



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
June 1 – June 7, 2018

DATE: June 8, 2018

ITEMS FILED FOR THE PUBLIC RECORD

Letters from the Public

1. Notification Letter, dated June 1, 2018, from Verizon Wireless for San Jose Small Cells Project.
2. Letters from Blair Beekman, dated June 1, 2018 – June 6, 2018, regarding various ideas.
3. Letter from Michael and Jennifer Blomquist, dated June 5, 2018, entitled “CPUC Audit SJW / CTWS merger, resolution and proposed coalition for refund / audit of SJW’s financials.”

TJT/at

Toni J. Taber, CMC
City Clerk

Melinda Salem
Engr IV Spec-RE/Regulatory
Irvine, CA 92618

CPUC Attachment A

Initial Build (new presence for Verizon Wireless)

VZW LEGAL ENTITY	JURISDICTION	PLANNING OFFICIAL	OFFICE OF CITY MANAGER	CITY CLERK	COUNTY
GTE Mobilnet of California Limited Partnership	City of San Jose 200 E Santa Clara Street San Jose, CA 95113	Steve.McHarris@sanjoseca.gov	sandra.cranford@sanjoseca.gov	cityclerk@sanjoseca.gov	Santa Clara

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number						
SF SAN JOSE 015	967 JEANNE AVENUE	472-02-085	<table><tr><td>37</td><td>20</td><td>7.40</td></tr><tr><td>121</td><td>51</td><td>45.15</td></tr></table>	37	20	7.40	121	51	45.15	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 43.6' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON TOP OF POLE, (1) SMALL CELL CABINET ON GROUND, (2) RRUS32, (1) RRU2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE. OVERHEAD POWER ON POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 43.6' AGL, Top of Cantenna 53.1' AGL	NA	Utility Excavation Permit	3/19/2018	3/19/2018	F18101	N/A
37	20	7.40																		
121	51	45.15																		
SF SAN JOSE 017	899 10TH STREET	472-20-025	<table><tr><td>37</td><td>19</td><td>37.69</td></tr><tr><td>121</td><td>52</td><td>15.98</td></tr></table>	37	19	37.69	121	52	15.98	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 47.5' HT. WOOD POLE. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 2. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLETOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE. OVERHEAD POWER FROM TRANSFORMER. 3. INSTALL POLE STEPS AS REQUIRED 4. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 47.5' AGL, Top of Cantenna 57' AGL	NA	Utility Excavation Permit	3/19/2018	3/19/2018	F18100	N/A
37	19	37.69																		
121	52	15.98																		
SF SAN JOSE 054	1268 McGinness Ave.	488-05-041	<table><tr><td>37</td><td>20</td><td>59.32</td></tr><tr><td>121</td><td>49</td><td>20.35</td></tr></table>	37	20	59.32	121	49	20.35	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 43.8' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX WITH FIBER DEMARC, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE. OVERHEAD POWER FROM TRANSFORMER. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 43.8' AGL, Top of Cantenna 53.3' AGL	NA	Utility Excavation Permit	4/16/2018	4/16/2018	F18153	N/A
37	20	59.32																		
121	49	20.35																		

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number						
SF SAN JOSE 087	1350 SARATOGA AVENUE	307-020-27	<table><tr><td>37</td><td>17</td><td>58.25</td></tr><tr><td>121</td><td>58</td><td>56.00</td></tr></table>	37	17	58.25	121	58	56.00	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 38.7' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER ACROSS STREET. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA PEGUIN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER- SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 38.7' AGL, Top of Cantenna 48.3' AGL	NA	Utility Excavation Permit	3/19/2018	3/19/2018	F18099	N/A
37	17	58.25																		
121	58	56.00																		
SF SAN JOSE 094	3843 Williams Road	299-32-065	<table><tr><td>37</td><td>18</td><td>30.32</td></tr><tr><td>121</td><td>58</td><td>7.89</td></tr></table>	37	18	30.32	121	58	7.89	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 43.4' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER DEMARC, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER SOUTH OF POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA PEGUIN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER- SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 43.4' AGL, Top of Cantenna 53.9' AGL	NA	Utility Excavation Permit	4/16/2018	4/16/2018	F18151	N/A
37	18	30.32																		
121	58	7.89																		
SF SAN JOSE 096	3590 Moorpark Avenue	299-41-021	<table><tr><td>37</td><td>18</td><td>57.48</td></tr><tr><td>121</td><td>57</td><td>41.77</td></tr></table>	37	18	57.48	121	57	41.77	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 42.7' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX WITH FIBER DEMARC, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA PEGUIN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER- SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 42.7' AGL, Top of Cantenna 52.3' AGL	NA	Utility Excavation Permit	4/17/2018	4/17/2018	F18159	N/A
37	18	57.48																		
121	57	41.77																		
SF SAN JOSE 106	155 WASHINGTON ST	249-450-56	<table><tr><td>37</td><td>20</td><td>39.34</td></tr><tr><td>121</td><td>53</td><td>31.67</td></tr></table>	37	20	39.34	121	53	31.67	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON A NEW 50.0' HT. WOOD REPLACEMENT POLE (43' OUT OF GROUND). 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON TOP OF POLE, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER ON POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA PEGUIN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER- SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 43' AGL, Top of Cantenna 45.3' AGL	NA	Utility Excavation Permit	3/19/2018	3/19/2018	F18095	N/A
37	20	39.34																		
121	53	31.67																		

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number						
SF SAN JOSE 108	159 E. Hedding St	235-10-071	<table><tr><td>37</td><td>21</td><td>18.30</td></tr><tr><td>121</td><td>54</td><td>0.07</td></tr></table>	37	21	18.30	121	54	0.07	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 29.1' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER ON POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 29.1' AGL, Top of Cantenna 38.6' AGL	NA	Utility Excavation Permit	4/2/2018	4/2/2018	F18113	N/A
37	21	18.30																		
121	54	0.07																		
SF SAN JOSE 111	801 N. 15th Street	249-12-062	<table><tr><td>37</td><td>21</td><td>29.47</td></tr><tr><td>121</td><td>53</td><td>15.72</td></tr></table>	37	21	29.47	121	53	15.72	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 35.8' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER DEMARC, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER SOUTH OF POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 35.8' AGL, Top of Cantenna 46.2' AGL	NA	Utility Excavation Permit	4/10/2018	4/10/2018	F18141	N/A
37	21	29.47																		
121	53	15.72																		
SF SAN JOSE 127	1679 Juanita Avenue	429-26-021	<table><tr><td>37</td><td>18</td><td>3.06</td></tr><tr><td>121</td><td>53</td><td>23.31</td></tr></table>	37	18	3.06	121	53	23.31	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 37.5' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER ACROSS STREET. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 37.5' AGL, Top of Cantenna 47.0' AGL	NA	Utility Excavation Permit	4/4/2018	4/4/2018	F18116	N/A
37	18	3.06																		
121	53	23.31																		
SF SAN JOSE 130	1977 McLaughlin Ave.	477-36-068	<table><tr><td>37</td><td>19</td><td>15.75</td></tr><tr><td>121</td><td>50</td><td>32.62</td></tr></table>	37	19	15.75	121	50	32.62	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 42.9' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A G095 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER ACROSS STREET. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 42.9' AGL, Top of Cantenna 52.4' AGL	NA	Utility Excavation Permit	4/2/2018	4/2/2018	F18111	N/A
37	19	15.75																		
121	50	32.62																		

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number						
SF SAN JOSE 134	3434 Silver Creek Road	676-60-026	<table><tr><td>37</td><td>18</td><td>12.74</td></tr><tr><td>121</td><td>48</td><td>28.71</td></tr></table>	37	18	12.74	121	48	28.71	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 29.2' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A GO95 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON TOP OF POLE, (1) SMALL CELL CABINET ON GROUND, (2) RRUS32, (1) RRU2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 29.2' AGL, Top of Cantenna 38.8' AGL	NA	Utility Excavation Permit	4/4/2018	4/4/2018	F18125	N/A
37	18	12.74																		
121	48	28.71																		
SF SAN JOSE 139	478 Fuller Avenue	264-45-019	<table><tr><td>37</td><td>19</td><td>4.22</td></tr><tr><td>121</td><td>53</td><td>43.53</td></tr></table>	37	19	4.22	121	53	43.53	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 41.8' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A GO95 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER ON POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 42' AGL, Top of Cantenna 51.3' AGL	NA	Utility Excavation Permit	3/29/2018	3/29/2018	F18117	N/A
37	19	4.22																		
121	53	43.53																		
SF SAN JOSE 144	1267 Spruance St	282-180-32	<table><tr><td>37</td><td>18</td><td>6.19</td></tr><tr><td>121</td><td>56</td><td>12.07</td></tr></table>	37	18	6.19	121	56	12.07	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 38.3' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A GO95 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER ACROSS STREET. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 38.6' AGL, Top of Cantenna 47.8' AGL	NA	Utility Excavation Permit	3/29/2018	3/29/2018	F18119	N/A
37	18	6.19																		
121	56	12.07																		
SF SAN JOSE 145	504 Downing Ave	282-14-009	<table><tr><td>37</td><td>18</td><td>18.53</td></tr><tr><td>121</td><td>56</td><td>11.53</td></tr></table>	37	18	18.53	121	56	11.53	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 30.0' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A GO95 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE, OVERHEAD POWER FROM TRANSFORMER ACROSS STREET. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 30' AGL, Top of Cantenna 39.5' AGL	NA	Utility Excavation Permit	3/29/2018	3/29/2018	F18118	N/A
37	18	18.53																		
121	56	11.53																		

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number						
SF SAN JOSE 147	1727 Fruitdale Ave	282-35-066	<table><tr><td>37</td><td>18</td><td>38.20</td></tr><tr><td>121</td><td>55</td><td>22.03</td></tr></table>	37	18	38.20	121	55	22.03	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON A NEW 40.0' HT. WOOD REPLACEMENT POLE (34' OUT OF GROUND). 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A GO95 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE. OVERHEAD POWER FROM TRANSFORMER. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 34.0' AGL, Top of Cantenna 36.3' AGL	NA	Utility Excavation Permit	4/2/2018	4/2/2018	F18122	N/A
37	18	38.20																		
121	55	22.03																		
SF SAN JOSE 157	5739 Almaden Rd	567-51-010	<table><tr><td>37</td><td>14</td><td>49.92</td></tr><tr><td>121</td><td>52</td><td>30.73</td></tr></table>	37	14	49.92	121	52	30.73	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON AN EXISTING 39.2' HT. WOOD POLE. 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A GO95 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE. OVERHEAD POWER ON POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 39.2' AGL, Top of Cantenna 48.8' AGL	NA	Utility Excavation Permit	4/2/2018	4/2/2018	F18124	N/A
37	14	49.92																		
121	52	30.73																		
SF SAN JOSE 158	437 Branham Lane East	684-33-047	<table><tr><td>37</td><td>16</td><td>7.07</td></tr><tr><td>121</td><td>48</td><td>29.24</td></tr></table>	37	16	7.07	121	48	29.24	1. INSTALL NEW TELECOMMUNICATIONS EQUIPMENT BOXES ON A NEW 55.0' HT. WOOD REPLACEMENT POLE (48' OUT OF GROUND). 2. ALL POLE-MOUNTED EQUIPMENT TO BE INSTALLED ON A GO95 COMPLIANT STANDOFF BRACKET. 3. EQUIPMENT CONSISTS OF (1) CANTENNA ON POLE TOP EXTENSION, (1) SMALL CELL CABINET ON POLE, (2) RRUS32, (1) RADIO 2212, (2) DIPLEXERS, (2) POWER SUPPLY UNITS, (2) DISCONNECT SWITCHES, (1) FIBER PULL BOX, AND A POWER METER ON POLE. ALL EQUIPMENT ON POLE. OVERHEAD POWER ON POLE. 4. INSTALL POLE STEPS AS REQUIRED 5. ALL EQUIPMENT TO BE PAINTED SHERWIN WILLIAMS MESA BROWN.	1 Amphenol Cantenna TRI BAND 3-SECTOR, CLOVER-SHAPE CANISTER ANTENNA (48 inch)	JPA Pole	JPA Brown Pole	Pole Top 39.2' AGL, Top of Cantenna 48.8' AGL	NA	Utility Excavation Permit	4/2/2018	4/2/2018	F18123	N/A
37	16	7.07																		
121	48	29.24																		

From: bob tom
Sent: Friday, June 1, 2018 4:43 PM
To:

Subject: a letter from Blair Beekman. Friday June 1, 2018. _____ Yo estoy lento. Siento. Comenzar, eso lunes.

Dear VTA, city of San Jose, SJDA, county of Santa Clara, and others,

In reading the CCTV accountability guidelines, from the public agenda , of the VTA Board of Directors, early April 2016, that was approved,

I noticed, the following item, on pg. 46.

CTSGF state grant funding, in a total of at least \$3million, for a variety of VTA security tech. needs.

A list so varied, and an amount of money, so large, it could easily include, any tech. service needs, for the VTA Big Belly project.

I was trusting a conversation, I had with G. Hendricks, and Howard Miller, after a recent PAC meeting,

when they said to myself, I would not find, ANY, tech. or its funding, of the Big Belly, on a VTA public agenda, of the past few years.

At this point, it is possible, I have misjudged, a bit, in how to believe, the veracity of these sorts of statements,

and in my beginning conversations, with staff and committee persons, of the VTA.

But I still want to trust, an initial response and feeling, people from the VTA, first had, when I tried to explain, the Big Belly to them.

I want to respect and figure, why people of the VTA, had some initial plaintive reactions.

Partly it is to describe, an 'I didn't do it', set of emotions, we can all offer, in the more, children-like, part of ourselves.

But a plaintiveness, also often describes, there is some truth, in why people of govt., say what they say.

It is how to sift through, this beginning relationship, and respect the depth of initial statements, is where I am currently at.

So at this point, I believe Elaine Baltao's words, below, may have some legal accuracy. And what I have been trusting all along.

I hope the city of San Jose, and the county of Santa Clara, can take this to heart,

and begin to explain a few things, at this time, to myself, and begin to offer a few clues, when I need it.

As I am still believing, the VTA and its private consultant, try to push, their Big Belly surveillance and data collecting ideas, onto other cities, and govt. agencies, of the south bay.

These other cities or agencies, then agree to, and purchase or employ, a certain amount of their own tech.

and then become a recipient, or a customer, of the tech. and the data collection, being used., for the Big Belly.

Or cities, are forced to put in tech. in deals made by the VTA.

But in San Jose's case, the VTA has made a deal, with the SJDA, who often consults, with a few of its local, neighborhood associations,

that specialize in surveillance tech., data collection apps. and the like.

All of these local groups, have a tight knit relationship, with the city of San Jose.

Making the city of San Jose, claims of independence, from the VTA Big Belly project, in downtown questionable.

And asking questions of accountability, of both the city of San Jose, and the county of Santa Clara, of the Big Belly's, at the VTA transit center, at Tasman, at the San Jose/Alviso border.

So while I believe, the VTA and state law, is the ultimate authority, with the Big Belly project.

I feel the city of San Jose, needs to learn, a day to day responsibility, in how to help move along, accountability issues, for the Big Belly project.

As the health and welfare questions, of this technology, and the civil rights, and civil protection issues, for this project, can take a horrific turn pretty, pretty quickly.

So I suggest, the city of San Jose, the VTA, the SJDA, local neighborhoods assoc., the county of Santa Clara, and others, learn to open up a bit, when needed.

I hope they can begin to answer, my mostly simple, polite, routine questions, a bit more, when asked.

And, if needed, learn how to better work through, whatever legal language, is holding them back, from being able to communicate with each other.

Overall, I will try to keep accusations down, as I this is not meant as combative, but simply mapping out, an accountable future.

And how it can begin, to make it legally easier, and more organized, so you can talk to yourselves, more openly, at this time.

I feel this may be difficult for yourselves. I would like to help. And will have, a more formal letter, for yourselves about this, on Monday.

You are probably aware at this point, how much I would like, a simple, good, accountable process, at this point, in all of our lives,

As we are starting to more fully leave, an era of war.

And start to more honestly think about, what can be, a more peaceful, better reasoned, democratic, sustainable future.

sincerely,
blair Beekman

I have cc'd. this letter, to be sure you can have people, to connect with, if you want.

a better list, than Monday's letter !

On Tue, May 29, 2018 at 3:16 PM, Baltao, Elaine

> wrote:

Hi Blair,

The only feature we have now for the receptacles in our property is the compactor. We are responsible for picking up the contents of the trash bin once they're full.

Hope that helps.
Thanks,
Elaine.

Subject: a letter from Blair Beekman. Monday May 28, 2018. _____ What to expect, this week.

Dear VTA, city of San Jose, county of Santa Clara, SJDA, and others,

I hope you have had, a good Memorial Day weekend.

Even as the VTA, may be in charge of, the Big Belly project. And, questions of openness and accountability, ultimately may have to be answered, by state agencies and law,

I hope my writing, the past few months, can keep something, simple, friendly, and easy to understand, in how we can talk and work together, here at the local level, at this time .

Again, I hope you are having, honest, open, good levels of conversation, between yourselves, at this time,

This will help considerably, in learning to talk about, how the Big Belly, can be a legal, and responsible project, for the public, and the south bay community .

I would like to learn, to better understand, who is responsible, for what, at this time.

I hope this is being cleared up, amongst yourselves, at this time, as well.

There are currently, 18 Big Belly's, at 5 VTA Transit Centers, in 4 south bay cities.

After this past week, of writing specifically and politely, how I would like, to better talk about this project.

After a month, of myself asking in nice guy terms, to be sure you are communicating well, amongst yourselves, at this time,

And, for over three months, in trying to remind you, there are more healthy options, in counseling, health programs, and advocacy, to completely end the Big Belly project, in downtown San Jose -

We are at a time to realize, that my letter writing, however inexperienced, has probably made some things, fairly clear to yourselves, by now.

My letter writing has probably reminded yourselves, what you are doing well - what you can improve upon,

And, in what is starting to shape, as the future, of new ideas and efforts, towards peace and sustainability, democracy and community.

And, in how to better work with, technology, the process of govt. accountability, everyday people, and their community.

I hope you can understand, an interesting direction, that is possible, at this time.

You should begin to trust, the depth of this good reasoning, and start to talk to myself, a little more honestly when asked.

I am understanding, how a good, democratic community process, can be an awkward topic, of actual conversation.

I hope we can make a few necessary changes, in how we can talk about this subject, and work well together, this week. And at this time.

To remind again, be sure you have clear channels, with yourselves, at this time .

And, then learn how to describe, parts of what you are talking about, with myself.

sincerely,
blair beekman

I have cc'd, about 100 people, of govt. agencies. and two ACLU reps., at the end.

I will bcc, following letters. refer to this letter, for any needed addresses.

Again, I am not asking for, exactly what tech. is at each Big Belly yet, if any.

I am just trying to establish, how we can talk about,

what already is, and what can be, an open, accountable process.

Can you begin to fill in the gaps, with these sorts of questions, I am asking above.

It would be good practice for San Jose, do to this as well. I hope we can all offer, small answers, at this time,

to build up and agree, what can be a shared idea, of how to talk about ideas, about accountability.

From: bob tom

Sent: Tuesday, June 5, 2018 1:15 PM

Subject: a letter from Blair Beekman. Tuesday June 5, 2018. _____ An election day, hello. With more letter writing, to follow.

Dear VTA, city of San Jose, county of Santa Clara, SJDA, and others

With the VTA, and its sometimes vague state laws, having the final say, with the Big Belly, smart trash can program, throughout the south bay,

good communication, at the local level, can be a helpful advantage, for all of us.

I hope, my past two months, of letter writing, has helped yourselves, more clearly see,
your own ideas and plans,

and to help ask questions, in more mature terms, that you may have of each other.

From this, please learn, to more honestly talk to myself,

and what can be, a simpler, more open and organized process, of public accountability.

With this being, a primary election day, I hope you can be reminded, of the good, and what is possible, with the democratic process.

sincerely,
blair beekman

From: bob tom

Sent: Wednesday, June 6, 2018 6:45 PM

Cc: Sykes, Dave; Greene, Shasta; Beckel, Dolan; Lloyd, Rob; Tsai, Henry; Santosham, Shireen; Harkness, Kip; District1; District 6; District9; District 10; District4; District5; Herbert, Frances; District3; District2; District8; District7; Neaves, Rosario; Agendadesk; IPA; Pereira, Paul; The Office of Mayor Sam Liccardo; Henninger, Ragan; OES; Rios, Angel; Dwyer, Jason; Mata, Anthony; Knopf, Dave; Ortbal, Jim; Doyle, Richard; City Clerk

Subject: a letter from Blair Beekman-3. Wednesday June 6, 2018. _____ To ask about, the public process for the Streetlight IoT process.

Dear Civic Innovation,

After seven months, you will be coming out, with a Smart Streetlight Report, on the wonders, of the energy saving dimming aspects, of the new IoT streetlight process.

In my understanding, there will not be one word, or any public report, about other IoT Streetlight capabilities, the city of San Jose, is currently practicing, or experimenting with.

The IoT Streetlight Plan, is a practice of technology, that will include, law enforcement surveillance tech., retail data collection apps, and possibly even, small apps, the everyday public can be involved with, all in one system.

As part of the purpose, of IoT, it how the entire community, can become integrated, and a part of, the technology plans of a city.

Its purpose, is to be democratic, open, and accountable, for everyone.

Que pasa. ?

You seem, you are once again practicing, local government elitism, and offering the future of tech., for only a select, chosen few.

We are at a time, to start to learn important concepts in technology, with all, among the community, and, not just, for a few, precious stakeholders.

In the first baby steps, of a future, IoT process, please learn how to at least offer, public progress reports, and at least, a bare minimum, of how other technologies are progressing, with the IoT streetlight process.

I understand, govt. needs some time alone, to develop the IoT process. Why not learn, to develop its democratic practices, as well.

Considering, we have already hit, a bottom, with the Big Belly project, I am very much saddened, at this city of San Jose development.

And, how I was counting on ways, the city of San Jose, should be, a bit ahead, of how the VTA works on, its own IoT issues.

For all of your college diplomas, at this time, do you apologize, and try to better your intentions. And try to say, you simply missed, in a couple of places, at this time,

Or, is it time, to possibly admit, you are that frightened, of what can be, a simple trust, openness, decency, and peace, within a community.

And, that you need, a lot of time and help, to better learn, and to understand, new concepts, in what can be the future of accountability, democracy, and sustainability, in tech. within a community.

It is ideas and concepts, that should not be that difficult for yourselves to understand, and that are already, very much a part of you.

And why things, can become so frustrating some times.

To offer the words, of a well meaning, maestro,

' at this rate, we will never be ready, for a public guideline process, supposed to be prepared for the public, by November 2018.

Oh well, lets try to start again, from the top. What rhythm, should we use, a salsa rhythm, a polka rhythm, a rhythm of the waltz ?

.....and a one, and a two..... '

Lets make a process, easy, open, easily accessible, and understandable, for the public.

Lets build a process, that is leaving, an era of war.

And that is building, a better reasoned democracy, with deeper, more holistic ideas, in what can be peace and sustainability, for the future of a local community.

sincerely,
blair beekman

p.s.

Tomorrow, I am going to have to write about this subject, to the over 150 city govt. addresses I have. about this subject.

I know we are all trying, but it has been over 7 months, and you have not delivered any sort of accountability reports to the public, about Streetlight IoT.

And, that was vaguely mentioned, during a mostly, well intentioned, Civic Innovation public process, from the fall of 2017.

It is simply unacceptable, in continuing to work, the way you have, and avoiding important subjects of accountability, with the public.

We have to begin to plan, how to work our way out of, these bad habits.

I have asked, that the surveillance and technology guideline process, be scheduled for August or September of 2018.

And again, in early December of 2018.

If this cannot happen, can you at least plan, some sort of public report, for August or September of 2018, on the progress of other IoT functions, from the city of San Jose, IoT Streetlight Project.

From: bob tom

Sent: Wednesday, June 6, 2018 5:14 PM

Subject: a letter from Blair Beekman-2. Wednesday June 6, 2018. _____ A few questions, for your review.

Dear VTA, the SJDA, and local govts., of the south bay,

A late afternoon, set of letters, for your review.

Take your time, with them.

It should help with openness, and make clear for yourselves, a few questions, I am currently having.

My questions, are in bold italics, and, the second to last letter, of this set of letters.

Learn to write back, if you can.

This be a time of peace, and re-learning what can be, healthy, good, democratic practices.

sincerely,
blair beekman.

On Wed, Jun 6, 2018 at 3:25 PM, bob tom

wrote:

Dear Elaine,

I think I will pass along, our previous letter, to city of San Jose, county of Santa Clara, etc., for good communication and accountability.

It can help make things clear, and help in a few decisions, where things may be currently at.

You have somewhat satisfied, my questions, for now. Thank you.

Can I ask for, more clarity, in the future, to these questions, if needed.

I think I will have to send these letters, to county and city of San Jose, for accountability, and, so we can all be clear, how to think and proceed.

This is a learning process, for all of us.

To simply remind, you are a government, of all the people.

In a democracy, government, should be considered, a facilitator, for all of the people, of a community.

Please be honest, and learn how to facilitate well.

This is a part of, a future letter to yourself. Conversation, and a good working relationship, should allow the beginning steps, of what can be, a simple process, of better public accountability.

sincerely,

blair

On Wed, Jun 6, 2018, 7:53 AM Baltao, Elaine

wrote:

I can only speak of the locations I shared with you previously, which were vetted through staff. I won't know, if there are Bigbellys at the airport, sorry.

From: bob tom [mailto:[|](#)]
Sent: Tuesday, June 05, 2018 4:55 PM
To: Baltao, Elaine <[|](#)>
Subject: Re: a letter from Blair Beekman-1a. Monday June 4, 2018. _____ A question.

Dear Elaine,

thanks again for the list.

But can you be able to offer, if the VTA in charge of, any Big Belly's, at the airport ?

Or, are there any Big Belly's, that are considered, ' on VTA property', at the airport.

Or, does an airport Big Belly project, work with the VTA, in any way. ?

I was told this, by san jose mayor aide, Paul Pereira.

But he has been, a little ungrounded, in how you and I, have been talking about this subject, so far.

He has got something about him, that is loose, funny, and nice.

He may be able, to offer a lot, sometimes, in nice, simple, matter of fact terms.

But I am not altogether sure, how informed or accurate he is, with the subject, and his info., yet.

Sincerely,

blair

On Tue, Jun 5, 2018 at 4:46 PM, Baltao, Elaine

wrote:

Here is the list of our Bigbelly, as previously sent to you.

- 6 installed at Great Mall transit Center: 2014
- 2 installed at Mountain View and 2 at Tasman Light Rail Stations: 2015
- 6 downtown at BRT: Feb 2018
- 2 installed at De Anza Transit Center: Feb 2018

On Tue, Jun 5, 2018 at 1:42 PM, Baltao, Elaine

wrote:

I won't know the answer, if there's BigBelly at the airport. I can only confirm the locations that were previously emailed to you. Sorry.

From: bob tom [mailto:

Sent: Tuesday, June 05, 2018 1:28 PM

To: Baltao, Elaine

Subject: Re: a letter from Blair Beekman-1a. Monday June 4, 2018. _____ A question.

Dear Elaine,

It takes a bit of time, to write the answers you do. Thank you for this.

It is a busy day. I will try to reply to this letter, by this afternoon, or tomorrow.

Thank you again, for attempting to clear this up.

What about the simple question, are there any Big Belly's, at the S.J. airport ?

Perhaps a better way to ask,

Are there Big Belly's, on VTA property, at the airport ?

Are there Big Belly's, at the airport, that are somehow associated, with the VTA.
(i.e. funding, etc.)

The airport, is a large public space, why the need, for subterfuge or hidden secrecy, in answering ?

Thanks again.

sincerely,

blair

On Tue, Jun 5, 2018 at 12:57 PM, Baltao, Elaine

> wrote:

Hi Blair,

As for your question on the flashing lights on the Bigbelly, here are the answers:

- a) Green indicates there's space in the trash receptacle and it can accommodate more trash.
- b) Yellow indicates it's almost at capacity

c) Red indicates it's at capacity and contents needs to be picked up.

The VTA Bigbelly installed at the locations provided to you earlier do not have any other features except for the compactor and the notification that contents need to be picked up.

I am not sure what other public accountability should be added to the Bigbelly because ours do not have any of the features that you were concerned with.

From: bob tom [mailto:

Sent: Monday, June 04, 2018 4:30 PM

To: Baltao, Elaine

Subject: Re: a letter from Blair Beekman-1a. Monday June 4, 2018. _____ A question.

Dear Elaine,

Thank you for writing back.

Can you write back, with my two, fairly reasonable questions, sometime today, or early tomorrow?

A person from the VTA , was at the San Jose, Transportation and Environment Committee meeting, today.

I spoke publically, to not fear, how I am asking, what can be, a public accountability process, for the Big Belly project.

sincerely,

blair beekman

On Jun 1, 2018, at 1:56 PM, bob tom <

wrote:

Dear Elaine,

Do you have time, to write back, here on Friday,

with my two questions, below ?

sincerely,

blair beekman

On Wed, May 30, 2018 at 1:06 PM, bob tom

wrote:

Dear Elaine Baltao,

Thanks for writing back, yesterday.

It can help make for a good beginning, how we can work this week. Thank you, again.

I hope the city of san jose, can learn to loosen up a bit.

I have a few letters to send to you, later today and tomorrow.

For now, is it possible, to write back a few answers, to hopefully a few, simple questions

Someone from the San Jose mayor staff, said there are Big Belly's, stationed at, the San Jose Airport.

Is this accurate. ?

***Can you describe the purpose,
of the flashing green light,
and the flashing red light. ?***

It is a small light, on the upper front , left corner, of each Big Belly trash can,
as you put your trash, into the receptacle.

sincerely,

blair

On Tue, May 29, 2018 at 3:16 PM, Baltao, Elaine

wrote:

Hi Blair,

The only feature we have now for the receptacles in our property is the compactor. We are responsible for picking up the contents of the trash bin once they're full.

Hope that helps.

Thanks,

Elaine.

From: bob tom

Sent: Wednesday, June 6, 2018 4:10 PM

Subject: a letter from Blair Beekman. Wednesday June 6, 2018. _____ City of San Jose, surveillance and technology guidelines. The 2018 public meeting process.

Dear city government of San Jose,

A very meaningful, Rules and Open Government meeting today.

In becoming emotional, and thanking yourselves,

in working on the future, of immigration issues, and what can be so good, about living in San Jose.

And, toward a future, based on peace, social justice, human rights, and its good reasoning,

I forgot to make, an important public request, I first mentioned, a few weeks ago, and brought up again, at city council yesterday.

I would imagine, there has already been, some considerable study, of the concepts, in what can be better accountability with tech.

And, as many of San Jose city government, can be aware, of what can be,

an open, healthy, public guideline process, for the future of technology, in the city of San Jose.

As Councilperson Rocha, is the sponsor, of this accountability and guideline process. He will also be, at the end of his term, as councilperson, by late December 2018,

Is it possible, to bring San Jose's efforts, toward a Surveillance and Technology, guideline process & ordinance, to the Smart Cities committee meeting, by early August or September 2018 ?

With a follow up, Smart Cities, public committee meeting, in early December 2018 ?

This should give new ideas, in tech. & accountability, a more open, and better public process. And possibly, better input, for Councilperson Rocha and others.

sincerely,
blair beekman

Fw: CPUC Audit SJW / CTWS merger, resolution and proposed coalition for refund / audit of SJW's financials

From: Inamine, Nicole
Sent: Tuesday, June 5, 2018 12:18 PM
To: City Clerk
Subject: FW: CPUC Audit SJW / CTWS merger, resolution and proposed coalition for refund / audit of SJW's financials

Hello, could you please add the following to the Public Record? Thank you!

From: <Michael Blomquist> |
Sent: Tuesday, June 5, 2018 7:58 AM
To:

Subject: CPUC Audit SJW / CTWS merger, resolution and proposed coalition for refund / audit of SJW's financials

Good Evening State Auditor Howle, Members of the Audit Committee, Senator Wilks, Assemblyman Lackey, SEC Chairman Clayton, Attorney General Becerra, Insurance Commissioner Jones, Mayor Liccardo, S.J. City Council Members, et. al,

Thank you for your time and attention regarding: a) audit of the California Public Utilities Commission's ("CPUC") water rate setting process and b) proposed merger of San Jose Water Group ("SJW") with Connecticut Water Services, Inc. ("CTWS"), hereafter ("Merger"). We applaud Senator Wilks, Assemblyman Lackey and members of the Audit Committee's efforts (item 2018-118 consent calendar) as well as San Jose City's efforts (Mayor Liccardo, Councilmembers Rocha & Khamis),

proposed resolution for strategic support, but are very concerned

the recent actions by the Audit Committee and pending actions by State Auditor and San Jose City will fall short of obtaining their objectives.

1) Audit Committee is respectfully requested to expand audit to have State Auditor review merger or in the alternative (if possible), State Auditor to expand audit, sua sponte to address CPUC's failure to review merger between SJW and CTWS; See PUC § 854 subd (a) and other statutes below. Ultimately, State Auditor should review merger or at least in conjunction with CPUC staff. This issue is not specific to SJWC ratepayers, but all California ratepayers who could be subjected to merger and acquisition activity ("M&A"), especially without adequate review by the CPUC. CPUC's failure to review or even a late date decision to review will likely result in more "rubber stamped" approvals by the CPUC without consideration of impact to ratepayers or public participation by ratepayers.

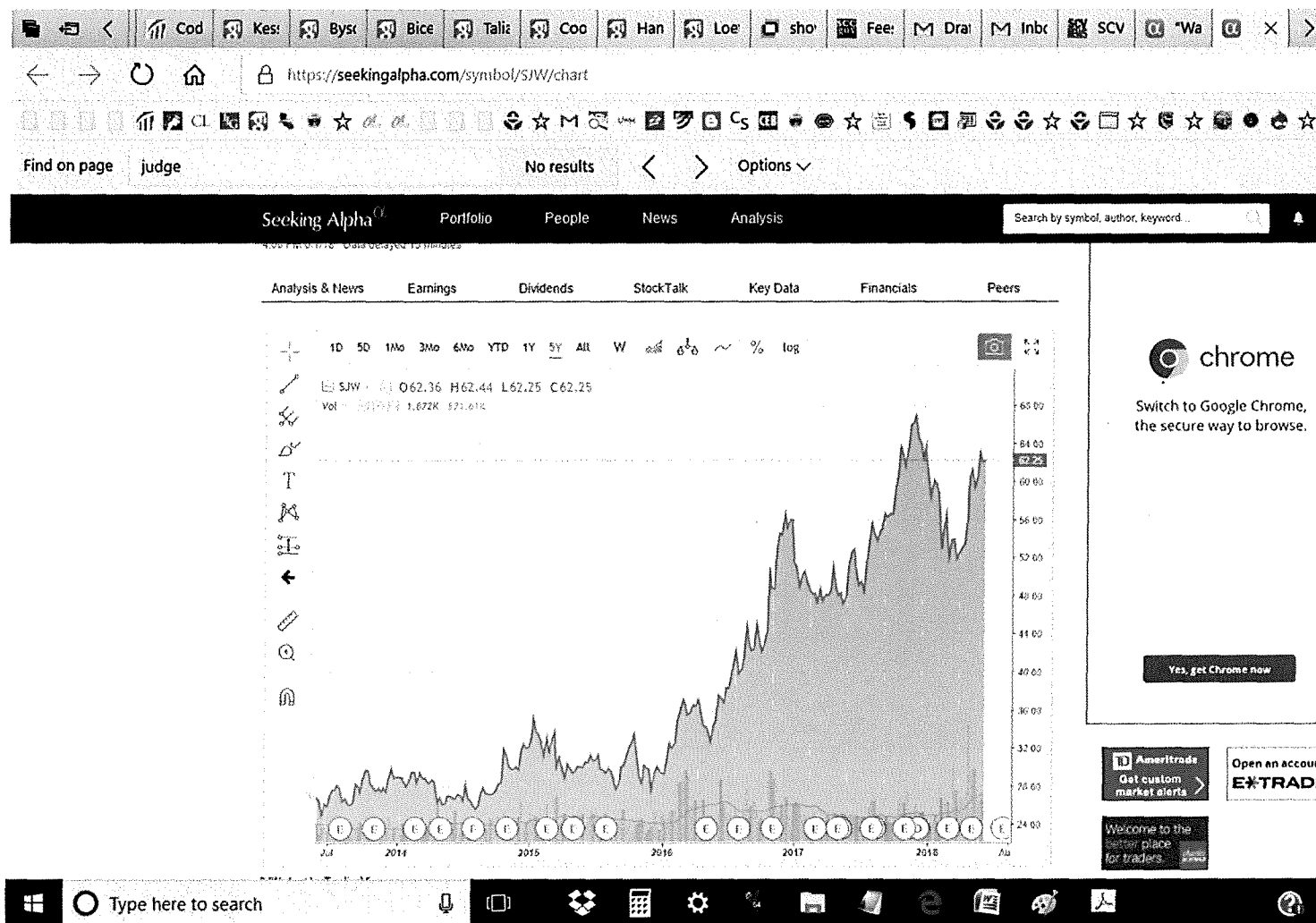
2) San Jose City itself is a San Jose Water Company ("SJWC") ratepayer and party for SJWCs pending general rate case ("GRC") with CPUC. Today, June 5th, 2018 San Jose City will vote for resolution requesting CPUC to review merger. We adamantly believe CPUC will either: fail to review merger or more concerning, CPUC will review merger and "rubber stamp" approval without public participation or adequate review. Proposed resolution should be amended to require public participation. Proposed merger has numerous red flags which will likely be overlooked by CPUC without public participation.

In addition a subsequent resolution and letter should be drafted by San Jose City and sent to Audit Committee and State Auditor making formal request noted above in paragraph 1. As referenced by Mayor Liccardo San Jose City and San Jose City residents are the largest segment of SJWC ratepayers. In

addition, San Jose City should be prepared to file a petition for writ of mandamus in appellate court to require CPUC review and public participation for proposed merger. We are considering the same and would welcome the opportunity to join forces with San Jose City.

If SJW /SJWC was selling bottled water we see no reason why merger approval would need to expand beyond SJW and CTWS shareholders, but that is clearly not the case. SJWC is an investor owned utility ("IOU") and monopoly which has a long history of obtaining "rubber stamped" approvals by the CPUC. Although we recognize the drought required changes, at 30,000 feet one need not look past SJW's stock performance to conclude that **Wall Street sees ratepayers and the CPUC as easy marks**. The following chart more closely resembles a high tech stock than a "tightly regulated IOU / Monopoly".

If proposed merger goes through without ADEQUATE consideration of impacts to SJWC ratepayers the flood gates will open for more reckless M&A of IOUs. Before long we will see more bailouts with taxpayer dollars, especially as executive compensation, early and excessive retirement packages and capex continues to boost water rates to unsustainable levels which are exponentially higher than the municipality run water divisions. The following chart reflects SJW's stock performance post drought after numerous unwarranted GRC and advice letters as well as unsanctioned CPUC increases - OVERCHARGES!



In addition, we have first hand knowledge and conclusive evidence from Superior Court proceedings that SJWC has been misrepresenting itself as a local government agency CA Govt C. § 53090 & 53091 to circumvent mandatory permit fees and oversight by Santa Clara County zoning administrator and planning commission. SJWC is not a local agency and if it was it has not complied with proviso in CA Govt. C. § 53096. We adamantly believe court proceedings and related discovery reflect conclusive evidence of criminal fraud by SJWC which has deprived the State of California of tens of millions in permit fees, property transfer taxes, property tax reassessments (for improvements), inter alia. In addition, mandatory improvements for public's safety, public health, public resources and our environment have not been performed. In 2014 the CPUC denied SJWC's request to expand capacity at the Overlook Station on La Mirada Road Los Gatos (unincorporated, urban service area). Prior to CPUC's August 14, 2014 ruling on GRC A1201003 SJWC proceeded as if the CPUC would approve requests. The same thing is happening with proposed merger - SJW issued a special dividend in December 2017 and increased quarterly dividend by a whopping 28.7% in March 2018 to prepare to maintain quarterly dividend post merger. Proposed merger also reflects up to a \$100 million in stock repurchases to do the same. It is well known that dividend stocks such as IOUs get hammered if they don't meet quarterly dividend increases, but surely M&A and dividends should not be funded with ratepayers money from unwarranted rate increases and especially unapproved OVERCHARGES.

After CPUC issued decision in 2014 due process was destroyed and we were deceived that SJWC was exempt from land use hearings. SJWC's 1.64+ million gallon water tank ("NEW TANK") was eventually approved and constructed on our recorded and sole legal access to our home and a conforming one acre parcel for a housing development. Without legal access all economic viability of housing development has been destroyed and economic viability of home has been substantially diminished. We have been trapped in a risky, high interest, adjustable rate mortgage ("ARM") due to the dilapidated condition of the home at time of purchase. At time of purchase legal access was present, but legal access was destroyed during SJWC's projects at the Overlook Station. Without legal access you cannot obtain financing, land use approvals/permits or building permits. NEW TANK building permit was issued on March 11, 2015 and just finalized on October 13, 2017. NEW TANK is a commercial - non-permitted use in an environmentally sensitive Urban Hillside Residential base district ("RHS") and -d1 combining district, collective ("RHS-d1"). It has since been

discovered that -d1 provides for no administrative exemptions at the County level and we were deprived of due process by extrinsic fraud and misrepresentations that SJWC is a local government agency and review by Santa Clara County was superseded because project was under the exclusive jurisdiction of the CPUC. Undoubtedly SJWC is up to the same misrepresentations to circumvent CPUC's review and public participation for merger - or CPUC is aware of the pandoras box it will upon meaningful review.

SJWC's Overlook Station is also in a State Responsibility Area ("SRA") and Very High Fire Hazard Severity Zone ("VHFHSZ"). In short, SJWC has been unlawfully exempted from Subdivision Map Act - merger and re-subdivision Govt C. § 66499.20.2 and requirements to file new parcel maps (see attached Plans). Santa Clara County has been informed of unlawful division of real property - CA Govt C. § 66499.36, but refuses to enforce our laws. Santa Clara County has been informed of mandatory requirements for SRA Fire Safe Regulations Title 14 CCR § 1270.00 et. seq., in particular 1273.00 et. seq. for emergency access/egress, but refuses to enforce our laws. Santa Clara County has been informed of SJWC's unpermitted grading, paving and drainage to adjacent parcel ("PUMP STATION TANK") allegedly for required off street parking for NEW TANK, but refuses to abate on going nuisances or conduct supplemental environmental evaluations for over 2000+ sf of paving and PUMP STATION TANK's new roof whereby collected storm water dumps on to and erodes La Mirada Road and its shoulder (attached photos). There are blatant violations of CEQA. Public notice was not provided for CEQA. Draft MND is unsigned and undated, but states an actual MND will be provided. Draft MND is grossly deficient (does not consider unpermitted grading, paving and drainage or impervious surfaces / requirements for SRA Fire Safe Regulations (emergency access/egress). SJWC also installed new 7' chain link fencing within inches of roadway when zoning requirements are 20' from roadway. Fencing eliminates road shoulder and restricts emergency access/egress.

Here is where it gets really absurd. SJWC is slated to receive \$30 million or more from \$300 million Measure AA for land in Mid Peninsula Open Space which is not essential for trail expansion. It appears SJWC/SJW is planning to use proceeds to fund merger with CTWS and proposed \$100 million stock repurchase instead of using money for infrastructure for SJWC as required by law. Overlook Station on La Mirada Road is public access to El Sereno Open Space. La Mirada Road is extremely narrow, steep and has limited visibility. Hikers, bikers and local traffic that travel up La Mirada frequently avoid head on collisions with down hill mountain bikers that fly down La Mirada without out adequate visibility or road width. Besides countless violations of State Law and local ordinances La Mirada Road in its present form are blatant violations of Santa Clara County's General Plan for safety and circulation elements as well as jointly adopted Los Gatos Hillside Specific Plans. As most of you are aware General / Specific plans are known as our local Constitutions.

In total SJWC has spent over \$5,000,000 for Overlook Station improvements which were not approved by the CPUC. We filed a formal complaint with the CPUC and CPUC just denied on May 31, 2018 to address issues despite CPUC's mandate to insure transparency and public safety. This figure does not include another \$250,000 in required public improvements for public safety / SRA Fire Safe Regulations (road widening) storm water issues / storm drains per CEQA, inter alia. CPUC has concurrent jurisdiction on these issues.

There are countless arguments reflecting shareholder interests and ratepayers interests are inversely related. Thus far SEC is reviewing merger for shareholders and regulatory agencies in Connecticut and Maine and reviewing ratepayers interests in New England, but absent from review is the CPUC. Clearly, if the CPUC was truly interested in reviewing merger it would have done so by now. Merger was announced on March 15, 2018. CPUCs sole review at this late date, especially while CPUC's efforts are focused on audit would not be in SJWC ratepayers best interests.

Here are some of the facts, allegations, relevant laws and arguments in support of requests noted above. Items below may be necessary to overcome CPUC's objections to review or failure to review merger:

1) San Jose Water Company ("SJWC") is an investor owned utility ("IOU") regulated by the California Public Utilities Commission ("CPUC"). CPUC also has authority to regulate SJW - SJWC's parent / holding company.

"On the jurisdictional question, we affirm the PUC's decisions denying the holding companies' motions to dismiss. (Cal.P.U.C. Dec. Nos. 02-01-037 (Jan. 9, 2002) [2002 Cal.PUC Lexis 7] & 02-07-044, 2002 WL 31006238 (July 17, 2002) [2002 Cal.PUC Lexis 430].) Under the circumstances presented here, the PUC has jurisdiction over a holding company to enforce conditions imposed by the PUC pursuant to its statutory authority to approve applications by public utilities for certain mergers, acquisitions, changes in control, or **issuances of securities**. (See Pub. Util.Code,[2] §§ 701, 818, 819 & 854.)," *PG & E CORP. v. Public Utilities Com'n*, 13 Cal. Rptr. 3d 630, 634 (Cal. Ct. App. 2004).

2) Proposed merger is an all stock transaction. Based on information and belief SJW did not obtain CPUC approval to issue stock for transaction.

3) Financial analysts familiar with CTWS view CTWS as very overvalued and SJW has a long history of violating our laws. It is not likely that financials will remain segregated, especially given that SJW has a "mobile" workforce.

<https://www.suredividend.com/wp-content/uploads/2018/04/CTWS-2018-04-26.pdf>

4) It has been discovered and documented that SJWC overcharged ratepayers during and after drought. CPUC is aware of this fact. CPUC has not required SJWC to pay ratepayers for refunds.

5) In December 2017 SJW issued a special dividend of \$0.17 to shareholders

6) In March 2018 SJW increased its quarterly dividend by a whopping 28.7%

<https://seekingalpha.com/article/4157565-thoughts-san-jose-water-connecticut-water-merger>
(information also available in SJW financials)

7) On March 15, 2018 SJW and CTWS announced proposed "merger of equals". As of June 5, 2018 CPUC has still not determined if CPUC will review stock issuance or merger.

8) Proposed merger includes up to a \$100 million in stock repurchases - allegedly from excessive rate increases (GRC/advice letters) and OVERCHARGES

9) Based on information and belief CPUC should have required SJWC to refund customers before SJWC paid out special dividend, increased quarterly dividend or entered proposed all stock merger with up to \$100 million in stock repurchases, especially for a grossly over-valued IOU.

10) Based on information and belief CTWS's core value is in its real estate holdings which SJW will likely sell and use to fund more M&A instead reinvesting in infrastructure.

11) Measure AA provided Mid Peninsula Open Space \$300 million in taxpayer funds to expand open space trails. SJWC/SJW is scheduled to receive at least \$30 million for SJWC's land while retaining water rights. Based on information and belief the majority of SJWC's land is not essential for trail expansion and SJWC is currently negotiating for a higher sales price and or ability to harvest redwoods on said land.

12) Based on information and belief taxpayers were not aware Measure AA would unjustly enrich SJWC at their expense for land which is not essential to trail expansion while SJWC retains water rights and taxpayers are liable to maintain SJWC's watershed.

13) Based on information and belief \$30 million in proceeds from sale of SJWC's land will be used to pay for the ancient water infrastructure in Connecticut and Maine instead of SJWC's existing infrastructure in California.

14) In investor prospectus SJW states, "Opportunity for significant "generational investment" with new facility planned to replace plant in service since 1884"

15) SJW's current CEO is Eric Thornburg. Thornburg had been CEO of CTWS for 11 years before accepting CEO position with SJW.

16) Based on information and belief SJWC's current GRC should be stayed pending resolution of OVERCHARGES, excessive CPUC approved rate increases and review of proposed merger allegedly with SJWC's ratepayers money.

17) Based on information and belief CPUC has not properly regulated SJW/SJWC or insured funds from rate increases have been retained for SJWC's infrastructure as originally argued in GRCs and numerous advice letters.

18) CA Water Code § 106.3 states in relevant parts, "(a) It is hereby declared to be the established policy of the state that every human being has the right to safe, clean, **affordable**, and accessible water adequate for human consumption, cooking, and sanitary purpose."

ARTICLE 1. Generally

19) PUC § 701 states in entirety,

The commission may supervise and regulate every public utility in the State and may do all things, whether specifically designated in this part or in addition thereto, which are necessary and convenient in the exercise of such power and jurisdiction.

ARTICLE 5. Stocks and Security Transactions [816 - 830]

20) PUC § 818 states in entirety,

No public utility may issue stocks and stock certificates, or other evidence of interest or ownership, or bonds, notes, or other evidences of indebtedness payable at periods of more than 12 months after the date thereof unless, **in addition to the other requirements of law it shall first have secured from the commission an order authorizing the issue, stating the amount thereof and the purposes to which the issue or the proceeds thereof are to be applied, and that, in the opinion of the commission, the money, property, or labor to be procured or paid for by the issue is reasonably required for the purposes specified in the order, and that, except as otherwise permitted in the order in the case of bonds, notes, or other evidences of indebtedness, such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income.**

21) Based on information and belief SJW's desires to close merger within 12 months of announcement does not circumvent PUC § 818.

22) PUC § 819 states in entirety,

To enable it to determine whether it will issue the order, **the commission may hold a hearing and may make such additional inquiry or investigation, examine such witnesses, books, papers, documents, and contracts, and require the filing of such data as it deems of assistance.** *The commission may by its order grant permission for the issue of such stocks or stock certificates or other evidence of interest or ownership, or bonds, notes, or other evidences of indebtedness in the amount applied for, or in a lesser amount, or refuse such permission, or grant it subject to such conditions as it deems reasonable and necessary. The commission may authorize issues of bonds, notes, or other evidences of indebtedness, less than, equivalent to or greater than the authorized or subscribed capital stock of a public utility corporation.*

ARTICLE 6. Transfer or Encumbrance of Utility Property [851 - 857]

23) PUC § 851 states in relevant parts,

A public utility, other than a common carrier by railroad subject to Part A of the Interstate Commerce Act (49 U.S.C. Sec. 10101 et seq.), **shall not sell, lease, assign, mortgage, or otherwise dispose of, or encumber the whole or any part of its railroad, street railroad, line, plant, system, or other property necessary or useful in the performance of its duties to the public, or any franchise or permit or any right thereunder, or by any means whatsoever, directly or indirectly, merge or consolidate its railroad, street railroad, line, plant, system, or other property, or franchises or permits or any part thereof, with any other public utility, without first having either secured an order from the commission authorizing it to do so for qualified transactions valued above five million dollars (\$5,000,000)**

24) PUC § 854 subd (a) states in entirety,

(a) No person or corporation, **whether or not organized under the laws of this state, shall merge, acquire, or control either directly or indirectly any public utility organized and doing business in this state without first securing authorization to do so from the commission. The commission may establish by order or rule the definitions of what constitute merger, acquisition, or control activities which are subject to this section. Any merger, acquisition, or control without that prior authorization shall be void and of no effect. No public utility organized and doing business under the laws of this state, and no subsidiary or affiliate of, or corporation holding a controlling interest in a public utility, shall aid or abet any violation of this section.**

25) Proposed merger between SJW and CTWS was announced on March 15, 2018 and as of June 3, 2018 CPUC has yet to officially state it will review merger.

26) During May 30, 2018 Public Participation Hearing ("PPH") for SJWC's 2019, 2020 and 2021 General Rate Case ("GRC") Judge Bemserderfer and Commissioner Peterman were in attendance. Both stated that proposed merger was referred to CPUC's legal counsel for review. Based on information and belief CPUC's counsel should have concluded long ago that proposed merger requires CPUC's review. CPUC's delay in making said findings underscores CPUC's desires to not adequately review merger or SJWC's and SJW's financials for fear of CPUC's negligence in granting excessive rate and cost of capital increases.

27) Based on information and belief the State Auditor should expand audit to review proposed merger between SJW and CTWS, not just for the best interests of SJWC ratepayers, but for all ratepayers who could be subjected to reckless M&A activity without adequate CPUC review. Judge Bemserderfer indicated he is unaware of any case law which speaks to CPUC's review, especially after Cost of Capital was broken out from General Rate Cases.

In conclusion CPUC has a long history of failing to properly regulate IOUs for electricity (wildfires and explosions) as well as water (excessive rate increases post drought). Ratepayers money should not be used to fund M&A activity, especially when rate increases were requested and granted to fund SJWC infrastructure, not fund dividend increases, stock repurchases or M&A. IOUs have a long history of manipulating CPUC and our laws. Proposed merger with grossly overvalued CTWS which has urgent infrastructure demands, limited cash and is primarily being acquired for land value will undoubtedly cause irreparable harm to SJWC rate payers. Furthermore, Cal Water has a proposed all cash offer which may be in ratepayers best interests, especially if and when SJW stock returns to historical valuations. PUC § 854 subd (b) speaks of review by Attorney General for competition concerns. It does not appear \$500 million threshold speaks to the water industry. In the interest of substantial justice to ratepayers and competition State Auditor should review proposed merger as well as Cal Water's offer to determine if status quo or proposed offers are in the best interests of SJWC ratepayers and all California ratepayers in the unfortunate position of having an IOU as their water supplier.

As a real estate and mortgage broker and developer Michael Blomquist was one of the only brokers in the nation who tried, but failed to stop the rampant fraud in the mortgage industry. There are very concerning similarities, in particular CPUC's rubber stamping or rate increases akin to the rating agencies rubber stamping of AAA rated mortgage backed securities as well as the inter-agencies failure to stop the proliferation of non-traditional mortgage products. Michael's numerous warnings resulted in billions in settlements with the rating agencies.

Attached is a resulting ANPR on non-traditional mortgage products. Michael was the only critical view of 50 industry insiders regarding non-traditional mortgages. Unlike money the federal government cannot print water and California cannot timely borrow water. WAKE UP! THE WARNING SIGNS ARE OMINOUS!

Sincerely,

Michael & Jennifer Blomquist

Michael and Jennifer are members of WRATES. Opinions expressed are their own.

Cal Pub Util Code § 854

Deering's California Codes are current through Chapter 10 of the 2018 Regular Session.

Deering's California Codes Annotated > PUBLIC UTILITIES CODE > Division 1 Regulation of Public Utilities > Part 1 Public Utilities Act > Chapter 4 Regulation of Public Utilities > Article 6 Transfer or Encumbrance of Utility Property

§ 854. Acquisition or control of public utility without approval of Public Utilities Commission

(a) No person or corporation, whether or not organized under the laws of this state, shall merge, acquire, or control either directly or indirectly any public utility organized and doing business in this state without first securing authorization to do so from the commission. The commission may establish by order or rule the definitions of what constitute merger, acquisition, or control activities which are subject to this section. Any merger, acquisition, or control without that prior authorization shall be void and of no effect. No public utility organized and doing business under the laws of this state, and no subsidiary or affiliate of, or corporation holding a controlling interest in a public utility, shall aid or abet any violation of this section.

(b) Before authorizing the merger, acquisition, or control of any electric, gas, or telephone utility organized and doing business in this state, where any of the utilities that are parties to the proposed transaction has gross annual California revenues exceeding five hundred million dollars (\$500,000,000), the commission shall find that the proposal does all of the following:

(1) Provides short-term and long-term economic benefits to ratepayers.

(2) Equitably allocates, where the commission has ratemaking authority, the total short-term and long-term forecasted economic benefits, as determined by the commission, of the proposed merger, acquisition, or control, between shareholders and ratepayers. Ratepayers shall receive not less than 50 percent of those benefits.

(3) Not adversely affect competition. In making this finding, the commission shall request an advisory opinion from the Attorney General regarding whether competition will be adversely affected and what mitigation measures could be adopted to avoid this result.

(c) Before authorizing the merger, acquisition, or control of any electric, gas, or telephone utility organized and doing business in this state, where any of the entities that are parties to the proposed transaction has gross annual California revenues exceeding five hundred million dollars (\$500,000,000), the commission shall consider each of the criteria listed in paragraphs (1) to (8), inclusive, and find, on balance, that the merger, acquisition, or control proposal is in the public interest.

(1) Maintain or improve the financial condition of the resulting public utility doing business in the state.

(2) Maintain or improve the quality of service to public utility ratepayers in the state.

(3) Maintain or improve the quality of management of the resulting public utility doing business in the state.

(4) Be fair and reasonable to affected public utility employees, including both union and nonunion employees.

(5) Be fair and reasonable to the majority of all affected public utility shareholders.

(6) Be beneficial on an overall basis to state and local economies, and to the communities in the area served by the resulting public utility.

~~(7) Preserve the jurisdiction of the commission and the capacity of the commission to effectively regulate and audit public utility operations in the state.~~

~~(8) Provide mitigation measures to prevent significant adverse consequences which may result.~~

(d) When reviewing a merger, acquisition, or control proposal, the commission shall consider reasonable options to the proposal recommended by other parties, including no new merger, acquisition, or control, to determine whether comparable short-term and long-term economic savings can be achieved through other means while avoiding the possible adverse consequences of the proposal.

(e) The person or corporation seeking acquisition or control of a public utility organized and doing business in this state shall have, before the commission, the burden of proving by a preponderance of the evidence that the requirements of subdivisions (b) and (c) are met.

(f) In determining whether an acquiring utility has gross annual revenues exceeding the amount specified in subdivisions (b) and (c), the revenues of that utility's affiliates shall not be considered unless the affiliate was utilized for the purpose of effecting the merger, acquisition, or control.

(g) Paragraphs (1) and (2) of subdivision (b) shall not apply to the formation of a holding company.

(h) For purposes of paragraphs (1) and (2) of subdivision (b), the legislature does not intend to include acquisitions or changes in control that are mandated by either the commission or the Legislature as a result of, or in response to any electric industry restructuring. However, the value of an acquisition or change in control may be used by the commission in determining the costs or benefits attributable to any electric industry restructuring and for allocating those costs or benefits for collection in rates.

History

Added Stats 1971 ch 1373 § 1. Amended Stats 1989 ch 484 § 1; Stats 1995 ch 622 § 1 (AB 119).

Annotations

Notes

Amendments:

1989 Amendment:

1989 Amendment:

(1) Designated the former section to be subd (a); (2) amended subd (a) by (a) deleting “, after the effective date of this section,” after “this state, shall” in the first sentence; (b) adding the second sentence; (c) substituting “that” for “such” in the third sentence; and (d) adding “, and no subsidiary or affiliate of, or corporation holding a controlling interest in a public utility,” in the last sentence; and (3) added subds (b)–(f).

1995 Amendment:

In addition to making technical changes, (1) added “merger,” before “acquisition,” wherever it appears, except in subd (f); (2) substituted “any of the utilities that are parties to the proposed transaction” for “the acquiring or to be acquired utility” in subd (b); (3) substituted subd (b)(1) for former subd (b)(1) which read: “(1) Provide net benefits to ratepayers in both the short-term and long-term, and provide a ratemaking method that will ensure, to the fullest extent possible, that ratepayers will receive the forecasted short-and long-term benefits.”; (4) added subd (b)(2);

Cal Pub Util Code § 854

(5) redesignated former subd (b)(2) to be (b)(3); (6) amended subd (c) by substituting (a) "any of the entities that are parties to the proposed transaction" for "the acquiring or to be acquired utility"; and (b) "(8)" for "(7)"; (7) amended subd (c)(8) by (a) deleting "Generally" at the beginning; and (b) substituting "measures" for "condition"; (8) substituted "economic savings" for "benefits" in subd (d); and (9) added subds (g) and (h).

Notes to Decisions

1. Construction with Other Law

California Public Utilities Commission could enforce conditions imposed upon parent holding companies of utilities, even without express statutory authority to regulate holding companies, because the conditions were germane to utility regulation within the meaning of Pub Util C § 701; the Commission's authority could extend beyond direct regulation of utilities, as contemplated in Cal Const Art XII, § 5, and the ~~holding company provisions of Pub Util C §§ 314, 798 did not deprive the Commission of jurisdiction to enforce conditions imposed upon holding companies~~ pursuant to Pub Util C §§ 818, 819, or **854**. *PG&E Corp. v. Public Utilities Com. (Cal. App. 1st Dist. May 21, 2004)*, 118 Cal. App. 4th 1174, 13 Cal. Rptr. 3d 630, 2004 Cal. App. LEXIS 785.

Opinion Notes

Attorney General's Opinions

Proposed acquisition of San Diego Gas and Electric Company by SCEcorp, parent of Southern California Edison Company, will adversely affect competition in wholesale and retail electric power markets. Some of adverse effects can be avoided by appropriately conditioning merger, but some of effects are not susceptible to relief through conditions, but acquisition cannot be approved under Pub Util C § **854**. *73 Ops. Cal. Atty. Gen. 366*.

The proposed acquisition of Pacific Telesis Group by SBC Communications, Inc. would not adversely affect competition in the markets for telephone or wireless services. Mitigation measures were not required, but the Public Utilities Commission should maintain a stable system of price cap regulation for telephone services. The acquisition would not adversely affect competition under Pub Util C § **854(b)(3)**. *79 Ops. Cal. Atty. Gen. 96-522*.

The proposed acquisition between Pacific Enterprises and Enova Corporation should not by itself adversely affect competition in the markets for interstate gas or wholesale electricity. The merger may eliminate the disciplining effect of San Diego Gas & Electric as a potential competitor in the partially regulated intrastate gas transmission market. We recommend that the Commission consider requiring the merged entity to auction offsetting volumes of transportation rights within that system. *81 Ops. Cal. Atty. Gen. 1*.

Research References & Practice Aids

Cross References:

Prohibition against pledge of utility assets or credit on behalf of subsidiary or affiliate: Pub Util C § 701.5.

Penalty for prohibited transaction with affiliated company: Pub Util C § 798.

Subsidiary or affiliate of public utility holding stock in other public utility: Pub Util C § 852.

Penalty for violation: Pub Util C § 856.

State Notes

Research References & Practice Aids

Hierarchy Notes:

Cal Pub Util Code Div. 1, Pt. 1, Ch. 4

Deering's California Codes Annotated
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End of Document



DIVISION OF CONSUMER
AND COMMUNITY AFFAIRS

September 20, 2005

Michael Scott Properties
18234 Daves Avenue
Los Gatos, CA 95030

Attn: Mr. Michael Blomquist

Dear Mr. Blomquist:

Thank you for your letter of August 4, 2005, in which you raised a number of issues concerning mergers, a potential housing bubble, and mortgage lending products. The Federal Reserve is currently gathering information related to a number of residential mortgage lending products, and will take your comments into consideration as we continue to study this matter.

Sincerely yours.

Suzanne G. Killian
Assistant Director

Exhibit C

DIANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON ENERGY AND NATURAL RESOURCES
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION
SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

September 1, 2005

Mr. Michael Blomquist
18234 Daves Avenue
Monte Sereno, California 95030

Dear Mr. Blomquist:

Thank you for contacting me to convey your concerns about rising home prices. I appreciate the time you took to write and welcome the opportunity to respond.

I share your concerns about rising home prices and what appears to be increasing speculation in real estate. I realize that the Federal government must be mindful of how lending standards impact Americans. Like you, I am concerned about the growing number of negatively amortized home loans as well as interest-only mortgages, which are especially popular in the areas of California where home prices are the highest. Chairman of the Federal Reserve, Alan Greenspan, articulated his apprehension in testimony before the Joint Economic Committee in June. According to Chairman Greenspan, low-interest mortgage rates are contributing to "froth" in some local markets and "exotic" loans such as interest-only loans are distressing. Please know that I am monitoring this situation closely and will be sure to keep your thoughts in mind should legislation related to this issue come to the Senate floor.

Again, thank you for your letter. It is especially helpful to hear your views on this subject. If you have further questions or comments, please feel free to contact my Washington, D.C. staff at [redacted]. Best regards,

Sincerely,

Dianne Feinstein
United States Senator

DF:arjs

Exhibit B





HOME	DEPOSIT INSURANCE	CONSUMER PROTECTION	INDUSTRY ANALYSIS	REGULATION & EXAMINATIONS	ASSET SALES	NEWS & EVENTS	ABOUT FDIC
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Home > Regulation & Examinations > Laws & Regulations > FDIC Federal Register Citations

FDIC Federal Register Citations

Comments

Interagency Guidance on Nontraditional Mortgage Products.

Published - 12/29/05 -- Comment Period Extended to 03/29/06.

Submitted by
01. Manufacturers Bank, Los Angeles, CA, Steven L. Strange
02. American Financial Services Association, Robert McKew - PDF (PDF Help)
03. America's Community Bankers, Janet Frank
04. Consumer Bankers Association, Arlington, VA, Steve Zeisel - PDF 916k
05. American Bankers Association, Washington, DC, Paul Smith - PDF 107k
06. Consumer Mortgage Coalition, Anne C. Canfield - PDF
07. HSBC North America Holdings, Prospect Heights, IL, Martha Pampel - PDF 786k
08. Mortgage Bankers Association, Washington, DC, Kurt Pfotenhauer - PDF
09. Independent Community Bankers of America, Ann Grochala - PDF 82k
10. Clearing House Association, LLC, Norman R. Nelson
11. Housing Policy Council, Financial Services Roundtable, Washington, DC, John H. Dalton - PDF
12. Bramble Savings Bank, Milford, OH, James Wm. Gronefeld
13. Conference of State Bank Supervisors, Washington, DC, Neil Milner - PDF
14. Cornhusker Bank, Lincoln, NE, Alice M. Dittman
15. North Carolina Bankers Association, Raleigh, NC, Nathan R. Batts - PDF 55k
16. AmSouth Bank, Birmingham, AL, Michael J. Willoughby - PDF 236k
17. State Financial Regulators Roundtable, Barbara Kent - PDF 90k
18. Alliance FSB, Hinsdale, IL, Lawrence H. Chlum - PDF 159k
19. National Community Reinvestment Coalition, John Taylor - PDF
20. Michael S. Blomquist - PDF 113k
21. Delaware Community Reinvestment Action Council, Inc., Wilmington, DE, Rashmi Rangan - PDF
22. America's Community Bankers, Diane Casey-Landry 77k
23. American Bankers Association, Paul A. Smith - PDF 981k
24. Consumer Mortgage Coalition, Washington, DC, Anne C. Canfield - PDF 81k
25. Steven C. Sharpe
26. Edgemont Neighborhood Coalition, Inc., Dayton, OH, Stanley A. Hirtle

Exhibit A 1 of 8

27. Chevy Chase Bank, Bethesda, MD, Thomas H. McCormick - PDF
28. Florida Bankers Association, Alex Sanchez - PDF 186k
29. Consumer Federation of America, Washington, DC, Allen Fishbein - PDF 71k
30. American Financial Services Association, Washington, DC, Robert McKew - PDF 80k
31. The Clearing House, LLC, Jeffrey P. Neubert - PDF 145k
32. HSBC North America Holdings, Prospect Heights, IL, David D. Gibbons - PDF 4602k
33. Housing Policy Council of the Financial Services Roundtable, John H. Dalton - PDF 65k
34. Merrill Lynch & Co., George T. Morrison - PDF 192k
35. JPMorgan Chase Bank, NA, Thomas L. Wind - PDF 287k
36. Guaranty Bank, Austin, TX, Jack Falconi - PDF 112k
37. California Reinvestment Coalition, Kevin Stein - PDF 104k
38. Independent Community Bankers, Washington, DC, Ann M. Grochala - PDF 134k
39. Lehman Brothers Bank, FSB, Joseph Polizzotto - PDF 191k
40. Massachusetts Bankers Association, Boston, MA, Jon K. Skarim - PDF
41. Capital One Financial Corporation, McLean, VA, Christopher T. Curtis - PDF 112k
42. Appraisal Institute, American Society of Appraisers, & American Society of Farm Managers & Rural Appraisers
43. Mortgage Bankers Association, Washington, DC, Kurt Pfotenhauer - PDF 105k
44. Charles Schwab Bank, N.A., Reno, NV, Richard F. Kennyr - PDF 394k
45. Mortgage Insurance Companies of America, Washington, DC, Suzanne C. Hutchinson - PDF 898k
46. Branch Banking and Trust Co., Wilson, NC, Mark D. Vaughn - PDF
47. World Savings, Oakland, CA, Hebert M. Sandler
48. Center for Responsible Lending, Deborah Goldstein - PDF 177k
49. Fifth Third Bank, Cincinnati, OH, Cindy Manzetti - PDF 220k
50. Bond Market Association, Washington, DC, John R. Vogt - PDF 288k
51. Merrill Lynch, Jacksonville, FL, George T. Morrison - PDF 158k

Last Updated 05/03/2006

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Exhibit A 2 of 8



OVERLOOK ROAD TANK
PROJECT SITE LAYOUT
MARCH 2015

510-38-024
LANDS OF MESSER
DOC NO. 20992707

16706 LA MIRADA ROAD
NEW 1.644 MILLION GALLON TANK

510-38-015
LANDS OF SAN JOSE
WATER COMPANY
DOC. NO. 21908589

EXST ROAD ALIGNMENT

NEW LA MIRADA ROAD ALIGNMENT

TANK #2
72'0" X 34' HGT
WELDED ST TANK
OF ELEV. 879'
CAP: 1,019,720 GAL

EXIST ROAD ALIGNMENT

EXISTING TANK #2
TO REMAIN

510-38-017
LANDS OF DOUGHERTY
DOC. NO. 19114117

510-39-009
LANDS OF SAN JOSE
WATER COMPANY
5545 O.R. 731

TANK #1
90'0" X 18' HGT
CONC TANK
OF ELEV. 879'
CAP: 713,424 GAL

16715 LA MIRADA ROAD
EXISTING TANK #1 TO BE
REMOVED

510-39-001
LANDS OF SAN JOSE
WATER COMPANY
452 DEEDS 287 (PRTN.)

510-39-008
LANDS OF BLOMQUIST
DOC. NO. 15571903
R/S 65 M. 44

510-38-001
LANDS OF MOFFAT
DOC. NO. 15169922

ORTH

WATERWORKS
ENGINEERS

