

NOTICE OF EX PARTE COMMUNICATION  
OF PACIFIC GAS AND ELECTRIC COMPANY  
(A.09-09-013)

ATTACHMENTS

1 section in the tariff says the customer  
2 nominate only to the delivery point, and you  
3 stress the singular, correct?

4 A Yes.

5 Q To the left of that why then does  
6 the tariff say delivery points which is  
7 plural, to your knowledge?

8 A Well, as a group of customers, the  
9 G-XF group of customers have multiple  
10 delivery points. That is one customer has an  
11 on-system delivery point and most all the  
12 other customers have off-system delivery  
13 points. So they are -- under the tariff  
14 there is more than one delivery point allowed  
15 under the tariff. But I think the tariff  
16 states that for any given shipper that they  
17 were limited to the delivery points set forth  
18 in their Exhibit A.

19 Q Does the word "original exhibit,"  
20 let's just stick to the word "original," does  
21 that appear in the section of the G-XF tariff  
22 in delivery points?

23 A Yes.

24 Q Did that word exist in the 1997  
25 version, the earlier version of that tariff?

26 A Are you referring to the  
27 January 27th, 1997, version?

28 Q Yes.

Settlement Agreement:

As part of the Gas Accord, PG&E will assume 100 percent of the throughput risk associated with all PG&E intrastate transmission. One portion of this capacity is currently used by firm Expansion shippers under 30-year contracts. . . . Because of the significant financial risk assumed by PG&E in constructing new capacity for this purpose, implementation of the Gas Accord is not feasible for PG&E's shareholders unless the Commission supports and approves the G-XF modifications. . . . These modifications preserve the rights of these shippers without giving them a potential windfall due to the unbundling under the Gas Accord.<sup>2</sup>

In light of the Gas Accord, and in the interest of fairness to all customers, PG&E revised its G-XF tariff to limit each Expansion shipper to the single delivery point indicated in each respective shipper's Exhibit A. The March 1, 1998 G-XF tariff implementing the Gas Accord indicated that "Customer may nominate only to the Delivery Point set forth in Exhibit A to the Customer's FTSA."<sup>10</sup> That language is the same as PG&E's current G-XF tariff. The use of the singular "Delivery Point" was deliberate, to reflect that any given shipper was limited to a single delivery point.<sup>11</sup> By contrast, the heading of this section of the tariff is "Delivery Points" (plural) because:

[A]s a group of customers, the G-XF group of customers have multiple delivery points. That is one customer has an on-system delivery point and most all the other customers have off-system delivery points. . . . [U]nder the tariff there is more than one delivery point allowed under the tariff. But I think the tariff states that for any given shipper that they were limited to the delivery point set forth in their Exhibit A.<sup>12</sup>

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<sup>2</sup> A.96-08-043, Motion for Order Adopting Stipulation and Settlement Agreement and for Other Procedural Rulings, at 33-34.

<sup>10</sup> Ex. 18, Att. 1E.

<sup>11</sup> Transcript, pp. 1197, line 28-1198, line 18 (Graham, PG&E).

<sup>12</sup> Transcript, p. 1198, lines 8-18 (Graham, PG&E).