



DRA

*Division of Ratepayer Advocates
California Public Utilities Commission*

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July 27, 2010

Honesto Gatchalian and Maria Salinas
Energy Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
jnj@cpuc.ca.gov; mas@cpuc.ca.gov

Subject: DRA's Comments on Draft Resolution E-4343 Approving Pacific Gas & Electric's Power Purchase Agreement with Genesis Solar, LLC

Dear Mr. Gatchalian and Ms. Salinas:

BACKGROUND

On October 26, 2009, Pacific Gas & Electric (PG&E) filed Advice Letter (AL) 3546-E for approval of a Power Purchase Agreement (PPA) with Genesis Solar, LLC for a 25-year 250 megawatts solar thermal project to be located in Riverside County, California. On June 14, 2010 PG&E filed the supplemental AL-3546-E-A, which eliminates certain price scenarios from the PPA. On July 7, 2010 Energy Division issued Draft Resolution E-4343 approving the Advice Letter, as amended

DRA'S RECOMMENDATIONS

Although DRA has concerns about the cost of the Genesis Solar project, it supports the Amendment to the Advice Letter because it removes certain high-priced scenarios from the original AL. However, there is still uncertainty pertaining to the pricing of this project due to two variables: (1) the type of technology to be employed and (2) whether stimulus funds will be obtained for the facility.

First, since the issuance of Draft Resolution E-4343, Genesis Solar has announced its plans to follow the California Energy Commission's recommendation and pursue dry cooling for this project. Subsequently, the portions of the Resolution that address the possibility of wet cooling should be eliminated. The Draft Resolution approves two sets of prices, one in the case of wet cooling and one in the case of dry cooling. For clarity, the wet-cooling scenario should be entirely eliminated.

Second, DRA understands that it is not yet clear whether Genesis Solar will receive ARRA stimulus funding for this project. Therefore, DRA recommends that a provision be added to the Final Resolution which mandates that PG&E update the Commission and parties when that issue is resolved and the final approved contract price is finalized.

Sincerely,

/s/ CYNTHIA WALKER

Cynthia Walker
Program Manager
Division of Ratepayer Advocates

cc: Sean Simon, Energy Division
Commissioner Michael Peevey, President
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Karen Clopton, Chief Administrative Law Judge
Frank Lindh, General Counsel
Paul Douglas, Energy Division
Service Lists: R.08-08-009, R.08-02-007, R.06-02-012

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of **DRA's COMMENTS ON DRAFT RESOLUTION E-4343 APPROVING PACIFIC GAS & ELECTRIC'S POWER PURCHASE AGREEMENT WITH GENESIS SOLAR, LLC** to the official service list in **R.08-08-009, R.08-02-007, R.06-02-012** by using the following service:

E-Mail Service: sending the entire document as an attachment to all known parties of record who provided electronic mail addresses.

U.S. Mail Service: mailing by first-class mail with postage prepaid to all known parties of record who did not provide electronic mail addresses.

Executed on **July 27, 2010** at San Francisco, California.

/s/ IMELDA EUSEBIO

Imelda Eusebio

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R.08-08-009, R.08-02-007, R.06-02-012

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