From: Cherry, Brian K

Sent: 10/5/2011 1:55:43 PM

To: 'pac@cpuc.ca.gov' (pac@cpuc.ca.gov); 'Joseph.Ronan@calpine.com'

(Joseph.Ronan@calpine.com)

Cc:

Subject: Re: Berberich

Ouch. Put's you between a rock and a hard place.

---- Original Message -----

From: Joseph Ronan [mailto:Joseph.Ronan@calpine.com]

Sent: Wednesday, October 05, 2011 01:44 PM

To: Cherry, Brian K; pac@cpuc.ca.gov <pac@cpuc.ca.gov>

Subject: Fw: Berberich

No surprise here.

It is a strategy apparently based upon the Charge of the Light Brigade.

They even conceded to us that they did not expect PG and E to support either.

---- Original Message -----

From: Mark J. Smith

Sent: Wednesday, October 05, 2011 03:10 PM To: Joseph Ronan; Alex Makler; Avis Kowalewski

Subject: Berberich

My BB is not receiving. Not sure it will send either.

Talked with Steve this morning. He confirmed that they have exhausted all CPM options. The only path he has left is the waiver -- even if the CPUC objects.

He also indicated that in his meeting with SMUD they represented that they do not need us for reliability purposes.

Mark

on BlackBerry

CONFIDENTIALITY NOTICE: The information in this e-mail may be confidential and/or privileged and protected by work product immunity or other legal rules. No confidentiality or privilege is waived or lost by mistransmission. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, dissemination, or copying of this e-mail and its attachments, if any, or the information contained herein is prohibited. If you have received this e-mail in error, please immediately notify the sender by return e-mail and delete this e-mail from your computer system. Thank you.