seventh Electricity Report. |
|          | I90-09-050 | Commission Investigation for the purpose of reviewing existing rules, regulations, and policies on electric utility transmission services provided to nonutility power producers.   |

**Summary:** On November 17, 1998, the Office of Ratepayer Advocates (“ORA”) in an ex parte meeting stated its opposition to the petition of AES Pacific, Inc. (“AES”) for modification of decisions D94-06-050 and D95-03-019. In the meeting at CPUC, ORA counsel Jonathan A. Bromson asserted to Commission President Bilas and advisor Julie Halligan that AES does not possess a binding QF contract with Pacific Gas & Electric (“PG&E”), and that because AES chose to litigate rather than settle its dispute with PG&E, it should not now be able to come back to the Commission to obtain a settlement based on AES’ bid preparation and reliance costs as called for in the assigned commissioners’ ruling of 7/9/95. Mr. Bromson cited the California Supreme Court’s upholding of the First Appellate District’s decision in “AES Pacific, Ins., vs PG&E” which ratifies Commission authority to order an appropriate remedy to any dispute regarding these QF contracts, including the discretion not to mandate strict performance. ORA said if the Commission is inclined to approve a settlement between PG&E and AES based on the latter’s reasonable bid preparation and reliance costs, it should be for an amount less than AES’ actual reliance costs in reflection of AES’ decision to litigate rather than settle. ORA concluded by stating any settlement considered by the Commission based on those reliance costs examined with a jaundiced eye AES’ unsupported claim of millions in such reliance costs.

**Filer: Office of Ratepayer Advocates**

**Contact: Susie Toy**

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

11/23/98	R95-04-043	Rulemaking on the Commission's own motion into competition for local exchange service and
	I95-04-044	Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** Lockheed-Martin IMS, as the North American Numbering Plan Administrator (NANPA) submitted the following Notice of Ex Parte Communication: On November 18, 1998, James Deak, Regional Director, NPA Relief Planning, and Cheryl Tritt, an attorney with Morrison & Foerster LLP, telephoned ALJ Pulsifer in San Francisco. The purpose of the phone call was to discuss the Commission’s draft decision approving the overlay relief plan for the 408 NPA. Deak stated that the draft decision should be modified to require that the service providers, not the NANPA, conduct the public education program. Deak explained that NANPA is not the proper entity to be responsible for the education programs.

**Filer: North American Numbering Plan**

**Contact: Scott Andreson**

**Phone: (415) 268-6390**

**Summary:** On November 18, 1998, Rick Witherington ,government Affairs Vice President, and Michael Morris, Local Services, AT&T Communications of California, Inc., (AT&T), contacted Bob Lane, Advisor to Cmmr. Knight. Morris discussed issues relating to collocation. A handout summarizing the issues is attached to the notice. The attachment outlines the following: No provisions for application to prior collocation applications; Conclusion of Law 7 should be deleted; The burden of proof requirement is unclear; The Rule wrongly adopts Pacific’s limit on the availability of physical collocation; and The



requirement (p.15) requiring the CLC representative participating in a CO tour to be a licensed engineer,, certified by the State of California, should be eliminated.

**Filer: AT&T Communications**

**Contact: Doretta Dea**

**Phone: (415) 442-2985**

11/23/98	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 competition for local exchange service and
	I95-04-044	Investigation on the Commission's own motion into competition for local exchange service.

**Summary: LATE FILED.** On November 23, 1998, C. Petheram, Case Manage of Pacific Bell, submitted a Notice of Ex Parte Communication regarding letters (from November 13, 1998 to November 20, 1998) sent to Cmmr. Bilas and copied to all Commissioners and Executive Director, W. Franklin, expressing support for Pacific Bell's entry in the long distance market from the following parties: Modesto Chamber of Commerce, Grace Resource Center, Lancaster, California; Children's Center of the Antelope Valley; Sacramento Black Chamber of Commerce; Health for All, Sacramento; Boy Scouts of America; Golden Empire Council, Sacramento; Simi Valley chamber of commerce, Simi Valley; AIDS Care, Inc., Ventura; Watson Reality Company, Bakersfield; American Diabetes Association, Los Angeles; Il Fornaio Restaurants, Santa Monica; and Assistance League of Southern California, Panorama City.

**Filer: Pacific Bell**

**Contact: Lila Tam**

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

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