

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298

Tel. No. (415) 703-1691



January 25, 2006

Advice Letter 2763-E

Rose de la Torre  
Pacific Gas & Electric  
77 Beale Street, Room 1088  
Mail Code B10C  
San Francisco, CA 94105

RECEIVED  
REGULATORY RELATIONS DEPARTMENT

JAN 27 2006

Subject: Tariff modifications reflecting use of the statutory method in calculation of ongoing Competition Transition Charge in Compliance with Decision 05-12-045

Dear Ms de la Torre:

Advice Letter 2763-E is effective January 1, 2006. A copy of the advice letter is returned herewith for your records.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean H. Gallagher".

Sean H. Gallagher, Director  
Energy Division



**Pacific Gas and  
Electric Company®**

**Brian K. Cherry**  
Director  
Regulatory Relations

77 Beale Street, Room 1087  
San Francisco, CA 94105

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December 23, 2005

**Advice 2763-E  
(Pacific Gas and Electric Company ID U 39 E)**

Public Utilities Commission of the State of California

**Subject: Tariff Modifications Reflecting Use of the Statutory Method in  
Calculation of Ongoing Competition Transition Charge (CTC)  
in Compliance with Decision 05-12-045**

**Background**

Pacific Gas and Electric Company (PG&E) hereby submits Advice 2763-E in compliance with Decision (D.) 05-12-045, *Decision Adopting the 2006 Forecast Revenue Requirement for Pacific Gas and Electric Company's Energy Resource Recovery Account (ERRA) and Competition Transition Charge (CTC)*, Ordering Paragraph (O.P.) 7. PG&E requests that the Commission approve the tariff modifications as set forth in Attachment 1.

**Tariff Revisions**

In D.05-12-045, the Commission determined that ongoing CTC should be calculated based on the statutory method, which is limited to the costs specified in Public Utilities Code Section 367(a)(1)-(6). PG&E modifies the following Electric preliminary statements to indicate that only the statutory method shall be used to calculate ongoing CTC:

- Electric Preliminary Statement CP: Energy Resource Recovery Account (ERRA)
- Electric Preliminary Statement CQ: Modified Transition Cost Balancing Account (MTCBA)
- Electric Preliminary Statement BB: Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Loads

This is the only modification made to all three electric preliminary statements.

**Protests**

Anyone who wishes to protest this filing may do so by sending a letter by **January 12, 2006**, which is 20 days from the date of this filing. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. Protests should be mailed to:

CPUC – Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, California 94102  
Facsimile: (415) 703-2200  
E-mail: [jjr@cpuc.ca.gov](mailto:jjr@cpuc.ca.gov) and [jnj@cpuc.ca.gov](mailto:jnj@cpuc.ca.gov)

Protests also should be sent by e-mail and facsimile to Mr. Jerry Royer, Energy Division, as shown above, and by U.S. mail to Mr. Royer at the above address.

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

Protests also should be sent via U.S. mail (and by facsimile and electronically, if possible) to PG&E at the address shown below on the same date it is mailed or delivered to the Commission:

Pacific Gas and Electric Company  
Attention: Brian Cherry  
Director, Regulatory Relations  
77 Beale Street, Mail Code B10C  
P.O. Box 770000  
San Francisco, California 94177  
Facsimile: (415) 973-7226  
E-mail: [PGETariffs@pge.com](mailto:PGETariffs@pge.com)

**Effective Date**

In compliance with D.05-12-045, PG&E requests that Advice 2763-E be effective **January 1, 2006**.

**Notice**

In accordance with General Order 96-A, Section III, Paragraph G, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list and parties on the service list for Rulemaking (R.) 01-10-024 and Application (A.) 05-06-007. Address changes should be directed to Rose de la

Torre at (415) 973-4716. Advice letter filings can also be accessed electronically at:

<http://www.pge.com/tariffs>

*Brian K. Chernysh*

Director – Regulatory Relations

Attachments

Cc: Service Lists R.01-10-024, A.05-06-007

# CALIFORNIA PUBLIC UTILITIES COMMISSION

## ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. Pacific Gas and Electric Company (ID39E)

Utility type:

ELC     GAS  
 PLC     HEAT     WATER

Contact Person: Shilpa Ramaiya

Phone #: (415) 973- 3186

E-mail: srrd@pge.com

### EXPLANATION OF UTILITY TYPE

ELC = Electric                      GAS = Gas  
PLC = Pipeline                      HEAT = Heat    WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: **2763-E**

Subject of AL: Tariff Modifications Reflecting Use of the Statutory Method in Calculation of Ongoing Competition Transition Charge (CTC) in Compliance with Decision 05-12-045

Keywords (choose from CPUC listing): Compliance, Text Changes

AL filing type:  Monthly  Quarterly  Annual  One-Time  Other \_\_\_\_\_

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

D.05-12-045

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: N/A

Summarize differences between the AL and the prior withdrawn or rejected AL<sup>1</sup>: \_\_\_\_\_

Resolution Required?  Yes  No

Requested effective date: **01-01-06**

No. of tariff sheets: 8

Estimated system annual revenue effect: (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: Preliminary Statements Part BB (CTC Responsibility for All Customers and CTC Procedure for Departing Loads), CP (Energy Resource Recovery Account), and CQ (Modified Transition Cost Balancing Account)

Service affected and changes proposed<sup>1</sup>: Use of statutory method in calculation of ongoing CTC

Pending advice letters that revise the same tariff sheets: Advice 2650-E and 2650-E-A

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:**

**CPUC, Energy Division**

**Utility Info (including e-mail)**

**Attention: Tariff Unit**

**505 Van Ness Ave.,**

**San Francisco, CA 94102**

**jjr@cpuc.ca.gov and jnj@cpuc.ca.gov**

<sup>1</sup> Discuss in AL if more space is needed.

**ATTACHMENT I  
ADVICE 2763-E**

Cal. P.U.C. Sheet No.	Title of Sheet	Cancelling Cal. P.U.C. Sheet No.
24070-E	Preliminary Statements -- Part BB -- Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Loads	20045-E
24071-E	Preliminary Statements -- Part BB -- Competition Transition Charge Responsibility for All Customers and CTC Procedure for Departing Loads	14963-E
24072-E	Preliminary Statements -- Part CP -- Energy Resource Recovery Account	23763-E
24073-E	Preliminary Statements -- Part CQ -- Modified Transition Cost Balancing Account	22480-E
24074-E	Preliminary Statements -- Part CQ -- Modified Transition Cost Balancing Account	22481-E
24075-E	Table of Contents -- Preliminary Statements --	23676-E
24076-E	Table of Contents -- Preliminary Statements --	23960-E
24077-E	Table of Contents -- Rate Schedules --	23677-E



PRELIMINARY STATEMENT

**BB. COMPETITION TRANSITION CHARGE RESPONSIBILITY FOR ALL CUSTOMERS AND CTC PROCEDURE FOR DEPARTING LOADS**

1. **PURPOSE:** The purpose of this section is to describe the Competition Transition Charge (CTC) and other nonbypassable charge responsibilities of PG&E's retail electric customers (including Bundled Service, Direct Access, Virtual Direct Access and Departing Load customers) and new electric loads, and to establish specific procedures pertaining to the payment of CTC and other nonbypassable charges. To the extent that electric Rate Schedule E-DCG addresses the nonbypassable charge responsibilities of customers with Customer Generation Departing Load as defined in that rate schedule, this section of the electric Preliminary Statement will henceforth apply only to bundled service, direct access service and customers with departing load where departure is not due to the installation of Customer Generation.

On December 20, 1995, the Commission issued Decision 95-12-063 (as modified by Decision 96-01-009) which, among other things, authorized PG&E to collect retail transition costs associated with electric restructuring. On September 23, 1996, Governor Wilson signed into law Assembly Bill (AB) 1890 (Statutes 1996, Ch. 854, codified primarily in various sections of the Public Utilities Code), which also affected the restructuring of the electric industry in California, including the collection of retail transition costs and other nonbypassable charges. Among other things, AB 1890 establishes:

- a) a nonbypassable CTC (Public Utilities Code Sections 367-368, 375-376);
- b) certain exemptions to the CTC (Sections 372, 374);
- c) nonbypassable charges for nuclear decommissioning (Section 379), recovery of Rate Reduction Bond principal, interest, and ongoing costs (Section 840(d)), and public purpose program costs (Sections 381-383) (hereinafter referred to as "other nonbypassable charges"); and
- d) CTC responsibility for existing retail customers and for new electric consumers or loads located in PG&E's service territory as it existed on December 20, 1995 (hereinafter referred to as "new electric loads"), except for those new or incremental loads that might be met through a direct transaction and the transaction does not require the use of transmission or distribution facilities owned by PG&E (Section 369).

The procedures described here for the payment of CTC and other nonbypassable charges by existing customers and new electric loads implements CPUC Decision 97-06-060 in Phase 1 of PG&E's Application 96-08-001, supersedes the Interim CTC Procedure authorized by the Commission in Decisions 96-04-054 and 96-10-041, and are consistent with PG&E's proposals in the Direct Access, Unbundling, and Rate Reduction Bond proceedings.

**2. APPLICABILITY, METERING AND BILLING:**

- a. **Applicability:** CTC and other nonbypassable charge responsibility attaches to and shall be recovered from all existing PG&E bundled service customers, future PG&E bundled service customers, direct access customers, and departing load customers who take or took retail service from PG&E on or after December 20, 1995, and remain in the service territory in which PG&E provided service as of December 20, 1995 as defined by the Public Utilities Code Section 367(a)(1)-(6), known as the statutory method, except as specifically provided for in State of California Public Utilities Code (PU Code) Sections 369 and 371 to 374. Application of certain exceptions and exemptions established in the PU Code is clarified by Decision 97-06-060, Decision 97-12-039, and Decision 98-12-067. Remaining issues may be addressed in dispute resolution procedures for bundled service customers and direct access customers in Rule 10, and Departing Load customers in Sections BB.4.b.2 and BB.4.f.

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(T)

(Continued)



PRELIMINARY STATEMENT  
(Continued)

BB. COMPETITION TRANSITION CHARGE RESPONSIBILITY FOR ALL CUSTOMERS AND CTC  
PROCEDURE FOR DEPARTING LOADS (Cont'd.)

3. CTC RESPONSIBILITY OF ALL CUSTOMERS: (Cont'd.)

e. Public Utilities Code Exemptions: (Cont'd.)

- 11) Load of the Bay Area Rapid Transit District served by preference power purchased from a federal power marketing agency or its successor, pursuant to Section 701.8 of the Public Utilities Code, per Section 374(b).
- 12) Load of the University of California campus located in Yolo County, served as of May 31, 1996 by preference power purchased from a federal marketing agency or its successor, per Section 374(c).

4. CTC PROCEDURE FOR DEPARTING LOADS: Departing Load customers are obligated to make ongoing CTC and other nonbypassable charge payments to PG&E and as defined by the Public Utilities Code Section 367(a)(1)-(6), known as the statutory method, in accordance with the following procedure.

(T)  
(T)

a. Customer Notice to PG&E: Customers shall notify PG&E, in writing or by reasonable means through a designated PG&E account representative authorized to receive such notification, of their intention to take steps that will qualify their load as Departing Load at least 30 days in advance of discontinuation or reduction of electric service from PG&E. The customer shall specify in its notice the following:

- 1) the date of the departure or reduction of load (Date of Departure);
- 2) its preferred method of selecting billing determinants for its Reference Period Load Profile, as described in Paragraph 5(C) below, together with a specification of whether the customer would prefer to be billed for CTC payments and other nonbypassable charges based on current metering information, subject to the metering provisions described in Paragraph 5(E);
- 3) a description of the load that will depart or be reduced;
- 4) the PG&E account number assigned to this load; and
- 5) identification of any exemptions that the customer believes are applicable to the load, pursuant to Section 372 or 374 of the Public Utilities Code.

(Continued)



PRELIMINARY STATEMENT  
(Continued)

CP. ENERGY RESOURCE RECOVERY ACCOUNT (ERRA) (Cont'd.)

- 4. RATES: The ERRA rate is set forth in electric Preliminary Statement Part I.
- 5. ACCOUNTING PROCEDURES: The CPUC-jurisdictional portion of all entries shall be made at the end of each month as follows:
  - a) A credit entry equal to the revenue from the ERRA rate component from bundled customers during the month, excluding the allowance for Franchise Fees and Uncollectible (FF&U) Accounts expense;
  - b) A credit entry equal to RMR and ancillary services revenues from PG&E-owned generation facilities;
  - c) A credit entry equal to surplus sales revenues allocated to PG&E per the Operating Agreement between PG&E and the DWR, if applicable;
  - d) A credit entry equal to revenues received from Schedule TBCC;
  - e) A credit entry equal to revenue associated with designated sales;

The following entries reflect the ongoing Competition Transition Charge (CTC) portion of procurement costs for serving the Western Area Power Authority (WAPA) load included in the Modified Transition Cost Balancing Account for recovery:

- f) A credit entry equal to one-twelfth of the adopted annual ongoing CTC portion of Qualifying Facilities (QF) and Purchase Power Agreement (PPA) costs for serving the Western Area Power Authority (WAPA) load;
- g) A credit entry equal to one-twelfth of the adopted annual ongoing CTC portion of post-2002 power purchase contract costs for serving the WAPA load;
- h) A credit entry equal to one-twelfth of the adopted annual fuel costs associated with the ongoing CTC portion of PG&E owned generation serving the WAPA load;

The following entry reflects the ongoing CTC portion of procurement costs as defined by the Public Utilities Code Section 367(a)(1)-(6), known as the statutory method, included in the Modified Transition Cost Balancing Account for recovery:

- i) A credit entry equal to the sum of the costs for ongoing CTC associated with QF obligations, and PPA obligations (excluding WAPA), above the market benchmark currently adopted by the Commission, net of the costs to serve WAPA included in entries d and f above;

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PRELIMINARY STATEMENT  
(Continued)

**CQ. MODIFIED TRANSITION COST BALANCING ACCOUNT (MTCBA)**

1. **PURPOSE:** The purpose of the MTCBA is to record ongoing transition costs associated with procurement (Decision (D.)02-11-022, D.03-04-030, D.03-07-028), employee transition costs, and other costs as authorized by the Commission as defined by the Public Utilities Code Section 367(a)(1)-(6), known as the statutory method, and to record and recover \$80 million in costs related to the settlement of the Electric Restructuring Costs Account (ERCA), authorized in Decision 04-12-017 for recovery over a one-year period. (T)  
(T)

The MTCBA is comprised of two subaccounts. The first subaccount will track the over-/under-collections attributable to the ongoing competition transition charge (CTC) costs authorized by the Commission to be recovered from bundled customers, direct access (DA) and departing load (DL) customers. The second subaccount will be the ERCA subaccount which will track over-/under-collections attributable to the ERCA settlement amount authorized in D.04-12-017, and to be recovered from bundled and direct access customers over a one-year period. The ERCA settlement provides that recovery will exclude departing load customers.

2. **APPLICABILITY:** The MTCBA shall apply to all rate schedules and contracts for electric service subject to the jurisdiction of the Commission, except for those schedule and contracts specifically excluded by the Commission.
3. **REVISION DATE:** Disposition of amounts in this account shall be determined in any proceeding authorized by the Commission.
4. **RATE:** The MTCBA rates are referred to as Competition Transition Charge rates and are set forth in each electric rate schedule. The CTC rates are composed of the ongoing CTC rates using the statutory method, applicable to bundled, DA, and DL customers and the ERCA CTC rates, applicable to bundled and DA customers. The ERCA CTC rates are separately identified in Part I of the Preliminary Statement, to be filed with PG&E's supplement to Advice 2570-E, scheduled to be filed by December 30, 2004. (T)  
(T)
5. **ACCOUNTING PROCEDURE:** PG&E shall make entries to the following subaccounts at the end of each month as follows:

a. Ongoing CTC Subaccount:

- 1) A credit entry equal to the revenue from the ongoing CTC rate component from bundled and direct access and departing load customers during the month; excluding the allowance for Franchise Fees and Uncollectible (FF&U) Accounts expense.
- 2) A credit entry equal to the revenue from Western Area Power Authority (WAPA) contract transactions.
- 3) A debit entry equal to costs associated with any buy-out, buy-down, renegotiation, or termination of Qualifying Facility (QF) contracts and settlements or judgments related to QF power purchase agreements.
- 4) A debit entry, at the time the restructured contract is signed, equal to ten percent of the total net-present-value of the ratepayer benefits from a restructured QF contract.
- 5) A debit or credit entry upon Commission approval of a restructured contract to true-up for any difference between the initial net present value (Item 5.d. above), and the final Commission-approved net present value of the restructured QF contract and to adjust the interest computation in Item 5.n. below for the effect of the true-up.

(Continued)



PRELIMINARY STATEMENT  
(Continued)

5. ACCOUNTING PROCEDURE: (Cont'd.)

a. Ongoing CTC Subaccount: (Cont'd.)

- 6) A credit entry equal to the revenue received from the sale of excess sulfur dioxide emission credits, less reasonably incurred sales costs not already recovered in rates (D.97-11-074, Section 11.7.3).

The following entry reflects the ongoing CTC costs associated with PG&E's procurement portfolio from the Energy Resource Recovery Account (ERRA) for recovery in this account:

- 7) A debit entry equal to the sum of the costs for ongoing CTC associated with QF obligations and PPA obligations (excluding WAPA), above the market benchmark currently adopted by the Commission, net of the costs to serve WAPA. (T)  
(T)

The following entries reflect the ongoing CTC portion of procurement costs for serving the WAPA load from the ERRA, Utility Generation Balancing Account and DWR Power Charge Balancing Account for recovery in this account:

- 8) A debit entry equal to one-twelfth of the adopted annual ongoing CTC portion of Qualifying Facilities (QF) and other Power Purchase Agreements (PPA) costs for serving the WAPA load allocated to bundled and DA customers.
- 9) A debit entry equal to one-twelfth of the adopted annual ongoing CTC portion of post-2002 power purchase contract costs for serving the WAPA load allocated to bundled and DA customers.
- 10) A debit entry equal to one-twelfth of the adopted annual ongoing CTC portion of PG&E's revenue requirement associated with PG&E's owned generation for serving the WAPA load allocated to bundled and DA customers.
- 11) A debit entry equal to one-twelfth of the adopted annual ongoing CTC portion of PG&E owned generation fuel costs for serving the WAPA load allocated to bundled and DA customers.
- 12) A debit entry equal to one-twelfth of the adopted annual ongoing CTC portion of the Department of Water Resources (DWR) cost component of the total cost of serving the WAPA load allocated to bundled and DA customers.

The following entry reflects other ongoing transition costs:

- 13) A debit entry equal to PG&E's recorded employee transition costs for utility personnel affected by electric industry restructuring allocated to bundled and DA customers. These costs may be recovered through December 2006, pursuant to Decision 97-06-060, FOF 4, 24, COL 4, and 17.
- 14) An entry equal to the interest on the average balance of the subaccount at the beginning of the month and the balance after the entries above, at a rate equal to one-twelfth the interest rate of the three-month Commercial Paper for the previous month, as reported in the Federal Reserve Statistical Release, H.15 or its successor.

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		(T)
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**PG&E Gas and Electric Advice  
Filing List  
General Order 96-A, Section III(G)**

ABAG Power Pool	DGS Natural Gas Services	Northern California Power Agency
Accent Energy	DMM Customer Services	Office of Energy Assessments
Aglet Consumer Alliance	Douglass & Liddell	Palo Alto Muni Utilities
Agnews Developmental Center	Downey, Brand, Seymour & Rohwer	PG&E National Energy Group
Ahmed, Ali	Duke Energy	Pinnacle CNG Company
Aicantar & Elsesser	Duke Energy North America	PITCO
Anderson Donovan & Poole P.C.	Duncan, Virgil E.	Plurimi, Inc.
Applied Power Technologies	Dutcher, John	PPL EnergyPlus, LLC
APS Energy Services Co Inc	Dynegy Inc.	Praxair, Inc.
Arter & Hadden LLP	Ellison Schneider	Price, Roy
Avista Corp	Energy Law Group LLP	Product Development Dept
Barkovich & Yap, Inc.	Energy Management Services, LLC	R. M. Hairston & Company
BART	Enron Energy Services	R. W. Beck & Associates
Bartle Wells Associates	Exelon Energy Ohio, Inc	Recon Research
Blue Ridge Gas	Exeter Associates	Regional Cogeneration Service
Bohannon Development Co	Foster Farms	RMC Lonestar
BP Energy Company	Foster, Wheeler, Martinez	Sacramento Municipal Utility District
Braun & Associates	Franciscan Mobilehome	SCD Energy Solutions
C & H Sugar Co.	Future Resources Associates, Inc	Seattle City Light
CA Bldg Industry Association	G. A. Krause & Assoc	Sempra
CA Cotton Ginners & Growers Assoc.	Gas Transmission Northwest Corporation	Sempra Energy
CA League of Food Processors	GLJ Energy Publications	Sequoia Union HS Dist
CA Water Service Group	Goodin, MacBride, Squeri, Schlotz &	SESCO
California Energy Commission	Hanna & Morton	Sierra Pacific Power Company
California Farm Bureau Federation	Heeg, Peggy A.	Silicon Valley Power
California Gas Acquisition Svcs	Hitachi Global Storage Technologies	Smurfit Stone Container Corp
California ISO	Hogan Manufacturing, Inc	Southern California Edison
Calpine	House, Lon	SPURR
Calpine Corp	Imperial Irrigation District	St. Paul Assoc
Calpine Gilroy Cogen	Integrated Utility Consulting Group	Stanford University
Cambridge Energy Research Assoc	International Power Technology	Sutherland, Asbill & Brennan
Cameron McKenna	Interstate Gas Services, Inc.	Tabors Caramanis & Associates
Cardinal Cogen	IUCG/Sunshine Design LLC	Tansev and Associates
Cellnet Data Systems	J. R. Wood, Inc	Tecogen, Inc
Chevron Texaco	JTM, Inc	TFS Energy
Chevron USA Production Co.	Kaiser Cement Corp	Transcanada
Childress, David A.	Luce, Forward, Hamilton & Scripps	Turlock Irrigation District
City of Glendale	Manatt, Phelps & Phillips	U S Borax, Inc
City of Healdsburg	Marcus, David	United Cogen Inc.
City of Palo Alto	Masonite Corporation	URM Groups
City of Redding	Matthew V. Brady & Associates	Utility Cost Management LLC
CLECA Law Office	Maynor, Donald H.	Utility Resource Network
Commerce Energy	McKenzie & Assoc	Wellhead Electric Company
Constellation New Energy	McKenzie & Associates	Western Hub Properties, LLC
Cooperative Community Energy	Meek, Daniel W.	White & Case
CPUC	Mirant California, LLC	WMA
Cross Border Inc	Modesto Irrigation Dist	
Crossborder Inc	Morrison & Foerster	
CSC Energy Services	Morse Richard Weisenmiller & Assoc.	
Davis, Wright, Tremaine LLP	Navigant Consulting	
Defense Fuel Support Center	New United Motor Mfg, Inc	
Department of the Army	Norris & Wong Associates	
Department of Water & Power City	North Coast Solar Resources	