

**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)

**MOTION TO ACCEPT LATE-FILED
OPENING COMMENTS OF THE JOINT PARTIES
ON COMPLIANCE AND ENFORCEMENT ISSUES**

Gregory S. G. Klatt
DOUGLASS & LIDDELL, APC
21700 Oxnard Street, Suite 1030
Woodland Hills, California 92367
Telephone: (818) 961-3002
Email: klatt@energyattorney.com

Attorney for the Joint Parties

October 28, 2013

**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)

**MOTION TO ACCEPT LATE-FILED
OPENING COMMENTS OF THE JOINT PARTIES
ON COMPLIANCE AND ENFORCEMENT ISSUES**

Pursuant to Rule 11.1 and in accordance with Rule 1.7 of the Commission’s Rules of Practice and Procedure, 3 Phases Renewables, ConEdison Solutions, EDF Industrial Power Services and Tiger Natural Gas (hereinafter collectively referred to as the “Joint Parties”) hereby move that the Commission accept the late-filed Opening Comments of the Joint Parties on Compliance and Enforcement Issues (“Opening Comments”) filed concurrently and served separately with this motion.

The September 27, 2013, Administrative Law Judge’s Ruling Requesting Comments on Compliance and Enforcement Issues in the Renewables Portfolio Standard Program (“ALJ Ruling”) provided that opening comments may be filed on or before October 21, 2013. In a subsequent ALJ’s ruling, the due date for opening comments was extended to October 25, 2013.

The Joint Parties are electric service providers (“ESPs”) that have relatively small customer loads or have not yet entered the California direct access market. As such, the Joint Parties face circumstances and difficulties related to compliance with the Renewables Portfolio Standard (“RPS”) that may be particular to them and other retail sellers with small loads, including new market entrants. In the late-filed Opening Comments, the Joint Parties present

their collective views and recommendations with respect to the RPS compliance and enforcement issues set forth in the ALJ Ruling.

The late filing of the Joint Parties' Opening Comments was due to a clerical error on the part of the Joint Parties' attorney. To be specific, the Joint Parties' attorney mistakenly calendared the due date for opening comments as Friday, November 1, 2013. The Joint Parties' attorney discovered this error after the close of business on October 25, 2013, and thereafter made every effort and took all reasonable measures possible to ensure that the Joint Parties' Opening Comments were filed at the earliest possible time, today, which is the first business day after the due date of October 25.

Neither the Joint Parties nor the Joint Parties' attorney have yet reviewed any of the opening comments of other parties that were filed on October 25, 2013, and thus have not derived any unfair advantage by the Joint Parties' Opening Comments being late-filed one business day after the due date. Moreover, the Joint Parties do not anticipate any other party will be unfairly disadvantaged by the late filing of the Joint Parties' Opening Comments, as the due date for reply comments of November 12, 2013 is full two weeks from today.

For the foregoing reasons, the Joint Parties respectfully request that Commission accept the Joint Parties' late-filed Opening Comments.

Respectfully submitted,



Gregory S. G. Klatt
DOUGLASS & LIDDELL, APC
21700 Oxnard Street, Suite 1030
Woodland Hills, California 92367
Telephone: (818) 961-3002
Email: klatt@energyattorney.com

Attorney for the Joint Parties

October 28, 2013

VERIFICATION

I, Gregory S. G. Klatt, attorney for the Joint Parties, am authorized to make this Verification on their behalf. I declare under penalty of perjury that the statements in the foregoing Motion to Accept Late-Filed Opening Comments of the Joint Parties on Compliance and Enforcement Issues are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true.

Executed on October 28, 2013, at Woodland Hills, California.



Gregory S. G. Klatt
DOUGLASS & LIDDELL, APC
21700 Oxnard Street, Suite 1030
Woodland Hills, California 92367
Telephone: (818) 961-3002
Email: klatt@energyattorney.com