
Public Utilities Commission of the State of California

Wesley M. Franklin, Executive Director

Headquarters

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

Southern California Office

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

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

Daily Calendar **Tuesday, April 13, 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 and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/
Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Submissions
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications
- **Commission Decision and Resolution Summaries for the Conference of April 1, 1999, are 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

April 22, 1999	10 am	San Francisco
May 13, 1999	10 am	San Francisco
May 27, 1999	10 am	San Francisco

REGULAR COMMISSION ADMINISTRATIVE MEETINGS

April 13, 1999	4 pm	San Francisco
April 20, 1999	4 pm	San Francisco
April 27, 1999	4 pm	San Francisco
May 4, 1999	4 pm	San Francisco
May 11, 1999	4 pm	San Francisco
May 18, 1999	4 pm	San Francisco
May 25, 1999	4 pm	San Francisco

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

**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.

April 19, 1999	1:30 pm	San Francisco
May 10, 1999	1:30 pm	San Francisco
May 24, 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.

Board Appointment Notice

Pursuant to D.97-12-105, you are hereby notified that Cynthia Walker of California Cable Television Association has requested to be appointed to the Universal Lifeline Telephone Service Marketing Board (Board). Ms. Walker will represent competitive local exchange carriers (CLCs) on the Board. A copy of Ms. Walker's resume may be obtained from Joseph Abhulimen at (415) 703-1458.

Parties who wish may file a protest to Ms. Walker's request with the Executive Director of the Commission within 30 days from the date of this notice. If no protests are received, Ms. Walker appointment to the Board will become effective 31 days from the date of this notice.

SUBSCRIPTION INFORMATION

Subscription Notice for Draft Agenda Items

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

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

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia

package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

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

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

Subscription Notice for Daily Calendar and/or Agenda

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

COMMISSIONER OFFICE HOURS

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

<u>Date/Time</u>	<u>Commissioner</u>	<u>Location</u>
5/18/99, 9 am - 12 pm	Josiah L. Neeper	State Office Building 320 West Fourth Street, Suite 500 Los Angeles
5/20/99, 9 am - 12 pm	Josiah L. Neeper	State Office Building 1350 Front Street, Room 4006 San Diego

PUBLIC MEETINGS & WORKSHOPS

Public Meeting

April 13, 1999 9 am to 5 pm	San Diego Gas and Electric 101 Ash Street Ground Floor Auditorium San Diego
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The Administrative Committee of the Electric Education Trust (EET) meets to approve rules for the participation of local governments in the CBO grant program and the non-CBO education plan, adopt procedure to invite participants in the grant selection committee, approve nominations to the advisory panel for scoring grant proposals, adopt elements of evaluation for awarded CBO's, approve inventory of CEP training materials, approve research plan and assign EETAC members to the outreach forums. The contact person is William Schulte at (415) 703-2349.

Workshop Notice

<p>April 14, 1999 9 am</p>	<p>State Building 1350 Front Street Room 1064 San Diego</p>
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The Outreach Subcommittee of the Electric Education Trust (EET) will meet to discuss the final planning for public forums and plans for analysis of data obtained at the public forums. The contact person is William Schulte at (415) 703-2349.

Public Meeting Technical Advisory Committee (CBEE)

<p>April 14, 1999 9 am - 3 pm</p>	<p>123 Mission Street (Between Main and Spear) Room 671 San Francisco</p>
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The Technical Advisory Committee for the California Board for Energy Efficiency will conduct a meeting. The following agenda items will be discussed: PY2000 Planning Process; The CBEE public workshop (April 6) on potential program and budget changes for the program year (PY) 2000 programs; Allocation of unspent/uncommitted 1998 monies, administrator funds; Reporting; Market Metrics; Issues arising for the upcoming Energy Division Workshop on April 12 and 13 regarding CBEE/LIGB Structure and Operations; Review CBEE action on its April 6 and 7 meeting; Third Party Initiatives. For more information contact Wm. Stevens Taber, Jr., Chairman, at (415) 457-7498.

Workshop Notice

<p>April 14, 1999 9 am - 4 pm</p>	<p>State Building 455 Golden Gate Avenue Conference Rooms 1 and 2 San Francisco</p>
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Notice of workshop to address the implementation details associated with discounts for intrastate services provided to schools and libraries under the California Teleconnect Fund with the Federal Communications Commission's discount program. The Telecommunication Division staff has prepared a suggested implementation plan for discussion purposes. To obtain a copy of the suggested implementation plan or for further information, contact Robert Weissman at (415) 703-1989.

Public Meeting

<i>April 15, 1999 1:30 pm - 4 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue Room 3204 San Francisco</i>
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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, Review/Acceptance of the Amervest Report, Review/Approve Administrative Report and Action Items, set Agenda for future meetings, 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 Office at (510) 452-2757.

Public Meeting – REVISED AS OF 3/16/99 and 4/8/99

<i>April 20, 1999 9:30 am - 12 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue Room 4206 San Francisco</i>
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The Payphone Service Providers Enforcement (PSPE) Committee will conduct a monthly meeting. For more information, please contact Adam J. Thaler at (415) 703-1157. For directions to the meeting, or for additional information, please contact the PSPE Program at (925) 855-3890

The PSPE Committee will meet to discuss the following topics:

1) Meeting Overview; 2) Minutes from February 23, 1999 PSPE Meeting; 3) Staff Reports -- including Financials, Staffing, and a Review of the New Reporting Format; 4) Discussion of a letter from the California Payphone Association (CPA) addressed to the CPUC's Legal Division concerning Bagley-Keene compliance; 5) Additional information pertaining to the 1996 Audit as requested in the February 23, 1999 meeting; 6) A discussion on Improper Dial-Around as they pertain to both Payphone Service Providers and issues with Interexchange Carriers; 7) Public Input; and 8) New Items for Future Agenda.

Public Meeting

<i>April 21, 1999 9:30 am - 3:30 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 discuss the following: Review/Approve Meeting Minutes, Review/Approve Administrative Report and Action Items, Review/Approve ULTSMB Expenses for March 1999, Review ULTSMB Correspondences, Review/Approve Errors and Omissions Insurance, PUC Report and Action Items, Review Previous Studies and Data, Announcements, Set Agenda Items for Future Discussion, and Hear Public Comments. Executive Session: Review and Approve Market Research RFP.

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

Public Meeting - California Board for Energy Efficiency

<p>April 21, 1999 10 am - 5 pm</p>	<p>Pacific Energy Center 851 Howard Street San Francisco</p>
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Teleconference Information: This meeting is accessible by teleconference. To call in, dial: 1-888-550-5969. After the prompt, enter the access code (566123) followed by the pound sign. Please contact Elizabeth Gunn, Board Coordinator, at (415) 703-1956, or by e-mail at egunn@cpuc.ca.gov with any questions regarding teleconferencing.

The California Board for Energy Efficiency (CBEE) will meet to discuss the following topics: Program Planning and Implementation for 1999; PY 2000/2001 Program Planning; PY 1998 Status Reports; Program Descriptions for Non-Residential Programs; Market Assessment and Evaluation (MA&E); Reporting Requirements; CBEE Work Plan and Schedule for 1999; Organizational Planning and Staffing; Board Compensation; Report on April 12/13 Workshop on Board Structure; Board Operations; Updates and Status Reports from Committees; 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.

Public Meeting

<p>April 21, 1999 10 am - 3 pm</p>	<p>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The VIDEO RELAY TRIALS SUB-COMMITTEE of the Deaf and Disabled Telecommunications Program will hold a meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410/Voice or (510) 874-1411/TTY.

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

Public Meeting - REINSTATED AS OF 4/6/99

<p>April 21, 1999 1:30 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue Training Room San Francisco</p>
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LOTTERY FOR TELEPHONE NUMBER PREFIX ASSIGNMENTS IN THE 209/559, 310, 408/831, 415, 510, 619/858, 650, 707, 714, 760, 805/661, 818, AND 909 NUMBERING PLAN AREAS

The Telecommunications Division of the California Public Utilities Commission will be conducting a lottery to determine allocations of central office codes (NXXs) in the 209/559, 310, 408/831, 415, 510, 619/858, 650, 707, 714, 760, 805/661, 818, and 909 area codes pursuant to the provisions of D.96-09-087. Applications should be submitted to the California Code Administrator prior to the close of business on April 13, 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 April 13, 1999 to: Mary Jo Borak, Telecommunications Division, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102.

Public Meeting

<p>April 22, 1999 10 am - 2 pm</p>	<p>Deaf and Disabled Telecommunications Program 1939 Harrison Street, Suite 555 DDTP Conference Room, Suite 555 Oakland</p>
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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

<i>April 23, 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 CALIFORNIA RELAY SERVICE 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 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 - DATE CHANGE (REVISED AS OF 4/1/99)

<i>April 29, 1999 10 am - 1 pm</i>	<i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i>
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The FINANCE SUB-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 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>May 4, 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 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 Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Workshop Notice

<p>May 5 - 6, 1999 9:30 am</p>	<p>California Public Utilities Commission 505 Van Ness Avenue Room 3204 (May 5) Training Room (May 6)* San Francisco</p> <p>*May 6 workshop will be held only if an additional day is necessary.</p>
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Notice of workshop to address the implementation details associated with D.98-12-084, ordering GTEC to pay \$4.85 million over a three-year period, to be used for a Telecommunications Consumer Protection Fund.

Parties to this proceeding have been asked to send their proposals to James Simmons of the Telecommunications Division by April 15, 1999. The workshops will provide parties the opportunity to discuss suggested implementation plans to evolve the proposals into a common proposal which can then be presented to the Commission for adoption via resolution. For further information, contact James Simmons at 415-703-2883.

Public Meeting -This Is Not A Public Meeting (Revised 4/12/99)

<p>May 5, 1999 10 am - 3 pm</p>	<p>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</p>
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The VOUCHER TRIALS SUB-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 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>May 11, 1999 10 am - 4 pm</p>	<p>Pacific Energy Center, Green Room 851 Howard Street San Francisco</p>
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The Board will meet to discuss the following topics: (1) Public Comment; (2) report from the Chair; (3) approve and adopt meeting minutes; (4) deliberate and adopt recommendations on per diem issues and changes; (5) review and modify critical path schedule; (6) presentations by PG&E, So Cal Edison, So Cal Gas, and SDG&E on administrative costs, standardized reporting format, competitive bidding/expanded partnership, and AEAP proposals; (7) updates from the CPUC Energy Division, Office of Ratepayer Advocates, and Legal Division; (8) deliberate and approve action on proposed Commission orders; (9) deliberate and approve action on pending utility filings;

- (10) deliberate and approve action on ongoing Commission proceedings; and
- (11) deliberate and approve action on pending legislation.

An agenda for the meeting is being developed and can be obtained from the LIGB's website at www.ligb.org. This location is wheelchair accessible. The meeting is open to the public. For more information contact Charlene Treat at (510) 251-2888, extension 2090.

Public Meeting

<i>May 12, 1999 9 am - 4 pm Note: Earlier start time than usual.</i>	<i>Pacific Energy Center, Conference Room (Street Level) 851 Howard Street San Francisco</i>
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The Board will meet to discuss the following topics: (1) Public Comment; (2) Report from the Chair; (3) deliberate and adopt recommendations on the specific tasks the Energy Division RFP on technical and administrative services should specify; (4) update on the Energy Division workshop of April 12-13, 1999; (5) deliberate and adopt recommendations for Phase II; (6) update from Advisory Committee and ratification of new Advisory Committee members; (7) approve and adopt Board position regarding performance incentives (AEAP schedule); (8) updates from the CPUC Energy Division, Office of Ratepayer Advocates, and Legal Division; (9) deliberate and approve action on proposed Commission orders; (10) deliberate and approve action on pending utility filings; (11) deliberate and approve action on ongoing Commission proceedings; (12) deliberate and approve action on pending legislation.

An agenda for the meeting is being developed and can be obtained from the LIGB's website at www.ligb.org. This location is wheelchair accessible. The meeting is open to the public. For more information contact Charlene Treat at (510) 251-2888, extension 2090.

Public Meeting

<i>May 13, 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 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 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 - REVISED AS OF 3/30/99

May 21, 1999
10 am - 4 pm

Department of Rehabilitation
2000 Evergreen Street
Feather River Room, 1st Floor
Sacramento

The CALIFORNIA RELAY SERVICE 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 Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

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

NONE

NEW FILINGS

3/31/99 I95-04-044 **Petition #139**, Triad Communications Corporation, for a certificate of public convenience and necessity to provide switched and dedicated, resale and facilities-based local exchange telecommunications services.

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

NONE

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

4/8/99 A98-05-004 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;

A98-05-006 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; and

A98-05-015 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; **Alternate Order of Commissioner Neeper**

4/7/99 A95-10-024 In the Matter of the Application of Pacific Gas and Electric Company (U 39 M) for Authorization to Implement a Plan of Reorganization Which Will Result in a Holding Company Structure; **Draft Alternate Pages of Commissioner Neeper**

ADVICE LETTER FILINGS

NONE

MISCELLANEOUS TRANSPORTATION ITEMS

April 13, 1999

Filings with Rail Safety and Carriers Division

NONE

MISCELLANEOUS TELECOMMUNICATION MATTERS

April 13, 1999

NONE

ADJOURNMENTS * RESETTINGS * SUBMISSIONS

- A98-07-005 Barnett - San Diego Gas and Electric Company and Southern California Gas Company for approval of a gas transmission service tariff,
- A98-10-012 Barnett - Southern California Gas Company for authority to revise its rates effective August 1, 1999 in its biennial cost allocation proceeding,
- A98-10-031 Barnett - Application of San Diego Gas & Electric Company for Authority to revise its gas rates effective August 1, 1999, in its biennial cost allocation proceeding,
Evidentiary Hearing held and continued to April 13
- I98-08-004 Bushey - Investigation on the Commission's own motion into the operations, practices, and conduct of Coral Communications, Inc. (Coral) and Michael Tinari, President of Coral; William Galo, 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 charge California subscribers for telecommunications services the subscribers never authorized,
Evidentiary Hearing held and continued to April 13
- A99-01-006 Vieth - Maria Avelar and Timothy Allen Wosick, dba Bottom Line Results Moving for a household goods carrier permit,
Prehearing Conference held and concluded
- A99-02-032 Malcolm - Southwest Gas Corporation and Oneok,
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Inc. for authorization to implement the agreement and plan of merger dated December 14, 1998,
Prehearing Conference set for April 29, reset to May 4

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

NONE

LAW AND MOTION

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

3/30/99	9:30 a.m.	NONE SCHEDULED
4/6/99	9:30 a.m.	NONE SCHEDULED
4/13/99	9:30 a.m.	NONE SCHEDULED

FINAL ORAL ARGUMENTS

4/19/99 ALJ Barnett Comr Duque	9:30 a.m. A.98-05-019	(FOA) - Application of San Diego Gas & Electric Company for authority (i) to increase its authorized return on common equity, (ii) to adjust its existing ratemaking capital structure, (iii) to adjust its authorized embedded costs of debt and preferred stock, (iv) to decrease its overall rate of return, and (v) to revise its electric distribution and gas rates accordingly, and for related substantive and procedural
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	A.98-05-021	relief, (FOA) - Application of Pacific Gas & Electric Company for authority (I) to establish its authorized rates of return on common return for electric distribution and gas distribution, and (ii) establish its unbundled rates of return for calendar year 1999 for electric distribution and gas distribution,
	A.98-05-024	(FOA) - Application of Southern California Edison Company for consideration of unbundled rate of return on common equity, capital structure, cost factors for embedded debt and preferred stock, and overall rate of return for utility operations, Commission Courtroom, San Francisco
4/19/99 ALJ Minkin Comr Bilas	10:30 a.m. A.98-05-004	(FOA) - 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	(FOA) - 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	(FOA) - 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, Commission Auditorium, San Francisco
5/11/99 ALJ Kenney Comr Neepser	1:00 p.m. R.98-09-005	(FOA) - Order instituting rulemaking on the Commission's own motion to consider modifications to the universal lifeline telephone service program and general order 153, Commission Auditorium, San Francisco

ALJ Malcolm Comr Bilas	A.98-07-058	to recover its 1997 and 1998 non-nuclear generation capital additions in the competition transition charge, (EH) - Application of San Diego Gas & Electric Company for competition transition charge recovery of capital additions, Commission Courtroom, San Francisco
	A.98-08-012	
4/16/99 ALJ Bushey Comr Knight	10:00 a.m. C.95-08-039	(PHC) - Bayside Village, The Fillmore Center, and North Point Apartments vs. Pacific Bell for failure to take responsibility for all building cross connects, Commission Courtroom, San Francisco
4/16/99 ALJ McVicar Comr Duque	10:00 a.m. C.97-09-023	(PHC) - Twean, a New York General Partnership, dba Time Warner Cable of Bakersfield vs. Pacific Gas and Electric Company, for violations of Section 767.5 of the California Public Utilities Code, Commission Courtroom, San Francisco
4/16/99 ALJ Vieth Comr Neeper	10:00 a.m. C.99-02-021	(PHC), (EH) - USDA Forest Service vs. Lukins Brothers Water Company, Inc. for violations of rate provisions of the water service contract, City Council Chambers, 1900 Lake Tahoe Blvd., So. Lake Tahoe
4/19/99 ALJ Stalder Comr Duque	10:30 a.m. A.89-03-026	(EH) - In the matter of the application of Southern California Edison Company (U 338-E) for a certificate that the present and future public convenience and necessity requires or will require Edison to construct and operate a 220 kV double-circuit transmission line between the Kramer substation and the Victor substation in San Bernardino County, California, Commission Courtroom, San Francisco (also April 20-23)
4/19/99 ALJ Walker Comr Duque	7:00 p.m. A.98-09-040	(PPH) - In the matter of the application of the Southern California Water Company (U 133 W) for the authority pursuant to Public Utilities Code Section 454 to restructure the water rates of its Barstow, Calipatria-Niland, Claremont, Desert, Orange County, San Dimas, San Gabriel and Wrightwood Districts into region-wide tariffs, Wrightwood Country Club, 1387 Oriole Road, Wrightwood; April 20, Senior Citizen Community Bldg., 201 East Bonita Avenue, San Dimas; April 21, Claremont City Hall Council Chambers, 207

**Harvard Avenue, Claremont; April 22, Stanton
City Hall Council Chambers, 7800 Katella Avenue,
Stanton)**

4/20/99	1:30 p.m.	(EH) - Pacific Gas and Electric Company for authority to establish post-transition period electric ratemaking mechanisms,
ALJ Malcolm	A.99-01-016	
ALJ Minkin		
Comr Duque	A.99-01-019	(EH) - San Diego Gas & Electric Company for authority to implement post rate freeze ratemaking mechanism,
	A.99-01-034	(EH) - Southern California Edison Company (U 338-E) to: (1) propose a method to determine and implement the end of rate freeze; and (2) propose ratemaking which should be in place after the end of the rate freeze periods,
	A.99-02-029	(EH) - Application of San Diego Gas & Electric Company: (1) informing the Commission of the probable timing of the end of its electric rate freeze, (2) for authorization to change electric rates through implementation of interim ratemaking mechanisms concurrent with termination of the electric rate freeze, and (3) for authorization to change electric rates by adding new, and revising or terminating existing, rate and revenue mechanisms and rate designs, Commission Courtroom, San Francisco
4/22/99	1:30 p.m.	(PHC) - In the matter of the application of the Southern California Water Company (U 133 W) for a Certificate of Public Convenience and Necessity pursuant to California Public Utilities Code Section 1001 to extend its West Orange County System to the Bolsa Chica planned community,
ALJ Weiss	A.98-11-003	
Comr Duque		
	A.98-11-015	(PHC) - In the matter of the application of the Southern California Water Company (U 133 W) for a Certificate of Public Convenience and Necessity pursuant to California Public Utilities Code Section 1001 to operate and maintain a wastewater system to provide service to the Bolsa Chica planned community, Commission Courtroom, San Francisco, (also (EH) July 26, 10:00 a.m.)
4/23/99	2:00 p.m.	(PHC) - In the matter of the application of San Diego Gas & Electric Company (U 902-E) for a permit to construct the Pico Substation,
ALJ	A.98-12-023	
Weissman		

Comr Neeper		Council Chambers, San Clemente City Hall, 100 Avenida Precidio, San Clemente
4/26/99	10:00 a.m.	(EH) - Application of Southern California Edison Company (U-338-E) to report on the valuation process for certain generation-related assets pursuant to D.97-11-074, (EH) - Application of Pacific Gas and Electric Company to report assessments of inventory retained generation assets, Commission Courtroom, San Francisco (also April 27-30; also (EH) May 6, 10:00 a.m.)
ALJ Patrick	A.98-05-014	
Comr Conlon	A.98-05-022	
4/27/99	10:00 a.m.	(PHC) - Joint application of California Water Service Company (U-60-W), Dominguez Water Company (U-330-W), Kern River Valley Water Company (U-295-W) and Antelope Valley Water Company (U-281-U) for approval of a plan of merger of California Water Service Company, Dominguez Water Company, Kern River Valley Water Company, and Antelope Valley Water Company, Commission Courtroom, San Francisco
ALJ Vieth	A.99-02-004	
Comr Duque		
4/27/99	10:00 a.m.	(PHC) - Application of the San Francisco Bay Area Rapid Transit District for authority to institute revenue passenger service utilizing the advanced automatic train control system for safety-critical motion control, Commission Courtroom, San Francisco
ALJ DeUlloa	A.99-02-012	
Comr Bilas		
4/28/99	10:00 a.m.	(PHC) - Order Instituting Investigation Into the Power Outage Which Occurred on December 8, 1998 on Pacific Gas & Electric Company's Electric System, Commission Courtroom, San Francisco (also (EH) June 1-4, June 7-11)
ALJ	I.98-12-013	
O'Donnell		
Comr Bilas		
4/28/99	10:00 a.m.	(PHC) - Application of Southern California Edison Company (U 338-E) for order approving amendment no. 2 to power purchase agreement between Southern California Edison Company and Colmac Energy, Inc., Commission Courtroom, San Francisco
ALJ Gottstein	A.98-12-038	
Comr Neeper		
4/29/99	9:00 a.m.	(PHC) - Application of the Southern California Edison Company (U 338-E) for Review of the Reasonableness of Southern California Edison Company's Operations
ALJ Barnett	A.98-05-053	
Comr Neeper		

	A.99-03-019	(PHC) - Application for Commission consideration of post-transition proposals for long-run marginal cost pricing and geographic de-averaging of revenue cycle services
	A.99-03-024	(PHC) - Application of Southern California Edison Company (U 338-E) relating to long-run marginal costs for unbundled metering and billing services, Commission Courtroom, San Francisco
5/4/99 ALJ Malcolm Comr Bilas	1:30 p.m. A.99-02-032	(PHC) - Southwest Gas Corporation and Oneok, Inc. for authorization to implement the agreement and plan of merger dated December 14, 1998, Commission Courtroom, San Francisco
5/3/99 ALJ Walker Comr Duque	2:00 - 4:00 p.m. 7:00 - 9:00 p.m. A.98-12-028	(PPH) - In the matter of the application of Elk Grove Water Works (U 135-W) for an order authorizing it to increase rates for water service for its total service area, and approving its planned water filtration plant installation, Elk Grove Community Services District, Board Room, 8820 Elk Grove Boulevard, Elk Grove
5/6/99 ALJ Ryerson Comr Neeper	10:00 a.m. C.99-02-011	(PHC) - Gene H. Whitmore, Jr. vs. Pacific Bell, for payment of money generated to complainant's 900 account number, Commission Courtroom, Los Angeles
5/10/99 ALJ Malcolm ALJ Minkin Comr Duque	10:00 a.m. A.99-01-016 A.99-01-019 A.99-01-034 A.99-02-029	(EH) - Pacific Gas and Electric Company for authority to establish post-transition period electric ratemaking mechanisms, (EH) - San Diego Gas & Electric Company for authority to implement post rate freeze ratemaking mechanisms, (EH) - Southern California Edison Company (U-338-E) to: (1) propose a method to determine and implement the end of rate freeze; and (2) propose ratemaking which should be in place after the end of the rate freeze periods, (EH) - Application of San Diego Gas and Electric Company: (1) informing the Commission of the probable timing of the end of its electric rate freeze, (2) for authorization to change electric rates through implementation of interim ratemaking mechanisms concurrent with termination of the electric rate freeze, and (3) for authorization to change electric rates by

		adding, and revising or terminating existing, rate and revenue mechanisms and rate designs, Commission Courtroom, San Francisco, (also May 11-14, 9:00 a.m.)
5/10/99 ALJ Weiss Comr Duque	1:00 p.m. A.98-07-046	(EH) - Application of Sereno Del Mar Water Company doing business as Sereno Del Mar Water Company to sell and Russian River Utility, a California Corporation to buy the water system in Sonoma County, Santa Rosa State Building, Room 410-B, Santa Rosa
5/12/99 ALJ Vieth Comr Duque	9:30 a.m. A.99-02-003	(EH) - Joint application of Dominguez Water Company (U-330-W) and Hawkins Water Service (U-114-W) for approval of the acquisition of the utility assets of Hawkins Water Service by Dominguez Water Company, Commission Courtroom, San Francisco
5/12/99 ALJ Vieth Comr Duque	1:30 p.m. A.99-02-005	(EH) - Joint application of Dominguez Water Company (U-330-W) and Coast Springs Water Company (U-130-W) for approval of the acquisition of the Utility Assets of Coast Springs Water Company by Dominguez Water Company, Commission Courtroom, San Francisco
5/17/99 ALJ Econome Comr Bilas	10:00 a.m. A.98-11-012	(EH) - Application of Lodi Gas Storage, LLC for certificate of public convenience and necessity for construction and operation of gas storage facilities, Commission Courtroom, San Francisco, (also (EH) 9:00 a.m., May 18-21, (CA), 1:30 p.m., May 25)
5/24/99 ALJ Galvin Comr Duque	10:00 a.m. A.98-07-020 A.98-07-029	(EH) - In the Matter of the Application of Pacific Bell a corporation, for Authority to Categorize Centrex as a Category III Service, (EH) - In the Matter of the Application of Pacific Bell a corporation, for Authority to Categorize Toll-Free (8XX) and Business MTS IntraLATA Toll Services as Category III Services, Commission Courtroom, San Francisco (also May 25-28, June 1-4)
5/24/99 ALJ Walker	10:00 a.m. A.98-09-040	(EH) - Application of the Southern California Water Company for authority pursuant to Public Utilities

Comr Duque		Code Section 454 to restructure the water rates of its Barstow, Calipatria-Niland, Claremont, Desert, Orange County, San Dimas, San Gabriel and Wrightwood Districts into region-wide tariffs, Commission Courtroom, San Francisco (also May 25-28)
6/3/99 ALJ Mattson Comr Neeper	10:00 a.m. A.98-12-005	(PHC) - In the matter of the joint application of GTE Corporation ("GTE") and Bell Atlantic 98-12-005 Control of GTE's California Utility Subsidiaries to Bell Atlantic, which will occur indirectly as a result of GTE's merger with Bell Atlantic, Commission Courtroom, San Francisco, (also (EH) June 7-11, June 14-18, June 21-25, 10:00 a.m.)
6/7/99 ALJ DeUlloa Comr Neeper	9:30 a.m. C.98-11-027	(EH) - Reuben and Blanche Bercovitch vs. San Diego Gas & Electric Company and Sempra Energy, for cutting out electric poles to complainants' property, Kearny Mesa Lab Conference Room, 7177 Opportunity Road, San Diego, (also June 8)
6/7/99 ALJ Mattson Comr Neeper	10:00 a.m. A.98-12-005	(EH) - In the matter of the joint application of GTE Corporation ("GTE") and Bell Atlantic 98-12-005 Control of GTE's California Utility Subsidiaries to Bell Atlantic, which will occur indirectly as a result of GTE's merger with Bell Atlantic, Commission Courtroom, San Francisco, (also June 8-11, June 14-18, June 21-25)
6/14/99 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, Commission Courtroom, San Francisco (also June 15-18)
6/14/99 ALJ Minkin Comr Duque Comr Conlon	10:00 a.m. A.98-09-003	(PHC) - Application of Pacific Gas and Electric Company for Review and Recovery of the Costs and Revenues in the Transition Cost Balancing Account (U 39 E),
	A.98-09-008	(PHC) - Application of Southern California Edison Company to Review and Recovery Transition Cost Balancing Account Entries from January 1, 1998 through June 30, 1998 and Various Generation-Related Memorandum Account Entries,

	A.98-09-009	(PHC) - Application of San Diego Gas & Electric Company in the Annual Transition Cost Proceeding Regarding the Transition Cost Balancing Account (TCBA), Commission Courtroom, San Francisco (also (EH) June 21-25, June 28-30, July 1-2, July 5-8, (CA) 9:00 a.m., July 9
7/13/99 ALJ Walker Comr Duque	10:00 a.m. A.98-12-028	(EH) - In the matter of the application of Elk Grove Water Works (U 135-W) for an order authorizing it to increase rates for water service for its total service area, and approving its planned water filtration plant installation, Commission Courtroom, San Francisco, (also July 14-16)
8/23/99 ALJ Malcolm ALJ Minkin Comr Duque	10:00 a.m. A.99-01-016 A.99-01-019 A.99-01-034 A.99-02-029	(EH) - Pacific Gas and Electric Company for authority to establish post-transition period electric ratemaking mechanisms, (EH) - San Diego Gas & Electric Company for authority to implement post rate freeze ratemaking mechanisms, (EH) - Southern California Edison Company (U-338-E) to: (1) propose a method to determine and implement the end of rate freeze; and (2) propose ratemaking which should be in place after the end of the rate freeze periods, (EH) - Application of San Diego Gas and Electric Company: (1) informing the Commission of the probable timing of the end of its electric rate freeze, (2) for authorization to change electric rates through implementation of interim ratemaking mechanisms concurrent with termination of the electric rate freeze, and (3) for authorization to change electric rates by adding, and revising or terminating existing, rate and revenue mechanisms and rate designs, Commission Courtroom, San Francisco, (also August 24-27, August 30-September 3, 9:00 a.m.)
9/7/99 ALJ Minkin Comr Duque Comr Conlon	10:00 a.m. A.98-08-003 A.98-09-008	(EH) - Application of Pacific Gas and Electric Company for review and recovery of the costs and revenues in the transition cost balancing account, (EH) - Application of Southern California Edison Company to review and recovery transition cost

A.98-09-009 balancing account entries from January 1998 through June 30, 1998 and various generation-related memorandum account entries,
(EH) - Application of San Diego Gas & Electric Company in the annual transition cost proceeding regarding the transition cost balancing account, Commission Courtroom, San Francisco, (also September 8-10, 9:00 a.m.)

EXECUTIVE ORDERS SIGNED

3/22/99 D99-03-070 Milton McDonogh dba Angel Island-Tiburon Ferry. To transfer and Angel Island-Tiburon Ferry, Inc., to acquire, certificate of public convenience and necessity and all other assets related to the business of common carriage by vessel between Tiburon and Angel Island State Park, pursuant to sections 851-854 and 1009 of the California Public Utilities Code. **Corrects paragraph 1 of Findings of facts by replacing the name Martin McDonogh with Milton McDonogh and ordering paragraphs 2,3,4,5, and 6 by replacing “transferor” with “transferee”.**

3/29/99 D99-03-071 A98-08-021 – City of Fontana. For an order authorizing the construction of a new at-grade crossing of Santa Ana Avenue across the existing Union Pacific Railroad Company Declezville branch line; the addition of active protection at the existing Hemlock Avenue at-grade crossing and abandonment of the Beech Avenue at-grade crossing, both across the existing “Hog Farm Spur” track in the City of Fontana. **Dismissed, upon written and unopposed request of applicant.**

3/26/99 D99-03-072 A99-01-031 – PNG Telecommunications, Inc. For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service as a facilities-based carrier. **Accepts the company’s request to withdraw the application; dismisses the application. This proceeding is closed.**

D99-03-073 A99-02-025 – GCC License Corporation. For a certificate of public convenience and necessity to provide

interLATA and intraLATA telecommunications service as a switchless reseller. **Granted. This proceeding is closed.**

3/30/99 D99-03-074 A99-02-026 – GTC Telecom. For a certificate of public convenience and necessity to provide interLATA and intraLATA telecommunications service as a facilities-based carrier. **Granted. This proceeding is closed.**

COMMISSION MEETING OF APRIL 1, 1999

4/1/99 D99-04-001 C98-09-036 - Rick E. Thurber vs. Pacific Gas and Electric Company and Pacific Bell (PacBell). **Grants the motion of PacBell to dismiss the complaint for failure to state a cause of action for which relief might be granted. This proceeding is closed.**

D99-04-002 C98-04-021 – Independence Civic Club vs. GTE California Incorporated. **Denies the Independence Civic Club’s complaint to have their local calling area extended to Bishop exchange local calling area; the non-redacted Extended Area Service sturdy shall be placed and remain under seal for a period of one year from the date of the order. This proceeding is closed.**

D99-04-003 A97-10-021 – Citizens Telecommunications Company of California, Inc. (CTC-California). For authority to review its new regulatory framework (NRF) for the regulation of telecommunications services provided in the Sate of California. **Finds that the service quality of CTC-California shows improvement; determines that continuation of the service quality assurance mechanism will be addressed in the company’s 1999 NRF review. This proceeding is closed.**

D99-04-004 R97-04-011 - Order Instituting Rulemaking to establish standards of conduct governing relationships between energy utilities and their affiliates. I97-04-012 – Related matter. **Grants the request of The Utility Reform Network for an award of \$11,022.01 in compensation for its contributions to D98-04-029 and D98-11-026.**

D99-04-005 C98-04-004 – The Utility Consumers’ Action Network vs.

- Pacific Bell. C98-06-003, C98-06-027, C98-06-049, I90-02-047 – Related matters. **Extends statutory deadline to conclude proceeding.**
- D99-04-006 A99-01-024 – Searles Domestic Water Company (Searles), IMC Global Inc., and GSA Holdings LLC (GSA Holdings). For authority to merge Searles with Searles Domestic Water Company LLC and to transfer control of Searles to GSA Holdings. **Granted. This proceeding is closed.**
- D99-04-007 A98-12-031 – Daniel Shubaralyn, dba Dani’s Shuttle. To transfer certificate of public convenience and necessity and all other assets to Dani’s Shuttle, Inc. pursuant to Public Utilities Code Sections 851 and 1036. **This decision grants applicant’s request to transfer authority from an individual ownership to a corporation. This proceeding is closed.**
- D99-04-008 A98-07-022 – City of Modesto. To construct one grade crossing of the Union Pacific Railroad Company, Tidewater Line, at the Proposed Pelandale Avenue Crossing City of Modesto. **Grants City of Modesto’s motion for leave to withdraw application. This proceeding is closed.**
- D99-04-009 C98-11-008 (ECP)– Lazanius Johnson vs. Pacific Gas and Electric Company (PG&E). **Denied. This proceeding is closed.**
- D99-04-010 A98-10-005 – Business Telecom, Inc., dba BTI Telecommunications Services. For authority to operate as a resale provider of local exchange service. **Granted. This proceeding is closed.**
- D99-04-011 A99-01-023 – Netsol Technologies, Inc. For a certificate of public convenience and necessity (CPCN) to provide resold competitive local carrier service. **Granted. This proceeding is closed.**
- D99-04-012 A99-02-009 - San Francisco Thermal, Limited Partnership (SFTLP), Thermal Ventures, Inc. (TVI), NRG Energy, Inc. (NRG). For authority to transfer control of North American Thermal Systems, LLC from TVI to NRG. **Granted. This proceeding is closed.**
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- D99-04-013 A98-04-008 - Pacific Gas and Electric Company (PG&E). For an order under section 701 of the Public Utilities Code granting permission to use natural gas-based financial instruments to manage market risks associated with California Gas transmission's assets. **Grants PG&E's petition to modify D98-12-082 granting PG&E conditional authority to use natural gas-based financial instruments to manage price and revenue risks associated with its natural gas transmission and storage assets. This proceeding is closed.**
- D99-04-014 A98-07-024 - Pacific Gas and Electric Company (PG&E). For authority to permit the City and County of San Francisco (City) to occupy a portion of certain underground conduit pursuant to Public Utilities Code section 851. **Approves the amended application and authorizes use of a portion of PG&E's underground conduit by the City. This proceeding is closed.**
- D99-04-015 A98-06-053 - Pacific Gas and Electric Company (PG&E) and The Hatch 1987 Revocable Trust, et al. For an order authorizing the former to sell and convey to the latter a certain parcel of land in Shasta County pursuant to Public Utilities Code section 851. **Granted, as set forth. This proceeding is closed.**
- D99-04-016 A98-06-042 – The Los Angeles County Metropolitan Transportation Authority (MTA). For an order authorizing the construction of a pedestrian grade crossing between Flower Street and Grand Avenue across the eastbound LRT track of the Los Angeles-Long Beach Blue Line, along Washington Boulevard in the City of Los Angeles. **Granted. This proceeding is closed.**
- D99-04-017 A98-02-007 - State of California, Department of Transportation (Caltrans). For an order authorizing the Department to construct the widening project at the Redlands Loop Overhead, Bridge Number 54-489, over the tracks and right of way of the Burlington Northern and Santa Fe Railway Company located in the City of San Bernardino, County of San Bernardino. **Granted. This proceeding is closed.**
- D99-04-018 A98-02-019 - State of California, Department of
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- Transportation (Caltrans). For an order authorizing the Department to construct two new overhead structures over the existing tracks and right-of-way of the Union Pacific Railroad Company, to widen the railroad crossing of Beach Boulevard with signal relocation and upgrade, all in connection with the reconstruction of the State Route 91/Interstaet 5 interchange as part of the I-5 widening project in Orange County. the SR-91/I-5 Interchange, as part of the I-5 widening project. **Granted, as set forth. This proceeding is closed.**
- D99-04-019 A98-11-010 – Alameda Corridor Transportation Authority (ACTA). For an order authorizing the relocation of 17 single-track highway grade crossings, two single-track separated highway crossings and one single-track grade separated railroad crossing located between Firestone Boulevard, PUC crossing number BG-489.50 and Auto Drive South, PUC crossing number BG-495.09, inclusive in the County of Los Angeles, City of South Gate, City of Lynwood, and City of Compton. **Granted. This proceeding is closed.**
- D99-04-020 A98-08-016 – City of Ontario (City). For an order authorizing construction of an at-grade crossing at Francis Street between Haven Avenue and Dupont Avenue. **Granted. This proceeding is closed.**
- D99-04-021 A98-05-007 - Pacific Gas and Electric Company (PG&E). For authority to adopt a revenue-sharing mechanism and other prerequisites for new non-tariffed products and services. **Adopts the proposal of PG&E for a net revenue sharing mechanism for new non-tariffed products and services on an interim basis until further order of the Commission. This proceeding is closed.**
- D99-04-022 A98-06-018 - Pacific Gas and Electric Company (PG&E) and Roseburg Resources Company (Roseburg). For an order authorizing the former to sell and convey to the latter certain parcels of land in Shasta County pursuant to Public Utilities Code section 851. **Granted. This proceeding is closed.**
- D99-04-023 I96-02-043 - Order Instituting Investigation into the operations, practices, and conduct of Communication
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Telesystems International (CTS) and Edward S. Soren, President of CTS to determine whether they have complied with the laws, rules, regulations and applicable tariff provisions governing the manner in which California consumers are switched from one long distance company to another, and other requirements for long distance carriers. **Approves the settlement agreement, other than paragraph 5; awards the Latino Issues Forum \$70,444 in attorney's and expert's fees; awards the Greenlining Institute \$199,841.00, of which \$20,958 each must be paid over to the Vietnamese Community of Orange County and the Chinese For Affirmative Action, in attorneys and experts' fees.**

- D99-04-024 R95-04-043 - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service. I95-04-044 – Related matter. **Approves the proposed overlay relief plan for the 510 Numbering Plan Area based upon review of the alternatives as presented by the North American Numbering Plan Administrator.**
- D99-04-025 R95-04-043 - Order instituting rulemaking on the Commission's own motion into competition for Local Exchange Service. I95-04-044 - Related matter. **Approves the proposed overlay plan for the 415 Numbering Plan Area as presented by the North American Numbering Plan Administrator identified as Alternative 5 as amended within this order, as set forth.**
- D99-04-026 A98-01-008 – Pacific Gas and Electric Company (PG&E). **For authority to sell certain generating plants and related assets pursuant to Public Utilities Code Section 851.** Orders that PG&E may transfer and sell its Pittsburg and Contra Costa plants to Southern Energy Delta LLC; the Potrero Power Plant to Southern Energy Potrero LLC; and its Geysers Geothermal Lake County and Sonoma County Plants to Geysers Power Company, LLC, as set forth. This proceeding is closed.
- D99-04-027 A95-05-030 – Roseville Telephone Company (Roseville). **For authority to restructure intrastate rates and charges and to implement a new regulatory framework for telephone services furnished within the State of California. I95-09-001 - Related matter.** Modifies D96-
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- 12-074; orders Roseville to adjust rates by including as other adjustments in its next new regulatory framework price cap filing the intrastate portions of an increase in total company expenses of \$148,148 and an increase in rate base of \$1,505,595. A95-05-030 and I95-09-001 remain open for consideration of Roseville's appeal of a ruling regarding the verification/nonregulated operations audit.
- D99-04-028 I97-04-013 – Investigation into whether the Bidwell Water Company (Bidwell) misused its Safe Drinking Water Bond Act Surcharge revenues and has violated rules, orders, and decisions of the Commission. **Grants limited rehearing of D98-10-025 for the purpose of taking official notice of Resolution W-4107; modifies D98-10-025, as set forth; denies Bidwell's request for stay of D98-10-025.**
- D99-04-029 **C97-11-014 – Joanne Carey vs. Pacific Gas and Electric Company, et al.** Modifies D98-12-076 as set forth; denies the rehearing of D98-12-076 as modified.
- D99-04-031 A98-06-052 - PDO Communications, Inc. (PDO). For arbitration pursuant to section 252 of the Federal Telecommunications Act of 1996 to establish an interconnection agreement with Pacific Bell. **Modifies D99-01-009 to replace “sub-loop unbundling,” wherever it appears in the decision, with “shared access to the local loop”; denies rehearing of D99-01-009 as modified.**
- D99-04-032 C96-01-019 – The City of Vernon vs. the Atchison, Topeka and Santa Fe Railway. **Modifies D98-12-021, as set forth; denies rehearing of D98-12-021 as modified. This proceeding is closed.**
- D99-04-033 **I98-08-004 – Investigation on the Commission's own motion into the operations, practices, and conduct of Coral Communications, Inc. (Coral) and Michael Tinari, President of 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**
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services the subscribers never authorized. Grants limited rehearing of D98-12-010 for the purposes of modifying D98-12-010; modifies D98-12-010 as set forth; denies rehearing of D98-12-010 as modified.

RESOLUTIONS

- 4/1/99 ALJ-176-3013 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. **Adopted.**
- E-3592 Pacific Gas and Electric Company's Advice Letters (AL) 1819-E/2117-G, San Diego Gas & Electric Company's AL 1132-E/1124-G, Southern California Gas Company's AL 2760, Southern California Edison Company's AL 1348-E, and California Board of Energy Efficiency's (CBEE) AL 1-E/1-G. Requests approval of 1999 energy efficiency programs, as recommended by the CBEE. **Approved as modified.**
- E-3593 Resolution authorizing Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SCE) to defer payment of 50% of the electric bills of qualifying citrus growers for a period of twelve months. **Adopted. PG&E and SCE may file advice letters implementing this resolution within 10 days.**
- G-3242 Advice Letter 2709 of Southern California Gas Company. For authority to establish a single customer class for all electricity generators in its service territory and to eliminate the collateral discount rule. **Provisionally approves request to eliminate the cogenerator gas allowance. The Office of Ratepayer Advocates' protest regarding the termination date of the Cogenerator Gas Allowance (CGA) is granted. The Southern California Utility Power Pool and the Imperial Irrigation District's supplemental protest regarding the termination date of the CGA is denied. Their request to eliminate the collateral discount is granted.**

- G-3243 Advice Letter (AL) 2701 of Southern California Gas Company. Request authorization to adjust its cogeneration default rates due to the sale of a utility generating facility. **Rendered moot by G-3242 and is denied. The protest by the California Cogeneration Council and Watson Cogeneration Company is also moot and denied.**
- M-4793 Resolution authorizing disclosure of information concerning utility readiness with respect to the year 2000 computer problem, including utility responses to M-4792, dated November 19, 1998. **Adopted.**
- O-0032 Advice Letter 22 of Chevron Pipeline Company. Request to withdraw from service all movement of crude petroleum on its Rincon System. **Granted.**
- SX-20 Los Angeles County Metropolitan Transportation Authority. Request for authority to make improvements to the train signals and train signs at twenty light rail crossings along Washington Boulevard, in the City of Los Angeles. **Granted as set forth in Appendix A.**
- T-16273 Advice Letter 19968 of Pacific Bell (Pacific). Request for approval of a resale agreement between Pacific and Tel West Communications, LLC, submitted under provisions of Resolution ALJ-174 and General Order 96-A. **Granted.**
- T-16277 Advantage Communications Group, Inc. Resolution revoking the certificate of public convenience and necessity. **Adopted.**
- T-16280 Advice Letter (AL) 19828, Supplement AL 19828A and AL 19828B; AL 19969, Supplement AL 19969A and AL 19979 of Pacific Bell (Pacific). Request for approval of three interconnection agreements between Pacific and GTE California, Inc.; Pacific and Option One Communications, Inc.; and Pacific and e.spire Communications, Inc., submitted under provisions of Resolution ALJ-174 and General Order 96-A. **Granted. The protest by California Cable Television Association is withdrawn.**
- T-16281 Advice Letter 8955 of GTE California (GTEC). Request

- for approval of an interconnection agreement between GTEC and Allegiance Telecom, Inc., submitted under provisions of Resolution ALJ-174 and General Order 96-A. **Granted.**
- TL-18886 Resolution approving issuance of charter-party carrier certificates pursuant to Section 5374(b) of the Public Utilities Code. **Adopted as set forth in attachment.**
- TL-18888 Catalina Channel Express, Inc. Request to increase its water taxi service fares between points in the Long Beach Harbor pursuant to General Order 109. **Granted.**
- W-4142 Little Bear Water Company, Inc. Request to terminate existing surcharge and repay loan under the Safe Drinking Water Bond Act. **Granted.**

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

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

NONE FILED

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

All-Party Meeting

April 15, 1999
3 pm

California Public Utilities Commission
505 Van Ness Avenue, Conference Room 5305
San Francisco

This notice is being sent to all parties of record in Docket No's. A. 98-05-019, A.98-05-021, and A.98-05-024

There will be an All-Party Meeting with Commissioner Henry M. Duque and Michelle Cooke, Advisor to Commissioner Duque, regarding the Proposed Decision of ALJ Barnett and the alternate of Commissioner Duque in the above referenced docket. Please RSVP with representative name(s), affiliation, and telephone and fax numbers to be reached in the event of any changes to this meeting. Please call Mary Lou Tousey at (415) 703-2593 or e-mail her at **Error! Bookmark not defined.** NO LATER than the end of business day on Tuesday, April 13, so there is adequate time to advise the Commissioner of the attendees.

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.

3/17/99 A95-10-024 Pacific Gas and Electric Company, for authorization to implement a plan of reorganization which will result in a holding company structure.

Summary: On March 9, 1999 Southern California Edison ("SCE") met twice with PUC officials at Commission headquarters and engaged in oral ex parte communications. SCE's Bruce Foster and Michael Hoover met with (1) Commissioner Neepor and his advisor, David Gamson, and (2) Commission President Bilas and his advisor, Dorothy Duda. In each meeting SCE expressed the view that out of state companies would have a competitive advantage over California energy utilities if the latter had financial conditions imposed on them and the former did not, and that Conclusions of Law 5 and 6 of the proposed decision ("PD") recognized that principle in regard to Pacific Gas & Electric Co. ("PG&E") and other California energy utilities. In like manner, Mr. Foster questioned how the public interest is served by imposing these financial conditions upon Edison International. The proposed financial conditions would limit the size and growth of SCE affiliates, Mr. Foster said, at the same time the Commission is implementing actions that could reduce growth opportunities for SCE. Mr. Foster said the Commission should focus on regulation through structures such as performance based ratemaking ("PBR") and not through regulation of utility holding companies or affiliates. SCE concluded by urging the

PUC officials to reject the ALJ's recommendation in Conclusion of Law 7, adding that imposition of such conditions are of questionable legality.

Filer: Southern California Edison Company

Contact: David E. Van Iderstine

Phone: (626) 302-3121

- 3/25/99 A98-05-004 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,
- A98-05-006 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.
- A98-05-015 Southern California Edison Company, to address restructuring implementation costs pursuant to Public Utilities Code section 376, in compliance with Ordering Paragraph 18 of D97-11-074.

Summary: On March 22, 1999 Southern California Edison Co.'s ("SCE") Bruce Foster and Michael R. Hoover communicated with Commissioner Neeper at CPUC in a meeting initiated by the utility. The utility representatives said they strongly disagree with the administrative law judge's proposed decision ("PD") issued on 3/11/99. In reference to the PD's Phase I identification of costs eligible for "376" recovery and Phase II's determination of cost reasonableness, SCE insisted it would be unfair and punitive to order SCE to perform specific functions, and two years later to deny SCE the opportunity to demonstrate the reasonableness of those costs. Additionally, Mr. Foster stated the PD assumes a role for the Utility Distribution Company ("UDC") that has not yet been articulated, leading to the assumption the UDC is the same as any competitor while ignoring SCE's obligations. The PD's faulty logic concludes disallowed costs will be recovered from the market, Mr. Foster continued, but it fails to define the market.

Filer: Southern California Edison Company

Contact: Anthony V. Archer

Phone: (626) 302-2310

- 3/25/99 A98-05-019 San Diego Gas & Electric Company, for authority to increase its authorized return on common equity, to adjust its existing ratemaking capital structure, to adjust its authorized embedded costs of debt and preferred stock, to decrease its overall rate of return, and to revise its electric distribution and gas rates accordingly.
- A98-05-021 Pacific Gas and Electric Company, for authority to establish its authorized rates of return on common equity for electric distribution and gas distribution, and establish its unbundled rates of return for calendar year 1999 for electric distribution and gas distribution.

A98-05-024 Southern California Edison Company, for consideration of unbundled rate of return on common equity, capital structure, cost factors for embedded debt and preferred stock, and overall rate of return for utility operations.

Summary: On March 19, 1999 Bruce Foster of Southern California Edison Co. ("SCE") told Commissioner Neepser that SCE had recently received inquiries on PUC's performance based ratemaking ("PBR") trigger mechanism in connection with the 1999 cost of capital proceeding. The meeting, initiated by SCE, occurred in Commissioner Neepser's office at CPUC. Mr. Foster added these inquiries suggested a desire to reset SCE's return on equity in the trigger mechanism. The SCE representative said such updating would be inconsistent with the PBR mechanism adopted by the Commission. It would be a poor policy, Mr. Foster said, for PUC to modify a key element of the trigger mechanism while the PBR rates were in effect.

Filer: Southern California Edison Company

Contact: Anthony Archer

Phone: (626) 302-4039

3/29/99 A98-05-004 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,
A98-05-006 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, and
A98-05-015 Southern California Edison Company, to address restructuring implementation costs pursuant to Public Utilities Code section 376, in compliance with Ordering Paragraph 18 of D97-11-074.

Summary: On March 25, 1999, an attorney for the California Industrial Users ("CIU") initiated oral and written ex parte communications at CPUC with Commissioner Neepser and his advisor, David Gamson. Dan L. Carroll told the commissioner CIU supported Administrative Law Judge Minkin's proposed decision ("PD") in A.98-05-015. He said the record supports the PD, including testimony of Dr. Stern of Edison and Dr. Barkovich for CLECA/CMA. The principle of competitive neutrality applies to the 376 proceeding he said. Mr. Carroll added that while CIU could reluctantly support Commission President Bilas' alternate decision ("AD") on issues of market interface costs and billing modification, they oppose that portion of the AD allowing Edison to make later application for undefined eligible categories that require funding in 1999. CIU opposes both decisions' denial of

settlements of Pacific Gas & Electric Co. ("PG&E") and San Diego Gas & Electric Co. with the Office of Ratepayer Advocates and others, including CIU as to the PG&E settlement. If issued, the PD and AD will chill future settlements in complicated multi-party cases, Mr. Carroll said, unduly empowering a small number of holdouts. The Commission should approve the PG&E settlement, Mr. Carroll concluded, and he requested the commissioner author an AD approving the settlements.

Filer: California Industrial Users

Contact: Tammy Andrade

Phone: (916) 441-0131

3/30/99 A98-01-014 San Diego Gas & Electric Company, for authority to implement a distribution performance-based ratemaking mechanism.

Summary: On March 25, 1999, Southern California Edison Co. ("SCE") representatives attended an "all party" meeting at CPUC and conveyed oral ex parte communications to Commissioner Duque. Representing SCE were Bruce Foster and Mike Hoover. Other parties in attendance were Office of Ratepayer Advocates ("ORA"), UCAN, NRDC, Sempra Energy, California Energy Markets, Pacific Gas & Electric Co., and San Diego Gas & Electric Co. Mr. Foster stated SCE has been operating under a rate index PBR not inconsistent with energy efficiency or distributed generation. He said there needs to be consistency in Commission decisions regarding cost recovery from the new market and PBR mechanisms.

Filer: Southern California Edison Company

Contact: Bruce Reed

Phone: (626) 302-4183

4/2/99 A98-05-004 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,
A98-05-006 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, and
A98-05-015 Southern California Edison Company, to address restructuring implementation costs pursuant to Public Utilities Code section 376, in compliance with Ordering Paragraph 18 of D97-11-074.

Summary: On March 30, 1999 Southern California Edison Co.'s ("SCE") representatives communicated orally and in writing with Commissioner President Bilas during an "all party"

meeting at CPUC which was initiated by Enron Corp. Representing SCE were Bruce C. Foster, Michael R. Hoover, John P. Hughes, and Tres M. Petmecky. Other parties attending were Pacific Gas & Electric Co., San Diego Gas & Electric co., Office of Ratepayer Advocates, The Utility Reform Network, Energy Producers and Users Coalition, California Association of Cogenerators, California Industrial Users, California Large Energy Consumers Assoc., University of California/Cal State University system, and California Manufacturers Assoc. SCE's four (4) page Notice of Ex Parte Communications and sixteen (16) page attachment constituting the writing distributed to all attendees presented numerous points. Among them: There are several problems with the proposed decision. It is unclear which activities SCE are required to perform. It is unclear which activities SCE may terminate. The PD in denying § 376 recovery in favor of "market" recovery fails to define the market. Facts "29" and "72" raise several questions (and SCE lists them). The PD's defined role of the Utility Distribution Company ("UDC") is inconsistent with Commission decisions and reflects an incorrect view of UDC authority and responsibility. The PD should be modified to comport with previous PUC decisions and Assembly Bill 1890. Mr. Foster concluded by insisting the utilities must be allowed the opportunity to justify the reasonableness of the costs they incurred to implement direct access and comply with Commission decisions. The written ex parte handout contains numerous data, headings, and arguments, including tables of "Industry Restructuring Costs" and various "ESP" and other comments.

Filer: Southern California Edison Company

Contact: Anthony V. Archer

Phone: (626) 302-2310

- | | | |
|--------|------------|---|
| 4/8/99 | 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 April 5 and 6, 1999, Pacific Bell ("PacBell") conveyed the same oral ex parte communications in a series of three meetings they initiated at CPUC with (1) Commissioner Duque and advisor Tim Sullivan, (2) Commission President Bilas, and (3) Commissioner Neep and advisor Fassil Fenikile. PacBell's contingent varied slightly from meeting to meeting. Jim Callaway, Ray Blase, and Cynthia Marshall attended the meeting with Commissioner Duque. Mr. Blase and Ms Marshall attended the meeting with President Bilas. Attending the meeting with Commissioner Neep were Mr. Blass, Ms Marshall, and Steve Huston. In each meeting, PacBell stated their OSS testing activities plan filed on 1/11/99 met the requirements of CPUC's "271" final decision on 12/17/98.

PacBell said their test plan is sufficient and meets the requirements of the FCC and Department of Justice relative to OSS testing. Their testing is similar to tests being performed in the other states, PacBell stated. PacBell concluded by expressing reservations over the "closed process" and very limited exchange of information since the 1/11/99 OSS test plan filing.

Filer: Pacific Bell

Contact: Lila Tam

Phone: (415) 542-9268

4/9/99 A98-01-014 San Diego Gas & Electric Company, for authority to implement a distribution performance-based ratemaking mechanism.

Summary: On April 7, 1999 representatives from the Natural Resources Defense Council ("NRDC") met with Commission President Bilas and conveyed oral ex parte communications to him. The occasion was a meeting initiated by President Bilas. NRDC attendees were Ralph Cavanagh and Peter Miller. Other parties in attendance were Sempra Energy, Pacific Gas & Electric Co., and Office of Ratepayer Advocates ("ORA"). Mr. Cavanagh stated NRDC's support for the revenue-per-customer mechanism in the administrative law judge's proposed decision and President Bilas' alternate H-7b. Mr. Cavanagh stated opposition to San Diego & Electric Co.'s support for the rate cap mechanism. He stated other mechanisms would ensure SDG&E does not cut off power to customers as a way to reduce throughput and thereby increase profit under a revenue per customer mechanism. NRDC emphasized that the revenue per customer mechanism is simply an alternative PBR index mechanism. Mr. Cavanagh concluded by asserting there is no support in the record that the revenue per customer mechanism would create a load building incentive.

Filer: Natural Resources Defense Council

Contact: Peter Miller

Phone: (415) 777-0220

4/9/99	A98-05-004	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,
	A98-05-006	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, and
	A98-05-015	Southern California Edison Company, to address restructuring implementation costs pursuant to Public Utilities Code section 376, in compliance with Ordering

Paragraph 18 of D97-11-074.

Summary: On April 5, 1999 Michael R. Hoover of Southern California Edison Co.'s ("SCE") communicated orally and in writing at CPUC with Michelle Cooke, advisor to Commissioner Duque. SCE initiated the ex parte meeting.. SCE's four (4) page Notice of Ex Parte Communications and sixteen (16) page attachment constituting the writing provided to Ms Cooke presented numerous points. Among them: There are several problems with the proposed decision. It is unclear which activities SCE are required to perform. It is unclear which activities SCE may terminate. The PD in denying § 376 recovery in favor of "market" recovery fails to define the market. Facts "29" and "72" raise several questions (and SCE lists them). The PD's defined role of the Utility Distribution Company ("UDC") is inconsistent with Commission decisions and reflects an incorrect view of UDC authority and responsibility. The PD should be modified to comport with previous PUC decisions and Assembly Bill 1890. Mr. Foster concluded by insisting the utilities must be allowed the opportunity to justify the reasonableness of the costs they incurred to implement direct access and comply with Commission decisions. The written ex parte handout contains numerous data, headings, and arguments, including tables of "Industry Restructuring Costs" and various "ESP" and other comments.
