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Bcc:

Subject: RE: R.13-09-011 Email Ruling Revising Hearing Schedule

Your Honor.

You have instructed the parties in the above reference matter to serve cross-examination estimates no later than today, Monday, June 2, 2014. This email represents Consumer Federation of California's (CFC) cross-examination estimate. CFC wishes to reserve 15 minutes per witness.

We are mindful that we are merely making estimates and given the number of parties to this matter it may well be that questions relating to the specific issues we are interested in will be asked and answered prior to our chance to conduct cross-examination. In that case we would not engage in cross-examination. CFC merely wishes to reserve the right to cross-examine any witness in this proceeding.

We thank you and have a great day.

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Ciupagea, Radu; Edwards, Russell; Liang-Uejio, Scarlett; Gokhale, Sudheer K.; Sullivan, Timothy J.;
Kao, Valerie; Li, Xian M.; Lee, Rebecca Tsai-Wei
Cc: ALJ_Support ID; ALJ Process; ALJ Docket Office
Subject: R.13-09-011 Email Ruling Revising Hearing Schedule
Importance: High

On April 2, 2014, the assigned Commissioner and Administrative Law Judge (ALJ) issued a joint Ruling that, among other things, scheduled testimony deadlines and evidentiary hearings dates in this proceeding. The Ruling also directed parties to serve their individual list of facts in dispute on May 20, 2014.

On May 20, 2014, the following parties served what they consider to be their facts in dispute: Sierra Club, Calpine Corporation, the Alliance for Retail Energy Markets/Direct Access Customer Coalition, the California Large Energy Consumers Association, The Utility Reform Network, and San Diego Gas & Electric Company (SDG&E). Pacific Gas and Electric Company (PG&E) provided a list of potential facts in dispute but not necessarily the facts that PG&E disputes. Southern California Edison Company (SCE) and the Environmental Defense Fund each served a document stating that they have no facts in dispute. SCE explained that while there is disagreement on issues, the disagreement is based on opinion but not a dispute of facts. Furthermore, SCE suggested that many issues are more appropriate for workshops.

After reviewing the lists provided by the parties, the ALJ contacted the service list to convey the SCE suggestion that workshops could replace evidentiary hearings. Furthermore, the ALJ requested that parties convey whether they are amenable to workshops in place of evidentiary hearings and to state whether parties would waive cross examination. No party opposed workshops. However, while some parties agreed to waive cross examination not all parties agreed to do so. As such, the most efficient course of action that continues the proceeding on an similar time schedule is to hold a combination of workshops and hearings as described below.

The hearings scheduled for June 9 and 10, 2014 are canceled and will be replaced with workshops, facilitated by the ALJ. Evidentiary hearings will be held on June 11 and 12, 2014. Parties shall serve cross examination estimates no later than Monday, June 2, 2014. Furthermore, the workshop scheduled for June 2, 2014 is now rescheduled to be part of the June 9-10 workshop.

A final agenda for the workshops will be sent to parties but a tentative schedule is as follows:

- Day 1 (June 9)
 - AM - Phase II issues including cost recovery, back up generation, and the cost effectiveness protocols.
 - PM - CAISO Market Integration costs with presentations by the three utilities. PG&E, SDG&E and SCE each should be prepared to provide an overview of the proposed costs of the Rule 24 Implementation. Other parties wanting to provide a cost presentation shall contact the ALJ no later than June 4, 2014.

- Day 2 (June 10)
 - AM - Categorization of current demand response programs including the characteristics of load modifying resources and supply resources and Setting future demand response goals
 - PM - Demand Response Auction Mechanism and the interplay with Resource Adequacy matters

Following the workshop, the three utilities, PG&E, SDG&E and SCE are directed to develop a draft workshop report to be filed no later than June 19, 2014. Parties shall file comments to the draft report no later than June 26, 2014. Reply comments on the draft report shall be filed no later than July 3, 2014.

A Ruling providing guidance to the parties for filing briefs will be issued shortly after the evidentiary hearings. A revised briefing schedule will be provided at that time.

The Docket Office shall formally file this email Ruling.

Kelly A. Hymes

Administrative Law Judge

California Public Utilities Commission

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Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence. -- John Adams