

**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

**REPLY OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR
ON ITS MOTION 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 14, 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

**REPLY OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR
ON ITS MOTION 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

The California Independent System Operator (“CAISO”) received responses to its motion for adoption of a protective order from Southern California Edison Company (“SCE”) and the Cogeneration Association of California (“CAC”). Both SCE and CAC seek to increase the transparency of the deliverability analysis and dissemination of the methodologies, studies and results relating to that analysis. The CAISO agrees. Consequently, the CAISO recommends that the proposed protective order be amended as set forth below.

As noted in the motion, the origin of the proposed protective order was to allow the CAISO to rely on the resources of participating transmission owners (“PTOs”) to construct base cases and perform power flow studies necessary to complete the baseline analysis. This allocation of responsibility was viewed by the CAISO as the only realistic way to meet the aggressive schedule for completing the baseline analysis required by the Commission. However, because the purpose was to allow access to data deemed

confidential by other market participants to PTO employees only, the definition of Market Participating Party (“MPP”) Reviewing Representative was restricted to employees of an MPP that did not engage in the purchase, sale or marketing of energy or capacity. CAC objects to this limitation directly. SCE objects indirectly by requesting a broader audience for the “analyses, methodologies, results and studies” performed by the CAISO.

The CAISO has rethought the scope of the protective order. In this regard, the scope of or need for any protective order must be considered in the context of the goals, purpose and procedures associated with the deliverability baseline analysis and the calculation of eligible capacity generally. The proposed baseline analysis constitutes the foundation of the screen used to test each generating unit’s deliverability. Under the Commission’s resource adequacy decision (D.04-10-035), a particular unit’s eligible capacity will be determined by applying the resource specific formulas adopted in that decision. That eligible capacity value may then be modified based on the outcome of the deliverability to load screen. The CAISO does not anticipate that the deliverability screen will affect the eligible capacity value of many units. Nevertheless, to the extent it does, the CAISO agrees that the resource owner must have the ability to review and test the CAISO’s analysis. The original protective order did not permit such review and therefore was deficient.

CAC would address this deficiency by adopting the model protective order developed by the Federal Energy Regulatory Commission (“FERC”). The FERC protective order permits any MPP employee to review all data designated as confidential subject to prohibitions against the use of the data for any purpose other than the instant proceeding (see CAC Attachment A at paragraph 20) and in any manner that gives the

possessor of the data a commercial advantage (*Id.* at paragraph 21). The CAISO believes this represents a reasonable and viable approach. This is especially true given that the information presently requested by the CAISO does not appear to be highly commercially sensitive.¹

Nevertheless, the protective order is intended to cover not only the data requested to date, but also all potential data requested by the CAISO in preparation of the baseline analysis and deliverability screens. As such, the CAISO believes that the protective order should be as narrow as possible, while still fulfilling the goal of allowing parties to verify the accuracy of the results related to their resources. For this reason, the CAISO proposes that the Commission adopt the proposed protective order with a variant of the modification proposed by SCE. Paragraph 12 of the protective order should read:

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

¹ As indicated in its motion, the CAISO filed for adoption of a protective order based on the representations of market participants that they viewed as confidential the information requested by the CAISO in materials distributed on November 12, 2004. The CAISO has not conducted an independent analysis of the information's potential confidentiality. However, given that the CAISO does not have the authority to compel all generation owners in the State to provide the requested data and the importance of the accuracy of the data to the efficacy of the baseline analysis, the CAISO agreed to seek protection of data provided for the baseline analysis and identified as confidential by market participants.

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. Employees of any Respondent, regardless of whether they have been designated MPP Reviewing Representatives, shall have access to the analyses, methodologies, results and studies which relate to any resource that the Respondent owns or with which it has contracted.

The protective order as modified is attached.

Based on the foregoing, the CAISO respectfully requests that the modified form of protective order and nondisclosure certificate, attached hereto, be adopted.

December 14, 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 to Reply

**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 SDG&E 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. 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. Employees of any Respondent, regardless of whether they have been designated MPP Reviewing Representatives, shall have access to the analyses, methodologies, results and studies which relate to any resource that the Respondent owns or with which it has contracted.

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 B to Reply

**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: _____

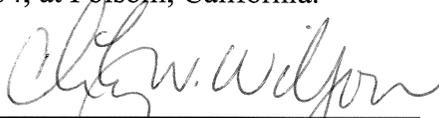
Representing: _____

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that I have served, by electronic mail, a copy of the foregoing Reply of The California Independent System Operator on its Motion 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 14, 2004, at Folsom, California.



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

KENNETH ABREU
CALPINE CORPORATION
4160 DUBLIN BLVD.
DUBLIN, CA 94568
kena@calpine.com

MICHAEL ALCANTAR
ALCANTAR & KAHL LLP
1300 SW FIFTH AVENUE, SUITE 1750
PORTLAND, OR 97201
mpa@a-klaw.com

SCOTT J. ANDERS
SAN DIEGO REGIONAL ENERGY OFFICE
8520 TECH WAY - SUITE 110
SAN DIEGO, CA 92123
scott.anders@sdenenergy.org

STANLEY I. ANDERSON
POWER VALUE INCORPORATED
964 MOJAVE CT
WALNUT CREEK, CA 94598
sia2@pwrval.com

ROD AOKI
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104
rsa@a-klaw.com

OSA ARMI
SHUTE MIHALY & WEINBERGER LLP
396 HAYES STREET
SAN FRANCISCO, CA 94102
armi@smwlaw.com

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

Nilgun Atamturk
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-A
SAN FRANCISCO, CA 94102-3214
nil@cpuc.ca.gov

Philippe Auclair
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
EXECUTIVE DIVISION ROOM 5218
SAN FRANCISCO, CA 94102-3214
pha@cpuc.ca.gov

DEVRA BACHRACH
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 94104
dbachrach@nrdc.org

CAROLYN A. BAKER
7456 DELTAWIND DRIVE
SACRAMENTO, CA 95831
cabaker906@sbcglobal.net

BARBARA R. BARKOVICH
BARKOVICH AND YAP, INC.
44810 ROSEWOOD TERRACE
MENDOCINO, CA 95460
brbarkovich@earthlink.net

R. THOMAS BEACH
CROSSBORDER ENERGY
2560 NINTH STREET, SUITE 316
BERKELEY, CA 94710
tomb@crossborderenergy.com

Valerie Beck
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-A
SAN FRANCISCO, CA 94102-3214
vjb@cpuc.ca.gov

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

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

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

JAY BHALLA
INTERGY CORPORATION
4713 FIRST STREET, SUITE 235
PLEASANTON, CA 94566
jay.bhalla@intergycorp.com

SCOTT BLAISING
BRAUN & BLAISING, P.C.
8980 MOONEY ROAD
ELK GROVE, CA 95624
blaising@braunlegal.com

GREGORY T. BLUE
DYNEGY INC.
5976 WEST LAS POSITAS BLVD., NO. 200
PLEASANTON, CA 94588
greg.blue@dynegy.com

JOHN W. BOGY
PACIFIC GAS & ELECTRIC
PO BOX 7442
SAN FRANCISCO, CA 94120
j0b5@pge.com

WILLIAM H. BOOTH
LAW OFFICES OF WILLIAM H. BOOTH
1500 NEWELL AVENUE, 5TH FLOOR
WALNUT CREEK, CA 94596
wbooth@booth-law.com

JAMES A. BOOTHE
HOLLAND & KNIGHT LLP
50 CALIFORNIA STREET, 28TH FLOOR
SAN FRANCISCO, CA 94111
james.booth@hklaw.com

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

MATTHEW V. BRADY
MATTHEW V. BRADY & ASSOCIATES
2339 GOLD MEADOW WAY
GOLD RIVER, CA 95670
matt@bradylawus.com

PETER BRAY
PETER BRAY AND ASSOCIATES
3566 17TH STREET, SUITE 2
SAN FRANCISCO, CA 94110-1093
petertbray@yahoo.com

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

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

Carol A Brown
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
ALJ DIVISION, ROOM 5103
SAN FRANCISCO, CA 94102-3214
cab@cpuc.ca.gov

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

Eugene Cadenasso
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-A
SAN FRANCISCO, CA 94102-3214
cpe@cpuc.ca.gov

LAUREN CASENTINI
D & R INTERNATIONAL
711 MAIN STREET
HALF MOON BAY, CA 94019
lcaseyntini@drintl.com

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

Moises Chavez
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-A
SAN FRANCISCO, CA 94102-3214
mcv@cpuc.ca.gov

AVIS CLARK
CALPINE CORPORATION
4160 DUBLIN BLVD.
DUBLIN, CA 94568
aclark@calpine.com

FRANK J. COOLEY
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE RM 345
ROSEMEAD, CA 91770
frank.cooley@sce.com

BRIAN CRAGG
GOODIN, MAC BRIDE, SQUERI, RITCHIE & DAY
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111
bcragg@gmssr.com

Regina DeAngelis
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
LEGAL DIVISION ROOM 4107
SAN FRANCISCO, CA 94102-3214
rmd@cpuc.ca.gov

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

KEVIN DUGGAN
CAPSTONE TURBINE CORPORATION
21211 NORDHOFF STREET
CHATSWORTH, CA 91311
kduggan@capstoneturbine.com

TRENT A. CARLSON
RELIANT ENERGY
1000 MAIN STREET
HOUSTON, TX 77002
tcarlson@reliant.com

SEAN CASEY
SAN FRANCISCO PUBLIC UTILITIES COMMISSIO
1155 MARKET STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103
scasey@sfwater.org

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

WILLIAM H. CHEN
CONSTELLATION NEW ENERGY, INC.
2175 N. CALIFORNIA BLVD., SUITE 300
WALNUT CREEK, CA 94596
bill.chen@constellation.com

G. ALAN COMNES
DYNEGY POWER CORP.
3934 SE ASH STREET
PORTLAND, OR 97214
alan.comnes@dynegy.com

THOMAS CORR
SEMPRA ENERGY
101 ASH STREET, HQ 15G
SAN DIEGO, CA 92101
tcorr@sempra.com

SEBASTIEN CSAPO
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000
MAIL CODE B9A
SAN FRANCISCO, CA 94177
sscb@pge.com

JOE DESMOND
INFOTILITY, INC.
4847 HOPYARD RD. STE. 4311
PLEASANTON, CA 94588
joe@infotility.com

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

Maryam Ebke
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
DIVISION OF STRATEGIC PLANNING ROOM 5119
SAN FRANCISCO, CA 94102-3214
meb@cpuc.ca.gov

SHERYL CARTER
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20/F
SAN FRANCISCO, CA 94104
scarter@nrdc.org

SEAN CASEY
SAN FRANCISCO PUBLIC UTILITIES COMMISSIO
1155 MARKET STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103
scasey@sfwater.org

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

HOWARD CHOY
COUNTY OF LOS ANGELES
1100 NORTH EASTERN AVENUE
INTERNAL SERVICES DEPARTMENT
LOS ANGELES, CA 90063
hchoy@isd.co.la.ca.us

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
joe.como@sfgov.org

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

FERNANDO DE LEON
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-14
SACRAMENTO, CA 95814-5512
fdeleon@energy.state.ca.us

CHRIS ANN DICKERSON, PHD
FREEMAN, SULLIVAN & CO.
100 SPEAR ST., 17/F
SAN FRANCISCO, CA 94105
dickerson05@fscgroup.com

DANIELLE DOWERS
S. F. PUBLIC UTILITIES COMMISSION
1155 MARKET STREET 4TH FLOOR
SAN FRANCISCO, CA 94103
ddowers@sfwater.org

Shannon Eddy
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
EXECUTIVE DIVISION ROOM 4102
SAN FRANCISCO, CA 94102-3214
sed@cpuc.ca.gov

Robert Elliott
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-A
SAN FRANCISCO, CA 94102-3214
rae@cpuc.ca.gov

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

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

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

Julie A Fitch
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
EXECUTIVE DIVISION ROOM 5203
SAN FRANCISCO, CA 94102-3214
jf2@cpuc.ca.gov

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

BARRY R. FLYNN
FLYNN RESOURCE CONSULTANTS, INC.
5440 EDGEVIEW DRIVE
DISCOVERY BAY, CA 94514
brflynn@flynnrci.com

THOMAS FLYNN
CALIFORNIA PUBLIC UTILITIES COMMISSION
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814
trf@cpuc.ca.gov

BETH A. FOX
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770
beth.fox@sce.com

MATTHEW FREEDMAN
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102
freedman@turn.org

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

KEITH E. FULLER
ITRON, INC.
11236 EL CAMINO REAL
SAN DEIGO, CA 92130-2650
keith.fuller@itron.com

JOHN GALLOWAY
UNION OF CONCERNED SCIENTISTS
2397 SHATTUCK AVENUE, SUITE 203
BERKELEY, CA 94704
jgalloway@ucsusa.org

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

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

LAURA GENAO
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770
laura.genao@sce.com

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

MELANIE GILLETTE
DUKE ENERGY NORTH AMERICA
980 NINTH STREET, SUITE 1420
SACRAMENTO, CA 95814
mlgillette@duke-energy.com

ANNETTE GILLIAM
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770
annette.gilliam@sce.com

TOM GLAVIANO
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS-14
SACRAMENTO, CA 95814
tglaviano@energy.state.ca.us

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

Meg Gottstein
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
ALJ DIVISION, ROOM 5044
SAN FRANCISCO, CA 94102-3214
meg@cpuc.ca.gov

JEFFREY GRAY
DAVIS WRIGHT TREMAINE
ONE EMBARCADERO CENTER, 6TH FLOOR
SAN FRANCISCO, CA 94111-3834
jeffgray@dwt.com

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

KAREN GRIFFIN
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 39
SACRAMENTO, CA 95814
kgriffin@energy.state.ca.us

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

Maxine Harrison
CALIF PUBLIC UTILITIES COMMISSION
320 WEST 4TH STREET SUITE 500
EXECUTIVE DIVISION
LOS ANGELES, CA 90013
omh@cpuc.ca.gov

LYNN HAUG
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814-3109
lmh@eslawfirm.com

CHRISTOPHER HILEN
DAVIS, WRIGHT TERMAINE, LLP
ONE EMBARCADERO CENTER, SUITE 600
SAN FRANCISCO, CA 94111
chrishilen@dwt.com

JOHN HILKE
FEDERAL TRADE COMMISSION
125 SOUTH STATE STREET
ROMM 2105
SALT LAKE CITY, UT 84138
jhilke@ftc.gov

Donna J Hines
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, ROOM 4102
SAN FRANCISCO, CA 94102-3214
djh@cpuc.ca.gov

GARY HINNERS
RELIANT ENERGY, INC.
PO BOX 148
HOUSTON, TX 77001-0148
ghinners@reliant.com

JENNIFER HOLMES
ITRON INC.
153 WOODCREST PLACE
SANTA CRUZ, CA 95065
jennifer.holmes@itron.com

Trina Homer
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
EXECUTIVE DIVISION ROOM 5217
SAN FRANCISCO, CA 94102-3214
tah@cpuc.ca.gov

DARCIE L. HOUCK
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 34
SACRAMENTO, CA 95814
dhouck@energy.state.ca.us

LINDSEY HOW-DOWNING
DAVIS WRIGHT TREMAINE LLP
ONE EMBARCADERO CENTER, SUITE 600
SAN FRANCISCO, CA 94111-3834
lindseyhowdowning@dwt.com

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

ELIZABETH HULL
CITY OF CHULA VISTA
276 FOURTH AVENUE
CHULA VISTA, CA 91910
ehull@ci.chula-vista.ca.us

Louis M Irwin
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, ROOM 4209
SAN FRANCISCO, CA 94102-3214
lmi@cpuc.ca.gov

MICHAEL JASKE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-500
SACRAMENTO, CA 95814
mjaske@energy.state.ca.us

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

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

Bruce Kaneshiro
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-A
SAN FRANCISCO, CA 94102-3214
bsk@cpuc.ca.gov

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

DAVID KATES
DAVID MARK AND COMPANY
3510 UNOCAL PLACE, SUITE 200
SANTA ROSA, CA 95403-5571
dkates@sonic.net

LOREN KAYE
POLIS GROUP
1115 11TH STREET, SUITE 100
SACRAMENTO, CA 95814
lkaye@ka-pow.com

CURTIS KEBLER
GOLDMAN, SACHS & CO.
2121 AVENUE OF THE STARS
LOS ANGELES, CA 90067
curtis.kebler@gs.com

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

CAROLYN M. KEHREIN
ENERGY MANAGEMENT SERVICES
1505 DUNLAP COURT
DIXON, CA 95620-4208
cmkehrein@ems-ca.com

STEVEN KELLY
INDEPENDENT ENERGY PRODUCERS ASSN
1215 K STREET, SUITE 900
SACRAMENTO, CA 95814
steven@iepa.com

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

CHRIS KING
CALIFORNIA CONSUMER EMPOWERMENT
ONE TWIN DOLPHIN DRIVE
REDWOOD CITY, CA 94065
chris@emeter.com

DANIEL A. KING
SEMPRA ENERGY
101 ASH STREET, HQ13
SAN DIEGO, CA 92101
daking@sempra.com

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

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

GARSON KNAPP
FPL ENERGY, LLC
770 UNIVERSE BLVD.
JUNO BEACH, FL 33408
garson_knapp@fpl.com

ERIN R. KOCH-GOODMAN
CALIFORNIA ELECTRICITY OVERSIGHT BOARD
770 L STREET, SUITE 1250
SACRAMENTO, CA 95814
ekg@eob.ca.gov

EDWARD V. KURZ
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET
SAN FRANCISCO, CA 94105
evk1@pge.com

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

LAURA A. LARKS
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE, ROOM 345
ROSEMEAD, CA 91770
laura.larks@sce.com

JOHN LARREA
WILLIAMS COMPANIES
1100 N STREET, 5D
SACRAMENTO, CA 95814
john.g.larrea@williams.com

CLARE LAUFENBERG
CALIFORNIA ENERGY COMMISSION
1516 9TH ST., MS 46
SACRAMENTO, CA 95814
claufenb@energy.state.ca.us

CONNIE LENI
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET
SACRAMENTO, CA 95814
cleni@energy.state.ca.us

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

ERIC LEUZE
CALIFORNIA INDEPENDENT SYSTEM OPERATOR
151 BLUE RAVINE ROAD
FOLSOM, CA 95630
eleuze@caiso.com

Kenneth Lewis
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, ROOM 4002
SAN FRANCISCO, CA 94102-3214
kl1@cpuc.ca.gov

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

RONALD LIEBERT
CALIFORNIA FARM BUREAU FEDERATION
2300 RIVER PLAZA DRIVE
SACRAMENTO, CA 95833
rliebert@cfbf.com

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

Steve Linsey
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-D
SAN FRANCISCO, CA 94102-3214
car@cpuc.ca.gov

GRACE LIVINGSTON-NUNLEY
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MAIL CODE B9A
SAN FRANCISCO, CA 94105
gx12@pge.com

Scott Logan
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, ROOM 4209
SAN FRANCISCO, CA 94102-3214
sjl@cpuc.ca.gov

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

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

ED LUCHA
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE: B9A
SAN FRANCISCO, CA 94177
ell5@pge.com

DIANA MAHMUD
STATE WATER CONTRACTORS
455 CAPITOL MALL, SUITE 20
SACRAMENTO, CA 95814-4409
dmahmud@mwdh2o.com

DAVID MARCUS
PO BOX 1287
BERKELEY, CA 94701
dmarcus2@mindspring.com

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

CHRISTOPHER J. MAYER
MODESTO IRRIGATION DISTRICT
PO BOX 4060
MODESTO, CA 95352-4060
chrism@mid.org

JACK MC GOWAN
GRUENEICH RESOURCE ADVOCATES
582 MARKET STREET, SUITE 1020
SAN FRANCISCO, CA 94104
docket-control@gralegal.com

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

Wade McCartney
CALIF PUBLIC UTILITIES COMMISSION
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814
wsm@cpuc.ca.gov

KEITH MCCREA
SUTHERLAND, ASBILL & BRENNAN
1275 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004-2415
keith.mccrea@sablaw.com

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

KEVIN R. MCSPADEN
MILBANK, TWEED, HADLEY & MCCLOY LLP
601 SOUTH FIGUEROA STREET, 30TH FLOOR
LOS ANGELES, CA 90017
kmcspadden@milbank.com

MICHAEL MESSENGER
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET
SACRAMENTO, CA 95814
Mmesseng@energy.state.ca.us

ROSS A. MILLER
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET MS 20
SACRAMENTO, CA 95814-5512
rmiller@energy.state.ca.us

KAREN NORENE MILLS
CALIFORNIA FARM BUREAU FEDERATION
2300 RIVER PLAZA DRIVE
SACRAMENTO, CA 95833
kmills@cfbf.com

CYNTHIA K. MITCHELL
ECONOMIC CONSULTING INC.
530 COLGATE COURT
RENO, NV 89503
ckmitchell1@sbcglobal.net

GREGG MORRIS
GREEN POWER INSTITUTE
2039 SHATTUCK AVE., SUITE 402
BERKELEY, CA 94704
gmorris@emf.net

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

SARA STECK MYERS
122 - 28TH AVENUE
SAN FRANCISCO, CA 94121
ssmyers@att.net

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

MARJORIE OXSEN
CALPINE CORPORATION
4160 DUBLIN BOULEVARD
DUBLIN, CA 94568
moxsen@calpine.com

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

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

TED POPE
COHEN VENTURES, INC./ENERGY SOLUTIONS
1738 EXCELSIOR AVENUE
OAKLAND, CA 94602
ted@energy-solution.com

JOHN REDDING
SILICON VALLEY MANUFACTURING GROUP
31 EUCALYPTUS LANE
SAN RAFAEL, CA 94901
johnredding@earthlink.net

MICHAEL ROCHMAN
SCHOOL PROJECT UTILITY RATE REDUCTION
1430 WILLOW PASS ROAD, SUITE 240
CONCORD, CA 94520
RochmanM@spurr.org

ROB RUNDLE
SANDAG
401 B STREET, SUITE 800
SAN DIEGO, CA 92101
rru@sandag.org

Lainie Motamedi
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
DIVISION OF STRATEGIC PLANNING ROOM 5119
SAN FRANCISCO, CA 94102-3214
lrm@cpuc.ca.gov

KAREN NOTSUND
UC ENERGY INSTITUTE
2547 CHANNING WAY
BERKELEY, CA 94720-5180
knotsund@uclink.berkeley.edu

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

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

BERJ K. PARSEGHIAN
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770
berj.parseghian@sce.com

ROGER PELOTE
WILLIAMS POWER COMPANY, INC.
12736 CALIFA STREET
VALLEY VILLAGE, CA 91602
roger.pelote@williams.com

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

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

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

HELEN SABET
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET
SACRAMENTO, CA 95814-5512
hsabet@energy.state.ca.us

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

Noel Obiora
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
LEGAL DIVISION ROOM 4107
SAN FRANCISCO, CA 94102-3214
nao@cpuc.ca.gov

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

W. KENT PALMERTON
CONSTELLATION POWER SOURCE
1215 K STREET, SUITE 1700
SACRAMENTO, CA 95814
kent.palmerton@constellation.com

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
lp1@cpuc.ca.gov

PHILIP D. PETTINGILL
CAISO
151 BLUE RAVINE ROAD
FOLSOM, CA 95630
ppettingill@caiso.com

NANCY RADER
CALIFORNIA WIND ENERGY ASSOCIATION
1198 KEITH AVENUE
BERKELEY, CA 94708
nrader@calwea.org

THEODORE ROBERTS
SEMPRA ENERGY
101 ASH STREET, HQ 13D
SAN DIEGO, CA 92101-3017
troberts@sempra.com

JAMES ROSS
RCS CONSULTING, INC.
500 CHESTERFIELD CENTER, SUITE 320
CHESTERFIELD, MO 63017
jimross@r-c-s-inc.com

DAVID SAUL
SOLEL, INC.
439 PELICAN BAY COURT
HENDERSON, NV 89012
dsaul@solel.com

STEVEN S. SCHLEIMER
CALPINE CORPORATION
4160 DUBLIN BLVD.
DUBLIN, CA 94568
sschleimer@calpine.com

REED V. SCHMIDT
BARTLE WELLS ASSOCIATES
1889 ALCATRAZ AVENUE
BERKELEY, CA 94703
rschmidt@bartlewells.com

DONALD W. SCHOENBECK
RCS, INC.
900 WASHINGTON STREET, SUITE 780
VANCOUVER, WA 98660
dws@r-c-s-inc.com

Brian D. Schumacher
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, AREA 4-A
SAN FRANCISCO, CA 94102-3214
bds@cpuc.ca.gov

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

MICHAEL SHAMES
UTILITY CONSUMERS' ACTION NETWORK
3100 FIFTH AVENUE, SUITE B
SAN DIEGO, CA 92103
mshames@ucan.org

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

LINDA Y. SHERIFF
CALPINE CORP.
4160 DUBLIN BOULEVARD
DUBLIN, CA 94568
lsheerif@calpine.com

NORA SHERIFF
ALCANTAR & KAHL LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104
nes@a-klaw.com

MARK SHIRILAU
ALOHA SYSTEMS, INC.
14801 COMET STREET
IRVINE, CA 92604-2464
marks@alohasys.com

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

Donald R Smith
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE, ROOM 4209
SAN FRANCISCO, CA 94102-3214
dsh@cpuc.ca.gov

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

ROBERT SPARKS
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM, CA 95630
rsparks@caiso.com

LEGAL & REGULATORY DEPARTMENT
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM, CA 95630
e-recipient@caiso.com

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

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

SCOTT T. STEFFEN
MODESTO IRRIGATION DISTRICT
PO BOX 4060
MODESTO, CA 95352
scottst@mid.org

IRENE M. STILLINGS
SAN DIEGO REGIONAL ENERGY OFFICE
8520 TECH WAY, SUITE 110
SAN DIEGO, CA 92123
irene.stillings@sdenergy.org

JENNIFER TACHERA
CALIFORNIA ENERGY COMMISSION
1516 - 9TH STREET
SACRAMENTO, CA 95814
jtachera@energy.state.ca.us

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

Zenaida G. Tapawan-Conway
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
NATURAL GAS, ENERGY EFFICIENCY AND RESOURCE
SAN FRANCISCO, CA 94102-3214
ztc@cpuc.ca.gov

KAREN TERRANOVA
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, STE 2200
SAN FRANCISCO, CA 94104
filings@a-klaw.com

MARGARET TOBIAS
460 PENNSYLVANIA AVENUE
SAN FRANCISCO, CA 94107
marg@simpsonpartners.com

CHARLES R. TOCA
UTILITY SAVINGS & REFUND, LLC
1100 QUAIL, SUITE 217
NEWPORT BEACH, CA 92660
ctoca@utility-savings.com

NATHAN TOYAMA
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S STREET
RATES DEPARTMENT, MS 44
SACRAMENTO, CA 95852-1830
ntoyama@smud.org

MARK C. TREXLER
Trexler Climate+Energy Services, Inc.
529 SE GRAND AVE, M SUITE 300
PORTLAND, OR 97214-2232
mtrexler@climateservices.com

CRAIG TYLER
TYLER & ASSOCIATES
2760 SHASTA ROAD
BERKELEY, CA 94708
craigtyler@comcast.net

ANDREW ULMER
SIMPSON PARTNERS LLP
900 FRONT STREET, SUITE 300
SAN FRANCISCO, CA 94111
andrew@simpsonpartners.com

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

EDWARD VINE
LAWRENCE BERKELEY NATIONAL LAB
BUILDING 90-4000
BERKELEY, CA 94720
elvine@lbl.gov

JAMES WEIL
AGLET CONSUMER ALLIANCE
PO BOX 1599
FORESTHILL, CA 95631
jweil@aglet.org

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

ANDREA WELLER
STRATEGIC ENERGY, LTD
TWO GATEWAY CENTER, 9/F
PITTSBURGH, PA 15222
aweller@sel.com

RON WETHERALL
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET MS 20
SACRAMENTO, CA 96814-5512
rwethera@energy.state.ca.us

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

Mark S. Wetzell
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
ALJ DIVISION, ROOM 5009
SAN FRANCISCO, CA 94102-3214
msw@cpuc.ca.gov

GREGGORY L. WHEATLAND
ELLISON, SCHNEIDER & HARRIS
2015 H STREET
SACRAMENTO, CA 95814
glw@eslawfirm.com

KEITH WHITE
931 CONTRA COSTA DRIVE
EL CERRITO, CA 94530
keithwhite@earthlink.net

VALERIE J. WINN
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B9A
SAN FRANCISCO, CA 94105
vjw3@pge.com

DON WINSLOW
PPM ENERGY
1125 N.W. COUCH, SUITE 700
PORTLAND, OR 97209
don.winslow@ppmenergy.com

RYAN WISER
BERKELEY LAB
ONE CYCLOTRON ROAD
MS-90-4000
BERKELEY, CA 94720
rhwiser@lbl.gov

DON WOOD
PACIFIC ENERGY POLICY CENTER
4539 LEE AVENUE
LA MESA, CA 91941
dwood8@cox.net

VIKKI WOOD
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6301 S STREET, MS A103
SACRAMENTO, CA 95618-1899
vwood@smud.org

KEVIN WOODRUFF
WOODRUFF EXPERT SERVICES
1100 K STREET, SUITE 204
SACRAMENTO, CA 95814
kdw@woodruff-expert-services.com

ERIC C. WOYCHIK
STRATEGY INTEGRATION LLC
9901 CALODEN LANE
OAKLAND, CA 94605
eric@strategyi.com

CATHERINE E. YAP
BARKOVICH & YAP, INC.
PO BOX 11031
OAKLAND, CA 94611
ceyap@earthlink.net

Amy C Yip-Kikugawa
CALIF PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
LEGAL DIVISION ROOM 5135
SAN FRANCISCO, CA 94102-3214
ayk@cpuc.ca.gov

ERIC YUSSMAN
FELLON-MCCORD & ASSOCIATES
9960 CORPORATE CAMPUS DRIVE
LOUISVILLE, KY 40223
eyussman@knowledgeinenergy.com

CARLO ZORZOLI
ENEL NORTH AMERICA, INC.
1 TECH DRIVE, SUITE 220
ANDOVER, MA 01810
carlo.zorzoli@enel.it

CASE ADMINISTRATION
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE, ROOM 370
ROSEMEAD, CA 91770
case.admin@sce.com

CENTRAL FILES
SAN DIEGO GAS & ELECTRIC
8330 CENTURY PARK COURT
SAN DIEGO, CA 92123-1530
centralfiles@semprautilities.com

CALIFORNIA ENERGY MARKETS
517-B POTRERO AVE.
SAN FRANCISCO, CA 94110-1431
cem@newsdata.com

MRW & ASSOCIATES, INC.
1999 HARRISON STREET, SUITE 1440
OAKLAND, CA 94612
mrw@mrwassoc.com