



CPUC Public Agenda 3384

Thursday, September 15, 2016 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





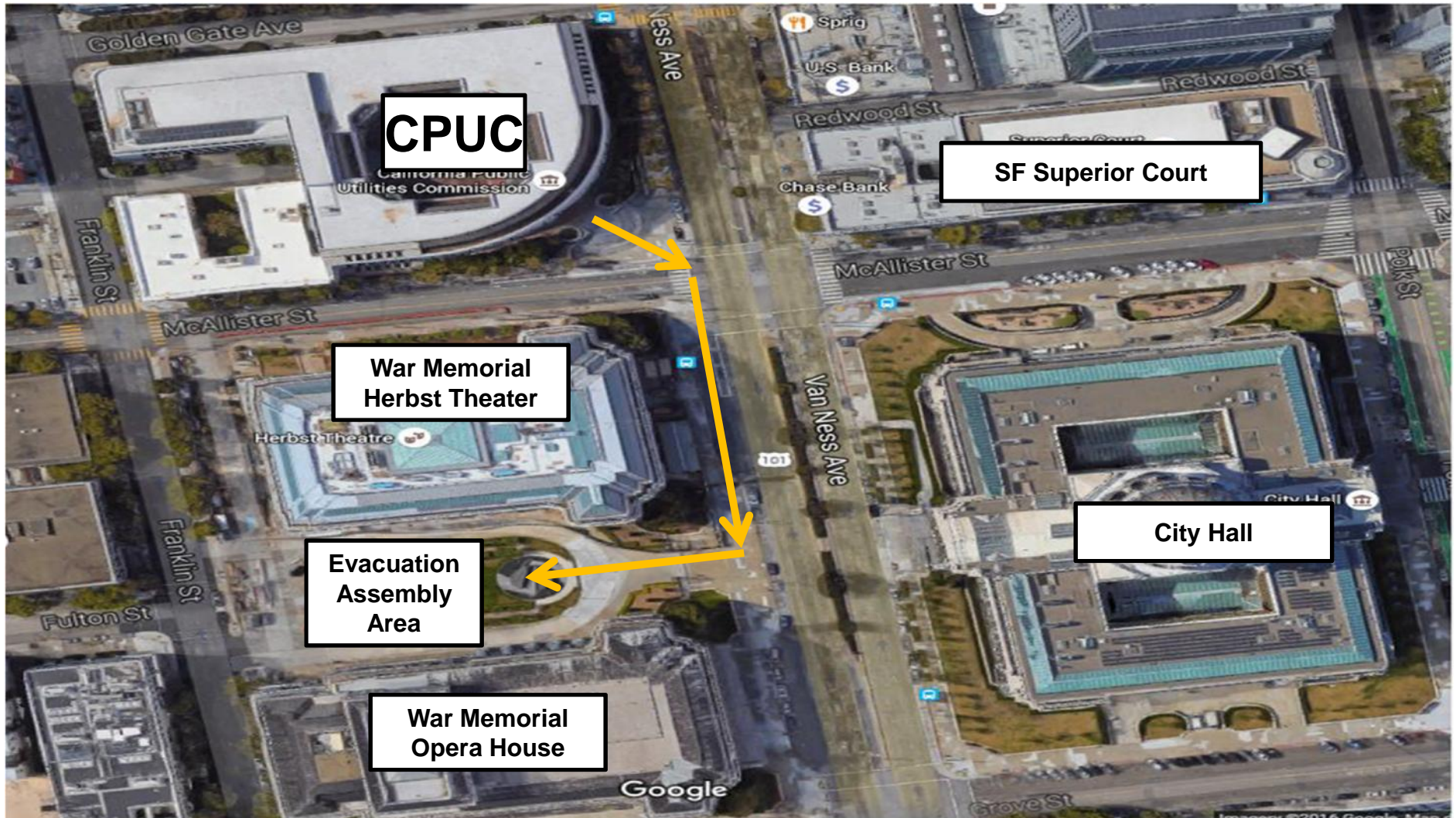
The Pledge of Allegiance



“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.”



Evacuation Assembly Location





CPUC Mission

The CPUC regulates services and utilities, protects consumers, safeguards the environment, and assures Californians' access to safe and reliable utility infrastructure and services.





CPUC Core Values

Accountability
Excellence
Integrity
Open Communication
Stewardship





Commissioner Code of Conduct

- **I. Commissioners should conduct themselves in a manner that demonstrates respect for the public, for fellow Commissioners, and for Commission staff.**
- **II. Commission meetings should be opportunities for a full and respectful exchange of ideas and the responsible execution of Commission duties.**
- **III. Serving on the Commission is an honor and Commissioners should treat their colleagues at the Commission with respect for the varied backgrounds, skills and interests that each one brings.**
- **IV. Commissioners are public officials who should uphold the integrity of their office at all times.**





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.

Public Comment is not permitted on the following items:

- 6, 12, 14, 17, 26, 35.
- 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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Commissioners' Reports





Management Reports





Regular Agenda – Management Reports and Resolutions

Item # 60 [15040]

Report and Discussion on Recent Consumer Protection and Safety Activities





Hollywood Tour-Bus Task Force



Consumer Protection & Enforcement Division

Shon Taylor and John Roldan

September 15, 2016





Transportation Enforcement Branch- LA (TEB- LA) responds to complaints from local Hollywood businesses and residents concerning:

- **Licensed and unlicensed tour bus companies**
- **Overly aggressive tour bus companies soliciting customers on sidewalks**
- **Unsafe tour buses driving along narrow residential streets**

Step 1- Agency Strategy Meetings

TEB-LA attended a series of meetings with other law enforcement agencies. To identify problems in the Hollywood area and coordinate future task force/ joint-operations.





Step 2 – Field Observations

- Area Surveillance
- Undercover observations
- Collaboration with Hollywood PD





Step 3 - The CPUC Facilitated Training Classes

1. CPUC Database Agency Access
2. Public Utilities Code regulations review
3. Misdemeanor citation report writing
4. Vehicle impounds/hearings





40 law-enforcement attendees from the Los Angeles City Attorney's Office, Beverly Hills PD, Culver City PD, Santa Monica PD and Santa Barbara PD, with more training sessions to follow in the near future.





Step 4 - Joint Task Force Goals

1. **Public Safety**...Assure compliance with CPUC regulations, verify that four buses operating in the Hollywood-area are properly licensed and all vehicles operating are on file
2. **Train local law enforcement agencies** to understand Public Utilities Code regulations
3. **Work in conjunction with other agencies**, ex. LA City Attorney's Office, CHP, Hollywood PD, and LAX PD
4. **To implement an appropriate and timely enforcement** against illegal carriers, including sting operations and other forms of presence in the field





Step 5 - Joint Operations

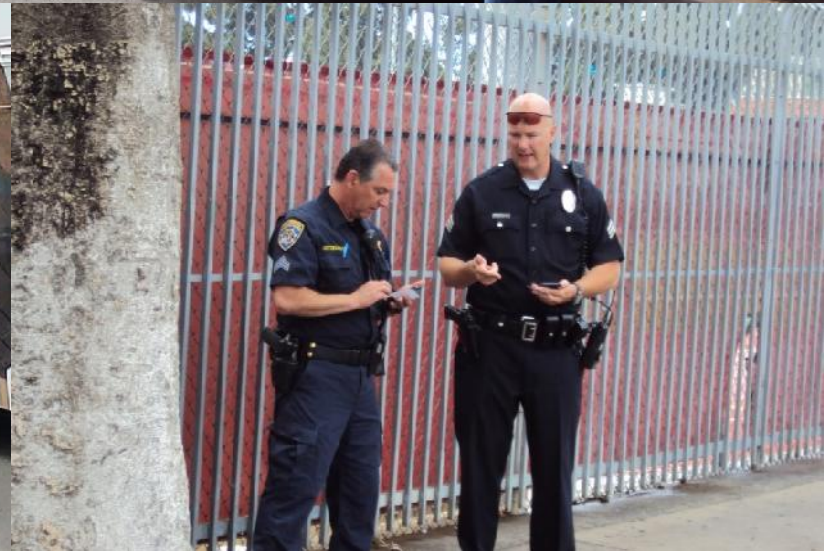
TEB-LA investigators are currently working with the Los Angeles City Attorney's Office, LAPD Hollywood Division, Beverly Hills PD & Traffic Officers, Culver City PD, Santa Monica PD, and California Highway Patrol (CHP)





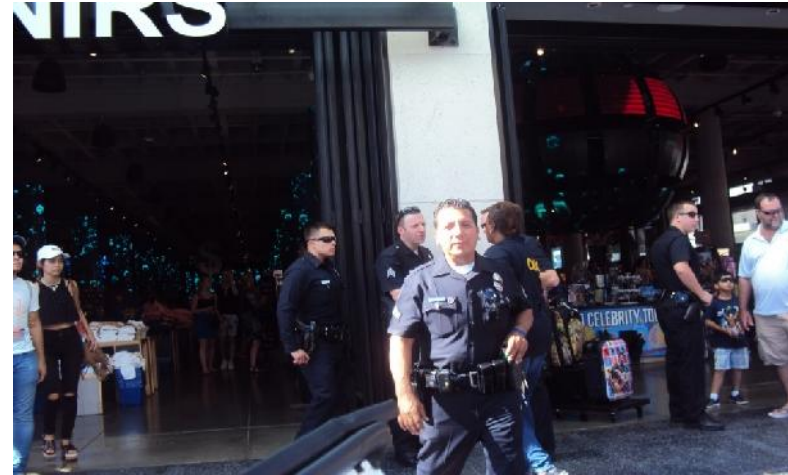
Hollywood Inspection July 2016

- Total 67 vehicles inspected/ observed
- 3 illegal carriers
- 1 suspended (CDL)
- 4 buses impounded





Hollywood Blvd.



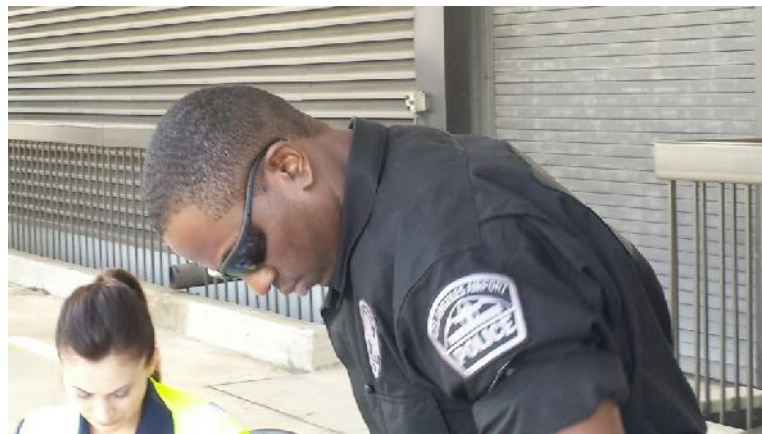
Hollywood Inspection August 2016

- 36 Inspections
- 10 Observation Reports
- No Impounds
- 8 mechanical citations





Joint Inspections





Continuing Joint PUC and Law Enforcement Activities







New Federal Requirements



U.S. Department of Transportation
National Highway Traffic Safety Administration

1200 New Jersey Avenue SE.
Washington, DC 20590

August 19, 2016

BY CERTIFIED MAIL



The National Highway Traffic Safety Administration (NHTSA) is an agency within the U.S. Department of Transportation (DOT) that is responsible for improving safety on our nation's highways. To achieve this goal, NHTSA develops and enforces Federal motor vehicle safety standards (FMVSS), which require minimum levels of safety performance for motor vehicles and for certain items of motor vehicle equipment. We are also authorized to order manufacturers to recall and repair motor vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance or do not comply with a FMVSS. We also monitor the adequacy of manufacturers' recall campaigns.

Recently, NHTSA has become aware that your company is operating passenger vans that have had the roof removed so the vehicle can be used to provide "open top" tours. We are concerned that you are putting the safety of your passengers and employees at risk and urge you to discontinue use of these vehicles. We are aware that some of these "open top" tour vans have had the vehicle's seat belts removed or modified from their original design. Moreover, removing the vehicle's roof could affect the safety of the vehicle by reducing the level of protection provided to vehicle occupants in the event of a rollover crash. We are also concerned that the modifications to the seat belts necessary to remove the roof could affect the integrity of the seat belt assembly and anchorages which could reduce the effectiveness of the seat belts. Furthermore, removing the seat belts from any vehicle has serious safety consequences. You should never transport passengers in any vehicle from which the seat belts have been removed.

Federal law prohibits any manufacturer, distributor, dealer, or motor vehicle repair business from knowingly making inoperative any federally required safety device. 49 U.S.C. § 30122. FMVSS No. 208, *Occupant Crash Protection*, requires passenger vans¹ with a gross vehicle weight rating (GVWR) of 10,000 pounds or less to have a three-point lap and shoulder belt (also known as a Type 2 belt) at every designated seating position. 49 C.F.R. § 571.208, S4.4.5. Type 2 belts

¹ NHTSA considers a motor vehicle designed to carry ten or more passengers to be a bus. 49 C.F.R. § 571.3.

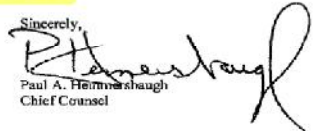


must comply with the requirements of FMVSS No. 209, *Seat Belt Assemblies*. 49 C.F.R. § 571.209. Furthermore, all seating positions with a Type 2 belt must be equipped with a seat belt anchorage meeting the requirements of FMVSS No. 210, *Seat Belt Assembly Anchorages*. 49 C.F.R. § 571.210. Removing the vehicle's seat belts or replacing a Type 2 belt with a two-point lap belt (also known as a Type-1 belt) would violate the "make inoperative" prohibition. The modifications to seat belts necessary to remove the vehicle's roof could affect the seat belts' compliance with FMVSS No. 209 and FMVSS No. 210. This could also constitute a violation of the make inoperative prohibition if the vehicle no longer complied with these standards after the roof was removed.

In order to determine if any federal laws or regulations has been violated, we are requesting that you provide the information in the attached Special Order. You are required to respond in full to the requests in the Special Order by September 19, 2016.

If you do not timely or completely respond to the Requests in this letter, you may be subject to civil penalties of up to \$21,000 per day.

If you have any questions, please contact Thomas Healy of my staff at (202) 366-7161 or thomas.healy@dot.gov.

Sincerely,

Paul A. Hammerbaugh
Chief Counsel





Results

- Law enforcement more familiar with PUC and its rules and regulations
- Increased enforcement of PUC rules and regulations
- Decrease in the number of unlicensed carriers
- Law enforcement agencies in neighboring cities are now wanting to be trained on enforcing PUC rules and regulations
- Successful prosecutions in the courts
- Local City Attorney's are more willing to prosecute PUC regulations in court
- Federal Agency has taken notice of potential public safety issues
- More interest in working collaboratively on joint operations
- Positive media attention and positive feedback





Commendations





John and Adrienne,

Thank you so much for all your help and coordination regarding the Hollywood tour bus issue. We are very grateful to your partnership and assistance.

As discussed just now, when you get a chance please let us know the names of the tour operators whose C&D letters were returned.

Thanks again!

Sincerely,

<http://s.wisestamp.com/links?url=http%3A%2F%2Fwww.cd13.com&sn=d2lsglhbS5heWFsYUBsYWNpdHkub3Jn>

Dan Halden
Hollywood Field Deputy

Office of Councilmember Mitch O'Farrell
5500 Hollywood Blvd, 4th Floor, Los Angeles, CA 90028
(323) 957-4500 | www.cd13.com

Find the Councilmember on: Facebook

<https://www.facebook.com/CouncilmemberMitchOFarrell>> Twitter

<http://s.wisestamp.com/links?url=https%3A%2F%2Ftwitter.com%2F MitchOFarrell&sn=d2lsglhbS5heWFsYUBsYWNpdHkub3Jn>> Instagram

<http://s.wisestamp.com/links?url=http%3A%2F%2Fwww.instagram.com%2Fmitchofarrell&sn=d2lsglhbS5heWFsYUBsYWNpdHkub3Jn>> YouTube <http://www.youtube.com/>

Dear Adrienne,

Please extend my appreciation to the PUC staff for their professionalism, excellent ongoing training, partnership, and availability to answer my and LAPD's many questions. I hope this is the beginning of regular commercial vehicle enforcement in Hollywood.

I will be in touch soon.

Thanks again for everything you do!!!

Sincerely,

--

Jackie Lawson - Deputy City Attorney
Neighborhood Prosecutor - Hollywood
Safe Neighborhoods & Gangs Division

Office of the Los Angeles City Attorney
200 N. Main Street, 5th Floor
213.978.7878 - Main Number
Mail Stop 140





TEB's Efforts Captured by Local Media

<http://www.nbclosangeles.com/investigations/Hollywood-Tours-Residents-389777331.html>

<http://www.nbclosangeles.com/investigations/Hollywood-Tour-Trouble-Part-2-Safety-390109241.html>

<http://www.nbclosangeles.com/news/local/Hollywood-Tour-Trouble-topless-safety-390868241.html>

**KNBC 4
Consumer
Investigative
Reports**





Regular Agenda – Management Reports and Resolutions

Item # 60 [15040]

Report and Discussion on Recent Consumer Protection and Safety Activities





Regular Agenda – Management Reports and Resolutions

Item # 61 [15041]

Management Report on Administrative Activities





Employee Recognition of CPUC Employees



Timothy J. Sullivan
Executive Director

California Public Utilities Commission

September 15, 2016



- Retirement

- **Charles Christiansen**
- **Alok Kumar**

- 25 Years of State Service

- **Maryam Ebke**
- **Dorothy Duda**
- **Risa Hernandez**





- Employee of the Quarter - 2nd Qtr. of 2016

- **Colin Rizzo - Building Morale**
- **Lisa Paulo - Embodying Core Values**
- **Lori Misicka - Excelling at Customer Service**
- **Ben Brinkman - Driving Innovation**





Regular Agenda – Management Reports and Resolutions

Item # 61 [15041]

Management Report on Administrative Activities





Management Reports





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, 3, 4, 5, 6, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48.
- 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 Item** from the Regular Agenda has 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.
- **Item 30** has been moved to the Regular Agenda.
- **Item 53, 54, 55, 56, 57, 58, 59** has been withdrawn.
- The following items have been held to future Commission Meetings:
 - Held to **9/29/16**: 2, 11, 27.
 - Held to **10/13/16**: 9, 50, 50a.





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 – Water Orders

Item # 30 [15102] – Decision Resolving Phase 2 Issues, Authorizing California American Water Company to Enter Into Revised Water Purchase Agreement

A12-04-019

Application of California-American Water Company for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates.

Ratesetting

Comr Sandoval - Judge Weatherford

PROPOSED OUTCOME :

- Authorizes California American Water Company (Cal-Am) to enter into a revised Water Purchase Agreement.
- Authorizes Cal-Am to build the Monterey pipeline and pump station, subject to a Mitigation Monitoring and Reporting Program to address environmental issues.
- Authorizes Cal-Am to file two advice letters to seek recovery of the costs of the pipeline and pump station.
- Proceeding remains open to address Phase 1 issues (regarding a Certificate of Public Convenience and Necessity for Monterey Peninsula Water Supply Project).

SAFETY CONSIDERATIONS :

- Provides additional purified, potable and safe water by 2018 for the Monterey District of Cal-Am, contributing to public health and safety and decreasing environmental impacts on the Carmel River.

ESTIMATED COST :

- First year water purchase price cost cap of \$1,720 per acre-foot.
- Adopts construction cost caps: \$46.5 million for pipeline, and \$3.8 million for pump station.





Regular Agenda – Energy Orders

Item # 49 [14986] – Pacific Gas and Electric Company, San Diego Gas & Electric Company and Southern California Edison Company Pilot Approval for Matinee Pricing

R13-12-011

Order Instituting Rulemaking into Policies to Promote a Partnership Framework between Energy Investor Owned Utilities and the Water Sector to Promote Water-Energy Nexus Programs.

Quasi-Legislative

Comr Sandoval - Judge McKinney

PROPOSED OUTCOME :

- Approves pilots by Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E) and Southern California Edison Company (SCE) to test a concept of matinee rates as a means to reduce both energy and water use at high impact times.
- Establishes cost recovery method for pilot costs and the evaluation requirements.

SAFETY CONSIDERATIONS :

- The pilots will use existing infrastructure; and, therefore no safety impact is presented with the result of this decision.

ESTIMATED COST :

- \$4.25 million to be paid by ratepayers of PG&E, SDG&E and SCE.





Regular Agenda – Orders Extending Statutory Deadline

Item # 51 [15052] – Order Extending Statutory Deadline

A14-12-017

Triennial Cost Allocation Proceeding Phase 1 Application of Southern California Gas Company and San Diego Gas & Electric Company for Authority to Revise their Natural Gas Rates Effective January 1, 2016.

Ratesetting

Comr Picker - Judge Kelly

PROPOSED OUTCOME :

- Extends the statutory deadline of this proceeding to November 17, 2016.

SAFETY CONSIDERATIONS :

- There are no safety implications associated with this decision.

ESTIMATED COST :

- There are no costs associated with the result of this decision.





Regular Agenda – Orders Extending Statutory Deadline (continued)

Item # 52 [15119] – Order Extending Statutory Deadline

A14-04-011

In the Matter of the Application of San Diego Gas & Electric Company for a Certificate of Public Convenience and Necessity for the Sycamore-Penasquitos 230 Kilovolt Transmission Line Project.

Ratesetting

Comr Picker - Judge Yacknin

PROPOSED OUTCOME :

- Extends statutory deadline to November 20, 2016.

SAFETY CONSIDERATIONS :

- None as a result of this decision.

ESTIMATED COST :

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





The CPUC Thanks You For Attending Today's Meeting

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

**September 29, 2016 at 9:30 a.m.
in San Francisco, CA**

