

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

Order Instituting Rulemaking to Promote Policy  
And Program Coordination and Integration in  
Electric Utility Resource Planning

Rulemaking 04-04-003

**MOTION OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR  
FOR A PROTECTIVE ORDER CONCERNING DATA USED TO DEVELOP A  
DELIVERABILITY BASELINE ANALYSIS AND TO SHORTEN TIME**

Charles F. Robinson, General Counsel  
Grant A. Rosenblum, Regulatory Counsel  
California Independent System Operator  
151 Blue Ravine Road  
Folsom, CA 95630  
Telephone: 916-351-4400  
Facsimile: 916-351-2350

Attorneys for the  
**California Independent System Operator**

Dated: December 2, 2004

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

Order Instituting Rulemaking to Promote Policy  
And Program Coordination and Integration in  
Electric Utility Resource Planning

Rulemaking 04-04-003

**MOTION OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR  
FOR A PROTECTIVE ORDER CONCERNING DATA USED TO DEVELOP A  
DELIVERABILITY BASELINE ANALYSIS AND TO SHORTEN TIME**

To: Administrative Law Judge (“ALJ”) Mark S. Wetzell

Pursuant to Rule 45 of the Commission’s Rules of Procedure and Practice, the California Independent System Operator Corporation (“CAISO”) moves for adoption of a “deliverability” protective order and nondisclosure certificate, in the form attached hereto as Exhibits B and C, respectively. Adoption of the protective order will facilitate the timely completion of the baseline analysis needed to develop the deliverability requirement of the Commission’s resource adequacy program.<sup>1</sup> The proposed protective order is also intended to encompass confidential data that may be needed and subsequently obtained by the CAISO during the Phase 2 resource adequacy workshop process (“Phase 2”) to further advance the three prongs of the deliverability requirement described in the Commission’s *Interim Opinion Regarding Resource Adequacy*: (1)

---

<sup>1</sup> The Commission could obviate the need for this motion by stating its intent that “net dependable capacity” and/or “qualified capacity” used to determine capacity eligible to count towards satisfaction of a load serving entity’s resource adequacy obligation should be, or will be, public information.

aggregate to load or “generation pocket” within CAISO Control Area screen, (2) imports into the CAISO Control Area screen, and (3) local deliverability.<sup>2</sup>

The CAISO further requests that this motion be considered on shortened time. In particular, the CAISO requests that the ALJ exercise the discretion granted under Rule 45, subdivision (h), to rule on this motion without the need for responses or a reply given that it is patterned after the protective order adopted in R.01-10-024 on January 14, 2004. Alternatively, the CAISO requests that responses be due on or before December 8, 2004, and a reply permitted on or before December 10, 2004, such that a ruling can be issued on or before December 14, 2004. The need for an expedited ruling follows from the compressed schedule adopted by the Commission for Phase 2 and the CAISO’s desire that the terms governing data be known prior to the date data necessary to begin the baseline analysis must be produced. A proposed ALJ order is attached as Exhibit A.

### **A Protective Order Is Necessary To Facilitate Development Of The Deliverability Baseline Analysis**

The Commission, in D.04-10-035, adopted October 28, 2004, directed the CAISO to develop the baseline analysis necessary to perform two proposed deliverability screens – aggregate to load and import - that will be used to implement the Commission’s resource adequacy program. These two screens generally will be used to determine whether, and to what extent, both within-CAISO Control Area resources and imports can be delivered to load within the CAISO Control Area. In addition, D.04-10-035 also requested that the CAISO serve on the parties to this proceeding a description of the data needed to perform the baseline analysis. The CAISO served the data description on

---

<sup>2</sup> *Interim Opinion Regarding Resource Adequacy*, D.04-10-035 (Oct. 28, 2004) [“D.04-10-035”], mimeo at §§ 3.6-3.6.2.

November 12, 2004, as well as a schedule for completing the analysis. Among other things, the CAISO identified a need for unit specific net dependable and qualified capacity data, as defined in D.04-10-035, for all generating resources within the CAISO Control Area and information pertaining to transmission remedial action schemes and special protection schemes. The CAISO's schedule called for production of the data by December 14, 2004, in order to maintain the Commission's aggressive Phase 2 schedule.

However, at the first Phase 2 workshop held on November 16, 2004, questions were raised regarding the CAISO's data needs and a conference call was scheduled to further discuss the data requirements for the baseline analysis. During that call, which was held on November 22, 2004, participants stated that they considered some or all of the data requested by the CAISO to be confidential and/or commercially sensitive. Based on these representations, the CAISO agreed to apply the confidentiality provisions of CAISO Tariff § 20.3, et seq, to protect data identified by parties as confidential and provided to the CAISO for purposes of developing the baseline analysis. The CAISO also agreed to formally seek the generation related data through publication of a CAISO "market notice." That market notice was served on November 29, 2004 and, consistent with the CAISO's original schedule, requested responses by December 14, 2004.

During the data conference call, the CAISO explicitly stated that to have any realistic chance of meeting the aggressive schedule for completing the baseline analysis, the CAISO must proceed in a manner similar to that utilized in its Annual Grid Planning Study process, which relies heavily on the substantial resources of participating transmission owners ("PTOs") to construct base cases and perform power flow studies. The CAISO's vision of direct participation by the PTOs in the baseline analysis was also set forth in the data request and scheduling documents distributed on November 12, 2004.

Those on the conference call appeared to acknowledge the pragmatism of PTO participation. However, it is manifest that if the PTOs are to participate, the use and distribution of the confidential data must be appropriately limited by a protective order adopted in this proceeding.

The CAISO is aware that an Amended Protective Order has been adopted in Rulemaking 01-10-024, which has been incorporated into and utilized in this docket to build the record on the utilities long-term procurement plans. Nevertheless, given the limited scope and purpose of the instant request and the Amended Protective Order's focus on utility disclosure, and that of SDG&E in particular, the CAISO has elected to submit an additional protective order, rather than seek amendment of the Amended Protective Order. The proposed protective order is, however, patterned after the Amended Protective Order in that it permits the PTOs to receive the information as Market Participating Parties and other groups as Non-Market Participating Parties. The CAISO also believes that allowing the limited disclosure permitted by the proposed protective order will facilitate validation of the results of the analysis and prevent potential disputes regarding the effect the deliverability requirement may have on market participants.

#### **The Ruling on This Motion Should Be Expedited**

Rule 45, subdivision (h), provides that an ALJ may rule on a motion before responses or replies are filed. The CAISO requests that the ALJ exercise this discretion to rule on the motion as soon as practicable and without the need for responses. Alternatively, Rule 45, subdivisions (f), (g) and (i), permit an ALJ to shorten the time for parties to respond and reply to a filed motion. In this regard, should the ALJ believe briefing on this motion is necessary, the CAISO requests that responses be due on or

before December 8, 2004, and a reply permitted on or before December 10, 2004, such that a ruling can be issued on or before December 14, 2004. As noted above, the need for an expedited ruling follows from the compressed schedule adopted by the Commission for Phase 2 and the CAISO's desire that the terms governing data be known prior to the date data must be produced.

### **Conclusion**

Based on the foregoing, the CAISO respectfully requests: (1) that the form of protective order and nondisclosure certificate, attached hereto, be adopted and (2) that the ALJ adopt procedures for ruling on this motion that ensure resolution by December 14, 2004.

December 2, 2004



Grant A. Rosenblum, Regulatory Counsel  
California Independent System Operator  
151 Blue Ravine Road  
Folsom, CA 95630  
Telephone: 916-351-4400  
Facsimile: 916-351-2350

**DRAFT – Exhibit A**

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

Order Instituting Rulemaking to Promote Policy  
And Program Coordination and Integration in  
Electric Utility Resource Planning

Rulemaking 04-04-003

**ADMINISTRATIVE LAW JUDGE’S RULING  
ADOPTING PROTECTIVE ORDER**

By this ruling, I grant the California Independent System Operator’s (“CAISO”) motion for the adoption of a protective order and nondisclosure certificate filed December 2, 2004 (“Motion”). The stated purpose of the Motion is to facilitate the CAISO’s development of the deliverability baseline analysis identified in Decision (“D.”) 04-10-035. However, to avoid the need to modify the protective order upon development of the Commission’s deliverability requirement beyond the baseline analysis, i.e., refinement of the “aggregate to load” and import screens and local deliverability requirement,<sup>1</sup> the scope of the protective order encompasses any data or information provided to the CAISO in furtherance of developing in Phase 2 any aspect of the deliverability requirement for resource adequacy described in D.04-10-035.

In D.04-10-035, the Commission directed the CAISO to develop the baseline analysis that form a necessary predicate to performing two proposed “deliverability” screens that will be used to implement the Commission’s resource adequacy program. These two screens generally will be used to determine whether, and to what extent, both within-CAISO Control Area resources (aggregate to load) and imports (imports) can be

---

<sup>1</sup> See, *Interim Opinion Regarding Resource Adequacy*, D.04-10-035 at §§ 3.6-3.6.2.

delivered to load within the CAISO Control Area. In addition, D.04-10-035 also requested that the CAISO serve on parties to this proceeding a description of the data needed to perform the baseline analysis. The CAISO did so, requesting, among other information, unit specific net dependable and qualified capacity, as defined in D.04-10-035, for all generating resources within the CAISO Control Area and information pertaining to transmission remedial action schemes and special protection schemes. Net dependable and qualified capacity are foundational inputs to determine a particular resource's capacity that a load serving entity can count toward satisfying its resource adequacy requirement. D.04-10-035 did not indicate whether the Commission believes a particular resource's net dependable and/or qualified capacity should be public information available to promote transparency and efficiency in transacting for capacity in California. Until such time as the Commission has provided further guidance on this issue, I find it reasonable that resources responding to any CAISO request for data in connection with development of the baseline analysis, the aggregate to load and import screens, and local deliverability requirement can designate materials and data as confidential and subject to the Protective Order and Nondisclosure Certificate, as attached hereto.

A public hearing on this Motion is not needed.

IT IS RULED that the Protective Order, as served and filed on December 2, 2004, in this proceeding, is adopted.

Dated December \_\_\_\_, 2004, at San Francisco, California

---

Mark S. Wetzell  
Administrative Law Judge

**DRAFT – Exhibit B**

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

Order Instituting Rulemaking to Promote Policy  
And Program Coordination and Integration in  
Electric Utility Resource Planning

Rulemaking 04-04-003

**PROTECTIVE ORDER GOVERNING DATA PRODUCED IN  
DEVELOPMENT OF RESOURCE ADEQUACY’S DELIVERABILITY  
REQUIREMENT**

1. This Protective Order shall govern the use of all “Deliverability Protected Materials” produced by any respondent (“Respondent”) to a request for data issued by the California Independent System Operator (“CAISO”) through discovery in this proceeding and/or an CAISO “market notice” the purpose of which is to develop, advance or implement any aspect of the “deliverability” requirements described in Sections 3.6-3.6.2 of the California Public Utilities Commission’s [“CPUC”] *Interim Opinion Regarding Resource Adequacy*, D.04-10-035 (Oct. 28, 2004) [“D.04-10-035”]. Notwithstanding any order terminating this proceeding, this Protective Order shall remain in effect until, after notice and an opportunity to be heard, it is specifically modified or terminated by the Assigned Commissioner, Assigned Administrative Law Judge (“Assigned ALJ”), the Law and Motion Administrative Law Judge, (“Law & Motion ALJ”) or the full CPUC. This Protective Order does not address the right of employees of the CPUC acting in their official capacities to view Deliverability Protected Materials, because Commission employees are entitled to view such Deliverability Protected Materials in accordance with the requirements of Section 583 of the Public Utilities Code and the Commission’s General Order 66-C.

2. In order to identify materials that may be subject to this Protective Order, the CAISO shall label any discover in this proceeding or market notice soliciting data or other information for the purpose of developing, advancing or implementing any aspect of the deliverability requirements described in Sections 3.6-3.6.2 of D.04-10-035 as “For CPUC Deliverability Analysis Purposes.”

3. A Respondent or its authorized representative may designate as protected those materials which customarily are treated by that Respondent as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that Respondent, its affiliates, its customers or its investors to risk of competitive disadvantage or other business injury.

4. The CAISO consents, based on representations from market participants, to treat all Deliverability Protected Materials as confidential or commercially sensitive information pursuant to Section 20.3. et seq. of the CAISO’s Federal Energy Regulatory Commission (“FERC”) Electric Tariff. Accordingly, notwithstanding the provisions of this Protective Order, the CAISO will comply with the provisions of Section 20.3.4(b) of the CAISO FERC Electric Tariff following a request for production of Delivery Protected Materials in this proceeding by notifying affected Respondents or market participants prior to disclosure.

5. Definitions – For purposes of this Order:

(a) The term “Respondent” shall mean an entity or person or authorized representative responding to a request for materials, data or other information issued by the California Independent System Operator (“CAISO”) through discovery in this proceeding and/or through an CAISO “market notice” for the specific purpose of developing, advancing or implementing any aspect of the “deliverability” requirements described in Sections 3.6-3.6.2 of D.04-10-035.

(b)(1) The term “Deliverability Protected Materials” means (A) materials, data or information provided by a Respondent as set forth in paragraph 5(a) designated by such Respondent as protected; (B) any information contained in or

obtained from such designated materials; (C) any other materials which are made subject to this Protective Order by the Assigned ALJ, by the Law and Motion ALJ, by the Assigned Commissioner, by the CPUC, or by any court or other body having appropriate authority; (D) Notes of Deliverability Protected Materials; and (E) copies of Deliverability Protected Materials. The Respondent producing the Deliverability Protected Materials shall physically mark them on each page, or clearly label the electronic file containing such materials either (1) with the words “PROTECTED MATERIALS” or words of similar import as long as the term “Protected Materials” is included in that designation to indicate that they are Protected Materials; or (2) with the words, in bold typeface, “Contains Privileged Information—Do Not Release.”

(2) The term “Notes of Deliverability Protected Materials” means memoranda, handwritten notes, or any other form of information (including electronic form) which copies or discloses materials described in Paragraph 3(b)(1). Notes of Deliverability Protected Materials are subject to the same restrictions provided in this order for Deliverability Protected Materials except as specifically provided in this order.

(3) Deliverability Protected Materials shall not include (A) any information, data, or document already contained in the public files of the CPUC or any other federal or state agency, or any federal or state court, unless the information or document has been determined to be protected by such agency or court, or (B) information, data or document that is public knowledge, or which becomes public knowledge, other than through disclosure in violation of this Protective Order, or (C) information, data or documents that becomes public through an order or decision of the CPUC finding that such Deliverability Protected Materials do not constitute confidential or commercially sensitive information or that such Deliverability Protected Materials should nevertheless be made available to the public.

(c) The term "Non-Disclosure Certificate" shall mean the certificate annexed hereto by which persons who have been granted access to Deliverability Protected Materials shall certify their understanding that such access to Deliverability Protected Materials is provided pursuant to the terms and restrictions of this Protective Order, and that such persons have read the Protective Order and agree to be bound by it.

(d) The term Non-Market Participating Party ("NMPP") Reviewing Representative shall mean a person who is:

(1) An employee of a consumer or customer group that the Director of the Commission's Energy Division or his designee ("Division Director") agrees has a bona fide interest in participating on behalf of end-use customers in this resource adequacy proceeding and which group is not a Market Participating Party as defined in paragraph 5(e)(1); or an attorney, paralegal, expert or employee of an expert retained by an NMPP for the purpose of advising, preparing for or participating in this resource adequacy proceeding.

(2) NMPPs shall identify their proposed Reviewing Representatives to the CAISO and Division Director and provide a curriculum vitae of the candidate, including a brief description of the candidate's professional experience and past and present professional affiliations for the last 10 years. The CAISO and Division Director shall advise the proposing party in writing within three (3) business days from receipt of the notice if either or both of them object to the proposed Reviewing Representative, setting forth in detail the reasons therefor. In the event of such objection, the proposing party, the CAISO and Division Director shall promptly meet and confer to try to resolve the issue, and if necessary seek a ruling from either the assigned ALJ or the Law and Motion ALJ. In addition to determining whether the proposed Reviewing Representative has a need to know, the ALJ in ruling on the issue will

evaluate whether the candidate is engaged in the purchase, sale or marketing of energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or the bidding on or purchasing of power plans or consulting on such matters (or the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting). Absent unusual circumstances as determined by the ALJ, a candidate who falls within the criteria set forth in the preceding sentence will ordinarily be deemed ineligible to serve as an NMPP Reviewing Representative.

(e) The term Market Participating Party (“MPP”) Reviewing Representative shall mean a person who is engaged or retained to advise, prepare for, or participate in the resource adequacy proceeding and is:

(1) An employee of a private, municipal, state or federal entity, which entity engages in the purchase, sale or marketing of energy or capacity, or the bidding on or purchasing of power plants, or consulting on such matters, or an employee of a trade association comprised of such entities that engage in one or more of such activities, who is not engaged in the purchase, sale or marketing of energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or the bidding on or purchasing of power plants or consulting on such matters (or the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting); or an attorney, paralegal, expert or employee of an expert retained by an MPP, who is not himself or herself engaged in, or who does not provide legal or expert consulting services on either (1) the purchase, sale or marketing of energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or (2) the bidding on or purchasing of power plants or consulting on such matters (or the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting).

(2) MPPs shall identify their proposed Reviewing Representatives to the CAISO and Division Director and provide a curriculum vitae of the candidate, including a brief description of the candidate's professional experience and past and present professional affiliations for the last 10 years. The CAISO and Division Director shall advise the proposing party in writing within three (3) business days from receipt of the notice if either or both of them object to the proposed Reviewing Representative, setting forth in detail the reasons therefor. In the event of such objection, the proposing party, the CAISO and Division Director shall promptly meet and confer to try to resolve the issue, and if necessary seek a ruling from either the assigned ALJ or the Law and Motion ALJ. In addition to determining whether the proposed Reviewing Representative has a need to know, the ALJ in ruling on the issue will evaluate whether the candidate is engaged in the purchase, sale or marketing of energy or capacity (or the direct supervision of any employee(s) whose duties include such activities), or the bidding on or purchasing of power plans or consulting on such matters (or the direct supervision of any employee(s) whose duties include such bidding, purchasing or consulting). Absent unusual circumstances as determined by the ALJ, a candidate who falls within the criteria set forth in the preceding sentence will ordinarily be deemed ineligible to serve as an MPP Reviewing Representative;

6. Protected Materials shall be made available under the terms of this Protective Order only to Reviewing Representatives who have signed a Non-Disclosure Certificate and only for the purposes of developing, advancing or implementing any aspect of the "deliverability" requirements described in Sections 3.6-3.6.2 of D.04-10-035.

7. Protected Materials shall remain available to NMPP and MPP Reviewing Representatives until the later of the date that an order terminating this proceeding becomes no longer subject to judicial review; the date that any other

CPUC relating to the Deliverability Protected Materials is concluded and no longer subject to judicial review; or (b) that the Deliverability Protected Materials subject to the Protective Order no longer need to remain available to reviewing representatives. If requested to do so in writing after that date, NMPP and NPP Reviewing Representatives shall, within fifteen (15) days of such request, return the Deliverability Protected Materials to the CAISO, or shall destroy the materials. Within such time period, NMPP and MPP Reviewing Representatives shall also submit to the CAISO an affidavit stating that, to the best of their knowledge, all Deliverability Protected Materials and all Notes of Protected Materials have been returned or have been destroyed. Notwithstanding the two preceding sentences, NMPP and MPP Reviewing Representatives may retain copies of filings, official transcripts and exhibits, if any, prepared in the course of the NMPP and MPP Reviewing Representatives' review of the Deliverability Protected Materials, provided that such retained materials are maintained in accordance with Paragraphs 9 and 13. In the event the CEC receives a request that Protected Materials should be returned or destroyed, but the CEC Executive Director determines that the CEC needs to retain some or all of these Protected Materials to carry out its statutorily-mandated tasks, the CEC may retain the Protected Materials, and the CEC Executive Director shall furnish CAISO and Commission Staff with a letter setting forth the CEC's reasons for retaining the Protected Materials, as well as a list enumerating with reasonable particularity the Protected Materials so retained. To the extent Deliverability Protected Materials are not returned or destroyed pursuant to this paragraph, they shall remain subject to this Protective Order, Section 583 of the California Public Utilities Code and CPUC General Order No. 66-C.

8. In the event that the CPUC receives a request for a copy of or access to any Deliverability Protected Material from the CEC, the procedure for handling such requests shall be as follows. The CPUC, after giving written notice to the CAISO of the request for the Deliverability Protected Material, shall release such

Deliverability Protected Material to the CEC upon receipt from the CEC of an Interagency Information Request and Confidentiality Agreement (Interagency Confidentiality Agreement) that shall (i) provide that the CEC will treat the requested Deliverability Protected Material as confidential in accordance with this Protective Order, (ii) include an explanation of the purpose for the CEC's request, as well as an explanation of how the request relates to furtherance of the CEC's functions, (iii) be signed by a person authorized to bind the CEC contractually, and (iv) expressly state that furnishing of the requested Deliverability Protected Material to employees or representatives of the CEC does not, by itself, make such Deliverability Protected Material public. In addition, the Interagency Confidentiality Agreement shall include an express acknowledgment of the CPUC's sole authority (subject to judicial review) to make the determination whether the Protected Materials should remain confidential or be disclosed to the public, notwithstanding any provision to the contrary in the statutes or regulations applicable to the CEC.

9. All Deliverability Protected Materials shall be maintained by NMPP and MPP Reviewing Representatives in a secure place and kept in a non-public file. Access to those materials shall be limited to those NMPP and NPP Reviewing Representatives specifically authorized pursuant to this Protective Order.

10. If a request is made pursuant to the Public Records Act (PRA), Government Code §6250, *et seq.*, that the Deliverability Protected Materials filed with or otherwise in the possession of the CPUC be produced, the CPUC will notify CAISO of the PRA request and will notify the requester that the Deliverability Protected Materials are public records that fall within the exclusions listed in Section 2 of General Order No. 66(c), and/or that there is a public interest served by withholding the records. *See* paragraphs 2.2 and 3.3 of General Order No. 66-C. In the event the CPUC receives a request from a federal government agency or via a judicial subpoena for the production of Deliverability Protected

Materials in the CPUC's possession, the CPUC will also notify the CAISO of such request. In the event that a PRA requester brings suit to compel disclosure of the Deliverability Protected Materials, the CPUC will promptly notify the CAISO of such suit, and CPUC Staff, the CAISO and Respondents shall cooperate in opposing the suit.

11. In the event that a NMPP or MPP is requested or required by applicable laws or regulations, or in the course of administrative or judicial proceedings (in response to oral questions, interrogatories, requests for information or documents, subpoena, civil investigative demand or similar process) to disclose any confidential information, the NMPP or MPP agrees to oppose disclosure on the grounds that the requested information has already been designated by the CPUC as Deliverability Protected Materials subject to this Protective Order lawfully issued by the CPUC and therefore may not be disclosed. The MPP or NMPP shall also immediately inform the CAISO of the request, and the CAISO will notify Respondents who may, at their sole discretion and cost, direct any challenge or defense against the disclosure requirement, and the NMPP or MPP shall cooperate with the Respondent to the maximum extent practicable to either oppose the disclosure of the Deliverability Protected Materials consistent with applicable law, or obtain confidential treatment of Deliverability Protected Materials by the entity that wishes to receive the Deliverability Protected Materials prior to any such disclosure. If there are multiple requests for substantially similar Deliverability Protected Materials in the same case or proceeding where the NMPP or MPP has been ordered to produce certain specific Deliverability Protected Materials, the MPP or NMPP may, upon request for substantially similar Deliverability Protected Materials by a similarly situated party, respond in a manner consistent with that order to those substantially similar requests for those Deliverability Protected Materials.

12. It shall be a rebuttable presumption that (i) any study that incorporates, describes or otherwise employs Deliverability Protected Material in a manner that

could reveal all of a part of the Deliverability Protected Material, or (ii) any model that relies upon Deliverability Protected Material for algorithms or other computation(s) critical to the functioning of the model, shall also be considered Deliverability Protected Material that is subject to this Protective Order. However, models that merely use Deliverability Protected Material as inputs will not themselves be considered confidential. It shall also be a rebuttable presumption that where the inputs to studies or models include Deliverability Protected Material, or where the outputs of such studies or models reveal such inputs or can be processed to reveal the Deliverability Protected Material, such inputs and/or outputs shall be considered Deliverability Protected Material subject to this Protective Order, unless such inputs and/or outputs have been redacted or aggregated to the satisfaction of the CAISO. Unless a party, by means of notice and motion, obtains a ruling from the Assigned ALJ or the Law and Motion ALJ holding that the applicable presumption(s) from among the foregoing has been rebutted with respect to the model or study at issue, then any party who devises or propounds a model or study that incorporates, uses or is based upon Deliverability Protected Material shall label the model or study “Deliverability Protected Material,” and it shall be subject to the terms of this Protective Order.

13. Deliverability Protected Materials shall be treated as confidential by the NMPP and MPP Reviewing Representative. Deliverability Protected Materials shall not be used except as necessary for the conduct of this proceeding or related proceedings before the Commission for the purpose of developing, advancing or implementing any aspect of the deliverability requirements described in Sections 3.6-3.6.2 of D.04-10-035, nor shall they be disclosed in any manner to any person except a NMPP or MPP Reviewing Representative. NMPP and MPP Reviewing Representatives may make copies of Deliverability Protected Materials, but such copies become Deliverability Protected Materials. Reviewing Representatives may make notes of Deliverability Protected Materials, which shall

be treated as Notes of Deliverability Protected Materials if they disclose the contents of Deliverability Protected Materials.

14.(a) If a NMPP or MPP Reviewing Representative has executed such a Non-Disclosure Certificate, the paralegal, secretarial and clerical personnel under that NMPP or MPP Reviewing Representative's instruction, supervision or control need not execute individual Non-Disclosure Certificates.

(b) NMPP and MPP Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with this order.

15. In the event that any NMPP or MPP Reviewing Representative to whom the Protected Materials are disclosed ceases to be engaged in these proceedings, or is employed or retained for a position whose occupant is not qualified to be a NMPP or MPP Reviewing Representative, access to Deliverability Protected Materials by that person shall be terminated. Even if no longer engaged in this proceeding, every NMPP or MPP Reviewing Representative shall continue to be bound by the provisions of this Protective Order.

16. All disputes arising under this Protective Order shall be presented for resolution to the Assigned ALJ or the Law and Motion ALJ. Prior to presenting any such dispute to the applicable ALJ, the parties to the dispute shall use their best efforts to resolve it. Neither the CAISO, Respondents nor the CPUC Staff waives its right to seek additional administrative or judicial remedies after the Assigned ALJ or the Law and Motion ALJ has made a ruling regarding the dispute.

17. All copies of all documents reflecting Deliverability Protected Materials, including the portion of the hearing testimony, exhibits, transcripts, briefs and other documents which refer to Deliverability Protected Materials, shall be filed and served in sealed envelopes or other appropriate containers endorsed to the effect that they are sealed pursuant to this Protective Order. Such documents shall be marked “**DELIVERABILITY PROTECTED MATERIALS**” and shall

be filed under seal and served under seal only upon the Assigned ALJ, the Assigned Commissioner, the CAISO and all NMPP and MPP Reviewing Representatives who are on the service list. For anything filed under seal, redacted versions or, where an entire document is protected, a letter indicating such will also be filed with the CPUC and served on all parties on the service list and the Assigned ALJ and the Assigned Commissioner. Counsel shall take all reasonable precautions necessary to assure that Protected Materials are not distributed to unauthorized persons.

18. Nothing in this Protective Order shall be construed as precluding the CAISO or any Respondent from objecting to the use of Deliverability Protected Materials on any legal grounds.

19. No Respondent or the CAISO waives its right to pursue any legal or equitable remedy that may be available in the event of an actual or anticipated unauthorized disclosure of Deliverability Protected Material.

20. Any violation of this Protective Order and of any Non-Disclosure Certificate executed hereunder shall constitute a violation of an order of the CPUC.

Dated December \_\_\_\_, 2004, at San Francisco, California.

---

Mark Wetzell  
Administrative Law Judge

**DRAFT – Exhibit C**

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

Order Instituting Rulemaking to Promote Policy  
And Program Coordination and Integration in  
Electric Utility Resource Planning

Rulemaking 04-04-003

**NON-DISCLOSURE CERTIFICATE**

I hereby certify my understanding that access to Deliverability Protected Materials is provided to me pursuant to the terms and restrictions of the Protective Order in this proceeding, that I have been given a copy of and have read the Protective Order, and that I agree to be bound by it. I understand that the contents of the Deliverability Protected Materials, any notes or other memoranda, or any other form of information that copies or discloses Deliverability Protected Materials shall not be disclosed to anyone other than in accordance with that Protective Order. I acknowledge that a violation of this certificate constitutes a violation of an order of the California Public Utilities Commission.

By: \_\_\_\_\_

Title: \_\_\_\_\_

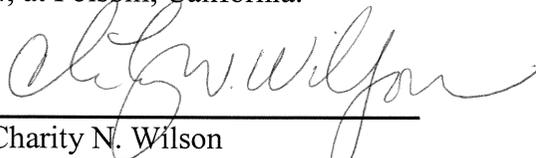
Representing: \_\_\_\_\_

Date: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that I have served, by electronic mail, a copy of the foregoing Motion of The California Independent System Operator for a Protective Order Concerning Data Used to Develop A Deliverability Baseline Analysis and to Shorten Time to each party in Docket No. R.04-04-003.

Executed on December 2, 2004, at Folsom, California.

  
\_\_\_\_\_  
Charity N. Wilson  
An Employee of the California  
Independent System Operator

KEITH MCCREA  
SUTHERLAND, ASBILL & BRENNAN  
1275 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20004-2415

ROGER A. BERLINER  
MANATT, PHELPS & PHILLIPS, LLP  
1501 M STREET, N.W., SUITE 700  
WASHINGTON, DC 20005-1702

GARSON KNAPP  
FPL ENERGY, LLC  
770 UNIVERSE BLVD.  
JUNO BEACH, FL 33408

JAMES ROSS  
RCS CONSULTING, INC.  
500 CHESTERFIELD CENTER, SUITE 320  
CHESTERFIELD, MO 63017

LISA URICK  
SAN DIEGO GAS & ELECTRIC COMPANY  
555 W. 5TH STREET, SUITE 1400  
LOS ANGELES, CA 90013-1011

JAMES OZENNE  
SAN DIEGO GAS & ELECTRIC COMPANY  
555 W. FIFTH ST., STE. 1400  
LOS ANGELES, CA 90013-1034

HOWARD CHOY  
COUNTY OF LOS ANGELES  
1100 NORTH EASTERN AVENUE  
INTERNAL SERVICES DEPARTMENT  
LOS ANGELES, CA 90063

DAVID L. HUARD  
MANATT, PHELPS & PHILLIPS, LLP  
11355 WEST OLYMPIC BOULEVARD  
LOS ANGELES, CA 90064

MARGARET R. SNOW  
MANATT, PHELPS & PHILLIPS  
11355 W. OLYMPIC BLVD.  
LOS ANGELES, CA 90064

RANDALL W. KEEN  
MANATT PHELPS & PHILLIPS, LLP  
11355 WEST OLYMPIC BLVD.  
LOS ANGELES, CA 90064

GREGORY S.G. KLATT  
DOUGLASS & LIDDELL  
411 E. HUNTINGTON DRIVE, SUITE 107-356  
ARCADIA, CA 91007

KEVIN DUGGAN  
CAPSTONE TURBINE CORPORATION  
21211 NORDHOFF STREET  
CHATSWORTH, CA 91311

DANIEL W. DOUGLASS  
DOUGLASS & LIDDELL  
21700 OXNARD STREET, SUITE 1030  
WOODLAND HILLS, CA 91367-8102

ANNETTE GILLIAM  
SOUTHERN CALIFORNIA EDISON COMPANY  
2244 WALNUT GROVE AVENUE  
ROSEMEAD, CA 91770

BETH A. FOX  
SOUTHERN CALIFORNIA EDISON COMPANY  
2244 WALNUT GROVE AVENUE  
ROSEMEAD, CA 91770

ELIZABETH HULL  
CITY OF CHULA VISTA  
276 FOURTH AVENUE  
CHULA VISTA, CA 91910

FREDERICK M. ORTLIEB  
CITY OF SAN DIEGO  
1200 THIRD AVENUE, 11TH FLOOR  
SAN DIEGO, CA 92101

JEFFREY M. PARROTT  
SAN DIEGO GAS & ELECTRIC COMPANY  
101 ASH STREET, HQ 13D  
SAN DIEGO, CA 92101

THEODORE ROBERTS  
SEMPRA ENERGY  
101 ASH STREET, HQ 13D  
SAN DIEGO, CA 92101-3017

MICHAEL SHAMES  
UTILITY CONSUMERS' ACTION NETWORK  
3100 FIFTH AVENUE, SUITE B  
SAN DIEGO, CA 92103

JOSEPH R. KLOBERDANZ  
SAN DIEGO GAS & ELECTRIC  
8330 CENTURY PARK COURT  
SAN DIEGO, CA 92123-1530

JOHN W. LESLIE  
LUCE, FORWARD, HAMILTON & SCRIPPS, LLP  
11988 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130

KEITH E. FULLER  
ITRON, INC.  
11236 EL CAMINO REAL  
SAN DIEGO, CA 92130-2650

CHRIS KING  
CALIFORNIA CONSUMER EMPOWERMENT  
ONE TWIN DOLPHIN DRIVE  
REDWOOD CITY, CA 94065

MARC D. JOSEPH  
ADAMS BROADWELL JOSEPH & CARDOZO  
651 GATEWAY BOULEVARD, SUITE 900  
SOUTH SAN FRANCISCO, CA 94080

JOSEPH PETER COMO  
CITY AND COUNTY OF SAN FRANCISCO  
1 DR. CARLTON B. GOODLETT PLACE, RM.  
234  
CITY HALL, ROOM 234  
SAN FRANCISCO, CA 94102

MICHEL PETER FLORIO  
THE UTILITY REFORM NETWORK (TURN)  
711 VAN NESS AVENUE, SUITE 350  
SAN FRANCISCO, CA 94102

OSA ARMI  
SHUTE MIHALY & WEINBERGER LLP  
396 HAYES STREET  
SAN FRANCISCO, CA 94102

Amy C Yip-Kikugawa  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
LEGAL DIVISION ROOM 5135  
SAN FRANCISCO, CA 94102-3214

Noel Obiora  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
LEGAL DIVISION ROOM 4107  
SAN FRANCISCO, CA 94102-3214

DIAN M. GRUENEICH  
GRUENEICH RESOURCE ADVOCATES  
582 MARKET STREET, SUITE 1020  
SAN FRANCISCO, CA 94104

JACK MC GOWAN  
GRUENEICH RESOURCE ADVOCATES  
582 MARKET STREET, SUITE 1020  
SAN FRANCISCO, CA 94104

JODY S. LONDON  
GRUENEICH RESOURCE ADVOCATES  
582 MARKET STREET, SUITE 1020  
SAN FRANCISCO, CA 94104

KAREN TERRANOVA  
ALCANTAR & KAHL, LLP  
120 MONTGOMERY STREET, STE 2200  
SAN FRANCISCO, CA 94104

NORA SHERIFF  
ALCANTAR & KAHL LLP  
120 MONTGOMERY STREET, SUITE 2200  
SAN FRANCISCO, CA 94104

ROD AOKI  
ALCANTAR & KAHL, LLP  
120 MONTGOMERY STREET, SUITE 2200  
SAN FRANCISCO, CA 94104

SHERYL CARTER  
NATURAL RESOURCES DEFENSE COUNCIL  
111 SUTTER STREET, 20/F  
SAN FRANCISCO, CA 94104

EDWARD V. KURZ  
PACIFIC GAS AND ELECTRIC COMPANY  
77 BEALE STREET  
SAN FRANCISCO, CA 94105

JENNIFER K. POST  
PACIFIC GAS AND ELECTRIC COMPANY  
77 BEALE STREET, ROOM 2496  
SAN FRANCISCO, CA 94105

MARY A. GANDESBERY  
PACIFIC GAS AND ELECTRIC COMPANY  
77 BEALE STREET, B30A  
SAN FRANCISCO, CA 94105

BRIAN CRAGG  
GOODIN, MAC BRIDE, SQUERI, RITCHIE &  
DAY  
505 SANSOME STREET, SUITE 900  
SAN FRANCISCO, CA 94111

CHRISTOPHER HILEN  
DAVIS, WRIGHT TREMAINE, LLP  
ONE EMBARCADERO CENTER, SUITE 600  
SAN FRANCISCO, CA 94111

JAMES D. SQUERI  
GOODIN MACBRIDE SQUERI RITCHIE & DAY  
LLP  
505 SANSOME STREET, SUITE 900  
SAN FRANCISCO, CA 94111

JEANNE B. ARMSTRONG  
RITCHIE & DAY, LLP  
505 SANSOME STREET, SUITE 900  
SAN FRANCISCO, CA 94111

JOSEPH M. KARP  
WHITE & CASE LLP  
3 EMBARCADERO CENTER, 22ND FLOOR  
SAN FRANCISCO, CA 94111

STEVEN F. GREENWALD  
DAVIS WRIGHT TREMAINE, LLP  
ONE EMBARCADERO CENTER, 6TH FLOOR  
SAN FRANCISCO, CA 94111

EDWARD W. O'NEILL  
DAVIS WRIGHT TREMAINE LLP  
ONE EMBARCADERO CENTER, SUITE 600  
SAN FRANCISCO, CA 94111-3834

JEFFREY GRAY  
DAVIS WRIGHT TREMAINE  
ONE EMBARCADERO CENTER, 6TH FLOOR  
SAN FRANCISCO, CA 94111-3834

LISA A. COTTLE  
WHITE & CASE LLP  
3 EMBARCADERO CENTER, SUITE 2210  
SAN FRANCISCO, CA 94111-4050

JOHN W. BOGY  
PACIFIC GAS & ELECTRIC  
PO BOX 7442  
SAN FRANCISCO, CA 94120

SARA STECK MYERS  
122 - 28TH AVENUE  
SAN FRANCISCO, CA 94121

AVIS CLARK  
CALPINE CORPORATION  
4160 DUBLIN BLVD.  
DUBLIN, CA 94568

LINDA Y. SHERIF  
CALPINE CORP.  
4160 DUBLIN BOULEVARD  
DUBLIN, CA 94568

MARJORIE OXSEN  
CALPINE CORPORATION  
4160 DUBLIN BOULEVARD  
DUBLIN, CA 94568

STEVEN S. SCHLEIMER  
CALPINE CORPORATION  
4160 DUBLIN BLVD.  
DUBLIN, CA 94568

JOE DESMOND  
INFOTILITY, INC.  
4847 HOPYARD RD. STE. 4311  
PLEASANTON, CA 94588

WILLIAM H. BOOTH  
LAW OFFICES OF WILLIAM H. BOOTH  
1500 NEWELL AVENUE, 5TH FLOOR  
WALNUT CREEK, CA 94703

ERIC C. WOYCHIK  
STRATEGY INTEGRATION LLC  
9901 CALODEN LANE  
OAKLAND, CA 94605

RAMONA GONZALEZ  
EAST BAY MUNICIPAL UTILITY DISTRICT  
375 ELEVENTH STREET, M/S NO. 205  
OAKLAND, CA 94607

REED V. SCHMIDT  
BARTLE WELLS ASSOCIATES  
1889 ALCATRAZ AVENUE  
BERKELEY, CA 94703

R. THOMAS BEACH  
CROSSBORDER ENERGY  
2560 NINTH STREET, SUITE 316  
BERKELEY, CA 94710

JOHN R. REDDING  
ARCTURUS ENERGY CONSULTING  
31 EUCALYPTUS LANE  
SAN RAFAEL, CA 94901

JOHN REDDING  
SILICON VALLEY MANUFACTURING GROUP  
31 EUCALYPTUS LANE  
SAN RAFAEL, CA 94901

JENNIFER HOLMES  
ITRON INC.  
153 WOODCREST PLACE  
SANTA CRUZ, CA 95065

JUSTIN D. BRADLEY  
SILICON VALLEY MANUFACTURING GROUP  
224 AIRPORT PARKWAY, SUITE 620  
SAN JOSE, CA 95110

BARRY F. MCCARTHY  
MCCARTHY & BERLIN, LLP  
2005 HAMILTON AVENUE, SUITE 140  
SAN JOSE, CA 95125

C. SUSIE BERLIN  
MC CARTHY & BERLIN, LLP  
2005 HAMILTON AVENUE, SUITE 140  
SAN JOSE, CA 95125

SCOTT T. STEFFEN  
MODESTO IRRIGATION DISTRICT  
PO BOX 4060  
MODESTO, CA 95352

CHRISTOPHER J. MAYER  
MODESTO IRRIGATION DISTRICT  
PO BOX 4060  
MODESTO, CA 95352-4060

DAVID KATES  
DAVID MARK AND COMPANY  
3510 UNOCAL PLACE, SUITE 200  
SANTA ROSA, CA 95403-5571

BARBARA R. BARKOVICH  
BARKOVICH AND YAP, INC.  
44810 ROSEWOOD TERRACE  
MENDOCINO, CA 95460

GRANT A. ROSENBLUM  
CALIFORNIA INDEPENDENT SYSTEM  
OPERATOR  
151 BLUE RAVINE ROAD  
FOLSOM, CA 95630

GRANT ROSENBLUM  
CAL INDEPENDENT SYSTEM OPERATOR  
110 BLUE RAVINE ROAD  
FOLSOM, CA 95630

MATTHEW V. BRADY  
MATTHEW V. BRADY & ASSOCIATES  
2339 GOLD MEADOW WAY  
GOLD RIVER, CA 95670

ANDREW B. BROWN  
ELLISON, SCHNEIDER & HARRIS, LLP  
2015 H STREET  
SACRAMENTO, CA 95814

DOUGLAS K. KERNER  
ELLISON, SCHNEIDER & HARRIS LLP  
2015 H STREET  
SACRAMENTO, CA 95814

GREGGORY L. WHEATLAND  
ELLISON, SCHNEIDER & HARRIS  
2015 H STREET  
SACRAMENTO, CA 95814

W. KENT PALMERTON  
CONSTELLATION POWER SOURCE  
1215 K STREET, SUITE 1700  
SACRAMENTO, CA 95814

LYNN HAUG  
ELLISON, SCHNEIDER & HARRIS, LLP  
2015 H STREET  
SACRAMENTO, CA 95814-3109

DIANA MAHMUD  
STATE WATER CONTRACTORS  
455 CAPITOL MALL, SUITE 20  
SACRAMENTO, CA 95814-4409

RONALD LIEBERT  
CALIFORNIA FARM BUREAU FEDERATION  
2300 RIVER PLAZA DRIVE  
SACRAMENTO, CA 95833

MICHAEL ALCANTAR  
ALCANTAR & KAHL LLP  
1300 SW FIFTH AVENUE, SUITE 1750  
PORTLAND, OR 97201

DONALD W. SCHOENBECK  
RCS, INC.  
900 WASHINGTON STREET, SUITE 780  
VANCOUVER, WA 98660

CARLO ZORZOLI  
ENEL NORTH AMERICA, INC.  
1 TECH DRIVE, SUITE 220  
ANDOVER, MA 1810

ERIC YUSSMAN  
FELLON-MCCORD & ASSOCIATES  
9960 CORPORATE CAMPUS DRIVE  
LOUISVILLE, KY 40223

GARY HINNERS  
RELIANT ENERGY, INC.  
PO BOX 148  
HOUSTON, TX 77001-0148

JOHN HILKE  
FEDERAL TRADE COMMISSION  
125 SOUTH STATE STREET  
ROMM 2105  
SALT LAKE CITY, UT 84138

DAVID SAUL  
SOLEL, INC.  
439 PELICAN BAY COURT  
HENDERSON, NV 89012

CYNTHIA K. MITCHELL  
ECONOMIC CONSULTING INC.  
530 COLGATE COURT  
RENO, NV 89503

KEVIN R. MCSPADDEN  
MILBANK, TWEED, HADLEY & MCCLOY LLP  
601 SOUTH FIGUEROA STREET, 30TH FLOOR  
LOS ANGELES, CA 90017

CURTIS KEBLER  
GOLDMAN, SACHS & CO.  
2121 AVENUE OF THE STARS  
LOS ANGELES, CA 90067

NORMAN A. PEDERSEN  
HANNA AND MORTON LLP  
444 SOUTH FLOWER STREET, SUITE 1500  
LOS ANGELES, CA 90071-2916

COLIN M. LONG  
PACIFIC ECONOMICS GROUP  
201 SOUTH LAKE AVENUE, SUITE 400  
PASADENA, CA 91101

ROGER PELOTE  
WILLIAMS POWER COMPANY, INC.  
12736 CALIFA STREET  
VALLEY VILLAGE, CA 91602

SOUTHERN CALIFORNIA EDISON COMPANY  
2244 WALNUT GROVE AVENUE, ROOM 370  
ROSEMEAD, CA 91770

BERJ K. PARSEGHIAN  
SOUTHERN CALIFORNIA EDISON COMPANY  
2244 WALNUT GROVE AVENUE  
ROSEMEAD, CA 91770

FRANK J. COOLEY  
SOUTHERN CALIFORNIA EDISON COMPANY  
2244 WALNUT GROVE AVENUE RM 345  
ROSEMEAD, CA 91770

LAURA A. LARKS  
SOUTHERN CALIFORNIA EDISON COMPANY  
2244 WALNUT GROVE AVENUE, ROOM 345  
ROSEMEAD, CA 91770

LAURA GENAO  
SOUTHERN CALIFORNIA EDISON COMPANY  
2244 WALNUT GROVE AVENUE  
ROSEMEAD, CA 91770

DON WOOD  
PACIFIC ENERGY POLICY CENTER  
4539 LEE AVENUE  
LA MESA, CA 91941

DANIEL A. KING  
SEMPRA ENERGY  
101 ASH STREET, HQ13  
SAN DIEGO, CA 92101

ROB RUNDLE  
SANDAG  
401 B STREET, SUITE 800  
SAN DIEGO, CA 92101

THOMAS CORR  
SEMPRA ENERGY  
101 ASH STREET, HQ 15G  
SAN DIEGO, CA 92101

KELLY M. MORTON  
SAN DIEGO GAS & ELECTRIC  
101 W. ASH STREET, MAIL STOP: HQ13B  
SAN DIEGO, CA 92101-3017

DONALD C. LIDDELL, P.C.  
DOUGLASS & LIDDELL  
2928 2ND AVENUE  
SAN DIEGO, CA 92103

IRENE M. STILLINGS  
SAN DIEGO REGIONAL ENERGY OFFICE  
8520 TECH WAY, SUITE 110  
SAN DIEGO, CA 92123

SCOTT J. ANDERS  
SAN DIEGO REGIONAL ENERGY OFFICE  
8520 TECH WAY - SUITE 110  
SAN DIEGO, CA 92123

CENTRAL FILES  
SAN DIEGO GAS & ELECTRIC  
8330 CENTURY PARK COURT  
SAN DIEGO, CA 92123-1530

JOSE C. CERVANTES  
CITY OF SAN DIEGO  
9601 RIDGEHAVEN CT., SUITE 120  
SAN DIEGO, CA 92123-1636

KURT J. KAMMERER  
SAN DIEGO REGIONAL ENERGY OFFICE  
PO BOX 60738  
SAN DIEGO, CA 92166-8738

MARK SHIRILAU  
ALOHA SYSTEMS, INC.  
14801 COMET STREET  
IRVINE, CA 92604-2464

CHARLES R. TOCA  
UTILITY SAVINGS & REFUND, LLC  
1100 QUAIL, SUITE 217  
NEWPORT BEACH, CA 92660

MARK J. SKOWRONSKI  
SOLARGENIX AT INLAND ENERGY GROUP  
3501 JAMBOREE ROAD, SUITE 606  
NEWPORT BEACH, CA 92660

LAUREN CASENTINI  
D & R INTERNATIONAL  
711 MAIN STREET  
HALF MOON BAY, CA 94019

DIANE I. FELLMAN  
LAW OFFICES OF DIANE I. FELLMAN  
234 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102

MATTHEW FREEDMAN  
THE UTILITY REFORM NETWORK  
711 VAN NESS AVENUE, SUITE 350  
SAN FRANCISCO, CA 94102

Regina DeAngelis  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
LEGAL DIVISION ROOM 4107  
SAN FRANCISCO, CA 94102-3214

SEAN CASEY  
SAN FRANCISCO PUBLIC UTILITIES  
COMMISSIO  
1155 MARKET STREET, 4TH FLOOR  
SAN FRANCISCO, CA 94103

SEAN CASEY  
SAN FRANCISCO PUBLIC UTILITIES  
COMMISSIO  
1155 MARKET STREET, 4TH FLOOR  
SAN FRANCISCO, CA 94103

DEVRA BACHRACH  
NATURAL RESOURCES DEFENSE COUNCIL  
111 SUTTER STREET, 20TH FLOOR  
SAN FRANCISCO, CA 94104

CHRIS ANN DICKERSON, PHD  
FREEMAN, SULLIVAN & CO.  
100 SPEAR ST., 17/F  
SAN FRANCISCO, CA 94105

GRACE LIVINGSTON-NUNLEY  
PACIFIC GAS AND ELECTRIC COMPANY  
77 BEALE STREET, MAIL CODE B9A  
SAN FRANCISCO, CA 94105

VALERIE J. WINN  
PACIFIC GAS AND ELECTRIC COMPANY  
77 BEALE STREET, B9A  
SAN FRANCISCO, CA 94105

PETER BRAY  
PETER BRAY AND ASSOCIATES  
3566 17TH STREET, SUITE 2  
SAN FRANCISCO, CA 94110-1093

CALIFORNIA ENERGY MARKETS  
517-B POTRERO AVE.  
SAN FRANCISCO, CA 94110-1431

JAMES A. BOOTHE  
HOLLAND & KNIGHT LLP  
50 CALIFORNIA STREET, 28TH FLOOR  
SAN FRANCISCO, CA 94111

LINDSEY HOW-DOWNING  
DAVIS WRIGHT TREMAINE LLP  
ONE EMBARCADERO CENTER, SUITE 600  
SAN FRANCISCO, CA 94111-3834

DANIEL W. FESSLER  
HOLLAND & KNIGHT LLP  
50 CALIFORNIA STREET, SUITE 2800  
SAN FRANCISCO, CA 94111-4726

LISA WEINZIMER  
CALIFORNIA ENERGY CIRCUIT  
695 NINTH AVENUE, NO. 2  
SAN FRANCISCO, CA 94118

MARGARET D. BROWN  
PACIFIC GAS AND ELECTRIC COMPANY  
PO BOX 7442  
SAN FRANCISCO, CA 94120-7442

ED LUCHA  
PACIFIC GAS AND ELECTRIC COMPANY  
PO BOX 770000, MAIL CODE: B9A  
SAN FRANCISCO, CA 94177

SEBASTIEN CSAPO  
PACIFIC GAS AND ELECTRIC COMPANY  
PO BOX 770000  
MAIL CODE B9A  
SAN FRANCISCO, CA 94177

BARRY R. FLYNN  
FLYNN RESOURCE CONSULTANTS, INC.  
5440 EDGEVIEW DRIVE  
DISCOVERY BAY, CA 94514

MICHAEL ROCHMAN  
SCHOOL PROJECT UTILITY RATE  
REDUCTION  
1430 WILLOW PASS ROAD, SUITE 240  
CONCORD, CA 94520

KEITH WHITE  
931 CONTRA COSTA DRIVE  
EL CERRITO, CA 94530

JAY BHALLA  
INTERGY CORPORATION  
4713 FIRST STREET, SUITE 235  
PLEASANTON, CA 94566

KENNETH ABREU  
CALPINE CORPORATION  
4160 DUBLIN BLVD.  
DUBLIN, CA 94568

GREGORY T. BLUE  
DYNEGY INC.  
5976 WEST LAS POSITAS BLVD., NO. 200  
PLEASANTON, CA 94588

WILLIAM H. CHEN  
CONSTELLATION NEW ENERGY, INC.  
2175 N. CALIFORNIA BLVD., SUITE 300  
WALNUT CREEK, CA 94596

STANLEY I. ANDERSON  
POWER VALUE INCORPORATED  
964 MOJAVE CT  
WALNUT CREEK, CA 94598

TED POPE  
COHEN VENTURES, INC./ENERGY  
SOLUTIONS  
1738 EXCELSIOR AVENUE  
OAKLAND, CA 94602

CATHERINE E. YAP  
BARKOVICH & YAP, INC.  
PO BOX 11031  
OAKLAND, CA 94611

MRW & ASSOCIATES, INC.  
1999 HARRISON STREET, SUITE 1440  
OAKLAND, CA 94612

DAVID MARCUS  
PO BOX 1287  
BERKELEY, CA 94701

GREGG MORRIS  
GREEN POWER INSTITUTE  
2039 SHATTUCK AVE., SUITE 402  
BERKELEY, CA 94704

JOHN GALLOWAY  
UNION OF CONCERNED SCIENTISTS  
2397 SHATTUCK AVENUE, SUITE 203  
BERKELEY, CA 94704

CRAIG TYLER  
TYLER & ASSOCIATES  
2760 SHASTA ROAD  
BERKELEY, CA 94708

NANCY RADER  
CALIFORNIA WIND ENERGY ASSOCIATION  
1198 KEITH AVENUE  
BERKELEY, CA 94708

EDWARD VINE  
LAWRENCE BERKELEY NATIONAL LAB  
BUILDING 90-4000  
BERKELEY, CA 94720

RYAN WISER  
BERKELEY LAB  
ONE CYCLOTRON ROAD  
MS-90-4000  
BERKELEY, CA 94720

KAREN NOTSUND  
UC ENERGY INSTITUTE  
2547 CHANNING WAY  
BERKELEY, CA 94720-5180

PHILLIP J. MULLER  
SCD ENERGY SOLUTIONS  
436 NOVA ALBION WAY  
SAN RAFAEL, CA 94903

WILLIAM B. MARCUS  
JBS ENERGY, INC.  
311 D STREET, SUITE A  
WEST SACRAMENTO, CA 95605

VIKKI WOOD  
SACRAMENTO MUNICIPAL UTILITY DISTRICT  
6301 S STREET, MS A103  
SACRAMENTO, CA 95618-1899

CAROLYN M. KEHREIN  
ENERGY MANAGEMENT SERVICES  
1505 DUNLAP COURT  
DIXON, CA 95620-4208

SCOTT BLAISING  
BRAUN & BLAISING, P.C.  
8980 MOONEY ROAD  
ELK GROVE, CA 95624

LEGAL & REGULATORY DEPARTMENT  
CALIFORNIA ISO  
151 BLUE RAVINE ROAD  
FOLSOM, CA 95630

PHILIP D. PETTINGILL  
CALIFORNIA ISO  
151 BLUE RAVINE ROAD  
FOLSOM, CA 95630

ROBERT SPARKS  
CALIFORNIA ISO  
151 BLUE RAVINE ROAD  
FOLSOM, CA 95630

ROBERT SPARKS  
CALIFORNIA ISO  
151 BLUE RAVINE ROAD  
FOLSOM, CA 95630

JAMES WEIL  
AGLET CONSUMER ALLIANCE  
PO BOX 1599  
FORESTHILL, CA 95631

DAVID LA PORTE  
NAVIGANT CONSULTING  
3100 ZINFANDEL DR.  
RANCHO CORDOVA, CA 95670

ED CHANG  
FLYNN RESOURCE CONSULTANTS, INC.  
2165 MOONSTONE CIRCLE  
EL DORADO HILLS, CA 95762

BRUCE MCLAUGHLIN  
BRAUN & BLAISING P.C.  
915 L STREET, SUITE 1460  
SACRAMENTO, CA 95814

DAN GEIS  
AGRICULTURAL ENERGY CONSUMERS  
ASSO.  
925 L STREET, SUITE 800  
SACRAMENTO, CA 95814

JOHN LARREA  
WILLIAMS COMPANIES  
1100 N STREET, 5D  
SACRAMENTO, CA 95814

KEVIN WOODRUFF  
WOODRUFF EXPERT SERVICES  
1100 K STREET, SUITE 204  
SACRAMENTO, CA 95814

LOREN KAYE  
POLIS GROUP  
1115 11TH STREET, SUITE 100  
SACRAMENTO, CA 95814

MELANIE GILLETTE  
DUKE ENERGY NORTH AMERICA  
980 NINTH STREET, SUITE 1420  
SACRAMENTO, CA 95814

STEVEN KELLY  
INDEPENDENT ENERGY PRODUCERS ASSN  
1215 K STREET, SUITE 900  
SACRAMENTO, CA 95814

TERRY A. GERMAN  
LIVINGSTON & MATTESICH LAW  
CORPORATION  
1201 K STREET, SUITE 1100  
SACRAMENTO, CA 95814-3938

GREG BROWNELL  
SACRAMENTO MUNICIPAL UTILITY DISTRICT  
6201 S STREET, M.S. B306  
SACRAMENTO, CA 95817-1899

CAROLYN A. BAKER  
7456 DELTAWIND DRIVE  
SACRAMENTO, CA 95831

KAREN NORENE MILLS  
CALIFORNIA FARM BUREAU FEDERATION  
2300 RIVER PLAZA DRIVE  
SACRAMENTO, CA 95833

KAREN LINDH  
LINDH & ASSOCIATES  
7909 WALERGA ROAD, NO. 112, PMB 119  
ANTELOPE, CA 95843

NATHAN TOYAMA  
SACRAMENTO MUNICIPAL UTILITY DISTRICT  
6201 S STREET  
RATES DEPARTMENT, MS 44  
SACRAMENTO, CA 95852-1830

DON WINSLOW  
PPM ENERGY  
1125 N.W. COUCH, SUITE 700  
PORTLAND, OR 97209

G. ALAN COMNES  
DYNEGY POWER CORP.  
3934 SE ASH STREET  
PORTLAND, OR 97214

LAURA J. SCOTT  
LANDS ENERGY CONSULTING INC.  
2366 EASTLAKE AVENUE EAST  
SUITE 311  
SEATTLE, WA 98102-3399

Maxine Harrison  
CALIF PUBLIC UTILITIES COMMISSION  
320 WEST 4TH STREET SUITE 500  
EXECUTIVE DIVISION  
LOS ANGELES, CA 90013

Amy Chan  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRIC INDUSTRY & FINANCE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Bradford Wetstone  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRIC INDUSTRY & FINANCE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Brian D. Schumacher  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ENGINEERING, ENVIRONMENTAL STUDIES,  
CUSTOMER SERVICE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Bruce Kaneshiro  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Carol A Brown  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
DIVISION OF ADMINISTRATIVE LAW JUDGES  
ROOM 5103  
SAN FRANCISCO, CA 94102-3214

Clayton K. Tang  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRIC INDUSTRY & FINANCE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Donald R Smith  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRICITY RESOURCES AND PRICING  
BRANCH ROOM 4209  
SAN FRANCISCO, CA 94102-3214

Donna J Hines  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRICITY RESOURCES AND PRICING  
BRANCH ROOM 4102  
SAN FRANCISCO, CA 94102-3214

Eugene Cadenasso  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Jack Fulcher  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRIC INDUSTRY & FINANCE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Jan Reid  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRICITY RESOURCES AND PRICING  
BRANCH ROOM 4209  
SAN FRANCISCO, CA 94102-3214

Jeanette Lo  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY ROOM 4006  
SAN FRANCISCO, CA 94102-3214

Julie A Fitch  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
EXECUTIVE DIVISION ROOM 5203  
SAN FRANCISCO, CA 94102-3214

Karen M Shea  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRIC INDUSTRY & FINANCE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Kenneth Lewis  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ENGINEERING, ENVIRONMENTAL STUDIES,  
CUSTOMER SERVICE ROOM 4002  
SAN FRANCISCO, CA 94102-3214

Lainie Motamedi  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
DIVISION OF STRATEGIC PLANNING ROOM  
5119  
SAN FRANCISCO, CA 94102-3214

Lisa Paulo  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Louis M Irwin  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRICITY RESOURCES AND PRICING  
BRANCH ROOM 4209  
SAN FRANCISCO, CA 94102-3214

Mark S. Wetzell  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
DIVISION OF ADMINISTRATIVE LAW JUDGES  
ROOM 5009  
SAN FRANCISCO, CA 94102-3214

Marshal B. Enderby  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ENERGY COST OF SERVICE BRANCH ROOM  
4205  
SAN FRANCISCO, CA 94102-3214

Maryam Ebke  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
DIVISION OF STRATEGIC PLANNING ROOM  
5119  
SAN FRANCISCO, CA 94102-3214

Meg Gottstein  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
DIVISION OF ADMINISTRATIVE LAW JUDGES  
ROOM 5044  
SAN FRANCISCO, CA 94102-3214

Moises Chavez  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Nilgun Atamturk  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Paul Douglas  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRIC INDUSTRY & FINANCE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Philippe Auclair  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
EXECUTIVE DIVISION ROOM 5218  
SAN FRANCISCO, CA 94102-3214

Robert Elliott  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ENGINEERING, ENVIRONMENTAL STUDIES,  
CUSTOMER SERVICE AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Scott Logan  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRICITY RESOURCES AND PRICING  
BRANCH ROOM 4209  
SAN FRANCISCO, CA 94102-3214

Shannon Eddy  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
EXECUTIVE DIVISION ROOM 4102  
SAN FRANCISCO, CA 94102-3214

Stephen St. Marie  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRIC INDUSTRY & FINANCE AREA  
SAN FRANCISCO, CA 94102-3214

Steve Linsey  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
ELECTRICITY RESOURCES AND PRICING  
BRANCH AREA 4-D  
SAN FRANCISCO, CA 94102-3214

Trina Horner  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
EXECUTIVE DIVISION ROOM 5217  
SAN FRANCISCO, CA 94102-3214

Valerie Beck  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY AREA 4-A  
SAN FRANCISCO, CA 94102-3214

Zenaida G. Tapawan-Conway  
CALIF PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY AREA 4-A  
SAN FRANCISCO, CA 94102-3214

MARGARET TOBIAS  
460 PENNSYLVANIA AVENUE  
SAN FRANCISCO, CA 94107

ANDREW ULMER  
SIMPSON PARTNERS LLP  
900 FRONT STREET, SUITE 300  
SAN FRANCISCO, CA 94111

CLARE LAUFENBERG  
CALIFORNIA ENERGY COMMISSION  
1516 9TH ST., MS 46  
SACRAMENTO, CA 95814

CONNIE LENI  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET  
SACRAMENTO, CA 95814

DARCIE L. HOUCK  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET, MS 34  
SACRAMENTO, CA 95814

ERIN R. KOCH-GOODMAN  
CALIFORNIA ELECTRICITY OVERSIGHT  
BOARD  
770 L STREET, SUITE 1250  
SACRAMENTO, CA 95814

JENNIFER TACHERA  
CALIFORNIA ENERGY COMMISSION  
1516 - 9TH STREET  
SACRAMENTO, CA 95814

KAREN GRIFFIN  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET, MS 39  
SACRAMENTO, CA 95814

MICHAEL JASKE  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET, MS-500  
SACRAMENTO, CA 95814

MICHAEL MESSENGER  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET  
SACRAMENTO, CA 95814

THOMAS FLYNN  
CALIFORNIA PUBLIC UTILITIES COMMISSION  
770 L STREET, SUITE 1050  
SACRAMENTO, CA 95814

TOM GLAVIANO  
CALIFORNIA ENERGY COMMISSION  
1516 NINTH STREET, MS-14  
SACRAMENTO, CA 95814

Wade McCartney  
CALIF PUBLIC UTILITIES COMMISSION  
770 L STREET, SUITE 1050  
NATURAL GAS, ENERGY EFFICIENCY AND  
RESOURCE ADVISORY  
SACRAMENTO, CA 95814

PEGGY BERNARDY  
CALIFORNIA DEPARTMENT OF WATER  
RESOURCES  
OFFICE OF THE CHIEF COUNSEL  
1416 9TH ST., ROOM 1118  
SACRAMENTO, CA 95814-4409

FERNANDO DE LEON  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET, MS-14  
SACRAMENTO, CA 95814-5512

HELEN SABET  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET  
SACRAMENTO, CA 95814-5512

ARLEN ORCHARD  
SACRAMENTO MUNICIPAL UTILITY DISTRICT  
6201 S STREET, M.S. B406  
SACRAMENTO, CA 95817-1899

RON WETHERALL  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET MS 20  
SACRAMENTO, CA 96814-5512

ROSS A. MILLER  
CALIFORNIA ENERGY COMMISSION  
1516 9TH STREET MS 20  
SACRAMENTO, CA 96814-5512