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Subject: R.10-05-006 LTPP ALJ Ruling on Motions for Party Status

Motions for Party Status in this proceeding have been filed by the following entities:

Ecology Action of Santa Cruz, Inc.
Community Environmental Council
Starwood Power Midway, LLC
Wellhead Electric Company, Inc.
Rio Bravo
ACE Cogeneration Company

All of these motions were filed after testimony and hearings were completed in all current phases of this proceeding. Most of these motions were also filed after briefing was submitted.

The motions of Ecology Action and Community Environmental Council stated a general interest in this proceeding, and did not identify specific issues in the scope of the proceeding that they intended to address. (Community Environmental Council's motion did state that "In particular, the Council plans to comment on the recent TREC Alternate Proposed Decision and other issues as they arise." There is, however, no such proposed decision in this proceeding.) Accordingly, the motions of Ecology Action and Community Environmental Council for party status are DENIED without prejudice. As this proceeding continues with new phases, or a successor proceeding is initiated, Ecology Action and Community Environmental Council may again seek party status.

The motions of Starwood, Wellhead, Rio Bravo and ACE all seek party status for the specific and limited purpose of addressing a greenhouse gas (GHG) issue that was placed into the scope of this proceeding by a joint ruling in this proceeding and R.11-03-012. (That issue relates to power purchase

contracts that do not provide for pass through of certain GHG compliance costs.) Accordingly, the motions of Starwood, Wellhead, Rio Bravo and ACE are GRANTED, but only for the purpose of addressing this specific GHG issue. Again, as this proceeding continues with new phases, or a successor proceeding is initiated, these parties may seek to obtain broader party status.

Thank you,

PETER V ALLEN | Administrative Law Judge | CPUC

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