

From: Pak, Alvin
Sent: 1/7/2013 11:48:35 AM
To: smw@cpuc.ca.gov (smw@cpuc.ca.gov)
bernardo@braunlegal.com (bernardo@braunlegal.com); abb@eslawfirm.com
(abb@eslawfirm.com); atrowbridge@daycartermurphy.com
(atrowbridge@daycartermurphy.com); amber.wyatt@sce.com
(amber.wyatt@sce.com); Cherry, Brian K
(/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7);
Cc: brbarkovich@earthlink.net (brbarkovich@earthlink.net); bfinkelstein@turn.org
(bfinkelstein@turn.org); case.admin@sce.com (case.admin@sce.com);
bobgex@dwt.com (bobgex@dwt.com); blaising@braunlegal.com
(blaising@braunlegal.com); Gavelis, Bill
(/O=PG&E/OU=Corporate/cn=Recipients/cn=BHG2);
Bret.Reich@KernRiverGas.com (Bret.Reich@KernRiverGas.com); filings@a-
klaw.com (filings@a-klaw.com); cem@newsdata.com (cem@newsdata.com);
Buchsbaum, Craig (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=CMB3);
douglass@energyattorney.com (douglass@energyattorney.com);
dgrandy@caonsitegen.com (dgrandy@caonsitegen.com);
dcarroll@downeybrand.com (dcarroll@downeybrand.com); dlf@cpuc.ca.gov
(dlf@cpuc.ca.gov); fvr@cpuc.ca.gov (fvr@cpuc.ca.gov); Wong, Elaine
(/O=PG&E/OU=Corporate/cn=Recipients/cn=EHW2); Central Files
(CentralFiles@semprautilities.com); fred.lyn@cityofrc.us (fred.lyn@cityofrc.us);
grubbs@montaguederose.com (grubbs@montaguederose.com);
claire.torchia@sce.com (claire.torchia@sce.com);
cpucrulings@navigantconsulting.com (cpucrulings@navigantconsulting.com);
California Manufacturers Association - Rothrock, Dorothy (drothrock@cmta.net);
esaenz@water.ca.gov (esaenz@water.ca.gov); Wu, Josephine
(/O=PG&E/OU=Corporate/cn=Recipients/cn=JWWd); RegRelCPUCCases
(/O=PG&E/OU=Corporate/cn=Recipients/cn=RegRelCPUCCases);
kmills@cfbf.com (kmills@cfbf.com); joyw@mid.org (joyw@mid.org);
Jennifer.Shigekawa@sce.com (Jennifer.Shigekawa@sce.com); nes@a-klaw.com
(nes@a-klaw.com); jeanne.sole@sfgov.org (jeanne.sole@sfgov.org);
marcel@turn.org (marcel@turn.org); mang@turn.org (mang@turn.org);
liddell@energyattorney.com (liddell@energyattorney.com); mrw@mrwassoc.com
(mrw@mrwassoc.com); Huffman, Mark (Law)
(/O=PG&E/OU=Corporate/cn=Recipients/cn=MRH2); Zahariudakis, George
(/O=PG&E/OU=Corporate/cn=Recipients/cn=GxZ5); mcox@calplg.com
(mcox@calplg.com); rvn@a-klaw.com (rvn@a-klaw.com);
jmcMahon@8760energy.com (jmcMahon@8760energy.com); kpp@cpuc.ca.gov
(kpp@cpuc.ca.gov); Sean.Beatty@mirant.com (Sean.Beatty@mirant.com);
mshames@ucan.org (mshames@ucan.org); jf2@cpuc.ca.gov (jf2@cpuc.ca.gov);
scr@cpuc.ca.gov (scr@cpuc.ca.gov); lwt@cpuc.ca.gov (lwt@cpuc.ca.gov);
jsw@cpuc.ca.gov (jsw@cpuc.ca.gov); ljt@cpuc.ca.gov (ljt@cpuc.ca.gov);
kar@cpuc.ca.gov (kar@cpuc.ca.gov); perdue@montaguederose.com
(perdue@montaguederose.com); kho@cpuc.ca.gov (kho@cpuc.ca.gov);

Kloberdanz, Kari (KKloberdanz@semprautilities.com); Keilani, Wendy (WKeilani@semprautilities.com); Water.CA.GOV - Pachero, J. (jpacheco@water.ca.gov); mwofford@water.ca.gov (mwofford@water.ca.gov); rwc@cpuc.ca.gov (rwc@cpuc.ca.gov); whb@a-klaw.com (whb@a-klaw.com); todd.edmister@bingham.com (todd.edmister@bingham.com); Pagedar, Sujata (/O=PG&E/OU=Corporate/cn=Recipients/cn=sxpg); tomk@mid.org (tomk@mid.org); yee@cpuc.ca.gov (yee@cpuc.ca.gov); smw@cpuc.ca.gov (smw@cpuc.ca.gov); william.v.walsh@sce.com (william.v.walsh@sce.com); York, Jamie K (JYork@semprautilities.com)

Bcc:

Subject: R.11-03-006: Error in SDG&E Opening Comments

Judge Wilson,

In comparing the Opening Comments filed by SDG&E in this proceeding on January 4, 2013, with the Opening Comments filed by Southern California Edison and Pacific Gas & Electric, it became apparent to me that I misread Commission Decision 08-11-056, entitled *Decision Authorizing Measures to Facilitate Removal of Department of Water Resources from the Role of Supplying Electric Power*, issued in Commission Rulemaking 07-05-025. My error caused me to distinguish that Commission order from the issues now pending on erroneous grounds. (See *Opening Comments of San Diego Gas & Electric Company (U-902-E)*, at footnote 24 at page 8, in particular, the last sentence, which reads as follows: "The Sunrise power purchase agreement was not the subject of a novation and the allocation of the costs of TSA 1724 is thus not governed by Decision [08-11-056].") SDG&E concedes that Decision 08-11-056 cannot be distinguished on the grounds asserted. My error does not, however, cause SDG&E to change any of its arguments as stated in our Opening Comments since, as stated earlier in the same footnote, SDG&E's view is that Decision 08-11-056 continued the general principles of cost allocation cited in the remainder of SDG&E's Opening Comments.

I would request permission to correct the foregoing error by amending the footnote in a further formal filing or by whatever other means you deem appropriate. I am serving this request on the other parties in advance of the filing of Reply Comments so as to reduce the inconvenience to those parties from my error. Thank you for your consideration of this request.

Alvin S. Pak

Counsel for San Diego Gas & Electric Company

619.696.2190