

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

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

Rulemaking 12-03-014
(Filed March 22, 2012)

**NOTICE OF EX PARTE COMMUNICATION BY
CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE**

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Dated: January 18, 2013

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Pursuant to Article 8 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure, the California Environmental Justice Alliance (CEJA) hereby files this notice of the following oral ex parte communication with Matthew Tisdale, advisor to Commissioner Michel Florio. The meeting was requested by the attorneys for CEJA to discuss the above-referenced proceeding.

On January 15, 2013, from approximately 4:00 pm to 4:30 pm, Deborah Behles, Shana Lazerow, attorneys for CEJA, and Tovah Trimming and Michael DiGrande, student clinicians at the Environmental Law and Justice Clinic, Golden Gate University School of Law, representing CEJA, held a meeting at the Commission's offices in San Francisco with Mr. Tisdale, advisor to Commissioner Michel Florio. CEJA provided Mr. Tisdale with a copy of CEJA x SCE Exhibit 3 and transcript pages 1079 and 1084 from the August 12, 2012 hearing transcript in this application.¹

During the meeting, Ms. Lazerow addressed the importance of considering environmental justice (EJ) if the Commission authorizes new procurement. She emphasized that this consideration is especially important given air quality issues in Los Angeles. Ms. Lazerow explained that additional natural gas generation in the local area will aggravate air quality by contributing additional pollutants.

¹ Both of these documents are part of the public record in the proceeding. In addition, CEJA x SCE Ex. 3 was also served on January 14, 2013 as an attachment to CEJA's Comments on the Track I PD.

Both Ms. Lazerow and Ms. Behles requested the Commission require consideration of EJ in procurement decisions by implementing an environmental justice screening methodology to identify EJ communities. The result of the screening methodology should weigh heavily in evaluation of any Long Term Request for Offers (LTRFO). In addition, EJ communities should be given preference for the siting of distributed generation.

Ms. Behles stated that Demand Response programs and transmission projects should be considered as ways to meet local need. She stressed the need to consider alternatives to building new fossil fuel facilities, including ensuring that existing once through cooling (OTC) facilities that modify their cooling systems to comply with the OTC policy are able to bid into any LTRFO SCE may issue. Finally, she reiterated the need for the Commission to direct SCE to evaluate transmission resources that are currently being planned, and to oversee SCE's consideration of preferred resources and compliance with the loading order.

January 18, 2013

Respectfully submitted,
/s/ Deborah Behles
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