

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



May 20, 2010

Advice Letters 3446-E/E-A/E-B

Jane K. Yura
Vice President, Regulation and Rates
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10B
P.O. Box 770000
San Francisco, CA 94177

**Subject: Vintaged Power Charge Indifference Adjustment Rates in
Compliance with Resolution E-4226 and Supplemental Filings**

Dear Ms. Yura:

Advice Letters 3446-E/E-A/E-B are effective June 1, 2010 per Resolution E-4226.

Sincerely,

A handwritten signature in blue ink that reads "Julie A. Fitch".

Julie A. Fitch, Director
Energy Division

February 24, 2010

Advice 3446-E-B

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Supplement: Vintaged Power Charge Indifference Adjustment Rates in Compliance with Resolution E-4226

Pacific Gas and Electric Company (PG&E) hereby submits for filing revisions to its Advice 3446-E-A which implements new world generation nonbypassable charges as approved and modified in Resolution E-4226.

Purpose

Under this supplemental advice letter, PG&E requests California Public Utilities Commission (Commission) approval of revisions to its tariffs, specifically, Electric Rate Schedules E-NMDL, E-TMDL and E-DCG. These revisions supersede, in part, those submitted in Advice 3446-E-A.

The revisions include the following:

- Remove from the Rates section of E-NMDL, E-TMDL and E-DCG proposed language regarding vintaged PCIA;
- Revise proposed text in Special Conditions section of E-NMDL, E-TMDL and E-DCG regarding the definition of new generation non-bypassable charges. Replace the proposed term “new world generation” with “new generation” and replace the reference to “Resolution E-4226” with “D.08-09-012, Appendix C:” which is a more accurate reference for the term “new generation”.
- Insert in the Rates section of E-NMDL and E-TMDL an explanation of one-time PCIA exemption pursuant to D.07-05-013 and applicable only to municipal departing load customers;

Tariff Revisions

E-DCG (Departing Customer Generation)

- Sheet 1, Rates 2. Remove proposed text on vintaged PCIA.

- Sheet 6, Special Conditions 2.h. Remove “world” from new world generation consistent with D.08-09-012, Appendix C
- Sheet 6, Special Conditions 2.h. Replace reference to “Resolution E-4226” with “D.08-09-012, Appendix C”.

E-TMDL (Transferred Municipal Departing Load)

- Sheet 2 – Rates 3. Remove proposed text on vintaged PCIA; insert text regarding one-time PCIA exemption per D.07-05-013
- Sheet 5 – Special Conditions 2.e Remove “world” from new world generation consistent with D.08-09-012, Appendix C.
- Sheet 5 – Special Conditions 2.e. Replace reference to “Resolution E-4226” with “D.08-09-012, Appendix C”.

E-NMDL (New Municipal Departing Load)

- Sheet 2, Rates 3. Remove proposed text on vintaged PCIA; insert text regarding one-time PCIA exemption per D.07-05-013
- Sheet 4, Special Conditions 2.f. Removed “world” from new world generation consistent with D.08-09-012, Appendix C. –
- Sheet 4, Special Conditions 2.f. Replace reference to “Resolution E-4226” with “D.08-09-012, Appendix C”.

PG&E will file actual vintaged PCIA rates upon Commission approval of AL 3002-E (Community Choice Aggregation Cost Responsibility Surcharge Tariff Modifications in Compliance with Decision 07-01-025). In AL 3002-E, PG&E proposes a “new generation” charge based on a CCA’s vintage as determined by the calendar year in which it provides a Binding Notice of Intent or departs.

Protests

Anyone wishing to protest this filing may do so by letter sent via U.S. mail, by facsimile or electronically, any of which must be received no later than **March 16, 2010** which is 20 days after the date of this filing. Protests should be mailed to:

CPUC Energy Division
Tariff Files, Room 4005
DMS Branch
505 Van Ness Avenue
San Francisco, California 94102

Facsimile: (415) 703-2200
E-mail: jjn@cpuc.ca.gov and mas@cpuc.ca.gov

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

The protest 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:

Brian K. Cherry
Vice President, Regulatory Relations
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-7226
E-mail: PGETariffs@pge.com

Effective Date

PG&E requests that this advice filing become effective on regular notice, **March 26, 2010**, which is 30 calendar days after the date of filing.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list. Address changes to the General Order 96-B service list and all electronic approvals should be directed to email PGETariffs@pge.com. Advice letter filings can also be accessed electronically at: <http://www.pge.com/tariffs>.

A handwritten signature in cursive script that reads "Brian Cherry" followed by a small mark that looks like "003".

Vice President, Regulatory Relations

Attachments

cc: Service Lists for A.08-06-011, R.03-10-003, and R.07-05-025

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 (ID U39 M)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Olivia Brown

Phone #: 415.973.9312

E-mail: oxb4@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) #: 3446-E-B

Tier: 2

Subject of AL: Supplement: Vintaged Power Charge Indifference Adjustment Rates in Compliance with Resolution E-4226

Keywords (choose from CPUC listing): Compliance

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: Resolution E-4226

Does AL replace a withdrawn or rejected AL? No If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL: N/A

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for: No

Confidential information will be made available to those who have executed a nondisclosure agreement: N/A

Name(s) and contact information of the person(s) who will provide the nondisclosure agreement and access to the confidential information: N/A

Resolution Required? Yes No

Requested effective date: March 26, 2010

No. of tariff sheets: 10

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: Electric Schedules E-DCG, E-NMDL, E-TMDL,

Service affected and changes proposed: N/A

Protests, dispositions, 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
Tariff Files, Room 4005
DMS Branch**

**505 Van Ness Ave., San Francisco, CA 94102
jn@cpuc.ca.gov and mas@cpuc.ca.gov**

**Pacific Gas and Electric Company
Attn: Brian K. Cherry, Vice President, Regulatory
Relations
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, CA 94177
E-mail: PGETariffs@pge.com**

**ATTACHMENT 1
Advice 3446-E-B**

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
28954-E	ELECTRIC SCHEDULE E-DCG DEPARTING CUSTOMER GENERATION CG Sheet 6	27055-E
28955-E	ELECTRIC SCHEDULE E-NMDL NEW MUNICIPAL DEPARTING LOAD Sheet 2	28864-E
28956-E	ELECTRIC SCHEDULE E-NMDL NEW MUNICIPAL DEPARTING LOAD Sheet 3	28865-E
28957-E	ELECTRIC SCHEDULE E-NMDL NEW MUNICIPAL DEPARTING LOAD Sheet 4	26701-E*
28958-E	ELECTRIC SCHEDULE E-NMDL NEW MUNICIPAL DEPARTING LOAD Sheet 5	26702-E*
28959-E	ELECTRIC SCHEDULE E-NMDL NEW MUNICIPAL DEPARTING LOAD Sheet 6	26703-E*
28961-E	ELECTRIC SCHEDULE E-TMDL TRANSFERRED MUNICIPAL DEPARTING LOAD Sheet 5	25884-E**
28962-E	ELECTRIC TABLE OF CONTENTS Sheet 1	28930-E
28963-E	ELECTRIC TABLE OF CONTENTS RATE SCHEDULES Sheet 4	28931-E



ELECTRIC SCHEDULE E-DCG
DEPARTING CUSTOMER GENERATION CG

Sheet 6

SPECIAL
 CONDITIONS:
 (Cont'd.)

EXEMPTIONS AND EXCEPTIONS: (Cont'd.)

g. Customer Generation Cap. The exemptions or exceptions described in Special Conditions 2.c., 2.d., 2.e., and 2.f. above shall expire when the cumulative total of Customer Generation Departing Load eligible under Special Conditions 2.c., 2.d., 2.e., and 2.f. (and the corresponding tariff sections for other electric utilities under the Commission's jurisdiction) exceeds 3,000 MW, as determined on a first-come, first-served basis by the California Energy Commission. In addition, the exemptions or exceptions described in Special Condition 2.f. above shall be limited to 1,500 MW (of the total 3,000 MW) with no more than 600 MW by the end of 2004, an additional 500 MW by July 1, 2008, and a final 400 MW thereafter.

The University of California and California State University (UC/CSU) are granted a set-aside within the overall Customer Generation Cap as follows: 10 MW by the end of 2004, an additional 80 MW by the end of 2008, and an additional 75 MW thereafter.

h. Cost Responsibility Surcharge (CRS). Pursuant to D.08-09-012 and Resolution E-4226, a customer taking service under this schedule, Schedule E-DCG, is exempt from the new generation non-bypassable charge or vintaged PCIA authorized by D.04-12-048 and implemented as a component of the CRS. Pursuant to D.08-09-012, Appendix C, new generation includes generation from both fossil fueled and renewable resources contracted for or constructed by the investor-owned utilities subsequent to January 1, 2003.

(N)
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 (N)

(Continued)



**ELECTRIC SCHEDULE E-NMDL
 NEW MUNICIPAL DEPARTING LOAD**

Sheet 3

RATES (Cont'd.): 7. ENERGY COST RECOVERY AMOUNT (ECRA) CHARGE: The ECRA Charge recovers the costs associated with the Energy Recovery Amount adopted by the Commission in D.04-11-015. The ECRA Charge is shown in the consumer's OAS. On March 1, 2005, the ECRA Charge superseded and replaced the RA Charge. (L)

SPECIAL CONDITIONS: 1. DEFINITIONS: The following terms when used in this tariff have the meanings set forth below:

- a. New Municipal Departing Load: New Municipal Departing Load is electric load that has never been served by PG&E but locates within PG&E's service area as it existed on February 1, 2001, and is served by a Publicly Owned Utility (POU).
- b. New Municipal Departing Load Consumer (Consumer): The party or entity that contracts with a POU for service at premises with New Municipal Departing Load.
- c. Nonbypassable Charges (NBCs): NBCs are those PG&E charges that may be recovered from New Municipal Departing Load pursuant to this rate schedule: the DWR Bond Charge, the pre-2009 D.06-07-030 PCIA, the ongoing CTC, the ND Charge, the RA Charge, and the ECRA Charge. (T)
- d. Otherwise-Applicable Schedule (OAS): The OAS shall be the PG&E schedule under which a Consumer would have taken service if the New Municipal Departing Load had been served by PG&E.
- e. Publicly Owned Utility (POU): A POU is any entity that qualifies as a local publicly owned electric utility under Public Utilities Code Section 9604.
- f. Change of Party: Change of Party occurs when a person or entity with New Municipal Departing Load leaves the premises with the New Municipal Departing Load and another person or entity (New Party) assumes liability for the New Municipal Departing Load at the same premises.
- g. New Party: A New Party is either: (1) a subsequent entity which occupies, and will begin to consume electricity at, existing NMDL premises; or (2) a subsequent entity which assumes liability for the charges at existing NMDL premises.

(Continued)



ELECTRIC SCHEDULE E-NMDL
NEW MUNICIPAL DEPARTING LOAD

Sheet 4

SPECIAL
 CONDITIONS:
 (Cont'd.)

2. EXEMPTIONS AND EXCEPTIONS

- a. New Municipal Departing Load that departed prior to February 1, 2001, is exempt from the DWR Bond Charge, the DWR Power Charge, and the PCIA.
- b. New Municipal Departing Load that began taking service from a POU prior to January 1, 2000, is exempt from the RA Charge, and the ECRA Charge. In addition, New Municipal Departing Load is exempt from the RA Charge and the ECRA Charge if it is taking service at a location that, as of December 19, 2003, was no longer part of PG&E's service area.
- c. New Municipal Departing Load located in the geographic area covered by PG&E's 2000 Bypass Report (referenced in D.04-11-014) is excepted from the DWR Power Charge, the PCIA, the RA Charge, and the ECRA Charge. PG&E's 2000 Bypass Report included areas served by the following POUs:

- Modesto Irrigation District
- Merced irrigation District
- South San Joaquin Irrigation District Condemnation Area
- Laguna Irrigation District Condemnation Area
- Redding, Roseville, Lodi, Davis, and Brentwood Annexation Areas

- d. In addition to the unlimited exemption described in 2.c, New Municipal Departing Load that is served by POUs that were in existence on or prior to July 10, 2003, and serving at least 100 consumers, may be eligible to be excepted from the DWR Power Charge, the PCIA, the RA Charge, and the ECRA Charge. The following entities have been found by the Commission to meet these two criteria:

Municipal Utilities: Alameda, Anaheim, Azusa, Banning, Biggs, Burbank, Calaveras, Colton, Corona, Glendale, Gridley, Healdsburg, Hercules, Lodi, Lompoc, Los Angeles, Needles, Palo Alto, Pasadena, Pittsburg, Port of Stockton, Redding, Riverside, Roseville, Santa Clara, Shasta Lake, Tuolumne, Ukiah, Vernon
 Municipal Utility Districts: Lassen, Sacramento, San Francisco
 Public Utility Districts: Trinity, Truckee-Donner
 Irrigation Districts: Imperial, Merced, Modesto, Turlock

The exemptions described in this section are capped at a total of 80 MW for the combined service areas of PG&E and Southern California Edison, and will be administered pursuant to the protocols adopted in D.07-05-013.

- e. New Municipal Departing Load taking service from a POU without the use of transmission and distribution facilities owned by PG&E, is exempt from ongoing CTC.
- f. Pursuant to D. 08-09-012, OP 2, and Resolution E-4226, any customer taking service on this schedule will not be responsible for paying the new world generation D.04-12-048 or D.06-07-029 nonbypassable charges (NBC), with the exception of large municipalizations as defined in D.08-09-012. Pursuant to D.08-09-012, Appendix C, new generation includes generation from both fossil fueled and renewable resources contracted for or constructed by the investor-owned utilities subsequent to January 1, 2003.

(T)
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 (T)
 (N)
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 (N)

(Continued)

Advice Letter No: 3446-E-B
 Decision No. Resolution E-4226

Issued by
Brian K. Cherry
 Vice President
 Regulatory Relations

Date Filed February 24, 2010
 Effective June 1, 2010
 Resolution No. _____



**ELECTRIC SCHEDULE E-NMDL
 NEW MUNICIPAL DEPARTING LOAD**

Sheet 5

SPECIAL
 CONDITIONS:
 (Cont'd.)

2. EXEMPTIONS AND EXCEPTIONS (Cont'd.)

large municipalization is defined as any portion of an investor owned utility's (IOU) service territory that has been taken control of or annexed by a POU where the amount of load departing the IOU's service territories due to the municipalization is of such a large magnitude that it cannot reasonably be assumed to have been reflected as part of the historical NMDL trends used in developing the adopted long term procurement plan (LTPP) load forecasts. PG&E will be required to file a separate application with the Commission for the collection of D.04-12-048 charges from customers departing due to a large municipalization. (L)
 (N)
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 (N)
 (T)

3. PROCEDURES FOR NEW MUNICIPAL DEPARTING LOAD: Consumers are obligated to notify PG&E of their intent to begin taking electric service from a POU in a manner that would qualify their load as New Municipal Departing Load in accordance with the following procedures:

- a. PG&E Notice to Consumer (PG&E Notice) and Consumer Notice to PG&E (Notice of Departure or NOD): PG&E shall send a written notice of the obligations imposed under this tariff to all consumers subject to this tariff. The PG&E Notice will be mailed to the consumer's service address.

Consumer Notice to PG&E: Consumers shall notify PG&E, in writing or by reasonable means, through a designated PG&E representative authorized to receive such notification, of their intention to take steps that will qualify their load as New Municipal Departing Load within 30 days of receipt of PG&E's Notice to consumer or as soon as the consumer contracts with the POU for service, whichever is later. The Consumer shall specify in its notice the following:

- 1) The date on which the Consumer will take or started taking electric service from the POU;
- 2) A description of the load that will or does qualify as New Municipal Departing Load;
- 3) The service address for this load;
- 4) The name of the POU from which the Consumer will take or is currently taking service; and
- 5) Whether or not the Consumer is, or will be, taking natural gas service from PG&E.

Failure to provide notice including all the elements specified above will constitute a violation of this tariff and a breach of the Consumer's obligations to PG&E, entitling PG&E (subject to the provisions of Special Condition 3.e., "Dispute Resolution," and 3.f., "Opportunity to Cure") to collect the applicable Nonbypassable Charges from the Consumer on a lump sum basis. With the consumer's permission, notice or required information may be provided by the POU.

(L)

(Continued)



**ELECTRIC SCHEDULE E-NMDL
 NEW MUNICIPAL DEPARTING LOAD**

Sheet 6

SPECIAL
 CONDITIONS:
 (Cont'd.)

3. PROCEDURES FOR NEW MUNICIPAL DEPARTING LOAD: (Cont'd.) (L)
- a. PG&E Notice to Consumer (PG&E Notice) and Consumer Notice to PG&E (Notice of Departure or NOD): (Cont'd.)

If, at the time the consumer Notice is due, PG&E has entered into, or agreed to enter into, bilateral discussions with a POU or a POU customer, then the notice requirements for the new MDL consumer(s) taking service from that POU may be suspended until such time as PG&E and the POU, or POU customer, reach agreement on the CRS and other Nonbypassable Charges or PG&E determines that a bilateral agreement will not be feasible. If a

(L)

- b. New Municipal Departing Load Nonbypassable Charge Statement

By no later than 20 days after receipt of Consumer's notice (provided pursuant to Special Condition 3.a.), PG&E shall mail or otherwise provide the Consumer with a New Municipal Departing Load Nonbypassable Charge Statement containing any of the Consumer's applicable exemption(s) identified by PG&E.

If PG&E fails to provide a Consumer with a New Municipal Departing Load Nonbypassable Charge Statement within 20 days of PG&E's receipt of the Consumer's notice containing all of the information required under Special Condition 3.a., the Consumer's obligation to pay New Municipal Departing Load Nonbypassable Charges shall not commence until the later of the date on which the Consumer began taking electric service from the POU or 30 days from the Consumer's receipt of PG&E's New Municipal Departing Load Nonbypassable Charge Statement.

- c. Notice to PG&E for Change of Party

1) Notice and Procedure for Consumer with New Municipal Departing Load: Consumers with New Municipal Departing Load that intend to take action such that they will no longer be responsible for Nonbypassable Charges for New Municipal Departing Load, in whole or in part, at the Consumer's premises shall give notice to PG&E as soon as practicable. With the consumer's permission, notice may also be given by the POU. New Municipal Departing Load consumers shall be liable for applicable CRS and other NBC charges until PG&E receives notice from the consumer or until PG&E has actual notice that the consumer vacates the premises or another entity becomes liable for the New Municipal Departing Load charges at the premises.

- a) The Consumer must state the date on which the termination of liability is to become effective, and the reason for termination of liability. Reasons for termination of liability may include vacating the property, change of ownership or Change of Party.

(Continued)



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Advice Letter No: 3446-E-B
 Decision No. Resolution E-4226

Issued by
Brian K. Cherry
 Vice President
 Regulatory Relations

Date Filed February 24, 2010
 Effective June 1, 2010
 Resolution No. _____



ELECTRIC TABLE OF CONTENTS
RATE SCHEDULES

Sheet 4

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**PG&E Gas and Electric
Advice Filing List
General Order 96-B, Section IV**

Alcantar & Kahl	Defense Energy Support Center	Northern California Power Association
Ameresco	Department of Water Resources	Occidental Energy Marketing, Inc.
Anderson & Poole	Department of the Army	OnGrid Solar
Arizona Public Service Company	Dept of General Services	Praxair
BART	Division of Business Advisory Services	R. W. Beck & Associates
BP Energy Company	Douglass & Liddell	RCS, Inc.
Barkovich & Yap, Inc.	Downey & Brand	Recon Research
Bartle Wells Associates	Duke Energy	SCD Energy Solutions
Boston Properties	Dutcher, John	SCE
C & H Sugar Co.	Economic Sciences Corporation	SMUD
CA Bldg Industry Association	Ellison Schneider & Harris LLP	SPURR
CAISO	FPL Energy Project Management, Inc.	Santa Fe Jets
CLECA Law Office	Foster Farms	Seattle City Light
CSC Energy Services	G. A. Krause & Assoc.	Sempra Utilities
California Cotton Ginners & Growers Assn	GLJ Publications	Sierra Pacific Power Company
California Energy Commission	Goodin, MacBride, Squeri, Schlotz & Ritchie	Silicon Valley Power
California League of Food Processors	Green Power Institute	Silo Energy LLC
California Public Utilities Commission	Hanna & Morton	Southern California Edison Company
Calpine	Hitachi	Sunshine Design
Cameron McKenna	International Power Technology	Sutherland, Asbill & Brennan
Cardinal Cogen	Intestate Gas Services, Inc.	Tabors Caramanis & Associates
Casner, Steve	Los Angeles Dept of Water & Power	Tecogen, Inc.
Chamberlain, Eric	Luce, Forward, Hamilton & Scripps LLP	Tiger Natural Gas, Inc.
Chris, King	MBMC, Inc.	Tioga Energy
City of Glendale	MRW & Associates	TransCanada
City of Palo Alto	Manatt Phelps Phillips	Turlock Irrigation District
Clean Energy Fuels	McKenzie & Associates	U S Borax, Inc.
Coast Economic Consulting	Merced Irrigation District	United Cogen
Commerce Energy	Mirant	Utility Cost Management
Commercial Energy	Modesto Irrigation District	Utility Specialists
Consumer Federation of California	Morgan Stanley	Verizon
Crossborder Energy	Morrison & Foerster	Wellhead Electric Company
Davis Wright Tremaine LLP	New United Motor Mfg., Inc.	Western Manufactured Housing Communities Association (WMA)
Day Carter Murphy	Norris & Wong Associates	eMeter Corporation
	North Coast SolarResources	