



Rules: 1-11-06
Items: E

Memorandum

TO: Honorable Mayor &
City Council Members
SUBJECT: The Public Record
December 7, 2005 – January 4, 2006

FROM: Lee Price
CMC, City Clerk
DATE: January 5, 2006

ITEMS TRANSMITTED TO THE ADMINISTRATION

None.

ITEMS FILED FOR THE PUBLIC RECORD

- (a) Notice of Pacific, Gas, and Electric Company's 2007 General Rate Case (GRC) Application Filing, dated December 9, 2005, from PG&E.
- (b) Memorandum from Director of Finance Scott P. Johnson to City Clerk Lee Price, dated December 13, 2005, transmitting investment reports for filing within the Public Record.
- (c) Order Instituting Rulemaking to consider refinements to and further development of the Commission's Resource Adequacy Requirements Program, dated December 20, 2005 from Chief Administrative Law Judge Angela K. Minkin.
- (d) Letter from President of the Berryessa Citizens Advisory Council Dale Osborn, dated December 19, 2005, opposing the proposed project at 1498 Stone Creek Drive, Twin Creek Homes, Planning No. PD-05-069.
- (e) Notification of the former NAS Moffett Field Restoration Advisory Board on Thursday, January 12, 2006 from 7 to 9:15 p.m. in the fourth floor gallery area of the Mountain View City Hall at 500 Castro Street, dated December 22, 2005 from BRAC Environmental Coordinator Richard Weissenborn.
- (f) Notice of filing of Pacific, Gas and Electric Company's (PG&E) Pension Contribution Application, dated December 22, 2005, from PG&E.
- (g) Notice of a hearing on January 25, 2006 of the United States Bankruptcy Court Southern District of New York in regards to Calpine Corporation, et al., Case No. 05-60200 (BRL), from Kirkland and Ellis LLP., dated December 30, 2005.

ITEMS FILED FOR THE PUBLIC RECORD (Cont'd.)

- (h) Letter from Christine Grenier, dated December 31, 2005, requesting the San José City Council consider adopting similar dog protection laws to that of the City of Berkeley.

A handwritten signature in black ink, appearing to read "Lee Price". The signature is written in a cursive, flowing style.

Lee Price
CMC, City Clerk

December 9, 2005
TO: STATE, COUNTY AND
CITY OFFICIALS

RECEIVED
San Jose City Clerk

2005 DEC 14 A 10: 52

NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S
2007 GENERAL RATE CASE (GRC) APPLICATION FILING

WHAT IS A GRC?

GRC stands for General Rate Case. Every three years, investor owned utilities such as Pacific Gas and Electric Company (PG&E) are required to file a GRC in which the California Public Utilities Commission (CPUC) sets annual revenue levels. Annual revenue is the total amount of money a utility collects through rates in a given year.

On December 2, 2005, PG&E filed an application asking the CPUC to increase the revenue that PG&E uses to distribute gas and electricity and to generate electricity. In a second phase of the GRC, to be filed in March 2006, the CPUC will consider the design of electric rates, meaning the level of prices charged to customers for electric service. Gas rate design will be the subject of a separate application filing.

PG&E REQUESTS A TOTAL INCREASE OF \$849 MILLION FOR GAS AND ELECTRIC SERVICE
PG&E is requesting a total annual revenue increase in 2007 of \$849 million, or 6.3 percent, over the currently authorized level of \$13.46 billion. This increase consists of the following:

- An increase in rates for electric service in 2007 by \$699 million, or 7.0 percent, over the currently authorized level of \$10.02 billion. This increase is made up of two elements: (1) the cost of delivering electricity to PG&E customers (\$577 million); and (2) the cost of operating PG&E's power plants (\$122 million). This increase does not include the cost of electricity procured for PG&E customers.
- An increase in rates for gas service in 2007 by \$150 million, or 4.4 percent, over the currently authorized level of \$3.44 billion. This increase does not include the cost of gas procured for PG&E customers.

PG&E is also requesting approval for the following proposals:

- Further increases of \$153 million in 2008 and \$209 million in 2009 for electric service and of \$33 million in 2008 and \$34 million in 2009 for gas service, to cover increasing costs due to plant investment and inflation.
- Performance standards relating to customer service which could result in revenue increases or decreases of up to \$60 million, depending upon PG&E's performance.
- A mechanism that shares with customers a portion of PG&E's earnings that exceed or fall short of authorized earning levels by a significant amount.

In November 2005, the CPUC approved attrition increases effective January 1, 2006, in the amounts of \$131 million for electric service and \$36 million for gas service. Accordingly, PG&E's requested revenue increases set forth in this application result in an increase of \$568 million (5.6 percent) for electric service and \$114 million (3.3 percent) for gas service, for an overall increase of \$682 million (5.0 percent) over 2005 revenues, as adjusted to reflect the 2006 attrition increases.

PG&E PAYMENT CENTERS

Additionally, PG&E is seeking approval by the CPUC to close all 84 of its company operated payment centers in June 2007. On August 31, 2005, bill inserts were mailed to customers informing them of PG&E's proposed request. Customers provided comments on the proposed closure of the payment centers to the CPUC Public Advisor's Office (PAO) from September 1 to October 15, 2005. Customers may continue to submit their comments and concerns on the proposed closures to the PAO by calling, or sending letters or e-mails as part of the GRC Proceeding.

THE KEY REASONS WHY PG&E IS ASKING FOR INCREASES ARE:

- To continue to invest in and maintain the reliable and safe system of power plants, poles, wires, pipes and equipment needed to deliver electricity and gas to PG&E's customers; and
- To continue to employ the people and maintain the support structure necessary to keep PG&E operating and to provide PG&E's customers with safe, reliable and responsive customer service.

During the proceedings, updated information may be introduced that could change the amounts PG&E has requested. What the CPUC adopts may differ from what PG&E has requested.

ESTIMATED IMPACT OF THIS REQUEST ON RATES

By law, rates for bundled electric residential customers who use less than 130 percent of their baseline allowance will not increase. If the CPUC approves PG&E's request for an electric revenue increase, the bill for a typical bundled residential customer using 540 kWh per month would increase \$1.28, or 1.9 percent, from \$66.10 to \$67.38. Individual customer bills may differ.

If the CPUC approves PG&E's request for a gas revenue rate increase, the bill for a typical residential customer using 45 therms per month would increase \$2.29, or 4.5 percent, from \$51.01 to \$53.30. Individual customer bills may differ.

PG&E will provide a more illustrative allocation of the potential rate increases among customer classes under its proposals in a bill insert to be mailed directly to customers December 15, 2005 through January 15, 2006.

PUBLIC PARTICIPATION

The CPUC welcomes the public's participation. Before acting on PG&E's GRC application, the CPUC will hold public participation hearings to provide customers with an opportunity to express their views. Notification of these hearings will be sent to you either by a separate mailing, or be included as a bill insert.

Those customers who cannot attend a hearing may submit written comments to the CPUC at the address listed below. All such correspondence to the CPUC should include a reference to PG&E's 2007 GRC Application.

Evidentiary hearings on the GRC Application will also be held in 2006. Evidentiary hearings are formal hearings where parties present their proposals in testimony and are subject to cross-examination before an administrative law judge. These hearings are open to the public, but only those wishing to present evidence or cross-examine witnesses may participate. If you would like to participate in the evidentiary hearings, please contact the CPUC's Public Advisor at the address below.

After considering all proposals presented during the formal hearing process, the CPUC will issue a decision. What the CPUC adopts may differ from what PG&E has requested. If you want to participate in the hearings or send comments, if you need more advice or more information, or if you want to get copies of the Office of Ratepayer Advocates' proposals when they are available, please write or call:

Public Advisor (415) 703-2074
California Public Utilities Commission 1-866-849-8390
505 Van Ness Avenue, Room 2103 TTY (415) 703-5282
San Francisco, CA 94102 TTY toll free 1-866-836-7825
or via email to: public.advisor@cpuc.ca.gov

Please refer to PG&E's 2007 GRC application in your letter. All comments will be circulated to the Commissioners, the assigned administrative law judge, and Energy Division staff and will become part of the formal correspondence file for this application.

FOR FURTHER INFORMATION

You can get more information from PG&E by writing to: Pacific Gas and Electric Company, 2007 GRC Application, P.O. Box 7442, San Francisco, CA 94120. You may review a copy of PG&E's 2007 GRC application at PG&E's corporate headquarters (77 Beale Street, Room 3120, San Francisco, CA 94105), any of PG&E's division offices, or at the San Francisco office of the CPUC (505 Van Ness Avenue, San Francisco, CA 94102). Mention the name of the application about which you are inquiring. Este aviso describe la solicitud de PG&E a la CPUC para cambios en las tarifas de electricidad y gas natural. Para información en Español sobre éste propuesta, por favor escriba a PG&E, P.O. Box 7442, San Francisco, CA 94120, "Attention 2007 General Rate Case."

Public
Record

TO: Lee Price

FROM: Scott P. Johnson

**SUBJECT: FILE FOR PUBLIC RECORD:
INVESTMENT REPORTS**

DATE: 12-13-05

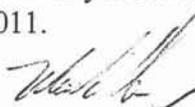
Since February 2004, the City's Monthly Investment Reports are sent via email to the City Council and others (including the City Clerk's Office) in addition to posting the reports to the City's website (www2.csjfinance.org). The Finance Department had assumed that upon receipt of my email, the City Clerk's Office would file the investment reports for the public record. We have discovered that our assumption was incorrect. To correct this situation, we are submitting the following paper copies of the reports for filing for the public record.

- February 2004 Investment Report
- January 2004 through March 2004 Investment Report
- April 2004 Investment Report
- May 2004 Investment Report
- April 2004 through June 2004 Investment Report
- July 2004 Investment Report
- August 2004 Investment Report
- Investment Report for the Quarter Ended September 2004
- October 2004 Investment Report
- November 2004 Investment Report
- Investment Report for the Quarter Ended December 31, 2004
- January 2005 Investment Report
- February 2005 Investment Report
- Investment Report for the Quarter Ended March 31, 2005
- April 2005 Investment Report
- May 2005 Investment Report
- Investment Report for the Quarter Ended June 30, 2005
- July 2005 Investment Report
- August 2005 Investment Report
- Investment Report for the Quarter Ended September 30, 2005
- October 2005 Investment Report

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Sari Jose City Clerk

The quarterly reports prior to June 30, 2005 were included as attachments to documents in meeting packets for the Making Government Work Better Committee. However, to make the filing of all investment reports complete for public record, we are including all investment reports, both monthly and quarterly, in this filing request to you. If you have any questions, please contact Julia Cooper, Deputy Director at extension 57011.


SCOTT P. JOHNSON
Director, Finance Department

Public Record

ALJ/ANG/mln

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San Jose City Clerk
2006 JAN -4 A 9 55

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

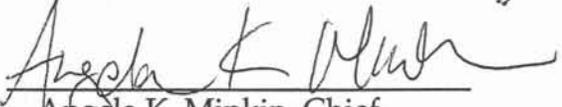
Order Instituting Rulemaking to Consider
Refinements to and Further Development of the
Commission's Resource Adequacy Requirements
Program.

Rulemaking 05-12-013

NOTICE OF ASSIGNMENT

Please be advised that Rulemaking 05-12-013 is being assigned to President
Michael R. Peevey and Administrative Law Judge Mark S. Wetzell.

Dated December 20, 2005, at San Francisco, California.


Angela K. Minkin, Chief
Administrative Law Judge

ALJ/MSW/sid

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Sari Jose City Clerk

Mailed 12/20/2005

2006 JAN -4 A 9:55

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider Refinements to and Further Development of the Commission's Resource Adequacy Requirements Program.

FILED
PUBLIC UTILITIES COMMISSION
DECEMBER 15, 2005
SAN FRANCISCO, CALIFORNIA
RULEMAKING 05-12-013

ORDER INSTITUTING RULEMAKING

1. Summary

We open this rulemaking to continue our efforts to ensure reliable and cost-effective electricity supply in California through refinement and augmentation of our adopted program of resource adequacy requirements (RAR). Under this program, established pursuant to Decision (D.) 04-01-050, D.04-10-035, and D.05-10-042, investor-owned utilities (IOUs) as well as the electric service providers (ESPs) and community choice aggregators (CCAs) operating within the IOUs' service territories (collectively, load serving entities or LSEs) are required to demonstrate that they have acquired the resources needed to meet their forecasted retail customer load plus a reserve margin.

The Commission has determined that certain RAR program elements that were proposed in earlier proceedings offer the prospect of more effective achievement of RAR goals but require further consideration before they can be

collaborative approach that both agencies pursued in the development of RAR in R.04-04-003. We also invite and welcome the active participation of the CAISO in this rulemaking, as careful coordination of the activities of the CAISO and those of this Commission is indispensable to the success of the RAR program.²

2. Background

D.04-01-050, D.04-10-035, and D.05-10-042 established the RAR policy framework and determined the basic program parameters. However, as the Commission stated in the latter decision:

While we believe that this decision is a significant step forward, it does not represent the final word for resource adequacy in California. More work needs to be done. We have deferred action on certain RAR program elements that have been proposed because, despite their promise of more effectively promoting achievement of RAR program goals, they require further consideration before they can be implemented. In addition, D.04-10-035 identified important "second generation" RAR topics, including multi-year RAR and resource tagging, and these topics warrant full consideration in the near future. Further consideration of RAR issues before this Commission will take place in a new, more focused proceeding.
(D.05-10-042, p. 3.)

3. Preliminary Scoping Memo

In this Preliminary Scoping Memo, we briefly describe the issues to be considered in this proceeding and the timetable for resolving the proceeding. To

² We note that AB 380 provides that "[t]he commission, in consultation with the Independent System Operator, shall establish resource adequacy requirements for all load serving entities." (Pub. Util. Code § 380(a).) We expect that such consultation will include, but not be limited to, the CAISO's timely participation as a party to this proceeding.

filings should demonstrate fulfillment of the local capacity requirements that will be defined in this proceeding. At the same time, as the Commission has recognized, it is important that LSEs have sufficient time after their RA obligations have been determined to make their final resource acquisitions. It is therefore apparent that the local RA obligations need to be determined well in advance of the September 30 filings.

Thus, development and implementation of the local dimension of the RAR program is the centerpiece and the first priority of this rulemaking. We intend to adopt local RAR program elements by June 2006. While it is our intention to timely resolve all topics in this rulemaking so that this vital resource program can achieve its potential effectiveness as soon as possible, it is critical that consideration of the topics listed below not interfere with timely resolution of the local capacity requirements issues. Accordingly, it may be appropriate to consider the issues in this proceeding in phases, with local capacity requirements constituting the first phase. We delegate to the Assigned Commissioner and the Administrative Law Judge (ALJ) the determination of whether and to what extent to establish such phases of this proceeding.

3.2 Implementation of AB 380

As the Commission noted in D.05-10-042, it is necessary to review the requirements of recently enacted AB 380 and take the steps necessary to ensure full implementation of this legislation. Among other things, AB 380 requires that the Commission establish RAR for all LSEs. However, the current RAR program applies only to the three major California IOUs and the ESPs and CCAs operating within their service territories.

We recognize that the current RAR program may not be appropriate for the smaller and multi-jurisdictional IOUs. This rulemaking will be the primary

3.5 General Order

D.04-10-035 announced the Commission's expectation that a "tangible work product" of future proceedings would be the creation of a new Commission general order that assembles the Commission's RAR regulations into a single source document. (D.04-10-035, pp. 44-45.) D.05-10-042 noted that "it would be helpful for our staff to present a general order that compiles into a single source document the elements of the RAR program." (D.05-10-042, p. 97.) Our staff is preparing a draft general order in response to these statements by the Commission. We will provide for comments and replies on this draft general order, and direct the assigned ALJ to establish a schedule for such comments and replies after the draft general order is published by staff.

3.6 Second Generation RAR Topics

D.04-10-035 identified certain "second generation" topics that, at the time that decision was issued, warranted deferred consideration. These include a multi year forward commitment concept and a resource tagging and trading concept. Subject to the priority consideration of local resource adequacy requirements, we will consider such topics in this rulemaking.

We note that on August 25, 2005, our staff issued a white paper on the subject of capacity markets and that comments and replies pertaining to the white paper were filed in R.04-04-003 on September 23, 2005 and October 11, 2005, respectively. We are ordering that the record of R.04-04-003 as to resource adequacy be available in this rulemaking. Therefore, the white paper and the comments and replies are a part of the record herein.

4. Category of Proceeding

The Commission's Rules of Practice and Procedure require that an order instituting rulemaking preliminarily determine the category of the proceeding

The preliminary schedule for local resource adequacy is set forth below. Subject to further determination by the Assigned Commissioner and the ALJ, other issues in this proceeding may be considered according to this schedule to the extent that such consideration does not interfere with timely consideration and resolution of local RAR. This schedule will be discussed at, and further refined following, the PHC. Similarly, the schedule for consideration of issues not addressed according to the schedule for local RAR will be taken up at the PHC. This proceeding will conform to the statutory case management deadline for ratesetting matters, set forth in Pub. Util. Code § 1701.5, and the assigned Commissioner will provide more guidance on this point in the Scoping Memo to be issued following the PHC.

Local RAR proposals	January 24, 2006
PHC Statements Due	January, 2006
Prehearing Conference	January, 2006
Scoping Memo	February, 2006
Workshops	January - March, 2006
Comments and replies	March-April, 2006
Draft Decision on Local RAR	May 16, 2006
Final Decision on Local RAR	June 15, 2006

6. Parties and Service List

Interested persons will have 20 days from the date of mailing to submit a request to be added to the service list for this proceeding. Since our order names electric corporations, ESPs, and CCAs respondents to this rulemaking, by virtue of that fact they will appear on the official service list. We will also serve this order on those who are on the service lists for R.04-04-003.

“interested person” and only off-the-record communications between these two entities are “*ex parte* communications.”⁷

By law, oral *ex parte* communications may be permitted by any commissioner if all interested parties are invited and given not less than three business days’ notice. If such a meeting is granted to any individual party, all other parties must be granted individual *ex parte* meetings of a substantially equal period of time and shall be sent a notice at the time the individual request is granted. Written *ex parte* communications may be permitted provided that copies of the communication are transmitted to all parties on the same day. (Pub. Util. Code § 1701.3(c); Rule 7(c).) In addition to complying with all of the above requirements, parties must report *ex parte* communications as specified in Rule 7.1.

Therefore, **IT IS ORDERED** that:

1. The Commission institutes this rulemaking on its own motion to continue its efforts to ensure reliable and cost-effective electricity supply in California through refinement and further development of its adopted program of resource adequacy requirements.
2. The load-serving entities named in Appendix A are respondents to this proceeding.
3. This is the successor proceeding to the Commission’s procurement rulemaking, R.04-04-003, as to resource adequacy requirements. The record developed in that proceeding as to resource adequacy requirements is fully available for consideration in this proceeding.

⁷ See Rules of Practice and Procedure, Rules 5(e), 5(f), and 5(h).

8. The Assigned Commissioner or the ALJ may make any revisions to the scheduling determinations made herein as necessary to facilitate the efficient management of the proceeding.

This order is effective today.

Dated December 15, 2005, at San Francisco, California.

MICHAEL R. PEEVEY
President
GEOFFREY F. BROWN
SUSAN P. KENNEDY
DIAN M. GRUENEICH
JOHN A. BOHN
Commissioners

APPENDIX A

**RESPONDENT LOAD SERVING ENTITIES
(Public Utilities Code Section 380(j))**

Electric Corporations

David Coyle (909)
General Manager
Anza Electric Co-Operative, Inc.
58470 Highway 371
Anza, CA 92539-1909

Raymond R. Lee (906)
Chief Operating Officer
Mountain Utilities
P. O. Box 205
Kirkwood, CA 95646

Brian Cherry (39)
Director, Regulatory Relations
Pacific Gas and Electric Company
B10C
P. O. Box 770000
San Francisco, CA 94177

Douglas Larson (901)
Vice President, Regulation
PacifiCorp
201 S, Main
Salt Lake City, UT 84140

Robert Marshall (908)
General Manager
Plumas Sierra Rural Electric Coop.
P. O. Box 2000
Portola, CA 96122-2000

Electric Service Providers

Michael Mazur (1350)
3Phases Energy Services
2100 Sepulveda Blvd., Suite 37
Manhattan Beach, CA 90266

Frank Annunziato (1158)
American Utility Network (A.U.N.)
10705 Deer Canyon Drive
Alta Loma, CA 91737

Lili Shahriari (1355)
AOL Utility Corp.
12752 Barrett Lane
Santa Ana, CA 92705

Stacy Aguayo (1361)
APS Energy Services Company, Inc.
400 E. Van Buren Street, Suite 750
Phoenix, AZ 85004

Randall Prescott (1366)
BP Energy Company
501 Westlake Park Blvd.
Houston, TX 77079

Kevin Boudreaux (1362)
Calpine PowerAmerica-CA, LLC
4160 Dublin Blvd.
Dublin, CA 94568

George Hanson (1367)
City of Corona
Department of Water and Power
730 Corporation Yard Way
Corona, CA 92880

Thomas Darton (1365)
Pilot Power Group, Inc.
9320 Chesapeake Drive, Suite 112
San Diego, CA 92123

Rick C. Noger (1370)
Praxair Plainfield, Inc.
2711 Centerville Road, Suite 400
Wilmington, DE 19808

Mike Kasaba (1368)
Quiet Energy
3311 Van Allen Place
Topanga, CA 90290

Megan Saunders (1364)
Sempra Energy Solutions
101 Ash Street, HQ09
San Diego, CA 92101-3017

Kerry Hughes (1351)
Strategic Energy, Ltd.
7220 Avenida Encinas, Suite 120
Carlsbad, CA 92209

In addition, any electric service provider that, subsequent to the date of the order instituting this rulemaking, becomes registered to provide services within the service territory of one or more of the respondent electric corporations through direct access transactions shall, upon such registration, become a respondent to this proceeding.

Community Choice Aggregators

Any community choice aggregator that, subsequent to the date of the order instituting this rulemaking, becomes registered to provide services within the service territory of one or more of the respondent electric corporations through community choice aggregation transactions shall, upon such registration, become a respondent to this proceeding.

(END OF APPENDIX A)

APPENDIX B

Alameda Power and Telecom
Valerie O. Fong
2000 Grand Street
Alameda, CA 94501

California Department of Water Resources
Peter Garris
3310 El Camino Avenue, Suite 100
Sacramento, CA 95821

California Department of Water Resources
Susan Lee
3310 El Camino Avenue, Suite 100
Sacramento, CA 95821

City of Anaheim
Stephen Sciortino
201 S. Anaheim Boulevard, Suite 802
Anaheim, CA 92805

City of Anaheim
Mark Frazee
201 S. Anaheim Boulevard, Suite 802
Anaheim, CA 92805

City of Anaheim
Marci Edwards
202 S. Anaheim Boulevard, Suite 802
Anaheim, CA 92805

City of Azusa
Bob Tang
729 North Azusa Avenue
Azusa, CA 91702

City of Banning
Fred Mason
99 East Ramsey Avenue
Banning, CA 92220

City of Burbank
Richard Corbi
164 W. Magnolia
Burbank, CA 91503

City of Colton, Public Utilities
Jeannette Olko
150 South 10th Street
Colton, CA 92324

City of Corona
George Hanson
730 Corporation Yard Way
Corona, CA 92880

City of Glendale
Ignacio Troncoso
141 N. Glendale Avenue, 4th Level
Glendale, CA 91206

Imperial Irrigation District
Glenn O. Steiger
333 E. Barioni Blvd.
Imperial, CA 92251

Los Angeles Water & Power
Ron Deaton
111 North Hope Street
Los Angeles, CA 90012

Los Angeles Water & Power
Randy Howard
111 North Hope Street
Los Angeles, CA 90012

Modesto Irrigation District
Allen Short
1231 11th Street
Modesto, CA 95354

Metropolitan Water District Headquarters
Mailing address:
P.O. Box 54153
Los Angeles, CA 90054-0153

Northern California Power Agency
Jim Pope
180 Cirby Way
Roseville, CA 95678

Northern California Power Agency
Don Dame
180 Cirby Way
Roseville, CA 95678

Redding Electric
Jim Fielder
777 Cypress Avenue
Redding, CA 96049

Redding Electric
Tim Nichols
777 Cypress Avenue
Redding, CA 96049

Roseville Electric
Tom Habashi
2090 Hilltop Circle
Roseville, CA 95747

Roseville Electric
Tom Green
2090 Hilltop Circle
Roseville, CA 95747

Sacramento Municipal Utility District
Tom Ingwers
6301 S Street
P.O. Box 15830
Sacramento, CA 95852-1830

City of Hercules
111 Civic Drive
Hercules, CA 94547

City of Lakewood
5050 Clark Avenue
Lakewood, CA 90712

El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667

City of Hemet
445 E. Florida Ave.
Hemet, CA 92543

City of Inglewood Water
One Manchester Blvd.
Inglewood, CA 90301

East Bay Municipal Utility District
P.O. Box 24055
Oakland, CA 94623-1055

Gridley Municipal Utilities
685 Kentucky Street
Gridley, CA 95948

Healdsburg Municipal Electric Dept.
401 Grove Street
P.O. Box 578
Healdsburg, CA 95448

Hetch Hetchy Water & Power
City & County of San Francisco
1155 Market Street, 4th Floor
San Francisco, CA 94103

Lodi Municipal Electric System
1331 South Ham Lane
Call Box 3006
Lodi, CA 95242

Lompoc Utility Services/Electrical
100 Civic Center Plaza
Lompoc, CA 93438

Long Beach Gas Department 2
East Spring Street
Long Beach, CA 90806

City of San Diego Water
202 C Street
San Diego, CA 92101

City of San Francisco Water
1155 Market St., 11th floor
San Francisco, CA 94103

City of San Jose
200 East Santa Clara St.
San Jose, CA 95113

City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069

City of Santa Ana Water
James G. Ross
20 Civic Center Plaza, M-21
Santa Ana, CA 92702

Silicon Valley Power
1500 Warburton Avenue
Silicon Valley, CA 95050

City of Santa Cruz Water
100 Loch Lomond Way
Felton, CA 95018

Southern California Public Power Authority
(SCPPA)
225 South Lake Avenue, Ste 1250
Pasadena, CA 91101

City of Sunnyvale
P.O. Box 3707
Sunnyvale, CA 94088-3707

City of Victorville
14343 Civic Drive
P.O. Box 5001
Victorville, CA 92393-5001

Water Replenishment District of So. Ca.
12621 E. 166th Street
Cerritos, CA 90703

City of Woodland
300 First Street
Woodland, CA 95695

Berryessa Citizens Advisory Council

Public Record

December 19, 2005

Sent via email and/or fax

Mr. Stephen M. Haase, AICP
Director of Dept. of Planning, Building and Code Enforcement
200 E. Santa Clara St.
San Jose, CA 95113-1905

Re: PD-05-069, (1498 Stone Creek Dr, Twin Creek Homes)

Dear Mr. Haase and Planning Commissioners,

On behalf of the Berryessa Citizens Advisory Council (BCAC) we are respectfully submitting this letter for the record, as it relates to the above referenced project.

Although BCAC supports development of this parcel, BCAC does not support the project as it is currently proposed.

The surrounding neighborhood consists of single family homes with approximately 6000 or more square foot lots with standard 60 by 100 foot dimensions. The proposed project has narrow 40 foot lots with tandem garages. The tandem garages will encourage parking to overflow onto the existing neighborhood. The proposed project is an example of spot zoning by allowing a higher density that is not harmonious with the current neighborhood.

BCAC does support development with no more than four lots for this location. At four lots each would be approximately 60 feet wide, allow for standard two car garages, and will be in conformance with the existing neighborhood. Higher density housing is being built throughout District 4, however this location makes much more sense for standard 60 foot width lots.

BCAC respectfully requests that the planning commission not recommend the PD designation change.

Sincerely,



Dale Osborn
President, Berryessa Citizens Advisory Council
408- 926-6106

Cc: Sanhita Mallick, Chuck Reed

BCAC has been a neighborhood association since 1973. Residents of San Jose City Council District 4 and/or the Berryessa Union School District are eligible to join BCAC. BCAC meets at 7:30PM on the second Monday of each month at the Berryessa Community Center. Visit their web site at www.BcacOnline.org



Former NAS Moffett Field

Mountain View, California

RESTORATION ADVISORY BOARD MEETING AGENDA

- Date/Time:** **Thursday, January 12, 2006, 7 to 9:15 p.m.**
- Location:** Mountain View City Hall, Fourth Floor Gallery
500 Castro Street, Mountain View, CA 94041
- 7:00 to 7:10** WELCOME AND INTRODUCTIONS
REVIEW AGENDA
PRIOR MINUTES APPROVAL (November 17, 2005)
CIRCULATE DOCUMENT SIGN-UP SHEETS
- 7:10 to 7:40** INTRODUCE NEW RAB APPLICANT(S) – RAB ELECTION
- 7:40 to 7:45** SITE 29 (HANGAR 1) EE/CA SCHEDULE
- 7:45 to 8:15** SITE 27 REMEDIAL DESIGN
- 8:15 to 9:00** MOFFETT FIELD HYDROGEOLOGY
- 9:00 to 9:05** ELECTION RESULTS
- 9:05 to 9:15** RAB BUSINESS:
RAB RELATED ANNOUNCEMENTS
NEXT RAB MEETING: March 9, 2006, 7 to 9:30 p.m.
FUTURE RAB TOPICS
- 9:15** ADJOURN

**RAB meeting minutes are posted on the Navy's environmental Web page at:
www.navybracpmo.org/bracbases/california/moffett/**

**FORMER NAS MOFFETT FIELD
RESTORATION ADVISORY BOARD
MOUNTAIN VIEW CITY HALL, FOURTH FLOOR GALLERY
MOUNTAIN VIEW, CALIFORNIA 94041**

NOTE: A glossary is provided on the last page of these minutes.

Subject: RAB MEETING MINUTES

The Restoration Advisory Board (RAB) meeting for the former Naval Air Station (NAS) Moffett Field was held on Thursday, 17 November 2005 at the Mountain View City Hall, Fourth Floor Gallery, in Mountain View, California. Mr. Rick Weissenborn, the Base Realignment and Closure (BRAC) Environmental Coordinator for Moffett Field and RAB Co-Chair, opened the meeting at 7:20 p.m.

WELCOME

Mr. Weissenborn introduced himself, welcomed everyone in attendance, and asked for self-introductions of those present. The Moffett Field RAB meeting was attended by:

RAB Members	Regulators	Navy	Consultants & Navy Support	NASA	Public & Other
11	6	3	4	2	12

Mr. Weissenborn indicated that copies of the agenda and meeting packets would be made available shortly. Mr. Bob Moss, RAB Community Co-Chair, informed the attendees of an additional agenda item, a presentation by Mr. David Mickunas from the U.S. Environmental Protection Agency (EPA) on air sampling at Orion Park.

DOCUMENTS FOR REVIEW

Sign-up sheets for the following documents were circulated during the meeting:

#	<u>DOCUMENT</u>	<u>APPROXIMATE SUBMITTAL DATE</u>
1	Site 25 Revised Draft Feasibility Study Report Addendum	October 2005
2	Building 88 Investigation Report	November 2005
3	Site 27 Draft Final Remedial Design	December 2005
4	Site 29 (Hangar 1) EE/CA Report	December 2005
5	Final Site 22 Landfill Post-Construction Operations, Maintenance, and Monitoring Plan Addendum	January 2006

- RAB member Mr. Lenny Siegel commended EPA on conducting these tests and using technology such as TAGA. He emphasized the need to take action about the indoor air quality issues at Orion Park, since military families are continually being exposed to elevated levels of contaminants such as TCE.
- RAB member Ms. Jane Turnbull asked if generalizations about indoor air quality at Orion Park could be made from the units that were sampled. Ms. Lee responded that there are several units that have not been sampled and while it is hard to draw absolute generalizations, some spikes were detected over high plume concentrations and it is clear there is soil gas vapor intrusion through preferred pathways at Orion Park. EPA is concerned about the elevated levels of air contaminants and is looking to the Navy to conduct necessary remediation.
- Mr. Don Chuck from NASA stated that they are already taking preliminary steps to clean indoor air inside their buildings. The Heating, Ventilation, and Air Conditioning (HVAC) system in Building 15 is being fixed to eliminate vapors and NASA is looking into engineering controls for Building N210.
- A community member asked how all this affects the Mountain View area in general. Mr. Moss spoke briefly to the various contaminated sites in Santa Clara and the Bay Area. Ms. Lee informed the attendees that EPA hosted a community meeting in January 2003 to facilitate a consolidation of individual efforts at cleaning up sites in the Mountain View area – Moffett Field, Middlefield-Ellis-Whisman (MEW), GTE Government Systems site, and the JASCO Chemical Company site.
- Mr. Richard Eckert, RAB member, said that Orion Park residents should be informed of these latest findings and cleanup should be undertaken as a priority.
- In response to a question from a community member, Mr. Weissenborn provided a brief overview of the cleanup process for those new to RAB meetings. He stated that cleanup begins with site evaluation. Different sites on Moffett Field have different contaminants of concern. If an unacceptable risk is detected during site evaluation, the party responsible for contaminating the site conducts necessary remediation. For instance, an unacceptable risk was posed to ecological receptors from the contaminants on Site 27 - hence the Navy is cleaning it up to acceptable levels.

There are two things that often cause controversy during the environmental cleanup process. Firstly, mutual agreement between regulators and other stakeholders on the potentially responsible party (PRP). And secondly, the level to which the site needs to be cleaned up. Mr. Weissenborn also explained that the Navy has to work within funding appropriations by the U.S. Congress and has to justify its monetary expenditure on environmental cleanup. He added that projections indicate that by using pump and treat technology, cleaning the groundwater under Moffett Field could take over 300 years.

REGULATORY UPDATE

Ms. Lee informed the RAB that Ms. Lida Tan, EPA Remedial Project Manager for Hangar 1 and sites 25 and 27, is not on the Moffett team anymore. She will be leading EPA Region IX's efforts in assisting China develop environmental controls. Mr. Christopher Cora is taking over oversight of Hangar 1, and site 25 and 27 project managers have yet to be identified.

preceded by an open house to enable answering community questions and concerns one-on-one.

SOUTH OF HIGHWAY 101 GROUNDWATER SAMPLING DATA

Ms. Lee presented information on EPA's groundwater sampling investigation being conducted south of Orion Park in the vicinity of Highway 101 and Moffett Boulevard. EPA believes that while there are onsite sources of contamination at Orion Park, chemicals from external sources are also flowing onto Moffett Field. The goal of EPA's groundwater investigation is to determine the extent and possible sources of contamination in the study area. The contaminants of concern are TCE and its degradation products. The Navy had planned on conducting this offsite sampling effort; however, they were not able to use appropriated funding for offsite investigations. Hence, EPA is conducting the investigation in coordination with stakeholders such as the Navy and Army, and with monetary assistance from NASA.

Sampling was conducted in the fall. Due to limited funding, only 20 of the 38 proposed locations were sampled. Before sampling began, EPA hand delivered notification fliers to residents in the area. Ms. Lee presented slides identifying the sampling locations and the sequence in which they were sampled, both in the upper and lower aquifer zones. A handout with a summary of the sampling results was provided to the attendees. She added that the hot spots would need further investigation. EPA is in discussion with the Water Board and the Department of Toxic Substances Control and will keep the RAB informed of next steps.

The following questions and concerns were asked about the presentation:

- RAB member Steve Sprugasci asked if EPA is coordinating with the MEW companies on this groundwater investigation. Ms. Lee stated that the MEW companies weren't asked to participate since EPA is not aware of a link between the Orion Park and MEW plumes. RAB member Mr. James McClure added that the MEW companies conducted an investigation in the 1990s to the west, a third of the way over to Stevens Creek, and results indicated that the contamination has not gone over. They have been monitoring and pumping since then to prevent migration of contaminants.
- A community member said that historically there were many wells in that area and asked whether EPA has looked into them. Mr. Chuck pointed out that per the direction of the Santa Clara Valley Water District (SCVWD) all abandoned wells have to be demolished or removed.
- In response to a question by Mr. Siegel, Ms. Lee stated that the samples at Shenandoah housing were non-detects for TCE.
- There was a brief discussion on the origins of TCE. It was pointed out that it was used as a universal solvent for cleaning chips, aircraft parts, etc.

SITE 27 REMEDIAL DESIGN

Mr. Siegel suggested that the Site 27 presentation be postponed to the next meeting if that was okay with the RAB. Everyone concurred with this change in the agenda.

Ms. Libby Lucas, RAB member, said since Federal Emergency Management Agency (FEMA) headquarters are located at NASA, it is important to consider earthquake preparedness at Moffett Field. In that regard, the U.S. Army Corps should be encouraged to reinforce the levy at Site 27 while the remediation is being done. Mr. Weissenborn said that while it would be hard to get the

Park, however, the Navy can't, under fiscal law, use appropriated funding to identify sources upgradient of Orion Park.

RAB BUSINESS

RAB Schedule – The next meeting is scheduled for Thursday, 12 January 2006, from 7 to 9:15 p.m. at the Mountain View City Hall, Fourth Floor Gallery.

Future RAB Topics – The following topics were identified as potential agenda items:

- Site 27 Remedial Design;
- Orion Park Sampling Results (if available);
- A community member requested information on projects that have successfully dealt with TCE as a contaminant;
- East-side Aquifer Treatment System (EATS) update in March;
- Mr. Weissenborn said that a few new RAB applications have been received - he suggested conducting a new member election at the next meeting;
- Ms. Turnbull recommended a presentation be made on groundwater contour maps;
- Mr. Siegel recommended having an educational presentation to answer some basic questions for people new to RAB meetings. Mr. Chuck said that he recently presented information on the region's hydrogeology and would be happy to share that with the RAB.

Adjourn – The meeting was adjourned at 9:30 p.m. and Mr. Weissenborn thanked everyone for attending.

Mr. Weissenborn can be contacted with any comments or questions:

Mr. Rick Weissenborn

BRAC Environmental Coordinator, former NAS Moffett Field

Department of the Navy

BRAC Program Management Office West

1455 Frazee Road, Suite 900

San Diego, CA 92108-4310

Phone: (619) 532-0952 **Fax:** (619) 532-0995

E-mail: richard.weissenborn@navy.mil

December 22, 2005
GO: STATE, COUNTY AND
CITY OFFICIALS

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2006 JAN -4 A 9:46

Public Record

**NOTICE OF FILING OF PACIFIC GAS AND ELECTRIC COMPANY'S
(PG&E) PENSION CONTRIBUTION APPLICATION**

Why is PG&E filing this Application?

On December 20, 2005, PG&E filed an application asking the California Public Utilities Commission to increase the revenue for PG&E to distribute gas and electricity and to generate electricity. The increased-revenue will be used to make a contribution to PG&E's Retirement Plan trust, commonly referred to as a pension contribution. As a result of Decision No. 05-12-046, this increase will be collected in rates beginning January 1, 2006, subject to refund depending on the outcome of this application. Pension contributions in 2007 and later are being addressed in PG&E's 2007 General Rate Case, Application No. 05-12-002.

PG&E is requesting an increase of \$155 million

In this application, PG&E is requesting a total revenue increase in 2006 of \$155 million, or 1.2 percent, over the 2005 authorized level of \$13.46 billion. This total consists of (1) an increase for electric service of \$111.7 million, or 1.1 percent, over the 2005 authorized level of \$10.02 billion, and (2) an increase for gas service of \$43.3 million, or 1.3 percent, over the 2005 authorized level of \$3.44 billion.

According to PG&E, the funded status of PG&E's Retirement Plan trust has slipped below 100 percent and is moving lower. The reason why PG&E is asking for the total increase of \$155 million in 2006 is to take the first step toward bringing the funded status back up to 100 percent. PG&E projects that if the same contributions are approved and made in the years 2007 through 2009, then the funded status will be 100 percent at the beginning 2010.

By law, rates for bundled electric residential customers who use less than 130% of their baseline allowance will not increase. If the CPUC approves PG&E's request for an electric increase, the bill for a typical bundled service residential customer using 540 kWh per month in 2006 would increase \$0.20 from \$66.17 to \$66.37, based on 2005 rates currently in effect. The bill for a typical bundled service residential customer using approximately twice the average baseline allowance, 840 kWh per month, would increase \$1.93 from \$122.63 to \$124.56. Individual customer bills may differ.

If the CPUC approves PG&E's request for a gas rate increase, the bill for a typical residential customer using 45 therms per month would increase \$0.67, from \$51.01 to \$51.68. Individual customer bills may differ.

PG&E will provide a more illustrative allocation of the potential rate increases among customer classes under its proposal in a bill insert to be mailed directly to customers in January 2006.

What if I want more information about this application or have comments or concerns?

In addition to the detailed explanation below, you may contact the CPUC's Public Advisor with comments or questions as follows:

The Public Advisor	415.703.2074
California Public Utilities Commission	1.866.849.8390 (toll free)
505 Van Ness Avenue, Room 2103	TTY 415.703.5282
San Francisco, CA 94102	TTY toll free 1.866.836.7825
Public.advisor@cpuc.ca.gov	

Please refer to PG&E's Pension Application in your letter. All comments will be circulated to the Commissioners, the assigned Administrative Law Judge and Energy Division staff and will become part of the formal correspondence record for the proceeding.

THE CPUC PROCESS

The CPUC's Independent Office of Ratepayer Advocates (ORA) will review this application, analyze the proposal, and present an independent analysis and recommendations for the CPUC's consideration. Other parties will also participate.

The CPUC may hold evidentiary hearings where parties present their proposals in testimony and are subject to cross-examination before an administrative law judge. These hearings are open to the public, but only those wishing to present evidence or cross-examine witnesses may participate.

After considering all proposals and evidence presented during the hearing process, the CPUC will issue a decision. When the CPUC acts on this application, it may adopt all or part of PG&E's request, amend or modify it, or deny the application. The CPUC's final decision may be different from PG&E's proposal.

FOR FURTHER INFORMATION

To obtain information from PG&E, write to: Pacific Gas and Electric Company, Pension Application, P.O. Box 7442, San Francisco, CA 94120. Customers may review a copy of any of PG&E's applications at its corporate headquarters (77 Beale Street, Room 3120, San Francisco, CA 94105), any of its division offices, or at the San Francisco office of the CPUC (505 Van Ness, San Francisco, CA 94102). Mention the name of the application about which you are inquiring.

Para información en Español sobre ésta solicitud, por favor, escriba a Pacific Gas and Electric Company: P.O. Box 7442, San Francisco, CA 94120, "Attention: Pension Application."

Hearing Date: January 25, 2006
Hearing Time: 10:00 a.m.

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Citigroup Center
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Edward Sassower (ES 5823)
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Public Record

Counsel for the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Calpine Corporation, et al.,

Debtors.

)
) Chapter 11

) Case No. 05-60200 (BRL)
) Jointly Administered
)

NOTICE OF HEARING ON JANUARY 25, 2006

PLEASE TAKE NOTICE that a hearing (the "Hearing") is scheduled on **January 25, 2006 at 10:00 a.m.** before the Honorable Burton R. Lifland at the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, 6th Floor, New York, NY 10004-1408, on the motions/applications listed on **Exhibit A**, or soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that the Hearing may be adjourned thereafter from time to time without further notice .

PLEASE TAKE FURTHER NOTICE that Objections, if any, must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court and shall be filed with the Bankruptcy Court electronically by registered users of the Bankruptcy Court's case filing system (the User's Manual for the Electronic Case Filing System can be found at <www.nysb.uscourts.gov>, the official website for the Bankruptcy Court) and, by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document

Exhibit A

1. Motion of the Debtors for Entry of an Order Authorizing the Debtors to (I) Prepare a Consolidated List of Creditors and Equity Security Holders in Lieu of a Mailing Matrix, (II) File a Consolidated List of the Eighty Largest Unsecured Creditors, and (III) Mail Initial Notices (Docket No. 4)
2. Motion of the Debtors for Interim and Final Orders Determining Adequate Assurance of Payment for Future Utility Services (Docket No. 6)
3. Motion for Order Authorizing Debtors to (I) Continue to Use Existing Cash Management System and Bank Accounts; (II) Continue Intercompany Transactions and Provide Administrative Priority Status to Postpetition Intercompany Claims; (III) Continue to Use Existing Checks and Business Forms and (IV) Continue to Use Existing Investment Practices (Docket No. 11)
4. Motion of the Debtors for Entry of an Order Authorizing Them to Continue Their Insurance Programs and Granting Related Relief (Docket No. 14)
5. Motion for Order Under 11 U.S.C. Sections 102(1) and 105 and Fed. R. Bankr. P. 2002(m), 9006, 9007 and 9014 Establishing (I) Omnibus Hearing Dates and (II) Certain Notice, Case Management and Administrative Procedures (Docket No. 16)
6. Emergency Motion (A) for Interim and Final Orders Authorizing the Debtors to (I) Continue to Honor Prepetition Trading Contracts; (II) Enter Into New Postpetition Trading Contracts and (III) Pledge Collateral Under Prepetition and Postpetition Trading Contracts; (B) For a Final Order Authorizing the Assumption of Prepetition Trading Contracts; and (C) For an Ex Parte Bridge Order Authorizing Interim Relief Pending "First Day" Hearing (Docket No. 17)
7. Application to Employ by the Debtors for Entry of an Order Authorizing the Employment of Kirkland & Ellis LLP as Attorneys for the Debtors (Docket No. 19)
8. Application for an Interim Order Authorizing the Employment and Retention of Miller Buckfire & Co., LLC as Financial Advisors and Investment Bankers to the Debtors (Docket No. 24)
9. Application for an Interim Order Authorizing the Employment and Retention of AP Services, LLC as Crisis Managers to the Debtors (Docket No. 45)
10. Application for an Order Authorizing the Employment and Retention of PA Consulting Group, Inc. as Energy Industry Consultants to the Debtors (Docket No. 47)
11. Motion of the Debtors for Entry of an Order Authorizing the Debtors to Employ and Compensate Certain Professionals Utilized in the Ordinary Course of the Debtors' Businesses (Docket No. 56)
12. Emergency Motion for (I) Interim Orders (A) Authorizing the Debtors to (1) Obtain Postpetition Secured Financing Pursuant to 11 U.S.C. Sections 105, 361, 362, 364(c)(1), 364(c)(2), 364(c)(3) and 364(e), (2) Utilize Cash Collateral Pursuant to 11 U.S.C. Section 363, and (3) Provide Adequate Protection to Certain Prepetition Lenders Pursuant to 11 U.S.C. Sections 361, 362 and 363 and

Public Record
cc: Sarah PRNS

Vazquez, Yolande

From: Christine Grenier [christinegrenier@earthlink.net]
Sent: Saturday, December 31, 2005 3:37 PM
To: cityclerk@sanjoseca.gov; judy.chirco@sanjoseca.gov; District10@sanjoseca.gov; dave.cortese@sanjoseca.gov; district7@sanjoseca.gov; District6@sanjoseca.gov; District5@sanjoseca.gov; District4@sanjoseca.gov; district3@sanjoseca.gov; forrest.williams@sanjoseca.gov; linda.lezotte@sanjoseca.gov; mayoremail@sanjoseca.gov
Cc: Desiree Acholla
Subject: Berkely Government Ordinance

To the San Jose City Council:

Berkeley government ordinance (12/2005):

http://www.nbc11.com/news/5578410/detail.html?treets=bay&tid=2654984407813&tml=bay_dailyforecast&tmi=bay_dailyforecast_1_06000112202005&ts=H

While the San Jose Council has established leashing requirements, dog protection laws have not been implemented in order to curb abuse at the hands of neglectful pet owners. As a result many dogs are frightened and suffering, being dehydrated and starved, left to feign for themselves in adverse weather conditions. Considering San Jose's size in contrast to Berkeley's (with a reported 34,000 dogs), the need for such an ordinance is all the more critical. Furthermore, there would be an added source of city revenue from cited owners who fail to comply.

I implore you, the San Jose City Council, to immediately consider adopting similar measures in order to protect innocent pets that would otherwise live out their lives in misery.

My sincere thanks for your time and consideration.

Respectfully yours,

Christine Grenier
2128 Bridle Ridge Ct.
San Jose, CA 95138
ph: 408-223-0937