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Instructions

Your honor,

ORA waives cross-examination for Witnesses Ho (PG&E) and Avery (SDG&E). Please  
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Thank you,

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Werner M.; Krishnan, Akhila (Intern); Gupta, Alope; Kaneshiro, Bruce; Clay, Christopher; Villarreal, Christopher; Franz, Damon A.; Lee, Diana; Chow, Dorris; Dorman, Elizabeth; Fortune, Hazlyn; Caron, Jennifer; Como, Joe; Ouyang, Ke Hao; Hymes, Kelly A.; Kito, Michele; Nataloni, Pamela; Gruending, Paula; McMahon, Rachel; Ciupagea, Radu; Edwards, Russell; Liang-Uejio, Scarlett; Gokhale, Sudheer K.; Sullivan, Timothy J.; Kao, Valerie; Li, Xian M.; Lee, Rebecca Tsai-Wei

**Subject:** R1309011 Workshop Clarifications / Requests and Evidentiary Hearing Instructions

I have had several requests and clarifications regarding the workshops that I want to address in one email. Some parties emailed me directly and others emailed the entire service list (both are correct for these types of matters.)

- [REDACTED] The Joint Demand Response Parties have requested to make a presentation regarding CAISO market integration costs. I have permitted this presentation for Monday at 3:15 pm and limited it to 10 minutes.

- [REDACTED] DACC/AReM would like to make a brief presentation regarding cost recovery. I will permit this but limit it to 10 minutes.

- [REDACTED] CAISO has requested to make a brief presentation regarding the costs of CAISO market integration. I will permit this on Monday at 3:25 pm but limit it to 10 minutes.

- [REDACTED] CAISO and TURN requested clarification regarding whether the issue of how load modifying and supply-side demand response resources will be counted for resource adequacy purposes is included in the Tuesday morning discussion about the characteristics of load modifying versus supply-side demand response. This topic will be discussed on Tuesday at 3pm and that discussion will be retitled "the Interplay of Demand Response and Resource Adequacy."

- [REDACTED] MCE has waived its cross examination time requests for all three witnesses: Haertle (PG&E), Fang (SDG&E), and Woodruff (TURN).

- [REDACTED] CFC has waived cross examination of Clean Coalition witnesses Wang, Thompson and Schoenhoft.

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**Instructions to Parties of Application 11-11-017 in Preparation for Evidentiary Hearings**



The evidentiary hearing for R.13-09-011 is scheduled to begin at 10:00 am on Monday, June 9, 2014 in the Commission Hearing Rooms at 505 Van Ness Avenue. Following the cross-examination of San Diego Gas & Electric Company witness Avery, we will adjourn to workshops for the remainder of Monday and through Tuesday. We then have two and one-half days of hearings scheduled with each day beginning at 9:00 am and ending at 3:30 pm with an hour lunch break. In order to proceed efficiently and make best use of our time during the hearings, I request the following:

**Before the hearings:**

- Preparing your exhibits

1. The upper right hand corner of each exhibit's front page should be blank for the ALJ's exhibit stamp. (Approximately 2.5 inches high x 4.5 inches wide). If there is not sufficient room in the upper right hand corner for an exhibit stamp, please prepare a cover sheet for the exhibit.

2. I will be labeling the exhibits using the following framework: the three letter acronym for a company (see list below) followed by sequential numbering. For example: PGE-01, PGE-02, PGE-03, etc, ORA-01, ORA-02, etc.)

California Independent System Operator Corporation	ISO
California Large Energy Consumers Association	CLE
Calpine Corporation	CPC
Clean Coalition	CLC
Environmental Defense Fund	EDF
Direct Access Customer Coalition / Alliance for Retail Energy Markets	DAC
Joint Demand Response Parties	JDP
Marin Clean Energy	MCE
Natural Resource Defense Council	NRD
Office of Ratepayer Advocates	ORA
OPower, Inc.	OPI
Pacific Gas and Electric Company	PGE
San Diego Gas & Electric Company	SGE
Sierra Club	SCL
Southern California Edison Company	SCE
The Utility Reform Network	TRN

- I request that everyone be present by 8:45 am so that we can begin promptly at 9:00 am.

- Prior to going on the record each day, we will distribute and label exhibits to be introduced that day.

1. Each party sponsoring exhibits that day should provide me a list of each of its exhibits that includes a name and description of the exhibit as well as an exhibit number written in pencil. See above for properly labeling exhibits.

2. Each party sponsoring an exhibit should, in the hearing room, provide one copy to the ALJ and one to the court reporter. If you are providing **new or corrected exhibits** that have not been previously served to the ALJ, please bring two (2) copies for the ALJ and one to the court reporter, and have copies available for distribution to parties present in the hearing room.

#### **During the hearings:**

- Once we go on the record, we should be able to quickly mark the exhibits. By distributing and marking exhibits prior to going on the record at the beginning of each day, I hope to limit disruptions during the course of the day. At the end of each day, I will formally receive the exhibits used that day into the record, unless cross examination or redirect of the witness has not been completed.

- During the hearings, I ask that one of the three utilities (PG&E, SDG&E or SCE) maintain a list of exhibits including the number and name of the exhibits as well as the sponsoring party. **At the end of each hearing day, the utilities should provide me with a physical copy of the most current exhibit list and then email a copy to the service list.**

- Generally, corrections to an exhibit should be made in advance and not orally from the witness stand. Corrections should be made in a timely manner by providing new exhibit pages on which corrections appear. The original text to be deleted should be lined out with the substitute or added text shown above or inserted. Each correction page should be marked with the word "revised" and the revision date.

- Exhibit corrections will receive the same number as the original exhibit plus a letter to identify the correction. For example, Exhibit TRN-01A is the first correction to Exhibit TRN-01.

- While I do not believe we have any confidential exhibits, any confidential exhibits will be marked with a small case "c" e.g., PGE-01c.

- Individual chapters of large, bound volumes of testimony may be marked with separate exhibit numbers, as convenient.

- Partial documents or excerpts from documents must include a title page or first page from the source document; excerpts from lengthy documents should include a table of contents page covering the excerpted material. It may be helpful to include language before and after the excerpt to provide clarity or context.
- Motions to strike prepared testimony must be made at least two (2) working days before the witness appears, to allow the Judge time for review of the arguments and relevant testimony.
- No food is allowed in the hearing room; drinks are allowed if you dispose of containers and napkins every morning and afternoon.

**If parties have any questions on these instructions, please feel free to contact me prior to the beginning of the hearings on Monday, June 9, 2014 or we can discuss first thing Monday morning.**

**Kelly A. Hymes**

**Administrative Law Judge**

California Public Utilities Commission

505 Van Ness Avenue, Room 5111

San Francisco, CA 94102

(415) 703-5132

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