



CPUC Public Agenda 3364
Thursday, October 1, 2015 9:30 a.m.
San Francisco, CA



Commissioners:
Michael Picker, President
Michel Peter Florio
Catherine J.K. Sandoval
Carla J. Peterman
Liane M. Randolph

www.cpuc.ca.gov





The Pledge of Allegiance

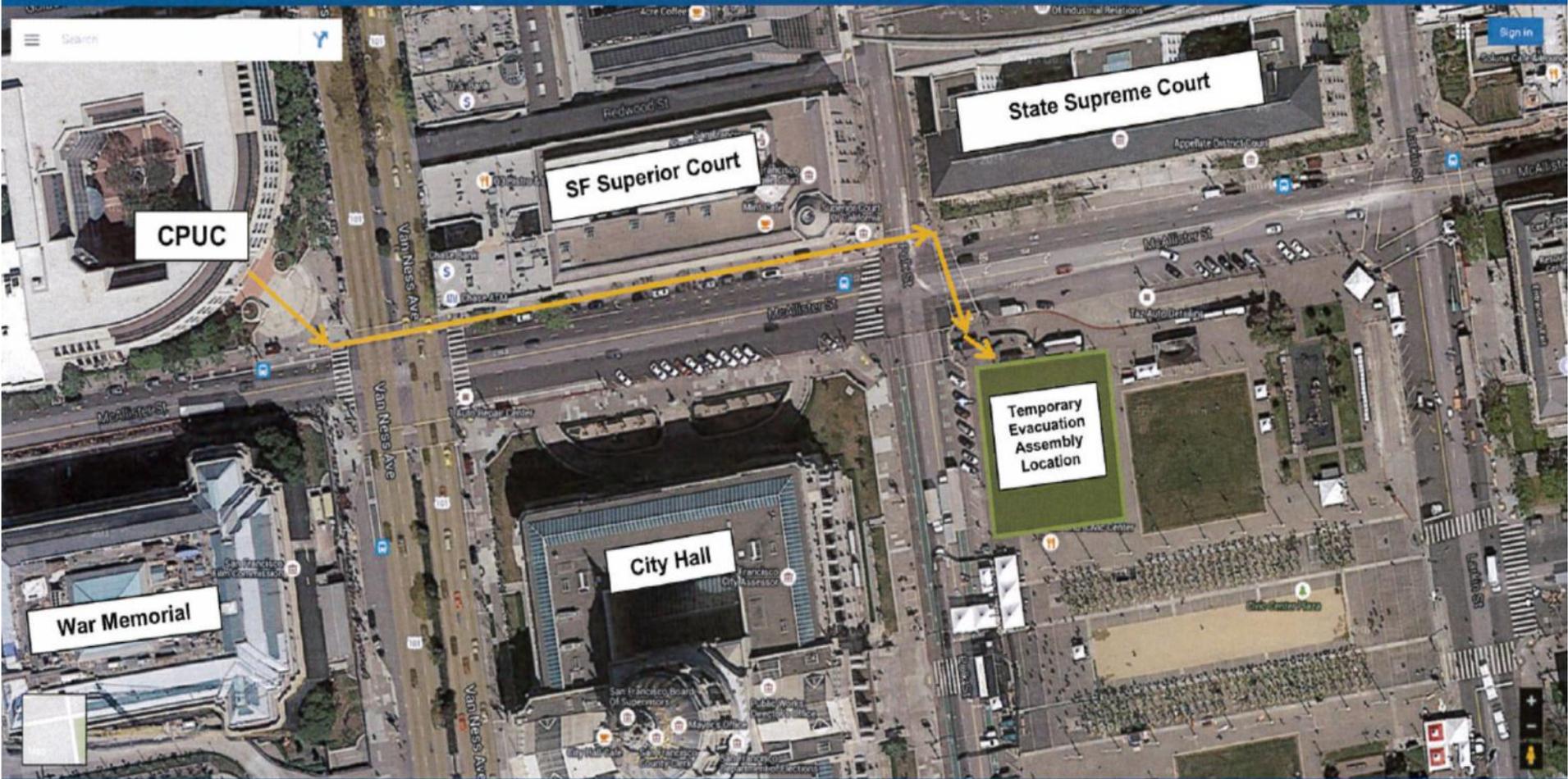


“I pledge allegiance to the Flag of the
United States of America,
and to the Republic for which it stands,
one nation under God,
indivisible,
with liberty and justice for all.”





Temporary Evacuation Assembly Location





Public Comment

- Per Resolution ALJ-252, any member of the public (excluding parties and their representatives) who wishes to address the CPUC about matters before the Commission must sign up with the Public Advisor's Office table before the meeting begins. If an individual has signed up using the electronic system on the Commission's website, they must check in with the Public Advisor's Office on the day of the meeting, by the sign-up deadline.
- Once called, each speaker has up to 3 minutes at the discretion of the Commission President. Depending on the number of speakers, the time limit may be reduced to 1 minute.
- A sign will be posted when 1 minute remains.
- A bell will ring when time has expired.
- At the end of the Public Comment Section, the Commission President will ask if there are any additional individuals who wish to speak. Individuals who wish to speak but did not sign up by the deadline, will be granted a maximum of one minute to make their comments.

The following items are NOT subject to Public Comment:

- 3, 41, 43, 44
- All items on the Closed Session Agenda





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- Once called, each speaker has up to 2 minutes at the discretion of the Commission President. Depending on the number of speakers, the time limit may be reduced to 1 minute.
- A sign will be posted when 1 minute remains.
- A bell will ring when time has expired.
- At the end of the Public Comment Section, the Commission President will ask if there are any additional individuals who wish to speak. Individuals who wish to speak but did not sign up by the deadline, will be granted a maximum of one minute to make their comments.

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Public Agenda Changes

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each CPUC meeting.

- Items on Today's Consent Agenda are: **1, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40.**
- Any Commissioner, with consent of the other Commissioners, may request an item from the Regular Agenda be moved to the Consent Agenda prior to the meeting.
- No items from the Regular Agenda have been added to the Consent Agenda.
- Any Commissioner may request an item be removed from the Consent Agenda for discussion on the Regular Agenda prior to the meeting.
- No items have been moved to the Regular Agenda.
- **Items 3, 6, 12, and 27** have been withdrawn.
- The following items have been held to future Commission Meetings:
 - Held to 10/22/15: **5, 47, 48, 49.**
 - Held to 11/05/15: **2, 22.**





Regular Agenda

- Each item on the Regular Agenda (and its alternate if any) will be introduced by the assigned Commissioner or CPUC staff and discussed before it is moved for a vote.
- For each agenda item, a summary of the proposed action is included on the agenda; the CPUC's final decision may, however, differ from that proposed.
- The complete text of every Proposed Decision or Draft Resolution is available for download on the CPUC's website: www.cpuc.ca.gov.
- Late changes to agenda items are available on the Escutia Table.





Regular Agenda – Energy Orders

Item # 40 [14147] – Approving Southern California Gas Company Application to Establish a Distributed Energy Resources Services Tariff

A14-08-007

Ratesetting

Comr. Peterman / Judge Kersten

PROPOSED OUTCOME:

- Grants Southern California Gas Company's (SoCalGas) Application to establish a Distributed Energy Resources Services (DERS) Tariff by which SoCalGas will facilitate the adoption and use of combined heat and power (CHP) "advanced energy systems," subject to specific modifications, terms, and conditions.
- Among other things, finds that the DERS Tariff, when subjected to the cost-based pricing methodology, enhanced market mitigation measures, and reporting and accounting requirements adopted, is in the public interest because it:
- Meets untapped demand in underserved markets for smaller customers who would benefit from CHP, offers additional choices to customers, and supports innovative business partnerships;
- Protects ratepayer interests and guards against unfair competition consistent with the Commission's Affiliate Transaction Rules; and
- Makes more widely available a service that reduces the health and environmental impacts from air pollution, reduces greenhouse gas emissions, and provides operational efficiencies, consistent with California environmental goals.
- Denies the proposed Joint Settlement Agreement entered into by SoCalGas and the Office of Ratepayer Advocates.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- Allows the Commission to continue to fulfill its duties under Pub. Util. Code § 451, including taking all actions necessary to promote the safety, health, comfort, and convenience of utility patrons, employees, and the public.

ESTIMATED COST:

- Unknown.





Regular Agenda – Orders Extending Statutory Deadline

Item # 41 [14276] – Order Extending Statutory Deadline

C10-10-010 – Michael Hetherington and Janet Hetherington vs. Pacific Gas & Electric Company.

Adjudicatory

Comr. Florio / Judge Roscow

PROPOSED OUTCOME:

- Extends the statutory deadline for this proceeding until April 13, 2016.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There is no cost associated with this Order Extending Statutory Deadline.





Regular Agenda – Orders Extending Statutory Deadline

Item # 42 [14293] – Order Extending Statutory Deadline

A13-09-023, C12-03-017 – Related matters – In the Matter of Application of Odd Fellows Sierra Recreation Association, a California corporation, and Sierra Park Water Company, Inc., a California corporation, for Certificate of Public Convenience and Necessity to Operate a Public Utility Water System near Long Barn, Tuolumne County, California and to Establish Rates for Service and for Sierra Park Water Company, Inc. to Issue Stock.

Ratesetting

Comr. Sandoval / Judge Smith

PROPOSED OUTCOME:

- Extends statutory deadline for completion of this proceeding until December 18, 2015.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated with this Order Extending Statutory Deadline.





Regular Agenda – Orders Extending Statutory Deadline

Item # 43 [14298] – Order Extending Statutory Deadline

C06-10-015 – Pasadena Avenue Monterey Road Committee vs. Los Angeles County Metropolitan Transportation Authority, the Los Angeles to Pasadena Metro Blue Line Construction Authority, and the City of South Pasadena.

Adjudicatory

Pres. Picker / Judge Hymes

PROPOSED OUTCOME:

- Extends the Statutory Deadline for this proceeding until January 11, 2016.

SAFETY CONSIDERATIONS:

- There are no safety implications associated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There are no costs associated.





Regular Agenda – Orders Extending Statutory Deadline

Item # 44 [14307] – Order Extending Statutory Deadline

I11-02-016 – Order Instituting Investigation on the Commission’s Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Facilities Records for its Natural Gas Transmission System Pipelines.

Adjudicatory

Pres. Picker / Judge Yip-Kikugawa

PROPOSED OUTCOME:

- Extends the Statutory Deadline for this proceeding to December 23, 2015.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There is no cost associated with this Order Extending Statutory Deadline.





Regular Agenda – Orders Extending Statutory Deadline

Item # 45 [14311] – Order Extending Statutory Deadline

A14-04-037 – Application of Liberty Utilities (CalPeco Electric) LLC for Authorization to Recover the Amounts Related to Vegetation Management Recorded in the Vegetation Management Memorandum Account.

Ratesetting

Pres. Picker / Judge Farrar

PROPOSED OUTCOME:

- Extends the Statutory Deadline for this proceeding to December 20, 2015.

SAFETY CONSIDERATIONS:

- There are no safety considerations implicated with this Order Extending Statutory Deadline.

ESTIMATED COST:

- There is no cost associated with this Order Extending Statutory Deadline.





Regular Agenda – Legal Division Matters

Item # 46 [14235] – Comments in Federal Transit Authority Notice of Proposed Rulemaking

Docket No. FTA-2015-0009

The Federal Transit Administration (FTA) has issued a Notice of Proposed Rulemaking (NPRM), in which it seeks comments on rail safety investigation and inspection issues. Specifically, FTA seeks input on the following issues: (1) FTA's formal adoption of Safety Management System as the foundation for FTA's safety oversight and regulatory approach; (2) procedures under the FTA Administrator's authority to conduct inspections, investigations, audits, examinations, testing of equipment, facilities, rolling stock and operations of a public transportation system; (3) procedures under the Administrator's authority to take appropriate enforcement actions, including directing the use or withholding of funds, and issuing directives and advisories; and (4) describes statutory and proposed contents of the National Safety Plan. Staff seeks authority to submit comments, which are due on October 13, 2015.





Commissioners' Reports





Regular Agenda – Commissioner Reports

Item #50 [14291]

Proposed California Public Utilities Commission Commissioner Code of Conduct





Regular Agenda – Commissioner Reports

Item #51 [14292]

Proposed California Public Utilities Commission Commissioner Job Description





Commissioners' Reports





Management Reports





Regular Agenda – Management Reports and Resolutions

Item #52 [14231]

Report and Discussion by Safety and Enforcement Division on Recent Safety Program Activities





Utility Enforcement Branch Core Work and Enforcement Programs

Jeanette Lo, Program Manager

Jeff Kasmar, Program & Project Supervisor

Utility Enforcement Branch
Safety and Enforcement Division

October 1, 2015





Utility Enforcement Branch

- UEB is comprised of 22 authorized positions located in SF, LA and Sacramento, forming two section:
 - Telco Fraud Section
 - Electric & CEQA Section
- In support of SED's mission, UEB protects California utility consumers from fraud and abuse by ensuring service providers' compliance with consumer protection laws and regulations





Utility Enforcement Branch's Core Work

- Monitor fraud and abuse
 - Follow industry trends to spot consumer vulnerabilities
 - Review consumer complaints
 - Resolve and investigate Fraud Hotline complaints
- Investigate and prosecute fraud and abuse
- Work with federal and state agencies, community organizations and trade associations
- Collaborate with outside law enforcement agencies
- Advise the Commission on issues in Rulemakings
- Monitor and ensure compliance with Commission decisions
- Review license applications by telco providers for fitness
- Inspect payphones for safety and proper signage





UEB Enforcement Programs

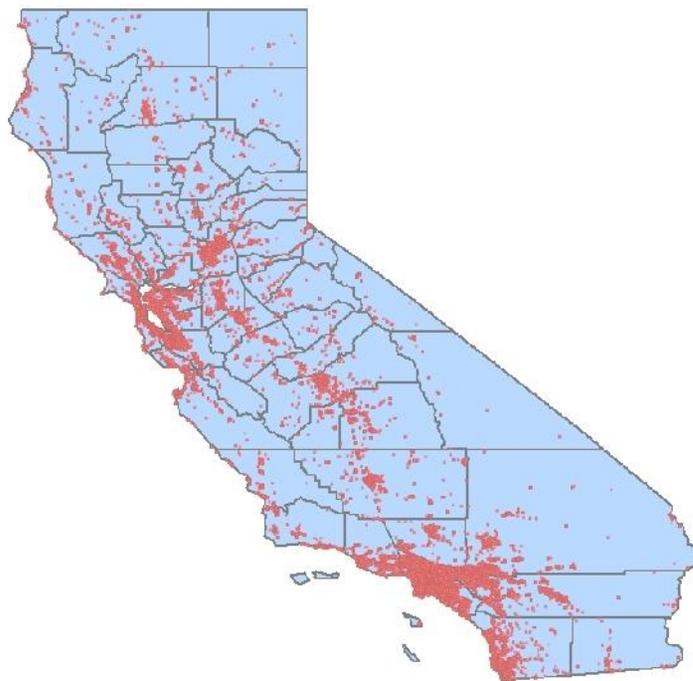
- Pursue Olls and OSCs in cases of rule/code violations, including: cramming, slamming, misleading advertising, unfair business practices, ratemaking misrepresentations, etc.
- Slamming Citation Program
- Resource Adequacy Requirement Citation Program
- Renewables Portfolio Standard Citation Program
- CEQA Citation Program
- Utility Whistleblower Fraud Hotline
- CPCN Application Review
- Prepaid Phonocard Enforcement
- Payphone Enforcement





Payphones Inspections

- Payphones remain important in certain areas
 - ~27,000 California payphones
 - Concentrated in: LA Basin, SF Bay Area, I-5 Corridor
- Provide essential and safety-related services:
 - Basic communication
 - Long distance services
 - 211 – Community Services
 - 411 – Information
 - 711 – Hearing Impaired
 - 911 – Emergency





Fines and Restitution from UEB's Cases

- UEB's cases have resulting in approximately \$340 million in total Commission ordered fines and restitution in the past ten years. Prominent cases include:
 - \$33.4 million in 2015 decision on Comcast's unauthorized publication of unlisted information
 - \$24 million in 2014 decision on TracFone's unpaid surcharges, fees and associated interest
 - Motion filed for Commission adoption of a \$10 million settlement in the penalty phase
 - \$1 million in 2009 decision on SDG&E's alleged Rule 1 violation
 - \$152 million in 2008 and 2009 decisions on SCE's manipulation of Performance-Based Ratemaking
 - \$35 million in 2007 decision on PG&E's improper back-billing
 - \$30 million in 2004 and 2007 decisions on Cingular's unfair practices surrounding its early termination fees
 - \$3 million in 2006 decision on MCI's alleged slamming and cramming





UEB Contacts

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Jeff.Kasmar@cpuc.ca.gov

Fraud Hotline
1-800-649-7570





Regular Agenda – Management Reports and Resolutions

Item #52 [14231]

Report and Discussion by Safety and Enforcement Division on Recent Safety Program Activities





Management Reports





The CPUC Thanks You For Attending Today's Meeting

**The Public Meeting is adjourned.
The next Public Meeting will be:**

**October 22, 2015 at 9:30 a.m.
in Sacramento, CA**

