

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Enhance the
Role of Demand Response in Meeting the
State's Resource Planning Needs and
Operational Requirements.

Rulemaking 13-09-011

(Filed September 19, 2013)

**LIST OF MATERIAL FACTS IN DISPUTE IN PHASE TWO AND THREE OF
ENVIRONMENTAL DEFENSE FUND**

WITNESS:

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May 20, 2014

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Pursuant to the May 16, 2014 “E-mail Ruling Granting Limited Extension of Time to Serve Rebuttal Testimony,” R.13-09-011 (“E-mail Ruling”), Environmental Defense Fund (“EDF”) submits as directed this “List of Material Facts in Dispute in Phase Two and Three.” EDF has not identified any “facts in dispute” related to issues raised in our Opening Testimony. That is, while the recommendations contained in our Testimony are empirically-based, this basis is not analytically controversial, and does not require evidentiary hearings to establish. Rather, the recommendations are in the realm of policy, for which EDF provides the Commission with reason to consider and adopt.

EDF intends, however, to discuss issues raised in our Opening Testimony in our Rebuttal Testimony, to the extent that other parties have asserted differing perspectives. EDF also reserves the right to further discuss “facts in dispute” identified by other parties in our Rebuttal Testimony or at any hearing the Commission holds on the matter.

Respectfully signed and submitted on May 20, 2014

On behalf of Environmental Defense Fund,

Witness:

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