

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

Order Instituting Rulemaking to Continue  
Implementation and Administration of California  
Renewable Portfolio Standard Program

Rulemaking 11-05-005  
(Filed May 5, 2011)

**NOTICE OF EX PARTE COMMUNICATIONS**

Pursuant to Rule 8.3 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure, Recurrent Energy hereby gives notice of the *ex parte* communications described below.

On Tuesday, August 17, 2011, from approximately 1:30 to 5:30 p.m., Recurrent Energy representatives met individually with Commissioner Timothy Alan Simon and his Advisor Rahmon Momoh; with Matthew Tisdale, Advisor to Commissioner Florio; and with Sara Kamins, Advisor to Commissioner Ferron, respectively, to discuss Draft Resolution E-4414, served on the parties on or about July 13, 2011. The meetings were initiated by Recurrent Energy, took place at the Commission's offices at 505 Van Ness Avenue, San Francisco, and lasted from about 30-45 minutes each. All communications were oral, and no written materials were delivered to meeting participants at these meetings.

Recurrent Energy's representatives at these meetings were Luke Dunnington, Recurrent Energy Director, Western Region, and John Nimmons, Counsel for Recurrent Energy in this proceeding, who discussed the concerns described in Recurrent Energy's August 2, 2011 Comments on Draft Resolution E-4414 regarding seller concentration limits, RAM eligibility for existing projects, full deliverability issues, and network upgrade costs. Particular concerns were

expressed regarding the potential for proposed seller concentration limits to undermine the competitive rationale and the price-only bidding approach underlying the RAM program, thus increasing ratepayer costs, resulting in selection of less viable projects, and limiting participation by sellers positioned to deliver the lowest-cost and highest-viability projects.

On Wednesday evening, August 18, emails were also sent from Sheldon Kimber, Recurrent Energy Chief Operating Officer, to Commissioner Simon, and from Mr. Dunnington to Matthew Tisdale, respectively; copies of these emails are provided as Attachment A to this Notice.

To request a copy of this notice, please contact the undersigned by email or telephone.

Dated: August 19, 2011

Respectfully submitted,

/s/ John Nimmons

John Nimmons, Esq.  
Counsel for Recurrent Energy  
415.381.7310  
jna@speakeasy.org

**ATTACHMENT A**  
**TO RECURRENT ENERGY AUGUST 19, 2011 EX PARTE NOTICE**  
**Copies of August 18, 2011 Emails**

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6 ( )1R18"4\*8 ' 06;%1#1' %5 8#1A14\*0A8'0C)" \$R# ; 9) /' %"11"\$6 /' +1#)+)+3A8'0%  
"X" /01" ; / ' +1\$#/1\*F%

Q)18' 01\*0/8# / '\$\$' /1)' +R5 '%6" ( #)+2\$#9"64/ ' +/" \$+ " ; A8#1A8" \*'0% "6"9" +18= 8' 0\$  
\$" P0\$" ( "+1% : '\$6"6"\$ / ' +/" +1\$#1)' +6 ( )1A8#1 A8'0&' ( ( )\*\*)' +A1"6\$ "V" /1" ; A+0A1%)+#0% ?@%  
! "/)\*' +%( #4% ; "<"#1% ( 0/8% 4A8'0/\$" <08# + ; / ' +\* /" +1)' 0\*5 '\$/0% ; '+% : 4A8'0&' ( ( )\*\*)' +R41%



