

From: Jewell Hargleroad
Sent: 4/28/2010 12:44:45 PM
To: Melanie Darling (md2@cpuc.ca.gov)
CentralFiles@SempraUtilities.com (CentralFiles@SempraUtilities.com); Lucha, Ed (/O=PG&E/OU=Corporate/cn=Recipients/cn=ELL5);
Cc: Diane.Fellman@nrgenergy.com (Diane.Fellman@nrgenergy.com); Reid, Alice L (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=ALR4); bcragg@goodinmacbride.com (bcragg@goodinmacbride.com); abb@eslawfirm.com (abb@eslawfirm.com); californiadockets@pacificorp.com (californiadockets@pacificorp.com); Sean.Beatty@mirant.com (Sean.Beatty@mirant.com); CCE@cpuc.ca.gov (CCE@cpuc.ca.gov); cec@cpuc.ca.gov (cec@cpuc.ca.gov); Zimmermann, Mark (/O=PG&E/OU=Corporate/cn=Recipients/cn=MWZ1); LauckhartR@bv.com (LauckhartR@bv.com); glw@eslawfirm.com (glw@eslawfirm.com); hayley@turn.org (hayley@turn.org); cem@newsdata.com (cem@newsdata.com); liddell@energyattorney.com (liddell@energyattorney.com); Middlekauff, Charles (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=CRMd); jeffgray@dwt.com (jeffgray@dwt.com); martinhomec@gmail.com (martinhomec@gmail.com); dws@r-c-s-inc.com (dws@r-c-s-inc.com); kdw@woodruff-expert-services.com (kdw@woodruff-expert-services.com); jluckhardt@downeybrand.com (jluckhardt@downeybrand.com); dcarroll@downeybrand.com (dcarroll@downeybrand.com); dmarcus2@sbcglobal.net (dmarcus2@sbcglobal.net); dbp@cpuc.ca.gov (dbp@cpuc.ca.gov); jd@eslawfirm.com (jd@eslawfirm.com); kerry.hattevik@nrgenergy.com (kerry.hattevik@nrgenergy.com); jjj@cpuc.ca.gov (jjj@cpuc.ca.gov); Horner, Trina (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=TNHC); RegRelCPUCCases (/O=PG&E/OU=Corporate/cn=Recipients/cn=RegRelCPUCCases); mrw@mrwassoc.com (mrw@mrwassoc.com); mwt@cpuc.ca.gov (mwt@cpuc.ca.gov); mdjoseph@adamsbroadwell.com (mdjoseph@adamsbroadwell.com); WKeilani@SempraUtilities.com (WKeilani@SempraUtilities.com); ska@cpuc.ca.gov (ska@cpuc.ca.gov); unc@cpuc.ca.gov (unc@cpuc.ca.gov); mjd@cpuc.ca.gov (mjd@cpuc.ca.gov); mflorio@turn.org (mflorio@turn.org); mjh@cpuc.ca.gov (mjh@cpuc.ca.gov); sarveybob@aol.com (sarveybob@aol.com); md2@cpuc.ca.gov (md2@cpuc.ca.gov); rob@redwoodrob.com (rob@redwoodrob.com)

Bcc:

Subject: Request for Extension in A.08-09-007 to respond to joint petition for modification

Dear Judge Darling:

According to the docket entries for this action, the joint petitioners California Unions for Reliable Energy, Division of Ratepayer Advocates,

Pacific Gas and Electric Company, Russell City Energy

Company LLC and The Utility Reform Network filed their petition on April 15, although service was not effected as to Group Petitioners until April 20, 2010. Presently under Rule 16.4, "[r]esponses to petitions for modification must be filed within 30 days of the date that the petition was filed," which here would fall on Saturday, May 15, 2010, or applying Rule 1.15, would fall on Monday, May 17, 2010. Presently also scheduled on May 17, 2010, is the pre-hearing conference.

Later that same week I have to be in Los Angeles for other business and on May 20, 2010, I have a hearing in another action in the North Counties. In response to my request to extend the due date to and including to Monday, May 24, 2010, due to my being out of town and the scheduling of the pre-hearing conference, the attorneys for PG&E (informing me verbally they had no objection) inquired into whether the other joint petitioners would have any objections to extending the time for Group Petitioners to respond to the Joint Petition given I will be out of town for most of that week. Although all joint petitioners, except for RCEC or Calpine, apparently do not object to such an extension to and including to May 24, 2010, for some unstated reason Calpine does object to that extension, although agreeing to an extension until May 20, 2010, when counsel for the joint petitioners know I will be out of town.

Therefore, pursuant to rule 11.6, this is to request that you extend the time for Group Petitioners to respond to the Joint Petition for Modification which was effectively filed on April 15 but not served until April 20, 2010, from May 17, 2010 to and including May 24, 2010.

Please let me know whether there is anything further you require concerning this request.

Respectfully submitted, Jewell Hargleroad

Jewell J. Hargleroad, Esq.
Ph: 510-331-2975
Hayward, California

jewellhargleroad@mac.com

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Sent yesterday afternoon on April 27, 2010:

Jewell - just spoke with Jeff Gray, counsel for Calpine. Calpine is amenable to an extension to (but not beyond) May 20, 2010, which is 30 days after service of the corrected version of the Joint Petition. May 20 also works for PG&E.

Alice

Alice L. Reid
Attorney
Pacific Gas and Electric Company
(415) 973-2966
alr4@pge.com

From: Reid, Alice L (Law)
Sent: Tuesday, April 27, 2010 11:49 AM
To: Reid, Alice L (Law); Jewell Hargleroad
Cc: Gray, Jeffrey
Subject: RE: Confidential version of Joint Petition filed in 4/15/10.

Jewell - correction - you have requested an extension until May 24, 2010 - sorry for any confusion

Alice

From: Reid, Alice L (Law)
Sent: Tuesday, April 27, 2010 11:45 AM

To: 'Jewell Hargleroad'
Cc: Gray, Jeffrey
Subject: RE: Confidential version of Joint Petition filed in 4/15/10.

Jewell - regarding your request to extend until June 24, 2010 the deadline to file a reply to the Joint Petition, I have contacted counsel for Calpine (copied here) but have not heard back - I am expecting Calpine's response today either by return e-mail or by a call -

Alice

Alice L. Reid
Attorney
Pacific Gas and Electric Company
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alr4@pge.com

From: Jewell Hargleroad [<mailto:jewellhargleroad@mac.com>]
Sent: Friday, April 23, 2010 1:13 PM
To: Mortz, Sharon
Cc: Reid, Alice L (Law)
Subject: Re: Confidential version of Joint Petition filed in 4/15/10.

Sharon, Thanks for the copy.

Alice, I received your voicemail message and called you back but missed you. As I mentioned in my voicemail and as reflected in my email request to Melanie Darling, my request was going to your motion to file under seal. Any response to that motion is presently due on April 26, 2010. I asked for a ten day extension from April 26, 2010.

Let me know. Thanks

Jewell J. Hargleroad, Esq.
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On Apr 23, 2010, at 12:48 PM, Mortz, Sharon wrote:

Confidential information is shaded in gray and should not be publicly disclosed.