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Subject: R1309011 Email Ruling Confirming Issues to be Briefed

As further discussed below, this Ruling confirms that, on August 25, 2014, parties in Rulemaking 13-09-011 shall file briefs on the Phase Two issues of cost allocation and back-up generators as well as the Phase Three issue of encouraging participation in the Demand Response Auction Mechanism (DRAM) Pilot and the potential interaction of other solicitations for Supply Resources with the DRAM Pilot. Reply briefs on these issues shall be filed on September 8, 2014.

Following workshops held on June 9-12, 2014, parties participated in settlement discussions and, during a pre-hearing conference on July 29, 2014, the parties reported that they had reached settlement. At the July pre-hearing conference, the parties also announced that a new aspect of an issue included in the April 2, 2014 Ruling and Revised Scoping Memo had arisen: encouraging participation in a Demand Response Auction Mechanism (DRAM) Pilot and the potential interaction of other solicitations for Supply Resources with the DRAM Pilot. The parties requested that they be allowed to file a brief on these aspects of the DRAM issue. On July 31, 2014, a Ruling was issued extending the content of briefs to include the new aspects of the DRAM issue.

On August 4, 2014, the settling parties filed a Motion to approve the settlement. In the Motion, the settling parties requested confirmation that the issues to be briefed in Opening and Reply Briefs include cost allocation, back-up generators, and the issues associated with encouraging participation in a Demand Response Auction Mechanism (DRAM) Pilot and the potential interaction of other solicitations for Supply Resources with the DRAM Pilot.

This Ruling finds reasonable the request for clarity and confirmation of the issues to be briefed. Opening Briefs shall be filed on August 25, 2014 and shall include the Phase Two issues of cost allocation and back-up generators and the Phase Three issue of encouraging

participation in a Demand Response Auction Mechanism (DRAM) Pilot and the potential interaction of other solicitations for Supply Resources with the DRAM Pilot. Reply Briefs on these issues shall be filed on September 8, 2014.

The Docket Office shall formally file this Ruling.

Kelly A. Hymes

Administrative Law Judge

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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