

From: Gandesbery, Mary (Law
Sent: 11/2/2011 9:23:33 AM
To: Lindh, Frank (frank.lindh@cpuc.ca.gov)
Cc:
Bcc:
Subject: RE: Oakley

Hi Frank:

Thanks very much for taking my call yesterday. It was very helpful to discuss this with you. The two decisions I mentioned on the phone that determined that Oakley did not fill the LTPP need determination are cited below.

In D.11-05-029, the Commission modified D.10-12-050 but otherwise rejected CARE's argument that PG&E exceeded its LTPP procurement authorization. The Commission stated: "The Commission considered approval of the Oakley Project for 2016 and beyond, and not for the purpose of the need authorized in D.07-12-052 for PG&E's procurement by 2015." (p. 12.)

In D.11-07-012, the Commission stated: "In D.10 12 050, the Commission approved the Oakley Project. Importantly, the new capacity approved by D.10-12-050 will not come online until 2016, which is after the 2015 timeframe for the new capacity authorized by D.07-12-052. Consequently, the Commission's approval of the Oakley Project, in addition to the Tracy and LECEF Projects, does not cause PG&E to exceed the new capacity authorized by D.07-12-052. [FN]

[FN] D.10-07-045 reduced PG&E's authorized new capacity to 1,262 – 1,312 MW through 2015. PG&E's approved projects do not exceed this limit." (pages 5 to 6). See also Conclusion of Law: "1. Approval of the Oakley Project by D.10-12-050, in addition to the Tracy and LECEF Projects, does not result in PG&E procuring more new generation capacity than authorized by D.07-12-052 or D.10-07-045."

Unfortunately, these two decisions were after the pleadings were submitted on CARE's PFM, so it is possible that these authorities were not considered when the ACR was prepared.

Mary

Mary Gandesbery | Attorney | Pacific Gas and Electric Company | 77 Beale Street | San Francisco, CA 94105
tel: 415.973.0675 | fax: 415.973.5520 | email: magq@pge.com

-----Original Message-----

From: Lindh, Frank [<mailto:frank.lindh@cpuc.ca.gov>]
Sent: Wednesday, November 02, 2011 7:53 AM
To: Gandesbery, Mary (Law)
Subject: RE: Oakley

Mary -

Thanks for calling me about this yesterday....it was helpful to me, and hopefully to you as well!

Cheers,

Frank

-----Original Message-----

From: Gandesbery, Mary (Law) [mailto:MAGq@pge.com]
Sent: Tuesday, November 01, 2011 10:33 AM
To: Lindh, Frank
Cc: Middlekauff, Charles (Law); Melendez, Ernesto
Subject: RE: Oakley

Hi Frank: 4:30 would be great if that works for you. I forgot you were in QF Summit 2 today.

Mary Gandesbery | Attorney | Pacific Gas and Electric Company | 77 Beale Street | San Francisco, CA 94105
tel: 415.973.0675 | fax: 415.973.5520 | email: magq@pge.com

-----Original Message-----

From: Lindh, Frank [mailto:frank.lindh@cpuc.ca.gov]
Sent: Tuesday, November 01, 2011 10:22 AM
To: Gandesbery, Mary (Law)
Cc: Middlekauff, Charles (Law); Ernesto Melendez
Subject: Re: Oakley

Sorry, Mary, I'm tied up today on the distribution interconnection process. Can I call you later, after 4:00 PM?

Thnx.

Frank

On Nov 1, 2011, at 8:55 AM, "Gandesbery, Mary (Law)" <MAGq@pge.com> wrote:

> Frank: Do you have time to talk today? If so, please let me know
> what time works for you. Thank you.

>

> Mary

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> ----- Original Message -----

> From: Lindh, Frank [mailto:frank.lindh@cpuc.ca.gov]
> Sent: Thursday, October 27, 2011 10:11 AM
> To: Gandesbery, Mary (Law)
> Cc: Middlekauff, Charles (Law)
> Subject: Re: Oakley

>
> I'll be back in the office on Monday. Hope this can wait til
> then.....
>
> Thnx.
>
> Sent from my iPad
>
> On Oct 26, 2011, at 6:36 PM, "Gandesbery, Mary (Law)" <MAGq@pge.com>
> wrote:
>
>> Hi Frank: I tried to call you today about proceedings regarding the
>> Commission's approval of Oakley. I will be out of the office
>> Tuesday, visiting my son at college. If you could call Charles
>> about this, we would really appreciate it. His number is 973-6971.
>> Hope you enjoyed your vacation.
>>
>> Mary
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