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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*

320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013  
(213) 576-7000

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

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## **Daily Calendar** **Thursday, June 3, 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



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**

<b>June 3, 1999 *</b>	<b>10 am</b>	<b>San Francisco</b>
June 10, 1999	10 am	San Francisco
June 24, 1999	10 am	San Francisco
July 8, 1999	10 am	San Francisco

**\* This is a continuation meeting of the May 27, 1999 Commission Agenda**

**REGULAR COMMISSION ADMINISTRATIVE MEETINGS**

June 8, 1999	4 pm	San Francisco
June 15, 1999	4 pm	San Francisco
June 22, 1999	4 pm	San Francisco
June 29, 1999	4 pm	San Francisco
July 6, 1999	4 pm	San Francisco
July 13, 1999	4 pm	San Francisco
July 20, 1999	4 pm	San Francisco
July 27, 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.*

June 7, 1999	1:30 pm	San Francisco
June 21, 1999	1:30 pm	San Francisco
July 6, 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; Suite 500, 320 West 4<sup>th</sup> Street 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.

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**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) 576-7055.*

<b><u>Date/Time</u></b>	<b><u>Commissioner</u></b>	<b><u>Location</u></b>
6/8/99, 10 am - 12 pm	Henry M. Duque	State Office Building 320 West 4th Street, Suite 500 <b>Los Angeles</b>
6/17/99, 9 am - 12 pm	Josiah L. Neepser	State Office Building 1350 Front Street, Room 4006 <b>San Diego</b>

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**PUBLIC MEETINGS & WORKSHOPS**

**Workshop**

June 4, 1999  
10 am

California Public Utilities Commission  
505 Van Ness Avenue, Training Room  
(Corner of Van Ness Avenue and McAllister Street)  
**San Francisco**

Pursuant to the May 21, 1999 Assigned Commissioner's Ruling (ACR) in PG&E's Test Year 1999 General Rate Case, A.97-12-020, et al., PG&E in consultation with the Energy Division, has scheduled a workshop to discuss the results of operations (RO) modeling procedures that will be used for decision support in the proceeding. These procedures provide for PG&E to run, or to provide assistance to the Energy Division in running, the simplified version of PG&E's RO model at the Commission's offices with the Energy Division's oversight. The Energy Division will participate in the workshop to explain its plans for oversight and supervision of the modeling process. If parties have specific

questions they want to have addressed at the workshop they should submit the questions to PG&E and Energy Division no later than 5 pm Wednesday, June 2, 1999. Parties should submit questions by fax or email to both Bruce Smith of PG&E (fax: 415-973-7131, email: bts1@pge.com), and Don Lafrenz of the Energy Division (fax: 415-703-2200, email: dlf@cpuc.ca.gov). For further information contact Don Lafrenz at 415-703-1063.

**Public Meeting**

<p>June 7, 1999                  10 am - 4 pm</p> <p>and</p> <p>June 14, 1999                  10 am - 4 pm</p>	<p><i>Deaf and Disabled Telecommunications Program</i>                  1939 Harrison Street, Suite 555                  DDTP Conference Room  <b>Oakland</b></p>
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The Deaf and Disabled Telecommunications Program (DDTP) Field Operations Subcommittee will conduct a meeting to address the following: (a) Public Input, (b) Review and Discuss Information Received From the Local Telcos Regarding Field Service and Walk-in Center Operations, (c) Miscellaneous Field Operations-Related Issues, (d) Formulation of Recommendations for DDTPAC, and (e) Next 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 - Low Income Governing Board**

<p>June 8, 1999                  11 am - 4 pm (PST)</p> <p>June 9, 1999                  9 am - 4 pm (PST)</p>	<p><i>Burbank Public Library</i>                  110 North Glenoaks Boulevard  <b>Burbank</b></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 approve action on proposed Commission orders and proceedings; (5) review and discuss resolution E-3601 and compliance filing (if passed); (6) deliberate and approve on pending utility filings; (7) deliberate and adopt Phase II strategy and comments, including workshop input [scheduled to be due on or about June 16]; (8) Develop recommended LIGB outreach initiative for Commission approval; (9) develop recommended LIGB oversight initiative for Commission approval; (10) deliberate and approve action on pending legislation; (11) deliberate and adopt recommendations regarding LGB response to utilities administrative cost filings; (12) review recent Commission's rulings and adopt a Board position regarding customer eligibility (G.O. 153, liquid asset test, etc.); (13) review and modify critical path schedule;

(14) updates from the CPUC Energy Division, Office of Ratepayer Advocates, and Legal Division; (15) deliberate and discuss LIGB recommendations regarding the Energy Division's workshop report; (16) Discuss CBEE per diem issue; (17) deliberate and discuss strategy for responding to, and working with, municipal utilities regarding low income programs; (18) deliberate and define legal counsels' formal guidelines to give Board guidance; (19) deliberate and adopt Board's meeting schedule; (20) status report of Advisory Committee and confirmation of new members; (21) discuss archiving LIGB files. 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). This location is wheelchair accessible. The meeting is open to the public. For more information contact Tess Kouyate at (510) 251-2888, extension 2208.

**Public Meeting & Workshop - Low Income Governing Board**

<p>June 8, 1999 4 pm – 7 pm (PST)</p>	<p>Burbank Public Library 110 North Glenoaks Boulevard <b>Burbank</b></p>
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The Board with MSB Energy Associates will meet to discuss the following topics:  
(1) Future Administration of California Public Utilities Commission Low Income Energy Programs.

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). This location is wheelchair accessible. The meeting is open to the public. For more information contact Tess Kouyate at (510) 251-2888, extension 2208.

**Public Meeting - REINSTATED (AS OF 5/24/99)**

<p>June 9, 1999 9 am - 4 pm</p>	<p>GTE of California 1 GTE Place <b>Thousand Oaks</b></p>
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The **California Number Pooling Task Force** will be holding a public meeting on Wednesday, June 9, 1999 at 1 GTE Place, Thousand Oaks, California. The Number Pooling Task Force was established by the California Public Utilities Commission to examine the efficient use of numbering resources, including the feasibility of developing improved tools for conserving central office codes. Please call Fernando Cornejo of GTE of California at (805) 372-6291 for information and meeting details.

**Public Meeting**

<p>June 9, 1999 9:30 am - 3:30 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) <b>San Francisco</b></p>
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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 May 1999, Interim Marketing Program Update, Review ULTSMB Correspondences, Low Income Governing Board

Resolution Discussion, PUC Report and Action Items, Discussion of Year 2000 Planning Retreat, Review Previous Studies and Data, Announcements, Set Agenda Items for Future Discussion, and Hear Public Comments. **Executive Session:** Review and Approve Market Research RFP, and Discuss Interim Marketing Program.

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 - REVISED AS OF 6/1/99**

<i>June 10, 1999 10 am - 5 pm</i>	<i>Pacific Energy Center 851 Howard Street San Francisco</i>
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Teleconference Information: This meeting is accessible by teleconference. To call in, dial: 1-800-226-1024. 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](mailto:egunn@cpuc.ca.gov) with any questions regarding teleconferencing.

The California Board for Energy Efficiency (CBEE) will meet to discuss the following topics: Program Year (PY) 1999 Programs and Priorities for PY 1999 and PY 2000/2001; Program Planning for PY 2000/2001, Including the Utilities' Proposed Plan and Schedule for the June-September Planning Process, and Comments on the CBEE's May 12 Filing; Briefings on Program Priorities; Follow-up on Prior Program Briefings; Energy Division Workshop on Board Structure and Operating Procedures, Including the Energy Division Workshop Report; CBEE Annual Report; Market Assessment and Evaluation (MA&E); Phase 2 Process on Future Administration; Legislative Update; Reporting Administrative Versus Implementation Activities and Costs, and Reporting Requirements; CBEE Work Plan and Schedule for 1999; Organizational Planning and Staffing; Board Compensation; 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](http://www.cbee.org).

**Public Meeting**

<i>June 17, 1999 1:30 pm - 4 pm</i>	<i>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 (Corner of Van Ness Avenue and McAllister Street) 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 Expenses and Authorize Administrative Transfer, PUC Report and Action Items, Review/Acceptance of the Amervest Report and Recommendations, Review/Approve Administrative Report and Action Items, Set Agenda for Future Meetings, and Hear Public Comments. The

ULTS Administrative Committee will meet in Executive Session to discuss/approve staff performance and salaries.

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**

<p>June 22, 1999 10 am - 1 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room T.B.A. (Corner of Van Ness Avenue and McAllister Street) <b>San Francisco</b></p>
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The TDD Interim Placement Committee (TPIC) 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 TPIC Program at (925) 855-3890. The TPIC will meet to discuss the following topics: (1) Meeting Overview; (2) Minutes from April 29, 1999 TPIC Meeting; (3) Staff Reports -- including Financials and Staffing. (4) Discussion of Sample Form for Application to Obtain Program Equipment; (5) Review of Bids from the RFQ -- TPIC Director will provide a Summary of the bids; (6) Public Input; and (7) New Items for Future Agenda.

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

Draft Resolution Approving Disclosure Of Investigative Report of the Utilities Safety Branch (USB) and Correspondence between USB and Southern California Edison Company Available For Public Review And Comment.

A draft resolution (L-279) of the Legal Division approving disclosure of information concerning incident 19980527-01, dated May 24, 1999, will be on the June 24, 1999 Commission meeting agenda. The Commission may vote on this resolution at that time, or it may postpone a vote until later. When the Commission votes on L-279, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare a different resolution.

The draft resolution was circulated on May 24, 1999 to the requesting party, Douglas M. Booth and to Southern California Edison Company.

Interested parties may request that USB's investigative report and correspondence with Southern California Edison Company be treated as confidential. Interested parties seeking confidential treatment should recognize the strong public interest in disclosure of information concerning incidents involving public utilities, and should seek confidential treatment only if they can demonstrate to the Commission's



satisfaction both that the portions they wish kept confidential fall within a specific exemption in the California Public Records Act (Government Code Section 6250 et seq.) and that the public interest in nondisclosure clearly outweighs the public interest in disclosure. Any request for confidentiality must be filed prior to the close of the comment period for this resolution.

Interested parties may obtain a copy of L-279 for review and submission of written comments. A copy of the draft resolution may be obtained from, and any subsequent written comments should be submitted to:

Andrew Ulmer  
Legal Division  
California Public Utilities Commission  
505 Van Ness Avenue, Room 4300  
San Francisco, CA 94102  
Telephone: (415) 703-1998

An original and 2 copies of comments must be received by the Legal Division no later than Monday, June 14, 1999. Comments shall focus on factual, legal or technical error in the proposed resolution. Late filed comments will ordinarily be rejected. However, in extraordinary circumstances, a request for leave to submit comments late, together with the proposed comments, may be filed. An accompanying declaration under penalty of perjury shall also be submitted setting forth all the reasons for the late submission.

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*Draft Resolution Regarding Filing Of Certificates of Insurance By Organizations That Provide Transportation Services Incidental To Operation Of A Youth Camp Available For Public Review And Comment.*

A draft resolution of the Rail Safety and Carriers Division that clarifies the requirements for filing certificates of insurance to evidence adequate protection against liability by organizations that provide transportation services incidental to operation of a youth camp will be on the June 24, 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 May 25, 1999 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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Draft Resolution Regarding A Temporary Fare Increase for Ross A. Vitalie, DBA Door-To-Door Airporter Shuttle Service, To Offset Increased Fuel Costs Available For Public Review And Comment.

A draft resolution (TL-18894) of the Rail Safety and Carriers Division that authorizes Russ A. Vitalie, dba Door-to-Door Airporter Shuttle Service, to temporarily increase his fares for on-call shuttle van service to and from Eureka-Arcata Airport will be on the June 24, 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 May 25, 1999 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**

5/28/99	A99-05-043	TII Incorporated, for registration as an interexchange carrier telephone corporation pursuant to the provisions of PU Code Section 1013
5/28/99	A99-05-044	Southern California Gas Company, for authority to modify and make permanent its requirements for contractors installing earthquake valves on its facilities, and to modify charges for SoCalGas' valve installation and related services
6/1/99	A99-06-001	Ultimate Communications, Inc., dba UCI Communications, Inc., for registration as an interexchange carrier telephone corporation pursuant to the provisions of Public Utilities Code Section 1013

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

NONE

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

6/2/99	C98-07-031	Wesley Crawford Muhammad and Shontelle Crawford Muhammad, Complainants, vs. Pacific Gas and Electric
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Company, Defendant; **Presiding Officer's Decision**

The complaint of Wesley Crawford Muhammad and Shontelle Crawford Muhammad is denied since complainants failed to prove their allegations of improper, biased treatment of them and other similarly disadvantaged customers by defendant Pacific Gas and Electric Company

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**ADVICE LETTER FILINGS**

**NONE**

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**MISCELLANEOUS TRANSPORTATION ITEMS**

**June 3, 1999**

Filings with Rail Safety and Carriers Division

05/28/99      TCP 12639-A      John Kenneth Stoesser, DBA H.M.S. Town Car,  
Address: 433 ½ Dahlia, Corona Del Mar, California  
92625, Telephone: (949) 675-8848; Terminal Address:  
same; Application filed for new Class A authority

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**June 3, 1999**

**NONE**

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**ADJOURNMENTS \* RESETTINGS \* SUBMISSIONS**

A99-03-047      Pulsifer - In the matter of the petition of Pacific Bell  
for arbitration of an interconnection agreement with  
MFS/WorldCom pursuant to Section 252(b) of the  
Telecommunication Act of 1996,  
**Evidentiary Hearing held and continued to June 4**

- A99-03-065 Patrick - In the matter of the application of the Southern California Water Company (U 133 W) for an order authorizing a general rate increase in its Wrightwood customer service area to increase gross revenues by %5.98 or 13.06% in the year 2000; \$7.04 or 13.59% in the year 2001; and \$6.84 or 11.63% in the year 2002,
- A99-03-066 Patrick - Southern California Water Company, for an order authorizing a general rate increase in its Calipatria-Niland customer service area to increase its revenues by \$73.33 or 110.81% in the year 2000; \$93.81 or 67.25% in the year 2001; and 488.96 or 38.13% in the year 2002,
- A99-03-067 Patrick - Southern California Water Company for an order authorizing a general rate increase in its Claremont customer service area to increase its revenues by \$11.57 or 15.87% in the year 2000; \$2.83 or 3.34% in the year 2001; \$2.83 or 3.34% in the year 2002,
- A99-03-068 Patrick - Southern California Water Company for an order authorizing a general rate increase in its Barstow customer service area to increase its revenues by \$7.7 or 19.105 in the year 2000; \$5.48 or 11.39% in the year 2001; and \$5.63 or 10.51% in the year 2002,  
**Public Participation Hearing held and continued to June 7**
- A97-10-024 Bytof - Application of Southern California Edison Company (U 338-E) for authority to recover capital additions to its fossil generating facilities made between January 1, 1996 and December 31, 1996 and related substantive and procedural relief,  
**Prehearing Conference held and no report given**
- C99-05-015 Wright - Jamsheed Akhavan vs. Southern California Gas Company,  
**ECP Hearing held and no report given**
- R96-11-004 Malcolm - Order instituting rulemaking for electric distribution facility standard setting,  
**Prehearing Conference held and no report given**
- A98-08-001 **(EH)** - In the matter of the application of Airporter, Inc., doing business as Santa Rosa Airporter, to amend
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and modify its passenger stage certificate #9023, by removing the "reservation only restrictions" for five listed cities in Marin County, and to expand its authorized service to all points in the cities of Novato, Marinwood, Terra Linda, San Rafael, Corte Madera, and Mill Valley for both routes 1 (SFO) and 2 (OAK), with retention of the current "Half-Mile proximity restriction" within these cities,

**Evidentiary Hearing set for July 15, reset to November 16**

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### REMOVALS FROM CALENDAR

A99-05-020 Weiss - Application of Kern River Valley Water Company (U-295-W) for authority to increase rates charged for water service as authorized by NOI 99-03-055,  
**Prehearing Conference set for June 18, removed from the calendar, to be rescheduled later**

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### NEW SETTINGS

6/15/99 9:00 a.m. (WS) - Application of Southern California Edison  
ALJ Biren A.99-03-020 Company (U 338-E) for approval of further guidelines  
Comr Bilas for evaluation and reporting requirements on the  
distribution performance based ratemaking (PBR)  
mechanism,  
**Conference Room 5102, San Francisco, (also June 16-18)**

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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

5/18/99 9:30 a.m. NONE SCHEDULED

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5/25/99	9:30 a.m.	NONE SCHEDULED
6/2/99	9:30 a.m.	NONE SCHEDULED

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### FINAL ORAL ARGUMENTS

NONE

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### HEARINGS

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

**(PHC)** = Prehearing Conference  
**(EH)** = Evidentiary Hearing  
**(PPH)** = Public Participation Hearing  
**(IAM)** = Initial Arbitration Meeting  
**(M)** = Mediation

**(FOA)** = Final Oral Argument  
**(WS)** = Workshop  
**(FPH)** = Full Panel Hearing  
**(AH)** = Arbitration Hearing  
**(CA)** = Closing Argument

6/3/99	10:00 a.m.	<b>(PHC)</b> - Marcella Beagle vs. Pacific Bell, for improper billing practices, <b>Telephone Conference, San Francisco</b>
ALJ Vieth	C.99-03-016	
Comr Neeper		

6/3/99	10:00 a.m.	<b>(PHC)</b> - In the matter of the application of the California-American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Monterey Division to increase revenues by \$2,594,600 in the year 2000; \$1,039,400 in the year 2001; and \$893,300 in the year 2002, <b>Commission Courtroom, San Francisco</b>
ALJ McVicar	A.99-04-003	
Comr Duque		

6/4/99	10:00 a.m.	<b>(EH)</b> - Pacific Gas and Electric Company for authority to establish post-transition period electric ratemaking mechanisms, <b>(EH)</b> - San Diego and Electric Company for authority to implement post rate freeze ratemaking mechanism, <b>(EH)</b> - Southern California Edison Company (U 338-E) to: (1) propose a method to determine and
ALJ Malcolm	A.99-01-016	
ALJ Minkin	A.99-01-019	
Comr Duque	A.99-01-034	

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	A.99-02-029	implement the end of rate freeze; and (2) propose ratemaking which should be in place after the end of the rate freeze period, <b>(EH)</b> - Application of San Diego Gas & Electric Company: (1) informing the Commission of the probable timing of the end of its 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, <b>Commission Courtroom, San Francisco</b>
6/4/99 ALJ O'Donnell Comr Neeper	10:00 a.m. A.99-03-027	<b>(PHC)</b> - In the matter of the application of Citizens Telecommunications Company of California, Inc. (U-1024-C) to review its new regulatory framework, <b>Department of Education Building, Room 288, 560 "J" Street, Sacramento</b>
6/4/99 ALJ Pulsifer Comr Duque	10:00 a.m. A.99-03-047	<b>(EH)</b> - In the matter of the petition of Pacific Bell for arbitration of an interconnection agreement with MFS/WorldCom pursuant to Section 252(b) of the Telecommunication Act of 1996, <b>Commission Courtroom, San Francisco, (also June 7-10)</b>
6/7/99 ALJ Pulsifer Comr Duque	3:00 p.m. R.95-04-043 I.95-04-044	<b>(OA)</b> - Order instituting rulemaking on the Commission's own motion into competition for local exchange service, <b>(OA)</b> - Order instituting investigation on the Commission's own motion into competition for local exchange service, <b>Commission Auditorium, San Francisco</b>
6/7/99 ALJ Patrick Comr Neeper	7:00 p.m. A.99-03-065 A.99-03-066	<b>(PPH)</b> - In the matter of the application of the Southern California Water Company (U 133 W) for an order authorizing a general rate increase in its Wrightwood customer service area to increase gross revenues by %5.98 or 13.06% in the year 2000; \$7.04 or 13.59% in the year 2001; and \$6.84 or 11.63% in the year 2002, <b>(PPH)</b> - Southern California Water Company, for an order authorizing a general rate increase in its Calipatria-Niland customer service area to increase its revenues by \$73.33 or 110.81% in the year 2000;

		\$93.81 or 67.25% in the year 2001; and 488.96 or 38.13% in the year 2002,
	A.99-03-067	<b>(PPH)</b> - Southern California Water Company for an order authorizing a general rate increase in its Claremont customer service area to increase its revenues by \$11.57 or 15.87% in the year 2000; \$2.83 or 3.34% in the year 2001; \$2.83 or 3.34% in the year 2002,
	A.99-03-068	<b>(PPH)</b> - Southern California Water Company for an order authorizing a general rate increase in its Barstow customer service area to increase its revenues by \$7.7 or 19.105 in the year 2000; \$5.48 or 11.39% in the year 2001; and \$5.63 or 10.51% in the year 2002, <b>Claremont Council Chambers, 207 Harvard Avenue, Claremont;</b> <b>June 8, 7:00 p.m., Methodist Church, 1543 Barbara Street, Wrightwood</b>
6/8/99	10:00 a.m.	<b>(EH)</b> - San Diego Gas and Electric Company and Southern California Gas Company for approval of a gas transmission service tariff,
ALJ Barnett Comr Duque	A.98-07-005	
	A.98-10-012	<b>(EH)</b> - Southern California Gas Company authority to revise its rates effective August 1, 1999 in its biennial cost allocation proceeding,
	A.98-10-031	<b>(EH)</b> - 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 June 9)</b>
6/8/99	9:30 a.m.	<b>(EH)</b> - In the matter of the application of Airport Services of Rajinder Singh Randhawa, dba American Express Shuttle for the authority to operate as a passenger stage corporation between points in Alameda County, Santa Clara County, San Mateo County and San Joaquin County and Oakland International Airport, San Francisco International Airport, and Sacramento International Airport, Contra Costa County,
ALJ Rosenthal Comr Duque	A.99-02-019	<b>Commission Courtroom, San Francisco, (also June 9)</b>
6/8/99	10:00 a.m.	<b>(PHC)</b> - Application of Western Gas Resources - California, Inc. for a Certificate of Public Convenience
ALJ Biren	A.99-04-010	



Comr Bilas		and Necessity to provide public utility gas transmission and distribution services through the use of certain existing facilities and to construct additional interconnection facilities, <b>(PHC)</b> - Western Gas Resources-California, Inc., vs. Pacific Gas and Electric Company, <b>Commission Courtroom, San Francisco</b>
	C.99-04-004	
6/8/99 ALJ Bushey Comr Bilas	1:30 p.m. C.99-03-045	<b>(PHC)</b> - Tim Selby, a trustee of the San Luis Truck Transfer, Inc., profit sharing trust vs. Union Pacific Railroad, a Corporation, formerly known as Southern Pacific Railroad Company, a Corporation, <b>Commission Courtroom, San Francisco</b>
6/9/99 ALJ Bennett Comr Bilas	1:00 p.m. I.99-04-021	<b>(EH)</b> – Commission Order Instituting Investigation on the Commission’s own motion into the operations and practices of Aijaz Ali Khan and Clara Ines Martinez dba People’s Electric Supply Company, ESP # 1222 <b>Stockton State Building Auditorium 31 East Channel Street, Stockton</b>
6/10/99 ALJ Ryerson Comr Neeper	10:00 a.m. C.99-02-011	<b>(PHC)</b> - Gene H. Whitmore, Jr. vs. Pacific Bell, for payment of money generated to complainant’s 900 account number, <b>Telephone Conference, San Francisco</b>
6/10/99 ALJ Ryerson Comr Duque	3:00 p.m. C.99-03-070	<b>(PHC)</b> - Terril L. Graham, Daun L. Reusche, Norman L. Rogers, et al. Vs. Atascadero Mutual Water Company, for violating the Commission guidelines for mutual water companies by providing water distribution “at cost” to its shareholders and establishing a rate schedule, <b>Telephonic Conference, Commission Room 5012, San Francisco</b>
6/11/99 ALJ Econome Comr Duque	9:00 a.m. I.99-04-022	<b>(PHC)</b> - Order instituting investigation into the operations and practices of the Southern California Gas Company, concerning the accuracy of information supplied to the Commission in connection with its Montebello Gas Storage Facility, <b>Commission Courtroom, San Francisco</b>
6/11/99 ALJ Bytof Comr Duque	10:00 a.m. A.99-03-049	<b>(PHC)</b> - Application of Southern California Gas Company (U 904 G) under the catastrophic event memorandum account (CEMA) for recovery of costs

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related to the El Nino storms,  
**Commission Courtroom, San Francisco**

6/14/99 10:00 a.m. (PHC) - Application of Pacific Gas and Electric  
ALJ Minkin A.98-09-003 Company for Review and Recovery of the Costs and  
Comr Duque 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**

6/14/99 10:00 a.m. (EH) - Application of Lodi Gas Storage, LLC for  
ALJ Econome A.98-11-012 Certificate of Public Convenience and Necessity for  
Comr Bilas construction and operation of gas storage facilities,  
**Commission Courtroom, San Francisco, (also  
June 15-18, 9:00 a.m., also (CA) June 22, 1:30  
p.m.)**

6/15/99 9:00 a.m. (WS) - Application of Southern California Edison  
ALJ Biren A.99-03-020 Company (U 338-E) for approval of further guidelines  
Comr Bilas for evaluation and reporting requirements on the  
distribution performance based ratemaking (PBR)  
mechanism,  
**Conference Room 5102, San Francisco, (also June  
16-18)**

6/15/99 10:00 a.m. (PHC) - In the matter of the application of Southern  
ALJ Stalder A.99-03-063 California Edison Company (U 338-E) for a finding of  
Comr Neeper reasonableness for the ratepayer expenditures for the  
ENVEST pilot program,  
**Commission Courtroom, San Francisco**

6/16/99 7:00-10:00 p.m. (PPH) - Order instituting rulemaking on the  
ALJ Kenney R.98-12-014 Commission's own motion regarding commission  
Comr Neeper policy on area code relief,  
**City Administration Building, Council Chambers,**

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**202 C Street, 12<sup>th</sup> floor, San Diego**  
**June 17, 1999, 7:00 - 10:00 p.m. - Glendale Civic Auditorium, 1401 North Verdugo Road, Glendale**  
**June 24, 1999, 7:00 - 10:00 p.m. - San Jose State University, Morris Dailey Auditorium, One Washington Square, San Jose**  
**June 30, 1999, 7:00 - 10:00 p.m. - City Hall Council Chambers, 531 K Street, Eureka**  
**July 1, 1999, 7:00 - 10:00 p.m. - Sacramento State University, Union Auditorium, 6000 J Street, Sacramento**  
**July 27, 1999, 7:00 - 10:00 p.m. - Fresno Convention Center, Wine Room, 700 M Street, Fresno**

6/18/99 ALJ DeUlloa Comr Duque	1:00 p.m. C.99-04-037	(PHC) - George M. Sawaya vs. Pacific Bell and Sprint Communications Company, <b>Employment Development Department Building, Conference Room, Suite 1A, 4535 Missouri Flat Road, Placerville</b>
6/22/99 ALJ DeUlloa Comr Bilas	10:00 a.m. I.99-04-023	(PHC) - Investigation into Accutel Communications, Inc., dba Florida Accutel Communications, Inc., <b>Commission Courtroom, San Francisco</b>
6/22/99 ALJ Wright	11:00 a.m. C.98-12-034	(ECP) - William H. Maple vs. Arrow Head Manor Water Company, for repairing of the water leakage, <b>The County Complex, Conference Room, 26010 Highway 189, Twin Peaks</b>
6/25/99 ALJ Vieth Comr Duque	10:00 a.m. I.98-12-012	(PHC) - Order instituting investigation on the Commission's own motion into the rates, charges, and practices of water and sewer utilities providing service to mobile home parks and multiple unit residential complexes and the circumstances under which those rates and charges can be passed to the end user, <b>Commission Courtroom, San Francisco</b>
6/28/99 ALJ Barnett Comr Neeper	10:00 a.m. A.98-05-053	(EH) - Application of the Southern California Edison Company (U 338-E) for Review of the Reasonableness of Southern California Edison Company's Operations During the Period from April 1, 1997 through December 31, 1997, <b>Commission Courtroom, San Francisco, (also June 29-30)</b>

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6/28/99 ALJ Walker Comr Duque	10:00 a.m. A.98-09-040	<b>(EH)</b> - Application of the Southern California Water Company for 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, <b>Commission Courtroom, San Francisco (also June 29-July 2)</b>
6/30/99 ALJ DeUlloa Comr Neeper	9:30 a.m. C.98-11-027	<b>(EH)</b> - Reuben and Blanche Bercovitch vs. San Diego Gas & Electric Company and Sempra Energy, for cutting out electric poles to complainants' property, <b>Kearny Mesa Lab Conference Room, 7177 Opportunity Road, San Diego</b>
7/1/99 ALJ O'Donnell Comr Neeper	10:00 a.m. C.99-04-046	<b>(PHC)</b> - Pacific Bell vs. FirstWorld Communications, Inc., for an order finding that the access agreement between FirstWorld and the Mills Corporation is unfairly discriminatory in violation of D.98-10-058 <b>Commission Courtroom, San Francisco</b>
7/6/99 ALJ Mattson Comr Neeper	10:00 a.m. A.98-12-005	<b>(PHC)</b> - 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, <b>Commission Courtroom, San Francisco, (also (EH) July 12-16, July 19-23, July 26-30, 10:00 a.m.)</b>
7/11/99 ALJ Barnett Comr Bilas	10:00 a.m. A.97-12-039	<b>(EH)</b> - San Diego Gas & Electric Company for authority to sell electrical generation facilities and power contracts, <b>Commission Courtroom, San Francisco (also July 13)</b>
7/12/99 ALJ Ryerson Comr Bilas	1:30 p.m. A.99-03-003	<b>(PHC)</b> - Application of the City of Richmond for an order granting a variance to General Order No. 135 to further limit the time permitted for blocking the public streets with crossings at Richmond Avenue and Marina Bay Parkway in the City of Richmond, Contra Costa County, California, <b>Commission Courtroom, San Francisco</b>
7/13/99	10:00 a.m.	<b>(EH)</b> - In the matter of the application of Elk Grove

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ALJ Walker Comr Duque	A.98-12-028	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, <b>Commission Courtroom, San Francisco, (also July 14-16)</b>
7/13/99 ALJ DeUlloa Comr Duque	7:00-10:00 p.m. A.99-01-037	<b>(PPH)</b> - Application of Mountain Utilities (U 906-E) for authority, among other things, to more precisely define its revenue requirement and increase rates and charges for electric service, <b>Commission Auditorium, San Francisco, (also (PPH) July 17, City Council Chambers, City of South Lake Tahoe, 1900 Lake Tahoe Boulevard, South Lake Tahoe, 2:00 p.m. - 5:00 p.m.)</b>
7/19/99 ALJ Vieth Comr Neeper	10:00 a.m. C.99-01-039	<b>(EH)</b> - The Greenlining Institute and Latino Issues Forum vs. Pacific Bell for undisclosed untariffed charges for voicemail services, <b>Commission Courtroom, San Francisco, (also July 20-21)</b>
7/26/99 ALJ Barnett Comr Bilas	10:00 a.m. A.97-12-039	<b>(EH)</b> - In the matter of the application of San Diego Gas & Electric Company (U 902-E) for authority to sell electrical generation facilities and power contracts (SONGS), <b>Commission Courtroom, San Francisco, (also July 27-30)</b>
7/26/99 ALJ Weiss Comr Duque	10:00 a.m. A.98-11-003  A.98-11-015	<b>(EH)</b> - 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, <b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco</b>
8/2/99 ALJ Patrick	10:00 a.m. A.99-03-065	<b>(EH)</b> - In the matter of the application of the Southern California Water Company (U 133 W) for an Order

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Comr Neeper		Authorizing a General Rate Increase in its Wrightwood Customer Service Area to Increase Gross Revenues by \$5.98 or 13.065 in the Year 2000; \$7.04 or 13.59% in the Year 2001; and \$6.84 or 11.63% in the Year 2002, (EH) - and related matters,
	A.99-03-066	(EH) - and related matters,
	A.99-03-067	(EH) - and related matters,
	A.99-03-068	<b>Commission Courtroom, San Francisco, (also August 3-6)</b>
8/2/99	7:00 p.m.	(PPH) - In the matter of the application of Southwest Gas Corporation (U 905 G) and Oneok, Inc. for authorization to implement the agreement and plan of merger dated December 14, 1998,
ALJ Malcolm	A.99-02-032	<b>Truckee Donner Public Utility District, Board Room, 11570 Donner Pass Road, Truckee</b>
Comr Bilas		
8/9/99	10:00 a.m.	(EH) - Application of Mountain Utilities (U 906-E) for authority, among other things, to more precisely define its revenue requirement and increase rates and charges for electric charges,
ALJ DeUlloa	A.99-01-037	<b>Commission Courtroom, San Francisco, (also August 10-13)</b>
Comr Duque		
8/17/99	9:00 a.m.	(EH) - Application of Southern California Edison (U 338-E) for an order under Section 701 of the Public Utilities Code granting Southern California Edison Company authorization to establish a pilot program for reselling bilateral forward purchases into the PX and ISO,
ALJ Hale	A.99-03-062	<b>Commission Courtroom, San Francisco (also August 18, also (CA) August 19)</b>
Comr Bilas		
8/23/99	10:00 a.m.	(EH) - In the matter of the application of 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.98-11-03	(EH) - In the matter of the application of 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,
Comr Duque	A.98-11-015	

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**Commission Courtroom, San Francisco, (also August 24-27)**

8/23/99	10:00 a.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 mechanisms,
	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 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.)**

8/31/99	10:00 a.m.	(PHC) - Application of Pacific Gas and Electric Company to recover costs recorded in the catastrophic event memorandum account (CEMA) effective January 1, 2000 (U 39 M),
ALJ Malcolm	A.99-01-011	
Comr Duque		

**Commission Courtroom, San Francisco, (also (EH) September 8-10, September 13-15, 10:00 a.m.)**

8/31/99	2:00 p.m.	(PHC) - Application of Pacific Gas and Electric Company to establish performance-based ratemaking for electric and gas utility distribution service effective January 1, 2000,
ALJ Barnett	A.98-11-023	
Comr Duque		

**Commission Courtroom, San Francisco**

9/7/99	10:00 a.m.	(EH) - Application of Pacific Gas and Electric Company for review and recovery of the costs and revenues in the transition cost balancing account,
ALJ Minkin	A.98-08-003	
Comr Duque	A.98-09-008	(EH) - Application of Southern California Edison Company to review and recovery transition cost balancing account entries from January 1998 through

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		June 30, 1998 and various generation-related memorandum account entries, <b>(EH)</b> - Application of San Diego Gas & Electric Company in the annual transition cost proceeding regarding the transition cost balancing account, <b>Commission Courtroom, San Francisco, (also September 8-10, 9:00 a.m.)</b>
9/8/99 ALJ Barnett Comr Duque	10:00 a.m. A.98-11-023	<b>(EH)</b> - Application of 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 (also September 9; September 13-16; September 20-23; September 27-30; October 4-7, 10:00 a.m.)</b>
10/4/99 ALJ O'Donnell Comr Neeper	10:00 a.m. A.99-03-025	<b>(EH)</b> - In the matter of the application of Roseville Telephone Company (U-1015-C) to review its new regulatory framework, <b>Commission Courtroom, San Francisco, (also October 5-8, 9:30 a.m.)</b>
11/1/99 ALJ Vieth Comr Duque	10:00 a.m. A.99-02-004	<b>(EH)</b> - 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, <b>Commission Courtroom, San Francisco, (also November 2-5)</b>
11/16/99 ALJ DeUlloa Comr Neeper	10:00 a.m. A.98-08-001	<b>(EH)</b> - In the matter of the application of Airporter, Inc., doing business as Santa Rosa Airporter, to amend and modify its passenger stage certificate #9023, by removing the "reservation only restrictions" for five listed cities in Marin County, and to expand its authorized service to all points in the cities of Novato, Marinwood, Terra Linda, San Rafael, Corte Madera, and Mill Valley for both routes 1 (SFO) and 2 (OAK), with retention of the current "Half-Mile proximity restriction" within these cities, <b>Commission Courtroom, San Francisco</b>

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11/16/99	10:00 a.m.	(EH) - Application of Pacific Gas and Electric Company submitting electric revenue cycle services cost and rate proposals in compliance with Decision 98-09-070,
ALJ Hale	A.99-03-013	
Comr Neeper		
	A.99-03-01	(EH) - 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	(EH) - Application of Southern California Edison Company (U 338-E) relating to long-run marginal costs for unbundled metering and billing services, <b>Commission Courtroom, San Francisco, (also November 17-19, November 22-24, also (CA) November 24)</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.*

5/28/99            A98-11-024            Pacific Bell, for arbitration of an interconnection agreement with Pac-West Telecomm, Inc., pursuant to section 256(b) of the Telecommunications Act of 1996.

**Summary: THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION WHICH WAS FILED ON 5/26/98 AND APPEARED IN THE CALENDAR OF 5/28/99.** On May 21, 1999 Dan Jacobsen of Pacific Bell ("PacBell") provided PUC advisors three (3) documents by E-Mail on the issue of reciprocal compensation for Internet calls. One was a copy of a Massachusetts Dept. of Telecommunications and Energy ruling. The Massachusetts ruling was a 38 page document, captioned "D.T.E. 97-116-C." The order in the ruling, approved by three (3) Massachusetts commissioners, states in part "that...Bell Atlantic-Massachusetts shall not be required to make reciprocal compensation payments in excess of a 2:1 terminating to originating traffic ratio..." A concurring and dissenting opinion of two (2) Massachusetts commissioners indicated "we disagree with the majority conclusion that this invalidation automatically serves to relieve Bell Atlantic from any and all obligations to pay compensation for ISP bound traffic terminated by CLEC's." The second document was an E-Mail reportedly sent by Coastal Web Online official Mike Arciero to his company's customers requesting they contact PUC commissioners to express opposition to PacBell's proposal now before the Commission. The E-Mail indicated "two of the five CPUC commissioners have retired since October, leaving 3 commissioners to rule on all issues. And yes, the two that ruled against 'local' calls DID NOT retire and are going to vote on the issue again" and "it is the only item that they have refused to take comments on by the public." The third was a one (1) page summary sheet rebutting Mr. Arciero's E-Mail message, leading with the statement "The ISP message contains the following misleading and troubling points..." (followed by six (6) items). The PUC advisors receiving the PacBell package provided were Tim Sullivan, Fassil Fenikile, and Lester Wong.

**Filer: Pacific Bell**

**Contact: Lila Tam**

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

6/1/99            A98-11-024            Pacific Bell, for arbitration of an interconnection agreement with Pac-West Telecomm, Inc., pursuant to section 256(b) of the Telecommunications Act of 1996.

**Summary:** On May 26, 1999, MCIWorldCom initiated an ex parte meeting at CPUC with Commissioner Neeper. The MCIWorldCom representatives were Gary Ball, Richard Severy, and William Harrison. The representatives told Commissioner Neeper they had concerns with his proposed alternate order issued on 5/19/99 and, in particular, its adoption of a meeting point billing requirement.

**Filer: MCI WorldCom**  
**Contact: Leslie Watkins**

**Phone: (415) 228-1245**

**Summary:** On May 26, 1999, MCIWorldCom initiated two (2) ex parte meetings at CPUC with (1) Commission President Bilas, and (2) Timothy Sullivan, advisor to Commissioner Duque. The communications were oral. The MCIWorldCom representatives were Gary Ball, William Harrison, and Robert Munoz. In each meeting, the representatives urged adoption of the administrative law judge's draft decision and opposition to Commissioner Neeper's alternate order. They said the alternate does not comply with recent FCC rulings on compensation for Internet bound traffic with respect to meet point billing. MCIWorldCom also emphasized that, contrary to the FCC ruling, the alternate does not provide for any inter-carrier compensation for carrying ISP traffic. In the meeting with Commission President Bilas, MCIWorldCom added that the elimination of reciprocal compensation, as proposed, would have significant financial consequences for CLC's and that these would be felt by other non ISP customers.

**Filer: MCI WorldCom**  
**Contact: Leslie Watkins**

**Phone: (415) 228-1245**

**Summary:** On May 26, 1999 Pacific Bell ("PacBell") representatives, including President Jim Callaway, initiated an ex parte meeting at CPUC with Commission President Bilas and staff. PacBell stated that elimination of reciprocal compensation requirements on Internet traffic will not result in per minute or long distance charges for Internet. They indicated it will only eliminate the subsidy that Pac-West is seeking. PacBell said the Massachusetts commission recently declared that reciprocal compensation for Internet traffic is a loophole, that it should not be required, and that it does not lead to real competition. PacBell concluded by stating the arbitration proceeding is an appropriate proceeding to eliminate reciprocal compensation for Internet traffic. The other PacBell representatives in attendance were Bill Blase and Dan Jacobsen.

**Filer: Pacific Bell**  
**Contact: Lila Tam**

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

**Summary:** On May 26, 1999 William Blase of Pacific Bell ("PacBell") telephoned Dorothy Duda, advisor to Commission President Bilas. Mr. Blase stated the Commission's October 1998 decision on Internet calls was a clear directive that new interconnection agreements between PacBell and CLEC's serving ISP's should take into account that the originating LEC may not be receiving adequate revenues to fund reciprocal compensation agreements.

**Filer: Pacific Bell**  
**Contact: Lila Tam**

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

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