
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 **Monday, January 5, 1998**

- Regular Commission Meetings
 - Notices
 - Subscription Information (Daily Calendar and Agenda)
 - Commissioner Office Hours
 - Public Meetings and Workshops
 - New Filings
 - Petitions for Modification of Applications for Rehearing
 - Draft Decisions/Proposed Decisions/Alternates/Arbitrator's Reports
 - Advice Letter Filings
 - Miscellaneous Transportation Items
 - Adjournments/Resettings/Submissions
 - Removals from Calendar
 - New Settings
 - Law and Motion Hearings
 - Hearings
 - Notice of Denial of Request for Ex Parte Meeting
 - Notice of Ex Parte Communications
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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call (415) 703-1203. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.

REGULAR COMMISSION MEETINGS

January 7, 1998	10:00 a.m.	San Francisco
January 21, 1998	10:00 a.m.	San Francisco
February 4, 1998	10:00 a.m.	San Francisco
February 19, 1998	10:00 a.m.	San Francisco

NOTICES

Delivery of Formal Pleadings for Filing

Unless otherwise directed, all *courier-delivered documents* submitted for filing as part of the formal record in a proceeding should be *hand-carried directly* to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Room 5109, 107 South Broadway in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All *documents sent through the mail* for formal filing should be addressed *ONLY* to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

The Payphone Service Provider's Enforcement Committee has proposed a Charter for approval by the CPUC. A protest must be made in writing and received within 20 days from the date of this calendar item. Protest must be delivered to Director, Telecommunications Division, 505 Van Ness Ave., Room 3203, San Francisco, CA, 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

SUBSCRIPTION INFORMATION

Subscription Notice for Draft Agenda Items

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003; 505 Van Ness Avenue; San Francisco, CA 94102; or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the

Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 centers per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and the following field offices: El Centro, Eureka, Sacramento and San Bernardino. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

Subscription Notice for Daily Calendar and/or Agenda

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003; 505 Van Ness Avenue; San Francisco, CA 94102; or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

COMMISSIONER OFFICE HOURS

(For further information or to make an appointment, please contact, Michelle Diamonon at (707) 445-7875 for Eureka and Chico locations, and Sandra Graham at (213) 897-3544 for other locations).

<u>Date/Time</u>	<u>Commissioner</u>	<u>Location</u>
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NONE SCHEDULED

PUBLIC MEETINGS & WORKSHOPS

Public Meeting

<p>January 6, 1998 10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program</i> 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

<p>January 6, 1998 10-am - 4 pm and January 7, 1998 10 am - 4 pm With a Break for Lunch (A brief break will be called prior to lunch)</p>	<p><i>Pacific Gas and Electric Company Energy Center</i> 851 Howard Street (1 block west of the Moscone Center) San Francisco To join via teleconference: Dial: 303-633-0782 Passcode: 1505225#</p>
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As provided for in Public Utilities Commission D97-09-117, one or more LIGB members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **303-633-0782** on both **January 6 and 7, 1998**. Due to possible noticing issues with regard to the Low Income Governing Board Meeting of December 17, 1997, the Board may rehear certain items from that meeting including, but not limited to: Award of Tasks J, K, and L to MSB, Authorization of MSB to retain EEI, and Recommendation to approve Katherine Mckenney and Roberto Haro as additional Board members.

The Low Income Governing Board will meet to discuss the following agenda items: Chairperson's report, review meeting minutes, reconsideration of certain items from the December 17 LIGB meeting, discuss legal issues, Technical Consultants projects, presentation by Energy Efficiency Institute, address budget planning/financial status, update on the advisory committee address policy planning issues on critical path, and develop agenda for next Board meeting. These meeting are open to the public. You can get the materials for this meeting from the LIGB website at www.ligb.org. Amy Hopper is the contact person at (510) 251-2888, extension 2015.

Public Meeting

<p>January 6, 1998 1-pm - 6 pm</p>	<p><i>PG&E Energy Center</i> 851 Howard Street</p>
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<i>and</i> <i>January 7, 1998</i> <i>8:30 am - 3:30 pm</i>	<i>(1 block west of the Moscone Center)</i> <i>San Francisco</i>
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The California Board for Energy Efficiency will meet to discuss the proposed RFP for independent administrators and governing rules, the Board's response to comments on the RFP; program analysis and evaluation plans, utility 1998 program plans and associated reports to and decisions by the ALJ; utility RFPs for third-party programs; standard performance contracting programs, consultant workplans, 1998 energy efficiency budgets, development of a CBEE logo, reports from or direction to the technical consultants and Technical Advisory Committee, Board operational matters, and other Board filings. The contact person is Nancy Licht of Wm. Nesbit & Associates, (707) 523-1663..

Public Meeting

<i>January 8, 1998</i> <i>(Thursday)</i> <i>9:30 am - 12:00 noon</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue, Room 3204</i> <i>(Corner of Van Ness Avenue and McAllister Street)</i> <i>San Francisco</i>
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The CHCF Trust Administrative Committee will hold its 1st meeting to discuss implementation matters ordered by the Commission in Resolution T-16092 and other administrative matters for the CHCF-A. The contact person for this meeting is Angela Young at (415) 703-2837.

Public Meeting

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

Public Meeting

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

Workshop Notice

<p>January 8, 1998 9:30 am - 4:30 pm and January 9, 1998 9 am - 1 pm</p>	<p>PG&E Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</p>
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The California Board for Energy Efficiency will hold a public workshop to discuss issues related to the administrator RFP process including 1) program classification, 2) cost-effectiveness and implementation of cost-effectiveness tests, 3) capability of transforming markets, and 4) market assessment and program evaluation. The contact person is Nancy Licht of Wm. Nesbit & Associates, (707) 523-1663.

Public Meeting

<p>January 8, 1998 10 am - 3 pm</p>	<p>Opera Plaza Recreation Room 601 Van Ness Avenue Mezzanine Level San Francisco</p>
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San Diego Gas & Electric Company will hold a second settlement conference for Application 97-09-049, to establish a Permanent Gas Procurement Performance Based Ratemaking Mechanism, in accordance with Rule 51.1 of the Commission's Rules of Practice and Procedure. Please RSVP by fax (619) 696-4014 or phone (619) 696-4027 to Mark Ward no later than Tuesday, January 6, 1998.

Public Meeting

<p>January 8, 1998 1:30 pm - 5 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) San Francisco</p>
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The ULTS Marketing Board (ULTSMB) will hold its initial meeting to introduce board members, and to discuss/approve the following: Charter, 1998 Budget, Marketing campaign, vacant positions, establish future meeting dates, and other general administrative matters.

If you would like to join the meeting by phone conference or receive a copy of the agenda please notify Vivien Wright, Executive Assistant, five (5) working days in advance of the meeting at (510) 452-2757.

Workshop Notice

<p>January 9, 1998 9 am - 5 pm</p>	<p>Wyndham Hotel at Los Angeles Airport 6225 West Century Boulevard Los Angeles</p>
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The Low Income Governing Board is holding a workshop to discuss the future of energy rate assistance, energy efficiency, and energy education programs in the restructured electric utility industry. The workshop will address possible changes to these programs presented by individuals who submitted papers with these recommendations. The recommendations pertain to program administration, financial controls, data systems, and consumer protection. The papers can be found on the Low Income Governing Board’s website at www.ligb.org. The workshop is open to the public. **If you plan to attend this workshop, please contact Doreen Seely of MSB Energy Associates at (608)831-1127 ext. 306.**

Public Meeting

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

Public Meeting

<p>January 12, 1998 1 pm - 5 pm</p>	<p>Natural Resources Defense Council 71 Stevenson Street, Suite 1825 San Francisco</p>
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The New Programs Subcommittee of the Technical Advisory Committee for the California Board for Energy Efficiency will meet to discuss externalities as related to new energy efficiency programs and to gather notes for the subcommittee’s report to the TAC during its January 27 meeting. The contact person is Sheryl Carter at (415) 777-0220.

Additional locations include:

- Insulation Contractors Association, 2210 K Street, Sacramento, CA
- CEC, 1516 Ninth Street (c/o Bruce Cenicerros), Sacramento, CA
- E Source, Inc., 1033 Walnut Street, Boulder, CO
- UCONS, LLC., 3055 1112th N.E., Suite 225, Bellevue, WA
- SESCO, Inc., 77 Yacht Club Drive, Suite 1000, Lake Forest, NJ
- The Bentley Co., 611 Anton Blvd., Suite 700, Costa Mesa, CA
- Richard Heath & Associates, 2055, San Joaquin, Fresno, CA

10949 S.W. 4th Avenue, Portland, OR
 SMUD, 6301 S Street (c/o Jim Parks), Sacramento, CA
 SCE, 300 N. Lone Hill Avenue (c/o Gene Rodrigues), San Dimas, CA
 Sera, Inc., 1511 3rd Avenue, Suite 1000, Seattle, WA
 Electric and Gas Industries Association, 1645 Alvarado Street, San Leandro, CA
 The Service Institute, 1335 Ridgedale Court, Roseville, CA
 Energy Pacific, 4539 Lee Avenue, La Mesa, CA

Workshop Notice

<p>January 13, 1998 9 am - 5 pm</p>	<p>Host Hotel at the Sacramento Airport 6945 Airport Boulevard Sacramento</p>
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The Low Income Governing Board is holding a workshop to discuss the future of energy rate assistance, energy efficiency, and energy education programs in the restructured electric utility industry. The workshop will address possible changes to these programs presented by individuals who submitted papers with these recommendations. The recommendations pertain to program administration, financial controls, data systems, and consumer protection. The papers can be found on the Low Income Governing Board's website at www.ligb.org. The workshop is open to the public. **If you plan to attend this workshop, please contact Doreen Seely of MSB Energy Associates at (608)831-1127 ext. 306.**

Public Meeting

<p>January 15, 1998 9 am - 5 pm</p>	<p>Quality Suites Hotel, Los Padres Room 1631 Monterey Street San Luis Obispo</p>
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The Administrative Committee of the Electric Education Trust (EET) will hold a public meeting to conduct business related to establishing the trust and realizing its mission. The agenda includes consideration of education, outreach and call-center activities of the utilities' Consumer Education Plan (CEP), the proposed work plan and budget, the request for proposals (RFP) for a trust administrator, funding and implementation of EET educational and outreach activities, committee organization and structure, and administrative matters. The contact person is William R. Schulte at (415) 703-2349.

Public Meeting

<p>January 23, 1998 <i>(REVISED DATE)</i> 10 am - 4 pm</p>	<p>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The California Relay Service Advisory Committee (CRSAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or

(510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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

Public Meeting

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

Public Meeting

<p>February 27, 1998 <i>(REVISED DATE)</i> 10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program</i> 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The California Relay Service Advisory Committee (CRSAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Sara Brucker at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

NEW FILINGS

12/3/97	C97-12-041	Reliable Payphone Company vs. Pacific Bell, for refusal to transfer payphone ANI's to New LEC; for fraudulent representations; for unlawful or improper termination of service; for improper late charges; for unlawful retaliation
12/15/97	C97-12-042	Jay Lacny dba Simply Internet vs. MCI Cellular, for wrongful termination of service and billing error
12/19/97	A97-12-039	San Diego Gas & Electric Company, for authority to sell electrical generation facilities and power contracts
12/22/97	A97-12-038	Allegiance Telecom of California, Inc., for registration as an interexchange carrier telephone corporation; motion for limited protective order and confidential material attached under seal
12/23/97	A97-12-040	LDM Systems, Inc. for authority to transfer control of LDM Systems, Inc. to RSL COM U.S.A., Inc.
12/23/97	A97-12-043	Southern California Edison Company, for order approving termination agreement for termination of Interim Standard Offer No. 4 Power Purchase Agreement with Harbor Cogeneration Company
12/23/97	C97-12-044	AirTouch Cellular and its affiliates Los Angeles SMSA Limited Partnership, Sacramento-Valley Limited Partnership, and Modoc RSA Limited Partnership vs Pacific Bell, for unlawful refusal to provide billing and collection services and for unlawful impediment of competition
12/29/97	A97-10-008	First Amendment -Eissa Hassan Mohammed, Ahmed Mohamed Zarroug, Kmel Sadek Bashir, and Mowafi Mohamed Ginawi, dba International Shuttle, for authority to establish a zone of rate freedom for passenger stage corporation service; to application

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

12/24/97	R88-08-018	Commission rulemaking into natural gas procurement and system reliability issues.
	R90-02-008	Commission rulemaking to change the structure of gas

utilities' procurement practices and to propose refinements to regulatory framework of gas utilities;
Petition for modification of D97-11-070 by Southern California Edison Company

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

12/31/97 I96-12-041 Investigation on the Commission's own motion into the operations and practices of Harjit Singh, doing business as Herry Bros. Trucking, an individual, Respondent;
Proposed decision of ALJ Wright

ADVICE LETTER FILINGS

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

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

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

12/16/97	Energy 1720E	PACIFIC GAS & ELECTRIC COMPANY, Submits new and revised tariffs in compliance with D.97-06-060, D.97-11-074 and D.97-12-039 (effective TBD)
12/16/97	Energy 1275E	SOUTHERN CALIFORNIA EDISON COMPANY, 01/01/97 Tariff Changes Pursuant to the Transition Cost Decisions, Transition Cost Balancing Account (TCBA) (effective TBD)
12/22/97	Energy 1722E	PACIFIC GAS & ELECTRIC COMPANY, Deviation from Schedule A-1 Agreement with Metricom, Inc. for Unmetered Electric Service (effective TBD)
12/22/97	Energy 1723E	PACIFIC GAS & ELECTRIC COMPANY, Submits new tariff in compliance with D.97-12-096 in PG&E's

		Generation Performance Based Ratemaking Proceeding (effective TBD)
12/23/97	Energy 286E	PACIFIC POWER AND LIGHT COMPANY, Mandated 10% Rate Reduction (effective TBD)
12/23/97	Energy 1277E	SOUTHERN CALIFORNIA EDISON COMPANY, Estimated 1998 Hydroelectric Generation Revenue Requirement (effective TBD)
12/23/97	Telecom 1286	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Extend AT&T CIID/891 Calling Card Promotion (effective TBD)
12/23/97	Telecom 3	NUCOMNET, Reduce ULTS and DEAF surcharge per T-16090 and T-16098 (effective TBD)
12/24/97	Energy 2658G	SOUTHERN CALIFORNIA GAS COMPANY, Long Term Storage Contracts. (effective TBD)
12/29/97	Telecom 22	GST TELECOM CALIFORNIA, INC., Reduce ULTS and DEAF surcharge per T-16090 and T-16098 (effective TBD)
12/30/97	Telecom 5	CALIFORNIA RSA NO. 3 LIMITED PTNSHP., Reduce ULTS and DEAF surcharge per T-16090 and T-16098 (effective TBD)
12/30/97	Telecom 1091	CONTEL SERVICE CORPORATION, Reduce DEAF surcharge to comply with T-16090 (effective TBD)
12/30/97	Telecom 1092	CONTEL SERVICE CORPORATION, Reduce ULTS surcharge to comply with T-16098 (effective TBD)
12/30/97	Telecom 8619	GTE CALIFORNIA INCORPORATED, Frame Relay High Cap Digital Service contract (effective TBD)
12/30/97	Telecom 8620	GTE CALIFORNIA INCORPORATED, Toll contract with Rio Hondo College (effective TBD)
12/30/97	Telecom 8621	GTE CALIFORNIA INCORPORATED, Toll contract with Coachella Valley Narcotics Task Force (effective TBD)
12/30/97	Telecom 8622	GTE CALIFORNIA INCORPORATED, Reduce DEAF surcharge per T-16090 (effective TBD)

12/30/97	Telecom 8623	GTE CALIFORNIA INCORPORATED, Reduce ULTS surcharge per T-16098 (effective TBD)
12/30/97	Telecom 190	HAPPY VALLEY TELEPHONE CO., Reduce ULTS and DEAF surcharge per T-16090 and T-16098 (effective TBD)
12/30/97	Telecom 164	HORNITOS TELEPHONE COMPANY, Reduce ULTS and DEAF surcharge per T-16090 and T-16098 (effective TBD)
12/30/97	Telecom 8	MOUNTAIN CELLULAR (ATLANTIC CELLULAR), Reduce DEAF and ULTS surcharge per T-16090 and T-16098 (effective TBD)
12/30/97	Telecom 15-A	NEXTLINK OF CALIFORNIA, LLC, Supplements A.L.No.15, Introduce promotion for two months of free service (effective TBD)
12/30/97	Telecom 19187	PACIFIC BELL, Amendment No. 1 to the Local Interconnection Agreement with Associated Group, Inc. (effective TBD)
12/30/97	Telecom 19188	PACIFIC BELL, Customer specific contract for Centrex service (effective TBD)
12/30/97	Telecom 19189	PACIFIC BELL, Express contract for ADN, HiCap and FRS service (effective TBD)
12/30/97	Telecom 19190	PACIFIC BELL, Demarcation (effective TBD)
12/30/97	Telecom 85	WINTERHAVEN TELEPHONE COMPANY, Reduce ULTS and DEAF surcharge per T-16090 and T-16098 (effective TBD)
12/31/97	Energy 170E	SOUTHERN CALIFORNIA WATER COMPANY, Exemption (effective TBD)
12/31/97	Telecom 17	BROOKS FIBER COMMS. OF SACRAMENTO INC., Reduce ULTS surcharge per T-16098 and revise service area map (effective TBD)
12/31/97	Telecom 194	CALAVERAS TELEPHONE COMPANY, Reduce DEAF and ULTS surcharges per T-16098 and T-16090 and clean

		up AL 192A (effective TBD)
12/31/97	Telecom 215	CALIFORNIA OREGON TELEPHONE CO., Reduce ULTS and DEAF surcharges per T-16090 and T-16098 (effective TBD)
12/31/97	Telecom 214	DUCOR TELEPHONE COMPANY, Reduce ULTS and DEAF surcharges per T-16090 and T-16098 (effective TBD)
12/31/97	Telecom 247	KERMAN TELEPHONE COMPANY, Reduce ULTS and DEAF surcharges per T-16090, T-16086 and T-16098 and clean up AL 245A (effective TBD)
12/31/97	Telecom 132	PINNACLES TELEPHONE COMPANY, Reduce ULTS and DEAF surcharge per T-16090 and T-16098 (effective TBD)
12/31/97	Telecom 3	SASSCOM, INC., Reduce surcharges per T-16090 and T-16098 (effective TBD)
12/31/97	Telecom 4	SASSCOM, INC., Reduce DEAF and ULTS surcharges per T-16090 and T-16098 for intrastate toll services (effective TBD)
12/31/97	Telecom 230	THE VOLCANO TELEPHONE COMPANY, Reduce DEAF and ULTS surcharge per T-16090 and T-16098 and clean up AL 227 (effective TBD)
12/31/97	Water 31	LAKE FOREST UTILITY, Offset increase in the Consumer Price Index pursuant to D.92-03-093. (effective TBD)
12/31/97	Water 46	TAHOE PARK WATER COMPANY, INC., To offset increase in the CPI-U pursuant to D.92-03-093. (effective TBD)

ADVICE LETTER PROTESTS

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

12/26/97	Energy 1275E	SOUTHERN CALIFORNIA EDISON COMPANY, 01/01/97 Tariff Changes Pursuant to the Transition Cost
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Decisions, Transition Cost Balancing Account (TCBA)
Protest by CPUC Office of Ratepayer Advocates

MISCELLANEOUS TRANSPORTATION ITEMS

January 5, 1998

Filings with Safety and Enforcement

NONE

ADJOURNMENTS * RESETTINGS * SUBMISSIONS

NONE

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

NONE

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.

1/6/97 9:30 am NONE SCHEDULED

1/13/98	9:30 am	NONE SCHEDULED
1/20/98	9:30 am	NONE SCHEDULED

HEARINGS

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

(PHC) = Prehearing Conference

(OA) = Oral Argument

(EH) = Evidentiary Hearing

(WS) = Workshop

(PPH) = Public Participation Hearing

(FPH) = Full Panel Hearing

(IAM) = Initial Arbitration Meeting

(AH) = Arbitration Hearing

(M) = Mediation

1/5/98 ALJ Garde Comr Bilas	10:00 am C97-02-015	(PHC) -Utility Audit Company, Inc., vs. Southern California Gas Company, for improper billing, resulting in overcharges to customers of the Le Parc Simi Valley Homeowners Association, Commission Courtroom, San Francisco
1/5/98 ALR Ryerson Comr Conlon Comr Bilas	1:00 pm R97-10-050	(OA) -Commission Order Instituting Rulemaking on the Commission's own motion into the regulation of containerized shipments of used household goods and personal effects transported to and from self-service storage facilities, Commission Courtroom, San Francisco
1/6/98 ALJ Patrick Comr Knight	1:00 pm A97-07-043	(PHC) -Pacific Gas and Electric Company, for a permit to construct the Vasona Substation pursuant to General Order 131.D, Commission Courtroom, San Francisco
1/6/98 ALJ Bushey Comr Duque	3:00 pm C97-09-059	(PHC) -Peter Wood vs. Pacific Bell, for failure to provide adequate services and for discriminatory treatment, Commission Courtroom, San Francisco

1/7/98 ALJ McVicar Comr Duque	9:00 am C97-08-054	(EH) -Carl Brandstetter vs. Holiday Retreats, Inc., Paul Derebery, Surinder S. Dang, and Gurinder Singh, for serving water without authority, Council Chambers, City Hall, 3900 Main Street, Riverside
1/7/98 ALJ Garde Comr Bilas	7:00 pm A97-09-011	(PPH) -California Water Service Company, for a general rate increase to increase gross revenue by \$59,100, or 2.8%, in the year 1998, and for annual increases or decreases for 1999-2003, based on annual changes in the Consumer Price Index for water in the Oroville District, City Council Chambers, 1735 Montgomery Street, Oroville
1/8/98 ALJ Weissman Comr Duque Comr Knight	1:30 pm A97-11-004 A97-11-011 A97-12-012	(PHC) -Pacific Gas and Electric Company, to identify cost savings for revenue cycle services provided by other entities and to propose credits for end-use customers in such circumstances, (PHC) -Southern California Edison Company, to identify cost savings for revenue cycle services provided by other entities and to propose net avoided cost credits for end-use customers in such circumstances for implementation on 1/1/99, and (PHC) -San Diego Gas & Electric Company, to identify cost savings for revenue cycle services provided by other entities and to propose credits for end-use customers in such circumstances for implementation no later than 1/1/99, Commission Courtroom, San Francisco
1/9/98 ALJ Barnett Comr Bilas	10:00 am A97-12-027	(EH) -Dwayne Lee Porter dba D. L. Porter Corp. for registration as a non-utility electric service provider under Public Utilities Code Section 394, Commission Courtroom, State Office Building, 107 S. Broadway, Los Angeles
1/12/98 ALJ Careaga Comr Duque	10:00 am C97-04-025	(EH) -ARCO Products Company, Mobil Oil Corporation, Texaco Refining and Marketing Inc. vs. SFPP, L.P., for violation of Section 451 of the Public Utilities Code by charging rates that are not just and reasonable for the intrastate transportation of refined petroleum products, Commission Courtroom, San Francisco (also January 13-16 and 20-23, San Francisco)

1/12/98 ALJ Patrick ALJ Stalder Comr Conlon	10:00 am A96-05-045	(EH) -Southern California Edison Company, for authority to freeze rates t their current levels by deferring a \$1.7 million rate decrease, plus interest to 1998, for a finding that 1/1/97 balances in the energy cost adjustment clause (ECAC) and electric revenue adjustment mechanism (ERAM) accounts are reasonable, for authority to set aside overcollection in the ECAC and ERAM accounts as of 12/31/96 to reduce the level of competition transition cost, for authority to revise its incremental energy rate, the energy reliability index and avoided capacity cost pricing, and for a review of the reasonableness of Edison's operations during the period from April 1, 1995, through March 31, 1996, and
	A97-05-050	(EH) -Southern California Edison Company, for review of the reasonableness of operations during the period from April 1 1996, through March 31, 1997 (Reasonableness Phase), Commission Courtroom, San Francisco
1/12/98 ALJ McVicar Comr Duque	2:00 pm C97-08-004	(PHC) -Commission Instituting Investigation and Suspension of the Commission's own motion to tariff filed by Advice Letter Nos. 287 and 287-A of San Jose Water Company in Santa Clara County, Commission Courtroom, San Francisco
1/13/98 ALJ Henderson Comr Neeper	10:00 am A96-10-022	(EH) -San Diego Gas & Electric Company, for annual energy cost adjustment clause for the period from 5/1/97 to 4/30/98, Commission Courtroom, San Francisco
1/13/98 ALJ Bennett Comr Duque	2:00 pm A97-09-042	(PHC) -Koushan M. Ashia, for authority to operate as a passenger stage corporation between points in Monterey, Santa Cruz and Santa Clara Counties and the San Francisco, Oakland and San Jose International Airports, and to establish a zone of rate freedom Telephone Prehearing Conference

1/14/98 ALJ Walwyn Comr Duque	10:00 am R93-04-003 I93-04-002	(PHC) -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 (PHC) -Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks, Commission Courtroom, San Francisco
1/14/98 ALJ Ramsey Comr Conlon	10:00 am I91-08-029	(PHC) -Investigation on the Commission's own motion into the causes of recent derailments of Southern Pacific Transportation Company trains, compliance of Southern Pacific with applicable laws, rules, and regulations, the existence of any local safety hazards, and recommendations for improvements in state and federal laws or regulations, Commission Courtroom, San Francisco
1/14/97 ALJ Wright Comr Duque	10:00 am C97-12-036	(ECP) -Charles Poley and Karen Poley vs. GTE of California, for improper billing and request for extension of local service area, Santa Barbara City Hall, Room 15 (upstairs), 735 Anacapa Street, Santa Barbara
1/14/98 ALJ Bennett Comr Bilas	10:30 am C97-10-077	(ECP) -Whiskey Run Homeowners Association vs. Kirkwood Gas and Electric Company, for relief from the payment for electricity used by a commercial unit not associated with the homeowners association, Offices of Governmental Affairs, 1227 O Street, Fourth Floor, Sacramento
1/15/97 ALJ Patrick Comr Bilas	1:00 pm A97-11-012	(PHC) -Pacific Gas and Electric Company, for authority to increase the price of water delivered to the El Dorado Irrigation District from the El Dorado Project, effective in 1998 and 1999, Commission Courtroom, San Francisco
1/16/98 ALJ Walker Comr Duque	7:00 pm C97-09-056	(PHC) -Marna An Powell and Donna M. Hufford vs. GTE Northwest, dba GTE West Coast, for enlargement of the 488 prefix to include a toll free one-way extended area service, Orick Community Center, 101 Swan Road, Orick

1/20/97 ALJ Ramsey Comr Knight	9:30 am A97-10-021	(PHC) -Citizens Telecommunications Company of California, Inc., for review of its new regulatory framework, Commission
1/21/98 ALJ Garde Comr Bilas	7:00 pm A97-09-010	(PPH) -California Water Service Company, for a general rate increase to increase revenues by \$126,700, or 7.1%, in 1998 in the Selma District, Arts Center, 1045 Rose Avenue, Selma
1/22/98 ALJ Econome Comr Bilas	1:30 pm A97-03-002	(PHC) -Pacific gas and Electric Company, for authority to revise its gas rates and tariffs to be effective 1/1/98, pursuant to D.89-01-040, D.90-09-089, D.91-05-029, D.93-12-058, D.94-07-024, and D.95-12-053, Commission Courtroom, San Francisco (EH), for 10 am, January 26, San Francisco (also January 27-30 and February 2-6, San Francisco),
1/27/98 ALJ Stalder Comr Conlon	10:00 am A95-08-038	(EH) -San Jose Water Company, for authority to increase rates by \$3,867,000 or 4.16% in 1995; \$4,348,000 or 4.43% in 1996; and \$1,713,000 or 1.67% in 1997, in Los Gatos, Saratoga, Monte Sereno, Campbell, portions of San Jose, Cupertino and Santa Clara, and in territory within the County of Santa Clara surrounding and adjacent in these municipalities, Commission Courtroom, San Francisco (also January 28, San Francisco)
1/27/98 ALJ Garde Comr Bilas	7:00 pm A97-09-009	(PPH) -California Water Service Company, for a general rate increase to increase revenues by \$408,900, or 6.6%, in 1998; \$108,200, or 1.7%, in 1999; and by \$108,200, or 1.6%, in both 2000 and 2001, in the South San Francisco District, City of South San Francisco Municipal Services Building, 33 Arroyo Drive, South San Francisco
1/30/98 ALJ Walker Comr Duque	7:00 p.m. C97-09-054	(PHC) -Robert W. Merwin vs. Citizens Communications, for arbitrary definition of service areas, Jean Harvie Community Center, 14273 River Road, Walnut Grove
2/3/98 ALJ Malcolm Comr Duque	10:00 am A95-12-043 C96-02-002	(EH) -Pacific Bell, for authority to increase and restructure certain rates of its Integrated Services Digital Network services, and (EH) -Compaq Computer Corporation and Intel

		Corporation vs. Pacific Bell, for unjust and unreasonable rates and charges and practices, and inadequate service for its Integrated Services Digital Network service, Commission Courtroom, San Francisco
2/5/98 ALJ Wetzell Comr Conlon	1:00 pm A97-09-049	(PHC) -San Diego Gas & Electric Company, for a permanent gas procurement performance-based ratemaking mechanism, Commission Courtroom, San Francisco
2/9/98 ALJ Careaga Comr Neeper	10:00 am C96-01-019	The City of Vernon vs. The Atchison, Topeka and Santa Fe Railway, for non-compliance with zoning, Commission Courtroom, San Francisco
2/10/98 ALJ Malcolm Comr Bilas	10:00 am A97-10-014 A97-10-015 A97-10-024	(PHC) -Pacific Gas and Electric Company, for recovery of 1996 capital additions costs, and, (PHC) -San Diego Gas & Electric Company, for competition transition charge recovery of 1996 capital additions, and (PHC) -Southern California Edison Company, for authority to recover capital additions to its fossil generating facilities made between 11/1/96 AND 12/31/96, Commission Courtroom, San Francisco (EH) for 10 am, March 9, San Francisco (also March 10-13, San Francisco)
2/12/98 ALJ Bushey Comr Duque	C97-11-018	(PHC) -Brooks Fiber Communications of Fresno, Inc., Brooks Fiber Communications of Stockton, Inc., Brooks Fiber Communications of Bakersfield, Inc., Brooks Fiber Communications of San Jose, Inc., and Brooks Fiber Communications of Sacramento, Inc. vs. Pacific Bell, for unreasonable and unlawful anti-competitive activities, Commission Courtroom, San Francisco
2/18/98 ALJ Garde Comr Neeper	9:30 am A96-12-050	(EH) -Tel-Save, Inc. of Pennsylvania, dba The Phone Company, for a certificate of public convenience and necessity to operate as a reseller of local exchange service, Commission Courtroom, San Francisco (also February 19, San Francisco)
3/9/97 ALJ Bennett Comr Duque Comr Neeper	10:00 am A97-06-011	(EH) -CABAC, Inc., for authority to operate as an "on-call passenger stage corporation pursuant to Section 1031 of the California Public Utilities Code between points in Los Angeles, Orange, Riverside, San

- A97-06-012 Bernardino and Ventura Counties and Los Angeles International, Burbank, Long Beach, John Wayne and Ontario Airports, San Pedro Harbor, and the Los Angeles Amtrak Terminal, and for a zone of rate freedom for its tariff rates, and
(EH)-B.A.D.D.J., Inc., for authority to operate as an “on-call” passenger stage corporation pursuant to Section 1031 of the California Public Utilities Code between points in Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara and Ventura Counties, on the one hand, and Los Angeles International, Burbank, Long Beach, John Wayne, Ontario, Santa Barbara and Oxnard Airports, San Pedro Harbor, and the Los Angeles Amtrak Station, on the other, and for a zone of rate freedom for its tariff rates, and
- A97-06-013 **(EH)**-AMRAT, Inc., for authority to operate as an “on-call” passenger stage corporation pursuant to Section 1031 of the California Public Utilities Code between points in Los Angeles, Orange, Riverside, San Bernardino and Ventura Counties and Los Angeles International, Burbank, Long Beach, John Wayne and Ontario Airports, San Pedro Harbor, and the Los Angeles Amtrak Terminal, and for a zone of rate freedom for its tariff rates; and
- A97-07-041 **(EH)**-Rideshare Port Management LLC, dba Prime Time Shuttle, for authority to operate as a passenger stage corporation between points in Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara and Ventura Counties, on the one hand, and Los Angeles International, Burbank, Long Beach, John Wayne, Ontario, Palm Springs, Santa Barbara, and Oxnard Airports, San Pedro Harbor, and the Los Angeles Amtrak Station, on the other hand, and for a zone of rate freedom for its tariff rates, and
- A97-09-031 **(EH)**-David Regwan, dba Prime Time Shuttle of Ventura, Orange and Los Angeles Counties, to sell, and AMRAT, Inc., a California Corporation, to purchase, the Passenger Stage Certificate granted by D.90-03-066 in Application 89-08-029, pursuant to Sections 854 and 1036(b) of the California Public Utilities Code, and establish a zone of rate freedom,
Commission Courtroom, Los Angeles (also March 10 and 11, San Francisco)

3/16/98 ALJ Bushey Comr Knight	9:00 am C96-12-043	<p>(EH)-U.S. Long Distance, Inc. vs. Pacific Bell, for losses in excess of \$100,000 due to defendants improper administration of billing and collection services edit called "scan and reject edit,"</p> <p>Commission Courtroom, San Francisco (also March 17-18, San Francisco)</p>
3/30/98 ALJ Patrick Comr Bilas	10:00 am A97-03-015	<p>(EH)-Southern California Gas Company, for approval of a long-term gas transmission service contract with Distribudora de Gas Natural de Mexicali, s. de R.L. de C.V.,</p> <p>Commission Courtroom, San Francisco (also March 31, and April 1-3, San Francisco)</p>
4/17/98 ALJ Walwyn Comr Duque	10:00 am C97-03-049	<p>(PHC)-California Cable Television Association vs. Pacific Bell, for offering and promoting the bundled offering of the basic exchange service and Internet service in violation of due procedures and without authorization,</p> <p>Commission Courtroom, San Francisco</p>

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

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

NONE FILED

NOTICE OF EX PARTE COMMUNICATIONS

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

12/24/97	A96-08-001	Pacific Gas and Electric Company, for approval of valuation and categorization of non-nuclear generation related sunk costs eligible for recovery in the competition transition charge,
	A96-08-006	San Diego Gas & Electric Company, to identify and value the sunk costs of its non-nuclear generation assets,
	A96-08-007	Southern California Edison Company, to identify and value the sunk costs of its non-nuclear generation assets,
	A96-08-070	Pacific Gas and Electric Company, to establish the competition transition charge,
	A96-08-071	Southern California Edison Company, to estimate transition costs and establish a transition cost balancing account; transition cost executive summaries; transition cost policy; transition cost collection; 1998 market price used to determine transition costs; transition costs for nuclear generation; transition costs for fossil generation; fuel and fuel transportation contract obligations; plant-related sunk costs and rate base for fossil generation; transition costs for hydro generation; transition costs arising from interutility contracts; transition costs for regulatory assets, obligations, and balancing accounts; early retirement, severance, and retraining transition costs; and transition costs ratemaking attached, and
	A96-08-072	San Diego Gas & Electric Company, to estimate transition costs and establish a transition cost balancing account; prepared direct testimony attached.

Summary: On December 23, 1997, Bruce Foster, Vice President of Regulatory Affairs, Southern California Edison Company (Edison), sent a letter to all Commissioners. Copies of the letter were also delivered to James Hendry, John Scadding, Robert Lane, Dorothy Duda, Michelle Cooke, David Gamson, and Julie Halligan, advs. to Cmmr.; and ALJ Minkin. A copy of the letter is attached to this notice. Foster informed the Commissioners of the principal reasons why Edison had joined with Pacific Gas and Electric Company and San Diego Gas and Electric Company in filing an application for rehearing of D97-11-074. Foster stated that the Commission had committed legal error in D97-11-074 by implicitly overruling its previous decision in the utilities' 1997 cost of capital proceeding. If not reversed by the Commission, the result of this legal error will be an approximate \$15 million hit to Edison's earnings in 1997. Foster also stated that Edison would not contest application of the reduced rate of return to its uneconomic fossil generation assets once they commence accelerated recovery.

Filer: Southern California Edison Company

Contact: Bobbie Cao

Phone: (626) 302-2310

12/30/97	A96-08-001	Pacific Gas and Electric Company, for approval of valuation and categorization of non-nuclear generation
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- 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 December 29, 1997, Russell G. Worden, Regulatory Affairs Manager, Southern California Edison Company (Edison), contacted David Gamson, adv. to Cmmr. Neeper. Akbar Jazayeri, Manager of Pricing and Tariffs of Edison, was also present. During the telephone conversation, Worden and Jazayeri discussed about the December 4, 1997, Assigned Commissioner's Ruling seeking additional comments on PU Code Section 369. They stated that to the extent any customer with new load is willing to forgo standby service from Edison, it would not be responsible for paying the Competition Transition charge (CTC), as provided by Section 369. However, to the extent such new load receives standby service from Edison, then the service to the new load – regardless of its source – would be subject to CTC. Worden and Jazayeri also said that Edison has consistently interpreted this issue from the time the Memorandum of Understanding was submitted to the Commission to the present day. Finally, they said that Edison does not presently have an independent standby tariff. Instead, Edison's standby tariff is conjunctive with a regular electric service tariff and that a separate standby energy tariff does not exist. They pointed out that Edison's standby tariff generally recovers only the cost of the transmission and distribution investments, and not the fully allocated CTC.

Filer: Southern California Edison Company

Contact: Bobbie Cao

Phone: (626) 302-2310

12/30/97

C97-11-034

Pac-West Telecomm, Inc. vs Pacific Bell, for an order

declaring that Pacific Bell is in breach of the Agreement and for compensations, and for improper termination ISP calls.

Summary: Augmentation required. On December 30, 1997, Robert Mazique, counsel for Pacific Bell (PacBell), met with Tim Sullivan, advisor to Cmmr. Duque, in San Francisco. Also present was: Nancy Hensley, Regulatory Manager for PacBell. Representatives for PacBell stated that Internet communications and ISP traffic are interstate in nature. Representatives for PacBell stated that continuous communication begins with the customer, continues through the ISP server and ultimately reaches the web site's server—the exceptions are for e-mail and caching. Representatives for PacBell stated that the FCC and the courts have found ISP traffic to be interstate, and that if ISP traffic were not interstate, the FCC could not assert jurisdiction over the regulation of the ISP traffic. Representatives for PacBell stated that the FCC has asserted jurisdiction and has barred access charges on interstate Internet traffic. Representatives for PacBell stated that this Commission itself has referred to Internet traffic as interstate. Representatives for PacBell stated that under the interconnection agreement reciprocal compensation was for local traffic only, and that compensation for interstate traffic is handled through meet point billing. Representatives for PacBell stated that the agreement does not provide for reciprocal compensation for ISP traffic. Representatives for PacBell stated that allowing Pac-West to bill PacBell for the termination of ISP traffic and allowing Pac-West to bill the ISPs would let Pac-West double-recover its costs for ISP traffic.

Filer: Pacific Bell

Contact: Lila Tam

Phone: (415) 542-7712

12/31/97	R94-02-003	Commission Order Instituting Rulemaking, to establish a simplified registration process for non-dominant telecommunications firms and
	I94-02-004	Commission Order Instituting Investigation, to establish a simplified registration process for non-dominant telecommunications firms.

Summary: On December 29, 1997, David Marchant, senior counsel for MCI Telecommunications Group (MCI), sent a letter (attached to notice) to Cmmrs. Conlon, Knight, Duque, Neep, and Bilas. Copies were also sent to: ALJ Bushey, and ALJ Hale. Marchant stated that MCI urges that the statutory framework underlying intervenor compensation did not support The Utility Reform Network's (TURN) request that any award of compensation in this proceeding be paid for by the top five nondominant interexchange carriers, and that any funding for intervenor participation is subject to the necessity test set forth in Section 1801.3(f) of the Public Utilities Code. Marchant stated that MCI also opposes TURN's new request that the Commission should adopt the "interim" solution set forth in the proposed decision (PD) in the intervenor compensation proceeding as a solution in this proceeding. Marchant stated that under the PD's proposal, costs in a multiparty quasi-legislative proceeding would be shared by those carriers participating in such a proceeding with revenues exceeding \$50 million. Marchant stated

that while MCI acknowledges the important role of consumer intervenor groups such as TURN, MCI urges the Commission should only award intervenor funding when the current statutory funding rules apply and when it is necessary to do so.

Filer: MCI Telecommunications Corporation

Contact: Dorothy Maddux

Phone: (415) 228-1292