

**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 OF  
GENON CALIFORNIA NORTH, LLC**

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*Attorneys for GenOn California North, LLC*

March 21, 2012

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Pursuant to Rules 8.3 and 8.4 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), GenOn California North, LLC (“GenOn”) provides this notice to report the following ex parte communications in the above-referenced proceeding.

On March 16, 2012, Sean Beatty, Director, West Regulatory Affairs for GenOn Energy, Inc., met first with Sara Kamins, advisor to Commissioner Ferron, from 10:30 a.m. to 11:00 a.m., and then with Matthew Tisdale, advisor to Commissioner Florio, from 11:00 a.m. to 11:45 a.m. Both meetings occurred at the Commission’s offices in San Francisco. GenOn requested the meetings. No written materials were used.

In both meetings, Mr. Beatty discussed the proposed decision (“PD”) issued on February 21, 2012. In particular, Mr. Beatty urged the Commission to modify the PD to incorporate the timeline identified in the settlement agreement on Track I issues, which calls for the Commission to issue a need determination by the end of 2012. A decision by the end of 2012 is necessary to accommodate the seven to nine year period it takes to develop new generation in today’s environment. Mr. Beatty also advocated for the elimination of the Tier 3 advice letter requirement for any contracts having a duration less than five years with facilities relying on once-through cooling (“OTC”). He also explained that contracts with OTC units that extend beyond an applicable OTC compliance deadline should be allowed without triggering an advice letter approval process as long as the units will be in compliance with applicable OTC regulations on and after the deadline. Finally, Mr. Beatty urged the Commission to allow

utilities to procure greenhouse gas allowances in amounts sufficient to cover contractual obligations with independent power producers.

To receive a copy of this ex parte notice, please contact Sallie Lopes at (415) 591-1466 or [slopes@winston.com](mailto:slopes@winston.com).

March 21, 2012

Respectfully submitted,



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