

# **PG&E Renewable Energy Procurement Confidentiality Protocol and Code of Conduct**

November 2011

This Pacific Gas and Electric Company (“PG&E”) Renewable Energy Procurement Confidentiality Protocol and Code of Conduct applies to all PG&E employees, contractors, and consultants engaged in procurement of Renewable Portfolio Standard (“RPS”)-eligible products through any of the following procurement programs: (1) PG&E’s annual RPS solicitations for Power Purchase Agreements (“PPA”) with independent power producers (the “RPS RFOs”); (2) PG&E’s Renewable Auction Mechanism (“RAM”) solicitations; (3) PG&E’s Photovoltaic PPA Program (“PV PPA Program”) solicitations; (4) PG&E procurement pursuant to the Feed-in Tariff (“FIT”) authorized by Assembly Bill 1969, as may be modified by Senate Bill 32; and (5) procurement through bilateral negotiations outside of the formal solicitation programs listed above (collectively, the “RPS Procurement Programs”).

PG&E employees, contractors, and consultants responsible for or otherwise materially involved in the RPS Procurement Programs or the related interconnection process (“RPS Procurement Personnel”) shall not disclose Confidential Information to any PG&E employee or contractor working in the Renewable Resource Development Department (“RRD”) of

PG&E, with the following exception: RRD personnel may be assigned to evaluate independent power producer bids that propose utility ownership of projects and may be provided Confidential Information necessary for the conduct of that evaluation so long as they are provided no Confidential Information related to other projects bid into any RPS Procurement Program. RRD personnel provided Confidential Information pursuant to the foregoing exception shall not use such Confidential Information for any purpose related to PG&E's development of generation resources that are separate from projects bid into the RPS Procurement Programs.

Additionally, RPS Procurement Personnel shall not disclose Confidential Information to any PG&E employee or consultant who supports or manages the development of utility-owned generation but is not in the RRD (including, but not limited to, land acquisition, interconnection, permitting, and financial specialists who support operations throughout the company) unless the employee or consultant has also reviewed and signed this Code of Conduct. To the extent practicable, RPS Procurement Personnel will record and manage Confidential Information on separate files on PG&E's computer system with approved secure access only for such RPS Procurement Personnel.

“Confidential Information” means all oral or written (including electronic) communications exchanged between PG&E and either a participant in an RPS Procurement Program or the counterparty to a proposed or executed PPA resulting from an RPS Procurement Program related to such participation or PPA or a related interconnection request, including, without limitation, the fact that a producer has submitted an offer into an RPS Procurement Program and, if applicable, the facts that (i) PG&E has selected an offer, and (ii) PG&E and the participant or counterparty are negotiating an offer.

“Renewable Resource Development Department” means the organization at PG&E, and all employees within that organization as listed in PG&E’s personnel management system during the time that the bids or offers received in any particular RPS Procurement Program are under evaluation, that is responsible for the development of PG&E’s utility-owned renewable generation facilities, including but not limited to the implementation of the portion of PG&E’s PV Program whereby PG&E will own, install, operate and maintain 250MW of distributed solar PV projects in PG&E’s service territory, as further described in CPUC Decision 10-04-052.

This Renewable Energy Procurement Confidentiality Protocol and Code of Conduct supersedes and replaces both the existing PV Program Confidentiality Protocol and Code of Conduct and the existing RPS RFO Confidentiality Protocol and Code of Conduct.

By signing below, I certify that I have read and agree to comply with the foregoing Renewable Energy Procurement Confidentiality Protocol and Code of Conduct.

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Print Name

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Signature

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Department

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Date

Submit original completed form to:

Sharon Tatai, Energy Compliance and Reporting Department  
77 Beale St., Mail Code B25L

Please keep a copy for your records.