

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



April 25, 2012

**Advice Letters 3893-E/E-A**

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

**Subject: Power Purchase Agreement for Procurement of Renewable Energy Resources between Shiloh IV Wind Project, LLC, and PG&E and Supplemental Filing**

Dear Mr. Cherry:

Advice Letters 3893-E and 3893-E-A are effective March 8, 2012 per Resolution E-4469.

Sincerely,

A handwritten signature in cursive script that reads "Edward F. Randolph".

Edward F. Randolph, Director  
Energy Division

February 3, 2012

**Advice 3893-E-A**  
(Pacific Gas and Electric Company ID U39 E)

Public Utilities Commission of the State of California

**Subject: Supplemental Filing to the Power Purchase Agreement for  
Procurement of Renewable Energy Resources Between Shiloh IV Wind  
Project, LLC, and Pacific Gas and Electric Company**

## **I. INTRODUCTION**

### **A. Purpose**

Pacific Gas and Electric Company (“PG&E”) hereby submits to the California Public Utilities Commission (“Commission” or “CPUC”) this supplemental filing to Advice Letter 3893-E (“Advice Letter”). The Advice Letter requested approval of a 25-year Renewables Portfolio Standard (“RPS”) Purchase Power Agreement (“PPA”) between Shiloh IV Wind Project, LLC (“Shiloh IV”), a subsidiary of enXco Development Corporation (“enXco”), and PG&E. The Advice Letter also sought Commission approval of modifications (“QF Modifications”) to three existing Qualifying Facility (“QF”) Standard Offer #4 PPAs for projects owned and operated by enXco Windfarm V, Inc., another subsidiary of enXco. The advice letter seeking approval of the PPA and the QF Modifications was filed on August 18, 2011.

The purpose of this filing is to withdraw from Commission consideration in Advice Letter 3893-E one of the QF Modifications, the extension of an existing QF contract in order to permit it to be considered in a separate proceeding. Since the extension sought exceeds five years, it may not be approved by the Advice Letter process, but will need to be approved through a separate Application according to Decision (“D.”) 06-12-009.<sup>1</sup>

PG&E has also amended the Shiloh IV PPA and the remaining two QF Modifications. These amendments make corresponding changes to the PPA and the remaining two QF Modifications to provide that their effectiveness is no longer tied to Commission approval of the extension of the existing QF contract. Thus, PG&E no longer seeks

---

<sup>1</sup> See D.06-12-009 at 7.

Commission Approval of all four agreements in the Advice Letter, but only seeks Approval of the Shiloh IV PPA, the Amendment to QF contract Log Number 06W146C, and the Termination of QF contract Log Number 01W146C, as amended by the amendments to these agreements attached as Confidential Appendices B, C, and D.

## **II. REGULATORY PROCESS**

### **A. Requested Effective Date**

PG&E requests that this supplemental filing become effective concurrent with Advice Letter 3893-E.

### **B. Request for Confidential Treatment**

In support of this supplemental filing, PG&E has provided confidential information listed below. This information is being submitted in the manner directed by D.08-04-023 and the August 22, 2006, Administrative Law Judge's Ruling Clarifying Interim Procedures for Complying with D.06-06-066 to demonstrate the confidentiality of the material and invoke the protection of confidential utility information provided under either the terms of the IOU Matrix, Appendix 1 of D.06-06-066 and Appendix C of D.08-04-023, or General Order 66-C. A separate Declaration Seeking Confidential Treatment is being filed concurrently with this supplemental filing.

### **Effective Date**

PG&E requests that this supplemental filing becomes effective concurrent with Advice Letter 3893-E.

### **Notice**

In accordance with General Order 96-B, Section IV, a copy of this Advice Letter excluding the confidential appendices is being sent electronically and via U.S. mail to parties shown on the attached list and the service lists for R.11-05-005 and R.10-05-006. Non-market participants who are members of PG&E's Procurement Review Group and have signed appropriate Non-Disclosure Certificates will also receive the Advice Letter and accompanying confidential attachments by overnight mail. Address changes to the GO 96-B service list and electronic approvals should be directed to e-mail PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process\_Office@cpuc.ca.gov. Advice letter filings can also be accessed electronically at: <http://www.pge.com/tariffs>.



Vice President – Regulation and Rates

cc: Service Lists for R.11-05-005 and R.10-05-006  
Paul Douglas – Energy Division  
Sean Simon – Energy Division  
Cynthia Walker – DRA  
Joseph Abhulimen - DRA

Attachments

**Limited Access to Confidential Material**

The portions of this Advice Letter marked Confidential Protected Material are submitted under the confidentiality protections of Sections 583 and 454.5(g) of the Public Utilities Code and General Order 66-C. This material is protected from public disclosure because it consists of, among other items, the contract itself, price information, and analysis of the proposed RPS contract, which are protected pursuant to D.06-06-066 and D.08-04-023. A separate Declaration Seeking Confidential Treatment regarding the confidential information is filed concurrently herewith.

**Confidential Attachment:**

**Confidential Appendix A – Summary of QF Amendments**

**Confidential Appendix B – First Amendment to Shiloh PPA**

**Confidential Appendix C – First Amendment to Amendment to QF Power Purchase Agreement**

**Confidential Appendix D – First Amendment to Termination of QF Power Purchase Agreement**

# 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 E)**

Utility type:

ELC       GAS  
 PLC       HEAT       WATER

Contact Person: Meredith Allen or Greg Backens

Phone #: 415-973-2868 or 415-973-4390

E-mail: MEAc@pge.com or gab4@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) #: **3893-E-A**

**Tier: 3**

Subject of AL: **Supplemental Filing to the Power Purchase Agreement for Procurement of Renewable Energy Resources Between Shiloh IV Wind Project, LLC, and Pacific Gas and Electric Company**

Keywords (choose from CPUC listing): Procurement

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

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: Does AL replace a withdrawn or rejected AL? 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? Yes

If so, what information is the utility seeking confidential treatment for: Please see matrix of Identification of Confidential Information attached to the advice letter.

Confidential information will be made available to those who have executed a nondisclosure agreement: All members of PG&E's Procurement Review Group who have signed nondisclosure agreements will receive the confidential information.

Name(s) and contact information of the person(s) who will provide the nondisclosure agreement and access to the confidential information: Carlos Abreu (415) 973-6484

Resolution Required?  Yes  No

Requested effective date: Upon Commission approval and concurrent with AL 3893-E.

No. of tariff sheets: N/A

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: N/A

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**

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

**Pacific Gas and Electric Company**

**Attn: Brian K. Cherry, Vice President, Regulation and Rates**

**77 Beale Street, Mail Code B10C**

**P.O. Box 770000**

**San Francisco, CA 94177**

**E-mail: PGETariffs@pge.com**

**DECLARATION OF CARLOS ABREU  
SEEKING CONFIDENTIAL TREATMENT  
FOR CERTAIN DATA AND INFORMATION CONTAINED IN  
ADVICE LETTER 3893-E-A  
(PACIFIC GAS AND ELECTRIC COMPANY - U 39 E)**

I, Carlos Abreu, declare:

1. I am presently employed by Pacific Gas and Electric Company (“PG&E”), and have been an employee at PG&E since 2006. My current title is Principal within PG&E’s Energy Procurement organization. In this position, my responsibilities include negotiating PG&E’s Renewables Portfolio Standard Program (“RPS”) Power Purchase Agreements. In carrying out these responsibilities, I have acquired knowledge of PG&E’s contracts with numerous counterparties and have also gained knowledge of the operations of electricity sellers in general. Through this experience, I have become familiar with the type of information that would affect the negotiating positions of electricity sellers with respect to price and other terms, as well as with the type of information that such sellers consider confidential and proprietary.

2. Based on my knowledge and experience, and in accordance with Decision (“D”) 08-04-023 and the August 22, 2006 “Administrative Law Judge’s Ruling Clarifying Interim Procedures for Complying with Decision 06-06-066,” I make this declaration seeking confidential treatment of Appendices A, B, c, and D to PG&E’s Advice Letter 3893-E-A, submitted on February 3, 2012.

3. Attached to this declaration is a matrix identifying the data and information for which PG&E is seeking confidential treatment. The matrix specifies that the material PG&E is seeking to protect constitutes the particular type of data and information listed in Appendix 1 of D.06-06-066 and Appendix C of D.08-04-023 (the “IOU Matrix”), or constitutes information that should be protected under General Order 66-C. The matrix also specifies the category or

categories in the IOU Matrix to which the data and information corresponds, if applicable, and why confidential protection is justified. Finally, the matrix specifies that: (1) PG&E is complying with the limitations specified in the IOU Matrix for that type of data or information, if applicable; (2) the information is not already public; and (3) the data cannot be aggregated, redacted, summarized or otherwise protected in a way that allows partial disclosure. By this reference, I am incorporating into this declaration all of the explanatory text in the attached matrix.

I declare under penalty of perjury, under the laws of the State of California, that to the best of my knowledge, the foregoing is true and correct. Executed on February 3, 2012 at San Francisco, California.



---

CARLOS ABREU

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)**  
**Advice Letter 3893-E-A**  
**February 3, 2012**

**IDENTIFICATION OF CONFIDENTIAL INFORMATION**

Redaction Reference	1) The material submitted constitutes a particular type of data listed in the Matrix. Appendix 1 to D.06-06-066 (Y/N)	2) Which category or categories in the Matrix the data correspond to:	3) That it is complying with the limitations on confidentiality specified in the Matrix for that type of data (Y/N)	4) That the information is not already public (Y/N)	5) The data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure (Y/N)	PG&E's Justification for Confidential Treatment	Length of Time
Document: Advice Letter 3893-E-A  Appendix A	Y	Item VII G) Renewable Resource Contracts under RPS program - Contracts without SEPs.  Item VII (un-numbered category following VII G) Score sheets, analyses, evaluations of proposed RPS projects.  General Order 66-C.	Y	Y	Y	<p>This Appendix discusses, analyzes and evaluates the Project and the terms of the PPA; and contains confidential information of the counterparties. Disclosure of this information would provide valuable market sensitive information to competitors. Release of this information would be damaging to negotiations with other counterparties and should remain confidential.</p> <p>Furthermore, the counterparties to the PPA have an expectation that the terms of the PPA will remain confidential pursuant to confidentiality provisions in the PPA.</p> <p>It is in the public interest to treat such information as confidential because if such information were made public, it would put the counterparty at a business disadvantage, could create a disincentive to do business with PG&amp;E and other regulated utilities, and could have a damaging effect on current and future negotiations with other counterparty.</p>	<p>For information covered under Item VII G) remain confidential for three years after the commercial operation date, or one year after expiration (whichever is sooner).</p> <p>For information covered under Item VII (un-numbered category following VII G), remain confidential for three years.</p> <p>For information covered under General Order 66-C, remain confidential.</p>

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)**  
**Advice Letter 3893-E-A**  
**February 3, 2012**

**IDENTIFICATION OF CONFIDENTIAL INFORMATION**

Redaction Reference	1) The material submitted constitutes a particular type of data listed in the Matrix, appended as Appendix 1 to D 06-06-066 (Y/N)	2) Which category or categories in the Matrix the data correspond to:	3) That it is complying with the limitations on confidentiality specified in the Matrix for that type of data (Y/N)	4) That the information is not already public (Y/N)	5) The data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure (Y/N)	PG&E's Justification for Confidential Treatment	Length of Time
Appendix B First Amendment to Shiloh PPA	Y	Item VII G) Renewable Resource Contracts under RPS program - Contracts without SEPs.	Y	Y	Y	This Appendix contains the Amendment to the PPA. Disclosure of the Amendment would provide valuable market sensitive information to competitors. Release of this information would be damaging to negotiations with other counterparties and should remain confidential. Furthermore, the counterparty to the PPA has an expectation that the terms of the PPA will remain confidential pursuant to confidentiality provisions in the Amendment.	For information covered under Item VII G), remain confidential for three years after the commercial operation date, or one year after expiration (whichever is sooner).
Appendix C First Amendment to Amended QF PPA	Y	Item VII B) Contracts and power purchase agreements between utilities and non-affiliated third parties	Y	Y	Y	This Appendix contains the Amendment to the Amended QF PPA. Disclosure of certain terms of the Amendment would provide valuable market sensitive information to competitors. Release of this information would be damaging to negotiations with other counterparties and should remain confidential. Furthermore, the counterparty to the Amendment has an expectation that the terms of the Amendment will remain confidential.	For information covered under Item VII B), remain confidential for three years after the commercial operation date, or one year after expiration (whichever is sooner).
Appendix D First Amendment to Terminated QF PPA	Y	Item VII B) Contracts and power purchase agreements between utilities and non-affiliated third parties	Y	Y	Y	This Appendix contains the Amendment to the Terminated QF PPA. Disclosure of certain terms of the Amendment would provide valuable market sensitive information to competitors. Release of this information would be damaging to negotiations with other counterparties and should remain confidential. Furthermore, the counterparty to the Amendment has an expectation that the terms of the Amendment will remain confidential.	For information covered under Item VII B), remain confidential for three years after the commercial operation date, or one year after expiration (whichever is sooner).

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

AT&T	Department of Water Resources	North America Power Partners
Alcantar & Kahl LLP	Dept of General Services	North Coast SolarResources
Ameresco	Douglass & Liddell	Northern California Power Association
Anderson & Poole	Downey & Brand	Occidental Energy Marketing, Inc.
BART	Duke Energy	OnGrid Solar
Barkovich & Yap, Inc.	Economic Sciences Corporation	Praxair
Bartle Wells Associates	Ellison Schneider & Harris LLP	R. W. Beck & Associates
Bloomberg	Foster Farms	RCS, Inc.
Bloomberg New Energy Finance	G. A. Krause & Assoc.	Recurrent Energy
Boston Properties	GLJ Publications	SCD Energy Solutions
Braun Blaising McLaughlin, P.C.	GenOn Energy, Inc.	SCE
Brookfield Renewable Power	Goodin, MacBride, Squeri, Schlotz & Ritchie	SMUD
CA Bldg Industry Association	Green Power Institute	SPURR
CLECA Law Office	Hanna & Morton	San Francisco Public Utilities Commission
CSC Energy Services	Hitachi	Seattle City Light
California Cotton Ginners & Growers Assn	In House Energy	Sempra Utilities
California Energy Commission	International Power Technology	Sierra Pacific Power Company
California League of Food Processors	Intestate Gas Services, Inc.	Silicon Valley Power
California Public Utilities Commission	Lawrence Berkeley National Lab	Silo Energy LLC
Calpine	Los Angeles Dept of Water & Power	Southern California Edison Company
Cardinal Cogen	Luce, Forward, Hamilton & Scripps LLP	Spark Energy, L.P.
Casner, Steve	MAC Lighting Consulting	Sun Light & Power
Center for Biological Diversity	MBMC, Inc.	Sunshine Design
Chris, King	MRW & Associates	Sutherland, Asbill & Brennan
City of Palo Alto	Manatt Phelps Phillips	Tabors Caramanis & Associates
City of Palo Alto Utilities	McKenzie & Associates	Tecogen, Inc.
City of San Jose	Merced Irrigation District	Tiger Natural Gas, Inc.
City of Santa Rosa	Modesto Irrigation District	TransCanada
Clean Energy Fuels	Morgan Stanley	Turlock Irrigation District
Coast Economic Consulting	Morrison & Foerster	United Cogen
Commercial Energy	Morrison & Foerster LLP	Utility Cost Management
Consumer Federation of California	NLine Energy, Inc.	Utility Specialists
Crossborder Energy	NRG West	Verizon
Davis Wright Tremaine LLP	NaturEner	Wellhead Electric Company
Day Carter Murphy	Navigant Consulting	Western Manufactured Housing Communities Association (WMA)
Defense Energy Support Center	Norris & Wong Associates	eMeter Corporation