

---

---

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

*Wesley M. Franklin, Executive Director*

*Headquarters*

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

*Southern California Office*

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

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

---

---

### **Daily Calendar Tuesday, December 29, 1998**

- Regular Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- 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



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**

January 7, 1999	10 am	San Francisco
January 20, 1999	10 am	San Francisco
February 4, 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.*

January 4, 1999	1:30 pm	San Francisco
January 19, 1999	1:30 pm	San Francisco
February 1, 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.

---

**COMMISSIONER OFFICE HOURS**

(For further information or to make an appointment, please contact Sandra Graham at (213) 897-3544).

**Date/Time**                      **Commissioner**                      **Location**

NONE

---

**PUBLIC MEETINGS & WORKSHOPS**

***Public Meeting***

<i>January 4, 1999 1 pm - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
--	--

The IFB SUB-COMMITTEE and 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 your 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>January 5, 1999 9:30 am - 3:30 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue, Room 3212 (Corner of Van Ness Avenue and McAllister Street) San Francisco</i>
--	--

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, PUC Report and Action Items, Review/Approve Errors and Omissions Insurance, Board Membership, Review Marketing Program Timeline, Update on the RFP Selection Committee, Discussion of Bidder's Conference Committee, Review Previous Studies and Data, Announcements, Set Future Agenda Items for Future Discussion and Hear Public Comments. **Executive Session**: Because the RFP has not been approved for release to the general public by the Commission, the ULTSMB will meet in Executive Session to discuss and render final approval of the Interim Marketing Program RFP and Contract. 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>January 5, 1999 9:30 am to 4 pm</p> <p><i>Teleconference Information:</i></p> <p><i>This meeting is accessible by teleconference. To call in, dial: 1-888-550-5969. After the prompt, enter the access code followed by the pound sign.</i></p> <p><i>To obtain the access code, please contact Elizabeth Gunn, Board Coordinator, at (415) 703-1956, or by e-mail at <a href="mailto:egunn@cpuc.ca.gov">egunn@cpuc.ca.gov</a>.</i></p>	<p><i>California Public Utilities Commission 505 Van Ness Avenue, Room 5012 (Corner of Van Ness Avenue and McAllister Street) San Francisco</i></p>
--	---

The California Board for Energy Efficiency (CBEE) will meet to discuss the following topics: CBEE Filings Submitted on December 17; Proposed Decision on Administrative Structures; Program Planning for 1999 and Utilities' November 16/17 Advice Letter Filings; Market Assessment and Evaluation (MA&E) Planning Process; Reporting Requirements; Board Functioning; Updates and Status Reports; Scheduling and Agenda Planning for Future Meetings. The meeting is open to the public. The contact person is Mark Thayer (619) 594-5510. For further information about the CBEE and this meeting consult the CBEE Web Page at [www.cbef.org](http://www.cbef.org).

**Public Meeting**

<p>January 5, 1999 10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p>
---	---

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 - Technical Advisory Committee**

<i>January 6, 1999 9:30 am - 4 pm</i>	<i>Pacific Energy Center 851 Howard Street, 1<sup>st</sup> Floor San Francisco</i>
---	--

The Technical Advisory Committee for the California Board for Energy Efficiency will conduct a meeting. The following agenda items will be discussed: CPUC Draft Decision, Future Program Planning, Implementation of 1999 Programs, Res Contractors Program, Res Workshops, Shareholder Incentives, CREATE Program, Market Assessment and Evaluation (MA&E) Reports Submitted to CBEE, Coordination of Utility/Local Government Initiatives, Updates on 11/16 and 11/17 IOU Filings Comments by CBEE and Other Parties, 1999 DSM Program Plans, Long-term Planning of TAC, Cost Effectiveness Evaluation. For more information contact Wm. Stevens Taber, Jr., Chairman, at (415) 457-7498.

**Public Meeting**

<i>January 6 and 7, 1999 9 am - 5 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue, 1<sup>st</sup> Floor Training Room Corner of Van Ness Avenue and McAllister Street) San Francisco</i>
--	--

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 Spring 1999, and related matters. The contact person is William Schulte at (415) 702-2349.

**Public Meeting**

<i>January 8, 1999 1:30 pm - 4 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue, Room 3212 (Corner of Van Ness Avenue and McAllister Street) San Francisco</i>
---	--

ADMINISTRATIVE COMMITTEE  
CHCF-A, CHCF-B, and CTF

AGENDA

Introduction and Public Comments  
 Approve Public Meeting Minutes Of 12/1/98  
 Status of the Selection of a Financial Institution(s) for Trusts for California High Cost Fund B and the California Teleconnect Fund  
 Review and Approve CHCF-B Claims and Expenses  
 Discuss Concerns Regarding Available Data Base For Reviewing CHCF-B Claims  
 Status Report of CHCF-B Resolution adopting 1999 Budget and Surcharge  
 Review and Approve CHCF-A Claims and Expenses  
 Discuss financial condition of CHCF-A trust  
 Status Report of CHCF-A Resolution adopting 1999 Budget  
 Review and Approve CTF Expenses  
 Status Report of the CTF Fund and Claims Process  
 Discussion of Relationship of CTF Program with Federal E-rate Program

**Public Meeting**

<p>January 11, 1999          10 am - 2 pm</p>	<p><i>Deaf and Disabled Telecommunications Program          1939 Harrison Street          DDTP Conference Room, Suite 555  <b>Oakland</b></i></p>
---	---

The VIDEO RELAY TRIALS 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**

<p>January 14, 1999          9:30 am - 3:30 pm</p>	<p><i>Deaf and Disabled Telecommunications Program          1939 Harrison Street          DDTP Conference Room, Suite 555  <b>Oakland</b></i></p>
--	---

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.

**Workshop Notice**

<p>January 12, 1999                  9 am - 4 pm</p>	<p>California Public Utilities Commission                  505 Van Ness Avenue, training room                  (Corner of Van Ness Avenue and McAllister Street)                  San Francisco</p>
--	---

**NXX CODE LOTTERY WORKSHOP**

The Telecommunications Division of the California Public Utilities Commission will be holding a second technical workshop on fine-tuning the NXX Code Lottery held each month at the CPUC. Decision 98-08-037 found there is a need for a fresh review of lottery procedures. In this second workshop, the lottery process will be reviewed to determine if there are ways to make the distribution of NXX codes among carriers more equitable, and more conducive to the development of competition. Specifically, the topic of increasing the percentage of initial codes assigned from the lottery from the current 60% to a higher amount will be explored. Participants should come prepared to address potential reform measures for the lottery, identify potential shortcomings and suggest ways to revise the lottery process to promote a more competitive market including potential revisions in the allocation between initial and growth codes.

If you plan to attend the January 12, 1999 workshop please RSVP by January 8, 1999 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.

**Public Meeting - LIGB Meeting Notice**

<p>January 19, 1999                  10 am – 4 pm (PST)</p> <p>and</p> <p>January 20, 1999                  10 am – 4 pm (PST)</p>	<p>Hilton Universal City and Towers                  555 Universal Terrace Parkway                  Universal City</p> <p><b>Note: Southern California location of meeting.</b></p>
<p><b>Conference Call Information</b>                  January 19, 1999                  Dial (415) 356-1430                  Passcode = 2408347#</p> <p>January 20, 1999                  Dial (415) 356-0687                  Passcode = 2408347#</p>	<p><b>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 #10383502 for CH2M HILL (Sharon Weinberg is the designated Chairperson)</b></p>



The Board will meet to discuss the following topics: report from the Chair; subcommittee reports; financial status report; discussion of ACR (Draft or Final) Ruling; discuss/decide future direction and status for the Board and LIGB Advisory Committee (AC) including disbanding formal AC role; revision of the LIGB budget for 1999; discussion of Legal opinion on conflict of interest and what action is needed; discussion paper on needs assessment per Commission's directions; discuss LIEE & CARE performance incentives; submit work paper; discuss pilot projects per Commission's orders; critique and discuss Commission Decision on the four technical advice letter filings; discuss and prepare budgets for consultants; set future meeting dates; set content of future meetings; revision of milestones schedule; process for taking action between Board meetings; and review and approval of meeting minutes. 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>January 20, 1999          Lottery begins at 1:30 pm</p>	<p>California Public Utilities Commission          505 Van Ness Avenue, training room          (Corner of Van Ness Avenue and McAllister Street)          San Francisco</p>
--	---

**LOTTERY FOR TELEPHONE NUMBER PREFIX ASSIGNMENTS IN THE 209/559, 213/323, 310, 408/831, 415, 510, 619, 650, 714, 805, 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, 619, 650, 714, 805, 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 January 12, 1999. 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. Companies who wish to have a sealed envelope prepared for them on an ongoing basis containing their confidential letter designations for each NPA lottery drawing, should submit such a request in writing prior to the close of business on January 12, 1999 to: Mary Jo Borak, Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102.

**Public Meeting CANCELLED AS OF 12/16/98**

<i>January 22, 1999 10 am - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 <b>Oakland</b></i>
--	---

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.

**Public Meeting**

<i>January 25, 1999 10 am - 4 pm</i>	<i>DDTP 1999 JOINT MEETING Oakland Airport Hilton 1 Hegengerger Road <b>Oakland</b></i>
<i><b>NOTE: Contact Elana Kalisher before 15 January if you wish to attend the luncheon (12 pm - 1 pm)</b></i>	<i><b>(Room located on ground floor)</b></i>

The ANNUAL DDTP JOINT MEETING (DDTPAC, CRSAC and EPAC) 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>January 26, 1999 10 am - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program Oakland Airport Hilton 1 Hegenberger Road, Pacific Room (Ground Floor) <b>Oakland</b></i>
--	---

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.

**Public Meeting**

<i>February 2, 1999 10 am - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
--	--

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**

<i>February 11, 1999 9:30 am - 3:30 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
--	--

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**

<i>February 25, 1999 10 am - 2 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street, Suite 555 Oakland</i>
---	---

The 711-SUB-COMMITTEE of the Deaf and Disabled Telecommunications Program will hold a meeting to discuss relay access. 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**

February 26, 1999  
10 am - 4 pm

Deaf and Disabled Telecommunications Program  
1939 Harrison Street  
DDTP Conference Room, Suite 555  
**Oakland**

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.

---

**NOTICE OF DRAFT RESOLUTIONS**  
**(Pursuant to PU Code § 311(g))**

Draft Resolution Approving Interagency Memorandum Of Understanding Between The California Public Utilities Commission And The California Electricity Oversight Board

Pursuant to the Daily Calendar Notice of December 18, 1998, a draft resolution (L-276) of the Legal Division, approving an Interagency Memorandum of Understanding (MOU) Concerning Responsibilities Related to the Electricity Industry Between the California Public Utilities Commission (CPUC) and the California Electricity Oversight Board will be on the agenda at the Commission meeting of January 20, 1999.

Members of the public may obtain a copy of L-276 for review and submission of written comments, which are due January 8, 1999. An copy of the December 18, 1998, Calendar Notice, draft resolution and MOU is available on the Commission's web site:

[http://www.cpuc.ca.gov/electric\\_restructuring/osb/index.htm](http://www.cpuc.ca.gov/electric_restructuring/osb/index.htm)

Members of the public without access to the Commission's Web site may also contact Charlene Lundy at (415) 703-1186) at the Commission to request copies.

---

**Draft Resolution Increasing Household Goods Carrier Maximum Rates Available.**

A draft resolution of the Rail Safety and Carriers Division that increases the household goods carrier maximum rates contained in Maximum Rate Tariff 4 will be on the January 20, 1999 Commission meeting agenda. It is now available for public review and comment. For details on how to obtain a copy of the draft and file comments on it, refer to the notice that was published on this matter in the December 21, 1998 Daily Calendar. It is

---

available through the Daily Calendar Archives on the Commission's web site:  
[http://www.cpuc.ca.gov/divisions/alj/alj\\_div\\_cal.htm](http://www.cpuc.ca.gov/divisions/alj/alj_div_cal.htm)

---

**NEW FILINGS**

12/17/98      A98-12-023      San Diego Gas & Electric Company, for a permit to  
construct the Pico Substation

---

**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

**NONE**

---

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

12/28/98      I98-01-004      Order Instituting Investigation into whether to revoke the  
operating authority issued to Felipa Garza Fuentes, an  
individual, doing business as Fuentes Tours (TCP  
7591P); **Presiding Officer's Decision of ALJ  
BENNETT**

This decision adopts the stipulation of facts presented by the parties in this proceeding and resolves the disputed issue of what sanctions should be imposed for admitted violations. We adopt the staff's recommendation that a \$20,000 fine be imposed, forbearing collection of \$10,000, the remainder payable over 36 equal monthly installments and upon the conditions that respondent, Felipa Garza Fuentes, performs no passenger carrier operations for three years, pays damages for an auto accident of her driver, (as ordered by the Small Claims Court) obeys all applicable laws and notifies the Commission if she leases vans or is employed by any other carrier.

---

---

**ADVICE LETTER FILINGS**

**NONE**

---

**MISCELLANEOUS TRANSPORTATION ITEMS**

**December 29, 1998**

**CORRECTION TO DAILY CALENDAR DECEMBER 24, 1998**

Filings with Rail Safety and Carriers Division

12/18/98	TCP 12284-B	Ving Yu Tam and Zhen Qian Tan., DBA: T and T Tour, Address: 2548 W. Ramona Road, Alhambra, California, 91803, Telephone No: (818) 929-6528, Terminal address: same, Application filed for new Class B authority
12/17/98	TCP-12285-B	Fiesta Express Inc., Address: 5858 S. Central Avenue, Los Angeles, California, 90001, Telephone: (323) 232-3221, Terminal address: same, Application filed for new Class B authority

---

**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**December 29, 1998**

**NONE**

---

**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

**NONE**

---

**REMOVALS FROM CALENDAR**

**NONE**

---

**NEW SETTINGS**

1/11/99	10:00 a.m.	(EH)-PCSTC, Inc., dba Pacific Coast Sightseeing
ALJ Ryerson	A98-03-035	Tours, for certificate of public convenience and
Comr Bilas		necessity to operate as passenger stage corporation for
		scheduled and on-call service over the most direct
		routes: 1. Between Los Angeles International Airport
		and John Wayne Airport on the one hand, and places in
		the communities in Orange County and the other hand;
		and 2. Between John Wayne Airport in Orange County
		on the one hand, and places in the communities in
		Orange County on the other hand. Pursuant to the
		provisions of Section 1031 et seq. of the Public Utilities
		Code, <b>Commission Courtroom, San Francisco (also</b>
		<b>January 12-13)</b>

---

**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

12/29/98	9:30 a.m.	NONE SCHEDULED
1/5/99	9:30 a.m.	NONE SCHEDULED
1/12/99	9:30 a.m.	NONE SCHEDULED

---

**FINAL ORAL ARGUMENT**

**NONE**

---

**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**

1/4/99 ALJ Minkin Comr Bilas	10:00 a.m. A.98-05-004  A.98-05-006  A.98-05-015	<b>(EH)</b> - Pacific Gas and Electric Company, to establish the eligibility 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</b> <b>(also January 5-8, (CA) 9:00 a.m., January 13)</b>
1/5/99 ALJ Barnett Comr Duque	10:00 a.m. A.98-11-023	<b>(PHC)</b> -Pacific Gas and Electric Company to establish performance based ratemaking for electric and gas utility distribution service effective January 1, 2000, <b>Commission Courtroom, San Francisco</b>
1/7/99 ALJ Malcolm Comr Conlon Comr Neepser	10:00 a.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, <b>Commission Courtroom, San Francisco</b>
1/7/99 ALJ Barnett	2:00 p.m. A.98-05-019	<b>(OA)</b> -San Diego Gas & Electric Company for authority to increase its authorized return on common equity, to



Comr Duque		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,
	A.98-05-021	<b>(OA)</b> -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,
	A.98-05-024	<b>(OA)</b> -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>
1/8/99 ALJ Bennett Comr Knight	2:00 p.m. C.97-09-024	<b>(PHC)</b> -Snow Valley, Inc. vs. Southern California Edison Company for unjust, unreasonable and discriminatory rates and charges; for improper charges for construction of a power substation, <b>Telephone Conference, Room 5012, San Francisco</b>
1/8/99 ALJ Bennett Comr Neeper	9:30 a.m. C.97-03-034	<b>(PHC)</b> -County of Riverside Department of Environmental Health vs. Spring Crest Water and Power Company, for failure to comply with minimum water quality and quantity requirements as contained in Title 22 of the California Code of Regulations <b>Telephone Conference, Room 5012, San Francisco</b>
1/11/99 ALJ Bushey Comr Neeper	10:00 a.m. C.98-04-004	<b>(PHC)</b> -The Utility Consumers' Action Network vs. Pacific Bell for unlawful and deceptive sales program and practices,
	C.98-06-003	<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,
	C.98-06-027	<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>
1/11/99 ALJ Ryerson Comr Bilas	10:00 a.m. A98-03-035	<b>(EH)</b> -PCSTC, Inc., dba Pacific Coast Sightseeing Tours, for certificate of public convenience and necessity to operate as passenger stage corporation for scheduled and on-call service over the most direct

---

		routes: 1. Between Los Angeles International Airport and John Wayne Airport on the one hand, and places in the communities in Orange County and the other hand; and 2. Between John Wayne Airport in Orange County on the one hand, and places in the communities in Orange County on the other hand. Pursuant to the provisions of Section 1031 et seq. of the Public Utilities Code, <b>Commission Courtroom, San Francisco (also January 12-13)</b>
1/11/99 ALJ Malcolm Comr Bilas	10:00 a.m. A.98-07-058  A.98-08-012	<b>(EH)</b> - Application of Pacific Gas & Electric Company to Recover 1997 and 1998 Non-Nuclear Generation Capital Additions in the Competition Transition Charge Pursuant to PU Code Section 367, <b>(EH)</b> -Application of San Diego Gas & Electric Company (U 902-E) for Competition Transition Charge (“CTC”) Recovery of Capital Additions, <b>Commission Courtroom, San Francisco, (also January 12-14)</b>
1/11/99 ALJ Rosenthal Comr Conlon	10:00 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 Public Utilities Code, <b>Commission Courtroom, Los Angeles (also January 12-15)</b>
1/11/99 ALJ Walwyn Comr Bilas	1:30 p.m. R.97-10-016  I.97-10-017	<b>(WS)</b> -Commission Order Instituting Rulemaking on the Commission’s own motion into monitoring performance of operations support systems, <b>(WS)</b> -Commission Order Instituting Investigation on the Commission’s own motion into monitoring performance of operations support systems, <b>Commission Courtroom, San Francisco</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)</b>

**February 1-16)**

1/12/99 ALJ Vieth Comr Duque	10:00 p.m. A.98-09-013  A.98-09-014  A.98-09-015  A.98-09-016	<b>(EH)</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 East Los Angeles District, <b>(EH)</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>(EH)</b> -California Water Company for an order authorizing it to increase rates charged for water service in the Hermosa-Redondo district, <b>(EH)</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 (also 9:00 a.m., January 13-15)</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 Patrick Comr Conlon	1:00 p.m. A.98-05-014  A.98-05-022	<b>(PHC)</b> -Application of Southern California Edison Company to report on the valuation process for certain generation-related assets pursuant to D.97-11-074, <b>(PHC)</b> -Application of Pacific Gas and Electric Company to report assessments of inventory balances and to address appraisal of retained generation assets, <b>Commission Courtroom, San Francisco</b>
1/14/99 ALJ Bushey Comr Duque	10:00 a.m. I.98-08-004	<b>(PHC)</b> -Commission Order Instituting Investigation into the operations, practices and conduct of the Coral Communications, Inc. (Coral) and Michael Tinari, President of the 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>
1/14/99 ALJ McVicar Comr Duque	2:00 p.m. A.98-11-011	<b>(PHC)</b> -Application of Red and White Ferries, Inc., for a certificate of Public Convenience and Necessity to establish and operate vessel common carrier service between San Francisco on the one hand, and the Alameda Gateway Area and the Port of Oakland, on the other hand, <b>Commission Courtroom, San Francisco</b>
1/15/99 ALJ Vieth Comr Duque	10:00 a.m. C.98-09-036	<b>(PHC)</b> -Rick E. Thurber vs. Pacific Gas and Electric Company and Pacific Bell, for permitting foreign attachments as signs, posters, banners, decorations, wires, etc. upon their facilities, <b>Commission Courtroom, San Francisco</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>
1/19/98 ALJ Weissman Comr Knight	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, January 25-29, (OA) 1:00 p.m., February 10, (EH) March 1-5)</b>
1/22/99 ALJ Wright	10:00 a.m. C.98-12-010	<b>(ECP)</b> -Idowu S. Famuyiwa, Pako Construction vs. Southern California Edison Company, Edison International Co. for overcharges and disconnection of services, <b>Library Lecture Hall, 101 West Manchester Blvd., Inglewood</b>
1/25/99	10:00 a.m.	<b>(EH)</b> -Pacific Gas and Electric Company for

ALJ Barnett Comr Conlon	A.98-04-016	authorization to sell the El Dorado Hydroelectric Project to El Dorado Irrigation District, <b>Commission Courtroom, San Francisco (also January 26-29)</b>
1/26/99 ALJ Bennett Comr Duque	9:30 a.m. I.98-03-013	<b>(PHC)</b> -Commission Order Instituting Investigation on the Commission's own motion into whether existing standards and policies of the Commission regarding drinking water quality adequately protect the public health and safety with respect to contaminants such as Volatile Organic Compounds, Perchlorate, MTBEs, and whether those standards and policies are being uniformly complied with by Commission regulated utilities; compliance filing by utilities is due in 120 days from the date of the order, <b>Commission Courtroom, San Francisco</b>
1/26/99 ALJ Patrick Comr Conlon	10:00 a.m. R.92-03-050	<b>(PHC)</b> -Order Instituting Rulemaking on the Commission's Own Motion to consider the line extension rules of electric and gas utilities, <b>Commission Courtroom, San Francisco</b>
2/8/99 ALJ O'Donnell	10:00 a.m. I.98-12-013	<b>(PHC)</b> -Order Instituting investigation into the power outage that occurred on December 8, 1998 on Pacific Gas and Electric Company's electric system, <b>Commission Auditorium, San Francisco (also (EH) April 5, 1999)</b>
2/9/99 ALJ Walker Comr Duque	10:00 p.m. A.98-06-005	<b>(EH)</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>February 10, Commission Courtroom, San Francisco)</b>
2/9/99 ALJ Gottstein Com Duque	1:30 p.m. A.98-07-007	<b>(PHC)</b> -Application of Pacific Gas and Electric Company to construct the Northeast San Jose Transmission Reinforcement Project, <b>Commission Courtroom, San Francisco</b>
2/11/99 ALJ Bushey Comr Duque Comr Neeper	9:00 a.m. R.97-10-049	<b>(OA)</b> -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, <b>Commission Courtroom, San Francisco</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>
3/1/99 ALJ Barnett Comr Conlon Comr Bilas	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 March 2-5, March 8-11)</b>
3/8/99 ALJ Stalder Comr Duque	9:00 a.m. A.89-03-026	<b>(EH)</b> -Southern California Edison Company for certificate to construct and operate 220KV transmission line between Kramer substation and Victor Substation in San Bernardino County, <b>Commission Courtroom, San Francisco (also March 9-12)</b>
03/15/99 ALJ Gottstein Comr Conlon	10:00 a.m. A.96-03-031  A.96-04-030	<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 reduction in annual revenues of approximately \$147.9 million (5.7%), <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>
3/23/99 ALJ Barnett Comr Bilas	10:00 a.m. A.98-07-005	<b>(PHC)</b> -San Diego Gas and Electric Company and Southern California Gas Company for approval of a gas transmission service tariff,

	A98-10-012	(PHC)-Southern California Gas Company for authority to revise its rates effective August 1, 1999 in its biennial cost allocation proceeding,
	A.98-10-031	(PHC)-Application of San Diego Gas & Electric Company for Authority to revise its gas rates effective August 1, 1999, in its biennial cost allocation proceeding. <b>Commission Courtroom, San Francisco (also (second PHC) 10:00 a.m., (EH) 1:30 p.m., April 5, (EH) April 6-9, April 12-16, April 19-23, April 26-30)</b>
3/29/99 ALJ O'Donnell Comr Conlon Comr Neepser	10:00 a.m. C.97-09-043	(EH)-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>
4/16/99 ALJ Bushey Comr Knight	10:00 a.m. C.95-08-039	(PHC)-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>
5/24/99 ALJ Galvin Comr Duque	10:00 a.m. A98-07-020 A.98-07-029	(EH)-In the Matter of the Application of Pacific Bell a corporation, for Authority to Categorize Centrex as a Category III Service, (EH)-In the Matter of the Application of Pacific Bell a corporation, for Authority to Categorize Toll-Free (8XX) and Business MTS IntraLATA Toll Services as Category III Services, <b>Commission Courtroom, San Francisco (also May 25-28, June 1-4)</b>
6/14/99 ALJ Minkin Comr Duque Comr Conlon	10:00 a.m. A98-09-003 A98-09-008	(PHC)-Application of Pacific Gas and Electric Company for Review and Recovery of the Costs and Revenues in the Transition Cost Balancing Account (U 39 E), (PHC)-Application of Southern California Edison Company to Review and Recovery Transition Cost Balancing Account Entries from January 1, 1998 through June 30, 1998 and Various Generation-Related Memorandum Account Entries,

A98-09-009 (PHC)-Application of San Diego Gas & Electric Company in the Annual Transition Cost Proceeding Regarding the Transition Cost Balancing Account (TCBA),  
**Commission Courtroom, San Francisco (also (EH) 6/21-25, 6/28-30, 7/1-2, 7/5-8, (CA) 7/9, 9:00 a.m.**

---

**NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING**

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting". The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

**NONE FILED**

---

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

**NONE**

---

**NOTICE OF EX PARTE COMMUNICATIONS**

*Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

12/3/98            A98-01-008            Pacific Gas and Electric Company, for authority to sell Hunters Point, Potrero, Pittsburg, and Contra Costa Power Plants and Geysers geothermal power plant and related assets.

**Summary:** On December 1, 1998, Kristel Frnk, Director, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Maryam Ebke, advisor to Cmmr. Bilas, and James Hendry, advisor to Cmmr. Conlon, in two separate meetings in San Francisco. Frank stated that PG&E had received written confirmation of Calpine Geysers Company's (Calpine) intent to exercise its right of first refusal on the sale of the Lake County Geysers



units. Frank also stated that Calpine will pay \$73.8 million for the Geysers units, plus the break-up fee.

**Filer: Pacific Gas and Electric Company**

**Contact: Sandra Ciach**

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

12/3/98            A98-06-052            PDO Communications, Inc., for arbitration pursuant to Section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell.

**Summary:** On December 1, 1998, Dean Tucker, PDO Communications, Inc. (PDO), met with Dorothy Duda, advisor to Cmmr. Knight; Tim Sullivan, advisor to Cmmr. Duque; Jose Jimenez, advisor to Cmmr. Conlon; and Lester Wong, advisor to Cmmr. Bilas, in four separate meetings in San Francisco. Also present were Michael Solomon and James Gonzales for PDO; and Christine Mailloux, counsel for PDO. At the meetings with Tim Sullivan and Jose Jimenez also present was Matt Stepovich of PDO. Written material (attached to the notice) was used. PDO representatives described technical and economic considerations with the technology of "line sharing" and the public policy effects of the assigned ALJ's recommendations against line sharing. PDO representatives pointed out at the benefits of line sharing to local competition. PDO representatives explained a proposal to hold the final decision until Federal Communications Commission action on the matter.

**Filer: PDO Communications, Inc.**

**Contact: Karen Wonnell**

**Phone: (415) 394-7500**

12/3/98	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 24, 1998, Dean Goishi, Director, Asian Pacific AIDS Intervention Team, Los Angeles, wrote a letter to Cmmr. Bilas. Copies of the letter were also sent to Cmmrs. Conlon, Duque, Nepper, Knight and to Executive Director Franklin. On November 25, 1998, Rebecca Foo, Executive Director, Switzer Center School and Clinical Services, Torrance, and Barbara Price, CEO, PK Consultants, Oakland, wrote two separate letters to Cmmr. Bilas. Copies of the last letter were also sent to Cmmrs. Conlon, Duque, Nepper, and Knight. On November 30, 1998, Scott Haggerty, Alameda County Supervisor, District 1, Oakland Board of Supervisors, Sally Jo Fifer, Executive

Director, Bay Area Video Coalition, San Francisco, and Dr. William Chang, Vice President, Asian American Economic Development Enterprises, Monterey Park, wrote three separate letters to Cmmr. Bilas. Copies of the letters were also sent to Cmmrs. Conlon, Duque, Neeper, and Knight. A copy of the last letter was also sent to Executive Director Franklin. On December 1, 1998, Joel McCabe, Executive Director, Alameda County Allied Housing, Hayward, David Mertes, Chancellor Emeritus, and Barbara Mertes, Vice Chancellor, California Community College, Chabot-Las Positas Community District, Livermore, and Dale Tucker, President, Dublin Chamber of Commerce, wrote three separate letters to Cmmr. Bilas. Copies of the letters were also sent to Cmmrs. Conlon, Duque, Neeper, and Knight. On December 2, 1998, Martin Castro, President, Kern County Hispanic Chamber of Commerce, Bakersfield, and Dr. Robert Fisher, Superintendent, Castro Valley Unified School District, Castro Valley, wrote two separate letters to Cmmr. Bilas. Copies of the letters were also sent to Cmmrs. Conlon, Duque, Neeper and Knight. The foregoing letters (attached to the notice) express support for Pacific Bell's entry in the long distance market.

**Filer: Pacific Bell**

**Contact: Lila Tam**

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

12/4/98            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 December 1, 1998, James Scarff, counsel for the Office of Ratepayer Advocates (ORA), met with Michelle Cooke, advisor to Cmmr. Duque, in San Francisco. Scarff stated that in the application, the project life used to measure cost-effectiveness was not a contested issue. Scarff also stated that the project lives used by Pacific Gas and Electric Company (PG&E) to measure the cost-effectiveness of the projects varied from project to project. Scarff noted that the specific project lives used could generally be found in the workpapers provided by PG&E. Scarff described the amounts of the total request for capital additions submitted by San Diego Gas and Electric Company's (SDG&E), PG&E and Southern California Edison Company (Edison). Scarff pointed out that in its own testimony, Edison described the magnitude of its request in *net* capital additions, whereas PG&E, SDG&E, The Utility Reform Network and ORA consistently described the requests in *gross* capital additions. Scarff also noted that the distribution of capital additions among hydro, geothermal, and fossil plants for each utility was described in ORA's prepared testimony.

**Filer: ORA-Scarff**

**Contact: Susie Toy**

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

12/4/98            A97-05-027            Southern California Edison Company, for an order approving the settlement agreements between Southern California Edison Company and winning bidders in Edison's biennial resource plan update auction.

**Summary:** On December 1, 1998, Sara Steck Myers, attorney for Zond System, Inc., (Zond), initiated a communication with Cmmr. Neeper in San Francisco. Other present were: David M. Gamson, adv. to Cmmr. Neeper; Jonathan M. Weisgall, CalEnergy

Company, Inc.'s (CalEnergy) vice-president - Legislative and Regulatory Affairs; Steven F. Greenwald, attorney for Oxbow Power Company, Bowerman Renewable Power Partners, L.P., and Olinda Renewable Power Partners, L.P. (Bowerman/Olinda); Frank De Rose, vice president, Western Region, for U.S. Generating Company; William H. Booth, attorney for U.S. Generating; and Douglas Kerner, attorney for Independent Energy Producers Association (IEP). Weisgall, Booth, Greenwald, De Rosa, Myers, and Kerner all expressed their opposition to the Draft and Alternate Decisions mailed on November 18, 1998. All advocated a new alternate decision which approves the package of settlements and authorizes Southern California Edison to recover 100 percent of the costs it has agreed to pay the winning bidders in Edison's Biennial Resource Plan Update (BRPU) auction. A timeline (attached) depicting the chronology of the settlements reached by the winning bidders with Edison was distributed at the meeting but did not discuss.

**Filer: Zond, U.S. Generating, Oxbow, Bowerman/Olinda; CalEnergy; IEP**

**Contact: Sara Steck Myers**

**Phone: (415) 387-1904**

12/7/98            A97-05-027            Southern California Edison Company, for an order approving the settlement agreements between Southern California Edison Company and winning bidders in Edison's biennial resource plan update auction.

**Summary:** On December 3, 1998, Elena Schmid, Director of the Office of Ratepayer Advocates (ORA), met with Michelle Cooke, advisor to Cmmr. Duque, in San Francisco. Also present was David Morse, Manager of the Consumer Issues Branch for ORA. ORA stated that the Division of Ratepayer Advocates' (DRA) position prior to the assigned commissioner ruling in support of awarding biennial resource plan update (BRPU) winning bidders the capacity they sought in the auction was not contradicted by DRA's position, also expressed prior to the ruling, that such bidders had no contractual rights and that buyout settlements were not in the interest of ratepayers. ORA noted that it was this Commission's decision whether or not to proceed with the auction in the wake of the February Federal Energy Regulatory Commission (FERC) order declaring the auction to be illegal under Public Utility Regulatory Policies Act of 1978, and that although DRA believed the Commission should challenge FERC, it always maintained that if the Commission did not challenge FERC, the Commission should not approve buyout settlements. ORA also reiterated its position that the July assigned commissioner's ruling provided the relevant guidelines for assessing the reasonableness of all settlements submitted in this proceeding.

**Filer: ORA-Bromson**

**Contact: Susie Toy**

**Phone: (415) 703-2362**

**Summary: CORRECTED NOTICE OF EX PARTE COMMUNICATION WHICH WAS IN THE 12/28/98 DAILY CALENDAR.**

**LATE FILED.** On November 30, 1998, Elena Schmid, Director of the Office of Ratepayer Advocates (ORA), met with Cmmr. Bilas in San Francisco. Also present were: Maryam Ebke, advisor to Cmmr. Bilas; Jonathan Bromson, attorney for ORA; Bruce Foster of Southern California Edison Company (Edison); Steve Greenwald of Oxbow Power and Bowerman/Olinda; Bill Booth and Frank DeRosa of U.S. Generating Company; Bob

Finkelstein of The Utility Reform Network; Jan Smutny-Jones of the Independent Energy Producers; Edward Maddox of SeaWest; Peter Casciato of CalWind; and Sara Steck Myers of Zond Systems, Inc. In response to Edison's representation that the July 5, 1995 assigned commissioner's ruling (ACR) should not be applied retroactively to the settlements, ORA stated that the ACR specifically referenced the settlements already submitted by Edison, therefore indicating that it applied to all settlements between winning bidders and Edison which had been submitted. ORA explained further that if the settlements were to be evaluated for reasonableness at the time they were entered into, they should be found unreasonable as they explicitly allowed Edison to litigate at the Federal Energy Regulatory Commission (FERC) the issue of reasonableness of the auction. ORA noted that it never supported the notion that there were any contractual rights gained by the bidders merely upon winning the auction, and always advocated that buyout settlements did not provide any value to ratepayers.

**Filer: ORA-Bromson**

**Contact: Susie Toy**

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

**Summary:** On December 4, 1998, Jonathan Bromson of the Office of Ratepayer Advocates, met with Michelle Cooke, advisor to Cmmr. Duque, in San Francisco. The April 3, 1995 response of the Division of Ratepayer Advocates (DRA) to the assigned commissioner's March 7 ruling on options regarding the biennial resource plan update (BRPU) (attached to the notice) was used. Bromson stated that in the April 3, 1995 filing, DRA expressed its support of awarding BRPU winning bidders the capacity they sought in the auction, but also expressed a legal opinion that there were no contractual rights possessed by the winning bidders, and its opposition to any finding of reasonableness for the buyout settlements already submitted to the Commission by Southern California Edison Company.

**Filer: ORA-Bromson**

**Contact: Susie Toy**

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

**Summary:** On December 2, 1998, Karen Potkul, Vice President - Legal and Regulatory Affairs for NEXTLINK California, left a voice mail message for Jose Jimenez, advisor to Cmmr. Conlon. Referring to the draft decision of ALJ Pulsifer, Potkul urged the Commission to modify the decision so that the Commission would consider unused or underutilized equipment when determining space available for physical collocation. Further, Potkul stated that the Commission should at least leave the possibility open for the Commission staff and competitive local exchange carries (CLECs) to review and, if appropriate, make arguments with respect to unused or underutilized equipment. Potkul continued that, otherwise, ILECs could refuse to remove such unused equipment as a means to deny CLECs' physical collocation requests.

**Filer: Nextlink**

**Contact: Heidi Sieck Williamson**

**Phone: (510) 580-5815**

12/7/98

A98-07-003

Pacific Gas and Electric Company, for verification, consolidation, and approval of costs and revenues in the Transition Revenue Account (TRA).

**Summary:** On December 2, 1998, Jana Corey, Director, Regulatory Relations, Pacific Gas and Electric Company (PG&E), initiated a telephone conversation with James Hendry, advisor to Cmmr. Conlon. Corey stated that PG&E supports motion to strike portions of the Office of Ratepayer Advocates' testimony, and urges the Commission to strike ORA's testimony regarding a change in the existing allocation factors for allocation of transition costs among customers groups. Corey stated that specifically, PG&E agrees that considering a change to the allocation method is beyond the scope of the proceeding, as recognized in the assigned commissioner's scoping memo.

**Filer: Pacific Gas and Electric Company**

**Contact: Sandra Ciach**

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

12/7/98	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 December 2, 1998, Karen Potkul, Vice President - Legal and Regulatory Affairs for NEXTLINK California, left a voice mail message for Jose Jimenez, advisor to Cmmr. Conlon. Referring to the draft decision of ALJ Pulsifer, Potkul urged the Commission to modify the decision so that the Commission would consider unused or underutilized equipment when determining space available for physical collocation. Further, Potkul stated that the Commission should at least leave the possibility open for the Commission staff and competitive local exchange carriers (CLECs) to review and, if appropriate, make arguments with respect to unused or underutilized equipment. Potkul continued that, otherwise, ILECs could refuse to remove such unused equipment as a means to deny CLECs' physical collocation requests.

**Filer: NEXTLINK California**

**Contact: Heidi Sieck Williamson**

**Phone: (510) 580-5815**

12/14/98	R95-04-043	<b>CORRECTION FROM THE DAILY CALENDAR OF DECEMBER 28, 1998.</b> 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 December 9, 1998, Francis Chin, General Counsel for the Metropolitan Transportation Commission (MTC), met with Cmmr. Bilas in San Francisco. Also present were: Lester Wong, advisor to Cmmr. Bilas; and Ann Flemer, Manager, Transit Coordination and Access, Emily Van Wagner, Project Manager, and Jose Guzman, Jr., attorney, for MTC. MTC representatives discussed the proposed decision on MTC's motion for the assignment of the 817 NXX block to support its TravInfo™ travelers' information service in all new area codes opened in the Bay Area. MTC representatives stated that any carrier with a block of NXX numbers would use all or substantially all of

them to serve its customers. MTC representatives explained that its motion was consistent with the public interest in the TravInfo™ service. MTC also noted the substantially greater costs involved with switching the TravInfo™ service to a toll free service and the substantial investment it already has made in hardware to operate its current system and in marketing.

**Filer: Metropolitan Transportation Commission**

**Contact: Jose E. Guzman, Jr.**

**Phone: (415) 398-3600**

---