

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

Order Instituting Rulemaking to Integrate and Refine
Procurement Policies and Consider Long-Term
Procurement Plans.

Rulemaking 10-05-006
(Filed May 6, 2010)

NOTICE OF EX PARTE COMMUNICATION

**INDEPENDENT ENERGY PRODUCERS
ASSOCIATION**

Steven Kelly
Policy Director
1215 K Street, Suite 900
Sacramento, CA 95814
Telephone: (916) 448-9499
Facsimile: (916) 448-0182
Email: steven@iepa.com

**GOODIN, MACBRIDE, SQUERI,
DAY & LAMPREY, LLP**

Brian T. Cragg
Suzy Hong
505 Sansome Street, Suite 900
San Francisco, CA 94111
Telephone: (415) 392-7900
Facsimile: (415) 398-4321
Email: bcragg@goodinmacbride.com
Email: shong@goodinmacbride.com

Attorneys for the Independent Energy Producers
Association

Date: March 21, 2012

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

Order Instituting Rulemaking to Integrate and Refine
Procurement Policies and Consider Long-Term
Procurement Plans.

Rulemaking 10-05-006
(Filed May 6, 2010)

NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rule 8.3 of the Commission's Rules of Practice and Procedure, the Independent Energy Producers Association (IEP) submits this Notice of Ex Parte Communication.

On March 16, 2012 at approximately 1:55 p.m., Steven Kelly, Policy Director for IEP, and Brian Cragg, outside counsel for IEP, met with Scott Murtishaw, advisor to President Peevey. The meeting was held at the California Public Utilities Commission, was initiated by Mr. Cragg and lasted for approximately 20 minutes. No written materials were used in connection with the communication.

Also on March 16, 2012, at approximately 2:15 p.m., Mr. Kelly and Mr. Cragg met with Colette Kersten, advisor to Commissioner Sandoval. The meeting was held at the California Public Utilities Commission, was initiated by Mr. Cragg and lasted for approximately 30 minutes. No written materials were used in connection with the communication.

During the meetings, Mr. Kelly and Mr. Cragg discussed IEP's motion for expedited determination of the treatment of greenhouse gas compliance costs associated with contracts executed between independent generators and utilities prior to the passage of AB 32 that do not include a mechanism for recovery of such costs (filed on September 23, 2011). In

addition, during the meeting with Ms. Kersten, Mr. Kelly and Mr. Cragg discussed the Proposed Decision (PD) on Track I and Track III of this proceeding (issued on February 21, 2012). Mr. Kelly and Mr. Cragg stated that IEP is not opposed to the PD's approach to utility-owned generation (UOG). However, IEP stated that if the Commission instead chooses to allow head-to-head competition between UOG and independent power producers' projects, then the Commission must reconsider IEP's recommended comparison methodology. Finally, during the meeting with Ms. Kersten, Mr. Kelly and Mr. Cragg urged the Commission to issue a decision this year regarding the need for additional resources, consistent with the terms of the Track I settlement.

Respectfully submitted this 21st day of March, 2012 at San Francisco, California.

GOODIN, MACBRIDE, SQUERI,
DAY & LAMPREY, LLP
Brian T. Cragg
Suzy Hong
505 Sansome Street, Suite 900
San Francisco, California 94111
Telephone: (415) 392-7900
Facsimile: (415) 398-4321
Email: bcragg@goodinmacbride.com
Email: shong@goodinmacbride.com

By /s/ Suzy Hong

Suzy Hong

Attorneys for the Independent Energy
Producers Association