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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 Tuesday, January 12, 1999**

- Regular Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification of Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/Arbitrator's Reports/
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Submissions
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c) )
- Notice of Ex Parte Communications

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**ALJ Resolution ALJ 176-3007 regarding ratification of preliminary determinations of category and notice of assignment is included in this calendar.**



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call (415) 703-1203. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.

**REGULAR COMMISSION BUSINESS MEETINGS**

January 20, 1999	10 am	San Francisco
February 4, 1999	10 am	San Francisco
February 18, 1999	10 am	San Francisco

**REGULAR COMMISSION ADMINISTRATIVE MEETINGS**

Due to the fact there are now only 3 sitting Commissioners, the Commission has scheduled additional Commission Administrative Meetings to facilitate communications among Commissioners. Regularly scheduled Administrative Meetings will occur at 4 p.m. in the Commission Auditorium at 505 Van Ness Avenue, San Francisco, California, each Tuesday commencing January 19, 1999, and recurring until the appointment of at least one new Commissioner.

The agenda for each such meeting will include the following:

1. Assignment of proceedings to Commissioners
2. Case management and scheduling, including such matters as co-ordination of proceedings, application of SB 960 and SB 779 rules
3. Commissioner, Executive Director, General Counsel and Director reports
4. Recent developments on pending legislation

At these meetings the Commissioners will not deliberate on the merits of pending proceedings nor vote on any matters.

Administrative Meeting dates are reserved as noted but will be held only if there are any administrative matters to be considered.

For further information contact the Public Advisor  
(415) 703-2074 E-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)

January 19, 1999	4 pm	San Francisco
January 26, 1999	4 pm	San Francisco
February 2, 1999	4 pm	San Francisco
February 9, 1999	4 pm	San Francisco
February 16, 1999	4 pm	San Francisco
February 23, 1999	4 pm	San Francisco
March 2, 1999	4 pm	San Francisco
March 9, 1999	4 pm	San Francisco
March 16, 1999	4 pm	San Francisco
March 23, 1999	4 pm	San Francisco
March 30, 1999	4 pm	San Francisco

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

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

January 19, 1999	1:30 pm	San Francisco
February 1, 1999	1:30 pm	San Francisco
February 16, 1999	1:30 pm	San Francisco

**NOTICES**

***Delivery of Formal Pleadings for Filing***

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

***Charge for Commission Documents***

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

**SUBSCRIPTION INFORMATION**

***Subscription Notice for Draft Agenda Items***

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

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002),

505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and the following field offices: El Centro, Eureka, Sacramento and San Bernardino. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

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

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

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

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

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

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**COMMISSIONER OFFICE HOURS**

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

Date/Time                      Commissioner                      Location

NONE

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**PUBLIC MEETINGS & WORKSHOPS**

**Workshop Notice**

January 12, 1999 9 am - 4 pm	California Public Utilities Commission 505 Van Ness Avenue, training room (Corner of Van Ness Avenue and McAllister Street) San Francisco
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NXX CODE LOTTERY WORKSHOP

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

If you plan to attend the January 12, 1999 workshop please RSVP by January 8, 1999 to Mary Jo Borak, at 415/703-1879, Email: BOR@CPUC.CA.GOV or Risa Hernandez at 415/703-5331, Email: RHH@CPUC.CA.GOV

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

**Public Meeting**

<i>January 12, 1999 10 am - 2 pm</i>	<i>One Crow Canyon Court Building 7 - Conference Room San Ramon</i>
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The Payphone Service Providers Enforcement Committee will conduct a monthly meeting. For more information, please contact Adam Thaler at (415) 703-1157.

**Public Meeting California Board for Energy Efficiency**

<i>January 12, 1999 1 pm - 5 pm</i>  <b><u>Teleconference Information</u></b>  <i>This meeting is accessible by teleconference. To call in dial: 1-888-550-5969. After the prompt, enter the access code followed by the pound sign.</i>	<i>Sempra Energy (Formerly SDG&amp;E Electric Building) 101 Ash Street San Diego</i>  <i>To obtain the access code, please contact Elizabeth Gunn, Board Coordinator, at (415) 703-1956</i>
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The California Board for Energy Efficiency (CBEE) will meet to discuss the following topics: Proposed Decision on Administrative Structures; Early 1999 Activities and Programs; Program Planning for 1999 and Utilities' November 16/17 Advice Letter Filings; Market Assessment and Evaluation (MA&E) Planning Process; Reporting Requirements; Board Functioning; Updates and Status Reports; Support Services; and Scheduling and Agenda Planning for Future Meetings. The meeting is open to the public. The contact person is Mark Thayer (619) 594-5510. For further information about the CBEE and this meeting consult the CBEE Web Page at [www.cbee.org](http://www.cbee.org).

**Public Meeting California Board for Energy Efficiency**

<p>January 13, 1999 9:30 am - 4 pm</p> <p><b><u>Teleconference Information</u></b></p> <p><i>This meeting is accessible by teleconference. To call in dial: 1-888-550-5969. After the prompt, enter the access code followed by the pound sign.</i></p>	<p><i>Sempra Energy (Formerly SDG&amp;E Electric Building) 101 Ash Street San Diego</i></p> <p><i>To obtain the access code, please contact Elizabeth Gunn, Board Coordinator, at (415) 703-1956</i></p>
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**Public Meeting**

<p>January 14, 1999 9:30 am - 3:30 pm</p>	<p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p>
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The EQUIPMENT PROGRAM ADVISORY COMMITTEE (EPAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<p>January 15, 1999 1:30 pm -4:00 pm</p>	<p><i>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) San Francisco</i></p>
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The Universal Lifeline Telephone Service (ULTS) Administrative Committee will hold its regularly scheduled monthly meeting to address the following: Review/Approve Meeting Minutes, Review/Approve Telephone Claims, Review Approve ULTS/ULTSMB Administrative Expenses and Authorize Administrative Transfer, PUC Report and Action Items, Election of ULTS Chair and Vice-Chair, and Hear Public Comments.

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

**Public Meeting - LIGB Meeting Notice**

<p>January 19, 1999 10 am – 4 pm (PST)</p> <p>and</p> <p>January 20, 1999 10 am – 4 pm (PST)</p>	<p>Hilton Universal City and Towers 555 Universal Terrace Parkway <b>Universal City</b></p> <p><b>Note: Southern California location of meeting.</b></p>
<p>Conference Call Information January 19, 1999 Dial (415) 356-1430 Passcode = 2408347#</p> <p>January 20, 1999 Dial (415) 356-0687 Passcode = 2408347#</p>	<p>Note: If you experience problems trying to access this conference call please contact Confertech at 1-800-314-3558 and have them verify the Dial-in # and Passcode scheduled under Master Reservation #10383502 for CH2M HILL (Sharon Weinberg is the designated Chairperson)</p>

The Board will meet to discuss the following topics: report from the Chair; subcommittee reports; financial status report; discussion of ACR (Draft or Final) Ruling; discuss/decide future direction and status for the Board and LIGB Advisory Committee (AC) including disbanding formal AC role; revision of the LIGB budget for 1999; discussion of Legal opinion on conflict of interest and what action is needed; discussion paper on needs assessment per Commission’s directions; discuss LIEE & CARE performance incentives; submit work paper; discuss pilot projects per Commission’s orders; critique and discuss Commission Decision on the four technical advice letter filings; discuss and prepare budgets for consultants; set future meeting dates; set content of future meetings; revision of milestones schedule; process for taking action between Board meetings; and review and approval of meeting minutes. An agenda for the meeting is being developed and can be obtained from the LIGB’s website at [www.ligb.org](http://www.ligb.org). The meeting is open to the public. For more information contact Sharon Weinberg at (510) 251-2888, extension 2025.

**Public Meeting**

<p>January 20, 1999 Lottery begins at 1:30 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, training room (Corner of Van Ness Avenue and McAllister</p>
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	Street) <b>San Francisco</b>
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**LOTTERY FOR TELEPHONE NUMBER PREFIX ASSIGNMENTS IN THE  
 209/559, 213/323, 310, 408/831, 415, 510, 619, 650, 714, 805, 818, AND 909  
 NUMBERING PLAN AREAS**

The Telecommunications Division of the California Public Utilities Commission will be conducting a lottery to determine allocations of central office codes (NXXs) in the 209/559, 213/323, 310, 408/831, 415, 510, 619, 650, 714, 805, 818, and 909 area codes pursuant to the provisions of D.96-09-087. Applications should be submitted to the California Code Administrator prior to the close of business on January 12, 1999. All companies applying for central office codes must have a Jeopardy COCUS (Central Office Code Utilization Survey) on file with the California Code Administrator. For information on the Jeopardy COCUS filing, call (925) 363-8736. For information on the lottery process, call (415) 703- 1879. If specialized accommodations for the disabled are needed, call the Public Advisor at (415) 703-2032 five working days in advance of the event. Companies who wish to have a sealed envelope prepared for them on an ongoing basis containing their confidential letter designations for each NPA lottery drawing, should submit such a request in writing prior to the close of business on January 12, 1999 to: Mary Jo Borak, Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102.

**Public Meeting**

January 21, 1999 9:30 am	Public Utilities Commission 505 Van Ness Avenue Room 2204, Second Floor San Francisco
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The Administrative Subcommittee of the Electric Education Trust (EE T) Committee will be meeting on January 21, 1999 at 9:30 a.m. . The purpose of this meeting is to decide whether State agencies are available to assist the EET Committee with research and CBO grant administration through an Interagency Agreement (IA) and if not, the funding, procurement, hiring, and staffing mechanisms to procure these two services. The contact person is William Schulte at (415) 703-2349.

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

January 22, 1999 10 am - 4 pm	Deaf and Disabled Telecommunications Program 1939 Harrison Street
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	<i>DDTP Conference Room, Suite 555 Oakland</i>
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The CALIFORNIA RELAY SERVICE ADVISORY COMMITTEE (CRSAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

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

The ANNUAL DDTP JOINT MEETING (DDTPAC, CRSAC and EPAC) of the Deaf and Disabled Telecommunications Program will hold a meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting TIME CHANGED**

<i>January 26, 1999 9 am - 3 pm</i>	<i>Deaf and Disabled Telecommunications Program Oakland Airport Hilton 1 Hegenberger Road, Pacific Room (Ground Floor) Oakland</i>
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The CALIFORNIA RELAY SERVICE ADVISORY COMMITTEE (CRSAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<i>January 27, 1999</i>	<i>California Public Utilities Commission</i>
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9:30 am -3:30 pm	505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) <b>San Francisco</b>
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The ULTS Marketing Board (ULTSMB) will hold its regular meeting to discuss the following: Review/Approve Meeting Minutes, Review/Approve Administrative Report and Action Items, Review ULTSMB Correspondences, PUC Report and Action Items, Review/Approve Errors and Omissions Insurance, Board Membership Discussion, Review Marketing Program Timeline, Update on the RFP Selection Committee, Discussion of Bidder's Conference Committee, Review Previous Studies and Data, Announcements, Set Future Agenda Items for Discussion and Hear Public Comments. **Executive Session:** Because the RFP has not been approved for release to the general public by the Commission, the ULTSMB will meet in Executive Session to discuss the Interim Marketing Program RFP Contract.

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

**Public Meeting**

January 28, 1999 9 am - 5 pm  <b>Outreach Subcommittee</b> <b>Electric Education Trust</b>	California Public Utilities Commission Room 2204 505 Van Ness Avenue (at McAllister Street) <b>San Francisco</b>
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The Outreach Subcommittee of the Electric Education Trust (EET) meets with staff of the Consumer Services Division to discuss and approve for recommendation to the Administrative Committee (1) final logistics for outreach meetings to receive input into EET grant-program design, (2) schedules and expectations for staff and committee-member participation at outreach meetings, (3) report formats for outreach meetings, (4) content and logistics of preliminary mailing to community-based organizations, and (5) other matters related to the outreach meetings. Other members of the EET Administrative Committee may attend this subcommittee meeting. The contact person is Geoffrey Meloche at (916) 327-3282.

**Public Meeting**

February 2, 1999 10 am - 4 pm	Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 <b>Oakland</b>
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The ADMINISTRATIVE COMMITTEE (DDTPAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<i>February 11, 1999 9:30 am - 3:30 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The EQUIPMENT PROGRAM ADVISORY COMMITTEE (EPAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

<i>February 22, 1999 10 am - 4 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The IFB SUB-COMMITTEE and the SPEECH-TO-SPEECH SUB-COMMITTEE of the Deaf and Disabled Telecommunications Program will hold a meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting - TIME CHANGED**

<i>February 25, 1999 10 am - 3 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street, Suite 555 Oakland</i>
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The 711-SUB-COMMITTEE of the Deaf and Disabled Telecommunications Program will hold a meeting to discuss relay access. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

**Public Meeting**

February 26, 1999 10 am - 4 pm	Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland
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The CALIFORNIA RELAY SERVICE ADVISORY COMMITTEE (CRSAC) of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

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

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

A draft resolution of the Rail Safety and Carriers Division that increases the household goods carrier maximum rates contained in Maximum Rate Tariff 4 will be on the January 20, 1999 Commission meeting agenda. It is now available for public review and comment. For details on how to obtain a copy of the draft and file comments on it, refer to the notice that was published on this matter in the December 21, 1998 Daily Calendar. It is available through the Daily Calendar Archives on the Commission's web site:  
[http://www.cpuc.ca.gov/divisions/alj/alj\\_div\\_cal.htm](http://www.cpuc.ca.gov/divisions/alj/alj_div_cal.htm)

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**NEW FILINGS**

**NONE**

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

12/30/98	A96-12-009	Pacific Gas and Electric Company, to identify and separate components of electric rates effective January 1, 1998,
	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; <b>Petition for modification of D97-08-056 by Pacific Gas and Electric Company</b>
1/6/99	C96-01-019	The City of Vernon vs. the Atchison, Topeka and Santa Fe Railway; for non-compliance with zoning; <b>Application for rehearing of D98-12-021 by the City of Vernon</b>
1/8/99	A97-03-015	Southern California Gas Company for approval of a long term gas transmission service contract with Distribuidora de Gas Natural de Mexicali, S. de R.L. de C.V.; <b>Application for rehearing of D98-12-024 by the City of Long Beach</b>
1/8/99	C98-02-020	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>Application for rehearing of D98-12-023 by Pacific Bell</b>

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

NONE

**ADVICE LETTER FILINGS**

**NONE**

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**MISCELLANEOUS TRANSPORTATION ITEMS**

**January 12, 1999**

Filings with Rail Safety and Carriers Division

12//30/98      TCP 8866-A      Squaw Creek Transportation., Address: P. O. Box  
3333, Olympic Valley, California 96146, Telephone No:  
(530)581-6628, Terminal address: 400 Squaw Creek  
Road, Olympic Valley, California 96146, Application  
filed for new Class A authority

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**January 12, 1999**

**INVITATION FOR BID**

**PUBLIC BID OPENING**

**January 20, 1999  
10:00 A. M.**

**California Public Utilities Commission  
505 Van Ness Avenue, Training Room  
San Francisco, CA 94102**

AGENDA:

Introduction

Procedure

Bid Opening - Invitation For Bid Number IFB-1000. Financial Institution For Trust Accounts for  
California High Cost Fund-B and California Teleconnect Fund

Protest Period

Closing Comments/Questions

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

- A98-03-035 Ryerson-PCSTC Inc., dba Pacific Coast Sightseeing Tours, for certificate of public convenience and necessity to operate as passenger stage corporation for scheduled and on-call service over the most direct routes, **Evidentiary Hearing held and no report given**
- R97-10-016 Walwyn-Commission Order Instituting Rulemaking on  
I.97-10-017 the Commission's own motion into monitoring performance of operations support systems, **Workshop held and no report given**

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**REMOVALS FROM CALENDAR**

NONE

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**NEW SETTINGS**

1/29/99 10:00 a.m. (PHC)-James D. Korn vs. Pacific Bell for acting as  
ALJ DeUlloa C.98-10-025 billing and/or collection agent for other companies; and  
Comr Neeper for slamming practices,  
**Commission Courtroom, San Francisco**

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**LAW AND MOTION**

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

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

1/19/99 9:30 a.m. NONE SCHEDULED

1/26/99 9:30 a.m. NONE SCHEDULED





	I.90-02-047	Professional and Technical Engineers, <b>(PHC)</b> -Investigation on the Commission's Own Motion into the Establishment of a forum to consider rates, rules, practices and policies of Pacific Bell and GTE, California, Inc., <b>Commission Courtroom, San Francisco (also (EH) January 21-22, January 25)</b>
1/13/99 ALJ Minkin Comr Bilas	9:00 a.m. A.98-05-004	<b>(CA)</b> - Pacific Gas and Electric Company, to establish the eligibility and seek recovery of certain electric industry restructuring implementation costs as provided for in Public Utilities Code Section 376,
	A.98-05-006	<b>(CA)</b> -San Diego Gas & Electric Company, for (1) a determination of eligibility for recovery under Public Utilities Code Section 376 of certain cost categories and activities, (2) a finding of reasonableness of the costs incurred through 12/31/97, (3) approval of an audit methodology for verifying the eligibility of Section 376 costs for recovery from 1998 through 2001, and (4) approval of a section 376 balancing account mechanism to recover eligible costs,
	A.98-05-015	<b>(CA)</b> -Southern California Edison Company, to address restructuring implementation costs pursuant to Public Utilities Code Section 376, in compliance with Ordering Paragraph 18 of D.97-11-074, <b>Commission Courtroom, San Francisco</b>
1/13/99 ALJ DeUlloa Comr Knight	9:30 a.m. C.98-06-028	<b>(EH)</b> -Pacific Bell vs. MCI Telecommunications Corp., Inc., and MCI Metro Access Transmission Services, Inc., for breach of the interconnection agreement, <b>Commission Courtroom, San Francisco, (also January 14-15)</b>
1/13/99 ALJ Ryerson Comr Neeper	10:00 a.m. C.98-09-020	<b>(PHC)</b> -Greg Roberts vs. Pacific Bell and Southwestern Bell Corporation for not providing repair services, <b>Commission Courtroom, Los Angeles</b>
1/13/99 ALJ Patrick Comr Conlon	1:00 p.m. A.98-05-014	<b>(PHC)</b> -Application of Southern California Edison Company to report on the valuation process for certain generation-related assets pursuant to D.97-11-074,
	A.98-05-022	<b>(PHC)</b> -Application of Pacific Gas and Electric Company to report assessments of inventory balances and to address appraisal of retained generation assets, <b>Commission Courtroom, San Francisco</b>

1/14/99 ALJ Ryerson	10:00 a.m. C.98-10-040	<b>(ECP)</b> -Clara Dovga vs. Southern California Edison Company for overbilling, <b>City Hall, Rains Room, 10500 Civic Center Drive, Rancho Cucamonga</b> <b>Please get a parking permit from the receptionist</b>
1/14/99 ALJ Bushey Comr Duque	10:00 a.m. I.98-08-004	<b>(PHC)</b> -Commission Order Instituting Investigation into the operations, practices and conduct of the Coral Communications, Inc. (Coral) and Michael Tinari, President of the Coral; William Gallo, Senior Vice President of Coral; Devon Porcella, Vice President of Sales and Operations of Coral; Neal Deleo, Vice President Finance and MIS of Coral to determine whether the corporation or its principals have operated within California without having a certificate to operate from the Commission and whether they have charged California Subscribers for telecommunications services the subscribers never authorized, <b>Commission Courtroom, San Francisco</b>
1/14/99 ALJ McVicar Comr Duque	2:00 p.m. A.98-11-011	<b>(PHC)</b> -Application of Red and White Ferries, Inc., for a certificate of Public Convenience and Necessity to establish and operate vessel common carrier service between San Francisco on the one hand, and the Alameda Gateway Area and the Port of Oakland, on the other hand, <b>Commission Courtroom, San Francisco</b>
1/15/99 ALJ Vieth Comr Duque	10:00 a.m. C.98-09-036	<b>(PHC)</b> -Rick E. Thurber vs. Pacific Gas and Electric Company and Pacific Bell, for permitting foreign attachments as signs, posters, banners, decorations, wires, etc. upon their facilities, <b>Commission Courtroom, San Francisco</b>
1/15/99 ALJ Stalder Comr Conlon	9:30 a.m. A.95-08-038	<b>(PHC)</b> -In the Matter of the Application of SAN JOSE WATER COMPANY (U-168-W), a corporation, for an order authorizing it to increase rates charged for water service, <b>Commission Courtroom, San Francisco</b>
1/15/99 ALJ Weissman Comr Neeper	2:00 p.m. A.98-10-011	<b>(PHC)</b> -San Diego Gas and Electric Company for a permit to construct the Friars Substation, <b>State Office Building, 1350 Front St., B107, San Diego</b>
1/18/99 ALJ Walwyn Comr Bilas	10:00 a.m. R.93-04-003	<b>(EH)</b> -Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture

Comr Duque	I.93-04-002	Development of Dominant Carrier Networks, <b>(EH)</b> -Investigation of the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, <b>Commission Courtroom, San Francisco (also January 19-22)</b>
1/19/99 ALJ Weissman Comr Knight	10:00 a.m. R.98-01-011	<b>(EH)</b> -Commission Order Instituting Rulemaking on the Commission's own motion to assess and revise the regulatory structure governing California's natural gas industry, <b>Commission Courtroom, San Francisco, (also January 20-22, January 25-29, (OA) 1:00 p.m., February 10, (EH) March 1-5)</b>
1/20/99 ALJ Stalder Comr Neepser	9:00 a.m. C.98-07-031	<b>(EH)</b> -Wesley Crawford Muhammad and Shontelle Crawford Muhammad vs. Pacific Gas and Electric Company, requesting to refund overcharged amounts, increase discounts, and to restore Medical baseline and LIRA baseline, <b>Tax Service Center, Franchise Tax Board, Large Training Room, 1800 30<sup>th</sup> Street, Bakersfield</b> <b>Please ask for Linda Turner</b>
1/25/99 ALJ Barnett Comr Conlon	10:00 a.m. A.98-04-016	<b>(EH)</b> -Pacific Gas and Electric Company for authorization to sell the El Dorado Hydroelectric Project to El Dorado Irrigation District, <b>Commission Courtroom, San Francisco (also January 26-29)</b>
1/26/99 ALJ Bennett Comr Duque	9:30 a.m. I.98-03-013	<b>(PHC)</b> -Commission Order Instituting Investigation on the Commission's own motion into whether existing standards and policies of the Commission regarding drinking water quality adequately protect the public health and safety with respect to contaminants such as Volatile Organic Compounds, Perchlorate, MTBEs, and whether those standards and policies are being uniformly complied with by Commission regulated utilities; compliance filing by utilities is due in 120 days from the date of the order, <b>Commission Courtroom, San Francisco</b>
1/26/99 ALJ Wright	10:00 a.m. C.98-12-010	<b>(ECP)</b> -Idowu S. Famuyiwa, Pako Construction vs. Southern California Edison Company, Edison International Co. for overcharges and disconnection of services, <b>Library Lecture Hall, 101 West Manchester</b>

**Blvd., Inglewood**

1/26/99 ALJ Patrick Comr Conlon	10:00 a.m. R.92-03-050	<b>(PHC)</b> -Order Instituting Rulemaking on the Commission's Own Motion to consider the line extension rules of electric and gas utilities; and compliance with Ordering Paragraph 6 of D.98-09-070, <b>Commission Courtroom, San Francisco</b>
1/27/99 ALJ Wright	10:00 a.m. C.98-12-034	<b>(ECP)</b> -William H. Maple vs. Arrow Head Manor Water Company for repairing of the water leakage, <b>County Complex, Conference Room, 26010 Highway 189, Twin Peaks</b>
1/27/99 ALJ DeUlloa Comr Neeper	1:30 p.m. C.98-11-004	<b>(PHC)</b> -Pacific Bell vs. AT&T Communications of California, <b>Commission Courtroom, San Francisco</b>
1/29/99 ALJ DeUlloa Comr Neeper	10:00 a.m. C.98-10-025	<b>(PHC)</b> -James D. Korn vs. Pacific Bell for acting as billing and/or collection agent for other companies; and for slamming practices, <b>Commission Courtroom, San Francisco</b>
2/4/99 ALJ Vieth Comr Duque	10:00 a.m. A.98-09-013 A.98-09-014 A.98-09-015 A.98-09-016	<b>(EH)</b> - In the matter of the application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the EAST LOST ANGELES district, and related matters, <b>Commission Courtroom, San Francisco, (also 9:00 a.m., February 5-8)</b>
2/8/99 ALJ O'Donnell	10:00 a.m. I.98-12-013	<b>(PHC)</b> -Order Instituting investigation into the power outage that occurred on December 8, 1998 on Pacific Gas and Electric Company's electric system, <b>Commission Auditorium, San Francisco (also (EH) April 5, 1999)</b>
2/8/99 ALJ Econome Comr Bilas	10:00 a.m. A.97-06-021	<b>(PHC)</b> -Southern California Edison Company for authority to adopt a revenue-sharing mechanism for certain other operating revenues, <b>Commission Courtroom, San Francisco</b>
2/9/99 ALJ Walker Comr Duque	10:00 a.m. A.98-06-005	<b>(EH)</b> -Southern California Water Company for authority to assess a reservation fee for fire protection for persons occupying or owning property within the service territory of the Desert District,

**February 10, Commission Courtroom, San Francisco)**

2/9/99 ALJ Gottstein Comr Duque	1:30 p.m. A.98-07-007	<b>(PHC)</b> -Application of Pacific Gas and Electric Company to construct the Northeast San Jose Transmission Reinforcement Project, <b>Commission Courtroom, San Francisco</b>
2/9/99 ALJ Econome Comr Bilas Comr Knight	2:00 p.m. R.97-04-011 I.97-04-012	<b>(PHC)</b> -Order Instituting Rulemaking to establish standards of conduct governing relationship between energy utilities and their affiliates, <b>(PHC)</b> - Order Instituting Rulemaking to establish standards of conduct governing relationship between energy utilities and their affiliates, <b>Commission Courtroom, San Francisco</b>
2/10/99 ALJ Bennett Comr Neeper	9:30 a.m. C.97-03-034	<b>(EH)</b> -County of Riverside Department of Environmental Health vs. Spring Crest Water and Power Company, for failure to comply with minimum water quality and quantity requirements as contained in Title 22 of the California Code of Regulations, <b>County Administration Center, Hearing Room, 82675 Highway 111, Indio</b>
2/11/99 ALJ Bushey Comr Duque Comr Neeper	9:00 a.m. R.97-10-049	<b>(OA)</b> -Commission Order Instituting Rulemaking on the Commission's own motion to set rules and to provide guidelines for the Privatization and Excess Capacity as it relates to investor owned water companies, <b>Commission Courtroom, San Francisco</b>
2/11/99 ALJ Econome Comr Bilas	9:30 a.m. A.98-11-012	<b>(PHC)</b> -Lodi Gas Storage, LLC for a certificate of public convenience and necessity for construction and operation of gas storage facilities, <b>Commission Courtroom, San Francisco</b>
2/16/99 ALJ Bennett Comr Bilas	9:00 a.m. C.97-09-030	<b>(EH)</b> -Energy Alternatives vs. Pacific Gas and Electric Company for failure to conduct an open and fair bidding process with respect to the awarding of the Energy Partners program administrative contract for 1997, <b>Commission Courtroom, San Francisco (also February 17)</b>
2/22/99 ALJ McVicar Comr Duque	9:00 a.m. I.98-09-007	<b>(EH)</b> -Commission Order Instituting Investigation into the operations and practices of Pacific Gas and Electric Company in connection with compliance with PU Code

Comr Neeper		Section 451, General Order 95, and other applicable standards governing tree-line clearances, <b>Commission Courtroom, San Francisco, (also February 23-26, March 1-5)</b>
2/24/98 ALJ Econome Comr Bilas	9:30 a.m. C.93-07-046  C.94-02-009	(PHC)-Utility Audit Company, Inc., vs. Southern California Gas Company for charging excessive rates for gas service relating to the multi-family sites and master meter accounts listed in complaint, (PHC)-Utility Audit Company, Inc., vs. Southern California Gas Company for three years of overcharges relating to multi-family sites and master meter accounts; requests refunds plus interest, <b>Commission Courtroom, San Francisco</b>
2/25/99 ALJ Bushey Comr Duque	10:00 a.m. A98-07-043  A.98-09-001	(EH)-Application of RIDESHARE PORT MANAGEMENT, L.L.C. dba PRIME TIME SHUTTLE, to provide on-call door-to-door passenger stage service to the extent required to enter into a concessionaire agreement with Los Angeles International Airport, (EH)-Application of Xpress Management Systems L.L.C. to provide on-call door-to-door passenger stage service to the extent required to enter into a concessionaire agreement with Los Angeles World Airport (LAX), <b>Commission Courtroom, Los Angeles (also February 26)</b>
3/1/99 ALJ Barnett Comr Conlon Comr Bilas	10:00 a.m. A.97-12-039	(EH)-San Diego Gas & Electric Company for authority to sell electrical generation facilities and power contracts, <b>Commission Courtroom, San Francisco (also March 2-5, March 8-11)</b>
3/4/99 ALJ Malcolm Comr Conlon Comr Neeper	11:00 a.m. R.96-11-004	(PHC)-Commission Order Instituting Rulemaking to develop standards for electric system reliability and safety pursuant to D96-09-073, <b>Commission Courtroom, San Francisco</b>
3/8/99 ALJ Stalder Comr Duque	9:00 a.m. A.89-03-026	(EH)-Southern California Edison Company for certificate to construct and operate 220KV transmission line between Kramer substation and Victor Substation in San Bernardino County, <b>Commission Courtroom, San Francisco (also March 9-12)</b>

03/15/99 ALJ Gottstein Comr Conlon	10:00 a.m. A.96-03-031  A.96-04-030	(EH)-Southern California Gas Company for authority to revise its rates effective January 1, 1997 in its Biennial Cost Allocation Proceeding for a total reduction in annual revenues of approximately \$147.9 million (5.7%), (EH)-San Diego Gas & Electric Company for authority to revise its rates effective January 1, 1997 in its Biennial Cost Allocation Proceeding for an approximately \$42 million decrease over presently authorized revenues, <b>Commission Courtroom, San Francisco (also 9:00 a.m., March 16-19)</b>
3/23/99 ALJ Barnett Comr Bilas	10:00 a.m. A.98-07-005  A98-10-012  A.98-10-031	(PHC)-San Diego Gas and Electric Company and Southern California Gas Company for approval of a gas transmission service tariff, (PHC)-Southern California Gas Company for authority to revise its rates effective August 1, 1999 in its biennial cost allocation proceeding, (PHC)-Application of San Diego Gas & Electric Company for Authority to revise its gas rates effective August 1, 1999, in its biennial cost allocation proceeding. <b>Commission Courtroom, San Francisco (also (second PHC) 10:00 a.m., (EH) 1:30 p.m., April 5, (EH) April 6-9, April 12-16, April 19-23, April 26-30)</b>
3/29/99 ALJ O'Donnell Comr Conlon Comr Neepser	10:00 a.m. C.97-09-043	(EH)-The Utility Reform Network and Utility Consumers' Action Network vs. SBC Communications Inc., Pacific Telesis Group and Pacific Bell for violation of the service quality requirements of D97-03-067 and the Public Utilities Code and for attempting to mislead the Commission with respect to Pacific Bell's service quality performance, <b>Commission Courtroom, San Francisco, (also March 30, April 2)</b>
4/1/99 ALJ Bushey Comr Neepser	9:00 a.m. C.98-09-011	(EH)-Ralph Azevedo, Ronald Azevedo, and Albert Ferari, vs. Union Pacific Railroad Company and California Northern Railroad Company for replacement and/or maintenance of fence line, <b>Commission Courtroom, San Francisco</b>
4/16/99	10:00 a.m.	(PHC)-Bayside Village, The Fillmore Center, and

ALJ Bushey Comr Knight	C.95-08-039	North Point Apartments vs. Pacific Bell for failure to take responsibility for all building cross connects, <b>Commission Courtroom, San Francisco</b>
4/30/99 ALJ Barnett Comr Duque	10:00 a.m. A.98-11-023	<b>(PHC)</b> -Pacific Gas and Electric Company to establish performance based ratemaking for electric and gas utility distribution service effective January 1, 2000, <b>Commission Courtroom, San Francisco</b>
5/24/99 ALJ Galvin Comr Duque	10:00 a.m. A98-07-020 A.98-07-029	<b>(EH)</b> -In the Matter of the Application of Pacific Bell a corporation, for Authority to Categorize Centrex as a Category III Service, <b>(EH)</b> -In the Matter of the Application of Pacific Bell a corporation, for Authority to Categorize Toll-Free (8XX) and Business MTS IntraLATA Toll Services as Category III Services, <b>Commission Courtroom, San Francisco (also May 25-28, June 1-4)</b>
6/14/99 ALJ Minkin Comr Duque Comr Conlon	10:00 a.m. A98-09-003 A98-09-008 A98-09-009	<b>(PHC)</b> -Application of Pacific Gas and Electric Company for Review and Recovery of the Costs and Revenues in the Transition Cost Balancing Account (U 39 E), <b>(PHC)</b> -Application of Southern California Edison Company to Review and Recovery Transition Cost Balancing Account Entries from January 1, 1998 through June 30, 1998 and Various Generation-Related Memorandum Account Entries, <b>(PHC)</b> -Application of San Diego Gas & Electric Company in the Annual Transition Cost Proceeding Regarding the Transition Cost Balancing Account (TCBA), <b>Commission Courtroom, San Francisco (also (EH) June 21-25, June 28-30, July 1-2, July 5-8, (CA) 9:00 a.m., July 9</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.*

12/17/98	R93-04-003	Commission Order Instituting Rulemaking on Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks and
	I93-04-002	Commission Order Instituting Investigation on the Commission's own motion into open access and network architecture development of dominant carrier networks.
	R95-04-043	Rulemaking on the Commission's own motion into competition for local exchange service and
	I95-04-044	Investigation on the Commission's own motion into competition for local exchange service.

**Summary:** On December 14 and 15, 1998, Sprint Communications Co. L.P. ("Sprint") conducted three (3) ex parte sessions with PUC officials, conducting the same oral and written communications in each session. On 12/14/98 Sprint's Richard A. Purkey met with Timothy Sullivan, advisor to Commissioner Duque, and then with Fassil Fenikile, advisor to Commissioner Neep. On 12/15/98, the Sprint representative met with Lester Wong, advisor to Commission President Bilas. In regard to "271" issues then scheduled to be discussed at the Commission's 12/17/98 meeting, Mr. Purkey stated Pacific will not be in

compliance if intraLATA equal access is not implemented on 2/8/99. He said the Commission's procedure to allow further showing by parties after 2/8/99 is appropriate and does not prejudge issues still under consideration in I87-11-033. Mr. Purkey stated the Commission should explicitly require Pacific adopt procedures that would ensure its employees not collect or disseminate the categories of carrier information identified during the collaboratives by the Joint Presenters for Pacific's own or its affiliate's marketing purposes. Mr. Purkey concluded by saying the 15 day response time provided in the draft order to respond to Pacific's compliance filing is too short. Mr. Purkey provided each PUC official two (2) written ex parte handouts. One was a one (1) page handout entitled "Suggested Modifications to the Draft Order," and the second was a packet labeled "confidential." The confidential packet was identified as selected portions of "Sprint's Response to the February 20, 1998 Joint Managing Commissioner's and Administrative Law Judge's Ruling on Pacific Bell's Compliance with Section 271 of the Act." Sprint reports that included among the confidential material was "Exhibit 17" to Sprint's response of 3/31/98. Sprint further reports that the ALJ's ruling of 3/23/98 authorizes the confidential status, and that Sprint's "Motion to Accept this Confidential information under seal" filed 3/31/98 effects that status. Both the unsealed and sealed written communications were filed by Sprint with its "Notice of Ex Parte Communications."

**Filer: Sprint Communications Company**

**Contact: Kathy McMahon**

**Phone: (415) 513-2717**

12/30/98          A98-06-052          PDO Communications, Inc., for arbitration pursuant to Section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell.

**Summary:** On December 29, 1998, representatives from the High Speed Access Coalition ("HiSac") initiated a meeting at CPUC with Commissioner Neepier and advisor Fassil Fenikile. Oral ex parte communications were conveyed. The representatives were David Wilson and David Simpson. Others in attendance were Matt Stepovich of PDO Communications, Inc. and Jonathan Faber of ISP Networks, Inc. The parties urged PUC to reject and/or modify the arbitrator's decision which prohibited DSL line sharing. Under federal law and the FCC's first report and order, the parties said, CPUC possesses the authority to approve linesharing.

**Filer: High Speed Access Coalition**

**Contact: Martina Hassett**

**Phone: (415) 291-1970**

1/6/99          A98-05-014          Southern California Edison Company, to report on the valuation process for certain generation-related assets pursuant to D97-11-074.

**Summary:** On January 4, 1998, Tom Burham of Southern California Edison Co. ("Edison") engaged in oral ex parte communications at CPUC with Ann Watson and Dorothy Duda, advisors to Commission President Bilas. Mr. Burham stated Edison desires quick resolution of the current phase of the valuation proceeding, resulting in Commission

approved appraisal principles for those assets subject to market evaluation. He further stated this process for Edison should not be consolidated with a similar proceeding involving Pacific Gas & Electric.

**Filer: Southern California Edison Company**

**Contact: Anthony Vincent Archer**

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

1/6/99                    A98-06-052                    PDO Communications, Inc., for arbitration pursuant to Section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell.

**Summary:** On January 3, 1999, representatives of the California Cable Television Association (CCTA) attended an "all party" meeting at CPUC and conveyed oral ex parte communications to Commissioner Duque and advisor Timothy Sullivan. Alan J. Gardner and Glenn Semow attended for CCTA. Mr. Gardner stated CCTA's opposition to the proposal that PDO obtain free access to the loop. He also stated that Pacific Bell should be required to impute DSL costs for the loop to its own DSL service. In its Notice of Ex Parte Communication, CCTA included a copy of the "sign in" sheet of the parties attending the meeting.

**Filer: California Cable Television Association**

**Contact: Frank Monti**

**Phone: (510) 428-2225**

1/7/99                    A98-06-052                    **CORRECTION FROM THE DAILY CALENDAR OF 1/11/99.**

**PDO Communications, Inc.**, for arbitration pursuant to Section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell.

**Summary:** On January 4, 1999, Nick Selby from ICG Telecom Group, Inc. ("ICG") engaged in oral ex parte communications at CPUC with Commissioner Duque and the commissioner's advisor, Timothy Sullivan. According to ICG's Notice of Ex Parte Communications, the meeting was initiated by David Simpson of the High Speed Access Coalition ("HiSac"), and others in attendance were representatives from PDO Communications, Inc., Pacific Bell ("PacBell"), California Cable Television Assoc., GTEC, ISP Networks, and PUC staff. Mr. Selby stated ICG and other interested parties should be allowed to participate and file legal arguments if the Commission was in effect modifying its arbitration rules to permit HiSac, a non party to the arbitration between PDO and PacBell, to file legal arguments on PDO's motion to reject the conformed arbitrated interconnection agreement in this case. Mr. Selby stated PDO's request for "line sharing" or "unbundled spectrum" for its digital subscriber line ("DSL") services raises major policy issues on which PUC should allow other parties to be heard. He said access to unbundled spectrum on Pacific's loops should be priced on the incremental cost standard of the Telecommunications Act, and should not be free as PDO asserts. Mr. Selby concluded by saying the Commission should determine the incremental cost of "line sharing" through

frequency multiplexing and require PacBell to include such cost in the price of its ADSL service.

**Filer: ICG Telecom Group, Inc**

**Contact: Nancy Post**

**Phone: (650) 323-0990**

**Summary:** On January 4, 1998, Pacific Bell ("PacBell") representatives Dan Jacobsen and Bill Blase attended an "all party" meeting at CPUC and orally conveyed the following ex parte communications to Commissioner Duque and his advisor, Timothy Sullivan. The PacBell representatives stated that the interconnection requested by PDO should not be granted because carriers are entitled to exclusive use of facilities, and that free use of spectrum would establish a disincentive to facilities based investment. It was further stated PDO should not have free use of the loop. It is PacBell that bears the full cost of the loop, it was stated, and the company must cover this cost by offering other services such as ADSL. The representatives concluded by saying PacBell is also concerned that PDO's serving arrangement could jeopardize the quality of voice service. A list of all attendees was provided in the Notice of Ex Parte Communications.

**Filer: Pacific Bell**

**Contact: Lila Tam**

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

1/8/99            A97-10-024            Southern California Edison Company, for authority to recover capital additions to its fossil generating facilities made between 1/1/96 and 12/31/96.

**Summary:** On January 5, 1999, Southern California Edison Co. ("SCE") conducted two consecutive meetings at CPUC and engaged in oral ex parte communications in each. The SCE representatives conducting the communications were Bruce C. Foster and Michael R. Hoover. In the first meeting, Commission President Bilas and advisors Maryam Ebke and Dorothy were present. In the second meeting, Commissioner Nepper and advisor David Gamson were present. In each meeting Mr. Foster said that the last minute changes to the proposed decision ("PD") would result in an additional disallowance of over \$6 million. Detailed project by project analyses were not required, he said, for projects under \$100,000 and blanket spare parts work orders. He urged the Commission to reject the recommendations contained in the last minute changes to the PD.

**Filer: Southern California Edison Company**

**Contact: Anthony Vincent Archer**

**Phone: (626) 302-2304**

1/8/99            A98-06-052            PDO Communications, Inc., for arbitration pursuant to Section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell.

**Summary:** On January 6, 1999, the California Cable Television Association ("CCTA") and ICG Telecom Group, Inc. ("ICG") sent a joint letter to all of the commissioners and their telecommunication advisors. In their page and a half letter, Alan J. Gardner of CCTA and Earl Nicholas Selby of ICG said PDO's position that it should be provided free access to

Pacific Bell's ("PacBell") local loops to provide its own DSL service would be antithetical to the Commission's interest in promoting facilities based alternatives to PacBell's local infrastructure. They stated PacBell's use of its own local infrastructure at zero costs for the provision of its ADSL service is of even greater concern. They further stated PacBell failed to mention at the "all party" meeting that no party can efficiently compete using its own facilities if it must compete against PacBell's ADSL service, which uses PacBell's loop infrastructure for free. They added "just as PDO cannot purchase the use of a loop free of cost, Pacific cannot be allowed to avoid imputing the cost of that loop in its own ADSL service." CCTA and ICG stated the need for a proceeding which addresses the costing and pricing of PacBell's ADSL offering, and that PUC rehear its Resolution T-16191. Alternatively, Messrs Selby and Gardner recommended an expedited rulemaking process to review these issues. The letter was attached to the filer's "Notice of Ex Parte Communication."

**Filer: California Cable Television Association**

**Contact: Frank Monti**

**Phone: (510) 428-2225**

1/11/99            A98-06-052            PDO Communications, Inc., for arbitration pursuant to Section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell.

**Summary:** On January 6, 1999, Matt Stepovich of PDO Communications, Inc. ("PDO"), wrote a three (3) page letter to Commissioner Duque, and provided copies of the letter to Commission President Bilas, Commissioner Neeper, and all PUC advisors. The letter stated that PDO wished to make two points among the many that were discussed at the January 4, 1999 meeting among the arbitrating parties and others present at the meeting. The PDO letter stated "the first and most important point is that the Arbitrator's December 30<sup>th</sup> draft opinion, in attempting to cure the mistake of law that had been the major hurdle in this arbitration, has created another legal error that will prevent the Commission from exercising its responsibilities under the Telecommunications Act of 1996. The second point is that there is no 'free ride' according to Pacific's own testimony before the Commission in which Pacific acknowledges that adding data to a loop creates no additional loop costs." The remainder of the letter amplifies these points, and contains two (2) sections entitled, respectively, "The Commission Must Decide All Substantive Issues Raised in this Arbitration." and "PDO Would Agree to a Fair Apportionment." The letter is attached to PDO's Notice of Ex Parte Communication.

**Filer: PDO Communications, Inc.**

**Contact: Karen M. Wonnell**

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

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**RESOLUTION REGARDING RATIFICATION OF PRELIMINARY DETERMINATIONS OF CATEGORY**

For purposes of Rule 63.2(c), notice of the assignment is the day the assignments associated with this preliminary categorization document appear in the Daily Calendar following the Commission business meeting.

1/7/99            ALJ-176-3007    Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure. (See also Rule 63.2(c) regarding notice of assignment.)  
**Adopted. The preliminary determination schedule is shown below.**

**PRELIMINARY DETERMINATION SCHEDULES**

Resolution ALJ-176-3007 (1/7/99)

**ASSIGNMENTS**

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING	COMR	ALJ
A98-12-009 CITY OF EI PASO DE ROBLES for rehearing of resolution E-3573 ordering dismissal of protests to advice letter 1791-E	*	*	*	Not Assigned	Legal Division
A98-12-016 PRE-PAID PHONES, LTD. for a certificate of public convenience and necessity to offer resold local exchange, access and interexchange services	Ratesetting	Ratesetting	NO	Neeper	O'Donnell

**PRELIMINARY DETERMINATION SCHEDULES**

Resolution ALJ-176-3007 (1/7/99)

**ASSIGNMENTS**

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING	COMR	ALJ
A98-12-017  CITY OF SAN CARLOS for an order to construct a new crossing at separated grades to be known as Arroyo Avenue Pedestrian Undercrossing under the tracks of Peninsula Corridor Joint Powers Board Commuter service main line at Railroad Mile Post E-23.6 south of Arroyo Avenue in the City of San Carlos, County of San Mateo	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Koss
A98-12-018  TELECOMMUNICA- TIONS COOP. NETWORK, INC., dba TCN, INC. for registration as an interexchange carrier telephone corporation pursuant to the provisions of PU Code section 1013	Ratesetting NDIEC Registration Application	Ratesetting	NO	Not Assigned	Examiner Leutza
A98-12-019  WEST SAN MARTIN WATER WORKS, INC. for authority under Public Utilities Code Section 851 to sell a portion of its public utility water system in San Martin, Santa Clara County to the San Martin County Water District	Ratesetting	Ratesetting	NO	Duque	Weiss

**PRELIMINARY DETERMINATION SCHEDULES**

Resolution ALJ-176-3007 (1/7/99)

**ASSIGNMENTS**

NUMBER	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING	COMR	ALJ
TITLE					
A98-12-020	Ratesetting	Ratesetting	NO	Neeper	Rosenthal
LITICHEVSKY, DMITRY, QUAKE CITY SHUTTLE, INC. , SHAPIRO, VLADIMIR , VAKSMAN, NAUM to transfer and Quake City Shuttle, Inc., Kogen, Aleksandr, Nudelman, Aleksandr, and Kravetski, Felix, to acquire their stock interests and all other assets in Quake City Shuttle, Inc., pursuant to Section 851 of the Cal. Public Utilities Code					
A98-12-021	Ratesetting	Ratesetting	YES	Duque	Gottstein
SOUTHERN CALIFORNIA EDISON COMPANY for an order approving termination agreement for termination of a negotiated power purchase agreement between Southern California Edison Company and O'Brien California Cogen Limited					
A98-12-022	Ratesetting	Ratesetting	YES	Neeper	Walker
GTE CALIFONRIA INCORPORATED for approval to lease assets pursuant to Section 851 of the Public Utilities Code					



**PRELIMINARY DETERMINATION SCHEDULES**

Resolution ALJ-176-3007 (1/7/99)

**ASSIGNMENTS**

NUMBER		PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING	ASSIGNMENTS	
TITLE					COMR	ALJ
A98-12-023	SAN DIEGO GAS & ELECTRIC COMPANY for a permit to construct the Pico Substation	Ratesetting	Ratesetting	YES	Neeper	Weissman
A98-12-024	MOHAVE COOPERATIVE SERVICES, INC. for a certificate of public convenience and necessity to provide resold competitive local exchange services and interexchange services	Ratesetting	Ratesetting	NO	Neeper	O'Donnell
A98-12-026	ROSEVILLE TELEPHONE COMPANY to approve annual rate depreciation	Ratesetting	Ratesetting	NO	Neeper	Mattson
A98-12-027	ASIA ACCESS TELECOM, INC. for registration as an interexchange carrier telephone corporation pursuant to the provisions of the Public Utilities Code Section 1013	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Leutza

**PRELIMINARY DETERMINATION SCHEDULES**

Resolution ALJ-176-3007 (1/7/99)

**ASSIGNMENTS**

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING	COMR	ALJ
A98-12-028  ELK GROVE WATER WORKS for an order authorizing it to increase rates for water service for its total service area, and approving its planned water filtration plant installation (N9811028)	Ratesetting	Ratesetting	YES	Duque	Walker
A98-12-029  ATN COMMUNICATIONS, INC. for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code section 1013 and D97-06-107	Ratesetting NDIEC Registration Application	Ratesetting	NO	Not Assigned	Examiner Leutza

\*Application for Rehearing of Resolution assigned to Legal Division. Categorization/Need for Hearing will be addressed as necessary if the Commission subsequently grants rehearing.