Filings of Note

"All the Proceedings that are Fit to Print"

November 2017 edition

Produced by the CPUC's Business and Community Outreach Team in San Francisco.

What am I reading?

This is the first in a series of periodic newsletters sent out by the Commission in order to comply with the requirements of Senate Bill 512, which requires the CPUC to "seek the participation of those who are likely to be affected, including those who are likely to benefit from, and those who are potentially subject to, a decision in that proceeding."

This newsletter is to keep you informed of proposed decisions by the CPUC's Commissioners and Administrative Law Judges, as well as applications of note. Each month, we will feature one or two proposed decisions or applications that were filed since the prior newsletter, followed by a list summarizing the other filed CPUC decisions that month.

While not every proceeding will directly affect your stakeholders, and most ones that do will be sent directly to key groups by your area's local liaison, it may be helpful to be informed of general CPUC activity.

For more information on the CPUC's outreach efforts, visit www.cpuc.ca.gov/Outreach/, e-mail outreach@cpuc.ca.gov, or call (855) 421-0400.

Our liaisons are available to help you serve the people in your community. If you or community members have questions, it's their job to get you the answers – either from themselves or the appropriate person at the CPUC.

Ultimately, their goal and role is to be your first call whenever you, colleagues, or residents have any question or concern about the CPUC or the entities that we regulate. Our mission is to keep you up-to-date on what's happening at the CPUC and how it affects your community.

CPUC issues proposal on new fire-safety regs

New regulations would establish 'high-threat' districts with tighter guidelines

Featured Proceeding: R.15-05-006

The California Public Utilities Commission issued a new proposed decision on Nov. 8 that would adopt new fire-safety regulations, including a new "High Fire-Threat District" where stricter fire-safety regulations will apply.

Parties to the proceeding (number R.15-05-006) have the opportunity to file comments on the proposal before the CPUC votes on the matter. The first opportunity for the CPUC's Commissioners to vote on the proposal is at the Dec. 14 voting meeting in San Francisco.

Under the proposed decision, a High Fire-Threat District will be added to the provisions of the CPUC's General Order 95 and would consist of three areas:

1. Tier 1 High Hazard Zones on the U.S. Forest Service-California Department of Forestry and Fire Protection (CAL FIRE) joint map of Tree Mortality High Hazard Zones;
2. Tier 2 of the CPUC Fire-Threat Map where there is an elevated risk for utility-associated wildfires;
3. Tier 3 of the CPUC Fire-Threat Map where there is an extreme risk for utility-associated wildfires.

The proposed decision would adopt additional fire-safety regulations. For example, electric utilities must:

- Prioritize correction of safety hazards based, in part, on whether the safety hazard is located in a high fire-threat district.
- Correct non-immediate fire risks in Tier 2 of a high fire-threat district within 12 months, and in Tier 3 within 6 months.
- Maintain increased clearances between vegetation and power lines throughout high fire-threat districts.
- Maintain more stringent wire-to-wire clearances for new and reconstructed facilities in Tier 3.
- Conduct annual patrol inspections of their overhead distribution facilities in rural areas of Tier 2 and Tier 3.
- Prepare a fire-prevention plan annually if they have overhead facilities in the high fire-threat district.

The regulations would allow electric utilities to disconnect service to customers who refuse to provide access to their property for the removal of trees posing an immediate threat for contacting a power line and communications infrastructure providers must conduct patrol and detailed inspections of their overhead facilities at specified frequencies in Tier 2 and Tier 3.

The Proposed Decision directs the CPUC's Safety and Enforcement Division to confer with CAL FIRE regarding the development of a statewide fire-wind map by CAL FIRE for the purpose of establishing fire-wind-load regulations for utility infrastructure.

The CPUC Fire-Threat Map uses historical wind data and other information to identify areas where there is an elevated or extreme risk, but additional information, statistical analysis, and modeling is needed to develop a statewide fire-wind map that accurately identifies the frequency and severity of fire winds at a scale needed for cost-effective fire-wind-load regulations.

A final draft of the Fire-Threat Map is being reviewed by independent experts and scheduled to be filed with the CPUC by Nov. 17.

The Proposed Decision is available at http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M198/K355/198355203.PDF

CPUC issues decision establishing CCA demand response rules

The California Public Utilities Commission approved a decision on Oct. 12 to allow the emerging field of competing power providers to offer "demand response" programs similar to those offered by large investor-owned utilities.

Demand response programs offer incentives to customers that reduce their energy use during times of peak demand, enabling the system operator to more effectively manage the grid.

The decision (D.17-10-017) adopts steps to implement the "Competitive Neutrality Cost Causation Principle," which would allow competing providers (such as local government-owned Community Choice Aggregators [CCAs] and "direct access" companies that sell energy directly to consumers) to create and administer demand response programs on a level playing field with the investor-owned utilities (such as PG&E, SoCal Edison, and SDG&E).

Effective demand response programs provide California ratepayers with various economic and environmental benefits, but competing providers have reported barriers with the existing system. For example, demand response tariffs had sometimes been offered only to those customers that "bundled" services (i.e., having both electricity and natural gas service) from the utility — yet most CCA's only offer electricity.

Featured Rulemaking: D.17-10-017

The decision requires the utilities to offer a bill credit to reimburse unbundled customers no longer eligible to participate in the utilities' programs.

Under the new rules, a CCA's demand response program would be considered similar to a utility's program if it meets a number of criteria listed in the draft resolution.

The rulemaking will also establish a supply side working group to address barriers to the integration of demand response into the California Independent Systems Operator market.

The decision is the culmination of a four-year rulemaking process intended to retool demand response to align with the grid's needs while enhancing the role of demand response in carrying out California's energy policies.

The text of the decision is available online at: http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M198/K319/198319901.PDF

The Docket: Filings of note from Oct. 1 to Oct. 31, 2017

PROCEEDING NUMBER • FILED DATE • FILER

A1710002 • 02-OCT-2017 • Southern California Gas Company
Application of Southern California Gas Company (U904G) and San Diego Gas & Electric Company (U902G)Regarding Feasibility of Incorporating Advanced Meter Data Into the Core Balancing Process.
http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M196/K474/196474233.PDF

A1710003 • 02-OCT-2017 • Ducor Telephone Company
In the Matter of Application of Ducor Telephone Company (U1007C) to Review Intrastate Rates and Charges, Establish a New Intrastate Revenue Requirement and Rate Design, and Modify Selected Rates.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196760457

PROCEEDING NUMBER • FILED DATE • FILER

A1710004 • 02-OCT-2017 • Foresthill Telephone Co.
In the Matter of Application of Foresthill Telephone Co. (U1009C) to Review Intrastate Rates and Charges, Establish a New Intrastate Revenue Requirement and Rate Design, and Modify Selected Rates.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196609881

R1212011 • 4-OCT-17 • CMMR/RANDOLPH/CPUC
Proposed Decision on Phase III.B. Issue: Criminal Background Checks Transportation Network Company (aka ride-sharing) Drivers. Approved on Nov. 9.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196478351

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Docket: October Filings, *continued from previous page*

PROCEEDING NUMBER • FILED DATE • FILER

C1612004 • 5-OCT-17 • ALJ/BEMESDERFER/CPUC
Presiding Officer's Decision authorizing removal of trees from almond groves in Escalon, Manteca, and Oakdale.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196760484

I1606010 • 6-OCT-17 • ALJ/KIM/CPUC
Presiding Officer's Decision regarding alleged violations by San Francisco Bay Area Rapid Transit District relating to the October 19, 2013 fatal accident.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196814889

A1710007 • 06-OCT-2017 • San Diego Gas & Electric Company
Application of San Diego Gas & Electric Company (U902M) for Authority, Among Other Things, to Update its Electric and Gas Revenue Requirement and Base Rates Effective on January 1, 2019.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196991568

A1710008 • 06-OCT-2017 • Southern California Gas Company
Application of Southern California Gas Company (U904G) for Authority, Among Other Things, to Update its Gas Revenue Requirement and Base Rates Effective on January 1, 2019.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196814925

A1710009 • 05-OCT-2017 • Union Pacific Railroad Company
Application of the Union Pacific Railroad Company to Alter, Relocate, or Close the County Road 32A Railroad Grade Crossing in Yolo County, California (DOT#751224V).
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=196816609

R1710010 • 12-OCT-2017 • CPUC
Order regarding petition 17-03-004 to Consider Amendments to General Order 95. (Approved Oct. 20, 2017)
http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M197/K429/197429420.PDF

A1710015 • 16-OCT-2017 • MECCA TOURS, LLC
In the matter of the Application of MECCA TOURS, LLC, for Certificate of Public Convenience and Necessity to transport passengers and baggage express, on an on-call, city-to-city basis, between points in the cities/communities of Calexico, Mecca, Thermal, Coachella, Indio, San Bernardino, Colton, Riverside, Fontana, El Monte, Los Angeles (LA) and East-LA; and to establish a Zone-of-Rate-Freedom (ZORF) under Section 454.2 of the PU Code.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197875899

PROCEEDING NUMBER • FILED DATE • FILER

R1403003 • 16-OCT-17 • ALJ/SEMCER/CPUC
This decision modifies Decision (D.) 15-10-032 pursuant to the limited rehearing granted by D.16-04-013. The Commission finds that Public Utilities Code Section 453.5 does not apply to allocation of greenhouse gas allowance proceeds for the natural gas utilities.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197205891

A1610001 • 23-OCT-17 • ALJ/AYOADE/CPUC
This decision adopts and approves the All-Party Settlement Agreement between the California Public Utilities Commission's Office of Ratepayer Advocates; The Ponderosa Telephone Co.; and Ponderosa Cablevision.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197602374

A1710016 • 23-OCT-2017 • California-American Water Company
Joint Application of California-American Water Company (U210W) and Cook Endeavors d/b/a Fruitridge Vista Water Company (U136W) for an Order Authorizing Cook Endeavors to Sell and California-American Water Company to Purchase the water utility assets of Cook Endeavors.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197933637

A1604001 • 26-OCT-17 • ALJ/TSEN/CPUC
This decision resolves issues pertaining to Southern California Edison Company's Energy Resource Recovery Account compliance review application for the Record Period of January 1 through December 31, 2015. Opening comments are due November 15, 2017. Reply comments are due 5 days after the last day for filing comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197875897

A1702010 • 25-OCT-17 • ALJ/HAGA/CPUC
This decision grants the City of Union City authorization to construct an at-grade rail pedestrian only crossing over Union Pacific Railroad's Oakland Subdivision at mile post 27.10 in the City of Union City, Alameda County. Opening comments are due November 14, 2017. Reply comments are due 5 days after the last day for filing comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197852247

A1703008 • 25-OCT-17 • ALJ/WEATHERFORD/CPUC
Application to Modify Resolution W-4941 to Comply with Article X of the State Constitution. The Proposed Decision changes venue and transfers matter to Water Division. Opening comments are due no later than November 14, 2017. Reply comments are due 5 days after the last day for filing opening comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197852246

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CPUC fines BART for 2013 deaths

An administrative law judge with the CPUC issued a decision on Oct. 6 that penalizes Bay Area Rapid Transit District (BART) for two fatalities that occurred in Contra Costa County.

On Oct.19, 2013, a BART train struck and killed a BART manager and a contractor who were working on tracks between the Walnut Creek and Pleasant Hill stations.

The decision closes the CPUC's formal investigation that was opened on June 28, 2016, and finds that BART, through several of its veteran managers, violated multiple safety rules. The decision further concludes that the "violations are egregious, particularly in view of the fact that they were committed by BART's top-level veteran managers, and reflected BART's organizational and management culture and attitudes toward safety at the time of the incident."

The judge's decision fines BART $659,000. However, two-thirds of the fine will be stayed and in lieu of the stayed fine, BART will be placed on probation for three years, during which BART must implement a number of safety measures, such as:

- Immediately begin tracking and submitting to the CPUC all applicable violations of safety rules, practices, policies, or procedures and details of corrective actions taken;
- Within six months, reevaluate its current safety training programs and culture and devise and begin implementing a plan to improve the effectiveness of its current safety training programs;
- Annually brief the CPUC on BART's annual safety report and all updates on BART's efforts to continually improve its safety culture and enhanced compliance with all of the applicable safety rules, practices, policies, and procedures.

Featured Rulemaking: I.16-06-010

The CPUC administrative law judge's decision is available online at http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&docid=196814889 .

Docket: October Filings, *continued from previous page*

PROCEEDING NUMBER • FILED DATE • FILER

A1710018 • 25-OCT-2017 • Liberty Utilities (CalPeco Electric)
Application of Liberty Utilities (CalPeco Electric) LLC (U933E) for Authority to Recover Costs Recorded in its Catastrophic Event Memorandum Account.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=198196504

A1610003 • 30-Oct-17 • ALJ/MILES/CPUC
This decision adopts and approves the Joint Motion for Adoption of the All-Party Settlement Agreement between the California Public Utilities Commission's Office of Ratepayer Advocates and Sierra Telephone Company, Inc.,1 for Sierra's General Rate Case Test Year 2018 and closes Application 16-10-003. Opening comments are due no later than November 19, 2017. Reply comments are due 5 days after the last day for filing opening comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197875556

A1003015 • 30-Oct-17 • ALJ/PARK/GOLDBERG/ CPUC
This decision grants in part and denies in part the petition for modification of Decision 11-05-002 filed by PacifiCorp on August 12, 2016. Opening comments are due no later than November 19, 2017. Reply comments are due 5 days after the last day for filing opening comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197852319

R0901020 • 30-Oct-17 • CMMR/RECHTSCHAFFEN/CPUC
Proposed Decision closing proceeding in Order Instituting Rulemaking to consider Roadway Worker Protections by Transit Agencies in California. Opening comments are due no later than November 19, 2017. Reply comments are due 5 days after the last day for filing opening comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197815968

PROCEEDING NUMBER • FILED DATE • FILER

R1502012 • 30-Oct-17 • ALJ/ROSCOW/CPUC
This decision allocates DWR's 2018 bond charge-related revenue requirement of $892 million to the electric customers in the service territories of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company. Opening comments are due no later than November 19, 2017. Reply comments are due 5 days after the last day for filing opening comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=198196496

A1307015 • 31-Oct-17 • ALJ/HOUCK/CPUC
This decision grants the uncontested petition for modification filed by PacifiCorp on September 15, 2017 with a full year program extension rather than the six months requested by PacifiCorp.. Opening comments are due November 19, 2017. Reply comments are due 5 days after the last day for filing comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=198217189

R1407002 • 31-Oct-17 • ALJ/SIMON/ HECHT/ CPUC This decision adopts a new Solar on Multifamily Affordable Housing Program as a vehicle for implementation of AB 693, and provides the framework for the program's implementation. Opening comments are due Nov. 19, 2017. Reply comments are due 5 days after the last day for filing comments.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=198202281

A1710019 • 31-OCT-2017 • San Pablo Bay Pipeline Co. LLC
Application of San Pablo Bay Pipeline Company LLC (PLC- 29) for authority, pursuant to Public Utilities Code Section 455.3, to increase its rates for pipeline transportation services within California.
http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=197875960