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

*Wesley M. Franklin, Executive Director*

Headquarters

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

Southern California Office

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

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

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### **Daily Calendar** **Monday, April 27, 1998**

- Regular Commission Meetings
- Notices
- Glossary
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/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 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

May 7, 1998	10 am	San Francisco
May 21, 1998	10 am	San Francisco
June 4, 1998	10 am	San Francisco

\*\*Will be held at the State Board of Equalization, 450 N Street, Sacramento, CA 95814

### 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.*

- |              |         |               |
|--------------|---------|---------------|
| May 4, 1998  | 1:30 pm | San Francisco |
| May 18, 1998 | 1:30 pm | San Francisco |
| June 1, 1998 | 1:30 pm | San Francisco |

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### 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.

### GLOSSARY

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

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

## SUBSCRIPTION INFORMATION

### *Subscription Notice for Draft Agenda Items*

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003; 505 Van Ness Avenue; San Francisco, CA 94102; or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

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

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

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

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

**Subscription Notice for Daily Calendar and/or Agenda**

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

**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>
5/13/98, 1 pm - 3 pm	Henry Duque	City Hall, 2 <sup>nd</sup> floor 13230 East Penn Street <b>Whittier</b>
5/15/98, 9 am - 12 pm	Josiah Neeper	State Office Building 1350 Front Street, Room 4006 <b>San Diego</b>

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**PUBLIC MEETINGS & WORKSHOPS**

**Workshop Notice**

<i>April 28, 1998 9 am</i>	<i>California Public Utilities Commission 107 South Broadway Room 1120 Los Angeles</i>
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The Utilities Safety Branch staff will conduct a workshop to address the development and expansion of programs to increase public education and awareness of the hazards of the proximity of trees and vegetation to utility overhead power lines. The workshop is open to the public and meeting room is wheelchair accessible. For more information contact Fadi Daye at (213) 897-8420.

**Public Workshop**

<i>April 29, 1998 9 am - 10 am</i>	<i>California Public Utilities Commission 505 Van Ness Avenue Room 2204 San Francisco</i>
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The Utility Safety Branch will conduct a workshop to discuss informal application filed by Mr. Rick Thurber of P. O. Box 31303, San Francisco seeking Commission approval for posting 4" x 6" vinyl decals on utility poles within the City and County of San Francisco. Mr. Thurber asserts that these decals will not interfere or hinder pole climbers and therefore pose no safety hazard. The workshop is open to the public. For additional information and registration contact Alok Kumar at (415) 703-1126 or Mahendra Jhala at (415) 703-1178.

**Public Meeting**

<i>April 29, 1998 9:30 am - 1:30 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue Room 3204 San Francisco</i>
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The ULTS Marketing Board (ULTSMB) will hold its regular meeting to: Review/Approval of Meeting Minutes, Review/Approval of Administrative Report and Expenses, Review/Approval of Draft RFP for Market Study, Identification of Potential CBO's for Outreach, ULTSMB Work Plan Discussion, PUC Report, Review/Discuss Anti-Smoking Marketing Campaign Info., Set future agenda items for Discussion and hear Public comments.

If you would like to join the meeting by phone conference or in person, and/or receive a copy of the full agenda and meeting materials, please notify Vivien Wright, Executive Assistant at (510) 452-2757.

**Public Meeting**

<p>April 29, 1998                  9:30 am - 4 pm</p>	<p><i>Pacific Gas and Electric Company Energy Center                  851 Howard Street                  (1 block west of Moscone Center)                  San Francisco</i></p>
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The California Board for Energy Efficiency will meet to discuss: (1) the draft decision on the RFP for independent administration; (2) the Assigned Commissioners' Ruling of February 24, 1998, in R.94-04-031/I.94-04-032; (3) transition planning for energy efficiency programs; (4) the status of administrative and technical services to CBEE, legislation efforts related to energy efficiency, 1998 energy efficiency programs, including such issues as utility assets and liabilities, measurement and evaluation, verification, and other reporting requirements; and (5) CBEE work plans and schedules, and issues related to the Technical Advisory Committee and Board operational matters. The contact person is Sara Myers at (415) 387-1904.

**Public Meeting**

<p>April 29, 1998                  10 am - 4pm</p> <p><i>Designated Conference Leader:</i></p> <p><i>Louise Perez/PG&amp;E</i></p> <p><i>Reservation No. 4074787</i></p>	<p><i>Pacific Gas and Electric Company Energy Center                  851 Howard Street (1 block west of the Moscone Center)                  San Francisco</i></p> <p><b><i>To join via teleconference:</i></b>  <b><i>Dial: (212) 748-2858</i></b>                  Passcode: 3823526#</p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-252-5150.

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

**Public Meeting: CARE and LIEE Committees of the Low Income Governing Board**

<p>April 30, 1998                  10 am - 12 noon</p>	<p><i>Pacific Gas and Electric Company Energy Center                  851 Howard Street (1 block west of the Moscone Center)                  San Francisco</i></p> <p><b><i>To join via teleconference for the</i></b></p>
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	<p><i>CARE Committee</i>  <b>Dial:</b> (415) 904-8834                  Passcode: 2368254#                  Reservation Number 4103965</p> <p><b>To join via teleconference for the LIEE Committee</b>  <b>Dial:</b> (415) 904-8834                  Passcode: 5844919#                  Reservation Number 4103851</p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. Parties experiencing difficulty may contact Confertech at (800) 252-5150 and provide the applicable reservation number listed above. Susan La Flam is the conference leader for the CARE Committee call and Yvette Vazquez is the conference leader for the LIEE call. The CARE Committee and the LIEE Committee of the Low Income Governing Board will each meet on the following agenda: to begin planning process for making policy/program revisions for 1999 low income programs, including determining policy areas to investigate, outline workplan, designate tasks, identify needed information, identify sources of information, plan communication strategy with Advisory Committee.

**Public Meeting: The Low Income Governing Board (LIGB)**

<p>April 30, 1998                  12:30 pm – 4 pm</p>	<p><i>Pacific Gas and Electric Company Energy Center</i>                  851 Howard Street (1 block west of the Moscone Center)  <b>San Francisco</b></p> <p><b>To join via teleconference</b>  <b>Dial</b> (303) 633-6205                  Passcode 3040631#                  Reservation Number 4074853</p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. Parties experiencing difficulty may contact Confertech at (800) 252-5150 and provide the applicable reservation number listed above. Henry Knawls is the conference leader for the call.

The LIGB will meet on the following agenda: Chairperson's report, review meeting minutes, discuss legal and contract issues, develop alternatives for continuing LIGB work following February 4 State Personnel Board (SPB) letter ruling, address budget planning/financial status, receive report on Advisory Committee activities, receive report on CARE and LIEE committee recommendations; discuss policy planning issues, develop agenda for

next Board meeting, and schedule future meetings. This meeting is open to the public; materials may be requested at least 24 hours in advance by calling 415-703-2565 and leaving a fax number.

If necessary, immediately following the conclusion of the public meeting, the LIGB will hold an Executive Session (closed session) to discuss pending litigation regarding letters of agreement for outside consulting services, including the SPB's letter ruling of February 4, 1998, and the related case -- California State Employees Association et al. v. California State Personnel Board et al., Case No. 978CS03024 (Sacramento County Superior Court). The closed session is conducted pursuant to Government Code Sections 11126(e)(1), 11126(e)(2)(B)(i), and 11126(f)(6).

**Public Meeting**

<p>May 5, 1998 10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p>
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The 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>May 5, 1998 10 am - 4 pm</p> <p><i>Designated Conference Leader: Louise Perez/PG&amp;E</i></p> <p><i>Reservation No. 4074787</i></p>	<p><i>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</i></p> <p><b><i>To join via teleconference:</i></b> <b><i>Dial: (212) 748-2858</i></b> <b><i>Passcode: 3823526#</i></b></p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the



meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-252-5150.

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

**Public Meeting**

<p>May 7 - 8, 1998 9 am - 5 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue Training Room San Francisco</p>
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The Commission Energy Division will conduct a workshop required by Assigned Commissioner Ruling of March 11, 1998 in the matter of Southern California Edison Company application A98-12-047. The purpose of the workshop is to explore performance standards for maintenance, repair and replacement of distribution facilities. For more information contact Sarv Randhawa at (415) 703-2274 or Richard Myers at (415) 703-1228.

**Public Meeting**

<p>May 12, 1998 10 am - 4 pm</p> <p>Designated Conference Leader: Louise Perez/PG&amp;E</p> <p>Reservation No. 4074787</p>	<p>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</p> <p>To join via teleconference: Dial: (212) 748-2858 Passcode: 3823526#</p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-252-5150.

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

**Public Meeting: CARE and LIEE Committees of the Low Income Governing Board**

<p>May 13, 1998                  10 am – 1:30pm</p>	<p><i>Pacific Gas and Electric Company Energy Center                  851 Howard Street (1 block west of the Moscone Center)                  San Francisco</i></p> <p><i>To join via teleconference for the                  CARE Committee                  Dial (415) 904-8843                  Pass Code 2368254#                  Reservation Number 4103965</i></p> <p><i>To join via teleconference for the                  LIEE Committee                  Dial (415) 904-8834                  Pass Code 5844919#                  Reservation Number 4103851</i></p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. Parties experiencing difficulty may contact Confertech at (800) 252-5150 and provide the applicable reservation number listed above. Katherine McKenney is the conference leader for the CARE Committee call and Yvette Vazquez is the conference leader for the LIEE call.

The CARE Committee and the LIEE Committee of the Low Income Governing Board will each meet on the following agenda: to begin planning process for making policy/program revisions for 1999 low income programs, including determining policy areas to investigate, outline workplan, designate tasks, identify needed information, identify sources of information, plan communication strategy with Advisory Committee.

**Public Meeting: The Low Income Governing Board (LIGB)**

<p>May 13, 1998                  1:30 pm – 4 pm</p>	<p><i>Pacific Gas and Electric Company Energy Center                  851 Howard Street (1 block west of the Moscone Center)                  San Francisco</i></p> <p><i>To join via teleconference                  Dial (212) 293-3133                  Pass Code 3146936#                  Reservation Number 4179547</i></p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. Parties experiencing difficulty may contact Confertech at (800) 252-5150 and provide the

applicable reservation number listed above. Henry Knowls is the conference leader for the call.

The LIGB will meet on the following agenda: Chairperson's report, review meeting minutes, discuss legal and contract issues, develop alternatives for continuing LIGB work following February 4 State Personnel Board (SPB) letter ruling, address budget planning/ financial status, receive report on Advisory Committee activities, receive report on CARE and LIEE committee recommendations, review status of legislation, discuss policy planning issues, develop agenda for next Board meeting, and schedule future meetings. This meeting is open to the public; materials may be requested at least 24 hours in advance by calling 415-703-2565 and leaving a fax number.

If necessary, immediately following the conclusion of the public meeting, the LIGB will hold an Executive Session (closed session) to discuss pending litigation regarding letters of agreement for outside consulting services, including the SPB's letter ruling of February 4, 1998, and the related case -- California State Employees Association et al. v. California State Personnel Board et al., Case No. 978CS03024 (Sacramento County Superior Court). The closed session is conducted pursuant to Government Code Sections 11126(e)(1), 11126(e)(2)(B)(i), and 11126(f)(6).

**Public Meeting**

<p>May 14, 1998 9:30 am - 3:30 pm</p>	<p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p>
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact 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>May 19, 1998 10 am - 4 pm</p> <p><i>Designated Conference Leader: Louise Perez/PG&amp;E</i></p> <p><i>Reservation No. 4074787</i></p>	<p><i>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</i></p> <p><b>To join via teleconference:</b> <b>Dial: (212) 748-2858</b> Passcode: 3823526#</p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the

meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-252-5150.

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

**Public Meeting**

<p>May 26, 1998 10 am - 4 pm</p> <p>Designated Conference Leader: Louise Perez/PG&amp;E</p> <p>Reservation No. 4074787</p>	<p>Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco</p> <p>To join via teleconference: Dial: (212) 748-2858 Passcode: 3823526#</p>
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As provided for in Public Utilities Commission D.97-09-117, one or more LIGB Advisory Committee members may be participating in this meeting via teleconference. Members of the public may participate in the meeting by calling **the above number** on the day of the meeting. If you experience difficulty in trying to access this conference call, please contact Confertech at 1-800-252-5150.

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

**Public Meeting PLEASE NOTE: NEW DATE!**

<p>May 29, 1998 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.

**NEW FILINGS**

4/21/98	A98-04-036	Park 'N View, Inc., for registration as an interexchange carrier telephone corporation
4/22/98	A98-04-034	California Western Railroad, Inc., and California Western Land Associates, for nunc pro tunc authority to merge corporations, split stock
4/23/98	I98-04-033	Commission Order Instituting Investigation, into the operations and practices of affiliated companies Future Net Inc. and Future Net Online, Inc. dba Future Electric Network and individuals Alan Setlin and Larry Huff
4/24/98	C98-04-037	Universal Studios, Inc. vs. Southern California Edison Company, for non-compliance with AB-1890 for improper transition charges

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

NONE

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

NONE

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**ADVICE LETTER FILINGS**

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

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

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

04/14/98	Telecom 18942-A	PACIFIC BELL, Supplements A.L.No.18942, Promotion to waive charge for Residence customers to convert to Pacific Bell ( <b>effective TBD</b> )
04/23/98	Telecom 8678- B	GTE CALIFORNIA INCORPORATED, Supplements A.L.No.8678, CentraNet Contract Amendment ( <b>effective TBD</b> )
04/23/98	Telecom 8706- A	GTE CALIFORNIA INCORPORATED, Supplements A.L.No.8706, Waive certain end user charges and provide compensation to customers ( <b>effective TBD</b> )
04/23/98	Telecom MEMO 3	ROSEVILLE TELEPHONE COMPANY, Extend promotion for waiving service ordering, and set-up charges associated with the provisioning of Voice Mail and certain Custom Calling Services for an Additional 29 days ( <b>effective TBD</b> )
04/23/98	Telecom MEMO 4	ROSEVILLE TELEPHONE COMPANY, Extend the promotion for waiving service ordering, line connection, and set-up charges assoc. with the provisioning of Integrated Services for an additional 29 days ( <b>effective TBD</b> )

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### 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.

**NONE FILED**

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### MISCELLANEOUS TRANSPORTATION ITEMS

**April 27, 1998**

Filings with Rail Safety and Carriers Division

**NONE**

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### ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS

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C97-01-003 I97-06-037	Garde-Villalobos, et al., vs. Grand Oaks Water Company, and related matter, <b>Evidentiary Hearing held and no report given</b>
C97-12-052	McVicar-Dillon Beach Residents, etc, <b>Prehearing Conference held and completed</b>
A97-12-020 I97-11-026	Wetzell-Pacific Gas and Electric, to increase rates, and related matter, <b>Public Participation Hearing held and completed</b>

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#### REMOVALS FROM CALENDAR

A97-08-011	McVicar-Pamee Tina Collette, et al. to sell Coast Springs Water Company, Inc., etc., <b>hearing set for April 29, removed from calendar</b>
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#### NEW SETTINGS

5/4/98 ALJ McVicar Comr Conlon	10:00 am A98-03-043	(PHC)-Blue and Gold Fleet, L.P., to increase fare levels for the transportation of passengers in vessel common carrier service between the Alameda Gateway area and the Port of Oakland, on the one hand, and authorized points in San Francisco, on the other hand, <b>Commission Courtroom, San Francisco</b>
5/18/98 ALJ McVicar Comr Duque	10:00 am C97-11-028	(EH)-Christopher Gray vs Pacific Bell and GTE California, for failure to provide payphone pricing information which is accessible to blind customers in violation of Federal and State laws regarding equal access to telecommunications facilities, <b>Commission Courtroom, San Francisco</b>
5/27/98 ALJ Ryerson Comr Conlon	10:00 am C97-05-003	(PHC) Norman Phillips vs. Southern Pacific Transportation Company, for rehabilitation of nine crossings in Orange County, pursuant to GO 72-B, <b>Council Chambers, 22 Civic Center Plaza, Santa Ana</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

4/21/98	9:30 am	NONE SCHEDULED
4/28/98	9:30 am	NONE SCHEDULED
5/5/98	1:30 pm C98-04-019	Utility Reform Network and Office of Ratepayer Advocates vs. Southern California Edison Company, for violation of the affiliate transaction rules, <b>Motion for a Temporary Restraining Order and Setting Hearing, Comr Richard A. Bilas and ALJ Robert Barnett, presiding</b>

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### HEARINGS

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

**(PHC) = Prehearing Conference**

**(EH) = Evidentiary Hearing**

**(PPH) = Public Participation Hearing**

**(IAM) = Initial Arbitration Meeting**

**(M) = Mediation**

**(OA) = Oral Argument**

**(WS) = Workshop**

**(FPH) = Full Panel Hearing**

**(AH) = Arbitration Hearing**



4/27/98	9:30 am	<b>(EH)</b> -CABAC, Inc., for authority to op
ALJ Bennett	A97-06-011	rate as an "on-call passenger stage corporation pursuant
Comr Duque		to Section 1031 of the California Public Utilities Code
Comr Neeper		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
	A97-09-031	<b>(EH)</b> -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,
		<b>Commission Courtroom, Los Angeles (also</b>
		<b>April 28-30, Los Angeles)</b>
4/30/98	10:00 am	<b>(PHC)</b> -Commission Order Instituting Rulemaking, to
ALJ Weissman	R98-04-009	establish rules for enforcement of the standards of
Comr Knight		conduct governing relationships between energy utilities
Comr Bilas		and their affiliates adopted by the Commission Decision
		97-12-088,
		<b>Commission Courtroom, San Francisco</b>
4/30/98	1:30 pm	<b>(PHC)</b> -San Diego Gas & Electric Company, for
ALJ Careaga	A97-12-039	authority to sell electrical generation facilities and power
Comr Conlon		contracts,
Comr Bilas		<b>Commission Courtroom, San Francisco</b>
5/1/98	10:30 am	<b>(ECP)</b> Harold K. Ostin vs. AT&T Communications for
ALJ Bennett	C98-08-048	failure to honor a commitment to provide a 50%
		discount on calling cards,
		<b>Conference Room A, Menlo Park City Hall, 701</b>
		<b>Laurel Street, Menlo Park</b>
5/1/98	1:00 pm	<b>(ECP)</b> -C. David Stephan vs. Pacific Bell, for violation of
ALJ Barnett	C98-01-031	tariff provision for extended referral of a phone number,
Comr Knight		<b>Commission Courtroom, Los Angeles</b>
5/1/98	1:15 pm	<b>(ECP)</b> -C. David Stephan vs. GTE California
ALJ Barnett	C96-06-028	Incorporated, for overbilling charges,
Comr Neeper		<b>Commission Courtroom, Los Angeles</b>

5/4/98 ALJ McVicar Comr Conlon	10:00 am A98-03-043	<b>(PHC)</b> -Blue and Gold Fleet, L.P., to increase fare levels for the transportation of passengers in vessel common carrier service between the Alameda Gateway area and the Port of Oakland, on the one hand, and authorized points in San Francisco, on the other hand, <b>Commission Courtroom, San Francisco</b>
5/4/98 ALJ Bennett Comr Conlon	1:30 pm I98-03-012	<b>(PHC)</b> -Commission Order Instituting Investigation on the Commission's own motion into the operations and practices of Mike Amos Galam, an individual, doing business as Load, Lock N Roll, <b>Telephone Prehearing Conference</b>
5/5/98 ALJ McVicar Comr Neeper	9:00 am A97-10-083	<b>(EH)</b> -Southern California Water Company for authority to recover in rates the costs of replacement water rights in its Barstow District, <b>Commission Courtroom, San Francisco (also May 6-8, San Francisco)</b>
5/7/98 ALJ Bennett Comr Knight	10:00 am C97-09-024	<b>(EH)</b> -Snow Valley, Inc. vs. Southern California Edison Company, for unjust, unreasonable and discriminatory rates and charges and for improper charges for construction of a power substation, <b>Riverside City Hall, 3900 Main Street, Seventh Floor, Riverside</b>

5/8/98	10:00 am	<b>(PHC)</b> -Dominguez Water Company, Russian River Management Company, dba Rancho Del Paradiso Water Company, and Philip, Janet, Jesse and Gaye Guidotti, for an ex parte order authorizing the acquisition of substantially all of the utility assets of Rancho Del Paradiso Water Company by Dominguez Water Company, and
ALJ Weiss	A98-03-020	
Comr Duque		
	10:30 am	<b>(PHC)</b> -Dominguez Water Company, Russian River Management Company, dba Armstrong Valley Water Company, and Philip, Janet, Jesse and Gaye Guidotti, for an ex parte order authorizing the acquisition of substantially all of the utility assets of Armstrong Valley Water Company by Dominguez Water Company, and
	A98-03-021	
	11:00 am	<b>(PHC)</b> -Dominguez Water Corporation, Lucerne Water Company, and Robert and Nadine Strauss, for an order authorizing the acquisition of substantially all of the utility assets of Lucerne Water Company by Dominguez Water Corporation,
	A98-02-028	
<b>Commission Courtroom, San Francisco</b>		
5/8/98	11:30 am	<b>(PHC)</b> -Apple Valley ranchos Water Company, for authority to increase rates by \$1,295,453 or 15.1% in 1999; \$279,216 or 2.8% in 2000, and by \$280,577 or 2.7% in 2001,
ALJ Weiss	A98-03-024	
Comr Neeper		
5/11/98	10:00 am	<b>(EH)</b> -Citizens Utilities Company of California, for a general rate increase of \$210,305 or 31.97% for the year 1998, \$34,846 or 4.0% for the year 1999, attrition revenue increase of 3.8% for the year 2000 in the Felton District, and
ALJ McVicar	A97-11-007	
Comr Duque		
	A97-11-008	<b>(EH)</b> -Citizens Utilities Company of California, for a general rate increase of \$481,362 or 38.3% for the year 1998, no increase is being requested fort 1999 and the attrition year 2000 in the Larkfield District, and
	A97-11-009	<b>(EH)</b> -Citizens Utilities Company of California, for a general rate increase of \$1,400,275 or 9.0% for the year 1998, \$1,274,163 or 7.4% for the year 1999, an attrition revenue increase of 6.9% for the year 2000 in the Sacramento District,
<b>Commission Courtroom, San Francisco (also May 12-15, San Francisco)</b>		

5/11/98 ALJ Malcolm Comr Duque	1:30 pm A97-11-004  A97-11-011  A97-11-012	(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, and (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, <b>Phase 2, Commission Courtroom, San Francisco; (EH) for 10 am, May 18, San Francisco (also May 19-22, 26-29, and June 1-5, San Francisco)</b>
5/12/98 ALJ Malcolm Comr Knight	10:00 am A97-12-048	(PHC)-Southern California Gas Company, for authority to unbundle core interstate pipeline transportation, <b>Commission Courtroom, San Francisco also May 13-15, San Francisco)</b>
5/12/98 ALJ Weiss Comr Duque	10:00 am C98-01-032	(PHC)-Eric Diesel vs. Pacific Gas and Electric Company, for failure to comply with a California Public Utilities Commission decision and for failure to exercise good faith in installing power lines on complainant's property, <b>Commission Courtroom, San Francisco</b>
5/13/98 AJ Walker Comr Knight	1:30 pm A96-11-007	(PHC)-Southern California Water Company, to increase rates in order to recover costs resulting from participation in the State Water Project under contract with the Central Coast Water Authority and other related costs to deliver water in its Santa Maria District, <b>Commission Courtroom, San Francisco</b>
5/15/98 ALJ Rosenthal Comr Conlon	10:00 am A97-11-040	(PHC)-Pacific Bell, application to modify certain affiliate transaction rules as contained in D.87-12-067, D.92-07-072, and D.86-01-026, to facilitate the post-merger consolidation of support services, <b>Commission Courtroom, San Francisco</b>

5/18/98 ALJ McVicar Comr Duque	10:00 am C97-11-028	<b>(EH)</b> -Christopher Gray vs Pacific Bell and GTE California, for failure to provide payphone pricing information which is accessible to blind customers in violation of Federal and State laws regarding equal access to telecommunications facilities, <b>Commission Courtroom, San Francisco</b>
5 18 98 ALJ McKenzie Comr Duque	10:00 am R93-04-003 I93-04-002	<b>(EH)</b> -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 <b>(EH)</b> -Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks, and related matter, <b>Commission Courtroom, San Francisco (also May 19-22, May 26-29, and June 1-5, San Francisco)</b>
5/19/98 ALJ Walker Comr Duque	10:00 am C92-02-032 (And related matters)	<b>(EH)</b> -W. Victor vs. GTE California and Does 2001-2010, for correction of telephone billing of \$65.04 due to billing errors, and related matters, <b>Commission Courtroom, Los Angeles (also May 19-22, Los Angeles)</b>
5/26/98 ALJ Gottstein Comr Duque	10:00 am A97-12-043	<b>(EH)</b> -Southern California Edison Company, for an order approving termination agreement for termination of Interim Standard Offer No. 4 Power Purchase Agreement with Harbor Cogeneration Company, <b>Commission Courtroom, San Francisco (also May 27-29, San Francisco (OA) July 14, San Francisco)</b>
5/27/98 ALJ Ryerson Comr Conlon	10:00 am C97-05-003	<b>(PHC)</b> Norman Phillips vs. Southern Pacific Transportation Company, for rehabilitation of nine crossings in Orange County, pursuant to GO 72-B, <b>Council Chambers, 22 Civic Center Plaza, Santa Ana,</b>
5/29/98 ALJ Wetzell Comr Bilas	9:30 am A97-12-020 I97-11-026	<b>(PHC)</b> -Pacific Gas and Electric Company, for authority to increase rates and charges for electric and gas service effective 1/1/99, and <b>(PHC)</b> -Commission Order Instituting Investigation into the out-of-service status of Pacific Gas and Electric Company's El Dorado hydroelectric project and the need to reduce electric rates related to this non-

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		functioning electric generating facility, <b>Commission Courtroom, San Francisco (also (EH) June 8-12, June 15-19, June 22-26, June 29-30, July 1-3, July 6-10 July 13-17, July 20-24, July 27-31, San Francisco; Rebuttal Hearings August 17-21, Update Hearings November 9-13 and November 16, San Francisco)</b>
6/1/98 ALJ Ramsey Comr Bilas	10:00 am A97-07-008	<b>(EH)</b> -Landmark Communications, Inc., for certificate of public convenience and necessity to resell interLATA and intraLATA telecommunications services, <b>Commission Courtroom, San Francisco (also June 2-5, San Francisco)</b>
6/9/98 ALJ Walker Comr Knight	10:00 am C98-02-020	<b>(EH)</b> -Irvine Apartment Communities, Inc., by and through its agent, CoxCom Inc., dba Cox Communications Orange County and Cox California Telcom, Inc. vs. Pacific Bell, for violation of tariff obligations and failure to comply with request to reconfigure existing wiring and to install a cross-connect facility, <b>Commission Courtroom, San Francisco (also June 10-12, San Francisco)</b>
6/12/98 ALJ Barnett	12:30 pm C98-03-055	<b>(ECP)</b> -Rodney W. Lucas and LaDonna M. Lucas vs. Southern California Gas Company, for refund of the overbilled amount of \$194.91, <b>Commission Courtroom, Los Angeles</b>
6/17/98 ALJ Malcolm Comr Knight	10:00 am C94-12-042	<b>(EH)</b> -Credit Bureau Northern California vs. U.S. Sprint Communications Company, for failure to comply with the terms of Agreement; to refund service charges of over \$20,000 and sign up rebate of \$10,000, <b>Commission Courtroom, San Francisco</b>
7/6/98 ALJ Galvin Comr Neeper	10:00 am C97-12-041	<b>(EH)</b> -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, <b>Room B-107, State Office Building, 1350 Front Street, San Diego (also July 7-8, San Diego)</b>

7/22/98 ALJ Econome Comr Neeper	9:30 am A95-10-024	(PHC)-Pacific Gas and Electric Company, for authorization to implement a plan of reorganization which will result in a holding company structure, <b>Commission Courtroom, San Francisco;(EH) for 10 am, July 27, San Francisco (also July 28-31;August 3-7 and 10-14) Closing Argument before Assigned Commissioner for 9 am, October 15, San Francisco</b>
7/15/98 ALJ Pulsifer Comr Conlon	10:00 am R95-04-043 I95-04-044	(EH)-Rulemaking on the Commission's own motion into competition for local exchange service, and (EH)-Investigation on the Commission's own motion into competition for local exchange service, <b>Commission Courtroom, San Francisco (also July 16-17, 20-24, San Francisco)</b>
8/3/98 ALJ Galvin Comr Conlon	10:00 am A98-02-017	(PHC)-Pacific Bell, for authority to categorize business inside wire repair, interexchange carrier directory assistance, and limited call control service as Category III services, <b>Commission Courtroom, San Francisco (also August 4-7, San Francisco)</b>
8/3/98 ALJ Barnett Comr Knight	A95-05-049 A94-05-044 A93-05-044	(EH)-Southern California Edison Company, for authority to revise its energy cost adjustment bill factors, its electric revenue adjustment billing factorts, its low-income rate assistance, and its base rate levels effective 1/1/1996; to revise the incremental energy rate, the energy reliability index, and avoidable capacity cost pricing, etc., and related matters , <b>Commission Courtroom, San Francisco (also August 4 and 5, San Francisco)</b>
8/10/98 ALJ Minkin Comr Neeper	10:00 am A98-01-014	(EH)-San Diego Gas & Electric Company, for authority to implement a distribution performance ratemaking mechanism, <b>Commission Courtroom, San Francisco (also August 11-14,, 17-21, and September 14-16, San Francisco (PPH) for September 23 and 24 with places to be announced</b>

9/28/98	10:00 am	(EH)-Rulemaking on the Commission's own motion into
ALJ Pulsifer	R95-04-043	competition for local exchange service, and
Comr Conlon	I95-04-044	(EH)-Investigation on the Commission's own motion
		into competition for local exchange service,
		<b>Commission Courtroom, San Francisco (also</b>
		<b>September 29 and 30, and October 1 and 2, San</b>
		<b>Francisco)</b>

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

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

**NONE FILED**

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

**NONE**

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### NOTICE OF EX PARTE COMMUNICATIONS

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

4/24/98	A96-12-009	Pacific Gas and Electric Company, to identify and separate components of electric rates effective January 1, 1998, and
	A96-12-011	San Diego Gas and Electric Company, for authority to unbundle rates and products, and
	A96-12-019	Southern California Edison Company, proposing the functional separation of cost components for energy,



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

**Summary:** On April 21, 1998, a meeting with James Hendry, adv. to Cmmr. Conlon was held by California Retailers Association (CRA) and NEV California L.L.C. (NEV) in San Francisco. In attendance were Nancy Day, Bill Dombrowski, Randy Britt, and Louis Meniere, representing NEV, CRA, Robinsons-May, and Macys-west. CRA and NEV presented both oral arguments and written information regarding the adopted PX credit calculation method to Hendry. They explained the negative impacts of using Statistical Load Profiles to calculate the PX credit for real-time metered customers and demonstrated that the adopted methodology will eliminate the benefits of Direct Access for large retailers in California. CRA and NEV provided Hendry with an analysis (attached) which illustrated that it is economically unfeasible for this customer segment to realize any benefits from the adopted PX credit calculation methodology. CRA and NEV argued that the adopted method for determining the PX credit will eliminate the possibility for retailers in California to realize the benefits to Direct Access and it will restrict any real-time metered customer with a higher-than-average-cost or "peaky" consumption pattern from participating in the competitive marketplace. They stressed the importance of Commission approval of the Petition of New Energy Ventures for Modification of D97-08-056.

**Filer: New Energy Ventures, L.L.C.**

**Contact: Aaron Thomas**

**Phone: (213) 614-8000**

**Summary:** On April 21, 1998, a meeting with Bob Lane, adv. to Cmmr. Knight was held by California Retailers Association (CRA) and NEV California L.L.C. (NEV) in San Francisco. In attendance were Nancy Day, Bill Dombrowski, Randy Britt, and Louis Meniere, representing NEV, CRA, Robinsons-May, and Macys-west. CRA and NEV presented both oral arguments and written information regarding the adopted PX credit calculation method to Lane. They explained the negative impacts of using Statistical Load Profiles to calculate the PX credit for real-time metered customers and demonstrated that the adopted methodology will eliminate the benefits of Direct Access for large retailers in California. CRA and NEV provided Lane with an analysis (attached) which illustrated that it is economically unfeasible for this customer segment to realize any benefits from the adopted PX credit calculation methodology. CRA and NEV argued that the adopted method for determining the PX credit will eliminate the possibility for retailers in California to realize the benefits to Direct Access and it will restrict any real-time metered customer with a higher-than-average-cost or "peaky" consumption pattern from participating in the competitive marketplace. They stressed the importance of Commission approval of the Petition of New Energy Ventures for Modification of D97-08-056.

**Filer: New Energy Ventures**

**Contact: Delise Lucas**

**Phone: (213) 614-8000**

**Summary:** On April 21, 1998, a meeting with Cmmr. Conlon was held by California

Retailers Association (CRA) and NEV California L.L.C. (NEV) in San Francisco. In attendance were Nancy Day, Bill Dombrowski, Randy Britt, and Louis Meniere, representing NEV, CRA, Robinsons-May, and Macys-west. CRA and NEV presented both oral arguments and written information regarding the adopted PX credit calculation method to Cmmr. Conlon. They explained the negative impacts of using Statistical Load Profiles to calculate the PX credit for real-time metered customers and demonstrated that the adopted methodology will eliminate the benefits of Direct Access for large retailers in California. CRA and NEV provided Cmmr. Conlon with an analysis (attached) which illustrated that it is economically unfeasible for this customer segment to realize any benefits from the adopted PX credit calculation methodology. CRA and NEV argued that the adopted method for determining the PX credit will eliminate the possibility for retailers in California to realize the benefits to Direct Access and it will restrict any real-time metered customer with a higher-than-average-cost or "peaky" consumption pattern from participating in the competitive marketplace. They stressed the importance of Commission approval of the Petition of New Energy Ventures for Modification of D97-08-056.

**Filer: New Energy Ventures, L.L.C.**

**Contact: Delise Lucas**

**Phone: (213) 614-8000**

**Summary:** On April 21, 1998, a meeting with Cmmr. Knight was held by California Retailers Association (CRA) and NEV California L.L.C. (NEV) in San Francisco. In attendance were Nancy Day, Bill Dombrowski, Randy Britt, and Louis Meniere, representing NEV, CRA, Robinsons-May, and Macys-west. CRA and NEV presented both oral arguments and written information regarding the adopted PX credit calculation method to Cmmr. Knight. They explained the negative impacts of using Statistical Load Profiles to calculate the PX credit for real-time metered customers and demonstrated that the adopted methodology will eliminate the benefits of Direct Access for large retailers in California. CRA and NEV provided Cmmr. Knight with an analysis (attached) which illustrated that it is economically unfeasible for this customer segment to realize any benefits from the adopted PX credit calculation methodology. CRA and NEV argued that the adopted method for determining the PX credit will eliminate the possibility for retailers in California to realize the benefits to Direct Access and it will restrict any real-time metered customer with a higher-than-average-cost or "peaky" consumption pattern from participating in the competitive marketplace. They stressed the importance of Commission approval of the Petition of New Energy Ventures for Modification of D97-08-056.

**Filer: New Energy Ventures, L.L.C.**

**Contact: Delise Lucas**

**Phone: (213) 614-8000**

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