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Sent: 7/19/2010 10:43:42 AM

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Cc:

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Subject: RE: R.07-05-025, Energy Division Status Report re Review of the Utilities' Implementation per D.10-03-022

ALL

We are unclear about these numbers that claim to show that “the Energy Division has not found evidence that the utilities administered the NOI process unfairly.”

Appendix 1 of the Final Order quantifies that the New DA Load Allowance for PG&E and

Edison is identical, 3,946 GWh. Yet Table 1 of the attached report appears to show that PG&E accepted more than 30% less load than Edison (1,008 vs 1,489). No explanation is offered in the report for this disparity, which is material.

Did PG&E unilaterally decide that only 25% of its customers would be offered choice in the first queue, or is the data bad in this column as well?

Looking forward to something that resembles full disclosure (albeit at an aggregate level).

Thanks

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Commercial Energy

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**Subject:** R.07-05-025, Energy Division Status Report re Review of the Utilities' Implementation per D.10-03-022

To Parties in R.07-05-025:

Pursuant to the June 23, 2010 "Assigned Commissioner's Ruling Denying Motion For Order Requiring Utility Report and Directing Production Of Energy Division Report", attached is the Energy Division's Status Report on the results of Energy Division's Review of the Utilities' Senate Bill 695 Implementation for 2010 per D.10-03-022.

Please note, two pieces of data are missing from Table 2 of the report—that omission is the result of a last minute formatting error, and will be corrected as quickly as possible. This missing data is not considered significant enough to delay issuing the report on time.

Questions regarding the report may be directed to Kathryn Auriemma of the CPUC Energy Division, [kathryn.auriemma@cpuc.ca.gov](mailto:kathryn.auriemma@cpuc.ca.gov)

Thank you,

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