

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

Order Instituting Rulemaking to Integrate and Refine  
Procurement Policies and Consider Long-Term  
Procurement Plans.

Rulemaking 13-12-010  
(Filed December 19, 2013)

**MOTION OF THE INDEPENDENT ENERGY PRODUCERS  
ASSOCIATION FOR CLARIFICATION OF THE SCOPING  
MEMO AND RULING**

**INDEPENDENT ENERGY PRODUCERS  
ASSOCIATION**

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Dated: May 20, 2014

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The *Scoping Memo and Ruling of Assigned Commissioner and Administrative Law Judge* issued on May 6, 2014 (Scoping Memo) includes a list of specific questions to be addressed in Phase 1a on system reliability needs and Phase 1b on the specific resources procured to meet any identified system need.<sup>1</sup> However, the Scoping Memo does not clearly identify which questions are to be addressed in each phase. The Independent Energy Producers Association (IEP) seeks clarification of this portion of the Scoping Memo.

The Scoping Memo sets a schedule leading to a decision in Phase 1a by no later than February 2015. Phase 1b will follow a Phase 1a decision. As the parties prepare their testimonies for Phase 1a, it would be helpful to have a clear idea of which questions are to be addressed in Phase 1a. A more efficient proceeding will result if all parties are addressing the same issues at the same time.

The list of questions in the Scoping Memo does not clearly delineate between Phase 1a and Phase 1b issues. Question 1, with the heading “Need for system resources” is

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<sup>1</sup> Scoping Memo, pp. 5-7.

clearly a Phase 1a issue, and Question 2b, asking “How should any identified need for flexible resources be filled?” appears to be an issue for Phase 1b. It is less clear in which part of Phase 1 other questions and sub-questions are to be addressed. It would be extremely confusing and inefficient if some parties address a question in Phase 1a testimony while other parties address the same question in Phase 1b testimony.

For these reasons, IEP respectfully asks the Assigned Commissioner and Assigned Administrative Law Judge to clarify the Scoping Memo and to indicate which of the questions listed on pages 5-7 are to be addressed in Phase 1a testimony and which are to be addressed in Phase 1b testimony.

Respectfully submitted May 20, 2014 at San Francisco, California.

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