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Cc: 'Baker, Georgetta' (GBaker@semprautilities.com)

Bcc:

Subject: RE: R.11-05-005 Section 399.20 Program: Proposed Request for Extension of Time  
Per Rule 11.6 -- Response requested by 2:00 p.m.

Dear Charles:

I am responding on behalf of the Center for Energy Efficiency and Renewable Technologies (CEERT). I believe that your basis for requesting more time for comments does have merit, but CEERT has also been among those that has advocated for a decision no later than year's end to implement SB 32.

Keeping that in mind, what CEERT would support is a slightly different request – namely, the due date for reply comments is now August 5. CEERT would support an extension for opening comments to that date (August 5), then a workshop to be held later in August, with no reply comments, but rather post-workshop comments instead. Since the Draft Resolution on the RAM is now out, that can be taken into consideration by August 5, even before it becomes final.

Thank you.

Sara Myers

Attorney for CEERT

(415) 387-1904

[ssmyers@att.net](mailto:ssmyers@att.net)

**From:** Middlekauff, Charles (Law) [mailto:CRMd@pge.com]

**Sent:** Thursday, July 14, 2011 10:17 AM

**To:**

**Subject:** R.11-05-005 Section 399.20 Program: Proposed Request for Extension of Time Per Rule 11.6 - Response requested by 2:00 p.m.

**Importance:** High

All Parties:

Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company (the "IOUs") intend to jointly request from ALJs DeAngelis and Mattson a 30-day extension of time to file comments in response to ALJ DeAngelis' June 27, 2011 ruling regarding the Implementation of Public Utilities Code Section 399.20, including proposals for the implementation of Section 399.20 and draft form contracts. Included below is a draft of the e-mail requesting an extension that we will be sending to ALJs DeAngelis and Mattson later this afternoon.

Pursuant to Commission Rule 11.6, parties requesting an extension "must first make a good faith effort to ask [other affected] parties to agree to the extension." This e-mail provides notice of the IOUs plans to ask for an extension, and seeks to have any other parties that are interested to join in this request. We definitely welcome other parties joining on to this request. Our plan is to send this e-mail this afternoon. If you are interested in joining this request, please let us know by no later than 2:00 p.m. today and we will include you on the e-mail request. In addition, if you have any questions, please feel free to call Charles Middlekauff from PG&E at (415) 973-6971.

We look forward to hearing from people and are hopeful that others will join in this request for an extension of time. Thank you for your consideration.

Georgetta Baker (SDG&E)

Cathy Karlstad (SCE)

Charles Middlekauff (PG&E)

**DRAFT OF E-MAIL REQUESTING EXTENSION**

ALJs DeAngelis and Mattson:

By this e-mail, San Diego Gas & Electric Company, Southern California Edison Company and Pacific Gas and Electric Company (jointly “IOUs”) respectfully request an extension of time to file proposals and responses to the issues raised in ALJ DeAngelis’ *Administrative Law Judge’s Ruling Setting Forth Implementation Proposal for SB 32 and SB 2 IX Amendments to Section 399.20*, issued June 27, 2011 (“ALJ Ruling”). Specifically, the IOUs request a 30-day extension so that proposals and responses, including draft form contracts, would be filed August 22, 2011, rather than July 21, 2011.

The ALJ Ruling includes 28 detailed questions regarding the implementation of Public Utilities Code Section 399.20 to create a Feed-In Tariff (“FIT”) for small renewable generating facilities that are 3 megawatts or less in size. On July 11, ALJ Mattson conducted a Pre-Hearing Conference (“PHC”) regarding the ALJ Ruling and Section 399.20 implementation generally. At the PHC, ALJ Mattson clarified that the IOUs were expected to file draft form contracts with their July 21 comments. ALJ Mattson also clarified that parties should submit detailed pricing and other proposals to implement Section 399.20. The IOUs and other parties expressed concern about the timing given the significant amount of effort required to respond to the 28 issues in the AL Ruling, prepared detailed proposals and to submit draft form contracts.

While the IOUs understand and support the Commission’s interest in expeditiously implementing Section 399.20, adopting a schedule that does not provide sufficient time to prepare meaningful responses and proposals, and to develop form contracts, will not benefit the parties or the Commission. All of the parties in this proceeding need time to develop well thought out and considered proposals. The IOUs have the additional responsibility of developing form contracts, which requires detailed and time-consuming work to make sure that each of the elements of Section 399.20 is incorporated, while developing a form contract that is understandable for developers and comprehensive to protect the interests of customers.

In addition, certain aspects of the Section 399.20 program and draft form contracts may be impacted by the Commission's decision on the Draft Resolution implementing the Renewable Auction Mechanism ("RAM") Program. *See* Draft Resolution E-4414. The RAM Program draft resolution was issued yesterday and may be acted on at the Commission's August 18, 2011 meeting. It makes sense for the parties to consider the outcome of the RAM program draft resolution before submitting comments and draft form contracts.

The IOUs respectfully request a 30-day extension to respond to the ALJ Ruling, including providing proposals for implementing Section 399.20, and to submit draft form contracts. After the responses and contracts are submitted on August 22, the parties and Commission can conduct a workshop on August 31 or September 1, as described in the ALJ Ruling, to provide an overview of comments, proposals and draft contracts. At that time, the Commission can determine the appropriate next steps, whether it includes additional briefing or additional working groups to review and finalize the form contracts.

Given the short time before responses to the ALJ Ruling are due, the IOUs also respectfully request that the ALJs act quickly on this request.

Thank you for your consideration.

Georgetta Baker

Cathy Karlstad

Charles Middlekauff