

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



**FILED**

04-04-12  
04:59 PM

Application of Pacific Gas and Electric  
Company for Approval and Recovery of  
Costs Associated with its Fuel Cell Project

Application 09-02-013

And Related Matter

Application 09-04-018

**NOTICE OF EX PARTE COMMUNICATION  
BY FUELCELL ENERGY, INC.**

In accordance with Rule 8.4 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure, FuelCell Energy, Inc. ("FCE") submits this report of ex parte communications in the above-captioned proceeding.

On Tuesday, April 3, 2012, at 11:10 a.m. Tracy Reid, a representative of FCE, had a telephone conversation with Matthew Tisdale, CPUC Commissioner Florio's energy advisor which lasted approximately 5 minutes.

During the conversation, Ms. Reid explained that FCE was opposed to altering the original proposed decision because adding an option for SCE to replace the originally approved combined heat and power ("CHP") project with an electric only fuel cell significantly changes the SCE fuel cell program approved in Decision 10-04-028. Ms. Reid also discussed the benefits in efficiency and avoided emissions provided by CHP projects, and the fact that completing a CHP project would contribute to achieving goals established in the Governor's Clean Energy Jobs Plan.

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To request a copy of this notice, please contact Karen Mitchell at 916-447-2166 or [kam@eslawfirm.com](mailto:kam@eslawfirm.com).

April 4, 2012

Respectfully submitted,

By: \_\_\_\_\_/s/\_\_\_\_\_

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