

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

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June 26, 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 Monday, June 24, 2013 at approximately 11:20am, DRA analyst Peter Spencer had a telephone conversation with Julie Fitch, advisor to Commissioner Peterman. The conversation lasted approximately 5 minutes. DRA initiated the communication.

On Monday, June 24, 2013 at approximately 2:30pm, DRA analyst Peter Spencer had a telephone conversation with Colette Kersten, advisor to Commissioner Sandoval. The conversation lasted approximately 5 minutes. DRA initiated the communication.

On Tuesday, June 25, 2013 at approximately 9:20am, DRA analyst Peter Spencer had a telephone conversation with Rachel Peterson, advisor to Commissioner Florio. The conversation lasted approximately 10 minutes. DRA initiated the communication.

On Tuesday, June 25, 2013 at approximately 1:40pm, DRA analyst Peter Spencer had a telephone conversation with Brian Stevens, advisor to Commissioner Peevey. The conversation lasted approximately 5 minutes. DRA initiated the communication.

Each of these communications 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 that time frame should allow the Commission sufficient time to incorporate the enhanced MOO in its Resource Adequacy 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

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