

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

Order Instituting Rulemaking to Continue
Implementation and Administration of
California Renewables Portfolio Standard
Program

Investigation 11-05-005
(Filed May 5, 2011)

**NOTICE OF EX PARTE COMMUNICATIONS OF
ImMODO INTERNATIONAL CORPORATION**

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May 2, 2013

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THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program

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**NOTICE OF EX PARTE COMMUNICATIONS OF
ImMODO INTERNATIONAL CORPORATION**

Pursuant to Rule 8.4 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), ImMODO International Corporation (“ImMODO”) hereby gives notice of the following ex parte communications.

On April 30, 2013, at approximately 11:00 a.m., Jason B. Keyes and Tim Lindl attended a meeting with Sara Kamins, Commissioner Ferron’s Energy Advisor, at the Commission’s offices at 505 Van Ness Avenue, San Francisco, CA, 94102. Mssrs. Keyes and Lindl initiated the meeting, which lasted approximately 20 minutes. The attendees discussed Southern California Edison Company’s Advice Letters 2870-E and 2870-E-A (“Advice Letters”), and ImMODO urged the Commission to approve the 80 California Renewable Energy Small Tariff contracts referenced therein. ImMODO also discussed the impact the Advice Letters will have on the operation dates for its projects and a possible extension for meeting the deadlines in the contracts at issue in the Advice Letters. The written materials attached as Attachment 1 were used during the meeting.

In addition, on May 2, 2013, at 8:46 a.m., Tim Lindl sent Ms. Kamins an e-mail following up on a request from Ms. Kamins at the April 30, 2013 meeting. The e-mail is attached to this Notice as Attachment 2.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tim Lindl', with a large, sweeping flourish extending to the right.

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Counsel to
ImMODO International Corporation

Dated: May 2, 2013

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ATTACHMENT 1

ImMODO CREST project costs

April 23, 2013

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	RAP ID	MW _{AC}	MW _{DC}	PPA Approval Date	Development Security Amount	Rule 21 Interconnection Deposits	Due 4/27/2013
Farmersville 1	5619	1.5	1.8	8/30/2012	\$36,000	\$104,500	\$160,550
Farmersville 2	5620	1.5	1.8	8/30/2012	\$36,000	\$15,700	\$19,280
Farmersville 3	5631	1.5	1.8	8/30/2012	\$36,000	\$15,700	\$19,610
Porterville 6	5645	1.5	1.8	8/30/2012	\$36,000	\$42,000	
Porterville 7	5646	1.5	1.8	8/30/2012	\$36,000	\$38,550	
Hanford 1	5667	1.5	1.8	11/20/2012	\$36,000	\$152,250	
Hanford 2	5668	1.5	1.8	11/20/2012	\$36,000	\$156,250	
					\$252,000	\$524,950	\$199,440
Total Deposits to SCE					\$976,390		

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From: Tim Lindl <tlindl@kfwlaw.com>
Subject: Follow-Up on Our April 30 Meeting
Date: May 2, 2013 8:46:19 AM PDT
To: "Sara M. Kamins" <sara.kamins@cpuc.ca.gov>
Cc: Don Watson <don.watson@immodosolar.com>, Jason Keyes <jkeyes@kfwlaw.com>, Adam Schultz <adam.schultz@cpuc.ca.gov>

Good morning Sara,

Thank you again for meeting with Jason and I regarding ImMODO's projects. During that meeting you requested more information on the specific impacts of SCE's Advice Letters on ImMODO's ability to meet the deadlines in its power purchase agreements (PPAs).

SCE's Advice Letter complicates the closing on financing for the projects and may delay the start of construction dates. The deadlines are especially tight for ImMODO because its funders require completion of construction two months in advance of the 18-month CREST PPA termination date. In addition, ImMODO cannot commit to engineering and permitting without PPA certainty. In other words, if the contracts had been automatically approved, ImMODO would be proceeding, but is currently unable to proceed, with obtaining conditional use permits for two of the seven projects, contracting for required engineering for three of the seven projects and obtaining building permits for three of the seven projects.

As we discussed, if any Commission resolution of the Advice Letters is prolonged, it would be helpful for the Commission to recognize and clarify that these types of delays are permitting and/or interconnection delays that qualify for the 6-month PPA extension discussed in the terms of the contracts.

Please contact me if you have any questions or if you would like to arrange a telephone meeting with Don Watson from ImMODO to go into some of these details more specifically. I will include this e-mail in ImMODO's notice of *ex parte* communications regarding our April 30, 2013 meeting.

Thank you again for your valuable time,
Tim

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