
Public Utilities Commission of the State of California

Wesley M. Franklin, Executive Director

Headquarters

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Southern California Office

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Los Angeles, CA 90013
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Website: <http://www.cpuc.ca.gov>

Daily Calendar Tuesday, August 31, 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

September 2, 1999	10 am	San Francisco
September 16, 1999	10 am	San Francisco
October 7, 1999	10 am	Los Angeles

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.

September 13, 1999	1:30 pm	San Francisco
October 4, 1999	1:30 pm	San Francisco
October 18, 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 4th 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.

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) 576-7055.

<u>Date/Time</u>	<u>Commissioner</u>	<u>Location</u>
9/3/99, 9 am - 12 pm	Josiah L. Neeper	320 West Fourth Street, Suite. 500 Los Angeles
10/8/99, 9 am - 12 pm	Josiah L. Neeper	1350 Front Street, Room 4000 San Diego

PUBLIC MEETINGS & WORKSHOPS

Workshop Notice (August 31 through September 1, 1999)

<i>Tuesday</i> <i>August 31, 1999</i> <i>1 pm – 5 pm</i>	<i>California Public Utilities Commission</i> <i>Ground Floor</i> <i>Auditorium, 505 Van Ness Avenue</i> <i>San Francisco</i>
<i>Tuesday</i> <i>August 31, 1999</i> <i>9 am – 12 pm</i>	<i>State Building</i> <i>1515 Clay Street</i> <i>Conference Room B</i> <i>Oakland</i>
<i>Wednesday</i> <i>September 1, 1999</i> <i>9 am – 11 am</i>	<i>State Building, Board of Equalization</i> <i>Training Room #101</i> <i>100 Paseo de San Antonio</i> <i>San Jose</i>
<i>Wednesday</i> <i>September 1, 1999</i> <i>2:30 pm – 4:30 pm</i>	<i>Hugh Burns St. Building</i> <i>2550 Mariposa Mall, Room 61036</i> <i>Fresno</i>

California Public Utilities Commission and the Electric Education Trust (EET) CBO Outreach Forums on electric restructuring are being held from August 31, 1999 through September 1, 1999 between Northern and Southern California. Meetings will be held simultaneously throughout the State to accommodate schedules. Contact person is William Schulte at (415) 703-2349.

Public Meeting

<i>August 31, 1999</i> <i>1 pm - 5 pm</i>	<i>California Public Utilities Commission</i> <i>505 Van Ness Avenue</i> <i>Ground Floor Auditorium</i> <i>San Francisco</i> <i>(Corner of Van Ness Avenue and McAllister Street)</i>
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Electric Education Trust (EET) CBO Outreach Forum meeting will commence at 1:00 p.m. in the auditorium. Immediately following, will be the Administrative Committee meeting of the Electric Education Trust. The EET meeting may start earlier, or later, depending on the length of time of the CBO Outreach Forum.

The Administrative Committee of the Electric Education Trust (EET) will meet to discuss forum reports and findings from the outreach efforts; hear presentations by the EET Research and the Program Design Subcommittees; consider choices for foundations for fiscal agent; review Report for Proposal by grant administrator and discuss elections of new officers. Contact person is William Schulte at (415) 703-2349.

Public Meeting - Low Income Governing Board Advisory Committee

September 1, 1999
10 am - 3 pm

Pacific Gas and Electric Company's
Pacific Energy Center
851 Howard Street
(1 block west of the Moscone Center)
San Francisco

The Advisory Committee will meet to discuss the following topics: Membership, Membership Rules, Calendar of Meetings for the year, review of the assignment of issues made by LIGB: (1.) Outreach Pilots, (2.) LIEE Uniformity of Measures and Operating Manuals, (3.) Integration and Leverage with Federal programs such as LIHEAP and WALIP, (4.) Ways to increase CARE participation, and (5.) Integration of CARE and Lifeline Services. For more information, please contact Louise Perez at (916) 567-5220, or Josie Webb (415) 703-2247. **Meeting Facilities are handicap accessible.**

Public Meeting

September 3, 1999
9:30 am - 12 noon

California Public Utilities Commission
505 Van Ness Avenue, Room 3204
San Francisco
(Corner of Van Ness Avenue and McAllister Street)

The Administrative Committee for CHCF-A, CHCF-B and the CTF will conduct its next monthly meeting on September 3, 1999. The agenda for this meeting is (1) Introductions; (2) Public Comments; (3) Review/adopt trust accounts with Bank of America and Union Bank; and (4) Review/clarification of the investment policy statement. For more information please contact Robert Weissman at 415-703-1989.

Public Meeting

September 8, 1999
9:30 am - 3:30 pm

California Public Utilities Commission
505 Van Ness Avenue, Room 3212
San Francisco
(Corner of Van Ness Avenue and McAllister Street)

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 August 1999, Review ULTSMB Correspondences, Review/Discuss 1999 Annual Report, Review and Approve ULTSMB 2000 Budget, Update on Low Income Governing Board Activities, PUC Report and Action Items, Review Previous Studies and Data, Announcements, Set Agenda Items for Future Discussion, and Hear Public Comments. **Executive/Closed Session:** Review/Approve Executive/Closed Session Minutes From August 19, 1999 Meeting, 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 - Time Change (Revised 8/31/99)

<p>September 8, 1999 CBEE Meeting 11 am - 5 pm</p>	<p>California Energy Commission 1516 Ninth Street Sacramento</p>
<p>CBEE Nonresidential Committee Meeting 9 am - 11 am</p>	

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 with any questions regarding teleconferencing.

The CBEE Non-Residential Committee meeting from 9 am to 11 am will cover the following discussion items: market objectives for the SPC elements and strategies; design criteria for the programs (pricing, lighting measures, measurement and verification requirements, and customer eligibility and project size); role of the SPC in the six non-residential programs; funding levels, floors, and caps; and follow-up on programs for small non-residential customers.

The California Board for Energy Efficiency (CBEE) will meet to discuss the following topics: Program Planning for Program Year (PY) 2000/2001, Including Utility Program Descriptions, Funding and Budgets, Market Objectives, Performance Indicators, Performance Award Milestones, Program Changes, MA&E Plans, and Process and Procedural Schedule; Review of and Priorities for PY 1999 Programs; Follow-up on Prior Briefings on Program Priorities and Commission Objectives; Energy Division Workshop on Board Structure and Operating Procedures; Market Assessment and Evaluation (MA&E) Activities and Status Report; Annual Earnings Assessment Proceeding (AEAP); CBEE Work Plan and Schedule for 1999; Organizational Planning and Staffing, Including Support Resources for the CBEE and Energy Division Communications; Investigative Report of CBEE Contracting Procedures; Board Operations and Membership; CBEE Budget Compliance Filing; Updates and Status Reports from Board 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 the meeting consult the CBEE Web Page at [http:// www.cbef.org](http://www.cbef.org).

Closed Session: At a convenient time during, or at the conclusion of the meeting, the CBEE may have a closed session to discuss items of threatened litigation. The CBEE is authorized to discuss these matters in a closed session pursuant to Government Code, Section 1126(e)(2)(b).

Public Meeting - Low Income Governing Board

September 8, 1999 10 am - 4 pm	Pacific Gas and Electric's Pacific Energy Center 851 Howard Street (1 block west of the Moscone Center)
September 9, 1999 9 am - 4 pm	San Francisco

The Board will meet to discuss the following topics: Committee and CPUC Updates. Review recent Commission rulings. Review utility testimony and RFP submissions if available. Discuss and determine draft schedule for preparation of LIGB PY2001 program and policy recommendations. Request utility joint proposal for uniform statewide implementation of CARE and LIEE programs for PY2001 program development. Discuss new nominees for Board. Review and discuss Board expenditures. Discuss and decide on pilot recommendations to CPUC. Discuss pending Commission decisions or orders and potential comments on Draft Resolution concerning the needs assessment pursuant to E-3601. Review critical path. Review recent legislation. Discuss specific issues to address at the October Fresno meeting that would be relevant to the community. Review 12/22/98 LIGB RFP filing to determine which items are still relevant.

This location is wheelchair accessible. The meeting is open to the public. For more information, please contact Edna O'Leary at (415) 703-2626.

Closed Session: At a convenient time during, or at the conclusion of the meeting, the LIGB may have a closed session to discuss items of litigation. The LIGB is authorized to discuss these matters in a closed session pursuant to Government Code, Section 1126(e)(2)(b).

Workshop Notice

September 13, 1999 9 am - 4 pm	Sempra Energy 101 Ash Street, Ground Floor San Diego
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The Administrative Committee of the Electric Education Trust (EET) meets to discuss and approve a request for proposals for the CBO Outreach program, discuss research and non-CBO educational efforts, and consider the progress of the CBO grant program, taking any necessary actions thereon. Other possible actions include approval of a selection panel to review CBO proposals, revision of a proposed budget, and election of officers. The contact person is William Schulte at (415) 703-2349.

Public Meeting

September 15, 1999 9 am - 2 pm	Pacific Bell 2600 Camion Ramon San Ramon
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The California Number Pooling Task Force will be holding a public meeting. 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 Leticia Ramirez @ (925) 823-7442 for information and meeting details.

Public Meeting

<p>September 28, 1999 9:30 am - 12 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue, Room 3204 San Francisco (Corner of Van Ness Avenue and McAllister Street)</p>
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The Administrative Committee for CHCF-A, CHCF-B and the CTF will conduct its next monthly meeting on September 28, 1999. The agenda for this meeting is (1) Introductions; (2) Public Comments; (3) Review and Approval of 8/17/99 Public Meeting Minutes; (4) Status Report on CHCF-B and CTF Trust Account Contracts; (5) Adoption and Implementation of Trust Accounts with Bank of America and Union Bank; (6) Status Report on Remittance for CHCF-B and CTF; (7) Status Report on Interest on Claims for CTF; (8) Review and Approval on the Development of CHCF-A, CHCF-B and CTF Program Budgets for Year 2000; (9) Review and Approval of CHCF-A, CHCF-B and CTF expenses; (10) Status Report of the Development of CTF Claims Process; (11) Review and Approval of CHCF-B Claims; and (12) Schedule for the Next Public Meeting. The meeting is open to the public. For more information please contact Robert Weissman at 415-703-1989.

Stakeholder Roundtable on CPUC Innovations

<p>October 12, 1999 1 pm</p>	<p>California Public Utilities Commission 505 Van Ness Avenue Auditorium San Francisco (Corner of Van Ness Avenue and McAllister Street)</p>
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The *Stakeholder Roundtable* is a key element of our ongoing effort to assure that the way the California Public Utilities Commission (CPUC) conducts business is fully aligned with evolving publicly-valued needs and expectations. Federal and state utility deregulation, technological change, as well as other current issues with widespread impact including area code proliferation, local and long distance telephone competition, competition in electricity services, and the need for consumer education and protection in competitive industries. All of these make it imperative for the CPUC to continue to strive to address stakeholder and public needs in innovative and efficient ways.

The goal of the *Stakeholder Roundtable* is to hear your suggestions for specific, feasible, needed innovations at the CPUC with respect to, for instance, changes in processes, rules, ways of conducting business, and ways we interact and communicate with the public and

others. We also seek ideas from our employees on how we can make the Commission a more fulfilling place to work.

Recently, the Commission issued its *Draft 1999 – 2000 CPUC Business Plan* for stakeholder review and comment (available at www.cpuc.ca.gov). Within it are ongoing process reform efforts, planned innovations in expanded electronic access to the CPUC, and additional planned streamlined procedures to benefit stakeholders and the public directly. The *Draft Business Plan* incorporates a set of eight good government initiatives I proposed this spring and the Directors' responses to an innovation survey conducted by the Governor's Office of Innovation in Government. These documents are available on the Commission website in association with this notice.

The *Stakeholder Roundtable* is intended to go a step further by enabling us to hear firsthand from electric, telephone, and gas utilities and providers, rail, water, transportation, and other regulated entities. We also seek input from the public, consumer groups, industry labor representatives, legislators, the Administration, other government agencies, employee advocacy groups and employee union representatives about innovations or improvements you think we should make to better serve public and stakeholder interests, and how we should begin to implement them expeditiously. Contact Garret Shean at 415-703-1114; 916-327-1416, or GShean@cpuc.ca.gov by September 13th if you wish to be a *Stakeholder Roundtable* participant.

Submission Instructions for Stakeholder Roundtable:

As a starting point, the Roundtable will consider:

Where are we now?
Where should we be?
How do we get there?

In asking, "Where should we be?" the Commissioners seek constructive ideas on making the agency effective, efficient, and future-oriented. Areas for discussion might include, for example:

New or evolving regulatory models for the Commission's regulatory, oversight, education, consumer protection, and enforcement roles;
Communication, both to and from the Commission, and access to Commission information, focusing on ease of use, availability of information or employees, and the timeliness and value of available information;
Electronic interfacing between the Commission and stakeholders, and e-business processes including the transferring information to and sharing of databases;
The development of expert systems or automated processes for repetitive business processes; and
Feedback mechanisms to continuously inform the Commission of a need to re-align its processes to address changing circumstances or enhanced technology.

Responses: The Commission requests that stakeholder responses be submitted electronically at Gshean@cpuc.ca.gov. Internal PUC submissions are to GPS on Outlook. Hardcopy submissions may be mailed to Mr. Shean, Room 5119, 505 Van Ness Avenue, San Francisco, California 94102

The Commission requests that all potential participants provide on or before September 20, 1999, a one-page summary of their innovation suggestions so that they can be compiled into general topic areas for panel selection and circulated electronically to participants prior to the *Roundtable* to facilitate a valuable dialogue. An agenda, including a designation of topic panels, for the *Roundtable* will be returned to all respondents on October 5, 1999. Non-panel participants may address the *Roundtable* during a general comment period.

Following the initial *Roundtable*, staff teams will review the replies, conduct any needed public workshops to discuss comments on stakeholder suggestions, and prepare an implementation plan for Commission consideration.

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

Draft Resolution Approving Disclosure of Clarification to Staff Investigative Report and Supporting Records Concerning Explosion Occurring on February 17, 1998 at 2101 San Pablo Avenue, Pinole, California, Available For Public Review And Comment.

A draft resolution (L-286) of the Legal Division approving the disclosure of information concerning the explosion occurring on February 17, 1998 at 2101 San Pablo Avenue, Pinole, California, will be on the September 2, 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-286, 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 August 3, 1999 to the attorneys of record for the parties in State Farm v. EBMUD, Contra Costa County Case No. 9805176, and to Pacific Gas & Electric Company, the utility whose facilities were involved in the explosion.

Interested parties may obtain a copy of L-286 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:

Lynne McGhee
Legal Division
California Public Utilities Commission
505 Van Ness Avenue, Room 5003
San Francisco, CA 94102
Telephone: (415) 703-2913

An original and 2 copies of comments must be received by the Legal Division no later than Thursday, August 26, 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,

CORRECTION

The August 3, 1999, Daily Calendar indicated that a draft resolution (L-285) of the Legal Division approving disclosure of confidential records concerning direct access customers to the California State Board of Equalization pursuant to a confidentiality agreement will be on the September 2, 1999, Commission meeting agenda. The Daily Calendar invited comments on the draft resolution and also noted that this draft resolution has been circulated to the Electric Restructuring Service List, R.94-04-031/I.94-04-032, the Registered Electric Service Providers Service List, and the Inactive Electric Service Providers Service List.

Due to changed circumstances, draft resolution L-285 will not be placed on the agenda for consideration at the Commission's September 2, 1999 meeting. Since the matter will require consideration by the Commission at a future business meeting, the Daily Calendar will provide notice and information about filing comments at a future time.

If you have questions, you may contact Fred Harris at (415) 703-1557.

NEW FILINGS

NONE

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

NONE

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

NONE

ADVICE LETTER FILINGS

NONE

MISCELLANEOUS TRANSPORTATION ITEMS

August 31, 1999

Filings with Rail Safety and Carriers Division

NONE

MISCELLANEOUS TELECOMMUNICATION MATTERS

August 31, 1999

NONE

TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

8/16/99	A.98-12-005	Mattson - In 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.
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ADJOURNMENTS * RESETTINGS * SUBMISSIONS

- A.99-01-016 Minkin – Pacific Gas and Electric Company for authority to establish post-transition period electric ratemaking mechanisms,
- A.99-01-019 Minkin – San Diego Gas & Electric Company for authority to implement post rate freeze ratemaking mechanisms,
- A.99-01-034 Minkin – 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 Minkin – 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,
Evidentiary Hearing held and continued to August 31
- A.98-04-016 Barnett – Application of Pacific Gas and Electric Company for authorization to sell the El Dorado Hydroelectric Project to El Dorado Irrigation District pursuant to Public Utilities Code Section 851,
Final Oral Argument held and concluded and matter submitted
- I.99-04-020 Bennett- Investigation on the Commission’s own motion into the operations, practices, and conduct of Vista Group International, Inc. (U-5650-C), doing business as Vista Communications (Vista), Thomas Coughlin, Chief Executive Officer of Vista, and Philip Bethune, President of Vista, to determine whether they have violated the laws, rules, and regulations governing the manner in which California consumers are switched from one long distance carrier to another,
Evidentiary Hearing set for September 22 reset to October 18
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REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

9/9/99 ALJ Ryerson Comr Neeper	10:00 a.m. C.99-02-011	(PHC) - Gene H. Whitmore vs. Pacific Bell, Telephone Conference, Commission Room 5012, San Francisco
9/10/99 ALJ DeUlloa Comr Bilas	9:30 a.m. I.99-04-023	(PHC) - Investigation into Accutel Communications, Inc., d.b.a. Florida Accutel Communications, Inc., Commission Courtroom, San Francisco

LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judge A. Kirk McKenzie 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.

8/17/99	C.99-01-039	NONE SCHEDULED
8/24/99	9:30 a.m.	NONE SCHEDULED
8/31/99	9:30 a.m.	NONE SCHEDULED

FINAL ORAL ARGUMENTS

NONE

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

8/31/99	9:00 a.m.	(EH) – Pacific Gas and Electric Company for authority to establish post-transition period electric ratemaking mechanisms,
ALJ Minkin	A.99-01-016	
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 September 1-3, September 16-17, September 20; also (CA) September 20, 2:00 p.m. - 4:00 p.m.)
8/31/99	9:00 a.m.	(EH) – In the matter of the application of San Diego Gas & Electric Company for authority to increase its gas and electric revenue requirements to reflect its accomplishments for demand-side management program years 1994 and 1997, energy efficiency program year 1998, low income program year 1998, and to address policy and procedural issues for future
ALJ Stalder	A.99-05-002	
Comr Neepser		

program years 1999 through 2001 in the 1999 annual earning assessment proceeding (“EAAP”),
Commission Courtroom, San Francisco, (also September 2, September 7, November 8-12, November 15-19)

8/31/99 1:00 p.m. (EH) – The Greenlining Institute and Latino Issues
ALJ Veith C.99-01-039 Forum vs. Pacific Bell and Pacific Information
Comr Neepser Services,
Commission Courtroom, San Francisco (also August 31, 10:00 a.m., September 1, 10:00 a.m. and September 2, 9:00 a.m.)

8/31/99 10:00 a.m. (PHC) - Application of Pacific Gas and Electric
ALJ Patrick A.99-01-011 Company to recover costs recorded in the catastrophic
Comr Duque event memorandum account (CEMA) effective
January 1, 2000 (U 39 M),
Commission Courtroom, San Francisco, (also (EH) September 8-10, September 13-15, 10:00 a.m.)

9/1/99 10:00 a.m. (PHC) - Application of the San Francisco Bay Area
ALJ DeUlloa A.99-02-012 Rapid Transit District for authority to institute revenue
Comr Bilas passenger service utilizing the advanced automatic
train control system for safety-critical motion control,
Commission Courtroom, San Francisco

9/1/99 10:00 a.m. (EH) – In the matter of the application of the
ALJ McVicar A.99-04-003 California-American Water Company (U 210-W) for
Comr Duque 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,
Commission Courtroom, San Francisco

9/1/99 10:00 a.m. (PHC) - Investigation on the Commission’s Own
ALJ Biren I.99-07-003 Motion to Consider the Costs and Benefits of Various
Comr Bilas Promising Revisions to the Regulatory and Market
Structure Governing California’s Natural Gas Industry
and to Report to the California Legislature on the
Commission’s Findings,
Commission Courtroom, San Francisco

9/7/99 3:00 p.m. (PHC) - Sacramento Tanglewood Homeowners
ALJ McVicar C.99-07-031 Association vs. Citizens Utilities Company of
Comr Duque California,

**Department of Education Building, 721 Capitol
Mall, Room 312, Sacramento**

9/8/99 ALJ Walwyn Comr Duque Comr Hyatt	10:00 a.m. A.97-03-004 A.99-01-025	(PHC) - In the matter of the application of Pacific Bell, a corporation, for approval of rate reductions to offset the explicit subsidy support ordered in Decision 96-10-066, (PHC) - The Utility Reform Network, for rehearing of Resolution T-16260 approving Pacific Bell's re-estimate of the revenue effect of prices changes ordered in Decision 98-07-033, Commission Courtroom, San Francisco
9/8/99 ALJ Barnett Comr Duque	10:00 a.m. A.98-11-023	(EH) - Application of Pacific Gas and Electric Company to establish performance-based ratemaking for electric and gas utility distribution service effective January 1, 2000, Commission Courtroom, San Francisco (also September 9; September 13-16; September 20-23; September 27-30; October 4-7, 10:00 a.m.)
9/8/99 ALJ McVicar Comr Duque	10:00 a.m. A.99-05-020 A.99-05-023 A.99-05-024	(EH) – Kern River Valley Water Company, for Authority to Increase Rates Charged for Water Service to Increase Revenues by Approximately \$609,700 (or 31.36%) in the Year 2000, and \$2,200 (or 0.11%) in the Year 2002 (EH) – and related matters, (EH) – and related matters, Commission Courtroom, San Francisco, (also September 9-10, September 13-14)
9/9/99 ALJ Ryerson Comr Neeper	10:00 a.m. C.99-02-011	(PHC) - Gene H. Whitmore vs. Pacific Bell, Telephone Conference, Commission Room 5012, San Francisco
9/9/99 ALJ McKenzie Comr Neeper	10:00 am. C.99-04-047	(PHC) - TVMAX Telecommunications dba OpTel, vs. Pacific Bell, et al., Commission Courtroom, San Francisco
9/9/99 ALJ O'Donnell Comr Hyatt	10:00 a.m. A.99-06-052	(PHC) - In the matter of the application of Pacific Bell (U 1001 C) for authority pursuant to Public Utilities Code Section 851 to lease space to affiliates, Commission Courtroom, San Francisco

9/10/99 ALJ Ryerson Comr Duque	9:00 a.m. C.99-03-070	(EH) – Terril L. Graham vs. Atascadero Mutual Water Company, Atascadero City Hall, 6500 Palma Avenue, Room 102, Atascadero
9/10/99 ALJ DeUlloa Comr Bilas	9:30 a.m. I.99-04-023	(PHC) - Investigation into Accutel Communications, Inc., d.b.a. Florida Accutel Communications, Inc., Commission Courtroom, San Francisco
9/13/99 ALJ Bushey Comr Bilas	10:00 a.m. A.99-03-014	(WS) - Application of Pacific Gas and Electric Company to revise its electrical marginal costs, revenue allocation and rates at the end of the rate freeze, Commission Training Room, San Francisco
9/13/99 ALJ McVicar Comr Wood	3:00 p.m. A.99-07-048	(PHC) - In the matter of the application of Blue & Gold Fleet, L.P., a limited partnership to increase fare levels for the transportation of passengers in vessel common carrier service between the Alameda Gateway area and the Port of Oakland, on the one hand, and authorized points in San Francisco and Angel Island State Park on the other hand, Commission Courtroom, San Francisco
9/14/99 ALJ Walker Comr Duque	10:00 a.m. A.98-09-040	(OA) – In the matter of the Application of the Southern California Water Company (U 133 W) 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, Commission Courtroom, San Francisco
9/14/99 ALJ Pulsifer Comr Bilas	2:00 p.m. R.95-04-043 I.95-04-044	(OA) - Order instituting rulemaking on the Commission’s own motion into competition for local exchange service, (OA) - Order instituting investigation on the Commission’s own motion into competition for local exchange service, Commission Auditorium, San Francisco
9/15/99 ALJ Vieth Comr Duque	10:00 a.m. I.98-12-012	(WS) - Order instituting investigation on the Commission’s own motion into the rates, charges, and practices of water and sewer utilities providing service to mobilehome parks and multiple unit residential

		complexes and the circumstances under which those rates and charges can be passed to the end user, Commission Room 3104, San Francisco Contact person: Tatiana Cherkas, (415) 703-1942; tac@cpuc.ca.gov
9/15/99 ALJ Gottstein Comr Bilas	10:00 a.m. A.99-03-014	(PHC) - Application of Pacific Gas and Electric Company to revise its electric marginal costs, revenue allocation, and rates at the end of the rate freeze, Commisison Courtroom, San Francisco
9/20/99 ALJ Bennett Comr Wood	1:00 p.m. I.99-07-001	(PHC) - Investigation for the purpose of establishing a list for the fiscal years 2000-2001-2002 of existing and proposed crossings at grade of city streets, county roads, or state highways in need of separation, or projects effecting the elimination of grade crossings by removal or relocation of streets or railroad tracks, or existing separations in need of alterations or reconstruction in accordance with Section 2452 of the streets and highway codes, Commission Courtroom, Los Angeles, State Office Building, 320 West 4th Street, Los Angeles, (also September 21, 1:00 p.m., Commission Courtroom, San Francisco
9/21/99 ALJ Bennett Comr Wood	3:00 p.m. A.99-07-022	(PHC) - In the matter of the application of California Moving and Storage Association for increases in MAX 4 rates for Item 340 packing containers and for packing and unpacking labor charges for mattress cartons and covers, Commission Courtroom, San Francisco
9/23/99 ALJ Bushey Comr Wood	9:00 a.m. C.99-07-007	(PHC) - Wahrenbrock Capital Management vs. Southwest Gas Corporation for refusal to include complainant in investment program, Commission Courtroom, San Francisco
9/23/99 ALJ Bushey Comr Wood	9:00 a.m. C.99-07-009	(PHC) - Wahrenbrock Capital Management vs. Pacific Bell for refusal to include complainant in investment program, Commission Courtroom, San Francisco

9/23/99 ALJ Bushey Comr Wood	9:00 a.m. C.99-07-019	(PHC) - Wahrenbrock Capital Management vs. Sierra Pacific Power Company, for refusal to include complainant in the investment program, Commission Courtroom, San Francisco
9/27/99 ALJ Ryerson Comr Neeper	10:00 a.m. C.99-02-011	(EH) – Gene H. Whitmore v. Pacific Bell, Commission Courtroom, Los Angeles State Office Building, 320 West 4th Street, Los Angeles
9/30/99 ALJ Pulsifer Comr Bilas	10:00 a.m. R.95-04-043 I.95-04-044	(PHC) - Order instituting rulemaking on the Commission’s own motion into competition for local exchange service, (PHC) - Order instituting investigation on the Commission’s own motion into competition for local exchange service, Commission Courtroom, San Francisco
10/1/99 ALJ DeUlloa Comr Wood	10:00 a.m. I.99-06-035	(PHC) – Investigation on the Commission’s own motion into the operations, practices and conduct of ACI Communications, Inc., and Larry Cornwell, in his capacity as receiver for ACI, to determine whether ACI has violated the laws, rules and regulations governing the manner in which California consumers are switched from one long distance carrier to another, Commission Courtroom, San Francisco
10/4/99 ALJ Malcolm Comr Neeper	10:00 a.m. R.96-11-004	(EH) - Order instituting rulemaking for electric distribution facility standard setting, Commission Courtroom, San Francisco (also October 5-8)
10/7/99 ALJ Econome Comr Duque	9:30 a.m. I.99-04-022	(PHC) - 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, Commission Courtroom, San Francisco (also (EH) October 12 through 22; October 12 & 18 at 10:00 a.m.; October 13-15, October 19-22 at 9:00 a.m.; also (CA) November 30, 9:30 a.m.)
10/12 & 15/99 ALJ O’Donnell Comr Neeper	10:00 a.m. A.99-03-027	(EH) - In the matter of application of Citizens Telecommunications Company of California, Inc. (U-1024-C) to review its new regulatory framework,

Planning and Development Services Dept., 1231 ‘T’ Street, 1st floor, Sacramento (also October 13 & 14, 10:00 a.m., Dept. of Education Bldg., 721 Capitol Mall, Room 166-B, Sacramento)

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| 10/12/99
ALJ Bytof
Comr Duque | 10:00 a.m.
A.99-03-049 | (PHC) – Application of Southern California Gas Company (U 904 G) under the catastrophic event memorandum account (CEMA) for recovery of costs related to the El Nino storms,
Commission Courtroom, San Francisco (to be followed by (EH); also (EH) October 13-15, 9:00 a.m.) |
| 10/12/99
ALJ Stalder
Comr Neeper | 9:00 a.m.
A.99-03-063 | (EH) - In the matter of the application of Southern California Edison Company (U 388-E) for a finding of reasonableness for the ratepayer expenditures for the ENVEST pilot program,
Commission Courtroom, San Francisco (also October 13-15) |
| 10/13/99
ALJ Gottstein
Comr Neeper | 10:00 a.m.
R.98-07-037 | (PHC) - Order instituting rulemaking on the Commission’s proposed policies and programs governing energy efficiency, low income assistance, renewable energy and research development and demonstration,
Commission Courtroom, San Francisco |
| 10/14/99
ALJ Wright
Comr Bilas | 10:00 a.m.
C.99-05-035 | (EH) - Mad River Community Hospital vs. Pacific Gas and Electric Company,
Humboldt Bay Harbor, Recreation and Conservation District, 601 Startare Drive, Eureka, (also October 15) |
| 10/15/99
ALJ O’Donnell
Comr Bilas | 9:00 a.m.
A.99-04-017 | (EH) – In the matter of the annual depreciation application of Citizens Telecommunications Company of California, Inc. (U-1024-C),
Commission Courtroom, San Francisco |
| 10/18/99
ALJ Hale
Comr Duque | 10:00 a.m.
A.99-03-039 | (EH) - Pacific Gas and Electric Company to consolidate the review of PG&E’s expenditures in 1997 and 1998 to enhance transmission and distribution system safety and reliability pursuant to Section 368(e) of the California Public Utilities Code,
Commission Courtroom, San Francisco (also October 19-21, 9:00 a.m., also (CA), 3:00 p.m.) |

10/18/99 ALJ Bennett Comr Bilas	9:00 a.m. I.99-04-020	(EH) - Investigation on the Commission's own motion into the operations, practices, and conduct of Vista Group International, Inc. (U-5650-C), doing business as Vista Communications (Vista), Thomas Coughlin, Chief Executive Officer of Vista, and Philip Bethune, President of Vista, to determine whether they have violated the laws, rules, and regulations governing the manner in which California consumers are switched from one long distance carrier to another, Commission Courtroom, San Francisco (also October 19-22)
10/18/99 ALJ Ryerson Comr Wood	10:00 a.m. I.99-06-038	(EH) - Order instituting investigation on the Commission's own motion into the operations and practices of Nir Ben David and Amit Mines, dba Right On Time Moving, Commission Courtroom, Los Angeles State Office Building, 320 West 4th Street, Los Angeles (also October 19, 10:00 a.m.)
10/20/99 ALJ Ryerson Comr Wood	10:00 a.m. I.99-06-039	(EH) - Order instituting investigation on the Commission's own motion into the operations and practices of Mon-Van Moving Services, Inc. and its President, Gary R. Grubb, Commission Courtroom, Los Angeles State Office Building, 320 West 4th Street, Los Angeles (also October 21-22, 10:00 a.m.)
11/1/99 ALJ Vieth Comr Duque	10:00 a.m. A.99-02-004	(EH) - 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, (also November 2-5)
11/1/99 ALJ O'Donnell Comr Neeper	10:00 a.m. A.99-03-025	(EH) - In the matter of the application of Roseville Telephone Company (U-1015-C) to review its new regulatory framework, Commission Courtroom, San Francisco, (also November 2-5, 9:30 a.m.)

11/1/99 ALJ Econome Comr Bilas	9:30 a.m. A.99-04-045	(PHC) - In the matter of the application of Southern California Edison Company pursuant to D98-08-035 for authorization to allow non-discriminatory access to its customer communication center, Commission Courtroom, San Francisco,(also November 2-3, also (CA) November 3 from 11:00 a.m. to 12:00 p.m.)
11/8/99 ALJ McVicar Comr Duque	10:00 a.m. C.97-09-023	(EH) - In the matter of TWEAN, a New York General Partnership, dba Time Warner Cable of Bakersfield vs. Pacific Gas and Electric Company, a California Corporation, Commission Courtroom, San Francisco (also November 9-10)
11/8/99 ALJ Wright Comr Neeper	10:00 a.m. A.99-04-009	(EH) - Application for expedited and ex parte approval of termination of standard offer No. 2 power purchase agreement between Pacific Gas and Electric Company (U 39 E) and San Joaquin Cogen Limited, L.P., Commission Courtroom, San Francisco, (also November 9)
11/8/99 ALJ O'Donnell Comr Neeper	10:00 a.m. C.99-04-046	(EH) – Pacific Bell vs. FirstWorld Communications, Inc., FirstWorld SoCal (U 5733 C), FirstWorld Orange Coast (U 5782 C), FirstWorld SGV (U 5783 C), Commission Courtroom, San Francisco, (also November 9, 10 and 12, 9:00 a.m.)
11/15/99 ALJ Bytof Comr Bilas	10:00 a.m. A.99-04-024	(PHC) – Application of Southern California Edison Company (U 338-E) for authority to recover capital additions to its fossil generating facilities made between January 11, 1996 and December 31, 1996 and related substantive and procedural relief, Commission Courtroom, San Francisco, (also (EH) will commence immediately, also (EH) November 16-19, 9:00 a.m.)
11/16/99 ALJ DeUlloa Comr Neeper	10:00 a.m. A.98-08-001	(EH) – 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,

Commission Courtroom, San Francisco

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, (EH) - Application for Commission consideration of post-transition proposals for long-run marginal cost pricing and geographic de-averaging of revenue cycle services, (EH) - 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, (also November 17-19, November 22-24, also (CA) November 24)
ALJ Hale	A.99-03-013	
Comr Neepser	A.99-03-019	
	A.99-03-024	
12/1/99	10:00 a.m.	(EH) - Application of Pacific Gas and Electric Company to revise its electric marginal costs, revenue allocation, and rates at the end of the rate freeze, Commission Courtroom, San Francisco (also December 2-3; December 6-10; December 13-14)
ALJ Walwyn	A.99-03-014	
Comr Bilas		
1/10/00	10:00 a.m.	(EH) - Investigation into Commonwealth Energy Corporation's operations and practices in connection with providing service as an Electricity Service Provider No. 1092, Commission Courtroom, San Francisco, (also January 11-12, 9:30 a.m.)
ALJ O'Donnell	I.99-06-036	
Comr Hyatt		
2/16/00	10:00 a.m.	(PHC) - Order instituting rulemaking on the Commission's own motion into monitoring performance of operations support systems, (PHC) - Order instituting investigation on the Commission's own motion into monitoring performance of operations support systems, Commission Courtroom, San Francisco
ALJ Walwyn	R.97-10-016	
Comr Bilas	I.97-10-017	

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))

NONE

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.

8/26/99	R97-01-009	Commission Order Instituting Rulemaking on the Commission's own motion to evaluate the intervenor compensation program, and to modify the existing program or develop new rules to promote participation of all categories of consumers and their representatives in Commission proceedings to better insure that the consumer interests are more effectively represented and compensated.
	I97-01-010	Commission Order Instituting Investigation, on the Commission's own motion to evaluate the intervenor compensation program, and to modify the existing program or develop new rules to promote participation of all categories of consumers and their representatives in Commission proceedings to better insure that the consumer interests are more effectively represented and compensated.

Summary: On August 26, 1999, John L. Clark, counsel for Telecommunications Resellers Association (TRA), wrote a letter (attached to the notice) to Cmmr. Bilas. Copies of the letter were also delivered to Cmmr. Duque, Cmmr. Nepper, Cmmr. Hyatt, and Cmmr. Wood. The letter urges to reject the Draft Decision (DD) of ALJ Hale which is scheduled for Commission 's consideration on September 2, 1999 meeting. TRA counsel explains that the DD proposes to establish requirements that would severely limit, if not preclude, TRA from participating before the Commission thereby undermining TRA's responsibility to represent its members and preventing the Commission from hearing the viewpoints of a valuable constituency, small carriers who can ill-afford to participate on their won.

Filer: Telecommunications Resellers Asn.

Contact: Cynthia Addad

Phone: (415) 392-7900
