

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

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

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

**SUPPLEMENTAL FILING OF PRAXAIR PLAINFIELD, INC. TO THE 2013
PROCUREMENT PLAN TO ADDRESS SAFETY CONSIDERATIONS**

August 27, 2013

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Pursuant to the July 24, 2013 *Administrative Law Judge's Ruling Requiring a Supplemental Filing to the 2013 Procurement Plans to Address Safety* ("ALJ Ruling"), Praxair Plainfield, Inc. ("Plainfield") provides the following supplement to its 2013 Renewables Portfolio Standard Procurement Plan ("2013 RPS Plan").¹

Plainfield is a registered electric service provider ("ESP") with the California Public Utilities Commission ("Commission") but has not served any retail electric load since December 10, 2008 when all its accounts voluntarily returned to utility bundled service. Plainfield complied with all RPS requirements applicable while it served retail loads. Because Plainfield has no plans to serve load in the near-term, Plainfield will not have a current RPS procurement obligation (and no corresponding procurement plan) and will not have any obligation unless and until it resumes providing retail service. As Plainfield has no plan to procure renewable resources, there are no safety considerations to address in its 2013 RPS Plan.

¹ By submitting this supplement pursuant to the ALJ Ruling, the undersigned does not waive its right to assert that Public Utilities Code § 365.1(c)(1) does not extend Public Utilities Code § 451 to ESPs. The Ruling at page 2 references Public Utilities Code § 365.12 in error (as that section does not exist). Additionally, D.11-01-026 does not stand for the proposition that all Public Utilities Code provisions applicable to electrical corporations are applicable to non-utilities like ESPs.

Plainfield respectfully reiterates its requests that it be provided a provisional waiver from future RPS compliance requirements² until such time that it resumes serving customer load in California, at which time Plainfield will provide the RPS procurement planning submission and other related requirements applicable to ESPs.

Dated: August 27, 2013

Respectfully submitted,

/s/

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² This would include proposed annual “progress” and “compliance” filings for the 2011 and forward periods, as well as the submission of RPS plans. As an ESP, all of Plainfield’s loads are contestable. Requiring these submissions when no customers are served would be an inefficient use of the Commission’s and Plainfield’s resources.

VERIFICATION

I am the attorney for Praxair Plainfield, Inc. ("Plainfield") and am authorized to make this verification on its behalf. Plainfield is absent from the County of Sacramento, California, where I have my office, and I make this verification for that reason. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 27, 2013 at Sacramento, California.

/s/

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