

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



**FILED**

06-10-10  
04:59 PM

Application of Pacific Gas and Electric Company for Approval Agreements Related to the Novation of the California Department of Water Resources Agreement with GWF Energy LLC, Power Purchase Agreement with GWF Energy II LLC, and Associated Cost Recovery (U39E).

Application 09-10-022  
(Filed October 16, 2009)

Application of Pacific Gas and Electric Company for Approval of the Novation of the California Department of Water Resources Agreements Related to the Calpine Transaction, and Associated Cost Recovery (U39E).

Application 09-10-034  
(Filed October 30, 2009)

**EX PARTE NOTICE OF THE DIVISION OF RATEPAYER ADVOCATES**

Pursuant to Rule 8.3 of the Commission's Rules of Practice and Procedure, the Division of Ratepayer Advocates (DRA) submits this notice of ex parte communication regarding the above-referenced matters. DRA initiated two meetings with Commission advisors, as follows:

1. On Monday, June 7, 2009 at 3:00pm, DRA representatives met with Michael Wheeler and Theresa Cho, advisors to Commissioner Dian Grueneich, and Intern Dries Berghman, to discuss the PG&E Long-Term RFO and applications for Department of Water Resources Agreements. DRA's representatives at the meeting were David Peck, Yuliya Shmidt and Cynthia Walker. The meeting was held at the Commission's offices, located at 505 Van Ness Avenue, San Francisco, California and lasted approximately 30 minutes.

2. On Wednesday, June 9, 2009 at 1:00pm, DRA representatives met with Karl Meeusen, advisor to President Michael Peevey, to discuss the PG&E Long-Term RFO and applications for Department of Water Resources agreements. DRA's

representatives at the meeting were David Peck, Yuliya Shmidt and Joe Como. The meeting was held at the Commission's offices, located at 505 Van Ness Avenue, San Francisco, California and lasted approximately 30 minutes.

Mr. Peck presented an overview of the two applications and discussed the overwhelming evidence demonstrating that PG&E's need is extremely overestimated. In light of the Commission approval of 500 megawatts of Solar Photovoltaic facilities in PG&E's service territory and the economic crisis PG&E ratepayers are still suffering from, DRA recommends that three of the proposed projects: Oakley Station, Calpine Los Esteros, and GWF Tracy, should be denied. Ms. Shmidt pointed out that this outcome would be prudent at this time given that the Long Term Procurement Planning (LTPP) proceeding has already begun and will re-examine PG&E's need going forward.

DRA used written materials during the communication, copies of which are attached to this ex parte notice. (Portions of the written materials have been redacted to protect confidential information.) To receive a copy of this ex parte notice, please contact Yuliya Shmidt at 415-703-2719, or [ys2@cpuc.ca.gov](mailto:ys2@cpuc.ca.gov).

Respectfully submitted,

/s/ CHARLYN A. HOOK

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CHARLYN A. HOOK  
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June 10, 2010

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of “**EX PARTE NOTICE OF THE DIVISION OF RATEPAYER**” to the official service list in **A.09-10-022 and A.09-10-034**, by using the following service:

**E-Mail Service:** sending the entire document as an attachment to all known parties of record who provided electronic mail addresses.

**U.S. Mail Service:** mailing by first-class mail with postage prepaid to all known parties of record who did not provide electronic mail addresses.

Executed on **June 14, 2010** at San Francisco, California.

/s/ REBECCA ROJO

Rebecca Rojo

**SERVICE LIST**  
**A.09-10-022 and A.09-10-034 (Consolidated)**

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