

From: Jacobson, Erik B
Sent: 7/14/2010 3:40:24 PM
To: 'Clanon, Paul' (paul.clanon@cpuc.ca.gov)
Cc: Cherry, Brian K (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7)
Bcc:
Subject: Re: Russell City

Paul,

I did some digging after our phone conversation the other day. We have no plans to file an amended application regarding Russell City. We are waiting for a proposed decision on our Joint Petition for Modification of D.09-04-010 filed on April 15, 2010, which seeks approval of a 1st amendment to the 2d Amended PPA for the Russell City project, as well as the status of any "protests" to that filing.

The only response received to the Joint Parties' April 15, 2010 Joint Petition was from a homeowners' group ("Group Petitioners"). Group Petitioners only filed a "response" (not a protest) asking: (1) that the Group Petitioners' June 22, 2009 Petition for Modification (seeking denial of the RCEC PPA) be ruled on before the Commission rules on the Joint Parties' Joint Petition; (2) that Community Choice Aggregation ("CCA") organizations be allowed to participate; and (3) that there is no need for the RCEC project.

In a June 18, 2010 Ruling, ALJ Darling ruled on certain motions and confidentiality issues and granted the request by certain Joint Parties to remove the cost allocation/CCA issue from the proceeding but she did not rule on either the Group Petitioners' Petition for Modification, the Joint Parties' Petition for Modification or the Group Petitioners' response to the Joint Parties' Petition for Modification.

Thus, to summarize, we are still awaiting a ruling on:

1. Group Petitioners' June 22, 2009 Petition to Modify D.09-04-010;
2. Joint Parties' (PG&E/RCEC/TURN/DRA/CURE) April 15, 2010 Joint Petition for Modification of D.09-04-010; and
3. Group Petitioners' May 20, 2010 Response to the April 15 Joint Petition.

I understand that pursuant to our confidential agreement with Calpine, there is a day-for-day extension of the on-line date for the project if the Commission does not act by August 12, 2010.

Let me know if you need any additional information.

Erik

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From: Clanon, Paul [mailto:paul.clanon@cpuc.ca.gov]
Sent: Monday, July 12, 2010 3:00 PM
To: Cherry, Brian K; Jacobson, Erik B
Subject: RE: Russell City

One of the rare days when Brian gets more fire and brimstone AWAY from the PUC!

Erik, can we talk later today? I just want to know the current state of play in the proceeding, for the purpose of figuring out if I need to weigh in with ALJ/you/Calpine to expedite. Thx.

From: Cherry, Brian K [mailto:BKC7@PGE.COM]
Sent: Monday, July 12, 2010 2:50 PM
To: Clanon, Paul; Jacobson, Erik B
Subject: Re: Russell City

Paul - Erik Jacobson is handling it. Trina handed it off to him but I believe she is out of the office I like me. My wife and I are hiking in Zion National Park this week. It is 106 degrees !

From: Clanon, Paul <paul.clanon@cpuc.ca.gov>
To: Cherry, Brian K
Sent: Mon Jul 12 14:44:45 2010
Subject: Russell City

Can I talk today to whoever you've got doing RCEC? I understand there's an amended app coming in or something; I need to get a handle on timing here. Thx.