

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company for Approval (U338E) of its 2009-2011 Energy Efficiency Program Plans and Associated Public Goods Charge (PGC) and Procurement Funding Requests And Related Matters	Application 08-07-021 Application 08-07-022 Application 08-07-023 Application 08-07-031
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OPOWER NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rule 8.3(a) of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure, OPOWER, Inc. (“OPOWER”) hereby gives notice that on Wednesday, February 10, 2010, at approximately 1:30-2:30 pm, Michael Sachse, Sr. Director of Government Affairs and General Counsel of POWER and Delaney Hunter of Dewey Square met and communicated with Jamie Fordyce and Matt Tisdale, advisors to Commissioner Grueneich.

The meeting took place at the Commission office building at 505 Van Ness Avenue in San Francisco. The meeting was initiated by OPOWER. The meeting lasted approximately 1 hour. The representatives for OPOWER discussed why behavior-based savings should be an energy efficiency resource. Describing OPOWER’s success in driving energy savings, Mr. Sachse explained that California is at a critical juncture for mass market efficiency. OPOWER discussed potential measurement and verification procedures for OPOWER’s program and the recent acceptance of behavior-based savings in Minnesota and Massachusetts, and answered questions regarding issues raised by ALJ Gamson’s November ruling. OPOWER provided a one page written outline of its position, which is attached to this Notice.

Copies of the Notice may be obtained by contacting Karen Mitchell at 916-447-2166 or kam@eslawfirm.com.

Dated: February 16, 2010

Respectfully submitted,

By: _____ /s/
Michael Sachse
Sr. Director of Government Affairs
and General Counsel
OPOWER
1515 N. Courthouse Road
Arlington, VA 22201
Telephone: 646-265-0556
michael.sachse@opower.com

WHY BEHAVIOR-BASED SAVINGS SHOULD BE AN EFFICIENCY RESOURCE

A proven model:

- Tested for nearly two years in California and across the country.
- Currently implemented by 15 utilities nationwide, with 10 more scheduled to deploy.
- Each deployment has reduced energy consumption by 1.5% to 3.5%
- Behavior-based savings is cost-effective: \$0.03/kWh to \$0.05/kWh in each deployment.

Rigorously measured:

- Experimental design allows for an “enhanced” level of rigor.
- All double-counting concerns can be addressed through careful program design.

Independently verified:

- Leading EM&V firm Summit Blue has verified OPOWER’s results with SMUD.
- Yale Professor Ian Ayers has verified results with SMUD and Puget Sound Energy.
- MIT Professor Hunt Alcott has verified results from Connexus (MN).

Accepted as an efficiency resource in other states:

- Massachusetts
 - Electric: 147,000 MWh over three years (24% of statewide efficiency portfolio)
 - Gas: 5.5 million therms (20% of statewide efficiency portfolio)
- Minnesota
 - Centerpoint Energy: 139,000 Mcf of gas over three years.
 - MERC: 85,000 Mcf of gas over three years.
- ACEEE is incorporating behavior-based programs into model efficiency programs

California’s IOUs are ready to move beyond pilots:

- Each IOU supported OPOWER’s filing, calling for *ex post* measurement.
- PG&E has issued an rfp for a large-scale behavior-based program; full funding is contingent upon CPUC approval.

Now is the time for the CPUC to act:

- Ex post* measurement reduces risk for CPUC.
 - Savings are not attributed until they are achieved.
 - Progress easily verified with statistical analysis software.
- California needs new sources of efficiency as CFL savings end.
 - Behavior-based savings are proven to work in all populations, year after year.
- This is the next frontier in efficiency – California cannot remain the leader in energy efficiency without embracing new, proven measures.*

For more information, contact:
Michael Sachse
OPOWER
michael@opower.com

PROOF OF SERVICE

I declare that:

I am employed in the County of Sacramento, State of California. I am over the age of eighteen years and am not a party to the within action. My business address is ELLISON, SCHNEIDER & HARRIS; 2600 Capitol Avenue, Suite 400; Sacramento, California 95816; telephone (916) 447-2166.

On February 16, 2010, I served the attached *OPOWER NOTICE OF EX PARTE COMMUNICATION* by electronic mail or, if no e-mail address was provided, by United States mail at Sacramento, California, addressed to each person shown on the attached service list.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 16, 2010, at Sacramento, California.

/s/
Karen A. Mitchell

SERVICE LIST

A.08-07-021, -022, -023, -031

9watts@gmail.com
abesa@semprautilities.com
achang@nrdc.org
adam@agp-llc.com
aao@cpuc.ca.gov
agarcia@energy.state.ca.us
alex.kang@itron.com
aliddell@icfi.com
ameliag@ensave.com
andrew.mcallister@energycenter.org
andrew.wood3@honeywell.com
andrew_meiman@newcomb.cc
ann.kelly@sfgov.org
Ann.Peterson@itron.com
ann_mccormick@newcomb.cc
annette.beitel@gmail.com
ashish.goel@intergycorp.com
ashley.watkins@energycenter.org
asloan@rs-e.com
atencate@rsgrp.com
atr@cpuc.ca.gov
awatson@quest-world.com
awp@cpuc.ca.gov
bbarkett@summitblue.com
bernardo@braunlegal.com
bfinkelstein@turn.org
bhines@svlg.net
bill@jbsenergy.com
bk7@pge.com
bmatulich@egia.com
bmcdonnell@mwdh2o.com
bmfinkelor@ucdavis.edu
bob.ramirez@itron.com
bobbi.sterrett@swgas.com
bobho@mid.org
brad.bergman@intergycorp.com
brbarkovich@earthlink.net
brian.hedman@cadmusgroup.com
bruce.foster@sce.com
Bruce@BuildItGreen.org
cadickerson@cadconsulting.biz
Case.Admin@sce.com
cassandra.sweet@dowjones.com
cbe@cpuc.ca.gov
CCole@currentgroup.com
cem@newsdata.com
CentralFiles@semprautilities.com
CentralFiles@semprautilities.com
cf1@cpuc.ca.gov
cfpena@sempra.com
cheryl.collart@ventura.org
chris@cuwcc.org

cjn3@pge.com
ckmitchell1@sbcglobal.net
clamasbabbini@comverge.com
Clark.Pierce@us.landisgyr.com
cln@cpuc.ca.gov
cneedham@edisonmission.com
cperkins@energycoalition.org
craigtyler@comcast.net
crogers@energy.state.ca.us
crv@cpuc.ca.gov
cscruton@energy.state.ca.us
cxc@cpuc.ca.gov
cyin@yinsight.net
dale@betterbuildings.com
darmanino@co.marin.ca.us
david.gordon@efm-solutions.com
David.Pettijohn@ladwp.com
david.reynolds@ncpa.com
david@nemtzow.com
Dbjornskov@peci.org
ddayton@cleanenergysol.com
devon@hartmanbaldwin.com
dgeis@dolphingroup.org
dil@cpuc.ca.gov
dmahmud@mwdh2o.com
dmahone@h-m-g.com
dmano@enalasys.com
dmatson@co.santa-barbara.ca.us
dmg@cpuc.ca.gov
don.arambula@sce.com
donaldgilligan@comcast.net
doug.white@energycenter.org
dwood8@cox.net
edwardoneill@dwt.com
eemblem@3eintinc.net
efm2@pge.com
EGrizard@deweysquare.com
ehebert@energy.state.ca.us
elee@davisenergy.com
Elizabeth.DeSouza@csgroup.com
elowe@barakatconsulting.com
elvine@lbl.gov
emahlon@ecoact.org
emello@sppc.com
emily.hallett@positiveenergy.com
epetrill@epri.com
eric@ethree.com
etaylor@enalasys.com
filings@a-klaw.com
fred.coito@kema.com
gandhi.nikhil@verizon.net
garrick@jbsenergy.com

gclayborn@gmail.com
ghamilton@gepllc.com
glw@eslawfirm.com
grant.cooke@intergycorp.com
gsenergy@sonoma-county.org
gstaples@mendotagroup.net
gthomas@ecoact.org
gtropsa@ice-energy.com
hankryan2003@yahoo.com
hayley@turn.org
hcf@cpuc.ca.gov
hgilpeach@scanamerica.net
hhuerta@rhainc.com
hoerner@redefiningprogress.org
hxag@pge.com
HYao@SempraUtilities.com
irene.stillings@energycenter.org
jack.rosenthal@p2seng.com
jak@gepllc.com
jane@autocell.net
janep@researchintoaction.com
jared@efficiencyfirst.org
jay.bhalla@intergycorp.com
jbazemore@emil.com
jbf@cpuc.ca.gov
jcastleberry@rs-e.com
jcelona@sbcglobal.net
jchou@nrdc.org
jci@cpuc.ca.gov
jcluboff@lmi.net
jdr@cpuc.ca.gov
jeanne.sole@sfgov.org
Jeff.Hirsch@DOE2.com
JeffreyH@hellermanus.com
jenna.canseco@us.kema.com
jennifer.fagan@itron.com
jennifer.porter@energycenter.org
Jennifer.Shigekawa@sce.com
jerryl@abag.ca.gov
jholmes@emil.com
jimflanagan4@mac.com
jimross@r-c-s-inc.com
jkz1@pge.com
jl2@cpuc.ca.gov
jlaun@apogee.net
jmeyers@naima.org
jnc@cpuc.ca.gov
jody_london_consulting@earthlink.net
john.cavalli@itron.com
john@enactenergy.com
john@proctoreng.com
John_Newcomb@newcomb.cc
joyw@mid.org
jparks@smud.org
js@clearedgepower.com
jsqueri@goodinmacbride.com

jst@cpuc.ca.gov
jtiffany@ase.org
judi.schweitzer@post.harvard.edu
jweil@aglet.org
jws@cpuc.ca.gov
jyamagata@semprautilities.com
Karin.Corfee@kema.com
kathleen.gaffney@kema.com
kdusel@navigantconsulting.com
kecia.davison@csgroup.com
keh@cpuc.ca.gov
keith.mccrea@sutherland.com
kenneth.swain@navigantconsulting.com
kgrenfell@nrdc.org
kjk@kjkammerer.com
klewis@energy.state.ca.us
kmills@cfbf.com
ks3@cpuc.ca.gov
kshore@semprautilities.com
kwong@semprautilities.com
larry.cope@sce.com
Laura.Genao@sce.com
lcasentini@rsgroup.com
LDRi@pge.com
lettenson@nrdc.org
lhj2@pge.com
liddell@energyattorney.com
lisa_weinzimer@platts.com
ljimene@smud.org
lmh@eslawfirm.com
lp1@cpuc.ca.gov
lpark@navigantconsulting.com
LukeH@enasys.com
M1ke@pge.com
magnuson.leif@epa.gov
marcel@turn.org
mary.tucker@sanjoseca.gov
Mary@EquipoiseConsulting.com
matt@sustainablespaces.com
matt_sullivan@newcomb.cc
mbaker@sbwconsulting.com
mbhunt@ucdavis.edu
mboccardo@dolphingroup.org
mclaughlin@braunlegal.com
mgillette@enernoc.com
mgo@goodinmacbride.com
mharcos@rs-e.com
mharrigan@ase.org
michael.cheng@paconsulting.com
michael@ecoact.org
michael@opower.com
michele@boggis.com
mike.rogers@greenhomesamerica.com
mike@calcerts.com
mistib@comcast.net
mkh@cpuc.ca.gov

mking@staplesmarketing.com
mlewis@ctg-net.com
mlong@anaheim.net
mmcguire@summitblue.com
mmoore@newportpartnersllc.com
mmw@cpuc.ca.gov
monica.ghattas@sce.com
mpa@a-klaw.com
mrw@mrwassoc.com
msherida@energy.state.ca.us
mtierney-lloyd@enernoc.com
mwbeck@lbl.gov
NancyKRod@conSol.ws
nes@a-klaw.com
nfw@cpuc.ca.gov
nhernandez@isd.co.la.ca.us
nkarno@yahoo.com
nlong@nrdc.org
norman.furuta@navy.mil
nphall@tecmarket.net
padib@apx.com
paul.notti@honeywell.com
pbarthol@energy.state.ca.us
pcanessa@charter.net
pcf@cpuc.ca.gov
pjacobs@buildingmetrics.biz
pk@utilitycostmanagement.com
pmschwartz@sbcglobal.net
policy.solutions@comcast.net
ppl@cpuc.ca.gov
pstoner@lgc.org
puja.deverakonda@positiveenergyusa.com
pvillegas@semprautilities.com
pw1@cpuc.ca.gov
pwuebben@aqmd.gov
rachel.harcharik@itron.com
rafi@pge.com
regrelcuccases@pge.com
rekl@pge.com
RemiT@hellermanus.com
rfox@intergycorp.com
richard@autocell.net
rita@ritanortonconsulting.com
rknight@bki.com
rlauman@ecosconsulting.com
rmccann@umich.edu
rmowris@earthlink.net
rnichols@navigantconsulting.com
rob@clfp.com
Rob@ConSol.ws
robertg@greenlining.org
rockybacchus@gmail.com
rsapudar@energy.state.ca.us
rscott@cheers.org
rsperberg@onsitenergy.com
Sami.Khawaja@cadmusgroup.com
samsirkin@cs.com
samuelk@greenlining.org
saw0@pge.com
sbarata@opiniondynamics.com
sbender@energy.state.ca.us
sbeserra@sbcglobal.net
scott.bowman@csgroup.com
scott.tomashefsky@ncpa.com
sculbertson@icfi.com
sdhilton@stoel.com
sean.harrington@opower.com
sephra.ninow@energycenter.org
sesco@optonline.net
sharon@emeter.com
singh70@gmail.com
skihm@ecw.org
slda@pge.com
sls@a-klaw.com
snr@cpuc.ca.gov
southlandreports@earthlink.net
spatrick@sempra.com
srm@cpuc.ca.gov
SRRd@pge.com
sschiller@efficiencycouncil.org
ssmyers@att.net
staples@staplesmarketing.com
steve@greenplumbersusa.com
stevek@kromer.com
steven@moss.net
sthompson@ci.irvine.ca.us
susan.munves@smgov.net
swentworth@oaklandnet.com
tam.hunt@gmail.com
tconlon@geopraxis.com
tcr@cpuc.ca.gov
tcrooks@mcr-group.com
tcx@cpuc.ca.gov
TFlanigan@EcoMotion.us
thamilton@icfi.com
tim@marinemt.org
tlmurray@earthlink.net
tmfry@nexant.com
tom@ucons.com
tory.weber@sce.com
trh@cpuc.ca.gov
twayne@roadrunner.com
TWhite@homeenergy.org
vwood@smud.org
wblattner@semprautilities.com
wbooth@booth-law.com
wem@igc.org
wilkinson@es.ucsb.edu
william.sanders@sfgov.org
wjp4@bpconsulting.org
wmcguire@fypower.org
wwester@smud.org

wynne@braunlegal.com
yxg4@pge.com
zap@cpuc.ca.gov
ztc@cpuc.ca.gov

DENNIS J. HERRERA
CITY AND COUNTY OF SAN FRANCISCO
CITY HALL, ROOM 234
SAN FRANCISCO CA 94102

STEPHEN A. S. MORRISON
CITY & COUNTY OF SAN FRANCISCO
CITY HALL, SUITE 234
1 DR CARLTON B. GOODLET PLACE
SAN FRANCISCO CA 94102-4682

EILEEN PARKER
QUEST
2001 ADDISON STREET, STE. 300
BERKELEY CA 94704

ROBERT E. BURT
INSULATION CONTRACTORS ASSN.
4153 NORTHGATE BLVD., NO.6
SACRAMENTO CA 95834

DON MEEK
10949 SW 4TH AVENUE
PORTLAND OR 97219