



CPUC Public Agenda 3382
Thursday, August 18, 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





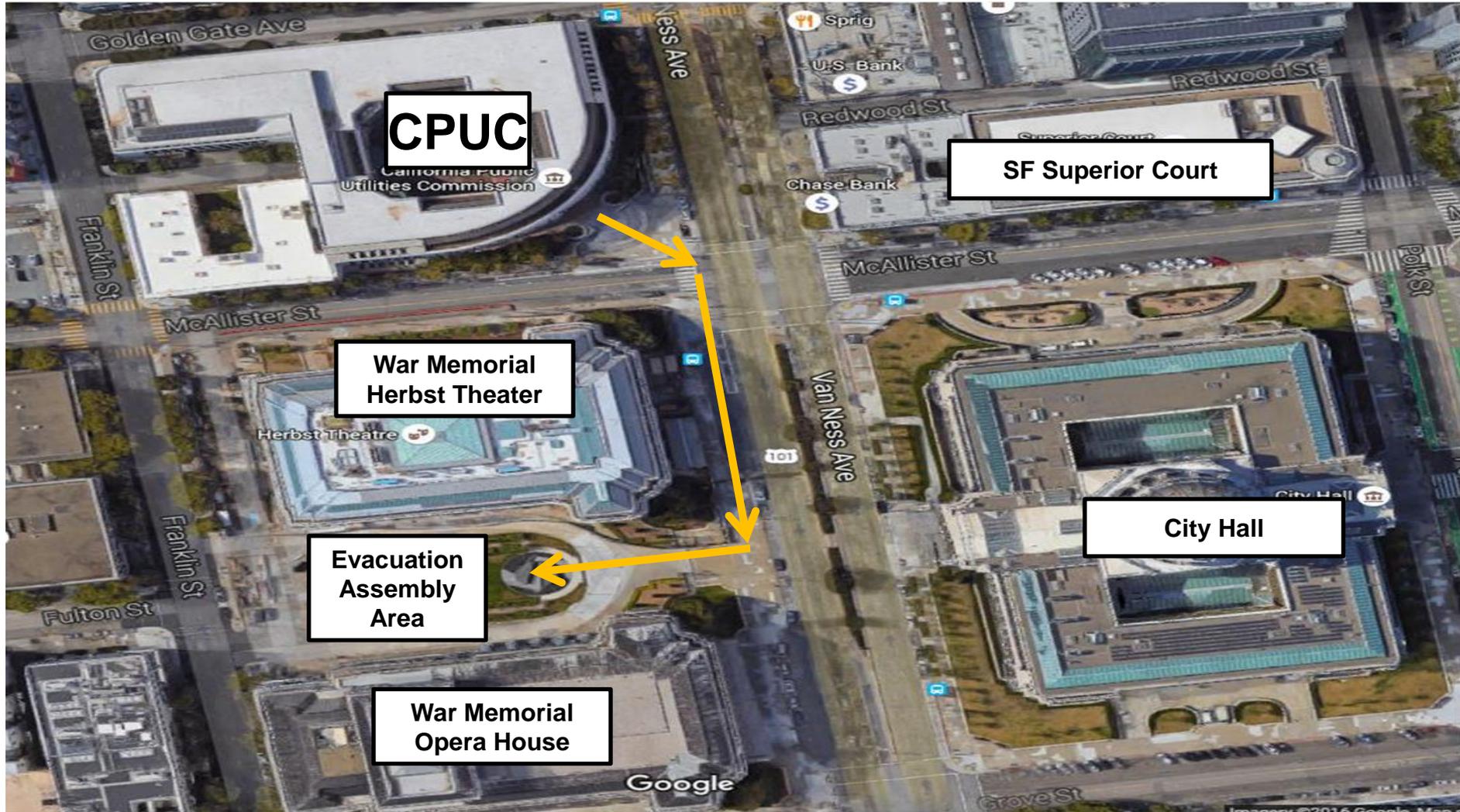
The Pledge of Allegiance



“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





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:

- 21, 50, 53, 55.
- All items on the Closed Session Agenda





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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, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46.
- 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.
- Items 59, 61(ar) and (au), 62(aaf), 64(m), 67, 70 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.
- No Item has been moved to the Regular Agenda.
- No Item has been withdrawn.
- The following items have been held to future Commission Meetings:
Held to 9/15/16: 5, 20, 26, 29, 54, 60, 61 except sub item (ar) and (au), 62 except sub item (aaf), 63, 64 except sub item (m), 65, 66.





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 # 47 [14800] – Southern California Edison Company’s Certificate of Public Convenience and Necessity for the West of Devers Transmission Upgrade Project

A13-10-020

In the Matter of the Application of Southern California Edison Company for a Certificate of Public Convenience and Necessity for the West of Devers Upgrade Project and for an Interim Decision Approving the Proposed Transaction between Southern California Edison and Morongo Transmission LLC.

Comr Randolph - Judge Yacknin

PROPOSED OUTCOME :

- Grants Southern California Edison Company a certificate of public convenience and necessity to construct the West of Devers transmission upgrade project.
- Closes the proceeding.

SAFETY CONSIDERATIONS :

- All safety considerations associated with project construction and operation, other than temporary air quality impacts during construction, are mitigated to less than significant with mitigation required by the decision.

ESTIMATED COST :

- The reasonable and prudent maximum cost cap for the West of Devers Upgrade Project is \$1,010 million, including contingency.





Regular Agenda – Energy Orders (continued)

Item # 47a [15005] – PRESIDENT PICKER’S ALTERNATE TO ITEM 14800

A13-10-020

In the Matter of the Application of Southern California Edison Company for a Certificate of Public Convenience and Necessity for the West of Devers Upgrade Project and for an Interim Decision Approving the Proposed Transaction between Southern California Edison and Morongo Transmission LLC.

Comr Picker

PROPOSED OUTCOME :

- Grants Southern California Edison Company a certificate of public convenience and necessity to construct the West of Devers transmission upgrade project
- Closes the proceeding.

SAFETY CONSIDERATIONS :

- All safety considerations associated with project construction and operation, other than temporary air quality impacts during construction, are mitigated to less than significant with mitigation required by the decision.

ESTIMATED COST :

- The reasonable and prudent maximum cost cap for the West of Devers Upgrade Project is \$1,010 million, including contingency.





Regular Agenda – Energy Orders (continued)

Item # 48 [14984] – Interim Decision Adopting the Multi-Attribute Approach (or Utility Equivalent Features) and Directing Utilities to Take Steps Toward a More Uniform Risk Management Framework

A15-05-002 , A15-05-003, A15-05-004, A15-05-005 - Related

Quasi-Legislative

Comr Picker - Judge Kersten

PROPOSED OUTCOME :

- Adopts the Cycla Corporation (Cycla) 10-Step Evaluation Method as a common yardstick for evaluating the maturity of San Diego Gas & Electric Company, Southern California Gas Company, Southern California Edison Company, and Pacific Gas and Electric Company (utility) risk assessment and mitigation models;
- Approves common elements of existing utility models to the extent that they provide a “bridge” to more sophisticated and administratively efficient multi-attribute risk analysis;
- On an interim basis, adopts the Intervenor “Multi Attribute” Approach (or utility equivalent features) and directs utilities to take steps toward a more uniform approach to risk management in the second phase of this proceeding;
- Directs utilities to “test drive” the Multi Attribute Approach using real world problems before full scale adoption of any methodology;
- Adopts Safety and Enforcement Division’s recommended Guidance for Risk Assessment Mitigation Phase (RAMP) with modifications, and the 10 major components that should be included in RAMP filings;
- Approves an interim Road Map to migrate from relative risk scoring to more quantitative methods for optimized risk mitigation subject to review and revision in the second phase of this SMAP proceeding.

SAFETY CONSIDERATIONS :

- Effective risk management enhances the Commission’s ability to resolve safety and other issues under Pub. Util. Code Section 451 to take actions “...necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.”

ESTIMATED COST :

- Unknown.





Regular Agenda - Energy Orders (continued)

Item # 49 [15034] – Decision Providing Guidance for Initial Energy Efficiency Rolling Portfolio Business Plan Filings

R13-11-005

Ratesetting

Comr Peterman - Judge Fitch

PROPOSED OUTCOME :

- This decision gives policy guidance on several issues related to the filing of energy efficiency business plans previously ordered in Decision 15-10-028, which set up the framework for the energy efficiency rolling portfolio process.
- The decision addresses:
 - Next steps for regional energy networks
 - Appropriate baselines to be used to measure or estimate energy savings
 - Transition for statewide and third party programs
 - Changes to the evaluation and utility shareholder incentive frameworks.
- The decision also sets a deadline of January 15, 2017 for the filing of the energy efficiency business plans by all program administrators, to be filed in separate applications but composed in a coordinated fashion as described in more detail in the decision.

SAFETY CONSIDERATIONS :

- There are no specific safety actions ordered as a result of this policy decision, but the energy efficiency portfolios to be filed subsequently will utilize financial incentives to encourage the installation of equipment and measures designed to improve the safety and comfort of the building stock and industrial facilities in the state.

ESTIMATED COST :

- There is no direct cost associated with this decision, though it could induce changes to the energy efficiency portfolio, currently approximately \$1 billion per year from the ratepayers of Pacific Gas and Electric, Southern California Edison, Southern California Gas, and San Diego Gas and Electric Companies combined.





Regular Agenda - Energy Orders (continued)

Item # 50 [15084] – Modified Presiding Officer’s Decision Regarding Investigation of Pacific Gas and Electric Company’s Gas Distribution Facilities Records

I14-11-008

Order Instituting Investigation and Order to Show Cause 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 Distribution System Pipelines.

Adjudicatory

Comr Peterman - Judge Bushey

PROPOSED OUTCOME:

- Imposes fine of \$25,626,000 on Pacific Gas and Electric Company (PG&E) for violations of recordkeeping requirements in its natural gas distribution system.

SAFETY CONSIDERATIONS:

- The improvements in PG&E's natural gas distribution system record-keeping will enhance safe operations.

ESTIMATED COST:

- \$25,626,000.





Regular Agenda - Energy Resolutions and Written Reports

Item # 51 [14972] – San Diego Gas & Electric Company Requests Approval of its Proposed Independent Marketing Division Compliance Plan Pursuant to Decision 12-12-036

Res E-4874, Advice Letter 2822-E filed November 20, 2015 - Related matters.

PROPOSED OUTCOME:

- Approves San Diego Gas & Electric Company's Advice Letter 2822-E, which proposes an Independent Marketing Division.
- Defines the Independent Marketing Division as a "Rule II.B affiliate," under the Commission's Affiliate Transaction Rules.
-

SAFETY CONSIDERATIONS:

- There is no impact on safety.

ESTIMATED COST:

- There is no ratepayer cost, as the Independent Marketing Division shall be entirely shareholder-funded.





Resolution E-4874. San Diego Gas & Electric Company requests approval of its proposed Independent Marketing Division compliance plan pursuant to Decision 12-12-036.

August 18, 2016 CPUC Voting Meeting

Edward F. Randolph

Director, Energy Division



Resolution E-4874

Approving SDG&E's AL 2822-E, Independent Marketing Division Compliance Plan

- P.U. Code Section 707: "The CPUC's CCA Code of Conduct shall...
 - (1) **Ensure that an electrical corporation does not market against a community choice aggregation program, except through an independent marketing division** that is funded exclusively by the electrical corporation's shareholders and that is functionally and physically separate from the electrical corporation's ratepayer-funded divisions.
 - (2) **Limit the electrical corporation's independent marketing division's use of support services from the electrical corporation's ratepayer-funded divisions,** and ensure that the electrical corporation's independent marketing division is allocated costs of any permissible support services from the electrical corporation's ratepayer-funded divisions on a fully allocated embedded cost basis, providing detailed public reports of such use.
 - (3) Ensure that the electrical corporation's independent marketing division **does not have access to competitively sensitive information."**



Resolution E-4874

Approving SDG&E's AL 2822-E, Independent Marketing Division Compliance Plan

- CCA Code of Conduct D.12-12-036
 - Rule 2: “[n]o electrical corporation shall market or lobby against a community choice aggregation program, **except through an independent marketing division** that is funded exclusively by the electrical corporation's shareholders and that is functionally and physically separate from the electrical corporation's ratepayer-funded divisions.”



Resolution E-4874

Approving SDG&E's AL 2822-E, Independent Marketing Division Compliance Plan

The Resolution:

- Designates Sempra Services Corporation (the Independent Marketing Division) as a functionally, financially, and physically separate affiliate of Sempra, subject to all Affiliate Rules.
- Certain amount and categories of corporate support shared services permitted by Affiliate Rules and CCA Code of Conduct.
- Requires quarterly reports on shared services and an annual report on expenditures.



Resolution E-4874

Approving SDG&E's AL 2822-E, Independent Marketing Division Compliance Plan

The Resolution:

- Specifically points out that employees, agents, contractors, and consultants who are involved in marketing/lobbying may *not* be shared between SDG&E and the Independent Marketing Division.
- CCA Code of Conduct's Expedited Complaint Procedure applies explicitly to "electrical corporations," with no mention of independent marketing division. While other Code of Conduct Rules, such as Rule 10, apply to both "electrical corporations and independent marketing divisions."



Summary of Comments and resulting changes

Sharing of Services/Employees between the IMD and SDG&E

- Code of Conduct Rule 13, which prohibits the sharing of services or employees “involved with lobbying or marketing” between the utility and its IMD, should also be applied to departments such as: public affairs, legal, regulatory affairs, and communications because those departments are also involved in lobbying and marketing [LEAN, Climate Action Campaign and Sierra Club]
- What constitutes “shared services” should be reviewed according to function, not simply title or department [CCA Parties]
- Allowing SDG&E’s officers to sit on the IMD’s board violates the Code of Conduct Rule 2 requirement that the IMD be “functionally separate” from the SDG&E [LEAN, Climate Action Campaign and Sierra Club] *This sharing of officers is specifically allowed by Code of Conduct as between the IMD and the utility.

Application of the Code of Conduct and the Expedited Complaint Process

- The COC should apply to SDG&E’s IMD consultants, contractors, vendors, and agents[LEAN]
- The expedited complaint procedure should be applied to the IMD [CCA Parties]
*Specific Rules in the Code of Conduct specifically apply to the IMD and other Rules don’t (e.g. Rule 9 vs. Rule 10).



Summary of Comments and resulting changes continued

Reporting and Compliance

- Amend current reporting requirements to require SDG&E to submit a quarterly report that addresses accounting and reporting matters comprehensively [CCA Parties, LEAN]
- Require SDG&E to provide a mechanism for processing complaints about the IMD [CCA Parties] *No mechanism provided for in P.U. Code or Code of Conduct.

Process and Opportunity to Comment

- The CPUC should provide a schedule for an additional round of comments [CCA Parties] *Did not do this because the changes were not substantive.
- SDG&E should resubmit a revised compliance plan and Tier 2 advice letter [CCA Parties]

Affiliate Transaction Rules

- The IMD should not be subjected to Rule II.B of the Affiliate Transaction Rules [SDG&E] *We kept it because its service “relate to the use of electricity as per ATR Rule II.B.



Regular Agenda - Energy Resolutions and Written Reports

Item # 51[14972] – San Diego Gas & Electric Company Requests Approval of its Proposed Independent Marketing Division Compliance Plan Pursuant to Decision 12-12-036

Res E-4874, Advice Letter 2822-E filed November 20, 2015 - Related matters.

PROPOSED OUTCOME:

- Approves San Diego Gas & Electric Company's Advice Letter 2822-E, which proposes an Independent Marketing Division.
- Defines the Independent Marketing Division as a "Rule II.B affiliate," under the Commission's Affiliate Transaction Rules.

SAFETY CONSIDERATIONS:

- There is no impact on safety.

ESTIMATED COST:

- There is no ratepayer cost, as the Independent Marketing Division shall be entirely shareholder-funded.





Regular Agenda - Communication Orders

Item # 52 [14750] – Adopting General Order 133-D

R.11-12-001

Order Instituting Rulemaking to Evaluate Telecommunications Corporations Service Quality Performance and Consider Modification to Service Quality Rules.

Quasi-Legislative

Comr Picker - Judge Bushey

PROPOSED OUTCOME:

- Adopts revisions to service quality rules for telephone corporations, including penalties for chronic failures.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- Carriers remain responsible for safe operation of their telephone systems.

ESTIMATED COST:

- Unknown at this time.





Regular Agenda - Communication Orders (continued)

Item # 52a [14992] – COMMISSIONER SANDOVAL’S ALTERNATE TO ITEM 14750

R11-12-001

Order Instituting Rulemaking to Evaluate Telecommunications Corporations Service Quality Performance and Consider Modification to Service Quality Rules.

Comr Sandoval

PROPOSED OUTCOME:

- Adopts revisions to service quality rules and outage reporting requirements for telephone corporations, including penalties for chronic failures, with special reporting thresholds for rural areas of the state.
- The proceeding remains open to consider the application of service quality and outage reporting requirements to wireless and VoIP providers.

SAFETY CONSIDERATIONS:

- Carriers are responsible for the safe and reliable operation of their telephone systems.

ESTIMATED COST:

- Unknown at this time.





Item # 52(a)-Adopting General Order 133-D



Catherine J.K. Sandoval
Commissioner

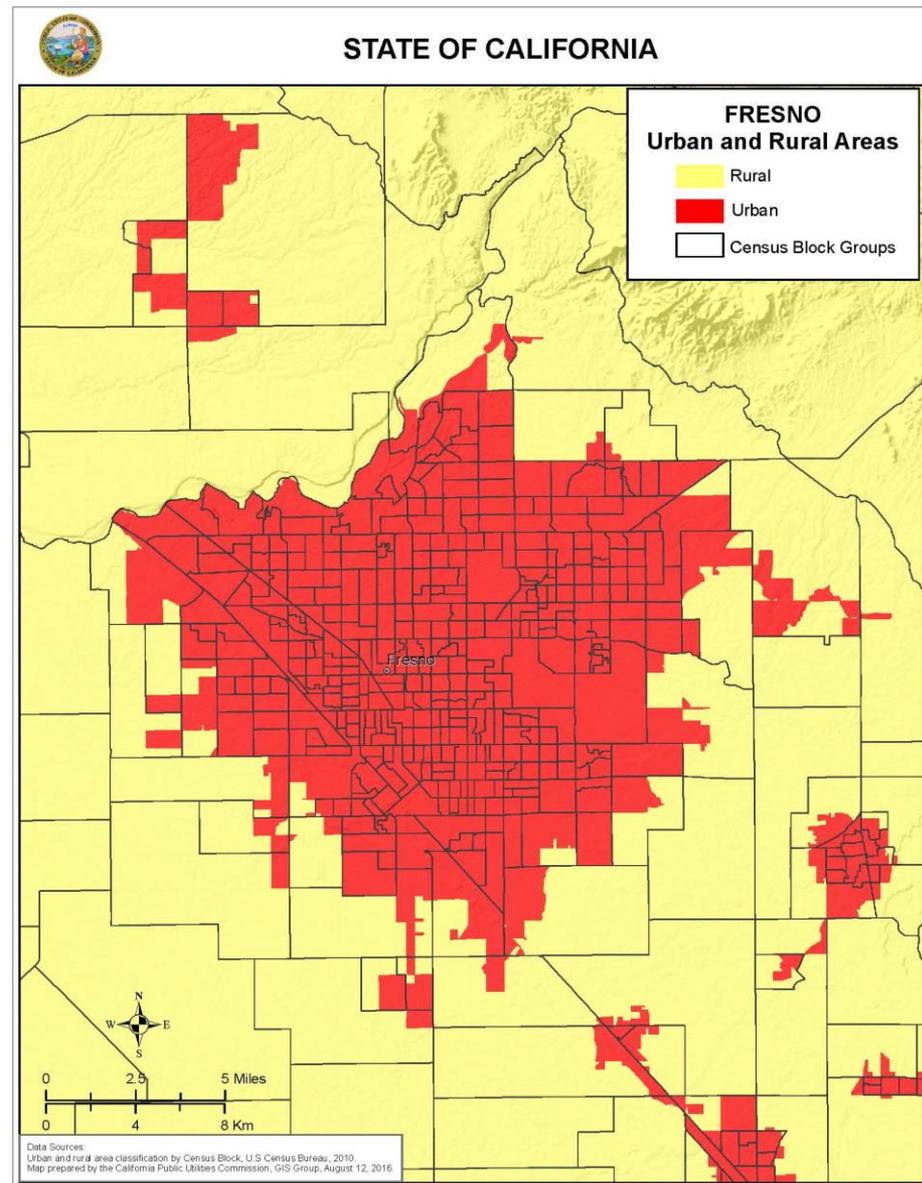
California Public Utilities Commission

August 18, 2016



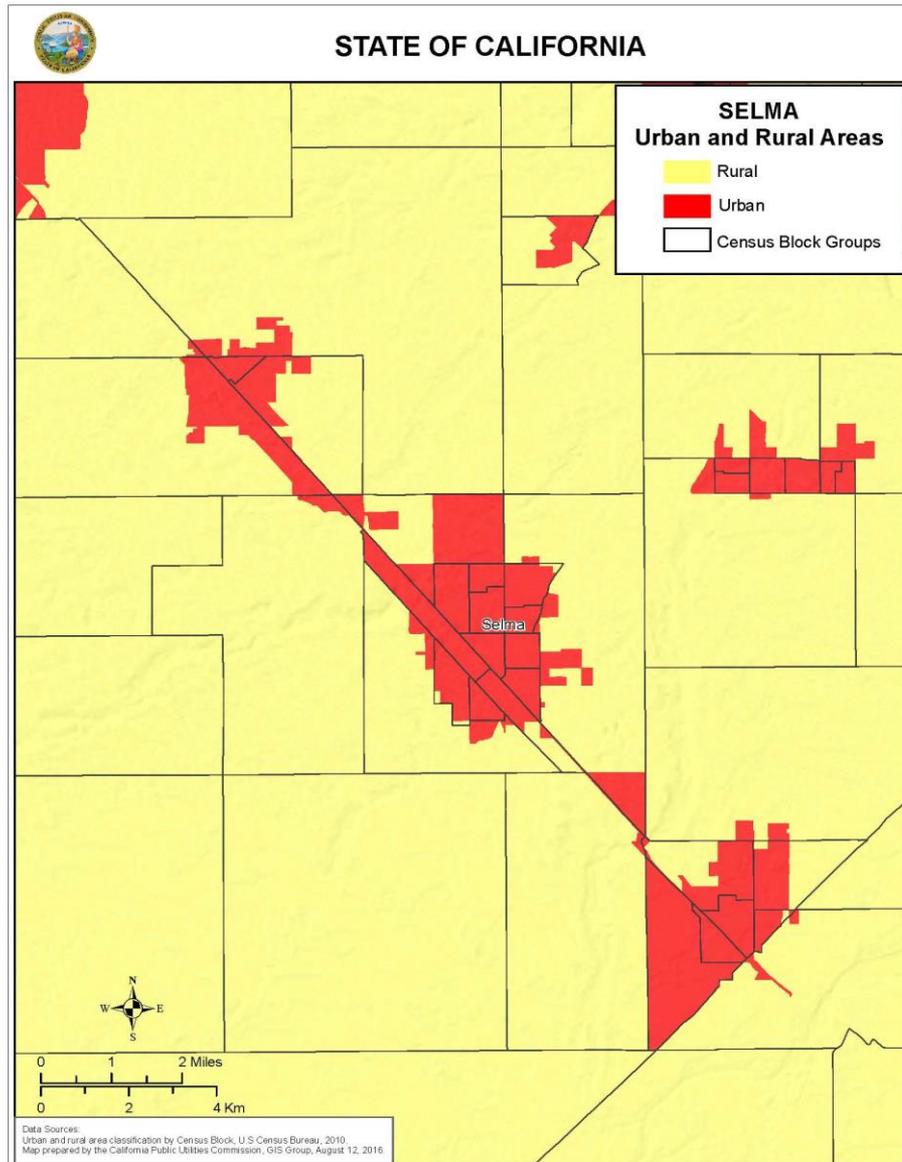


Fresno





Selma





Regular Agenda - Communication Orders (continued)

Item # 52a [14992] – COMMISSIONER SANDOVAL’S ALTERNATE TO ITEM 14750

R11-12-001

Order Instituting Rulemaking to Evaluate Telecommunications Corporations Service Quality Performance and Consider Modification to Service Quality Rules.

Comr Sandoval

PROPOSED OUTCOME:

- Adopts revisions to service quality rules and outage reporting requirements for telephone corporations, including penalties for chronic failures, with special reporting thresholds for rural areas of the state.
- The proceeding remains open to consider the application of service quality and outage reporting requirements to wireless and VoIP providers.

SAFETY CONSIDERATIONS:

- Carriers are responsible for the safe and reliable operation of their telephone systems.

ESTIMATED COST:

- Unknown at this time.





Regular Agenda - Orders Extending Statutory Deadline

Item # 53 [15051] – Order Extending Statutory Deadline

C15-02-022

David MacKinnon, Jr., vs. San Diego Gas & Electric Company

Adjudicatory

Comr Randolph - Judge Colbert

PROPOSED OUTCOME:

- Extends statutory deadline for completion of this proceeding until February 26, 2017.

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 (continued)

Item # 55 [15053] – Order Extending Statutory Deadline

C15-02-021

Ramin Hatam, vs. San Diego Gas & Electric Company

Adjudicatory

Comr Randolph - Judge Colbert

PROPOSED OUTCOME:

- Extends the statutory deadline for completion of this proceeding to February 24, 2017.

SAFETY CONSIDERATIONS:

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

ESTIMATED COST:

- There are no costs associated with this decision.





Regular Agenda - Orders Extending Statutory Deadline (continued)

Item # 56 [15081] – Order Extending Statutory Deadline

A12-05-020

In the Matter of the Application of San Diego Gas & Electric Company for a Certificate of Public Convenience and Necessity for the South Orange County Reliability Enhancement Project

Ratesetting

Comr Picker - Judge Farrar

PROPOSED OUTCOME:

- Extends statutory deadline to October 22, 2016.

SAFETY CONSIDERATIONS:

- None as a result of this decision.

ESTIMATED COST:

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





Regular Agenda - Other Utility Orders

Item # 57 [14997] – Decision Updating Commission Processes Relating to Potentially Confidential Documents

R14-11-001

Order Instituting Rulemaking to Improve Public Access to Public Records Pursuant to the California Public Records Act.

Quasi-Legislative

Comr Picker - Judge Lirag

PROPOSED OUTCOME:

- Implements an updated and clarified process for submitting potentially confidential documents to the Commission based on the process adopted in our prior Decision 06-06-066. This process is intended to ensure consistency across industries and to expedite Commission review of requests for confidential treatment in response to California Public Records Act requests.
- Provides guidance for the development of the process that the Commission will use in determining whether a potentially confidential document can be disclosed, again with the goal of consistent treatment and prompt disclosure of non-confidential documents.

SAFETY CONSIDERATIONS:

- No direct safety impact.

ESTIMATED COST:

- This decision should reduce the Commission's cost of compliance with the California Public Records Act by an unknown amount. This decision may slightly increase the costs for entities submitting potentially confidential documents to the Commission.





Regular Agenda - Other Utility Orders (continued)

Item # 58 [14983] – Decision Adopting New Rule 17.5 Regarding Intervenor Compensation

R14-08-020

Order Instituting Rulemaking Regarding Whether to Adopt, Amend, or Repeal Regulations Governing the Award of Intervenor Compensation.

Quasi-Legislative

Comr Florio - Judge Bemesserfer

PROPOSED OUTCOME:

- Adopts new Rule 17.5 requiring applicants for Certificate of Public Convenience and Necessity or other Commission action that are subject to Commission jurisdiction to post a bond to pay anticipated costs of any related intervenor compensation awards.
- Closes the proceeding.

SAFETY CONSIDERATIONS:

- There are no safety considerations with the implementation of new Rule 17.5.

ESTIMATED COST:

- There are no costs associated with the implementation of Rule 17.5.





Commissioners' Reports





Management Reports





Regular Agenda – Management Reports and Resolutions

Item # 68 [15013]

Report and Discussion on Recent Consumer Protection and Safety Activities





811- One Call



Nathan Sarina
Utilities Engineer
Gas Safety and Reliability Branch
Safety and Enforcement Division
California Public Utilities Commission
August 18, 2016





What is One-Call?

- All excavators must contact One-Call Centers, and;
- Provide One-Call Centers with information related to the intended excavation:
 - work area,
 - date when work will start,
 - scope of work,
 - contact information, etc.





What is One-Call?

- The intent of One-Call and 811 is to prevent:
 - damage to subsurface facilities,
 - loss of service, and
 - most importantly, injuries or deaths which can result if facilities are struck.





What is One-Call?

Nationwide statistics from the Common Ground Alliance indicate that when a locate request is made prior to an underground excavation, 99% of the time no damages will occur... **THAT MEANS LESS THAN 1% OF DIGS CAUSE DAMAGES WHEN THE EXCAVATORS PROVIDE PROPER NOTICE TO ONE-CALL!**





What is One-Call?

- California Government Code 4216 (GC 4216) governs the One-Call process.
- GC 4216 requires sub-surface facility owners to be members of their local One-Call Center.
- Exempted from GC 4216:
 - Caltrans,
 - operators of non-pressurized sewers,
 - drain lines,
 - storm drains, and
 - owners of facilities located entirely on their property.
- The One-Call process is **free** for the excavator.





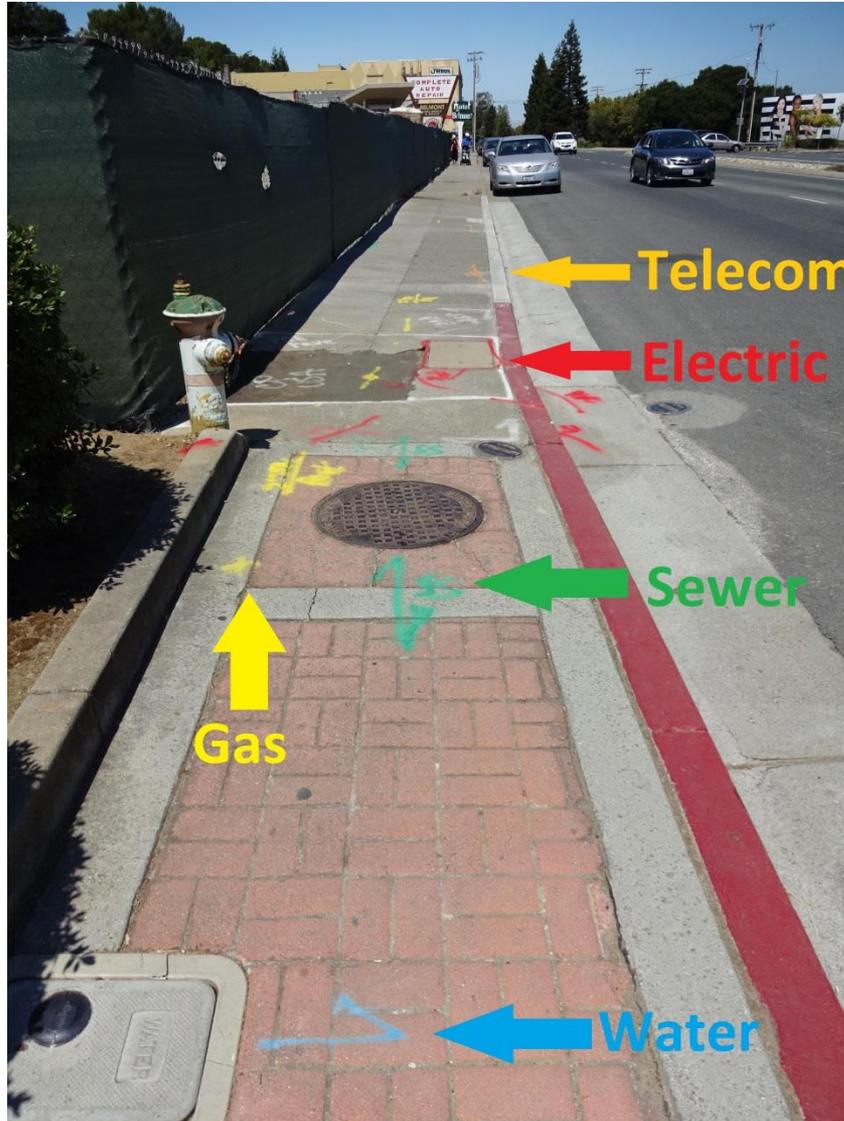
What is One-Call?

- Excavators must notify One-Call at least two business days before excavating.
- The One-Call Centers convey the notification to members who may have facilities in the work area.
- Members must mark the approximate location of subsurface facilities, or confirm area is clear.
- Each excavator must take steps to protect subsurface facilities while excavating and report any damages.





Typical USA Markings





Relationship between One-Call and 811

- There are two One-Call Centers in California:
 - **Underground Service Alert (USA North)** covers northern California (Oregon Border down to Kern and San Luis Obispo counties)
 - **Dig Alert** covers Los Angeles, Santa Barbara, Inyo and San Bernardino counties south to the Mexican Border.
- Each One-Call Center has its own 800 phone number; however, both centers also receive calls through the **811** number system, which automatically routes calls.
- Each One-Call Center is funded by its membership.





Consequences of Improper Excavation Practices

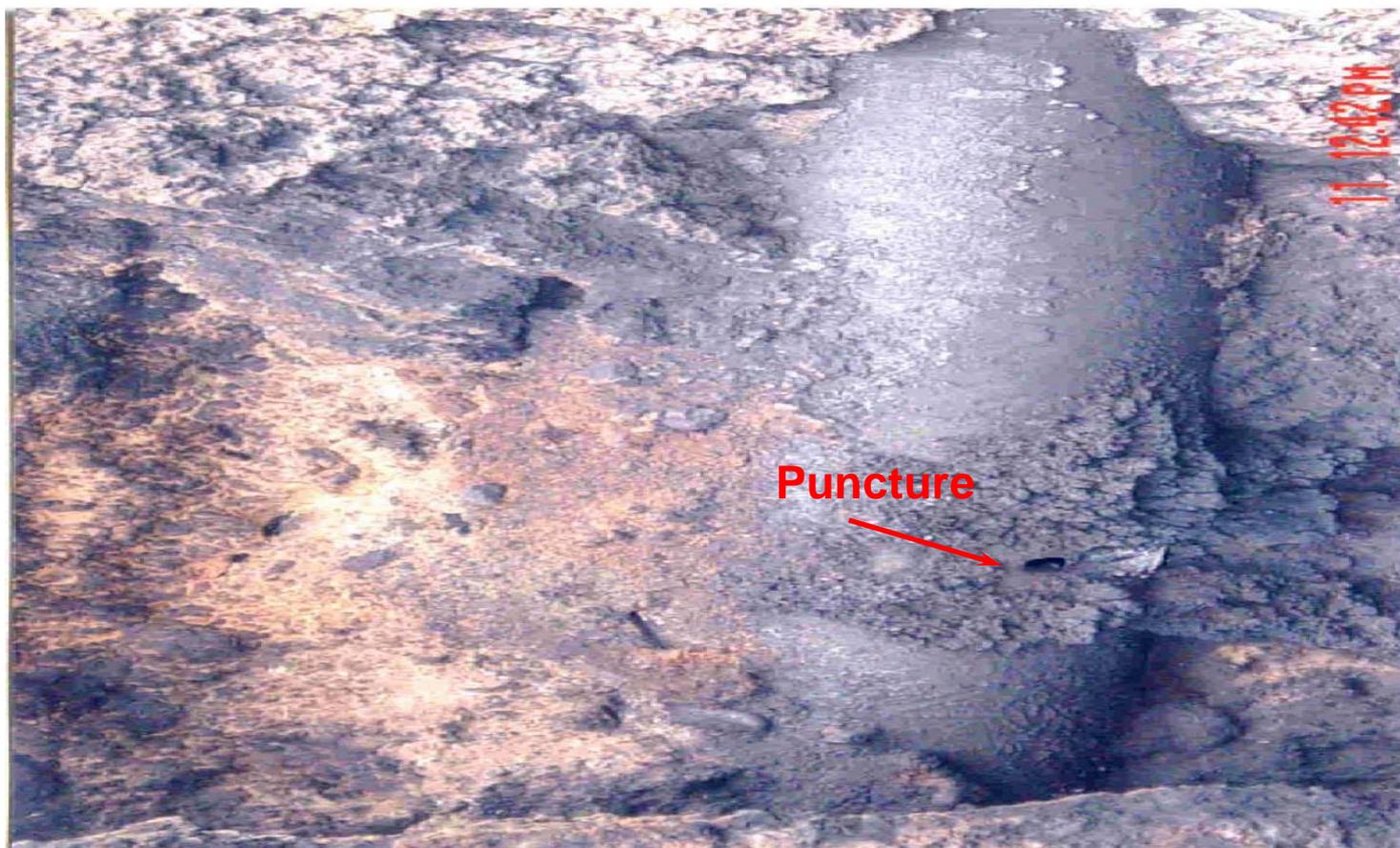


Near Madera – 8-inch Gas Line
August 2003





Consequences of Improper Excavation Practices



Walnut Creek - Kinder Morgan LS 16 pipeline with through-wall puncture – November 2004.

Photo Courtesy of CalOSHA





Consequences of Improper Excavation Practices



Fresno Incident 2015





CPUC Supports Improved Enforcement Of GC 4216

- CPUC oversees many of the subsurface facilities in California:
 - gas lines,
 - electric facilities,
 - communications,
 - Investor owned water and sewer.
- Gas lines are frequently struck and present the greatest risk since gas can be flammable/explosive.





CPUC Supports Improved Enforcement Of GC 4216

- Entities that, currently, can take enforcement actions against violators of GC 4216:
 - local permitting agencies,
 - district attorneys, or
 - California's Attorney General.
- Unfortunately, due to other workload and investigations, enforcement action against violators of GC 4216 is almost non-existent.





In Summary

- The intent of One-Call and 811 is to prevent:
 - damage to subsurface facilities,
 - loss of service, and
 - most importantly, injuries or deaths which can result if facilities are struck.





In Summary

- All contractors must contact One-Call Centers at least two business days before beginning excavation activities;
- The applicable One-Call center needs to be provided information on:
 - work area,
 - date when work will start,
 - scope of work,
 - contact information, etc.





Questions?





Regular Agenda – Management Reports and Resolutions

Item # 68 [15013]

Report and Discussion on Recent Consumer Protection and Safety Activities





Regular Agenda – Management Reports and Resolutions

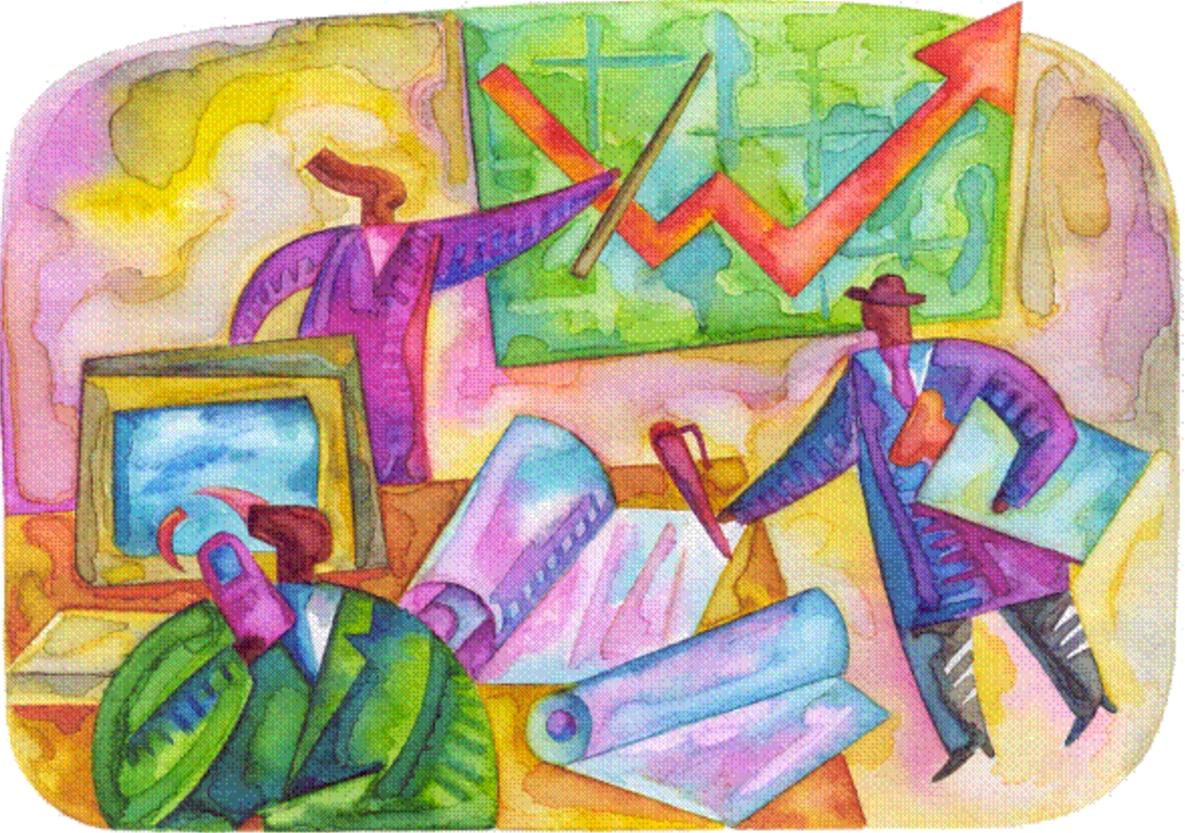
Item # 69 [15014]

Management Report on Administrative Activities





Management Reports





The CPUC Thanks You For Attending Today's Meeting

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

**September 15, 2016 at 9:30 a.m.
in San Francisco, CA**

