

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Rulemaking Regarding Whether, or Subject to)	
What Conditions, the Suspension of Direct)	Rulemaking 07-05-025
Access May Be Lifted Consistent with Assembly)	(Filed May 24, 2007)
Bill 1X and Decision 01-09-060)	
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NOTICE OF *EX PARTE* COMMUNICATION

Pursuant to Rule 8.4 of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure, the Power and Water Resources Pooling Authority (PWRPA) hereby gives notice of the following *ex parte* communication.

The communication occurred on June 30, 2011 at approximately 4:50 p.m., and consisted of an e-mail sent from Scott Blaising, counsel for PWRPA, to Michael Colvin, energy advisor for Commissioner Mark Ferron. A copy of the e-mail is attached to this notice.

The e-mail from Mr. Blaising was sent in response to an *ex parte* notice provided by the Federal Executive Agencies (FEA). In an attachment to its *ex parte* notice, FEA suggests, among other things, that the Commission modify the proposed decision on FEA's pending petition for modification by adding a conclusion of law stating that the Western Area Power Administration (WAPA) is a 'marketer' as defined in Section 331 of the Public Utilities Code, and is an 'other provider' as defined in Section 365.1(a).

In his e-mail to Mr. Colvin, Blaising stated that PWRPA does not take a position on FEA's pending petition for modification, or on the proposed decision. However, Blaising stated that PWRPA objects to FEA's suggested conclusion of law. Blaising communicated that PWRPA and its participants/customers receive preference power from WAPA, and that a host of

peripheral issues would be implicated by concluding that WAPA is a "marketer" or an "other provider." Blaising stated that the record in this proceeding is insufficient to reach this conclusion, and more importantly resolution of these issues is unnecessary in order to reach the outcome FEA seeks in its suggested modifications to the proposed decision. Accordingly, Blaising requested that the proposed decision not be modified to incorporate FEA's conclusion of law.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Blaising". The signature is fluid and cursive, with a large initial "S" and a stylized "B".

Scott Blaising
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