

From: Michael E Boyd

Sent: 4/1/2011 12:59:17 PM

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(editorial@californiaenergycircuit.net); mhharrer@sbcglobal.net  
(mhharrer@sbcglobal.net)

Cc:

Bcc:

Subject: Fwd: A.08-11-001: Joint Petition to Modify and Joint Motion to Shorten Time

----- Forwarded message -----

From: **Michael Boyd** <[michaelboyd@sbcglobal.net](mailto:michaelboyd@sbcglobal.net)>

Date: Fri, Apr 1, 2011 at 12:44 PM

Subject: RE: A.08-11-001: Joint Petition to Modify and Joint Motion to Shorten Time

To: "Amy C.Yip-Kikugawa" <[amy.yip-kikugawa@cpuc.ca.gov](mailto:amy.yip-kikugawa@cpuc.ca.gov)>

Cc: Ryan Bernardo <[bernardo@braunlegal.com](mailto:bernardo@braunlegal.com)>, .....

Your Honor,

CAlifornians for Renewable Energy, Inc. (CARE) respectfully objects to and opposes the shortened time period based on the following purported good cause, "As discussed in D.10-12-035, the Settlement Agreement resulted from more than a year and a half of negotiations and resolves numerous disputed qualifying facility issues. Protracted litigation over D.10-12-035 will delay implementation of the benefits intended by the CHP Program."

CARE was recently denied rehearing at FERC on its amended complaint in docket EL10-84 that included a PURPA challenge to the settlement approved in D.10-12-035. Just yesterday (see below) the FERC decided not to pursue requested enforcement action against the CPUC under docket EL11-19 but instead directed the IOUs to pursue enforcement action in the federal court against the Commission.

CARE also had a Petition for Enforcement against CPUC for violating PURPA in approving D.10-12-035 which is also ripe for litigation since FERC denied such as part of their decision to deny CARE rehearing on EL10-84. One of the major issues in any litigation is the violation of due process rights by shortening the time period for comment to participants to less than what is lawfully permitted.

CARE therefore considers any shortening of the time period in this case to be an appropriate cause of action for any future litigation in regards to these matters and objects to that therefore as a violation of CARE's rights to due process of law and our rights to judicial

review as well.

Respectfully,

Michael E. Boyd President (CARE)

CAIifornians for Renewable Energy, Inc.

5439 Soquel Drive

Soquel, CA 95073

Phone: [\(408\) 891-9677](tel:(408)891-9677)

E-mail: [michaelboyd@sbcglobal.net](mailto:michaelboyd@sbcglobal.net)

**Document Service in EL11-19-000**

Thursday, March  
31, 2011 10:55 AM

From: "[eService@ferc.gov](mailto:eService@ferc.gov)"  
<[eService@ferc.gov](mailto:eService@ferc.gov)>

To: [michaeledwardboyd@sbcglobal.net](mailto:michaeledwardboyd@sbcglobal.net)

This notification is served on you in accordance with the requirements set forth in Section 385.2010 of the Commission's rules.

On 3/31/2011,  
the Federal Energy Regulatory Commission (FERC), Washington  
D.C., published  
the following issuance:

Docket(s): EL11-19-000

Description: Notice of intent not to act re Southern California Edison Co et al  
under EL11-19.

You can view the issuance at: [http://elibrary.FERC.gov/idmws/file\\_list.asp?accession\\_num=20110331-3037](http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20110331-3037)

You may also eSubscribe to the docket number(s) in the issuance by  
clicking on the following link to login to FERC Online.

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Online help is available here:

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or for phone support, call [866-208-3676](tel:866-208-3676).

Comments and Suggestions can be sent to this email address: <mailto:FERCOnlineSupport@Ferc.gov>

--- On **Fri, 4/1/11, Yip-Kikugawa, Amy C.** <[amy.yip-kikugawa@cpuc.ca.gov](mailto:amy.yip-kikugawa@cpuc.ca.gov)>  
wrote:

From: Yip-Kikugawa, Amy C. <[amy.yip-kikugawa@cpuc.ca.gov](mailto:amy.yip-kikugawa@cpuc.ca.gov)>  
Subject: RE: A.08-11-001: Joint Petition to Modify and Joint  
Motion to Shorten Time

To: "Ryan Bernardo" <[bernardo@braunlegal.com](mailto:bernardo@braunlegal.com)>,  
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.....

Date: Friday, April 1, 2011, 11:50 AM

All,

I would like any party that opposes the Joint Motion to Shorten Time to respond to me by no later than 4:00 p.m. this afternoon (April 1, 2011).

Thank you,

ALJ Yip-Kikugawa

Amy C. Yip-Kikugawa

Administrative Law Judge

California Public Utilities Commission

(415) 703-5256

ayk@cpuc.ca.gov

-----Original Message-----

From: Ryan Bernardo [<mailto:bernardo@braunlegal.com>]

Sent: Fri 4/1/2011 10:48 AM

To: [douglass@energyattorney.com](mailto:douglass@energyattorney.com); [klatt@energyattorney.com](mailto:klatt@energyattorney.com);  
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Subject: A.08-11-001: Joint Petition to Modify and Joint Motion to Shorten Time

To all parties in A.08-11-001:

Please find attached in .pdf format the Joint Petition to Modify Decision

D.10-12-035 and Joint Motion to Shorten Time filed today in the above

proceeding.

If you should have any issues with the above documents please

contact the  
person below.

Take care,

Ryan Bernardo

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Braun Blaising McLaughlin, P.C.

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