BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop Additional Methods to Implement the California Renewables Portfolio Standard Program.	R. _____

ORDER INSTITUTING RULEMAKING TO DEVELOP ADDITIONAL METHODS TO IMPLEMENT THE CALIFORNIA RENEWABLES PORTFOLIO STANDARD PROGRAM

Summary

In this rulemaking, we will address two principal aspects of implementing the Renewables Portfolio Standard (RPS) program mandated by Senate Bill 1078 (Sher). One is completing the design for RPS implementation. The other is coordinating and integrating our implementation of the RPS program with new initiatives and programs. Separately, we intend to continue our oversight of the annual RPS procurement cycle, reporting, compliance, enforcement, and other elements of the ongoing administration of the RPS program in Rulemaking (R.) 04-04-026 and its successor proceeding.

Background

In Decision (D.) 03-06-071, we set the framework for implementation of the RPS program. Because that decision focused on complying with the Legislature's instruction in Public Utilities Code § 399.14(a)(2)(A)[1] that certain

[1] All subsequent references to sections are to the Public Utilities Code unless otherwise specified.

methods and processes for the RPS program be adopted within six months of the January 1, 2003 effective date of the RPS legislation, we deferred a number of important issues for later consideration. We opened R.04-04-026 to address RPS implementation issues across the board. As the work of R.04-04-026 has unfolded, it has become clear that the process of completing the design of RPS implementation should continue in parallel with the administration of the currently active elements of the program. This new rulemaking will address this need to develop further rules, procedures, and policies for RPS implementation.

Discussion

We have identified a number of implementation issues, in D.03-06-071, in the Order Instituting Rulemaking (OIR) for R.04-04-026, and in D.05-11-025, that remain to be determined. We transfer most of these outstanding issues to this new rulemaking. These include the manner in which electric service providers (ESPs), community choice aggregators (CCAs), small utilities, and multi-jurisdictional utilities will participate in the RPS program, based on the principles enunciated in D.05-11-025; and the potential for use of unbundled and/or tradable renewable energy credits (RECs) for compliance with RPS requirements, including the characteristics or attributes of any RECs allowed for RPS compliance and the status of RECs associated with renewable energy generated by qualifying facilities (QFs) and utility-funded distributed generation. In coordination with R.04-03-017 and its successor, we will resolve technical issues related to the use of renewable distributed generation for RPS purposes. We will also use this new rulemaking to coordinate the RPS program with new programs and initiatives, *e.g.*, the California Solar Initiative (CSI), announced in D.05-12-044, and to address any other new issues in implementation of the RPS program that may emerge during the course of the

proceeding.

We intend that the current RPS proceeding, R.04-04-026, and its successor, will be the locus for our oversight of the ongoing RPS program, including annual procurement, reporting, compliance, and enforcement. When the design tasks of today's rulemaking have been completed, we will fold the results into R.04-04-026 or its successor and close this proceeding.[2] Oversight and administration of the RPS program would then be accomplished through R.04-04-026 or its successor and our general procurement proceeding, R.04-04-003 or its successor.[3]

We intend to coordinate this new rulemaking closely with R.04-04-026, and its successor; R.04-03-017 (and its successor), our rulemaking on incentives for distributed generation and distributed energy resources; and R.04-04-003 (and its successor), our broad-ranging review of procurement incentives and long-term procurement planning. We will continue coordination among this new proceeding, R.04-04-026, and Investigation (I.) 05-09-005, our proceeding to facilitate proactive development of transmission infrastructure to access renewable energy resources for California. We recognize that this organization of tasks related to the RPS program will require careful coordination among several proceedings. We anticipate that although this coordination will require substantial effort, the reward will be more rapid implementation of the RPS

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[2] The tasks we have outlined may not divide with mathematical precision between the two RPS proceedings, but we anticipate that the coordination process we outline here will allow the assigned commissioner and assigned administrative law judges (ALJs) to ensure that no significant gaps or duplications of effort occur.

[3] See § 399.14(a).

program and fewer bumps in the road to attainment of the RPS goals.

Preliminary Scoping Memo

In accordance with Rule 6(c)(2) of the Commission's Rules of Practice and Procedure, a preliminary scoping memo is included in this OIR.[4] This memo draws on work already undertaken in R.04-04-026 to implement the participation of ESPs, CCAs, small utilities, and multi-jurisdictional utilities in the RPS program, as well as to begin consideration of the use of RECs for RPS compliance.[5]

1. Participation of ESPs, CCAs, small utilities, and multi-jurisdictional utilities

The entities involved in this proceeding are heterogeneous. The CCAs are more properly potential CCAs, which will be formally organized at some later time, pursuant to D.05-12-041. The multi-jurisdictional utilities are the subjects of recently-enacted Pub. Util. Code § 399.17, which sets special conditions for

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[4] All subsequent references to rules are to the Rules of Practice and Procedure, unless otherwise specified.

[5] See, *e.g.*, Administrative Law Judge's Ruling Setting Prehearing Conference (PHC) and Requesting Prehearing Conference Statements (November 28, 2005); PHC statements filed December 21, 2005 by Central California Power, Crossborder Energy, Green Power Institute, Union of Concerned Scientists, Kings River Conservation District, Center for Energy Efficiency and Renewable Technology, The Utility Reform Network, Alliance for Retail Energy Markets, Aglet Consumer Alliance, Joint filing from City & County of San Francisco – City of Chula Vista – County of Los Angeles – Community Environmental Council – Energy Choice, PG&E, SCE, and (jointly) the City of Chula Vista, City and County of San Francisco, County of Los Angeles, and Community Environmental Council; Administrative Law Judge's Ruling Setting Schedule for Submission of Proposals for RPS Participation (January 3, 2006); Administrative Law Judge's Ruling Granting in Part AReM's Motion concerning Contents of Electric Service Provider Preliminary Renewable Portfolio Reports and Motion for Adoption of Protective Order (January 19, 2006).

their RPS compliance. The ESPs and small utilities are subject to current compliance obligations, but have structures and problems that are different from those of the large utilities (Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E)). Nevertheless, ESPs, CCAs, small utilities, and multi-jurisdictional utilities "are to be treated identically to the large investor-owned utilities" for certain purposes (D.05-11-025, Ordering Paragraph (OP) 1).[6] The continued operation of the RPS program with respect to the large utilities therefore will also affect the manner in which the ESPs, CCAs, small utilities, and multi-jurisdictional utilities participate.

In D.05-11-025, we identified a number of tasks in implementing the principles enunciated in that decision for RPS participation of ESPs, CCAs, small utilities, and multi-jurisdictional utilities. These are:

- submission of detailed proposals for the manner in which ESPs, CCAs, small utilities, and multi-jurisdictional utilities should participate in the RPS program (OP 3);
- exploration of using procurement entities or other third-party intermediaries to facilitate the procurement of renewable

[6] These are:

- The requirement that 20% of retail sales come from renewable sources by 2010, as required by the Energy Action Plan.
- The requirement that they increase their renewable retail electricity sales by at 1% per year through 2010.
- The requirement to report their progress toward meeting RPS program requirements to the Commission.
- The ability to utilize the same flexible compliance mechanisms.
- The requirement that they be subject to the same penalties and penalty processes.

generation by ESPs, CCAs, small utilities, and multi-jurisdictional utilities (OP 5);

- exploration of unbundled and tradable RECs (OP 6);
- exploration of using short-term contracting (less than ten years) to fulfill RPS requirements for ESPs, CCAs, small utilities, and multi-jurisdictional utilities (OP 7);
- application of § 399.17 to multi-jurisdictional utilities (OP4).

At the Prehearing Conference (PHC) held on December 14, 2005, there was substantial agreement that determination of baselines, initial year compliance obligations, use of shorter-term contracts, and investigation of unbundled RECs[7] were high-priority issues in the near term. Third-party procurement entities were considered by all parties to be a lower-priority topic; it will therefore be addressed later in this proceeding.

The proposals for RPS compliance submitted by ESPs, CCAs, small utilities, and multi-jurisdictional utilities will be the basis for considering the manner of their participation in the RPS program. These proposals should address the areas that are necessary to "fill in the blanks" for implementation as to them of the five fundamental requirements of the RPS program we identified in D.05-11-025: "1) meeting the 20% requirement by 2010; 2) increasing their renewable sales by at least 1% per year; 3) reporting their progress to the Commission; 4) utilizing flexible compliance mechanisms; and 5) being subject to

[7] The Division of Strategic Planning is developing a staff white paper on a full range of issues related to RECs. In this proceeding, we will defer more active consideration of tradable RECs until more is known about the development of the Western Renewable Energy Generation Information System (WREGIS) being developed by the California Energy Commission (Energy Commission).

penalties and penalty processes." (D.05-11-0125, *mimeo.*, p.10.) Any other topics that an ESP, CCA, small utility, or multi-jurisdictional utility believes to be relevant to its RPS participation should also be included. To the extent that our decisions have set up processes for the large utilities related to any aspects of these participation proposals, it would be helpful for the proponent to sketch out the major points of contrast, if any, between the proposal and our existing requirements for the large utilities, as well as any similarities that may not be obvious.[8]

Workshops on some of these issues may be useful. Short-term contracts and RECs were identified at the PHC as possible workshop topics. Energy Division staff, in consultation with the assigned Commissioner and assigned ALJ, may hold workshops on any topic determined to be of value for the process of setting up RPS participation of ESPS, CCAs, small utilities, and multi-jurisdictional utilities.

2. Issues affecting all RPS-obligated entities

Although a principal task of this proceeding is integrating ESPs, CCAs, small utilities, and multi-jurisdictional utilities into the RPS program, it is not the only task. There is also unfinished business directly affecting all RPS-obligated retail sellers.

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[8] This task, articulated at the PHC and elaborated in the ALJ's January 3, 2006 Ruling, has been the source of some confusion among the CCAs. We are not soliciting comparisons at a detailed operational level, but at the level of specificity that we have used in our decisions on those topics.

a. Issues to be addressed primarily in this proceeding

The use of unbundled and/or tradable RECs for RPS compliance is on the agenda for this proceeding. Within that large topic are several smaller ones that have been deferred in earlier decisions and rulings. These include:

1. What are the attributes of a REC? In D.03-06-071, we made a preliminary determination that "[t]he default definition of a REC should include all renewable and environmental attributes associated with production of electricity from a renewable resource." (Conclusion of Law (COL) 7, *mimeo.*, p.70.)[9] We also expressly noted that "[p]arties should have a further opportunity to make a showing why certain attributes should be excluded from inclusion in a REC." (COL 9, *id.*) That opportunity will be provided in this rulemaking.
2. What is the status of RECs associated with renewable energy generated by QFs under contract with California utilities?[10] We will return to that issue in this rulemaking.
3. What is the appropriate treatment of RECs associated with energy generated by renewable customer-side distributed generation? In D.05-05-011, we concluded that the REC is the property of the generator, but also concluded that we could not fully characterize the treatment of such RECs for purposes of the RPS program without further development of two important issues – measurement of renewable output from customer-side distributed generation, and analysis of the impact of ratepayer subsidies of renewable distributed generation. We indicated that these issues would be addressed in R.04-03-017. We reaffirm that division of labor, and look to R.04-03-017 and its successor as the venue for

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[9] This default definition is carried forward in the standard terms and conditions adopted in D.04-06-014.

[10] This issue was identified in the Assigned Commissioner's Ruling and Scoping Memo Establishing Schedule for Phase Two of the Renewables Portfolio Standard Proceeding (December 16, 2004). Preliminary briefs on this issue were submitted, but the topic should be revisited in this new rulemaking.

determining these questions. We will use those determinations in further refining our treatment of renewable distributed generation in the RPS program.

4. How will a system for the use of unbundled and/or tradable RECs for RPS compliance, from all potentially eligible sources, be incorporated into the development of and use the capabilities of WREGIS, when it exists?

5. Although in D.05-11-025 we expressed our intention not to allow the use of supplemental energy payments (SEPs)[11] to purchase RECs, if unbundled/tradable RECs are allowed for RPS compliance, we also indicated that it was possible to revisit that issue. Any such exploration of SEPs and RECs will be undertaken in this rulemaking.

We anticipate that the staff white paper being produced by the Division of Strategic Planning will provide the basis for exploration of many of these issues, but will not be the final word. Some or all of workshops, comments, evidentiary hearings, and briefing may be required. The assigned Commissioner and assigned ALJ may determine the appropriate methods for developing the record on issues related to RECs.

b. Issues expected to be addressed primarily in R.04-04-026 and successor

As noted previously, the possible routine use of contracts shorter than 10 years has been raised by the ESPs and CCAs, but contracting is an issue for all obligated retail sellers, including the large utilities.[12] Also relevant for all

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[11] Section 399.13(c) gives responsibility to the Energy Commission to "[a]llocate and award supplemental energy payments … to eligible renewable energy resources to cover above-market costs of renewable energy" in the RPS program.

[12] Section 399.14(a)(4) provides: "In soliciting and procuring eligible renewable energy resources, each electrical corporation shall offer contracts of no less than 10 years in duration, unless the commission approves of a contract of shorter duration."

RPS-obligated retail sellers are formats for and contents of reporting on their acquisition of renewable energy, and coordination of reporting to this Commission with supplying information needed by the Energy Commission for its verification of eligible renewable energy acquired.[13] We anticipate that the majority of the work on reporting will be carried out in R.04-04-026 and its successor, and all retail sellers should participate in it.

Similarly, flexible compliance mechanisms and penalty processes are relevant to all RPS participants, but will be addressed primarily in R.04-04-026 and its successor. Compliance issues related particularly to ESPs, CCAs, small utilities, and multi-jurisdictional utilities; for example, the initial compliance obligations of CCAs, will be handled in this new proceeding.

3. Coordination with other initiatives and integration of new issues

This rulemaking will also address coordination of the RPS program with other initiatives and develop methods for integrating aspects of other programs with the RPS requirements, if needed. The recently-announced California Solar Initiative (see D.05-12-044 and D.06-01-024) is one example. Other such programmatic integration issues may arise during the course of this proceeding, but it is not possible to predict exactly what they may be, or when they will occur. Both the assigned Commissioner and assigned ALJ should therefore have the ability to identify and include such other new topics for coordination and integration with the RPS program requirements as necessary and appropriate.

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[13] Section 399.13(b) assigns to the Energy Commission the responsibility to "[d]esign and implement an accounting system to verify compliance with the renewables portfolio standard by retail sellers … "

4. Schedule

The schedule set forth below draws on the ALJ rulings made after the December 14, 2005 PHC, including rulings extending the time for previously scheduled submissions.

January 26, 2006	Preliminary renewable portfolio reports of ESPs, CCAs, small utilities, multi-jurisdictional utilities (public) filed and served
February 1, 2006	Preliminary renewable portfolio reports (preliminarily confidential) filed, with motions for leave to file under seal
February 17, 2006	Proposals of ESPs, CCAs, small utilities, multi-jurisdictional utilities for RPS participation filed and served
15 days from mailing date of this OIR	Requests to be on service list sent to Process Office
20 days from mailing date of this OIR	Comments on preliminary scoping memo and categorization filed and served
March 7, 2006	Comments on proposals for participation filed and served
March 15, 2006	Reply comments on proposals for participation filed and served
April 24—May 5, 2006	Evidentiary hearings, if needed, on initial issues

It is our intention to complete this rulemaking within 24 months of the date of the assigned Commissioner's scoping memo. In using the authority granted by § 1701.5(b) to set a time longer than 18 months for this proceeding, we are considering both the number and complexity of the tasks and the unique aspects of this proceeding, including the need for coordination not only with other proceedings here, but also with projects and processes of the Energy

Commission; the likelihood that CCAs will not begin their operations until 2007; and our desire to be able to complete and close this proceeding without having to transfer any of its tasks to yet another proceeding. The assigned Commissioner or the assigned ALJ may alter the schedule to promote efficient and fair administration of this proceeding.

5. Comments on preliminary scoping memo

Comments on the preliminary scoping memo must be filed and served not later than 20 days from the mailing date of this order.

Respondents

We name as respondents Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company (large utilities). We also name as respondents the small utilities and multi-jurisdictional utilities listed in Appendix A.[14]

Also respondents are all ESPs registered with the Commission as of February 9, 2006, listed in Appendix B.[15] In addition, any ESP that, subsequent to the date of the order instituting this rulemaking, becomes registered to provide services within the service territory of one or more of the respondent electric corporations through direct access transactions shall, upon such registration,

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[14] We are mindful of the Legislature's recent exhortation in AB 2509 (Nakanishi) that micro utilities should not be overwhelmed by our proceedings. Since the Legislature also included them in the scope of the RPS statute, we name all small utilities as respondents, but will not expect participation on any but the core issues concerning them from the micro utilities that are the subject of AB 2509 (codified as §§ 2780 and 2780.1)

[15] The current list of registered ESPs may be found at www.cpuc.ca.gov/Published/esp_lists/esp_udc2.htm.

become a respondent to this proceeding. Any ESP withdrawing its registration should notify the assigned ALJ within 5 days of effectuating the withdrawal of its registration.

Because the City of Chula Vista and the City and County of San Francisco have identified themselves as well on the way to becoming CCAs, we name them as respondents as well. Any other CCA that, subsequent to the date of the order instituting this rulemaking, becomes registered to provide services within the service territory of one or more of the respondent electric corporations through CCA transactions shall, upon such registration, become a respondent to this proceeding. All entities considering becoming CCAs, even if they are at the early stages of their consideration, are encouraged to participate in this proceeding.

Category of Proceeding

Rule 6(c)(2) requires that an order instituting rulemaking preliminarily determine the category of the proceeding and the need for hearing. As a preliminary matter, we determine that this proceeding is "ratesetting," as defined in Rule 5(c), because our consideration of the uses of RECs and SEPs in RPS compliance is likely to impact the rates of the respondent utilities. Although we hope that the issues in this proceeding may be resolved through a combination of workshops and formal comments, we preliminarily determine that limited evidentiary hearings may be necessary. As provided in Rule 6(c)(2), any person who objects to the preliminary categorization of this rulemaking as "ratesetting" or to the preliminary hearing determination, shall state the objections in comments on the preliminary scoping memo. After considering the comments on the preliminary scoping memo, the assigned Commissioner will issue a scoping ruling making a final category determination; this final determination is subject to appeal as specified in Rule 6.4.

Service List

Since our order names electric corporations, ESPs, and CCAs as respondents to this rulemaking, by virtue of that fact they will appear on the official service list. We will also serve this order on those who are on the service lists for R.04-04-026, R.04-03-017, R.04-04-003, and I.05-09-005.

All persons on the service list for R.04-04-026 on the date of mailing of this order will automatically be put on the service list for this new rulemaking. Within 15 days from the date of mailing of this order, any person or representative of an entity who is not on the service list for R.04-04-026 and is interested in monitoring or participating in this rulemaking should send a request by letter to the Commission's Process Office, 505 Van Ness Avenue, San Francisco, California, 94102 or by e-mail to process_office@cpuc.ca.gov, asking that his or her name be placed on the official service list for this proceeding. The service list will be posted on the Commission's web site, www.cpuc.ca.gov, as soon as possible.

Persons on the service list should notify the Process Office of any address changes or if they wish to be removed from the service list. Any other problems or questions about the service list after it is posted on the Commission's web site should be brought to the attention of the assigned ALJ. The service list will be updated in accordance with the described procedures, consistent with Rule 2.3.

Any person interested in participating in this rulemaking who is unfamiliar with the Commission's procedures should contact the Commission's Public Advisor's Office in Los Angeles at (213) 576-7055, (866) 849-8391 (toll free) or in San Francisco at (415) 703-2074, (866) 849-8390 (toll free), or (415) 703-5282 (TTY), or send an e-mail to public.advisor@cpuc.ca.gov.

Electronic service of documents in Commission proceedings is governed by Rules 2.3 and 2.3.1 of the Rules of Practice and Procedure.[16] All persons participating in this proceeding are encouraged to use electronic service.

Ex Parte Communications

In accordance with Rule 7(a)(4), *ex parte* communications in this proceeding are governed by the requirements of Rules 7(c) and 7.1.[17]

Findings of Fact

1. Further development of rules, procedures, and policies is necessary to continue the implementation of the RPS.

2. It is reasonable to continue the development of the implementation of the RPS through a new rulemaking focusing on such further development.

3. It is reasonable to make the record in R.04-04-026 to the date of the mailing of this order fully available in this proceeding, and to authorize the assigned Commissioner and assigned ALJ to make fully available in this proceeding parts of the record in R.04-04-026 or its successor developed after the date of mailing of this order, upon notice to all parties.

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[16] The Rules may be found at http://www.cpuc.ca.gov/PUBLISHED/RULES_PRAC_PROC/46095.htm.

[17] An *ex parte* communication is defined in Rule 5(e) as

> . . . a written communication (including a communication by letter or electronic medium) or oral communication (including a communication by telephone or in person) that:
>
> (1) concerns any substantive issue in a formal proceeding,
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> (2) takes place between an interested person and a decisionmaker, and
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> (3) does not occur in a public hearing, workshop, or other public setting, or on the record of the proceeding.

4. In view of the complexity of the coordination required in this rulemaking, it is reasonable to have it extend for 24 months from the date of the assigned Commissioner's scoping memo.

Conclusions of Law

1. A new rulemaking should be opened to further develop rules, procedures, and policies for RPS implementation.

2. The record in R.04-04-026 to the date of the mailing of this order should be fully available in this proceeding, and the assigned Commissioner and assigned ALJ should be authorized to make fully available in this proceeding parts of the record in R.04-04-026 or its successor developed after the date of mailing of this order, upon notice to all parties.

3. This rulemaking should extend for 24 months from the date of the assigned Commissioner's scoping memo.

Therefore, **IT IS ORDERED** that:

1. The Commission institutes this rulemaking on its own motion to continue the development of rules, procedures, and policies for the implementation of the Renewables Portfolio Standard (RPS).

2. Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, the small and multi-jurisdictional utilities listed in Appendix A, the electric service providers listed in Appendix B, the City of Chula Vista, and the City and County of San Francisco, are respondents to this proceeding.

3. The record in R.04-04-026 to the date of the mailing of this order is fully available in this proceeding, and the assigned Commissioner and assigned Administrative Law Judge (ALJ) are authorized to make fully available in this

proceeding parts of the record in R.04-04-026 or its successor developed after the date of mailing of this order, upon notice to all parties.

4. The Executive Director shall cause this Order Instituting Rulemaking to be served on Respondents, and on the service lists in R.04-04-026, R.04-03-017, R.04-04-003, and I.05-09-005.

5. Within 15 days from the date of mailing of this order, any person or representative of an entity interested in monitoring or participating in this rulemaking shall send a request to the Commission's Process Office, 505 Van Ness Avenue, San Francisco, California 94102 (or process_office@cpuc.ca.gov) asking that his or her name be placed on the official service list for this proceeding.

6. Comments on the preliminary scoping memo shall be filed and served not later than 20 days from the mailing date of this order.

7. The category of this rulemaking is preliminarily determined to be "ratesetting." Any persons objecting to the preliminary categorization of this rulemaking as "ratesetting" or to the preliminary determination that limited evidentiary hearings may be necessary shall state the objections in comments on the preliminary scoping memo.

8. This rulemaking may extend up to 24 months from the date of the assigned Commissioner's scoping memo.

9. The assigned Commissioner or the assigned ALJ may make any revisions to the schedule set forth herein as necessary to facilitate the efficient and fair management of the proceeding.

This order is effective today.

Dated _____, at San Francisco, California.

Appendix A

RESPONDENTS

Large Utilities

Pacific Gas and Electric Company
77 Beale Street
San Francisco, CA 94105

Southern California Edison Company
2244 Walnut Grove Avenue
Rosemead, CA 91770

San Diego Gas & Electric Company
8330 Century Park Court
San Diego, CA 92123

Small and Multi-Jurisdictional Utilities

Sierra Pacific Power Company
6100 Neil Road, PO Box 10100
Reno, NV 89520

Central California Power
949 E. Annandale Avenue, #A210
Fresno, CA 93706

Mountain Utilities
3210 Corte Valencia
Fairfield, CA 94534

Pacificorp
825 NE Multnomah Street, Suite 800
Portland, OR 97232

Avista Utilities
PO Box 3727
Spokane, WA 99220

SoCal Water/Bear Valley Electric
630 East Foothill Boulevard
San Dimas, CA 91773

(END OF APPENDIX A)

Appendix B

RESPONDENTS

All Registered Electric Service Providers
(February 9, 2006)

New West Energy
Box 61868, Mailing Station ISB 665
Phoenix, AZ 85082-1868

Constellation NewEnergy, Inc.
Two California Plaza
350 South Grand Avenue, Suite 3800
Los Angeles, CA 90071

3 Phases Energy Services
2100 Sepulveda Boulevard, Suite 37
Manhattan Beach, CA 90266

AOL Utility Corp.
12752 Barrett Lane
Santa Ana, CA 92705

American Utility Network
10705 Deer Canyon Drive
Alta Loma, CA 91737

CalPine PowerAmerica-CA, LLC
4160 Dublin Boulevard
Dublin, CA 94568

Pilot Power Group, Inc.
9320 Chesapeake Drive, Suite 112
San Diego, CA 92123

Occidental Power Services, Inc.
5 Greenway Plaza, Suite 110
Houston, TX 77046

Commerce Energy, Inc.
600 Anton Boulevard, Suite 2000
Costa Mesa, CA 92870

Energy America, LLC
263 Tresser Boulevard
One Stamford Plaza, 8th Floor
Stamford, CT 06901

Strategic Energy, Ltd.
7220 Avenida Encinas, Suite 120
Carlsbad, CA 92009

Coral Power, LLC
4445 Eastgate Mall, Suite 100
San Diego, CA 92121

APS Energy Services Company, Inc.
400 E. Van Buren Street, Suite 750
Phoenix, AZ 85004

Sempra Energy Solutions
101 Ash Street, HQ09
San Diego, CA 92101-3017

City of Corona Dept. of Water & Power
730 Corporation Yard Way
Corona, CA 92880

Praxair Plainfield, Inc.
2711 Centerville Road, Suite 400
Wilmington, DE 19808

(END OF APPENDIX B)