

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Oversee the
Resource Adequacy Program, Consider Program
Refinements, and Establish Annual Local
Procurement Obligations.

Rulemaking 11-10-023
(Filed October 20, 2011)

NOTICE OF EX PARTE COMMUNICATION

MATT MILEY

Attorney for the Division of Ratepayer
Advocates

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Phone: (415) 703-3066
Fax: (415) 703-2262
Email: mm2@cpuc.ca.gov

PETER H. SPENCER

Analysts for the Division of Ratepayer
Advocates

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Phone: (415) 703-2109
E-mail: p hs@cpuc.ca.gov

June 21, 2013

NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rule 8.3 of the Commission's Rules of Practice and Procedure, the Division of Ratepayer Advocates (DRA) submits the following notice of *ex parte* communication regarding the above captioned proceeding (R.11-10-023).

On Wednesday, June 19, 2013 at approximately 12:20pm, DRA analyst Peter Spencer had a telephone conversation with Sara Kamins, advisor to Commissioner Ferron. The conversation lasted approximately 5 minutes. DRA initiated the communication.

The communication concerned Administrative Law Judge Gamson's Proposed Decision (PD) adopting a flexible capacity framework, mailed May 28, 2013. Mr. Spencer explained that while DRA does not oppose flexible capacity procurement obligations in 2015, the PD should be modified to make clear that flexible capacity obligations may go into effect in 2015 provided that the California Independent System Operator implements an approved tariff for its enhanced Must Offer Obligation (MOO) by early spring 2014. Mr. Spencer noted that this time frame would allow the Commission sufficient time to incorporate the enhanced MOO in its RA decision in June 2014, for the 2015 compliance year. Finally, Mr. Spencer emphasized that without implementation of the enhanced MOO, daily economic bidding will not be required and the necessary flexible attributes will not be provided; a situation where ratepayers will be burdened with increased costs for flexible capacity with no associated reliability benefits.

Copies of this Notice may be obtained by contacting Lisa Aguilera at (415) 703-1858 or Lisa.Aguilera@cpuc.ca.gov.

///

///

///

Respectfully submitted,

/s/ MATT MILEY

Matt Miley

Attorney for the
Division of Ratepayer Advocates
California Public Utilities Commission
505 Van Ness Ave.
San Francisco, CA 94102
Phone: (415) 703-3066
Email: mm2@cpuc.ca.gov
Fax: (415) 703-2262

June 21, 2013