

Application: 12-03-026
(U 39 E)
Exhibit No.: _____
Date: August 3, 2012
Witnesses: Various

PACIFIC GAS AND ELECTRIC COMPANY
THE OAKLEY PROJECT
REBUTTAL TESTIMONY
CONFIDENTIAL VERSION



PACIFIC GAS AND ELECTRIC COMPANY
THE OAKLEY PROJECT
REBUTTAL TESTIMONY

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1 **PACIFIC GAS AND ELECTRIC COMPANY**
2 **THE OAKLEY PROJECT**
3 **REBUTTAL TESTIMONY**

4 **A. Certificate of Public Convenience and Necessity Is Not Required for the**
5 **Oakley Project (Issue 1(a))**

6 Q 1 The Western Power Trading Forum (WPTF) and Californians for Renewable
7 Energy (CARE) argue that Pacific Gas and Electric Company (PG&E) is
8 required to get a Certificate of Public Convenience and Necessity (CPCN)
9 for the Oakley Generation Station (Oakley Project).¹ Do you agree?

10 A 1 No, as I explain in more detail below.

11 Q 2 What is your understanding generally as to when a CPCN is required?

12 A 2 I am not an attorney, but it is generally my understanding under California
13 Public Utilities Code (Pub. Util. Code) Section 1001 that a CPCN is required
14 before a California Public Utilities Commission (CPUC or
15 Commission)-regulated utility begins construction of, or extends, a “line,
16 plant or system.” Section 1001 provides in relevant part:

17 No railroad corporation whose railroad is operated primarily by electric
18 energy, street railroad corporation, gas corporation, electrical
19 corporation, telegraph corporation, telephone corporation, water
20 corporation, or sewer system corporation shall begin the construction of
21 a street railroad, or of a line, plant, or system, or of any extension
22 thereof, without having first obtained from the commission a certificate
23 that the present or future public convenience and necessity require or
24 will require such construction.

25 Q 3 Is PG&E constructing the Oakley Project?

26 A 3 No, the Oakley Project is being constructed by Contra Costa Generating
27 Station, LLC (CCGS). Under the Amended and Restated Purchase and
28 Sale Agreement (Amended PSA), PG&E has no ownership interest in the
29 Oakley Project until it is fully constructed, all permitting and governmental
30 approvals are obtained to PG&E’s satisfaction, and CCGS has complied
31 with all of the requirements in the Amended PSA. The conditions of the
32 transfer of the Oakley Project from CCGS to PG&E are generally described
33 in PG&E’s Initial Testimony and described in more detail in the Amended

1 WPTF Testimony at pp. 3-5 (WPTF, Ackerman); CARE Testimony at 2 (CARE, Sarvey).

1 PSA sections referenced in PG&E's Initial Testimony.² Until the transfer
2 occurs, PG&E will not own the Oakley Project.

3 In addition, PG&E has no direct involvement in or responsibility for
4 construction activities related to the Oakley Project. All of this work is being
5 undertaken by CCGS. CCGS is responsible for all construction activities,
6 including retaining all contractors necessary to develop the Oakley Project,
7 and all development activity related to the Oakley Project.

8 Q 4 If the terms of the Amended PSA are not satisfied, will PG&E have any
9 ownership in the Oakley Project?

10 A 4 No. Until the transfer of the project occurs, as I described above, PG&E has
11 no ownership in the Oakley Project.

12 Q 5 Is the Oakley Project an extension of an existing PG&E-owned facility?

13 A 5 No. The Oakley Project is being built on land that is not owned by PG&E
14 and the facility is not an extension of any existing PG&E-owned facility.

15 Q 6 Have other parties in this proceeding acknowledged that PG&E is not
16 building or constructing the Oakley Project?

17 A 6 Yes. The Utility Reform Network's (TURN) witness Kevin Woodruff
18 acknowledged that "a third party would build Oakley and sell the plant to
19 PG&E, which would then own and operate it."³ William Monsen, the witness
20 for the Independent Energy Producers Association (IEP) testified that
21 "[CCGS] will develop, construct, and then transfer the Oakley Project to
22 PG&E pursuant to the [Amended PSA]."⁴

23 Q 7 Did any party in the initial proceeding addressing the Oakley Project,
24 Application 09-09-021, argue that PG&E was required to obtain a CPCN for
25 the Oakley Project?

26 A 7 To the best of my knowledge, no party in Application 09-09-021 claimed that
27 PG&E was required to obtain a CPCN for the Oakley Project.

28 Q 8 Has PG&E entered into similar Purchase and Sale Agreement
29 arrangements before?

2 PG&E Initial Testimony, Chapter 4, at p. 4-4 ("Transfer of Project to Utility") (PG&E, Monardi).

3 TURN Testimony at p. 1, lines 18-19 (TURN, Woodruff).

4 IEP Testimony at p. 5 (IEP, Monsen).

1 A 8 Yes. In PG&E's 2004 Long-Term Request for Offers (LTRFO), it entered
2 into a Purchase and Sale Agreement (Original Colusa PSA) for the Colusa
3 Generating Station (Colusa Project), which was submitted by PG&E in
4 Application 06-04-012 and was approved by the Commission in
5 Decision 06-11-048.

6 Q 9 Was PG&E required to obtain a CPCN for the Colusa Project?

7 A 9 Not initially. In the decision approving the Original Colusa PSA, the
8 Commission indicated that a CPCN was not required for the Colusa Project
9 because it was not being built by PG&E.⁵ However, when the developer of
10 the Colusa Project later notified PG&E that it did not intend to proceed with
11 the project, PG&E stepped in to acquire the Colusa Project assets and
12 permitting that existed at that time and to complete the construction of the
13 project. Because PG&E would then be constructing the project, PG&E filed
14 for a CPCN in Application 07-11-009, which was later granted by the
15 Commission in Decision 08-02-019.

16 Q 10 Did any of the parties in this proceeding also participate in
17 Application 06-04-012 regarding the initial approval of the Colusa Project?

18 A 10 Yes. TURN, the Division of Ratepayer Advocates (DRA), and WPTF were
19 parties in Application 06-04-012.

20 Q 11 Did any of these parties claim that a CPCN was initially required for the
21 Original Colusa PSA?

22 A 11 No. To the best of my knowledge, none of these parties asserted that a
23 CPCN was required for the Colusa Project.

24 Q 12 Are the Original Colusa PSA and Amended PSA for the Oakley Project
25 fundamentally similar with regard to PG&E's responsibility to construct the
26 project?

27 A 12 Yes. Obviously, there are a number of differences between the Amended
28 PSA for the Oakley Project and the Original Colusa PSA, not the least of
29 which is that they address different projects. However, the fundamental
30 premise underlying both PSAs is the same—in both cases, the counterparty
31 to the PSA is fully responsible for constructing the project and only upon

⁵ D.06-11-048 at p. 32, n. 18.

1 satisfaction of certain very specific terms and conditions is the ownership of
2 the project transferred to PG&E.

3 Q 13 Were there any other utility-owned generating (UOG) facilities that arose
4 from the 2004 LTRFO?

5 A 13 Yes, the Humboldt Generating Station (Humboldt Project) was a winning
6 project in the 2004 LTRFO.

7 Q 14 Was PG&E required to get a CPCN for the Humboldt Project?

8 A 14 Yes. Unlike the Colusa Project, PG&E was responsible for constructing the
9 Humboldt Project. PG&E entered into an Engineering, Procurement and
10 Construction (EPC) contract for the Humboldt Project under which PG&E
11 was responsible for permitting and managing the construction of the project.
12 PG&E owned the land on which the project was to be located and owned
13 the facility as it was being built by a third-party contractor.

14 Q 15 Given this background, what is the basis for parties in this proceeding
15 arguing that PG&E is required to get a CPCN?

16 A 15 WPTF and CARE rely on several references in Decision 12-04-046
17 regarding the need for a CPCN for UOG facilities.⁶

18 Q 16 Do you agree with these parties' interpretation of Decision 12-04-046?

19 A 16 Again, I am not an attorney and thus I will not address legal arguments
20 related to the requirements and impact of Decision 12-04-046. However,
21 I have reviewed the decision and did not find any discussion of the
22 differences between PSA and EPC contracts with regard to utility
23 responsibility for construction, nor was there a discussion of Pub. Util. Code
24 Section 1001. Moreover, I did not see any discussion in Decision 12-04-046
25 that the Commission was overturning its prior decision that there was no
26 need for a CPCN in a situation involving a PSA, such as the Original Colusa
27 PSA. Based on my understanding of the Amended PSA and the discussion
28 above, I do not believe that a CPCN is required for the Oakley Project.

29 Q 17 Do other parties agree with PG&E that a CPCN is not required?

30 A 17 Yes. In discovery, PG&E asked a number of parties if they contended that a
31 CPCN was required for the Oakley Project. Many of these parties objected
32 to PG&E's discovery and did not provide a substantive answer. However,

⁶ WPTF Testimony at pp. 3-5 (WPTF, Ackerman); CARE Testimony at p. 2 (CARE, Sarvey).

1 DRA did provide a substantive answer and indicated that it was not
2 contending that a CPCN is required for the Amended PSA and/or the
3 Oakley Project.⁷

4 **B. The Oakley Project Is Not Barred by Decision 12-04-046 (Issue 1(b))**

5 Q 18 Relying on Decision 12-04-046, WPTF and CARE argue that the
6 Commission should require PG&E to first conduct a Request for Offer (RFO)
7 and, only if the RFO fails, should PG&E be able to propose the
8 Oakley Project.⁸ Please address this issue.

9 A 18 I am not an attorney, so I will not address legal issues regarding the
10 effective date of Decision 12-04-046 and whether that decision should apply
11 to this application. However, I do have two comments related to this issue.
12 First, the Oakley Project was the result of a competitive process.
13 The Oakley Project was offered in PG&E's 2008 LTRFO and was one of the
14 winning offers. When the Commission reviewed the 2008 LTRFO results,
15 it determined that the 2008 LTRFO was generally open, transparent and
16 reasonable.⁹ The Commission also determined that the Oakley Project had
17 numerous beneficial attributes.¹⁰ However, the Commission determined
18 that the Oakley Project was not needed to meet the need identified in the
19 2006 Long-Term Procurement Plan (LTPP) proceeding decision
20 (i.e., D.07-12-052) and thus denied the Oakley Project at that time.
21 Although Decision 12-04-046 has now changed the rules regarding UOG
22 offers in RFOs for new resources, this does not change the fact that the
23 Oakley Project resulted from a competitive process and was one of the best
24 offers resulting from that process. When the 2008 LTRFO was conducted,
25 PG&E did it in a manner that was fully consistent with the Commission's
26 RFO rules that were in effect at that time.

7 See DRA's Response to PG&E's First Set of Data Requests to DRA, Question No. 1 provided on July 18, 2012.

8 WPTF Testimony at pp. 5-6 (WPTF, Ackerman); CARE Testimony at pp. 2-3 (CARE, Sarvey).

9 D.10-07-045 at pp. 19-21 (the Commission identified some areas for improvement in future RFOs and concluded that "[t]hese criticisms should be taken in context of the RFO as a whole and while significant particularly in regard to future RFO's, do not change our determination that overall PG&E conducted a reasonable RFO and evaluation.").

10 *Id.* at p. 40.

1 Second, as a matter of equity, consideration of the Oakley Project
2 should not be barred by Decision 12-04-046. Although I am not aware of
3 the exact amount, the developers of the Oakley Project, CCGS, have to date
4 likely spent millions of dollars participating in the 2008 LTRFO and
5 developing the Oakley Project. CCGS followed the Commission's RFO
6 rules in effect in 2008 when it submitted a UOG proposal in the
7 2008 LTRFO, spent months negotiating an agreement with PG&E, and
8 finalized an agreement based on the Commission's then current rules.
9 When the Commission eventually approved the Oakley Project in
10 December 2010, CCGS likely spent millions more dollars pursuing permits
11 and licenses, which they successfully received from the California Energy
12 Commission (CEC) and Bay Area Air Quality Management District
13 (BAAQMD). Since the CEC and BAAQMD permits were issued, CCGS has
14 likely spent millions of dollars on construction and development of the
15 Oakley Project. At each step of the way, CCGS has followed the
16 Commission's rules and requirements and has expended significant
17 amounts of money on developing the Oakley Project. In my opinion, barring
18 the Oakley Project based on Decision 12-04-046 given the history in this
19 proceeding would be inequitable. Furthermore, besides the equity issues,
20 the failure to approve the Oakley Project will erode developer and investor
21 confidence in the California electric utility market which will likely result in
22 investors seeking higher returns to invest or not investing at all. In either
23 case, higher prices are the result.

24 Q 19 Relying on Decision 12-04-046, CARE argues that approving the Amended
25 PSA would damage the competitive market in California.¹¹ Do you agree?

26 A 19 No. Parties that oppose UOG frequently make dire predictions that the
27 approval of any UOG project will damage or hinder the development of
28 competitive markets in California. The reality, however, is very different.
29 PG&E conducted LTRFOs in 2004 and 2008 for new generation resources.
30 Both LTRFOs allowed both offers for UOG and Power Purchase
31 Agreements (PPA). Both of these LTRFOs were robust and PG&E received
32 numerous offers totaling thousands of megawatts (MW). Offers included

¹¹ CARE Testimony at p. 14, lines 2-17 (CARE, Sarvey).

1 both UOG and PPA offers, and in both LTRFOs at least one of the winning
2 offers was a UOG proposal, while other winning offers were PPAs.
3 The presence of UOG did not harm the competitive market or dampen
4 generator interest in these LTRFOs.

5 **C. The Oakley Project Is Authorized by Decision 07-12-052 (Issue 1(c))**

6 Q 20 WPTF and CARE assert that PG&E has not complied with the requirements
7 of Decision 10-07-052.¹² What is your understanding of the requirements in
8 Decision 07-12-052 for UOG resources proposed outside of an RFO?

9 A 20 In Decision 07-12-052, the Commission indicated that a utility could propose
10 a UOG project outside of an RFO if: (1) an RFO is infeasible; and (2) the
11 UOG project meets one of four “unique circumstances.”¹³ The Commission
12 also stated that it would “consider these unique circumstances for UOG
13 approval outside of a competitive solicitation on a case-by-case basis via an
14 IOU application.”¹⁴ The infeasibility of an RFO and the unique
15 circumstances requirement are addressed below.

16 **1. An RFO for New Resources by 2018 Is Infeasible**

17 **a. The Timeline for New Resource Development Is Lengthy and**
18 **Growing Longer**

19 Q 21 CARE argues that Decision 07-12-052 requires PG&E to demonstrate that
20 an RFO is infeasible and that, in this case, an RFO is not infeasible.¹⁵
21 Although not referring Decision 07-12-052 directly, DRA and IEP similarly
22 argue that it is feasible for PG&E to conduct an RFO or “market test.”¹⁶
23 Do you believe that PG&E can conduct an RFO and that new resources can
24 be developed in time to meet the 2018 resource need identified by the
25 California Independent System Operator (CAISO)?

12 WPTF Testimony at p. 6 (WPTF, Ackerman); CARE Testimony at pp. 3-5 (CARE, Sarvey).

13 D.07-12-052 at pp. 210-212. In Decision 07-12-052, the Commission initially approved five unique circumstances. However, in response to petitions for modification, the Commission subsequently eliminated one of the unique circumstances, which was an expansion of an existing facility. See D.08-11-008 at pp. 22-23.

14 D.07-12-052 at p. 212.

15 CARE Testimony at p. 3, lines 16-17 (CARE, Sarvey).

16 IEP Testimony at pp. 36-38 (IEP, Monsen); DRA Testimony at pp. 3-6 to 3-7 (DRA, Shmidt and Huang).

1 A 21 No. I believe that it would be infeasible for PG&E to conduct an RFO and
2 for new generation resources to be developed in time to meet the 2018
3 resource need identified by the CAISO. PG&E's Initial Testimony described
4 in detail the process for conducting an RFO and subsequently developing a
5 new generation resource and explained why this process would not allow for
6 a new generation resource to be on-line by 2018.¹⁷

7 Q 22 In response to CARE's, DRA's and IEP's concerns, can you describe the
8 steps necessary to conduct an RFO?

9 A 22 Yes. There are two steps in the development of an RFO. First, PG&E is
10 required to develop all of the RFO materials, protocols and evaluation
11 criteria before the RFO is issued. As PG&E explained in response to IEP's
12 discovery requests in this proceeding,¹⁸ various Commission decisions
13 require consultation with the Procurement Review Group (PRG) and/or
14 Cost Allocation Mechanism Group and other preparation efforts to ensure
15 robust solicitation process standards are met.¹⁹ For example,
16 Decision 07-12-052 lays out the following process prior to a launch:

17 The Commission believes that the RFO process would benefit from
18 additional rigor on the part of the PRGs, [Independent Evaluators
19 ("IEs")], and [Energy Division ("ED")] in scoping, reviewing, and revising
20 RFO bid documents to help identify data gaps, confirm the fairness of
21 the components of the RFO that the [Investor-Owned Utility ("IOU")]
22 identifies as confidential, and ensure that both the letter and spirit of the
23 RFO are consistent with the Commission policies set forth in this and
24 past procurement decisions. To address these concerns, the IOUs will
25 need to build consultation with PRGs and ED into the early stages of the
26 RFO process.

27 Prior to drafting RFO bid documents, we will require all IOUs to hold a
28 meeting with the IE, PRG, and ED to outline their plans (quantities and
29 types of products they intend to solicit, category definitions if multiple bid
30 categories are envisioned, any unique circumstances to be addressed in
31 the RFO) and solicit feedback. Then, the draft RFO bid documents are
32 to be developed under the oversight of an IE. The bid documents
33 should include (for internal review by the PRG and ED staff) clear
34 descriptions of the bid criteria (including the rationale for selecting and
35 weighting the criteria) and the evaluation and selection process.
36 The draft bid documents are to be vetted through the PRGs, and any
37 differences are to be resolved with ED staff in advance of the public
38 issuance of bid documents. In addition, the IOU is to provide the PRGs

17 PG&E Initial Testimony, Chapter 5, at pp. 5-5 to 5-11 (PG&E, Monardi).

18 PG&E Response to IEP's Data Request Set 2, Question 1.a.

19 See e.g., D.02-10-062, D.04-12-048, and D.07-12-052.

1 and ED staff a decision rationale with respect to each selected and
2 rejected bid upon completion of an RFO.²⁰

3 This process is lengthy and requires a substantial amount of time.
4 For example, in PG&E's 2008 LTRFO, the process of developing the
5 LTRFO protocols, contracts and materials took four months before the
6 issuance of the 2008 LTRFO.

7 Second, after an RFO is issued, potential developers need to be given
8 time to develop offers. These offers then need to be reviewed, evaluated,
9 shortlisted and, for offers that make the shortlist, further negotiations need to
10 occur. As PG&E explained in response to DRA's data requests in this
11 proceeding,²¹ it is PG&E's experience that the time between the launch of
12 an RFO and submittal of contracts for Commission approval is
13 approximately one year. Since 2002, PG&E has run two LTRFO
14 solicitations open to new conventional generation resources. These
15 two LTRFOs were started in 2004 and 2008. It takes time to run a robust
16 solicitation allowing time for PRG and IE input, as well as time for
17 developers to adequately prepare offers. In addition, it takes time,
18 frequently six months or more from shortlisting to filing a contract for
19 approval, in order to negotiate these types of complex agreements. In the
20 case of the 2004 LTRFO, the solicitation was re-launched in March 2005
21 and contracts were filed for approval in April 2006.²² In the case of the
22 2008 LTRFO, the solicitation was launched in April 2008 and the first
23 contract was filed for approval in April 2009.

24 In short, based on PG&E's experience, it takes sixteen (16) months to
25 develop and conduct an RFO for new generation resources. After this
26 process is complete, PG&E must then seek Commission approval of a
27 winning offer. An offer arising from an RFO is typically not effective until it is
28 approved by the Commission.

20 D.07-12-052 at pp. 149-150.

21 PG&E Response to DRA's Data Request Set 3, Question 2.

22 The 2004 LTRFO Solicitation was originally launched in 2004, suspended and then re-launched on March 18, 2005 pursuant to the revised LTRFO requirements ordered in Decision 04-12-048.

1 Q 23 How do the new Prevention of Significant Deterioration (PSD) requirements
2 impact the feasibility of conducting an RFO and getting new generation
3 resources developed?

4 A 23 In December 2009, the U.S. Environmental Protection Agency (EPA)
5 declared that greenhouse gases (GHG) threaten the public health and
6 welfare of the American people (the endangerment finding), and this finding
7 became effective on January 14, 2010. Regulating GHGs at the federal
8 level is furthered by the PSD program and New Source Review rule
9 changes finalized by EPA in early 2010. Among these rule changes, the
10 GHG Tailoring Rule provides that any new source of GHGs exceeding
11 100,000 tons per year CO₂-equivalent and commencing construction after
12 July 1, 2011 would be considered to be a major stationary source and
13 subject to PSD permitting requirements.

14 One principal requirement for PSD permits is that a new major source or
15 major modification must apply Best Available Control Technology (BACT),
16 which is determined on a case-by-case basis taking into account, among
17 other factors, the cost effectiveness of the control and energy and
18 environmental impacts. BACT standards for GHGs, in particular standards
19 applicable to natural-gas fired power plants, are uncertain.

20 Q 24 What is your estimate as to how long it would take a new generation
21 resource to obtain a PSD?

22 A 24 If a PSD permit is required, the permit must be issued prior to the start of
23 construction of a new stationary source. As a preliminary matter, a
24 developer is required to prepare a PSD permit, which itself can take a
25 considerable amount of time. Processing a PSD permit should take
26 approximately 12 months. However, many air districts (including the
27 BAAQMD) have not been delegated the authority to issue PSD permits by
28 the EPA. Obtaining a PSD permit directly from EPA is expected to take
29 longer than a local air district and in some cases significantly longer.
30 Once issued, PSD permits have a 30-day appeal period. If any third-party
31 challenges the PSD permit during the appeal period, an automatic stay is
32 granted preventing the start or continuation of construction. Any PSD permit
33 challenges must be resolved by the federal Environmental Appeals Board
34 which can take 6-18 months. Overall, these new EPA regulations will create

1 uncertainty, construction delays, and higher costs for developers of
2 conventional power plants.

3 Q 25 Do you have an understanding as to whether the PSD requirements apply to
4 the Oakley Project?

5 A 25 It is my understanding that the PSD requirements do not apply to the
6 Oakley Project. The BAAQMD determined that a PSD permit was not
7 required at the time of the Oakley Project's air permit application and the
8 BAAQMD's issuance of the Authority to Construct (ATC) for the project.
9 CCGS has further indicated that it is in full compliance with the EPA's
10 Tailoring Rule and it has met the requirement to commence construction of
11 an emissions unit prior to July 1, 2011.

12 Q 26 IEP asserts that during the energy crisis combustion turbine facilities were
13 quickly brought on line and that the same can be done again if needed.²³
14 Can you respond to this?

15 A 26 Yes. First, even IEP concedes that this kind of last minute procurement is
16 less than optimal. This type of last-minute procurement often results in
17 contracts that are more expensive than procuring a resource in sufficient
18 time to meet a future need, such as PG&E proposes in this proceeding.
19 Second, the facilities that were brought online quickly during the energy
20 crisis were done pursuant to expedited environmental review processes at
21 the CEC that have expired. An emergency order from the Governor allowed
22 a 21-day review process for certain peaker facilities which would normally
23 operate less than 2,500 hours per year. In addition, the state legislature
24 authorized two other expedited CEC review processes (four and six months
25 in duration). These three expedited review processes are no longer
26 available. Third, the situation cited by IEP involves combustion turbine
27 peaker units, not combined-cycle facilities. The Oakley Project has been
28 designed as a flexible plant that provides high base load efficiency, wide
29 turndown, fast ramping, and quick starting. As such, the Oakley Project can
30 be operated as a base load facility to take advantage of its high efficiency
31 (low heat rate) or as a highly flexible shaping/load following facility utilizing
32 its other attributes to integrate with renewable energy. Therefore, the

²³ IEP Testimony at p. 35, lines 1-5 (IEP, Monsen).

1 Oakley Project offers the optimal attributes of both a combined cycle and a
2 combustion turbine peaker facility. Fourth, the facilities identified by IEP
3 were developed before the PSD requirements described above went into
4 effect.

5 Q 27 IEP also asserts that existing facilities can be upgraded or retrofitted to meet
6 any need that would be met by the Oakley Project.²⁴ Do you agree?

7 A 27 No. PG&E's Initial Testimony, Chapter 2, pages 2-4 to 2-8, includes a
8 description of the Oakley Project design features. As PG&E explained, the
9 design attributes of the Oakley Project are extensive. One of the most
10 significant attributes is a specially designed Heat Recovery Steam
11 Generator (HRSG) to operate under the conditions imposed by a
12 combustion turbine that is ramped up to full load rapidly without concern for
13 the HRSG. Other key features are the addition of an auxiliary boiler to
14 maintain a warm ready state while offline, an air permit that allows both
15 combustion turbines to start simultaneously, and a special steam turbine
16 steam bypass system that allows the combustion turbines to start and ramp
17 up quickly without the need to run them at low loads to allow the steam
18 turbine to warm up. These design features are not typical of operating
19 combined cycles and would be challenging to incorporate into an upgraded
20 or retrofitted existing facility.

21 As PG&E explained to IEP in discovery:

22 While it may be technically "possible" to retrofit an existing combined
23 cycle unit to employ the features of GE's Rapid Response plant, it would
24 likely not be commercially feasible to do so. The Rapid Response
25 design is a "total plant" design wherein most of the power block scope is
26 provided by GE as an integrated package specifically designed to
27 provide the Rapid Response performance. This scope includes the
28 combustion turbines, steam turbine, generators, heat recovery steam
29 generators, steam bypass systems, distributed controls system, and
30 continuous emissions monitoring system. In addition, to assure the
31 anticipated operating profiles and associated benefits are achieved, it is
32 very important that key balance-of-plant equipment and systems outside
33 of GE's scope be designed and constructed in accordance with GE's
34 specifications and guidelines. Attempting to retrofit the Rapid Response
35 design into an existing plant would be a costly and complex process that
36 would likely require extensive modifications to or replacement of existing
37 equipment and systems, especially the HRSG's and steam systems
38 which are the most expensive equipment and systems following the
39 turbine systems. Also, any modified equipment or systems would need

24 IEP Testimony at pp. 33-34 (IEP, Monsen).

1 to be brought up to the current version of the California Building
2 Standards Code (“CBSC”). The 2010 version of the CBSC included
3 significant revisions to structural design criteria that would likely make it
4 difficult to reuse existing structures and foundations. Permitting issues
5 would also need to be considered, likely including amendments to the
6 CEC license and air permit.

7 Assuming GE would even be willing to consider a retrofit design, it’s
8 doubtful that they would be willing to guarantee the performance to the
9 same extent as that of a new plant. Without a solid performance
10 guarantee, financing a Rapid Response retrofit project would be a
11 challenge. Also, since there are currently no GE 7FA.05 combined
12 cycle plants in operation, such a retrofit would not be able to incorporate
13 GE’s latest combustion turbine technology and thus would not be able to
14 recognize the benefits of the higher output and efficiency of the 7FA.05
15 as compared to GE’s earlier 7FA models.

16 A final consideration to a retrofit of this magnitude would be the length of
17 time the plant would be out of service. This would be lost capacity on
18 the grid during this period.²⁵

19 IEP’s testimony also fails to provide any detail as to the amount of time
20 needed for an existing facility to be retrofitted to provide benefits similar to
21 the Oakley Project, and whether such a retrofit would be possible by 2018.

22 Q 28 Do any of the interveners in this proceeding agree that there is not sufficient
23 time to conduct a new RFO and have resources online by 2018?

24 A 28 Yes, Fairfield Energy Center and Madera Energy Center (FEC/MEC) agree
25 that given the lengthy RFO process, “it is unlikely that process would result
26 in a commercial online date by 2017 or 2018.”²⁶

27 Q 29 Is there any additional support for PG&E’s claim that an RFO is infeasible?

28 A 29 Yes. In the 2012 LTPP proceeding (R.12-03-014), an independent
29 generator, GenOn Energy, Inc. (GenOn), submitted testimony on July 23,
30 2012 in Track 1 of that proceeding regarding the amount of time necessary
31 to develop new generation resources. GenOn provided detailed testimony
32 concerning the lengthy development process in California, concluding that it
33 takes 81 months, or seven (7) years, to develop a new generation resource
34 in California.²⁷ Given this timing, it is clearly infeasible to conduct an RFO
35 to meet the 2018 need identified by the CAISO.

25 PG&E response to IEP Data Request Set 1, Request 13(e).

26 FEC/MEC Testimony at p. 15, lines 17-18 (FEC/MEC, Fredericks and Roberts).

27 See *Local Reliability Track I Reply Testimony of Sean Beatty on Behalf of GenOn Energy, Inc.*, filed on July 23, 2012 in Rulemaking 12-03-014. GenOn’s testimony is included as Attachment A to PG&E’s Rebuttal Testimony.

1 **b. Alternatives to Oakley Are Infeasible or Do Not Provide the**
2 **Flexibility Necessary to Integrate Renewable Resources**

3 Q 30 In its testimony, DRA indicates that “[d]emand response, energy storage,
4 and other options could facilitate renewable integration. PG&E has not
5 made any showing that Oakley is needed instead of other types of preferred
6 resources to reduce system integration needs.”²⁸ Do you believe preferred
7 resources can address renewable integration needs?

8 A 30 In this instance, no. Few types of resources in the loading order are capable
9 of providing operational flexibility and ancillary services and are able to be
10 online by 2018. The vast majority of demand-side resources, including
11 energy efficiency and distributed generation resources, are neither
12 consistently dispatchable nor capable of providing ancillary services.
13 The one possible exception is demand response (DR) which is potentially
14 capable of providing flexible products. However, no such DR programs
15 currently exist in California. Any new DR program or a modification of an
16 existing DR program would need to be established in the next DR portfolio
17 funding cycle (2015-2017).

18 Q 31 What about energy storage?

19 A 31 Regarding storage, it is unlikely that any meaningful storage capacity will be
20 online by 2018. Batteries are still early-stage technologies, and with limited
21 operating experience. Furthermore, active CAISO queue positions for
22 battery-related technologies account for less than 10 MW of capacity.
23 PG&E is undergoing a feasibility study for the only utility-scale compressed
24 air energy storage (CAES) project under development in California.
25 The PG&E CAES project has not yet started the interconnection study
26 process, and is not expected to come online before 2020. Aside from
27 one project coming online this summer, it is unlikely any additional pumped
28 storage facilities will be completed by 2017-2018 given Federal Energy
29 Regulatory Commission (FERC) licensing requirements and construction
30 timeframes.

31 Q 32 In its testimony, FEC/MEC claims that there are at least four other resources
32 under “advanced development” that could be commercially operational by

²⁸ DRA Testimony at pp. 2-10 to 2-11 (DRA, Shmidt).

1 2017, prior to the CAISO's established need in 2018.²⁹ Specifically,
2 FEC/MEC identifies four resources shortlisted in the 2008 LTRFO:
3 Fairfield, Madera, Stockton and Vacaville. Do you agree with these claims?

4 A 32 No. PG&E disagrees that these projects are under "advanced
5 development." The Fairfield, Madera and Stockton projects are not listed on
6 the CEC project status report.³⁰ Based upon this information, PG&E
7 concludes that the Fairfield, Madera and Stockton projects have not started
8 the CEC permitting process. The Vacaville project (listed as the CPV
9 Vaca-station project, Docket Number 2008-AFC-11) is noted as being on
10 hold. In addition, the CEC Staff has not yet issued a Staff Assessment for
11 the proposed facility.³¹

12 With respect to interconnection, FEC/MEC note Stockton has an
13 executed Large Generator Interconnection Agreement (LGIA), but listed the
14 other three projects as having an "unknown" or "not completed"
15 interconnection status. Redacted

16 Redacted

17 For the reasons explained in Chapter 5 of PG&E's Initial Testimony, the
18 CAISO interconnection process takes several years to undergo studies,
19 execute an LGIA, and construct the necessary interconnection facilities and
20 transmission network upgrades necessary to provide full deliverability to the
21 CAISO grid.³²

22 Overall, these four resources have significant permitting and
23 interconnection steps remaining to conclude the development process.
24 Thus, it is unlikely these resources could be online by 2018.

25 Q 33 DRA asserts that there are viable available alternatives to the Oakley
26 Project that are sufficiently developed so that an RFO would be feasible.³³
27 Do you agree?

28 A 33 No. PG&E's Initial Testimony indicated that there are only three large,
29 conventional projects in the CAISO territory that are available for contract

29 FEC/MEC Testimony at pp. 14-15 (FEC/MEC, Fredericks and Roberts).

30 http://www.energy.ca.gov/sitingcases/all_projects.html.

31 http://www.energy.ca.gov/dockets/docket_redesign.php?docketNo=08-AFC-11.html.

32 PG&E Initial Testimony, Chapter 5 at pp. 5-8 to 5-10 (PG&E, Monardi).

33 DRA Testimony at pp. 2-9 to 2-10 (DRA, Shmidt).

1 and could be considered as an alternative to the Oakley Project and
2 participate in an RFO.³⁴ The three projects are the

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25 addition, PG&E would still be required to develop and conduct the RFO. As
26 explained above, this process typically takes sixteen (16) months, followed
27 by the period of time required for Commission approval and at least two to
28 three years to construct the facilities.

29 **2. There Is a Specific, Unique Reliability Need for the Oakley Project**

30 Q 34 Do any of the unique circumstances identified in Decision 07-12-052 apply
31 to the Oakley Project?

³⁴ PG&E Initial Testimony, Chapter 5 at pp. 5-11 to 5-12 (PG&E, Monardi).

1 A 34 As a preliminary matter, PG&E's position is that the Oakley Project does not
2 need to satisfy the requirements of Decision 07-12-052 given the language
3 in Decision 10-07-045 providing the opportunity for PG&E to file a new
4 application for the Oakley Project. However, this is an issue of legal
5 interpretation, and is better addressed in briefs rather than testimony. If the
6 Commission determines that the Decision 07-12-052 requirements apply to
7 the Oakley Project, then the Oakley Project certainly satisfies the
8 "Reliability" standard for a unique circumstance.

9 Q 35 What standard did the Commission establish for a unique circumstance of
10 "Reliability" in Decision 07-12-052?

11 A 35 The Commission described "Reliability" as follows:

12 [R]esources needed to meet specific, unique reliability issues
13 (particularly in circumstances in which it becomes evident that reliability
14 may be compromised if new resources are not developed[]), and the
15 only means of developing new resources in sufficient time is via UOG.³⁵

16 Q 36 CARE and TURN assert that there is no unique reliability issue that justifies
17 the Oakley Project.³⁶ IEP and DRA make similar arguments, but do not
18 reference Decision 07-12-052.³⁷ Do you believe that the Oakley Project
19 satisfies the unique reliability circumstance requirement?

20 A 36 Yes. First, the Oakley Project meets a "specific, unique reliability issue."
21 In particular, the CAISO has identified a "2,535 MW deficiency in flexible
22 capacity requirements, resulting in an estimated 3,570 MW of additional
23 capacity needs" by 2017-2018.³⁸ This reliability issue arises as a result of
24 the increasing amount of renewable generation, retirement of Once-Through
25 Cooling (OTC) units, and proposals to significantly increase the amount of
26 distributed generation in California are all contributing to significant reliability
27 issues. The CAISO studies and statements addressing reliability issues are
28 described in detail in Chapter 5 of PG&E's Initial Testimony and Section D.2

³⁵ D.07-12-052 at p. 212.

³⁶ CARE Testimony at pp. 4-5 (CARE, Sarvey); TURN Testimony at pp. 17-18 (TURN Woodruff).

³⁷ IEP Testimony at pp. 21-23 (IEP, Monsen); DRA Testimony at pp. 2-7 to 2-9 (DRA, Shmidt).

³⁸ *Petition for Waiver of Tariff Provisions and Request for Confidential Treatment*, filed January 25, 2012 in FERC Docket No. ER12-897-000 ("Sutter Waiver Petition") at p. 28. The Sutter Waiver Petition is included as Attachment B to this Rebuttal Testimony. The Declaration of Mark Rothleder, which supported the Sutter Waiver Petition, was included as Attachment 1 to Chapter 5 of PG&E's Initial Testimony.

1 of this Rebuttal Testimony. In March 2012, the CAISO's Chief Executive
2 Officer (CEO) summarized the situation by concluding that "under the most
3 likely scenarios" California will be short several thousand megawatts of
4 ramping capacity within the next five years.³⁹

5 Q 37 Will reliability be compromised if new resources are not developed?

6 A 37 Yes. Without sufficient flexible capacity to integrate renewable resources
7 and replace the retiring OTC units, the CAISO has indicated that there are
8 "significant impediments" to the reliable operation of the CAISO grid starting
9 in 2017.⁴⁰ The CAISO has also stated that failure to consider reasonable
10 study assumptions and incorporate those assumptions in procurement
11 decision making could "lead to electricity outages caused by a shortfall of
12 the flexible resources needed to operate the system reliably."⁴¹ In short,
13 California could find itself in several years with a significant capacity shortfall
14 for flexible resources.

15 Q 38 What would be the result of such a shortfall?

16 A 38 As the Commission has indicated, interruption of power and lack of reliability
17 can have a significant economic impact on California.⁴² Moreover, this
18 could cause the state to continue to rely on aging and inefficient units that
19 increase GHG emissions as a result of their inefficiency.

20 Q 39 Is the only means of developing the necessary resources in sufficient time
21 the Oakley Project?

22 A 39 Yes. As explained above in Section C.1, at this point it is infeasible to
23 conduct an RFO and to have a new generation resource such as the
24 Oakley Project online by 2017-2018. On the other hand, the Oakley Project
25 is fully permitted and construction has already commenced. The
26 Oakley Project enjoys broad community support and, if the Commission
27 approves this application, the Oakley Project will be on-line and providing
28 needed operating flexibility by June 2016, in advance of the need identified
29 by the CAISO.

³⁹ CEO Report from Steve Berberich to CAISO Board of Governors, dated March 21, 2012 at p. 2.

⁴⁰ Sutter Waiver Petition at p. 3.

⁴¹ *Id.* at p. 6.

⁴² D.07-01-041 at p. 23 and Finding of Fact (FOF) 17-18.

1 Q 40 DRA observes that if additional needs arise for flexible resources to support
2 renewable integration, they can be met with other resources. In particular,
3 DRA says that the Commission is currently considering over 4,500 MW of
4 new resources to meet local capacity requirements in Southern California.⁴³
5 Can you comment on DRA's observations?

6 A 40 Yes. In its testimony in Track 1 of the 2012 LTPP proceeding, the CAISO
7 estimated a range of about 3,100 MW to 4,600 MW of local area resource
8 need to meet Southern California's local capacity requirements associated
9 with the potential retirement of Southern California's OTC units. The
10 amount of new capacity needed is a function of the location of new resource
11 additions and effectiveness to solve the local reliability requirements.
12 DRA exaggerates the amount of capacity that is likely to be built to address
13 Southern California local reliability requirements. A more likely amount of
14 local capacity added is approximately 3,100 MW. Assuming the local
15 reliability needs are met by a 3,100 MW mixture of combined cycle gas
16 turbine (CCGT) and gas turbine units, the CAISO estimated a 1,051 MW
17 residual system shortage of upward load following resource. To cover this
18 shortage, the CAISO estimated about 1,200 MW generic resources will be
19 needed.⁴⁴ PG&E further addresses DRA's argument regarding capacity in
20 Southern California in Section D.2.d, below.

21 **3. Additional Issues Raised Regarding Decision 07-12-052**

22 Q 41 In its testimony, CARE notes that Decision 07-12-052 encourages
23 brownfield development and then asserts that the Oakley Project is on a
24 greenfield site and on "farmland of statewide importance."⁴⁵ Can you
25 respond to this?

26 A 41 Yes. First, with regard to greenfield development, as PG&E explained in its
27 Initial Testimony, the Oakley Project will be located on an industrial site that
28 is currently zoned for heavy industry.⁴⁶ Although the site was partially used

⁴³ DRA Testimony at p. 2-7, lines 12-21 (DRA, Shmidt).

⁴⁴ See *Testimony of Mark Rothleder on Behalf of the California Independent System Operator*, submitted in Rulemaking 12-03-024 on May 23, 2012 at pp. 3-5. Mr. Rothleder's testimony is included as Attachment C to this Rebuttal Testimony.

⁴⁵ CARE Testimony at p. 4, lines 7-19 (CARE, Sarvey).

⁴⁶ PG&E Initial Testimony, Chapter 2, at p. 2-1 (PG&E, Maring).

1 for a vineyard, it is located in an industrial area. Second, with regard to the
2 issue of “farmland of statewide importance,” this is an issue that was raised
3 and addressed by the CEC. The CEC evaluated this issue during the
4 environmental review process, and determined:

5 The project will convert 21.95-acres of Farmland of Statewide
6 Importance. The conversion is consistent with and contemplated by the
7 City of Oakley 2020 General Plan Environmental Impact Report.
8 The conversions would not result in significant impacts nor does it
9 necessitate mitigation under the Oakley General Plan.⁴⁷

10 **D. The Oakley Project Is Authorized by Decision 10-07-045 (Issue 1 (d))**

11 **1. The Oakley Project Has All Necessary Permits**

12 Q 42 CARE asserts that the Oakley Project does not have all necessary permits
13 and thus does not satisfy the requirements of Decision 10-07-045.⁴⁸ Do you
14 agree with this?

15 A 42 No. In Chapter 3, Section C of PG&E’s Initial Testimony, PG&E provided
16 detailed testimony concerning the CEC licensing authority and the licensing
17 process that took place for the Oakley Project. The CEC issued a
18 Final Decision on May 18, 2011 approving the Oakley Project.
19 After completing several pre-construction data submittals required by the
20 Conditions of Certification, CCGS was approved to begin construction on
21 June 1, 2011. In Chapter 3, Section D of PG&E’s Initial Testimony, PG&E
22 provided detailed testimony concerning the BAAQMD’s process for
23 reviewing CCGS’s application for a minor source and their eventual
24 issuance of a Final Determination of Compliance (FDOC) for use by the
25 CEC to complete their environmental review. The BAAQMD then issued
26 their Authority to Construct (ATC) after CCGS submitted the Emissions
27 Reduction Credits, as required by the FDOC on June 2, 2011. These are
28 the two permits necessary for CCGS to proceed with construction of the
29 Oakley Project.

30 Q 43 Has CCGS started construction of the Oakley Project?

⁴⁷ Energy Resources Conservation and Development Commission of the state of California, May 2011, Order 11-0158-15 approving the Application for Certification of Oakley Generating Station (Docket 09-AFC-4) (CEC Final Decision), Section VII.A, Land Use, FOF 1, p. 28.

⁴⁸ CARE Testimony at p. 6, lines 6-12 (CARE, Sarvey).

1 A 43 Yes. As described in PG&E's Initial Testimony, construction activities
2 started in June 2011.⁴⁹ On the CEC website the Oakley Project is listed as
3 being "approved and under construction."⁵⁰

4 Q 44 Although IEP acknowledges that construction has started, it asserts that little
5 progress has been made over the past year at the Oakley Project site and
6 that construction has come to a "halt" beyond site preparation activities.⁵¹
7 Please respond to this assertion.

8 A 44 First, as IEP acknowledges, site preparation is continuing at the
9 Oakley Project site. Because site preparation is an essential first step for
10 any construction project, IEP's tacit acknowledgement that this activity is
11 continuing is an acknowledgement that the Oakley Project remains under
12 construction. Second, IEP only attached a single page from the monthly
13 Oakley Project compliance reports submitted by CCGS to the CEC.
14 The other pages of these reports provide more detailed information
15 concerning construction and development activities that are continuing on
16 the Oakley Project. Finally, the fact that construction activity has not
17 significantly ramped up is to be expected given the status of this proceeding.
18 While construction is continuing, given the uncertainty of the Commission's
19 approval of the Amended PSA, CCGS cannot be expected to significantly
20 ramp up construction activity, or make significant equipment purchases, until
21 the Commission has decided whether to approve the Amended PSA.
22 This is exactly why PG&E has advocated for a schedule in this proceeding
23 that allows for a Commission decision by the end of the year, and why
24 PG&E opposes proposals by IEP and other parties to significantly delay this
25 proceeding.

26 Q 45 CARE asserts that the Oakley Project permits are not final because the CEC
27 permit is currently the subject of an appeal at the California Supreme
28 Court.⁵² Can you address this issue?

⁴⁹ PG&E Initial Testimony, Chapter 3 at pp. 3-10 to 3-11 (PG&E, Maring).

⁵⁰ See http://www.energy.ca.gov/sitingcases/all_projects.html (CEC website listing status of projects in California).

⁵¹ IEP Testimony at pp. 40-43 (IEP, Monsen).

⁵² CARE Testimony at p. 6, lines 9-10 (CARE, Sarvey).

1 A 45 Yes. Communities for a Better Environment (CBE) and Robert Sarvey filed
2 a Petition for Writ of Review at the California Supreme Court regarding the
3 CEC decision approving the Oakley Project license, as well as the
4 Commission's earlier decision regarding the Oakley Project
5 (i.e., D.10-12-050).⁵³ CBE and Mr. Sarvey did not ask the California
6 Supreme Court to stay the CEC decision. It is my understanding that the
7 CEC and Commission have filed separate motions that effectively seek the
8 dismissal of CBE's and Mr. Sarvey's Petition for a Writ of Review. As of the
9 time this rebuttal testimony was prepared, these requests are still pending at
10 the California Supreme Court. However, neither the California Supreme
11 Court nor any other court has stayed the effectiveness of the CEC decision,
12 nor has any court stayed ongoing construction activities related to the
13 Oakley Project.

14 Q 46 CARE asserts that a PSD permit is required for the Oakley Project.⁵⁴
15 Do you agree?

16 A 46 No. The developer of the Oakley Project, CCGS, and the BAAQMD
17 determined that a PSD permit was not required at the time of the
18 Oakley Project's air permit application and the BAAQMD's issuance of the
19 ATC for the project. CCGS has informed PG&E that CCGS is in full
20 compliance with the EPA's Tailoring Rule and it has met the requirement to
21 commence construction of an emissions unit prior to July 1, 2011.
22 PG&E provided the operational requirements for the Oakley Project in the
23 Amended and Restated Purchase and Sale Agreement (Amended PSA),
24 Exhibit E and Attachment E-1 with corresponding annual emission limits in
25 the Amended PSA. CCGS is required to obtain the required permits to
26 operate the facility based on these requirements.

⁵³ *Communities for a Better Environment, et al. v. CEC, et al.*, California Supreme Court, Case No. S194079.

⁵⁴ CARE Testimony at p. 6, lines 11-12 (CARE, Sarvey).

1 **2. The Final Results From CAISO Studies Demonstrate Significant**
2 **Reliability Risks**

3 **a. The Requirements of Decision 10-07-045 Have Been Satisfied**

4 Q 47 TURN, WPTF, DRA and CARE assert that PG&E has not satisfied the
5 second requirement of Decision 10-07-045 regarding final results of the
6 CAISO’s Renewable Integration Study demonstrating that there are
7 significant reliability risks from integrating the 33 Percent Renewable
8 Portfolio Standard (RPS).⁵⁵ Do you agree with this assertion?

9 A 47 No, as I will explain in more detail below.

10 Q 48 Do the interveners correctly characterize the CAISO study requirement in
11 Decision 10-07-045?

12 A 48 Generally yes, except for TURN. In Decision 10-07-045, the Commission
13 specifically stated that PG&E could resubmit the Oakley Project if the
14 Oakley Project had received all permits and:

15 If the final results from the CAISO Renewable Integration Study
16 demonstrates that, even with the projects approved by the Commission,
17 there are significant negative reliability risks from integrating a
18 33% Renewable Portfolio Standard.⁵⁶

19 Q 49 How has TURN mischaracterized this requirement in Decision 10-07-045?

20 A 49 Throughout its testimony, TURN replaced the word “results” with “report.”⁵⁷

21 Q 50 Is TURN’s use of the term “report” significant?

22 A 50 Yes. TURN states that Decision 10-07-045 requires the CAISO to develop a
23 “final report” and to submit it to the Commission presumably for the
24 Commission’s approval.⁵⁸ TURN then extrapolates from this that the “final
25 report” was to have been submitted in the 2010 LTPP proceeding and
26 approved by the Commission in that proceeding. However, the language in
27 Decision 10-07-045 is quite clear. The Commission did not require a
28 “report” nor did the Commission require that the “final results” from a CAISO
29 study be submitted to or approved by the Commission. In short, TURN is

⁵⁵ TURN Testimony at pp. 5-14 (TURN, Woodruff); WPTF Testimony at pp. 7-8 (WPTF, Ackerman); DRA Testimony at pp. 2-1 to 2-2 (DRA, Shmidt); CARE Testimony at p. 7 (CARE, Sarvey).

⁵⁶ D.10-07-045 at p. 41.

⁵⁷ See e.g., TURN Testimony at p. 5, line 24 to p. 6, line 3 (TURN, Woodruff).

⁵⁸ *Id.* at p. 6, lines 1-3 and 13-14 (TURN, Woodruff).

1 reading into Decision 10-07-045 steps that were not required by the
2 Commission.

3 Q 51 Did the Commission define the term “CAISO Renewable Integration Study”
4 in its decision?

5 A 51 No. However, as with most studies or analyses prepared as part of a
6 Commission proceeding, these studies and analyses are filed in the form of
7 testimony by parties in the proceeding. Most importantly, as I explain below,
8 more recent CAISO studies have reached the exact same conclusion,
9 i.e., that there are significant negative reliability risks from integrating
10 33 percent RPS resources. Thus, the 2010 LTPP and subsequent CAISO
11 studies are sufficient to satisfy the requirement in D.10-07-045.

12 Q 52 Did the Commission require the CAISO to establish a specific amount of
13 megawatts needed for 33 percent RPS integration?

14 A 52 No. Decision 10-07-045 simply requires that the final results from a CAISO
15 study indicate that “there are significant negative reliability risks from
16 integrating a 33% Renewable Portfolio Standard.”

17 Q 53 In response to interveners’ arguments, can you describe the CAISO studies
18 that have occurred since Decision 10-07-045 was issued that address the
19 significant negative reliability risks associated with integrating 33 percent
20 RPS?

21 A 53 Yes. A year after Decision 10-07-045 was issued, the CAISO submitted the
22 results of its 33 percent RPS integration study in the 2010 LTPP proceeding
23 (R.10-05-006).⁵⁹ The CAISO’s study was based on scenarios developed by
24 the Commission’s ED. After describing its analysis in detail, the CAISO
25 concluded that some of the scenarios identified capacity shortfalls, while
26 others did not identify any shortfalls.⁶⁰ The CAISO explained that it could
27 not determine whether sufficient flexible capability existed in those scenarios
28 if the available generation capacity was limited to the existing 15-17 percent
29 Planning Reserve Margin because these scenarios had excess reserve

⁵⁹ *Track I Direct Testimony of Mark Rothleder on Behalf of the California Independent System Operator*, submitted on July 1, 2011 in R.10-05-006. Portions of Mr. Rothleder’s testimony in the 2010 LTPP proceeding are included as Attachment D to DRA’s Testimony.

⁶⁰ *Id.* at pp. 43-44.

1 margin.⁶¹ The CAISO indicated that it intended to run additional scenarios
2 and sensitivities.⁶²

3 Q 54 Did any parties other than the CAISO present any analysis of 33 percent
4 RPS integration needs in the 2010 LTPP proceeding?

5 A 54 Yes. PG&E, Southern California Edison (SCE), and San Diego Gas &
6 Electric Company (SDG&E) prepared a Joint Investor-Owned Utility (IOU)
7 Analysis that included the four scenarios developed by the Commission's
8 ED as well as several IOU Common Scenarios and a sensitivity analysis.⁶³

9 Q 55 What happened after the CAISO and Joint IOU studies were submitted in
10 the 2010 LTPP?

11 A 55 On August 3, 2011, twenty-three (23) parties submitted a settlement in
12 Track 1 of the 2010 LTPP proceeding that addressed, in part, issues related
13 to RPS integration.⁶⁴ The settlement provided that "[t]he resource planning
14 analyses presented in this proceeding do not conclusively demonstrate
15 whether or not to add capacity for renewable integration purposes through
16 the year 2020, the period to be addressed in the current LTPP cycle."⁶⁵
17 Thus, the settling parties agreed that "further analysis is needed before any
18 renewable integration resource need is made."⁶⁶ The settling parties
19 recommended that the Commission and the CAISO collaborate and
20 continue the work undertaken to date to refine and understand the future
21 need for new renewable integration resources.

61 *Id.* at p. 44.

62 *Id.* at p. 49.

63 See DRA's Testimony, Attachment F (including portions of the Joint IOU Analysis from the 2010 LTPP proceeding).

64 *Motion for Expedited Suspension of Track 1 Schedule, And For Approval of Settlement Agreement Between and Among Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, The Division of Ratepayer Advocates, The Utility Reform Network, Green Power Institute, California Large Energy Consumers Association, The California Independent System Operator, The California Wind Energy Association, the California Cogeneration Council, The Sierra Club, Communities for a Better Environment, Pacific Environment, Cogeneration Association of California, Energy Producers and Users Coalition, Calpine Corporation, Jack Ellis, GenOn California North LLC, the Center for Energy Efficiency and Renewable Technologies, the Natural Resources Defense Council, NRG Energy, Inc., The Vote Solar Initiative, and the Western Power Trading Forum, filed August 3, 2011 in Rulemaking 10-05-006. For purposes of this testimony, the settlement is referred to as the "2010 LTPP Settlement."*

65 2010 LTPP Settlement at p. 5.

66 *Id.*

1 Q 56 Were any of the parties who filed intervenor testimony in this proceeding
2 also parties to the 2010 LTPP Settlement?

3 A 56 Yes. TURN, DRA, WPTF and CBE were all parties to the 2010 LTPP
4 Settlement.

5 Q 57 Did the CAISO continue to work on its RPS integration studies after the
6 2010 LTPP Settlement was filed in August 2011?

7 A 57 Yes. In its opening brief in Track 1 of the 2010 LTPP proceeding, the
8 CAISO explained that “as part of the ISO’s continuing study efforts, the ISO
9 conducted a preliminary analysis of possible local and system flexibility
10 capacity needs for the 2011-2020 timeframe and provided these results in a
11 Board of Governors briefing on August 25, 2011.”⁶⁷ Using the High Load
12 Trajectory Scenario developed by the Commission’s ED and assuming the
13 retirement of OTC units, the CAISO determined that there was a need for
14 4,600 MW of capacity by 2020 to provide upward balancing flexibility and
15 800 MW of downward balancing flexibility.⁶⁸

16 Q 58 Did the CAISO explain why it used the High Load Trajectory Scenario in its
17 analysis as compared to the other three scenarios developed by the
18 Commission’s ED?

19 A 58 Yes. The CAISO explained:

20 [T]he material reflects concerns that certain assumptions specified by
21 the CPUC are based on the expectation that state agencies and others
22 will successfully implement new demand response and energy efficiency
23 measures that are not yet in development. We believe it is more
24 prudent to plan on these measures not materializing which results in
25 higher expected demand and generation needs. Accounting for the
26 possibility that state energy efficiency and demand response goals will
27 not materialize is not an indictment of the goals. The goals are among
28 the most important and least cost steps California can take to
29 successfully integrate the expected levels of new renewable generation.
30 However, the consequences of having insufficient resources to reliably
31 operate the grid are much more significant than the consequences of
32 over-procurement. In addition to severe economic consequences,
33 electricity outages caused by shortage of the flexible resources needed
34 to reliably operate the system would put renewable goals themselves at
35 risk.⁶⁹

⁶⁷ See *Opening Brief of the California Independent System Operator Corporation on Track I Issues*, filed September 16, 2011 in Rulemaking10-05-006 at p. 4. A copy of the CAISO’s brief is included as Attachment D to this Rebuttal Testimony.

⁶⁸ *Id.* at pp. 4-5 and Exhibit 1 at p. 2.

⁶⁹ *Id.*, Exhibit 1 at p. 2.

1 Q 59 Did the CAISO make any recommendations regarding procurement to meet
2 this need?

3 A 59 Yes. The CAISO explained that “[t]he ISO shares the concerns identified by
4 AES that, given the lengthy lead times required to permit and construct
5 generation needed for operational flexibility, long-term procurement
6 decisions must be made quickly, preferably well before year end 2012.”⁷⁰
7 The CAISO concluded that “[t]hese studies document that additional
8 flexibility services are needed to maintain reliability with the higher levels of
9 variable renewable generation to meet California’s 33% renewable portfolio
10 standard.”⁷¹

11 Q 60 Did the CAISO do any additional analysis after August 2011 regarding the
12 reliability risks from integrating 33 percent RPS?

13 A 60 Yes. As PG&E explained in its Initial Testimony, in January 2012, the
14 CAISO filed a petition at FERC regarding the Sutter Energy Center
15 (Sutter).⁷² In its filing, the CAISO explained that since August 2011, it had
16 conducted a supplemental sensitivity analysis that that made certain
17 adjustments to the work performed for the 2010 LTPP.⁷³ Based on this
18 additional analysis, which was not available when the 2010 LTPP
19 Settlement was executed, the CAISO concluded that there was “an
20 estimated 3,570 MW capacity gap by the end of 2017.”⁷⁴

21 Q 61 Since filing the Sutter Waiver Petition in January 2012, has the CAISO
22 continued to affirm its conclusion that there will be a capacity gap by the end
23 of 2017 for flexible resources needed to integrate 33 percent RPS?

24 A 61 Yes. PG&E described these statements in its Initial Testimony in Chapter 5
25 on pages 5-3 to 5-4.⁷⁵

⁷⁰ *Id.* at p. 5.

⁷¹ *Id.*, Exhibit 1 at p. 8.

⁷² PG&E Initial Testimony, Chapter 5, at pp. 5-2 to 5-3 (PG&E, Alvarez).

⁷³ Sutter Waiver Petition at pp. 15-16.

⁷⁴ *Id.* at p. 16.

⁷⁵ A copy of the relevant pages from the CAISO Flexible Capacity Proposal, referred to on page 5-4 of PG&E’s Initial Testimony, is included as Attachment E to this Rebuttal Testimony. Relevant pages from the *2013 Flexible Capacity Procurement Requirement: Supplemental Information to Proposal*, issued March 2, 2012 by the CAISO is included as Attachment F to this Rebuttal Testimony.

1 **b. Intervener Assertions That the CAISO Results Are Not Final Are**
2 **Misplaced**

3 Q 62 IEP attaches a recent June 22, 2012 CAISO presentation to its testimony to
4 support its argument that the CAISO is continuing to study the need for
5 renewable integration.⁷⁶ Are there any other pages in this presentation that
6 IEP did not include that are relevant here?

7 A 62 Yes. The very first page of the presentation shows the supply variability and
8 uncertainty facing California with the retirement of OTC units and the
9 increasing amount of variable and intermittent renewable generation.
10 This information is consistent with the CAISO studies and analysis that
11 I described above which demonstrate the need for the Oakley Project.
12 Included as Attachment G to this Rebuttal Testimony is a copy of the cover
13 page of the presentation and the first page.

14 Q 63 TURN says that CAISO has not as issued “its final report” from the
15 renewable integration study.⁷⁷ CARE also claims that the CAISO has not
16 completed its 33 percent renewable integration study, and that the
17 Commission should wait until the final study has been completed before
18 additional generation is authorized.⁷⁸ Do you agree with those claims?

19 A 63 No, I do not agree with those claims. First, as indicated above in
20 Section IV.B.1, Decision 10-07-045 does not require a “final report” as
21 TURN asserts. Second, as described above, the CAISO submitted
22 testimony in the 2010 LTPP proceeding that included the CAISO’s study
23 results, indicating in the High Load Trajectory Scenario a need for resources
24 to integrate the 33 percent RPS. The CAISO has continued to refine its
25 study, ultimately resulting in the study submitted in the Sutter Waiver
26 Petition that demonstrated a capacity gap for integrating 33 percent RPS by
27 the end of 2017. Since submitting the Sutter Waiver Petition in
28 January 2012, the CAISO has continued publicly and at the Commission to
29 re-affirm the final results included in the Sutter Waiver Petition. While TURN
30 and CARE may disagree with the conclusions the CAISO has reached,

⁷⁶ IEP Testimony at p. 22, n. 38 (IEP, Monsen) (Attachment M which includes a single page from a CAISO presentation).

⁷⁷ TURN Testimony at pp. 5-10 (TURN, Woodruff).

⁷⁸ CARE Testimony at p. 6 (CARE, Sarvey).

1 there is no question that the CAISO has prepared final study results that
2 demonstrate significant negative reliability risks from the 33 percent RPS.

3 Q 64 Please explain why “final results” from the CAISO study submitted in the
4 2010 LTPP proceeding demonstrate that even with the projects approved by
5 the Commission, there are significant negative reliability risks from
6 integrating a 33 percent RPS.

7 A 64 The CAISO’s study showed that the system needs 4,600 MW of flexible
8 capacity High Load Trajectory Scenario in 2020. The CAISO study not only
9 included all projects approved by the Commission but new generation
10 additions which are now not likely to be available, as indicated in its
11 Sutter Waiver Petition.⁷⁹ Therefore, if not all the assumed new projects
12 develop, or if additional existing units retire, the need could be higher.

13 Q 65 What is the significance of the CAISO’s analysis in the Sutter Waiver
14 Petition?

15 A 65 In this petition, the CAISO explained that “the operations planning scenario,
16 which is a more prudent and appropriate scenario for planning future
17 reliability needs, definitively shows that a capacity gap will exist by the end
18 of 2017 that cannot be filled by planned generation and that would only be
19 exacerbated by removal of the Sutter plant.”⁸⁰ Similarly, in his declaration,
20 Mr. Rothleder explained that the CAISO analysis had concluded that there
21 was a capacity gap by 2017.⁸¹

22 Q 66 Did the CAISO indicate in the Sutter Waiver Petition that there are
23 significant reliability risks associated with the 33 percent RPS integration?

24 A 66 Yes. The reliability risks are discussed both in the petition and in
25 Mr. Rothleder’s Declaration. The CAISO summarized these risks by
26 explaining:

27 Nothing, however, will undermine the state’s policy goals more quickly
28 than reliability issues, challenges with integrating renewable resources,
29 or significant cost impacts. Ensuring that we have adequate flexible
30 resources on the system enables us to avoid operations issues and
31 mitigate cost impacts.⁸²

⁷⁹ Sutter Waiver Petition, p. 31.

⁸⁰ Sutter Waiver Petition at p. 26 (footnotes omitted) (emphasis added).

⁸¹ Sutter Waiver Petition, Declaration of Mark Rothleder at p. 30.

⁸² Sutter Waiver Petition at p. 3.

1 Q 67 Since it filed the Sutter Waiver Petition, has the CAISO continued to study
2 system needs related to 33 percent RPS integration?

3 A 67 Yes. The CAISO has convened a working group to look at renewable
4 integration issues and prepared additional studies and testimony for the
5 2012 LTPP proceeding (i.e., R.12-03-014). These updated studies continue
6 to show a shortage of capacity needed to integrate 33 percent RPS and the
7 need for incremental system resources.

8 **c. Criticism of the CAISO Studies Is Unwarranted**

9 Q 68 DRA takes the position that all of the CAISO studies and statements relied
10 on by PG&E in this application originate from the CAISO's studies that were
11 considered in the 2010 LTPP and which the Commission used to conclude
12 that additional generation was not needed by 2020.⁸³ DRA says that
13 PG&E's application is asking the Commission to modify Decision 12-04-046,
14 and that if the Commission were to reverse its prior decision, it should give
15 parties the opportunity to be heard.⁸⁴ Do you agree with DRA's position?

16 A 68 No. PG&E is not proposing to modify Decision 12-04-046 and the
17 Commission has complete discretion to approve the Oakley Project based
18 on the record in this proceeding. The record of the 2010 LTPP proceeding
19 did not include additional information presented by the CAISO after
20 July 2011, which PG&E has described in its Initial Testimony (Chapter 5)
21 and in this Rebuttal Testimony.

22 Q 69 TURN argues that the CAISO "results" are all based on High Load
23 Trajectory Scenario, and that there are several aspects of the methodology
24 in the CAISO's studies that were flawed.⁸⁵ Do you agree?

25 A 69 No. TURN is mistaking differences of opinion or concerns with flaws.
26 In fact, TURN's August 4, 2011 testimony in the 2010 LTPP refers to
27 concerns, and on-going efforts to resolve these concerns.⁸⁶ Since the
28 July 1, 2011 filing, the CAISO and its consultant E3 have addressed

⁸³ DRA Testimony at p. 2-4, lines 9-11 (DRA, Shmidt).

⁸⁴ DRA Testimony at pp. 2-2 to 2-5 (DRA, Shmidt).

⁸⁵ TURN Testimony at pp. 10-14 (TURN, Woodruff).

⁸⁶ TURN, 2010 LTPP Track 1 Testimony of August 4, 2011, p. 7 filed in Rulemaking 10-05-006.

1 questions TURN had previously raised,⁸⁷ and to my knowledge have not
2 found flaws. In fact, the continued use by the CAISO of its Operations
3 Planning Scenario (also referred to as the High Load Trajectory Scenario),
4 which TURN refers to as the “4600 Study,” is a good indication that CAISO
5 still stands behind the final results filed in the 2010 LTPP on July 1, 2011.

6 Q 70 Has the CAISO explained why it has relied on the Operations Planning
7 Scenario in the Sutter Waiver Petition and other filings?

8 A 70 Yes. In the Sutter Waiver Petition, the CAISO provided detailed testimony
9 as to why the Operations Planning Scenario was the most prudent scenario
10 to use when considering the need generation to integrate renewable
11 resources. For example, the CAISO explained:

12 The ISO cannot prudently or adequately plan for future capacity
13 requirements based on a set of scenarios that are overly optimistic and
14 difficult to justify given what we know about historical usage of the grid.
15 In particular, the four other scenarios studied by the ISO in the LTPP
16 proceeding are based on a CPUC-mandated assumption that peak
17 system load will be approximately 45,000 MW, which is more than
18 ten percent lower than the ISO’s historic peak load and is lower than the
19 ISO’s 2010 peak load of 47,530 MW or 2011 peak load of 45,545 MW
20 (which occurred in the midst of the recession and during a very mild
21 summer).⁸⁸

22 Q 71 WPTF acknowledges that “updated study reports show that significant
23 amounts of new, highly flexible generation resources will be required by
24 CAISO to integrate and manage renewable resources steadily coming
25 online,” but that the CAISO’s need assessment stems from the CAISO’s
26 own “high load” scenario and not from a Commission-approved scenario,
27 and that as a result this updated show of need does not comply with the
28 third condition of Decision 10-07-045 that allows PG&E to submit the
29 application for the Oakley Project.⁸⁹ Do you agree with WPTF’s
30 assessment?

⁸⁷ For example, one of TURN’s main concerns was the capacity need identified in the All-Gas Case scenario in 2020, which CAISO and E3 have explained in subsequent working group meeting and presentations to all LTPP parties. A recent presentation on this topic can be found at: <http://www.cpuc.ca.gov/NR/rdonlyres/32D2572E-7B0B-4DAD-8D99-AB13CBA1470F/0/201206OpFlexMeetingpresentationPDF.pdf> (The relevant slides are Slides 30 to 37 out of 169 slides).

⁸⁸ Sutter Waiver Petition at p. 6.

⁸⁹ WPTF Testimony at pp. 7-8 (WPTF, Ackerman).

1 A 71 No, as explained in the prior answer, the Operations Planning Scenario is an
2 operationally relevant case that was defined in the Scoping Memo of the
3 2010 LTPP proceeding for study in that proceeding. Stress conditions that
4 are reasonably expected to occur need to be evaluated to determine the
5 adequacy of the system, which is precisely what the CAISO did and as a
6 result the reason for its concern with the shortage of flexible capacity.

7 **d. Additional Arguments Concerning the Need for System Resources**
8 **to Integrate Renewable Generation Are Not Persuasive**

9 Q 72 DRA argues that projects proposed by SDG&E in Application 11-05-023 and
10 in Track 1 of the 2012 LTPP proceeding (R.12-03-014) for local capacity in
11 Southern California will satisfy any need for new resources to integrate
12 renewable generation identified by the CAISO.⁹⁰ Do you agree?

13 A 72 No. First, it is not clear that any new capacity will be approved in
14 Application 11-05-023 or in Track 1 of the 2012 LTPP. A number of parties,
15 including DRA, have protested various issues in both proceedings and the
16 outcome of both proceedings is uncertain. Second, even if the requested
17 new capacity is approved in both proceedings, it is not sufficient to address
18 the need for flexible capacity resources identified by the CAISO. In Track 1
19 of the 2012 LTPP proceeding, the CAISO ran a simulation assuming that
20 3,137 MWs of capacity is added in Southern California and assumed that
21 this capacity could provide various flexibility attributes to the system
22 including regulation-up and regulation-down, operating reserves and load
23 following.⁹¹ Even with this significant addition of local capacity, the CAISO
24 still concluded that “the simulation results show a 1,051 MW residual system
25 shortage of upward load following resource. To cover the shortage, about
26 1,200 MW [of] generic resources will be needed because a resource with a
27 minimum load can contribute toward load following for the portion of the
28 resources operating range between the resource minimum and maximum
29 operating level.”⁹²

⁹⁰ DRA Testimony at pp. 2-8 to 2-9 (DRA, Shmidt).

⁹¹ Attachment C at pp. 3-4.

⁹² *Id.* at pp. 4-5.

1 Q 73 Did DRA perform any analysis in its testimony to demonstrate that the
2 capacity proposed in SDG&E's application (A.11-05-023) and Track 1 of the
3 2012 LTPP proceeding would be sufficient to meet the system need for
4 resources to integrate the 33 percent RPS requirements?

5 A 73 No, DRA did not do any independent analysis. Instead, DRA simply cites to
6 Scoping Memos in the two proceedings and the CAISO's testimony in
7 Track 1 of the 2012 LTPP proceeding.⁹³ Notably, as I explained above, the
8 CAISO analysis concluded that additional system resources would be
9 needed in addition to the resources procured to meet the local capacity
10 needs in Track 1 of the 2012 LTPP.

11 Q 74 TURN takes the position that PG&E has not shown that the Oakley Project
12 meets any specific system need.⁹⁴ CARE takes a similar position
13 suggesting that no specific resource needs have been determined yet, or
14 that the Oakley Project is needed.⁹⁵ Do you agree?

15 A 74 No. As indicated above, the CAISO has consistently indicated there is a
16 need for flexible capacity as early as 2018. In addition, the CAISO has
17 identified need for 4,600 MW of flexible capacity to meet projected load
18 following requirements in 2020. Load following capacity is required to
19 respond load/wind/solar forecast deviations and intra-hour variability.
20 The Oakley Project provides the needed flexible capacity.

21 **3. As the Commission Determined in Decision 10-07-045, the Oakley**
22 **Project Has Numerous Beneficial Attributes**

23 Q 75 In Decision 10-07-045, did the Commission provide any more explanation as
24 to why it would specifically consider the Oakley Project?

25 A 75 Yes. The Commission explained, "[t]hough we deny the Oakley project at
26 this time, we understand developing and building a power plant in California
27 is a long process, fraught with pitfalls. Given this risk and the fact that we
28 believe this plant has numerous beneficial attributes, PG&E may resubmit

⁹³ DRA Testimony at p. 2-8, n. 30-35 (DRA, Shmidt).

⁹⁴ TURN Testimony at pp. 17-18 (TURN, Woodruff).

⁹⁵ CARE Testimony at pp. 12-18 (CARE, Sarvey).

1 the Oakley project, via application, for Commission consideration under the
2 specific conditions below.”⁹⁶

3 Q 76 Has PG&E already explained some of the beneficial attributes of the
4 Oakley Project?

5 A 76 Yes. In Chapters 2, 3 and 5 of PG&E’s Initial Testimony, PG&E described in
6 detail various beneficial attributes of the Oakley Project.

7 Q 77 A number of parties in this proceeding, including CARE and FEC/MEC, have
8 questioned the operational benefits of the Oakley Project.⁹⁷ Does PG&E
9 intend to address these questions?

10 A 77 Yes, the operational issues raised by CARE and FEC/MEC are addressed in
11 detail in Section H.1.

12 **4. PG&E Addressed TURN’s Concern Regarding the Valuation of a UOG**
13 **Asset**

14 Q 78 TURN asserts that PG&E has not addressed the argument that TURN
15 raised in Application 09-09-021, and which the Commission identified in
16 Decision 10-07-045, regarding the valuation of a 30-year UOG project as
17 compared to a 10-year PPA.⁹⁸ Is this correct?

18 A 78 No. PG&E addressed this issue in its Initial Testimony.⁹⁹ PG&E addresses
19 this issue further in Section D.3 of this Rebuttal Testimony regarding the
20 cost effectiveness of the Oakley Project.

21 **E. There Is a Need to and Basis for Procuring the Oakley Project (Issue 1(e))**

22 Q 79 Issue 1(e) in the Scoping Memo addresses the issue of whether there is “a
23 need to procure new UOG outside of the Commission’s ongoing long-term
24 procurement process (LTPP) and in exception to Commission policies and
25 precedents regarding long-term procurement?” Did interveners address this
26 issue?

⁹⁶ D.10-07-045 at p. 40.

⁹⁷ See e.g., CARE Testimony at pp. 9-11 (CARE, Sarvey); FEC/MEC Testimony at pp. 4-13 (FEC/MEC, Fredericks and Roberts).

⁹⁸ TURN Testimony at pp. 27-29 (TURN, Woodruff).

⁹⁹ PG&E Initial Testimony, Chapter 5 at p. 5-16 (PG&E, Alvarez).

1 A 79 Yes. Although interveners did not always identify Issue 1(e), a number of
2 the interveners’ arguments addressed topics within the scope of Issue 1(e).
3 These topics are addressed below.

4 **1. System Reliability Risks Resulting From Regulatory Lag**

5 Q 80 TURN does not appear to be concerned about regulatory lag and instead
6 asserts that the Commission should simply wait until the 2012 LTPP Track 2
7 process concludes before considering the Oakley Project.¹⁰⁰ DRA also
8 argues that the Commission should wait until Track 2 of the 2012 LTPP
9 proceeding is complete before reviewing and authorizing any new
10 resources, including the Oakley Project.¹⁰¹ IEP and CARE appear to make
11 similar suggestions, although their testimony does not specifically refer to
12 Track 2.¹⁰² Do you agree with these proposals?

13 A 80 No. As PG&E explained in its Initial Testimony, the development and
14 construction of new conventional resources in California can take at least
15 five years, and is typically longer.¹⁰³ In fact, several market participants
16 have recently filed evidence in other Commission proceedings indicating this
17 timeframe is even longer. In March 2012, the IEP filed a reply brief in the
18 2010 LTPP Proceeding indicating:

19 Recent experience suggests that even under the best of circumstances,
20 the time for developing a sizable new generation plant can range from
21 five to almost eight years, and even longer for contentious or litigated
22 projects. This lead time means that the process for selecting new
23 resources must begin in 2013—next year—to ensure that the needed
24 resources will begin commercial operations in 2020.¹⁰⁴

25 Sean Beatty of GenOn filed Reply Testimony in Track 1 of the
26 2012 LTPP proceeding (included as Attachment A to this Rebuttal
27 Testimony) which noted a variety of challenges to development of
28 generation resources, including new PSD requirements. Overall, Mr. Beatty

¹⁰⁰ TURN Testimony at pp. 4-5 and 21-22 (TURN, Woodruff).

¹⁰¹ DRA Testimony at p. 2-11 (DRA, Shmidt) and p. 3-7 (DRA, Shmidt).

¹⁰² IEP Testimony at p. 23, lines 10-21 and p. 39, lines 5-14 (IEP, Monsen); CARE Testimony at p. 13, lines 8-22 (CARE, Sarvey).

¹⁰³ PG&E Testimony, Chapter 5 at pp. 5-5 to 5-11 (PG&E, Monardi).

¹⁰⁴ *Reply Comments of the Independent Energy Producers Association on the Proposed Decision on Tracks I and III of the Long-Term Procurement Plan Proceeding*, filed on March 19, 2012 in Rulemaking 10-05-006. PG&E has attached the relevant pages from IEP’s comments as Attachment H to this Rebuttal Testimony.

1 estimates 81 months, or approximately seven years, are needed to develop
2 new resources in California.¹⁰⁵ Furthermore, he states:

3 Developers would need to receive the signal of an RFO during 2013 to
4 commence the development process. Assuming that a new project can
5 be completed in seven years (which may be optimistic), a procurement
6 decision issued by the end of 2012, with a LTRFO to be issued in early
7 2013, should provide adequate time to conduct a competitive process
8 and allow project developers to offer projects that could be operational
9 in 2020.¹⁰⁶

10 Waiting until Track 2 of the 2012 LTPP proceeding is completed could
11 result in substantial delays in the development of new resources needed in
12 California and would definitely prevent the development of new resources by
13 2018, when the CAISO is predicting there will be a need for these new
14 resources.

15 Q 81 Are TURN and DRA clear on when they expect Track 2 of the 2012 LTPP to
16 be completed?

17 A 81 No. TURN witness Kevin Woodruff indicates that Track 2 is scheduled to be
18 completed “in 2013” but is not specific as to when in 2013 this will occur.¹⁰⁷
19 Later in his testimony, Mr. Woodruff further hedges on the completion of
20 Track 2, stating that it “should be later next year.”¹⁰⁸ DRA is equally as
21 vague, simply indicating that work in Track 2 will proceed “throughout 2013”
22 and the Commission will authorize a system need at some unspecified point
23 in time.¹⁰⁹

24 Q 82 Based on your experience, do you expect the Commission to issue a
25 decision in Track 2 of the 2012 LTPP in 2013?

26 A 82 Unfortunately, based on past LTPP proceedings, it is highly unlikely.
27 The 2008 LTPP proceeding (R.08-02-007) was initiated in February 2008
28 and, almost two years later, the proceeding was suspended and no
29 Commission determination regarding need was ever made. The 2010 LTPP
30 proceeding was initiated in May 2010 and on December 3, 2010 the
31 *Assigned Commissioner and Administrative Law Judge’s Joint Scoping*

¹⁰⁵ See Attachment A at p. 6.

¹⁰⁶ *Id.* at p. 7.

¹⁰⁷ TURN Testimony at p. 4, line 27 (TURN, Woodruff).

¹⁰⁸ *Id.* at p. 14, line 6 (TURN, Woodruff).

¹⁰⁹ DRA Testimony at p. 2-11, lines 18-19 (DRA, Shmidt).

1 *Memo and Ruling* (2010 LTPP Scoping Memo) was issued establishing the
2 standardized planning assumptions and scenarios to be used by the CAISO
3 and other parties in the 2010 LTPP for the purposes of determining system
4 need. The CAISO submitted testimony and studies based on the
5 2010 LTPP Scoping Memo on July 1, 2011. After intervenor testimony, a
6 settlement, and briefing, the Commission ultimately issued a decision in the
7 2010 LTPP proceeding regarding system need and the settlement in
8 April 2012 – 16 months after the 2010 LTPP Scoping Memo was issued.

9 Q 83 Using the 2010 LTPP proceeding timeline as a benchmark, what would that
10 mean for a decision in Track 2 of the 2012 LTPP proceeding?

11 A 83 Based on the 2012 LTPP Scoping Memo issued May 17, 2012, the earliest
12 the Commission will issue a decision regarding the assumptions and the
13 scenarios to be used is December 2012.¹¹⁰ Assuming the 2012 LTPP
14 proceeds at the same pace as the 2010 LTPP, a Commission decision
15 would not be issued on Track 2 until April 2014 (i.e., 16 months after the
16 assumptions and scenarios are finalized).

17 Q 84 Is an April 2014 date for a decision in Track 2 of the 2012 LTPP optimistic?

18 A 84 Yes. In the 2010 LTPP proceeding, virtually every active party signed on to
19 a settlement, so ultimately there was very little that was in dispute.
20 Even with a settlement, it was 16 months between when the scenarios and
21 assumptions were finalized and when a Commission decision was issued.
22 In Track 2 of the 2012 LTPP proceeding, it is very unlikely that a settlement
23 will be reached. If hearings and extensive briefing is required, it is likely that
24 a Track 2 decision could be issued well after April 2014.

25 Q 85 What would this timing mean for the Oakley Project if the Commission
26 adopts TURN's and DRA's proposal to wait until there is a Commission
27 decision in Track 2 of the 2012 LTPP before reviewing and considering the
28 Oakley Project?

29 A 85 Assuming the most optimistic timing, this means that review and
30 consideration of the Oakley Project would not start until April 2014.
31 Assuming a 9- to 12-month review process for the Oakley Project, this

¹¹⁰ See *Scoping Memo and Ruling of Assigned Commissioner and Administrative Law Judge*, issued May 17, 2012 in Rulemaking 12-03-014 at p. 10 (showing a proposed decision in Track 2 on scenarios in November 2012).

1 effectively means that the Amended PSA would not be approved until late
2 2014 or early 2015.

3 Q 86 Can the developers of the Oakley Project, CCGS, wait until late 2014 or
4 early 2015 for a Commission decision on the Amended PSA?

5 A 86 No. First, the Amended PSA includes a Guaranteed Commercial Availability
6 Date of June 2016. CCGS could not meet this date if the Amended PSA
7 was not approved until late 2014 or early 2015. More fundamentally,
8 however, a developer cannot be expected to continue to pour money and
9 time into a project with a decision on the underlying agreement delayed until
10 late 2014 or early 2015. No bank or other lender will provide CCGS with
11 substantial development funds if the approval of the Amended PSA is
12 uncertain and delayed until late 2014 or early 2015. In short, TURN and
13 DRA's proposal will effectively terminate the Oakley Project.

14 Q 87 Are there system reliability risks associated with the Commission not
15 approving the Oakley Project?

16 A 87 Yes. As PG&E explains in detail in Sections C and D of this Rebuttal
17 Testimony, the CAISO has identified a need for new generation resources
18 by 2018 that can assist with the integration of renewable resources, as well
19 as other challenges facing the California electric system such as the
20 retirements of OTC and growth of distributed generation. Given the
21 regulatory lag described above, there are reliability risks that support
22 approval of the Oakley Project.

23 Q 88 IEP says that the current integration studies do not justify the
24 Oakley Project, and recommends as a "low risk" strategy completing the
25 on-going integration studies first because of the significant uncertainty as to
26 the need, timing, and best resource for renewable integration.¹¹¹ Do you
27 agree with IEP's proposal?

28 A 88 No, I do not agree. The information available today from past and current
29 integration studies actually shows that there is a significant negative
30 reliability risk because of deficiency in flexible capacity to balance load.
31 As indicated in CAISO's the Sutter Waiver Petition the need for flexible
32 capacity occurs as early as 2018. Opposite to what IEP proposes, waiting

¹¹¹ IEP Testimony at pp.22-26 (IEP, Monsen).

1 for a 2012 LTPP decision and new integration studies to be completed is a
2 high risk strategy because the lead-time associated with developing new
3 resources would prevent resources to be available when needed.

4 **2. There Is a Public Interest in a Reliable Regulatory Framework**

5 Q 89 TURN suggests that today there is no reliable regulatory framework
6 regarding long-term resource planning and procurement, and that to restore
7 such a framework the Commission should reject PG&E's application and
8 focus instead on managing the process for new resource need and
9 procurement that have worked before.¹¹² Do you agree?

10 A 89 No. PG&E supports a reliable regulatory framework regarding long-term
11 resource planning and procurement. However, PG&E does not agree that
12 rejecting this application will improve current conditions. Reversing the
13 Commission's prior decision to approve the Oakley Project will not provide
14 regulatory stability or enhance California's long-term resource planning
15 framework. It would be a signal to parties and developers that there is even
16 more risk and uncertainty in the regulatory process. California already has a
17 reputation for being one of the most difficult states in which to permit and
18 site new resources. Contrary to TURN's suggestion, the Commission
19 should approve the application to reduce resource planning uncertainty and
20 risk. Resource planning has become more complex because of the
21 absence of clear planning criteria to address the need for flexible capacity to
22 integrate higher levels of intermittent renewable generation. This does not
23 mean that the solution is to postpone making decisions or wait for some
24 undetermined amount of time in the future, as TURN proposes. In fact,
25 if anything, given the increased uncertainty and the lack of experience
26 forecasting and operating with higher levels of renewables with fewer
27 flexible resources, the Commission should err on the side of having an
28 excess margin of flexible capacity, and be more amenable to deviate from
29 the past to protect reliability of service for customers. As PG&E explains in
30 more detail in Section H.4 below, the downside of not having adequate
31 resources far outweighs the cost of carrying the excess margin.

¹¹² TURN Testimony at pp. 19-22 (TURN, Woodruff).

1 **3. The Oakley Project Is Cost Effective**

2 Q 90 TURN argues because PG&E estimates a negative market valuation that
3 the Oakley Project cannot be considered “reasonable” unless it is expected
4 to reduce ratepayer costs as compared to not approving the Amended
5 PSA.¹¹³ Do you agree with this statement?

6 A 90 No. As TURN concedes, a negative market valuation may be acceptable
7 when a resource is needed to meet reliability.¹¹⁴ The CAISO’s study has
8 shown a significant negative reliability risk resulting from deficiencies in
9 flexible capacity to balance loads and resources. Therefore, TURN is
10 incorrect that the Oakley Project cannot be considered “reasonable”
11 because it has a negative market valuation.

12 Q 91 Have previous long-term resource solicitations resulted in selection and
13 Commission approval of projects with negative market values?

14 A 91 Yes. For example, in the 2008 LTRFO all projects selected had a negative
15 market value; however, when compared to other offers received, these
16 selected projects met the resource need at the lowest cost to customers.

17 Q 92 How does the Oakley Project compare to other resources selected in prior
18 solicitations?

19 A 92 As shown below, the Oakley Project has the best (least negative) market
20 value of the projects selected in prior solicitations.

21 Q 93 DRA says that the results from the 2008 LTRFO and that PG&E’s net
22 market valuation of the Oakley Project are outdated.¹¹⁵ Do you agree with
23 DRA’s statements?

24 A 93 No. While PG&E did use the pricing of the offers accepted in past
25 solicitations, PG&E did update the forward prices for the market valuation
26 and the transmission costs for the Oakley Project. Therefore, the market
27 values presented in PG&E’s Initial Testimony were current.¹¹⁶

28 Q 94 Has PG&E updated its evaluation of the Oakley Project and other
29 alternatives presented in the Initial Testimony?

¹¹³ TURN Testimony at pp. 18-19 (TURN, Woodruff).

¹¹⁴ TURN Testimony at p. 19, n 27 (TURN, Woodruff) (TURN uses the term “reliability criterion” rather than just the word “reliability.”).

¹¹⁵ DRA Testimony at pp. 3-4 to 3-6 (DRA, Shmidt and Huang).

¹¹⁶ PG&E Initial Testimony, Chapter 5, Table 5-1 (PG&E, Alvarez).

1 A 94 Yes, in response to DRA’s data requests, PG&E updated the
 2 cost-effectiveness analysis of the Oakley Project. As part of this process,
 3 PG&E used current forward prices, updated the network transmission costs
 4 of the Oakley Project and other projects considered in its testimony, and
 5 corrected the heat rate for the Oakley Project. Taking all these changes into
 6 account improved the cost effectiveness of the Oakley Project compared to
 7 other alternatives that was presented in PG&E’s Initial Testimony.
 8 The following table shows the market value of the projects presented in its
 9 Initial Testimony, Table 5-1 before and after the above updates.

**TABLE E-1
 PACIFIC GAS AND ELECTRIC COMPANY
 OAKLEY PROJECT COST-BENEFIT COMPARISON**

Line No.	Project	Life (Years)	Incremental Capacity(a) (MW)	Before Updates Levelized Market Value(b) (\$/kW-yr)	After July 2012 Updates Levelized Market Value(c) (\$/kW-yr)
1	Oakley Project – June 1, 2016 Operation	30	586	Redacted	
2	Mariposa Project	10	184		
3	Marsh Landing Project	10	719		
4	GWF Tracy Upgrade	10	145		
5	Los Esteros Critical Energy Facility Upgrade	10	109		

- (a) Capacity added by the project, expressed in July peak conditions.
- (b) Resource and transmission cost of each project less energy and capacity benefits, discounted to June 1, 2012.
- (c) Resource and transmission cost of each project less energy and capacity benefits, discounted to June 1, 2012.

10 Q 95 Were there other updates PG&E made in its calculation of the cost and
 11 benefits of different commercial operating dates for the Oakley Project?
 12 A 95 Yes, in addition to reflecting the updated inputs discussed in the prior
 13 question and answer, PG&E also identified a mistake in present valuing the
 14 Oakley Project’s costs and benefits for different commercial operating dates
 15 (COD). The following table compares the costs and benefits presented in
 16 pages 5-16 to 5-18 of its Initial Testimony before and after the above
 17 updates.

**TABLE E-2
PACIFIC GAS AND ELECTRIC COMPANY
OAKLEY PROJECT COST- BENEFIT- COMPARISON
JUNE 1, 2012 NET PRESENT VALUES (\$MILLION, NEGATIVE = COST)**

Line No.	Description	Cost	Benefit	Cost Less Benefit	Impact of Accelerating COD From 2020	CPM Cost Through May 2018
1	<u>Before Updates</u>	Redacted				
2	2016 COD					
3	2020 COD					
4	Difference					
5	<u>After Updates</u>	Redacted				
6	2016 COD					
7	2020 COD					
8	Difference					

1 Q 96 Please explain the change in the Oakley Project’s cost and benefits in the
2 above table.

3 A 96 Part of the change is due to the updated forward prices and transmission
4 costs, but the majority of the change is due to the fact that in the Initial
5 Testimony, the Oakley Project’s costs and benefits had been escalated to
6 June 1, 2016, so they appeared larger than they were if discounted to
7 June 1, 2012. The Capacity Procurement Mechanism (CPM) costs,
8 however, had been discounted correctly to June 1, 2012, so these did not
9 change. Therefore, when compared at the same point in time, the cost of
10 accelerating the Oakley’s Project COD is now less than half than the CPM
11 price paid to keep the existing combined CCGTs on-line until they are
12 needed.

13 Q 97 In response to DRA’s concern about the cost-effectiveness evaluation being
14 updated, what do you conclude from the updated evaluation of the
15 Oakley Project and other alternatives considered?

16 A 97 There are three main conclusions that can be reached from the updated
17 analysis. First, the updated analysis shows that the Oakley Project has a
18 lower (less negative) market valuation than previously estimated in PG&E’s
19 Initial Testimony. Second, the Oakley Project has the best (least negative)
20 market value of the projects selected in the last solicitation. Finally, the net
21 cost developing the Oakley Project for a 2016 COD, compared to a

1 2020 COD, is less than half of the cost of paying a CPM price to existing
2 resources to remain in operation until 2018, when the CAISO says they will
3 be first needed.

4 Q 98 DRA states that developing equivalent comparisons between UOG and PPA
5 offers is difficult and that PG&E has amortized the Oakley Project's costs
6 over 30 years, and that this "automatically makes it difficult to come up with
7 a fair assessment of how Oakley's costs compare[d] to the other PPAs
8 submitted into the 2008 LTRFO."¹¹⁷ Do you agree with DRA's suspicion
9 that the comparison presented by PG&E is not fair?

10 A 98 No. The levelized approach that PG&E used is a fair representation of the
11 PPA alternatives available from prior solicitations because this is equivalent
12 to assuming that the price of successive 10-year PPAs or a new 20-year
13 PPA needed to balance the 30-year life of the Oakley Project is the same as
14 the price of the first 10-year PPA.

15 Q 99 TURN comments that PG&E has acknowledged TURN's concern about the
16 comparison of 30-year UOG project versus 10-year PPAs, but did not
17 change its approach in response to the Commission's concerns, providing
18 "additional strong grounds for rejecting the Oakley PSA."¹¹⁸ Do you agree
19 with TURN's comments?

20 A 99 No. TURN's comments do not tell the complete story, and incorrectly
21 characterize PG&E's testimony as not addressing TURN's concerns.
22 PG&E explained in its Initial Testimony why in the absence of actual offers
23 the levelized approach PG&E has used is a superior approach to making
24 assumptions about successive 10-year or 20-year PPA prices that PG&E
25 may receive at the end of the first 10-year PPA. In essence, PG&E's
26 levelized approach is equivalent to assuming that the price of successive
27 10-year PPAs or a new or 20-year PPA is the same as the price of the first
28 10-year PPA. This is a reasonable assumption to make to address the
29 uncertainty as to the price of offers at the end of the first 10-year PPA.
30 PG&E disagrees that this means that PG&E has not addressed

¹¹⁷ DRA Testimony at p. 3-6 (DRA, Shmidt and Huang).

¹¹⁸ TURN Testimony at pp. 27-29 (TURN, Woodruff).

1 Decision 10-07-045 or that this provides “strong grounds” for rejecting the
2 application.

3 Q 100 Dale Fredericks and Richard Roberts on behalf of FEC/MEC claim that
4 Fairfield and Madera could offer more competitive facilities than the
5 Oakley Project, and recommend that PG&E refresh bids from all the
6 2008 LTRFO shortlisted offers in early 2013.¹¹⁹ Do you agree with
7 FEC/MEC’s recommendation?

8 A 100 No. FEC/MEC participated in PG&E’s 2008 LTRFO and their offers were
9 inferior to the Oakley Project’s market value. More recently, in preparation
10 for this Rebuttal Testimony, PG&E refreshed the market valuation for these
11 projects using the same forward prices it used to value the Oakley Project,
12 and both Fairfield and Madera offers are significantly worse than
13 Oakley Project and other projects selected in prior solicitations.¹²⁰ As a
14 result, PG&E sees no reason to refresh the 2008 LTRFO short-listed bids as
15 recommended by FEC/MEC.

16 **4. The Oakley Project Is Infra-Marginal**

17 Q 101 TURN says the Oakley Project is not infra-marginal, and proposes a
18 different comparison of paying a CPM price from January 1, 2013 to June 1,
19 2016 against the cost of accelerating the Oakley Project from 2020 to
20 2016.¹²¹ Do you agree with TURN that this is a more relevant comparison?

21 A 101 No. TURN’s comparison is incorrect. If the Oakley Project is developed for
22 2016 COD, there is no need to pay CPM prices for an amount of existing
23 capacity equal to that provided by the Oakley Project since the project is
24 available before CAISO projects it will be needed in 2018. The avoided
25 payments extend at least until 2018. Therefore, PG&E’s comparison is
26 correct, and the Oakley Project is infra-marginal. As noted before, after
27 updating forward prices and correcting for PG&E’s present value error, the
28 accelerating the Oakley’s Project COD is now less than half than the CPM
29 price paid to keep the existing combined CCGT on-line until they are

¹¹⁹ FEC/MEC Testimony at pp. 2-4 (FEC/MEC, Fredericks and Richards).

¹²⁰ The net market values of the Madera and Fairfield offers are Redacted
on a levelized basis discounted to June 1, 2012.

¹²¹ TURN Testimony at pp. 24-29 (TURN, Woodruff).

1 needed. This is true even if including only the first five months of 2013, as
2 TURN does in its filing.

3 Q 102 IEP proposes that PG&E use a lower escalation cost for the
4 Oakley Project's capital cost, and that with that lower escalation rate, the
5 difference between the cost of accelerating the Oakley Project's COD and
6 paying a CPM price to existing capacity would be only \$39 million.¹²² Can
7 you comment on IEP's analysis?

8 A 102 Yes. To estimate the capital cost of a project similar to the Oakley Project
9 with a 2020 COD, PG&E used an escalation slightly lower than IEP's
10 2.75 percent escalation, not the 3.7 percent escalation figure that IEP
11 highlights in its testimony. As noted above the updated comparison shows
12 an increasing advantage of accelerating the Oakley Project's COD to 2016
13 relative to the CPM payment alternative is now over Redacted therefore,
14 even with the adjustment in cost IEP calculates, the 2016 COD is still clearly
15 infra-marginal.

16 Q 103 DRA claims that the Oakley Project comes with a \$1.5 billion price tag to
17 ratepayers in just the first eight years of the project's life.¹²³ Do you agree
18 with DRA's characterization of the impact of the Oakley Project on
19 customers?

20 A 103 No, DRA mischaracterizes the Oakley Project's impact on customers' costs.
21 The simple sum of the non-fuel costs of the project over the first eight years
22 of life that DRA refers to represents only the cost side of the equation, and
23 ignores the avoided capacity and power purchase costs, or the benefits of
24 the project. A better measure of the impact on customers is the net cost of
25 the project (costs less benefits), relative to the net cost of other alternatives.
26 As previously shown, the Oakley Project has a lower net market costs
27 compared to other projects PG&E has selected in prior solicitations;
28 therefore compared to those alternatives, the Oakley Project actually offers
29 a positive net impact on customers' costs. Furthermore, the most
30 appropriate measure of the impact on customers' cost should not only
31 include the first eight years of life of the project, but the entire life of the

¹²² IEP Testimony at pp. 17-19 (IEP, Monsen).

¹²³ DRA Testimony at p. 1-1 (DRA, Shmidt).

1 project. Beyond the first eight years, the Oakley Project will provide
2 additional benefits which are in excess of its costs.

3 **5. UOG Facilities Such as the Oakley Project Should Not Be Barred in**
4 **California**

5 Q 104 IEP asserts that PPAs are preferable over UOG because under a PPA an
6 independent generator bears the cost risks rather than utility customers.¹²⁴
7 Do you agree with this statement?

8 A 104 No. First, in many PPAs the generator does not bear certain cost risks.
9 For example, in a tolling agreement the utility is typically responsible for
10 procuring fuel for a facility and thus the generator does not bear any risk in
11 terms of fluctuations in fuel costs. Another example would be greenhouse
12 gas compliance costs, which in many PPAs can be the responsibility of the
13 utility, not the generator. In these cases, the generator is insulated from
14 risks that prices and costs will fluctuate.

15 Second, even when a PPA provides for fixed capacity and energy
16 payments, the generator may subsequently ask for a price amendment if
17 costs increase. For example, the Russell City Energy Center (Russell City
18 Project) was one of the winning offers in PG&E's 2004 LTRFO. As a result
19 of permitting delays and cost increases in equipment, materials and labor,
20 the developer of the Russell City Project asked for a delay in the project
21 on-line date, a contract price increase, and other amendments.¹²⁵

22 The Commission ultimately approved a revised version of the PPA
23 amendments that included, among other items, "a 30% cost increase over
24 the terms of the original PPA" and provisions that shifted "certain risks from
25 the developer to PG&E's customers related to control of future GHG
26 emissions."¹²⁶

¹²⁴ IEP Testimony at p. 36, lines 1-6 and Attachment U at p. 29 (IEP, Monsen).

¹²⁵ D.09-04-010 at p. 2 (approving amendments to the Russell City Project PPA).

¹²⁶ *Id.* at pp. 7-8.

1 **6. The Oakley Project Will Facilitate the Retirement of and Reliance on**
2 **Aging and Inefficient Units**

3 Q 105 DRA argues that the Oakley Project “may” facilitate the retirement of OTC
4 units, but that there is no guarantee it will do so.¹²⁷ Will approval of the
5 Oakley Project enable the retirement of “existing, inefficient once-through
6 cooling facilities”?

7 A 105 Yes. The existing OTC facilities in California are all older and much less
8 efficient resources than the Oakley Project. Evidence of their relative
9 inefficiency can be seen in Table E-3 below which indicates the heat rates
10 for natural gas-fired OTC units that are within the CAISO territory and were
11 operational in June 2012.¹²⁸

TABLE E-3
PACIFIC GAS AND ELECTRIC COMPANY
HEAT RATES FOR OTC FACILITIES IN CALIFORNIA

Line No.	OTC Facility	2011 Heat Rate (Btu/kWh)
1	Alamitos	12,333
2	Contra Costa	11,916
3	El Segundo	14,676
4	Encina	13,639
5	Huntington Beach	10,976
6	Mandalay	13,010
7	Morro Bay	10,952
8	Moss Landing	7,685
9	Ormond Beach	12,450
10	Pittsburg	12,599
11	Redondo Beach	12,099

12 All IOUs in California are required to follow the standards of least-cost
13 dispatch (LCD) outlined in CPUC Standard of Conduct 4, adopted in
14 Decision 02-10-062 and elaborated in Decisions 02-12-069, 02-12-074,
15 03-06-076, and 05-01-054. These decisions mandate that IOUs dispatch
16 their portfolios of existing resources, allocated DWR contracts and market
17 purchases to meet their electric load obligations in a least-cost manner.
18 To implement these LCD requirements, PG&E schedules and bids

¹²⁷ DRA Testimony at pp. 2-6 to 2-7 (DRA, Shmidt).

¹²⁸ The source of heat rate data is the 2011 California Energy Commission QFER report:
http://energyalmanac.ca.gov/electricity/web_qfer/Heat_Rates.php.

1 resources in order to achieve the result that resources are dispatched when
2 their variable costs are below market prices. With fossil-fired resources,
3 variable costs are largely dependent upon the price of natural gas.
4 Resources with higher heat rates and therefore higher variable costs are
5 dispatched less frequently than resources with lower heat rates and lower
6 variable costs.

7 As efficient resources such as the Oakley Project are added to the
8 system with lower variable costs, the older, less-efficient OTC facilities will
9 be dispatched less. As those OTC facilities are dispatched less, revenues
10 will decline, which facilitates their retirement for economic reasons, possibly
11 prior to their State Water Resources Control Board (SWRCB) compliance
12 deadline. Furthermore, with the Oakley Project in its resource mix, PG&E
13 would have less of need to procure Resource Adequacy (RA) from the OTC
14 units, which would further facilitate their retirement for economic reasons.
15 In addition to the relative efficiency and expected lower operating costs
16 associated with the Oakley Project, the project will provided needed
17 operational flexibility to the CAISO grid and thereby further reduce the need
18 for reliance on OTC units.

19 PG&E does not own any gas-fired OTC facilities, and therefore PG&E
20 cannot directly commit to retire any of these OTC units that are owned by
21 third parties. However, the CAISO will continue to rely on these resources
22 for flexible operating capacity unless other, new resources such as the
23 Oakley Project are developed to replace these existing OTC units.

24 Q 106 Has the CEC made any determinations that are specific to the
25 Oakley Project that concern the beneficial attributes of the project with
26 respect to the retirement of OTC units?

27 A 106 Yes. In the CEC's Final Decision approving the Oakley Project, issued in
28 May 2011, the CEC stated:

29 If no new natural gas plants were constructed, reliance on older power
30 plants may increase. These plants could consume more fuel and emit
31 more air pollutants per kilowatt-hour generated than the [Oakley
32 Project]. In the near term, the more likely result is that existing plants,
33 many of which produce higher levels of pollutants, could operate more
34 than they do now.¹²⁹

¹²⁹ CEC Final Decision, Section II, Project Alternatives, at p. 13.

1 Q 107 CARE asserts that OTC units in California are not retiring, but are instead
2 being repowered.¹³⁰ Can you respond to this assertion?

3 A 107 Yes. Facility owners of fossil-fueled plants affected by the SWRCB's
4 OTC Policy were required to submit an implementation plan by April 1, 2011
5 demonstrating how they would comply with the policy by their facility's
6 assigned compliance date. Their options included retirement or making
7 capital investments bring the facility in compliance with the OTC Policy.
8 Some affected facilities have already been retired, and other owners
9 scheduled retirements in advance of their OTC compliance deadline.
10 However, the compliance plans remain uncertain for other facilities whose
11 owners have not made a final decision whether the capital investments
12 required to continue to operate are economic. One facility is worth noting in
13 this context: Morro Bay Power Plant (MBPP). On April 1, 2011, MBPP's
14 owner, Dynegy, filed its OTC implementation plan.¹³¹ In that document,
15 Dynegy stated no definitive plans to retire the facility, expressed its intent to
16 study commercially viable ways to continue to operate and comply with the
17 policy and discussed the possibility of repowering MBPP's Unit 3 and Unit 4.
18 Since that time, Dynegy filed for bankruptcy, the power purchase agreement
19 for MBPP expired, and Dynegy cancelled plans to repower MBPP Units 3
20 and 4.¹³² Without a new power purchase agreement, Dynegy may retire the
21 facility. While no final decision has been made, the chances that Dynegy
22 will retire MBPP are increasing. If Dynegy retires MBPP prior to the end of
23 2012, the retirement will be three years ahead of its OTC compliance
24 deadline of December 31, 2015.

25 Q 108 Are there any other benefits of the Oakley Project related to OTC units?

¹³⁰ CARE Testimony at p. 16, lines 3-13 (CARE, Sarvey).

¹³¹ Dynegy Morro Bay, LLC, Once through Cooling Policy Implementation Plan for the Morro Bay Power Plant, April 1, 2011:
http://www.swrcb.ca.gov/water_issues/programs/ocean/cwa316/powerplants/morro_bay/docs/m_b_ip2011.pdf

¹³² Cancellation of the plans to repower MBPP Units 3 and 4 are referenced in this letter from the CEC Compliance staff to MBPP:
http://www.energy.ca.gov/sitingcases/morrobay/compliance/2012-06-15_Completion_of_Phase_I_and_Request_to_Terminate_Approval_of_Phases_II_and_III_TN-65766.pdf

1 A 108 Yes. One benefit is that the Oakley Project will allow for the retirement of
2 aging and less efficient facilities that, but for the Oakley Project, the CAISO
3 may otherwise need to rely on for system reliability and flexibility purposes.
4 It is likely that in the next few years, a number of generators will threaten
5 retirement of their facilities, especially many of the aging and inefficient
6 units, unless they are compensated by the CAISO or California customers to
7 remain in operation. Without resources such as the Oakley Project, that
8 have the operating attributes necessary to maintain grid reliability, the
9 Commission and California will find it necessary to compensate these
10 generators so that they do not retire.

11 **7. The Oakley Project Provides Environmental Benefits and Does Not**
12 **Displace Renewables**

13 Q 109 FEC/MEC argues that the Oakley Project displaces renewable
14 resources.¹³³ Do you agree?

15 A 109 No. Many renewable resources are intermittent (solar and wind) or
16 baseload resources (biomass) and cannot provide the type of operating
17 flexibility provided by the Oakley Project. As the CEC determined:

18 Most new renewable generation in California will be wind and solar
19 generated power. But the wind and the sun are not continuous,
20 on-demand resources. As a result, in order to rely on such intermittent
21 sources of renewable-generated power, utilities must have available
22 other, non-renewable generating resources or significant storage that
23 can fill the gap when renewable generation decreases. Indeed,
24 because of this need for backup generation, or if and when utility-scale
25 storage becomes feasible and cost-effective, non-renewable generation
26 must increase in order for the state to meet the 20 percent renewable
27 portfolio standard.

28 OGS would provide flexible, highly dispatchable power. The "Rapid
29 Response" capability of OGS allows each of the combustion turbine
30 generators to start up and reach full load in less than 90 minutes for all
31 cases, and hot/warm startups would occur in less than 30 minutes.
32 OGS would provide short-starting and fast-ramping power under the
33 CAISO use of these terms, which set a fast start as under 10 minutes.
34 OGS would also provide a wide range of turndown operation, and is
35 deemed fast starting in our evaluation because of its ability to come to
36 full load in less than two hours. OGS would not obstruct penetration of
37 renewable energy due to its ability to turn down to low loads and to
38 achieve startups in less than two hours. OGS is likely to serve as an

¹³³ FEC/MEC Testimony at p. 13, lines 5-11 (FEC/MEC, Fredericks and Roberts).

1 important firming source for intermittent renewable resources in support
2 of California's RPS and GHG goals.¹³⁴

3 Q 110 Did the CEC make any other statements about the environmental benefits of
4 the Oakley Project with regard to renewable integration.

5 A 110 Yes. After an exhaustive review, the CEC determined:

6 The evidence shows that the [Oakley Project] will benefit the State of
7 California's electrical system by providing peaking power and ancillary
8 services during periods of high demand. The project will do so in the
9 most fuel efficient manner practicable, without creating adverse effects
10 on energy supplies or resources. Furthermore, the project will
11 contribute to regional electricity reserves.¹³⁵

12 Q 111 Did the CEC address GHG benefits of the Oakley Project?

13 A 111 Yes. The CEC determined that:

14 The [Oakley Project] will be consistent with the state's GHG policies and
15 will help achieve the state's GHG goals, by (1) causing a decrease in
16 overall electricity system GHG emissions; and (2) fostering the addition
17 of renewable generation into the system, which will further reduce
18 system GHG emissions.¹³⁶

19 **8. Recent Developments in California Support the Oakley Project**

20 Q 112 Are there any other recent developments that you think further support the
21 need for the Oakley Project?

22 A 112 Yes. With the recent outage at SCE's San Onofre Nuclear Generation
23 Station (SONGS) nuclear power plant, there have been an increasing
24 number of individuals and groups who have urged the early retirement of
25 SCE's SONGS facility and opposed license renewal for PG&E's
26 Diablo Canyon nuclear power plant. In addition, the Commission is currently
27 evaluating a scenario in the 2012 LTPP proceeding that assumes the early
28 retirement of SONGS and Diablo Canyon by 2015. The current licenses for
29 Diablo Canyon Units 1 and 2 expire in 2024 and 2025, respectively.
30 If Diablo Canyon is not relicensed, there will be an even greater need for
31 new generation resources in Northern California. Given the Oakley Project's
32 efficiency and low emissions relative to other conventional generation
33 resources, the Oakley Project would be even more critical if the operating
34 licenses for Diablo Canyon are not renewed.

¹³⁴ CEC Final Decision, Section V.A, Greenhouse Gas Emissions, at p. 12.

¹³⁵ *Id.*, Section IV.B, Power Plant Efficiency, at p. 6.

¹³⁶ *Id.*, Section V.A, Greenhouse Gas Emissions, at p. 2.

1 **F. The Amended PSA Is Reasonable and the Oakley Project Is Least-Cost and**
2 **Best-Fit**

3 **1. The Amended PSA Is Reasonable**

4 Q 113 In its testimony, DRA raises concerns regarding the [Redacted]
5 [Redacted] (SVA) portion of the Amended PSA.¹³⁷ In particular, DRA states
6 that “the Amended PSA does allow for CCGS [Redacted]
7 [Redacted] pursuant to a [Redacted]
8 [Redacted] (SVA) between PG&E and CCGS.”¹³⁸ Is this accurate?

9 A 113 No. Pursuant to the Amended PSA and related agreements including the
10 SVA, [Redacted]
11 [Redacted]
12 [Redacted]
13 [Redacted]
14 [Redacted]

15 Q 114 On page 4-7 and 4-8 of its testimony, DRA claims the SVA is unreasonable.
16 Do you agree?

17 A 114 No. [Redacted]
18 [Redacted]
19 [Redacted]
20 [Redacted]
21 [Redacted]
22 [Redacted]
23 [Redacted]
24 [Redacted]
25 [Redacted]
26 [Redacted]
27 [Redacted]
28 [Redacted]
29 [Redacted]
30 [Redacted]

¹³⁷ DRA Testimony at pp. 4-7 to 4-8 (DRA, Huang).

¹³⁸ *Id.*

1 Redacted
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3 Q 115 WPTF asserts that CCGS is taking on minimal risk for the Oakley Project.¹³⁹

4 Please describe the development risks that CCGS is assuming in the
5 Amended PSA.

6 A 115 The Amended PSA was structured so that CCGS takes on most of the
7 development and construction risks. Risks that CCGS holds include:

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¹³⁹ WPTF Testimony at p. 12, lines 1-2 (WPTF, Ackerman).

Redacted

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3 Q 116 Were there any other concerns raised about specific provisions in the
4 Amended PSA?

5 A 116 No.

6 **2. The Oakley Project Is the Least-Cost/Best-Fit Alternative**

7 Q 117 WPTF argues that the Oakley Project is not a least-cost/best-fit
8 alternative.¹⁴⁰ Has PG&E demonstrated in its Initial and Rebuttal Testimony
9 the Oakley Project is the least-cost/best-fit alternative?

10 A 117 Yes. With regard to least cost, PG&E described in detailed the cost
11 effectiveness of the Oakley Project in Chapter 5, Section E of its Initial
12 Testimony and Section E.3 of its Rebuttal Testimony. With regard to best fit,
13 PG&E described the beneficial operating characteristics of the Oakley
14 Project, and how these characteristics are the best fit for PG&E's portfolio
15 need to integrate renewable resources, in Chapters 2 and 5, Section D of
16 PG&E's Initial Testimony and Section H.1 of its Rebuttal Testimony.
17 Finally, in Chapter 5, Section C of PG&E's Initial Testimony and Section C.1
18 of its Rebuttal Testimony, PG&E demonstrated that there are unlikely to be
19 any viable alternatives to the Oakley Project. All of this testimony
20 demonstrates that the Oakley Project is the least-cost/best-fit alternative.

21 **G. PG&E's Ratemaking and Cost Recovery Proposal for the Oakley Project**
22 **Are Reasonable**

23 Q 118 DRA proposes adopting limitations on PG&E's ratemaking proposal for the
24 Oakley Project.¹⁴¹ Do you disagree with DRA's recommendations?

25 A 118 Yes. The ratemaking and cost recovery mechanism included in the
26 Partial Settlement Agreement, which was originally proposed in
27 Application 09-09-021, and is being proposed by PG&E in this proceeding
28 for the Oakley Project is reasonable because in its proposal, PG&E has
29 agreed to: (1) Reduce its initial capital cost estimate by \$24.5 million;
30 (2) Cap the operations and maintenance (O&M) costs and capital addition
31 costs to the estimated costs used in the 2008 LTRFO evaluation process for

¹⁴⁰ WPTF Testimony at pp. 10-12 (WPTF, Ackerman).

¹⁴¹ DRA Testimony at p. 4-1, lines 15-19 (DRA, Huang).

1 a period of eight years; and (3) Provide detailed plant availability and heat
2 rate information to TURN, DRA and the Commission for not only the
3 facilities at issue in this proceeding, but other PG&E-owned facilities.
4 With regard to the initial capital cost estimates, PG&E's proposal also
5 includes a cost-recovery band for costs above the initial estimates, which is
6 a ratemaking mechanism previously approved by the Commission for UOG
7 facilities. The ratemaking proposal for the Amended PSA and the
8 Oakley Project is consistent with previous Commission decisions regarding
9 utility-owned generating projects, which have approved initial capital costs
10 and, in some instances, the use of a cost recovery band and cost sharing for
11 costs above the initial capital cost estimates. Below, PG&E addresses each
12 of the concerns raised by DRA.

13 **1. PG&E's Proposal for O&M Expenses Is Reasonable**

14 Q 119 DRA asserts that the O&M expenses should be fixed for ten (10) years and
15 PG&E should not be able to increase these expenses for any reason.¹⁴²
16 How does this vary from PG&E's O&M proposal?

17 A 119 PG&E has proposed fixing the O&M expenses for eight (8) years and
18 allowing for PG&E to file an advice letter during that period to increase O&M
19 expenses for four narrowly defined circumstances.¹⁴³ These circumstances
20 are: (1) Delays in closing; (2) Increased O&M caused by governmental
21 agency requirements or changes in permitting assumptions; (3) Changes in
22 operating profile from the maximums assumed in the O&M forecast
23 (i.e., 333 starts/year and 4329 operating 8 hours/year); and (4) On a
24 one-time basis, changes to reflect the terms and conditions in the final,
25 executed Long-Term Service Agreement (LTSA). In addition, PG&E's
26 proposal allows for annual changes in O&M based on pre-specified
27 escalation indices without an advice letter filing.

28 Q 120 DRA asserts that fixing the O&M expenses for 10 years with no possibility of
29 an increase is similar to a PPA with a third-party generator.¹⁴⁴ Do you
30 agree with DRA?

¹⁴² DRA Testimony at pp. 4-3 to 4-4 (DRA, Huang).

¹⁴³ PG&E Initial Testimony, Chapter 6, at p. 6-2 (PG&E, O'Flanagan).

¹⁴⁴ DRA Testimony at p. 4-3, lines 20-22 (DRA, Huang).

1 A 120 No. First, PPAs often include specific escalation terms, based on
2 pre-specified escalation indices that allow the generator to recover more
3 under the PPA over-time, which may address rising O&M costs. In addition,
4 it is not unusual for PPAs to include provisions that would allow for
5 escalation of O&M for delays in the operative date.¹⁴⁵ Another example of
6 how PG&E's proposal is not inconsistent with PPAs is the provision to allow
7 for changes in O&M for changes in the operating profile of the Oakley
8 Project from that assumed in this application. This provision is directly
9 analogous to the payments for unit starts and fired hours included in PPAs.
10 In addition to O&M increases allowed under PPAs, if a generator's cost
11 increase, it can seek to amend its PPA to cover certain additional costs.
12 For example, Panoche Energy Center, LLC has recently requested that the
13 Commission in effect revise its contract with PG&E to compensate them for
14 GHG compliance costs from implementation of the Cap and Trade Program
15 required under Assembly Bill 32.

16 Q 121 DRA also recommends that, if the Commission allows PG&E to be able to
17 request an increase in O&M during the first eight years, PG&E be required
18 to file an application instead of an advice letter.¹⁴⁶ Do you agree with this
19 proposal?

20 A 121 No. First, an application typically takes substantially longer than an advice
21 letter process and there is no reason for substantial delay in a Commission
22 determination of an O&M increase limited to the four circumstances
23 proposed by PG&E. Second, parties still have full due process rights to
24 protest an advice letter and present to the Commission any reason or
25 arguments for opposing changes to the O&M. Third, in past proceedings,
26 the Commission has approved the use of an advice letter process for
27 increases in O&M expenses. For example, for the Gateway Generating
28 Station (formerly Contra Costa 8), DRA, PG&E and other parties entered
29 into a settlement that allowed PG&E to use the advice letter process for
30 increases in certain O&M costs, such as payments under the LTSA.¹⁴⁷ It is

¹⁴⁵ Under PG&E's proposal, PG&E is already foregoing 24 months of O&M escalation by not increasing its O&M request from its original Oakley Project application.

¹⁴⁶ DRA Testimony at p. 4-4 (DRA, Huang).

¹⁴⁷ D.06-06-035, Attachment A at p. 7 (settlement agreement for the Gateway Generating Station).

1 notable that in this instance, DRA agreed in a settlement to the use of an
2 advice letter process for O&M changes. Similarly, in Decision 06-11-048,
3 the Commission authorized PG&E to use an advice letter process to adjust
4 its O&M forecast estimate for the Humboldt and Colusa Projects.¹⁴⁸
5 Thus, PG&E's proposal in this proceeding to use an advice letter process is
6 fully consistent with past Commission decisions.

7 **2. PG&E's Proposal for Initial Capital Costs Is Reasonable**

8 Q 122 DRA proposes that the Commission "disallow" recovery of costs in excess of
9 the initial capital cost estimate.¹⁴⁹ How do you respond?

10 A 122 DRA claims that PG&E's initial capital cost sharing proposal provides a
11 strong incentive for PG&E to spend more rather than managing costs within
12 the initial capital cost estimates. The truth is just the opposite; the cost
13 sharing proposal gives PG&E an incentive to ensure that costs do not
14 exceed the initial capital cost estimate, allows for some minor cost increases
15 to cover small change orders and avoid expensive and time-consuming
16 after-the-fact reasonableness reviews in the case of modest increases in
17 capital costs. PG&E developed its current initial capital cost estimate by
18 removing \$24.5 million from its original capital cost estimate included in
19 Application 09-09-021. This was more than the \$24.1 million included as
20 contingency in the original estimate. In recognition of this reduction, the
21 cost sharing proposal allows recovery of the first \$20 million above the lower
22 initial capital estimate. This amount is less than 2 percent of the initial
23 capital cost. As a comparison, the Gateway Project (Contra Costa 8)
24 decision allowed a 4.4 percent contingency and Colusa Project allowed a
25 2 percent contingency. It is unreasonable to allow no provisions for risks
26 and uncertainty due to any minor scope changes in development,
27 engineering and construction, as would result from DRA's proposal.
28 It should also be noted that the economic analysis included in this
29 application assumed that the actual capital cost of the Oakley Project was
30 \$20 million above the initial capital cost. In addition to providing an incentive
31 to aggressively manage costs, the cost sharing bands above the first

¹⁴⁸ D.06-11-048, Ordering Paragraph 13.

¹⁴⁹ DRA Testimony at pp. 4-2 and 4-5 to 4-6 (DRA, Huang).

1 \$20 million is a reasonable way of avoiding the time and expenses of an
2 after-the-fact reasonableness review for modest increases in project costs.

3 Q 123 Has the Commission adopted a similar cost sharing proposal in other
4 proceedings?

5 A 123 Yes. The Commission has adopted as being reasonable a similar cost
6 sharing proceeding for the Gateway Project in Decision 06-06-035.

7 Q 124 Can you think of an example where a PPA for a new generation resource
8 was amended to increase the price?

9 A 124 Yes. One example that I can think of is the Russell City Project, which was
10 one of the winning offers in PG&E's 2004 LTRFO. As a result of permitting
11 delays and cost increases in equipment, materials and labor, the developer
12 of the Russell City Project asked for a delay in the project on-line date, a
13 contract price increase, and other amendments.¹⁵⁰ The Commission
14 ultimately approved a revised version of the PPA amendments that included,
15 among other items, "a 30% cost increase over the terms of the original PPA"
16 and provisions that shifted "certain risks from the developer to PG&E's
17 customers related to control of future GHG emissions."¹⁵¹ In the case of the
18 Russell City Project, the increase not only covered increases in the project's
19 capital costs, but also O&M costs.

20 3. PG&E's Proposed Procedure for Revising the Capital Costs Is 21 Reasonable

22 Q 125 DRA opposes the use of an advice letter process for revising the capital cost
23 estimate due to operational Performance Enhancements.¹⁵² How do you
24 respond?

25 A 125 An application is not necessary to review the reasonableness of increasing
26 the capital cost estimate for operational performance enhancements.
27 Operational performance enhancements are opportunities to increase the
28 plant performance or efficiency by paying for modifications not specified in
29 the original scope of work. PG&E would pursue these enhancements only if
30 it was in the best interest of our customers. PG&E's advice letter requesting

¹⁵⁰ D.09-04-010 at p. 2 (approving amendments to the Russell City Project PPA).

¹⁵¹ *Id.* at pp. 7-8.

¹⁵² DRA Testimony at p. 4-7 (DRA, Huang).

1 an increase in capital costs for operational performance enhancements
2 would demonstrate the benefits to customers of the enhancements.

3 As stated above, the advice letter process would give parties the opportunity
4 to protest the request and present their reasons why the request should not
5 be granted.

6 Q 126 DRA also recommends that the Commission reject PG&E's proposal to seek
7 recovery of capital additions for the Oakley Project in a General Rate Case
8 (GRC) for rates effective January 1, 2024.¹⁵³ How do you respond?

9 A 126 DRA states "[t]he Commission should not pre-approve future capital
10 additions through this application. Rather, the need for and benefits of any
11 potential future capital additions should be proposed through an
12 application." PG&E proposes to include an updated estimate of ongoing
13 capital additions for the Oakley Project in the GRC application after the
14 8-year period covered by this application. PG&E is not asking for
15 pre-approval of capital additions in 2024 in this application, but will do so in
16 a future GRC for capital additions after 2023. Under the current plan, this
17 would be the 2023 GRC. When the Commission has approved interim cost
18 recovery for generation projects outside of the GRC (e.g., Gateway,
19 Humboldt, Colusa), it has also approved that they be rolled into a GRC after
20 commercial operations. PG&E is simply requesting similar treatment for the
21 Oakley Project starting in 2024.

22 **4. IEP's Arguments Regarding Near-Term Rate Impacts are Flawed**

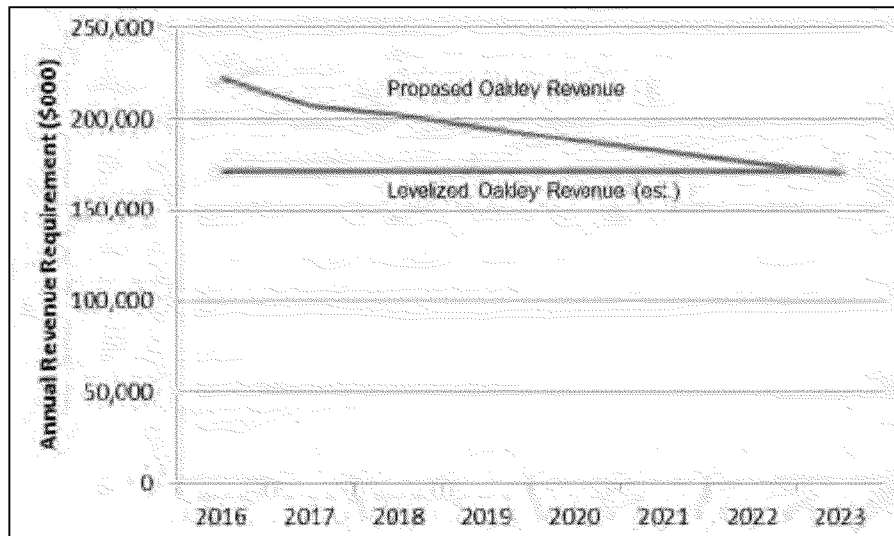
23 Q 127 IEP claims that a rate based project such as the Oakley Project will increase
24 near-term rates to a greater extent than power purchases under a PPA.¹⁵⁴
25 Can you respond to this statement?

26 A 127 IEP's testimony does not tell the full story. IEP's testimony includes the
27 following figure to support its assertion.

¹⁵³ DRA Testimony at p. 4-6 (DRA, Huang).

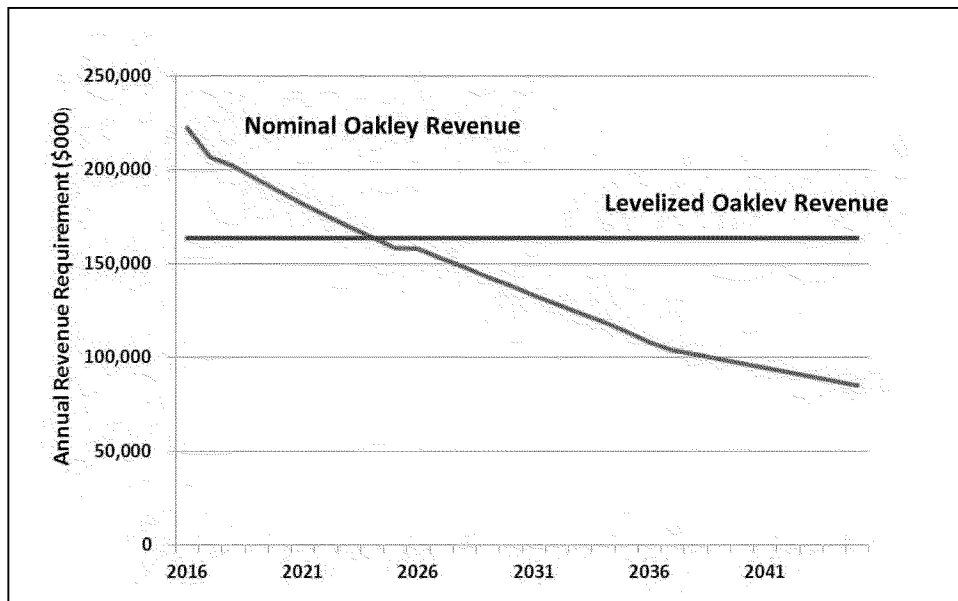
¹⁵⁴ IEP Testimony at pp. 13-14 (IEP, Monsen).

IEP FIGURE 1



1 The figure shows that for the first eight years of service the non-fuel revenue
2 requirement for the Oakley Project exceeds its levelized cost. However,
3 when one looks at the revenue requirement over the expected 30-year life of
4 the project, after about the eighth year the revenue requirement is below the
5 levelized cost, as demonstrated below in IEP Figure 2.

IEP FIGURE 2



6 The Oakley Project will be subject to Commission cost-of-service
7 regulation over the life of the facility, whereas an Independent Power

1 Producer is free to renegotiate the price of its product after the end of the
2 contract term, PG&E customers will continue to receive the benefits of the
3 declining revenue requirement over the life of the Oakley Project.

4 **H. Additional Issues Raised by Intervenors**

5 **1. Concerns About the Operational Characteristics of the Oakley Project** 6 **Are Misplaced**

7 **a. The Oakley Project's Heat Rate Will Be the Best in PG&E's Portfolio**

8 Q 128 FEC/MEC asserts that using ISO¹⁵⁵ conditions when referencing the Oakley
9 Project's heat rate is not appropriate because summer ambient conditions
10 will be different.¹⁵⁶ Do you agree?

11 A 128 No. Manufacturers of generation equipment typically quote their
12 performance at a single operating point identified as ISO conditions.
13 This allows the performance to be used and compared without prejudice of
14 different operating conditions. This is required because plant performance
15 can change with varying ambient conditions. When the Oakley Project's
16 performance was compared to the performance of other CCGT facilities,
17 PG&E appropriately used published CCGT data at ISO conditions.

18 Q 129 Is PG&E attempting to hide the fact that the actual average heat rate will be
19 higher because it may be running a significant amount of time at higher
20 ambient temperatures and at low loads when used for spinning reserve?

21 A 129 No. PG&E used ISO conditions for performance comparison purposes only.
22 Combustion turbine facilities, both combined cycle and simple cycle,
23 generally exhibit the following variations in heat rate:

- 24 □ As the combustion turbines accumulate operating hours, the heat rate
25 will increase.
- 26 □ At higher ambient temperatures, the heat rate will increase. At lower
27 ambient temperatures, the heat rate will decrease.
- 28 □ At lower combustion turbine loads, the heat rate will increase.

29 With regard to the actual operation and corresponding heat rate of the
30 Oakley Project, the facility has been designed as a flexible plant that

¹⁵⁵ ISO refers to International Organization for Standardization. "ISO conditions" is a reference to 59°F and 60 percent relative humidity.

¹⁵⁶ FEC/MEC Testimony at pp. 5-7 (FEC/MEC, Fredericks and Roberts).

1 provides high base load efficiency, wide turndown, fast ramping, and quick
2 starting. As such, the Oakley Project can be operated as a base load facility
3 to take advantage of its high efficiency (low heat rate) or as a highly flexible
4 shaping/load following facility utilizing its other attributes to integrate with
5 renewable energy. It is general knowledge in the industry that the heat rate
6 increases when operating at low loads, but the benefits of the spinning
7 reserve it provides is an overall benefit to support CAISO regulation
8 requirements and PG&E's customers.

9 With combined-cycle facilities, increases in heat rate will be less
10 noticeable than they would be in simple cycle facilities as the higher
11 combustion turbine heat rate will result in increased turbine exhaust energy
12 which can be recovered by the HRSGs to generate additional steam which
13 will translate into additional steam turbine output.

14 Q 130 FEC/MEC suggest that using an Air Cooled Condenser (ACC) was a poor
15 choice for this project because it is less efficient than a water cooled plant at
16 high ambient temperatures and thus will result in a higher heat rate.¹⁵⁷
17 Do you agree?

18 A 130 No. While the ACC technology results in a slight efficiency loss at high
19 ambient temperatures, many operating scenarios of the Oakley Project at
20 various ambient conditions were modeled. One model was performed at a
21 peak July condition of 104°F, 18 percent relative humidity. The model
22 indicates only a Redacted increase in the heat rate¹⁵⁸ from ISO conditions
23 to the July peak condition. At a lower ambient temperature, the increase
24 would be less. However, the benefits of the ACC technology outweigh the
25 slight increase in heat rate at high ambient temperatures. In Chapter 2,
26 page 2-3 of PG&E's Initial Testimony, PG&E explained that the ACC will
27 reduce water consumption by roughly 90 percent when compared to similar
28 combined cycles that utilize water for process cooling. In addition, in
29 Chapter 2, page 2-11, PG&E listed other environmental benefits of an air
30 cooled facility that included reduction in waste water discharge, and

¹⁵⁷ FEC/MEC Testimony at p. 6 (FEC/MEC, Fredericks and Roberts).

¹⁵⁸ Redacted

1 elimination of the unsightly vapor plumes and air emissions related to wet
2 cooled facilities.

3 Finally, a comparison of the Oakley Project to recent wet-cooled projects
4 demonstrates the use of air cooling does not detrimentally impact the
5 efficiency of the Oakley Project:

**TABLE H-1
PACIFIC GAS AND ELECTRIC COMPANY
OAKLEY GENERATING STATION DATA RESPONSE
EFFICIENCY COMPARISON OF NET GUARANTEED ELECTRICAL HEAT RATE TO THOSE OF
WET-COOLED COMBINED CYCLE POWER PLANTS WITHIN PG&E'S PORTFOLIO**

Redacted

6 Q 131 FEC/MEC argues that it is inappropriate for PG&E to compare the
7 Oakley Project's performance with that of existing, older-technology plants
8 now operating in California.¹⁵⁹ Do you agree?

9 A 131 No. First, FEC/MEC implies that PG&E only compared the Oakley Project
10 to significantly older facilities. That is not the case. In Table 2-2 in
11 Chapter 2 of PG&E's Initial Testimony, the Oakley Project was compared to
12 PG&E's Gateway and Colusa Generating Stations' efficiency. The Gateway
13 and Colusa Generating Stations are not "significantly older" facilities.
14 Notably, the comparison indicated that the Oakley Project was more efficient
15 than either of those plants by up to 2 percent.

16 Second, in a data response provided to DRA's Data Request #2,
17 Request 5, PG&E compared the Oakley Project to eleven other air-cooled
18 projects that are either in construction/start-up, in development, or not
19 currently moving forward. The performance number for these projects

¹⁵⁹ FEC/MEC Testimony at p. 7 (FEC/MEC, Fredericks and Roberts).

1 would be “new and clean condition” as FEC/MEC uses that term.

2 This comparison indicated that the Oakley Project had the lowest heat rate
3 of the 12 projects. In fact, one of the projects that is using the Siemens Flex
4 Plant Product technology (the predominant competing technology to GE’s
5 Rapid Response technology) in California, had a heat rate that is
6 approximately 6 percent higher than the Oakley Project.

7 Q 132 FEC/MEC also raises a concern about the energy use when the
8 Oakley Project is offline. Specifically, FEC/MEC claims that the auxiliary
9 boiler and large electrical loads for the vacuum pumps are needed during
10 shutdowns to keep the plant ready for quick start dispatch and that the
11 energy use associated with this equipment should be factored into the
12 reported heat rate.¹⁶⁰ Can you address those concerns?

13 A 132 Yes. Electric-driven vacuum pumps are for the hogging ejectors, which are
14 the ejectors that are used to initially evacuate the sub-atmospheric portion of
15 the steam system. The holding ejectors, those ejectors used to maintain
16 vacuum once it has been established, will be conventional steam jet air
17 ejectors (SJAE). When the Oakley Project is offline in hot-standby mode,
18 the SJAEs will be supplied steam from the auxiliary boiler. It will not
19 normally be necessary to operate the electric driven vacuum pumps in this
20 mode. During shorter offline periods, the demand on the auxiliary boiler is
21 expected to be minimal as steam for the SJAE and steam turbine seals will
22 be provided initially from the thermal energy stored within the HRSGs.
23 During extended offline periods, the auxiliary boiler will come online once
24 the energy stored within the HRSGs is no longer sufficient to supply the
25 steam need for the SJAE and steam turbine seals. It would be impractical to
26 estimate the amount of energy needed during a shutdown because the
27 number and length of shutdowns would be difficult to estimate and may
28 constantly vary based on potential market and climatic condition changes.
29 It is more likely that facilities integrating renewable resources will need to be
30 operating so as to better be able to more quickly provide ramping capability
31 with their spinning reserve.

¹⁶⁰ FEC/MEC Testimony at pp. 7-8 (FEC/MEC, Fredericks and Roberts).

1 Q 133 In response to FEC/MEC,¹⁶¹ is the heat rate of 6,752 British Thermal
2 Units/Kilowatt-Hour (Btu/kWh) (HHV) used in PG&E's Initial Testimony an
3 expected or guaranteed heat rate and do you expect this number to be
4 achieved?

5 A 133 The 6,752 Btu/kWh (HHV) heat rate is an expected heat rate. CCGS's
6 guarantee in the Amended PSA is Redacted Btu/kwh (HHV) which is
7 approximately Redacted higher. Manufacturers typically add
8 approximately 1 percent or more for guarantee margin. If the 1 percent
9 improvement were considered then the expected heat rate would be
10 Redacted Btu/kWh (HHV). This means using typical margins manufacturers add
11 to the expected heat rate for their guarantee, the expected heat rate would
12 be lower than that used in PG&E's testimony. Redacted

Redacted

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16 The new technology 7FA is made up from proven designs of the major
17 components and includes the same design of the combustion system used
18 in the latest existing fleet of 7FA combustion turbines. The combustion
19 system design is one of the major components on achieving emissions and
20 heat rate objectives. It is also important to note that GE achieved the heat
21 rate guarantees for their 7FA combustion turbines on PG&E's Colusa and
22 Gateway Generating Stations. In addition, GE is currently full load testing
23 the first 7FA new technology turbine in the factory. In the past, combustion
24 turbines of similar size to the Oakley Project's were often (but not always)
25 tested at the factory but not at full load. This testing provides a level of
26 comfort that any major issues with the technology will be addressed at the
27 factory before it is installed at the Oakley Project. A recent communication
28 from the leaders of the 7FA new technology testing team at GE provided an
29 update on the testing which stated "the validated base load heat rate fully
30 supports the Oakley performance expectations."¹⁶² The test results also

¹⁶¹ FEC/MEC Testimony at p. 7 (FEC/MEC, Fredericks and Roberts).

¹⁶² See email from GE dated July 30, 2012 from Joe Barry with attached GE testing program update document. This email is included as Attachment I to PG&E's Rebuttal Testimony and the performance information from GE is included as Attachment J.

1 indicate the performance is exceeding GE's expectations in several other
2 areas. GE also provided details of the level of testing being performed and
3 details of the test stand equipment.

4 Q 134 CARE asserts that "[t]he CEC's Comparative Cost of California Central
5 Station Electricity Generation states that an advanced combined cycle
6 project like Oakley should have a heat rate of 6,310 Btu/kWh at the low end
7 and an average heat rate of 6,510 Btu/kWh."¹⁶³ Is this an accurate
8 statement?

9 A 134 No. The referenced CEC report does not classify a project such as the
10 Oakley Project as an advanced combined cycle project.¹⁶⁴ While the
11 Oakley Project is certainly considered an "advanced combined cycle" project
12 when compared to existing F-class combined cycle plants, the referenced
13 CEC report uses the term "advanced combined cycle" specifically in
14 reference to GE's H System™, which is a 400 MW block size unit, designed
15 for baseload operation, that uses a new design concept from the 7FA fleet
16 that is a closed-loop steam cooling system to cool the combustion turbine
17 thereby allowing increased firing temperatures and a higher cycle efficiency.
18 This technology is not designed to provide fast ramping, numerous starts
19 and stops, or turndown. The Inland Empire facility is the only such project in
20 California utilizing this technology. Under the referenced CEC report, the
21 Oakley Project would be more correctly categorized as a "conventional
22 combined cycle" for which the CEC indicates a heat rate range of
23 6,600 Btu/kWh to 7,200 Btu/kWh. The Oakley Project's 6,752 Btu/kWh
24 (HHV) heat rate is at the lower end of this range. In addition, the
25 Oakley Project has the distinct advantage of being designed for renewable
26 integration with fast ramp, fast start and stop, and significant turndown
27 capability. All of these benefits are achieved with high efficiency,
28 low emissions and without duct firing.

29 Q 135 CARE also states that "[t]he more recently constructed combined cycle
30 power plants have average heat rates almost as good as GE's expected
31 baseload heat rate for the Oakley Project. The Metcalf Project has an

¹⁶³ CARE Testimony at p. 8, lines 15-17 (CARE, Sarvey).

¹⁶⁴ See Attachment K (excerpts from CEC report).

1 average heat rate of 6,884 Btu/kWh. The Palomar Project has an average
2 heat rate of 6,959 Btu/kWh.”¹⁶⁵ Can you comment on this statement?

3 A 135 Yes. The heat rates indicated for Metcalf and Palomar are for a single year,
4 2008 when both plants experienced their highest capacity factor, per the
5 referenced CEC report. If the average heat rates for all years listed in the
6 report are averaged, the “average” heat rates for Metcalf and Palomar are
7 7,000 and 7,022 Btu/kWh (HHV), respectively. This is higher than the
8 Oakley Project heat rate.

9 **2. The Oakley Project Is Operationally Flexible and Designed to Integrate**
10 **Renewable Resources**

11 Q 136 FEC/MEC asserts that PG&E’s 2008 LTRFO did not seek new generation
12 resources that were capable of integrating renewable resources and thus
13 the Oakley Project was not designed to provide the operational flexibility
14 needed for renewable integration.¹⁶⁶ Do you agree?

15 A 136 No. First, PG&E’s 2008 LTRFO expressly sought flexible resources that
16 were designed to integrate intermittent renewable generation. In
17 Decision 07-12-052, which authorized the 2008 LTRFO, the Commission
18 authorized PG&E to procure new generation resources that could “be used
19 to adjust for the morning and evening ramps created by intermittent types of
20 renewable resources.”¹⁶⁷ PG&E’s 2008 LTRFO protocol expressly
21 referenced Decision 07-12-052 and indicated in detail the type of new
22 generation resources that were needed to provide operational flexibility.

23 Second, PG&E explained in detail the operating flexibility of the
24 Oakley Project in Chapter 2 of its Initial Testimony, all of which will allow the
25 Oakley Project to have the flexibility needed to integrate renewable
26 resources. FEC/MEC ignores most of this testimony and simply asserts that
27 the Oakley Project will not assist in integrating renewable resources.

28 Third, FEC/MEC ignores the CAISO’s statements that the
29 Oakley Project “exceeds the flexibility of a generic combined cycle resource
30 the [CAISO] is currently using to study grid requirements to facilitate

¹⁶⁵ CARE Testimony at p. 9, lines 2-5 (CARE, Sarvey) (emphasis in original).

¹⁶⁶ FEC/MEC Testimony at pp. 4-5 (FEC/MEC, Fredericks and Roberts).

¹⁶⁷ D.07-12-052 at p. 106.

1 renewable integration” and the Oakley Project “can provide the necessary
2 flexibility to meet [33% RPS integration] requirements.”¹⁶⁸

3 Fourth, FEC/MEC ignores the CEC’s conclusion, after the submission of
4 extensive evidence and hearings, that the Oakley Project is “flexible, highly
5 dispatchable power” that will foster renewable resource integration.¹⁶⁹

6 Q 137 What is the basis for FEC/MEC’s argument that the Oakley Project will be
7 limited in its ability to integrate renewable resources?

8 A 137 FEC/MEC argues that air permit limitations on the number of starts, run
9 hours and emissions limitations will limit the ability of the Oakley Project to
10 integrate renewable resources.¹⁷⁰ CARE makes similar arguments.¹⁷¹

11 Q 138 Are these concerns valid?

12 A 138 No. As described in more detail below, CCGS permitted the Oakley Project
13 for variety of dispatch scenarios including cases with high starts and high
14 operating hour scenarios. There is no permit limit on the annual number of
15 starts, therefore, the Oakley Project will be capable of many more than
16 300 starts by simply trading off operating hour emissions for starts in the
17 annual emissions calculations.

18 Q 139 FEC/MEC claims that, based on the number of starts permitted in the
19 BAAQMD air permit, the Oakley Project will be limited to 2,300 hours of
20 operation per year.¹⁷² Do you agree with this calculation?

21 A 139 No. The Oakley Project is not limited to 300 starts per year. The
22 requirement for 300 starts was a part of PG&E’s 2008 LTRFO requirement.
23 However, the BAAQMD ATC for the Oakley Project does not directly limit
24 the number of starts.¹⁷³ The annual number of starts will be limited only by
25 the annual emissions limits contained in Condition 43 of the BAAQMD ATC.
26 The values listed in Condition 43 were the result of the following three
27 “design” operating scenarios developed by CCGS to establish annual

¹⁶⁸ PG&E Initial Testimony, Chapter 5, Attachment 2.

¹⁶⁹ CEC Final Decision, Section V.A, Greenhouse Gas Emissions, at p. 12.

¹⁷⁰ FEC/MEC Testimony at pp. 9-11 (FEC/MEC, Fredericks and Roberts).

¹⁷¹ CARE Testimony at pp. 10-11 (CARE, Sarvey).

¹⁷² FEC/MEC Testimony at p. 5, lines 6-9 (FEC/MEC, Fredericks and Roberts).

¹⁷³ A copy of the ATC is included as Attachment N to this Rebuttal Testimony.

1 emissions limits that could accommodate a wide variety of actual operating
2 scenarios:

3 □ Case 1

- 4 – 300 total starts of which 25 are cold and 275 are hot.
- 5 – 5,390 total operating hours of which 233 hours are for startups and
6 shutdowns and 5,157 hours are at base load.
- 7 – This case was developed to reflect PG&E's 300 annual starts
8 (25 cold) requirement.

9 □ Case 2

- 10 – 312 total starts of which 1 is cold, 51 are warm and 260 are hot.
- 11 – 5,662 total operating hours of which 229 are for startups and
12 shutdowns and 5,433 hours are at base load.
- 13 – This case was developed to reflect a 6 × 16 operating profile where
14 the plant, on average, would run six days per week for 16 hours per
15 day. This case is more realistic than Case 1 in that it has only
16 one cold start, but still combines a high number of starts with a high
17 number of base load operating hours.

18 □ Case 3

- 19 – 52 starts of which 1 is cold and 51 are hot.
- 20 – 8,463 total operating hours of which 39 hours are for startups and
21 shutdowns and 8,424 hours are at base load.
- 22 – This case was developed to reflect a 6 × 24/1 × 16 operating profile
23 where the plant, on average, would run six days per week for
24 24 hours per day and 18 hours per day for the remaining day.
25 This case more or less reflects a base load operating scenario.

26 In general, annual Carbon Monoxide (CO) and POC emissions are more
27 heavily influenced by the number of starts whereas annual nitrous oxide
28 (NO_x), PM10, and sulfur oxide (SO_x) emissions are more heavily influenced
29 by run hours. CCGS used the highest value from each of the three cases to
30 establish the annual emission limit for each pollutant.¹⁷⁴ These calculations
31 assume average annual operating emissions concentrations that are less

¹⁷⁴ See BAAQMD, Final Determination of Compliance, January 2011, p. A-7 of Appendix A
<http://www.baaqmd.gov/Divisions/Engineering/Public-Notices-on-Permits/2011/012111-20798/Oakley-Generating-Station.aspx>.

1 than the short-term (1-hour) emissions concentration limits included in the
2 air permit. The assumed annual operating emissions concentrations are
3 1.5 parts per million (ppm) for NO_x and 1.0 ppm for CO as opposed to
4 1-hour permit limits of 2.0 ppm for both pollutants. In addition, these
5 calculations assume all operating hours are at base load. In reality, many
6 operating hours can be expected to be at loads less than base load,
7 especially those scenarios with a high number of starts. Since reduced load
8 operation will generate fewer emissions on a mass basis, the assumption
9 that all hours of operation will be at base load overstates the actual
10 operating emissions.

11 CCGS used these lower emissions thresholds for two reasons.

12 First, the scope of work in the Amended PSA requires

Redacted

Redacted

13 . Second,

14 operating plants typically operate below the permits limits so that during
15 minor upsets or transient conditions they do not exceed the permit limits.

16 Q 140 Was the Marsh Landing Project approved by the Commission in
17 Decision 10-07-045 approved, in part, because of its ability to integrate
18 renewable resources?

19 A 140 Yes. The Commission approved the Marsh Landing Project in part because
20 it had “attributes desirable for renewable integration.”¹⁷⁵

21 Q 141 Was the Marsh Landing Project limited in terms of the number of starts or
22 run time?

23 A 141 Yes. The Marsh Landing Project has much more significant limitations than
24 the Oakley Project, including “the facilities’ maximum number of starts per
25 year is limited to 167 per turbine, and the annual hours of operation are
26 limited to 1,705.”¹⁷⁶ Despite this, the Commission recognized that the
27 Marsh Landing Project provided a number of attributes that were desirable
28 for the integration of renewable resources and approved the PPA for the
29 project. The Oakley Project is even more flexible in terms of starts and run
30 time and thus CARE’s and FEC/MEC’s concerns about the ability to
31 integrate renewables are misplaced.

¹⁷⁵ D.10-07-045 at p. 39.

¹⁷⁶ *Id.* at p. 35.

- 1 Q 142 Can you respond to FEC/MEC's and CARE's concerns about the
2 Oakley Project operating characteristics in comparison to other facilities with
3 regard to the Oakley Project's ability to integrate renewables?
4 A 142 Yes. The following tables compare the operating attributes of the
5 Oakley Project with other combined cycle facilities in California:

**TABLE H-2
PACIFIC GAS AND ELECTRIC COMPANY
COMPARISON OF THE OAKLEY PROJECT AND OTHER COMBINED CYCLE FACILITIES IN
PG&E'S PORTFOLIO**

Redacted

**TABLE H-3
PACIFIC GAS AND ELECTRIC COMPANY
OAKLEY GENERATING STATION DATA RESPONSE
STARTUP AND OPERATING HOUR LIMITATIONS OF POWER PLANTS
WITHIN PG&E'S PORTFOLIO**

Redacted

**TABLE H-3
PACIFIC GAS AND ELECTRIC COMPANY
OAKLEY GENERATING STATION DATA RESPONSE
STARTUP AND OPERATING HOUR LIMITATIONS OF POWER PLANTS
WITHIN PG&E'S PORTFOLIO
(CONTINUED)**

Redacted

1 Q 143 CARE indicates that it is concerned with the length of the start times for the
2 Oakley Project.¹⁷⁷ Can you address this concern?

3 A 143 Yes. CARE's brief testimony is based on information selectively pulled from
4 emails and the Amended PSA to make it appear that the start time for the
5 Oakley Project is too slow. The reality is very different. As the tables above
6 indicate, the Oakley Project has the best start up time of any combined-
7 cycle facility in PG&E's portfolio. Moreover, as PG&E described in detail in
8 its Initial Testimony, the Oakley Project ramp rates are very aggressive so
9 that the facility is able to quickly ramp up,¹⁷⁸ the GE Rapid Response
10 technology provides a significantly advance in CCGT design so that the
11 facility can ramp more quickly,¹⁷⁹ and the start times of the Oakley Project
12 are substantially better than average CCGT start times.¹⁸⁰ In short, the
13 facts demonstrate that the Oakley Project overall has significantly better
14 start times than any other combined-cycle resource in PG&E's portfolio.

¹⁷⁷ CARE Testimony at p. 10, lines 4-13 (CARE, Sarvey).

¹⁷⁸ PG&E Initial Testimony at pp. 2-7 to 2-8 (PG&E, Maring).

¹⁷⁹ *Id.* at pp. 2-3 to 2-5 (PG&E, Maring).

¹⁸⁰ *Id.* at p. 2-10, Table 2-1 (PG&E, Maring).

1 Q 144 FEC/MEC states “Oakley simply has too-large generating unit size for
2 Renewable Integration Duty”, and a smaller “block size” is more
3 appropriate.¹⁸¹ Do you agree with this statement?

4 A 144 No. While FEC/MEC states the Oakley Project’s generators are too large,
5 they provide no analysis or basis for what they believe is the proper “block
6 size.” The Oakley Projects generators on the combustion turbines are
7 approximately 20 percent larger than the fleet of GE 7FA and
8 Siemens 501 F combined cycles in California. The steam turbine’s
9 generator would be of similar size as the significant number of F class
10 combined cycles in California that have duct firing capability. FEC/MEC’s
11 statement would lead one to believe that the entire fleet of F class combined
12 cycles in California is too large to support Renewable Integration.
13 The Oakley Project has two block sizes because it has two combustion
14 turbines that can run individually. Within each block there is wide range of
15 turndown that can be ramped up or down to respond to intermittent
16 renewable energy resources.

17 3. The Oakley Project Is a State of the Art Facility

18 Q 145 DRA asserts that more efficient CCGT technologies may have been
19 developed since the 2008 LTRFO and the Oakley Project may no longer be
20 state of the art.¹⁸² IEP makes similar arguments, supporting its claims with
21 several promotional brochures from other manufacturers.¹⁸³ Can you
22 respond to this?

23 A 145 Yes. First, DRA is correct that technology is always developing and there
24 will always be incremental improvements in CCGT technology. That being
25 said, at some point a decision needs to be made regarding a new projects
26 and proposals for new projects cannot constantly be rejected because,
27 during the regulatory approval process, incremental improvements have
28 occurred.

29 Second, neither DRA nor IEP prepared any study or analysis
30 demonstrating that other technologies are more efficient or cost effective

¹⁸¹ FEC/MEC Testimony at p. 12 (FEC/MEC, Frederickson and Roberts).

¹⁸² DRA Testimony at pp. 3-2 to 3-3 (DRA, Shmidt).

¹⁸³ IEP Testimony at pp. 30-32 (IEP, Monsen).

1 than the GE Rapid Response technology included in the Oakley Project.
2 Instead, these parties simply cite several articles and promotional brochures
3 that tout the effectiveness of various technologies and then assert that the
4 GE Rapid Response technology may not be the most efficient. In its Initial
5 Testimony, PG&E provided detailed information and evidence concerning
6 the benefits and efficiency of the GE Rapid Response technology and, other
7 than referencing brochures, DRA and IEP have done nothing to dispute this
8 information.

9 Third, DRA and IEP ignore the analysis performed last year by the CEC
10 of various technologies and equipment that was included as a part of the
11 CEC's Final Decision on the Oakley Project. In its analysis, the CEC
12 considered various alternative technologies and equipment for the
13 Oakley Project, and then concluded that "[t]he evidence indicates that the
14 proposed turbines [for the Oakley Project] embody the most fuel-efficient
15 electric generation technology available."¹⁸⁴

16 Finally, GE has performed testing and validation of its Rapid response
17 technology which demonstrates that the benefits of this technology.¹⁸⁵

18 Q 146 CARE expresses concern that, since the Oakley Project will incorporate
19 state-of-the-art GE technology, there is a chance that facility may have
20 equipment problems.¹⁸⁶ Can you address this concern?

21 A 146 Yes. There are several reasons why PG&E is comfortable with the GE 7FA
22 new technology combustion turbines. First, the new technology 7FA is
23 made up from proven designs of the major components. As GE explained,
24 "[i]n developing the 7FA.05 gas turbine, GE has mined the wealth of
25 knowledge that comes from the largest and most experienced F-class fleet
26 in the industry and combined it with proven technology from across GE's
27 broad portfolio of heavy duty and aeroderivative gas turbines, as well as
28 GE's aircraft engine models."¹⁸⁷ Second, GE has constructed a new testing
29 facility in their Greenville, SC, manufacturing facility to facilitate full load
30 testing of the new compressor design and then the complete combustion

¹⁸⁴ CEC Final Report, Section IV.B, Power Plant Efficiency, at p. 3.

¹⁸⁵ See Attachment L, GE's Next 7FA Gas Turbine Test and Validation, dated July 2011.

¹⁸⁶ CARE Testimony at pp. 9-10 (CARE, Sarvey).

¹⁸⁷ Attachment L at p. 1.

1 turbine assembly. The compressor testing was completed earlier this year
2 and the combustion turbine testing is ongoing as of this writing.¹⁸⁸

3 Third, [Redacted]
4 PG&E also intends to execute a long term maintenance agreement with
5 GE for the Oakley Project, similar to agreements for the Colusa and
6 Gateway Projects. [Redacted]
7 [Redacted]

8 **4. Concerns About Over-Procurement Are Overstated**

9 Q 147 DRA expresses several concerns about potential over-procurement as a
10 result of the Oakley Project. DRA's first concern is about stranded
11 assets.¹⁸⁹ Can you address this?

12 A 147 Yes. As a preliminary matter, given the need described in PG&E's Initial
13 Testimony and Rebuttal Testimony, PG&E does not believe that there is any
14 risk of over-procurement. Instead, the Oakley Project is needed to meet the
15 needs identified by the CAISO for renewable integration, as well as the
16 retirement of OTC units and the potential growth of distributed generation.
17 However, even if the Oakley Project does result in over-procurement for a
18 limited period of time, the risk of under-procurement balances any risk of
19 over-procurement. In Decision 07-01-041, the Commission explained the
20 considerable and detrimental impact that under-procurement and lack of
21 electric system reliability can have on California.¹⁹⁰ More recently, in the
22 2012 LTPP proceeding, the CAISO provided testimony explaining the
23 asymmetric risk of under-procurement versus over-procurement. As CAISO
24 witness Neil Millar aptly explained:

25 Q. TURN witness Woodruff and other intervener witnesses have taken
26 issue with the ISO's cautionary statements, in Mr. Spark's
27 supplemental testimony, that the risks of under-procurement are
28 greater than the risks of over-procurement ("asymmetric risk").
29 What is your response?

30 A. Reiterating earlier comments, I believe a fundamental threat to
31 achieving the state's goals is to fail to provide reliable service in the
32 transition. Over-reaching in attributing potential benefits to resources
33 that provide other benefits, and failing to take appropriate action to
34 ensure reliable system operation will jeopardize reliability as well as

¹⁸⁸ See Attachments I and J.

¹⁸⁹ DRA Testimony at p. 2-12 (DRA, Shmidt).

¹⁹⁰ D.07-01-041 at p. 23 and FOF 17-18.

1 continued progress in advancing state goals. Contrary to assurances
2 provided in other testimony in this proceeding, in particular Ms. May's
3 and Mr. Spencer's, rotating outages due to lack of local capacity are
4 noticed by the public, and declining system reliability will not an
5 acceptable consequence of transitioning to a more sustainable
6 energy future.

7 Mr. Sparks' supplemental testimony drew considerable acrimony in
8 referring to the asymmetrical risk of over-supply versus under-supply.
9 The asymmetrical risk is, in my view, is a statement of fact, not an
10 attempt to encourage decisions based on fear. To the contrary, this
11 is a time for pragmatic decisions enabling the electric system in
12 California to move forward in addressing the complex issues.¹⁹¹

13 Q 148 DRA's second concern is that the Oakley Project could increase GHG
14 emissions by filling any need with a conventional resource. Do you agree
15 with this concern?

16 A 148 No. As explained in detail in PG&E's Initial Testimony and Rebuttal
17 Testimony, the Oakley Project is exactly the kind of facility needed to
18 integrate renewable resources and thus it actually facilitates GHG-free
19 resources such as wind and solar. Moreover, in reviewing the Oakley
20 Project, the CEC made a number of key determinations regarding the
21 environmental benefits of the Oakley Project, including a reduction in
22 GHG emissions. The CEC explained:

23 If no new natural gas plants were constructed, reliance on older power
24 plants may increase. These plants could consume more fuel and emit
25 more air pollutants per kilowatt-hour generated than the [Oakley
26 Project]. In the near term, the more likely result is that existing plants,
27 many of which produce higher levels of pollutants, could operate more
28 than they do now.¹⁹²

29 The CEC then went on to conclude:

30 The [Oakley Project] will be consistent with the state's GHG policies and
31 will help achieve the state's GHG goals, by (1) causing a decrease in
32 overall electricity system GHG emissions; and (2) fostering the addition
33 of renewable generation into the system, which will further reduce
34 system GHG emissions.¹⁹³

35 Q 149 What was DRA's third concern?

36 A 149 DRA was also concerned that the Oakley Project could "crowd out"
37 preferred resources. However, PG&E is not suggesting that the

¹⁹¹ *Reply Testimony of Neil Millar on Behalf of the California Independent System Operator Corporation*, submitted July 23, 2012 in Rulemaking 12-03-014 at p. 18.

¹⁹² CEC Final Decision, Section II, Project Alternatives, at p. 13.

¹⁹³ *Id.*, Section V.A, GHG Emissions, at p. 2.

1 Oakley Project replace any of the preferred resources required by the
2 Commission, such as to meet the 33 percent RPS goal. In fact, without
3 resources such as the Oakley Project, it will be difficult to achieve the
4 State's challenging preferred resource goals. As the CAISO explained in
5 the Sutter Waiver Petition:

6 Nothing, however, will undermine the state's policy goals more quickly
7 than reliability issues, challenges with integrating renewable resources,
8 or significant cost impacts. Ensuring that we have adequate flexible
9 resources on the system enables us to avoid operations issues and
10 mitigate cost impacts.¹⁹⁴

11 Q 150 IEP also expresses concern about the impact of the Oakley Project on
12 PG&E's rates.¹⁹⁵ Please respond to this concern.

13 A 150 PG&E is also concerned about customer rates and costs. However, there
14 are a number of significant items that impact rates, including rate design,
15 compliance-related costs such as RPS and GHG costs, electric and gas
16 distribution and transmission costs, and numerous other items. As PG&E
17 explained in Section E, the Oakley Project is cost effective and has a
18 significantly better value than other alternative resources. Moreover, as
19 explained above, the cost of under-procuring resources is likely substantially
20 more significant than the incremental costs of the Oakley Project.
21 Notably, in the 2012 LTPP proceeding, IEP indicated that, on balance,
22 IEP advocates a more conservative approach to procurement to avoid
23 shortages.¹⁹⁶ IEP also noted that given the 6-8 years that it takes to
24 develop a new resource, the Commission should not delay procurement
25 decisions.

26 Q 151 Has IEP expressed concerns about rate impacts when PPAs are being
27 amended to increase the PPA costs.

28 A 151 Not that I am aware of. For example, as PG&E explained in Section G, as a
29 result of permitting delays and cost increases in equipment, materials and
30 labor, the developer of the Russell City Project asked for a delay in the

¹⁹⁴ Sutter Waiver Petition at p. 3.

¹⁹⁵ IEP Testimony at pp. 7-17 (IEP, Monsen).

¹⁹⁶ *Reply Testimony of William A. Monsen on Behalf of the Independent Energy Producers Association Concerning Track One of the Long-Term Procurement Proceeding*, submitted July 23, 2012 in R.12-03-014. PG&E has attached the relevant portions of this testimony as Attachment O.

1 project on-line date, a contract price increase, and other amendments.¹⁹⁷

2 The Commission ultimately approved a revised version of the PPA
3 amendments that included, among other items, “a 30% cost increase over
4 the terms of the original PPA” and provisions that shifted “certain risks from
5 the developer to PG&E’s customers related to control of future GHG
6 emissions.”¹⁹⁸ IEP did not express any concern about the 30 percent cost
7 increase or the risk transfer proposed by Russell City Project developer or
8 the impact of this increase on rates.

9 Q 152 Does IEP’s concern about the rate impact of various actions such as this
10 Application or the Russell City PPA amendment appear to be selective?

11 A 152 Yes. When an application involves a UOG proposal, IEP is concerned
12 about the rate impact. When a PPA is amended, IEP seems less concerned
13 about rate impacts.

14 **5. PG&E’s Confidentiality Designations Are Appropriate and the Amount**
15 **of Discovery Provided Has Been Voluminous**

16 Q 153 IEP complains that it was not able to review the Amended PSA because
17 “PG&E has not made the Amended PSA available to IEP.”¹⁹⁹ WPTF raises
18 a similar issue.²⁰⁰ Can you comment on these concerns?

19 A 153 Yes. First, PG&E marked the Amended PSA as market sensitive
20 information consistent with Commission Decision 06-06-066 and Pub. Util.
21 Code Section 454.5(g). Administrative Law Judge (ALJ) Yacknin affirmed
22 that the Amended PSA was appropriately marked confidential in the
23 *Administrative Law Judge’s Ruling on Motion to Seal the Evidentiary*
24 *Record*, issued June 28, 2012. The Commission has determined that IEP is
25 a market participant and cannot have access to market sensitive
26 information.²⁰¹ Second, in Decision 11-07-028, the Commission
27 established a procedure for market participants, such as IEP and WPTF, to
28 use a reviewing representative in proceedings to review market information.

¹⁹⁷ D.09-04-010 at p. 2 (approving amendments to the Russell City Project PPA).

¹⁹⁸ *Id.* at pp. 7-8.

¹⁹⁹ IEP Testimony at p. 5 (IEP, Monsen).

²⁰⁰ WPTF Testimony at p. 10, lines 8-10 (WPTF, Ackerman).

²⁰¹ D.11-07-028 at p. 34 (identifying IEP as a market participant).

1 IEP and/or WPTF could have followed this procedure and a reviewing
2 representative could have had access to the Amended PSA. Thus, it is
3 inaccurate for IEP to say that PG&E did not make the Amended PSA
4 available. The reality is that IEP's and/or WPTF's reviewing representative
5 could have reviewed the Amended PSA in this proceeding, but these parties
6 chose not to avail itself of the procedures approved by the Commission in
7 Decision 11-07-028.

8 Q 154 How many discovery requests, including subparts, has PG&E responded to
9 in this proceeding?

10 A 154 PG&E has responded to 19 sets of data request in this proceeding,
11 which include a total of 192 questions, 419 total questions including question
12 sub-parts. PG&E has a 97 percent on-time response rate within this
13 proceeding.

14 **6. PG&E Is Providing Attachments of Materials Cited in Its Initial and**
15 **Rebuttal Testimony**

16 Based on direction provided by ALJ Yacknin after PG&E's Initial
17 testimony was served, PG&E is providing as attachments to this Rebuttal
18 Testimony all or relevant portions of the following materials that were cited
19 either in PG&E's Initial Testimony or its Rebuttal Testimony:

Attachment	Attachment Description
A	<i>Local Reliability Track I Reply Testimony of Sean Beatty on Behalf of GenOn Energy, Inc.</i> , submitted on July 23, 2012 in R.12-03-014
B	<i>Petition for Waiver of Tariff Provisions and Request for Confidential Treatment</i> , filed by the CAISO in FERC Docket No. ER-12-897-000 on January 25, 2012(a)
C	<i>Testimony of Mark Rothleder on Behalf of the California Independent System Operator</i> , submitted on May 23, 2012 in R.12-03-014
D	<i>Opening Brief of the California Independent System Operator on Track I Issues</i> , filed September 16, 2011 in R.10-05-006
E	<i>Flexible Capacity procurement: market and Infrastructure Straw Proposal</i> , issued by the CAISO on March 7, 2012
F	<i>2013 Flexible Capacity procurement Requirement: Supplemental Information to Proposal</i> , issued by the CAISO on March 2, 2012
G	<i>Market Surveillance Committee Operational Flexibility Study Update</i> , issued by the CAISO on June 22, 2012
H	<i>Reply Comments of the Independent Energy Producers Association on the Proposed Decision on tracks I and III of the Long-Term procurement Plan Proceeding</i> , filed by IEP on March 19, 2012 in R.10-05-006
I	E-Mail from Joe Barry (GE Power & Water) to Jon Maring (PG&E) regarding GE 7FA.05 and Rapid Response - Experience, Test, and Validation Data dated July 30, 2012
J	Performance Information provided by GE on July 30, 2012
K	Excerpts from CEC's <i>Comparative Cost of California Central Station Electricity Generation</i> , cited in CARE's Testimony on p. 8, n. 18
L	GE's Next 7FA Gas Turbine Test and Validation, dated July 2011
M	2011 CEC Integrated Energy Policy Report
N	Oakley Project Authority to Construct issued by BAAQMD
O	<i>Reply Testimony of William A. Monsen on Behalf of the Independent Energy Producers Association Concerning Track One of the Long-Term Procurement Proceeding</i> , submitted July 23, 2012 in R.12-03-014.
<hr/> <p>(a) This does not include the Declaration of Mark Rothleder which was included as Attachment 1 to Chapter 5 of PG&E's initial Testimony.</p>	

PACIFIC GAS AND ELECTRIC COMPANY
APPENDIX
STATEMENTS OF QUALIFICATIONS

1 **PACIFIC GAS AND ELECTRIC COMPANY**
2 **STATEMENT OF QUALIFICATIONS OF ANTONIO J. ALVAREZ**

3 Q 1 Please state your name and business address.

4 A 1 My name is Antonio J. Alvarez, and my business address is Pacific Gas and
5 Electric Company, 245 Market Street, San Francisco, California.

6 Q 2 Briefly describe your responsibilities at Pacific Gas and Electric Company
7 (PG&E).

8 A 2 I am a manager within the Energy Policy, Planning and Analysis Department
9 of PG&E's Energy Procurement organization. I lead the team responsible
10 for renewable integration issues.

11 Q 3 Please summarize your educational and professional background.

12 A 3 I earned a bachelor of science degree in civil engineering from the
13 Universidad Javeriana, a master's degree in engineering management from
14 Stanford University, and a master's degree in business administration from
15 the Haas School of Business at the University of California, Berkeley.
16 I joined PG&E in September 1977 and have held various positions in
17 planning and contract analysis and administration.

18 Q 4 What is the purpose of your testimony?

19 A 4 I am sponsoring sections:

- 20 • C.2, "There Is a Specific, Unique Reliability Need for the Oakley
21 Project."
- 22 • D.2, "The Final Results From CAISO Studies Demonstrate Significant
23 Reliability Risks."
- 24 • D.4, "PG&E Addressed TURN's Concern Regarding the Valuation of a
25 UOG Asset."
- 26 • E.2, "There Is a Public Interest in a Reliable Regulatory Framework."
- 27 • E.3, "The Oakley Project Is Cost Effective."
- 28 • E.4, "The Oakley Project Is Infra-Marginal."
- 29 • E.6, "The Oakley Project Will Facilitate the Retirement of and Reliance
30 on Aging and Inefficient Units."
- 31 • E.7, "The Oakley Project Provides Environmental Benefits and Does Not
32 Displace Renewables."
- 33 • E.8, "Recent Developments in California Support the Oakley Project."

- 1 • H.4, “Concerns About Over-Procurement Are Overstated.”
- 2 Q 5 Does this conclude your statement of qualifications?
- 3 A 5 Yes, it does.

1 **PACIFIC GAS AND ELECTRIC COMPANY**
2 **STATEMENT OF QUALIFICATIONS OF JON L. MARING**

3 Q 1 Please state your name and business address.

4 A 1 My name is Jon L. Maring, and my business address is Pacific Gas and
5 Electric Company, 245 Market Street, San Francisco, California.

6 Q 2 Briefly describe your responsibilities at Pacific Gas and Electric Company
7 (PG&E).

8 A 2 I am a senior director in the Energy Supply Department.

9 Q 3 Please summarize your educational and professional background.

10 A 3 I joined PG&E in 2005 as director in the Generation Department,
11 responsible for new power plant construction. Prior to PG&E, I worked at
12 Calpine Corporation where I was a director of new power plant construction.
13 I have more than 35 years of experience working in power generation
14 projects in the areas of development, engineering, and construction, and
15 have been involved in projects that resulted in approximately
16 4,500 megawatts of new generation in California over the last 15 years,
17 including PG&E's new Gateway Generating Station, Colusa Generating
18 Station, and Humboldt Bay Generating Station. I attended Union College in
19 New York, in mechanical engineering, and I am a licensed mechanical
20 engineer in California. I also hold a project management certificate from
21 University of California, Davis. Other former employers include Sacramento
22 Municipal Utility District and General Electric Company, where I also worked
23 in the areas of new power plant development, design, and construction.

24 Q 4 What is the purpose of your testimony?

25 A 4 I am sponsoring sections:

- 26 • C.3, "Additional Issues Raised Regarding D.07-12-052."
- 27 • D.1, "The Oakley Project Has All Necessary Permits."
- 28 • D.3, "As the Commission Determined in D.10-07-045, the Oakley Project
29 Has Numerous Beneficial Attributes."

30 I am co-sponsoring sections:

- 31 • H.1, "Concerns About the Operational Characteristics of the Oakley
32 Project Are Misplaced."

- 1 • H.2, “The Oakley Project Is Operationally Flexible and Designed to
- 2 Integrate Renewable Resources.”
- 3 • H.3, “The Oakley Project Is a State of the Art Facility.”
- 4 Q 5 Does this conclude your statement of qualifications?
- 5 A 5 Yes, it does.

1 **PACIFIC GAS AND ELECTRIC COMPANY**
2 **STATEMENT OF QUALIFICATIONS OF MARINO MONARDI**

3 Q 1 Please state your name and business address.

4 A 1 My name is Marino Monardi, and my business address is Pacific Gas and
5 Electric Company, 77 Beale Street, San Francisco, California.

6 Q 2 Briefly describe your responsibilities at Pacific Gas and Electric Company
7 (PG&E).

8 A 2 I am a director in the Energy Supply Management organization and
9 responsible for management of the short-, medium- and long-term electric
10 portfolio.

11 Q 3 Please summarize your educational and professional background.

12 A 3 I have more than 27 years of experience working in the electric and gas
13 utility industry predominantly in the areas of structured transactions,
14 planning, trading and operations. I joined PG&E in 2004, where I have had
15 leading roles in several Request for Offers as well as structuring a number
16 of long-term power purchase transactions. Prior to my employment at
17 PG&E, I worked at Puget Sound Energy as a director in the Energy Portfolio
18 Management Division. There my responsibilities included overseeing the
19 development and implementation of hedging and optimization strategies and
20 programs to manage power and gas portfolio costs and risk, the structuring
21 and transacting of derivatives to manage price and volumetric risks, and the
22 analysis of power and gas markets and the portfolio to support such hedging
23 activities. I have also worked for the Sacramento Municipal Utility District
24 and the Illinois Department of Energy and Natural Resources. I attended
25 the University of Wisconsin/Parkside, and Indiana University, where I
26 received a master's degree in public affairs with a specialization in energy
27 economics.

28 Q 4 What is the purpose of your testimony?

29 A 4 I am sponsoring s ections:

- 30 • A, "A CPCN Is Not Required for the Oakley Project (Issue 1(a))."
31 • B, "The Oakley Project Should Not Be Barred by Decision 12-04-046
32 (Issue 1(b))."
33 • C.1, "An RFO for New Resources by 2018 Is Infeasible."

- 1 • E.1, “System Reliability Risks Resulting From Regulatory Lag.”
- 2 • E.5, “UOG Facilities Such as the Oakley Project Should Not Be Barred in
- 3 California.”
- 4 • F.1, “The Amended PSA Is Reasonable and the Oakley Project Is
- 5 Least-Cost and Best Fit.”
- 6 • F.2, “The Oakley Project Is the Least Cost/Best Fit Alternative.”
- 7 • H.5, “PG&E’s Confidentiality Designations Are Appropriate and the Amount
- 8 of Discovery Provided Has Been Voluminous.”
- 9 Q 5 Does this conclude your statement of qualifications?
- 10 A 5 Yes, it does.

1 PACIFIC GAS AND ELECTRIC COMPANY
2 STATEMENT OF QUALIFICATIONS OF STEVE ROYALL

3 Q 1 Please state your name and business address.

4 A 1 My name is Steve Royall, and my business address is Pacific Gas and
5 Electric Company, 245 Market Street, San Francisco, California.

6 Q 2 Briefly describe your responsibilities at Pacific Gas and Electric Company
7 (PG&E).

8 A 2 I am a director in the Energy Supply Department.

9 Q 3 Please summarize your educational and professional background.

10 A 3 I joined PG&E in 2007 as director in the Generation Department,
11 responsible for managing the Gateway Generating Station. Prior to PG&E,
12 I worked at Northern California Power Agency where I was the assistant
13 general manager of power generation and the manager of gas fired
14 generation. I have more than 35 years of experience working in power
15 generation projects in the areas of operation, engineering, and construction,
16 and commissioning and have been involved in projects that resulted in
17 approximately 3,500 megawatts of new generation in California and
18 Washington over the last 35 years, including PG&E's new Gateway
19 Generating Station, and Colusa Generating Station. Other former
20 employers include Calpine Corporation, Phillips oil company and Freeport
21 MCMoran Corporation.

22 Q 4 What is the purpose of your testimony?

23 A 4 I am co-sponsoring sections:

- 24 • H.1, "Concerns About the Operational Characteristics of the Oakley
25 Project Are Misplaced."
26 • H.2, "The Oakley Project Is Operationally Flexible and Designed to
27 Integrate Renewable Resources."
28 • H.3, "The Oakley Project Is at the State of the Art Facility."

29 Q 5 Does this conclude your statement of qualifications?

30 A 5 Yes, it does.

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA
DECLARATION OF MARINO MONARDI IN SUPPORT OF
THE CONFIDENTIAL TREATMENT OF PG&E'S PREPARED REBUTTAL
TESTIMONY
IN A.12-03-026**

I, Marino Monardi, declare:

1. I am a director in the Energy Supply Management organization at Pacific Gas and Electric Company (PG&E). I am responsible for management of PG&E's short-, medium- and long-term electric portfolio. This declaration is based on my personal knowledge of PG&E's electric portfolio and my understanding of the Commission's decisions protecting the confidentiality of market-sensitive information concerning fuels management of an investor-owned utility.

2. Based on my knowledge and experience, and in accordance with the "Administrative Law Judge's Ruling Clarifying Interim Procedures For Complying With Decision 06-06-066," issued in Rulemaking 05-06-040 on August 22, 2006, I make this declaration seeking confidential treatment for certain information contained in PG&E's prepared testimony in A.12-03-026.

3. Attached to this declaration is a matrix identifying the data and information for which PG&E is seeking confidential treatment. The matrix specifies that the material PG&E is seeking to protect constitutes the particular type of data and information listed in Appendix 1 (the "IOU Matrix") of Decision 06-06-066 or constitutes information that should be protected under General Order 66-C. The matrix also specifies the category or categories in the IOU Matrix to which the data and information corresponds, and why confidential protection is justified. Finally, the matrix specifies that: (1) PG&E is complying with the limitations specified in the IOU Matrix for that type of data or information; (2) the information is not already public; and (3) the data cannot be aggregated, redacted, summarized or otherwise protected in a way that

allows partial disclosure. By this reference, I am incorporating into this declaration all of the explanatory text that is pertinent to my testimony in the attached matrix.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on August 3rd, 2012 at San Francisco, California.



MARINO MONARDI

PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)
A.12-03-026 - PG&E's Rebuttal Testimony
August 3, 2012

IDENTIFICATION OF CONFIDENTIAL INFORMATION

Redaction Reference	Listed in Matrix (Y/N)	Matrix Category	Comply with matrix limitation (Y/N)	Not already public (Y/N)	Cannot be aggregated, redacted or summarized (Y/N)	PG&E's Justification for Confidential Treatment	Length of Time
Document: A.12-03-026 - PG&E's Rebuttal Testimony							
Q&A 32	N	General Order 66-C	N/A	Y	Y	This testimony includes confidential, non-public interconnection information.	For information under GO 66-C, indefinite.
Q&A 33	N	General Order 66-C	N/A	Y	Y	This testimony contains confidential market sensitive information obtained and/or developed internally by PG&E. Disclosure of this information and analysis would provide valuable market sensitive information to competitors.	For information under GO 66-C, indefinite.
Q&A 94, Table E-1	Y	Item VIII.B	Y	Y	Y	This table includes quantitative price analyses and net market valuation of projects offered in PG&E's 2008 LTRFO and negotiated bilaterally. This analysis reveals information that could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information covered under Item VIII.B, remain confidential for three years after winning bids selected.
Q&A 95, Table E-2	Y	Items VII.B General Order 66-C	Y	Y	Y	The redacted information contains confidential pricing information from the Amended and Restated Purchase and Sale Agreement ("Amended PSA") as well as market information concerning valuation of the benefits of the Oakley Project. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information confidential under Item VII.B, confidential for three years after date contract deliveries start. For information under GO 66-C, indefinite.

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)
A.12-03-026 - PG&E's Rebuttal Testimony
August 3, 2012**

IDENTIFICATION OF CONFIDENTIAL INFORMATION

Redaction Reference	Listed in Matrix (Y/N)	Matrix Category	Comply with matrix limitation (Y/N)	Not already public (Y/N)	Cannot be aggregated, redacted or summarized (Y/N)	PG&E's Justification for Confidential Treatment	Length of Time
Q&A 100, Footnote 123	Y	Item VIII.B	Y	Y	Y	The redacted information contains net market values on a levelized basis from offers in the 2008 LTRFO. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information covered under Item VIII.B, remain confidential for three years after winning bids selected.
Q&A 102	Y	Items VII.B General Order 66-C	Y	Y	Y	The redacted information contains confidential pricing information analysis based on the terms of the Amended PSA, as well as market information concerning valuation of the benefits of the Oakley Project. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information confidential under Item VII.B, confidential for three years after date contract deliveries start. For information under GO 66-C, indefinite.
Q&As 113-115 (redacted portion)	Y	Items VII.B	Y	Y	Y	Describes confidential contract terms from the Amended PSA. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information confidential under Item VII.B, confidential for three years after date contract deliveries start.
Q&A 129, footnote 160	Y	Item VII.B	Y	Y	Y	Information based on contract terms from the Amended PSA. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information covered under Item VII.B, remain confidential for three years

PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)
A.12-03-026 - PG&E's Rebuttal Testimony
August 3, 2012

IDENTIFICATION OF CONFIDENTIAL INFORMATION

Redaction Reference	Listed in Matrix (Y/N)	Matrix Category	Comply with matrix limitation (Y/N)	Not already public (Y/N)	Cannot be aggregated, redacted or summarized (Y/N)	PG&E's Justification for Confidential Treatment	Length of Time
Q&A 129, Table H-1	Y	Item VII.B General Order 66-C, Section 2	Y	Y	Y	The table contains confidential contract terms and operating information regarding the Oakley Project and the capabilities of the Oakley Project generating equipment. This table also contains confidential performance information from the Los Esteros, Russell City, and Delta facilities that are based on contractual terms and/or PG&E operating information.	For information covered under Item VII.B, remain confidential for three years after date contract deliveries start. For information under GO 66-C, indefinite.
Q&A 132 (redacted portion)	Y	Item VII.B	Y	Y	Y	Information based on contract terms from the Amended PSA and description of contract terms. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information covered under Item VII.B, remain confidential for three years
Q&A 138 (redacted portion)	Y	Item VII.B	Y	Y	Y	Describes contract terms from the Amended PSA. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information covered under Item VII.B, remain confidential for three years
Q&A 141, Tables H-2, H-3	Y	Item VII.B. General Order 66-C, Section 2	Y	Y	Y	The tables detail confidential contract terms and operating information regarding the Oakley Project and the capabilities of the Oakley Project generating equipment. These tables also contain confidential performance information from several facilities that are based on contractual terms and/or PG&E operating information. PG&E is required by the PSA to maintain confidentiality of contract terms.	For information covered under Item VII.B, remain confidential for three years For information under GO 66-C, indefinite.

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)
A.12-03-026 - PG&E's Rebuttal Testimony
August 3, 2012**

IDENTIFICATION OF CONFIDENTIAL INFORMATION

Redaction Reference	Listed in Matrix (Y/N)	Matrix Category	Comply with matrix limitation (Y/N)	Not already public (Y/N)	Cannot be aggregated, redacted or summarized (Y/N)	PG&E's Justification for Confidential Treatment	Length of Time
Q&A 144 (redacted portion)	Y	Item VII.B	Y	Y	Y	Describes contract terms from the Amended PSA. This information could be used by suppliers to structure future offers that result in higher procurement costs for PG&E and its customers.	For information covered under Item VII.B, remain confidential for three years