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Sent: 11/23/2011 9:39:38 AM

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Cc: Michael Boyd (michaelboyd@sbcglobal.net); ALJ Central Files ID
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Bcc:

Subject: RE: R.10-05-006 - Commissioner Florio Participation in LTPP Decisions

Dear Mr. Boyd:

To make sure the record is clear:

- 1) You did not and do not object to Commissioner Florio's participation in this proceeding because of his prior involvement in this proceeding on behalf of TURN.
- 2) You may or may not have an objection to Commissioner Florio's participation in this proceeding based upon allegations or issues raised in your own federal court litigation.

Is that correct?

PETER V ALLEN | Administrative Law Judge | CPUC

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Cc: ALJ Central Files ID; Michael Boyd

Subject: Re: R.10-05-006 - Commissioner Florio Participation in LTPP Decisions

Your Honor,

Your Honor,

You miss-understand.

I didn't object so I don't follow how your timeline applies?

I said I didn't know if I should or not because of my pending law suit that's all.

I did this as a courtesy to the Commissioner, since I didn't want him to expose himself to any legal liability unnecessarily that's all.

Peace,

Michael E. Boyd President
CALifornians for Renewable Energy, Inc.
(CARE)
5439 Soquel Drive
Soquel, CA 95073
Phone: (408) 891-9677
E-mail: michaelboyd@sbcglobal.net

Dear Mr. Boyd:

You were provided an opportunity to object to Commissioner Florio's participation in this proceeding as a decisionmaker. You did not object in a timely manner, nor did you request an extension of time in a timely manner. Any objection you may have to Commissioner Florio's participation in this proceeding as a decisionmaker that is based upon his past involvement in this proceeding on behalf of TURN is waived.

PETER V ALLEN | Administrative Law Judge | CPUC

California Public Utilities Commission
505 Van Ness Avenue | San Francisco CA 94102
415.703.2195 | pva@cpuc.ca.gov

On Tue, Nov 22, 2011 at 6:25 PM, Michael E Boyd <boyd.michaele@gmail.com> wrote:

Your Honor,

CARE's is waiting on the Federal District Court's decision on CPUC's Motion to Dismiss CARE's suit against them and SCE, so I haven't objected until I know the outcome. I would note however it is my understanding that those Decision's Commissioner Florio referred to in his letter are not considered final and unappealable until the Court renders its final Decision. This legal action is based in part on CARE's Petition for Enforcement at FERC under Docket EL11-52 <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12705977> which lists this proceeding in the table on page 14.

Respectfully,

Michael E. Boyd President
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--- On Tue, 11/22/11, Allen, Peter <peter.allen@cpuc.ca.gov> wrote:

From: Allen, Peter <peter.allen@cpuc.ca.gov>
Subject: RE: R.10-05-006 - Commissioner Florio Participation in LTPP Decisions
To: "Allen, Peter" <peter.allen@cpuc.ca.gov>, achang@efficiencycouncil.org, douglass@energyattorney.com, liddell@energyattorney.com, josh@BrightLineDefense.org, aes_ltp@aes.com, sahm@fitcoalition.com, janreid@coastecon.com, smartinez@nrdc.org, tam.hunt@gmail.com, lwisland@ucsusa.org, martinhomerc@gmail.com, nrader@calwea.org, jessica.evans@glacialenergy.com, abraham.silverman@nrgenergy.com, mpieniazek@drenergyconsulting.com, kerry.hughes@directenergy.com, rick_noger@praxair.com, mdorn@mwe.com, jim_p_white@transcanada.com, asantiago@libertypowercorp.com, Lnalley@Tigernaturalgas.com, cpacc@calpine.com, BRIANF@VEA.COOP, b.buchynsky@dgc-us.com, jbloom@winston.com, info@3PhasesRenewables.com, mmazur@3PhasesRenewables.com, igoodman@commerceenergy.com, akbar.jazayeri@sce.com, carol.schmidfrazee@sce.com, rkmoore@gswater.com, mary@solutionsforutilities.com, amsmith@semprautilities.com, DAKing@SempraGeneration.com,

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irhyne@energy.state.ca.us
Cc: "ALJ Central Files ID" <CEN@cpuc.ca.gov>
Date: Tuesday, November 22, 2011, 5:08 PM

To all parties:
I did not receive any objections to Commissioner Florio's participation as
a decisionmaker in this proceeding. I will accordingly inform
Commissioner Florio.

Thank you,
PETER V ALLEN | Administrative Law Judge | CPUC

California Public Utilities Commission
505 Van Ness Avenue | San Francisco CA 94102
[415.703.2195](tel:415.703.2195) | pva@cpuc.ca.gov

From: Allen, Peter

Sent: Tuesday, November 15, 2011 4:26 PM

To: 'achang@efficiencycouncil.org'; 'douglass@energyattorney.com';
'liddell@energyattorney.com'; 'josh@BrightLineDefense.org';
'aes_ltp@aes.com'; 'sahm@fitcoalition.com'; 'janreid@coastecon.com';
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Cc: ALJ Central Files ID

Subject: R.10-05-006 - Commissioner Florio Participation in LTPP
Decisions

To All Parties:

Please see the attached memo from Commissioner Florio. If any party to this proceeding has an objection to Commissioner Florio's participation as a decisionmaker in this proceeding, please send an e-mail to me only (do not copy the service list), no later than 5 pm on Tuesday, November 22, 2011. Any objections must clearly state which track(s) of this proceeding (System Track I, Bundled Track II, or Rules Track III) they apply to. I will not disclose to Commissioner Florio the identity of any objecting party.

Thank you,

PETER V ALLEN | Administrative Law Judge | CPUC

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