

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



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Application of Southern California Edison Company (U338E) for a Commission Finding that its Procurement-Related and Other Operations for the Record Period January 1 Through December 31, 2010 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account and Other Regulatory Accounts; and for Recovery of \$25.613 Million Recorded in Three Memorandum Accounts.

A.11-04-001

(Filed April 1, 2011)

**MOTION OF THE DIVISION OF RATEPAYER ADVOCATES TO  
BIFURCATE THE MRTU IMPLEMENTATION COST RECOVERY  
PORTIONS OF ENERGY RESOURCE RECOVERY ACCOUNT (ERRA)  
COMPLIANCE PROCEEDINGS AND CONSOLIDATE THOSE  
PORTIONS INTO A SINGLE AND SEPARATE PROCEEDING**

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May 18, 2011

**MOTION OF THE DIVISION OF RATEPAYER ADVOCATES TO  
BIFURCATE THE MRTU IMPLEMENTATION COST RECOVERY  
PORTIONS OF ENERGY RESOURCE RECOVERY ACCOUNT (ERRA)  
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**I. INTRODUCTION**

Pursuant to Rule 11.1 of the Commission's Rules of Practice and Procedure, the Division of Ratepayer Advocates respectfully requests and moves for an order that the Commission bifurcate those portions of Pacific Gas & Electric Company's (PG&E), Southern California Edison Company's (SCE), and San Diego Gas & Electric Company's (SDG&E) 2010 and 2011 ERRA Compliance applications that seek rate recovery of costs associated with the implementation of the California Independent System Operator's (CAISO) Market Redesign and Technology Upgrade (MRTU), and consolidate those portions into a single proceeding with a new application number (MRTU bifurcation and consolidation).<sup>1</sup>

A consolidated review of the three Investor Owned Utilities' (IOUs') MRTU implementation costs is appropriate given that these costs are driven by common directives, tariffs, and technical requirements.

The Commission's grant of the instant motion for MRTU bifurcation and consolidation of the IOUs disparate requests for recovery will provide many benefits to the Commission. Consolidation will allow for a consistent, efficient, and global review of the three IOUs' MRTU implementation costs. Consolidation into a single proceeding will require only one Administrative Law Judge (ALJ) to learn about MRTU

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<sup>1</sup> Accordingly, DRA has simultaneously filed this motion in the following dockets: PG&E 2010 Compliance (A.10-02-012, filed February 12, 2010), SCE 2010 Compliance (A.10-04-002, filed April 1, 2010), SDG&E 2010 Compliance (A.10-06-001, filed June 1, 2010), PG&E 2011 Compliance (A.11-02-011, filed February 15, 2011), and SCE 2011 Compliance (A.11-04-001, filed April 1, 2011). SDG&E's 2011 Compliance application will be filed June 1, 2011.

implementation and will save considerable time, effort, and expense by the Commission and parties.

Consideration of similar costs for all three IOUs in one proceeding will mimic what the Commission already does in several other subject areas such as Resource Adequacy, Demand Response, Energy Efficiency, California Alternate Rates for Energy (CARE), and Low Income Energy Efficiency proceedings.

## **II. PROCEDURAL HISTORY AND MRTU BACKGROUND**

### **A. Procedural History of DRA's Request for MRTU Bifurcation and Consolidation**

Each of the three major IOUs is compelled to file an annual Energy Resource Recovery Account (ERRA) Compliance application. Each of those three same IOUs also obtained authority to establish a memorandum account to track costs associated with implementation of MRTU. The Resolutions authorizing those memorandum accounts directed the three IOUs to seek recovery of those memorandum accounts in the same application that contained the annual ERRA Compliance request.

DRA has consistently requested consolidation of the three IOUs' requests for recovery of MTRU implementation costs since SCE's 2009 Compliance Application.<sup>2</sup> The Commission previously considered consolidation of MRTU expenses as part of the SCE 2009 Compliance proceeding, but did not order consolidation at that time. D.10-07-049 (SCE 2009 Compliance Decision) emphasized that the Commission "does not preclude a different outcome with respect to consolidation, if requested in subsequent

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<sup>2</sup> Specifically, DRA made its request in SCE 2009 Compliance (A.09-04-002, filed April 1, 2009), PG&E 2010 Compliance (A.10-02-012, filed February 12, 2010), SCE 2010 Compliance (10-04-002, filed April 1, 2010), SDG&E 2010 Compliance (A.10-06-001, filed June 1, 2010), PG&E 2011 Compliance (A.11-02-011, filed February 15, 2011), and SCE 2011 Compliance (A.11-04-001, filed April 1, 2011).

ERRA Review filings.”<sup>3</sup> D.10-07-049 was thus a Decision without prejudice to subsequent review and consideration. A decision has not been issued in any of the subsequent 2010 ERRA Compliance proceedings and DRA’s request for MRTU bifurcation and consolidation therefore remains unaddressed and unresolved. Finally, DRA requested MRTU bifurcation and consolidation in its Protests to both PG&E and SCE’s recently filed 2011 ERRA Compliance applications, and DRA will likely request the same relief if SDG&E’s 2011 ERRA Compliance application (to be filed June 1, 2011) requests recovery of MRTU implementation costs.

DRA has filed this motion in each of the above active proceedings in order to provide the Commission a singular, effective, and efficient procedural vehicle to effectuate MRTU bifurcation and consolidation. At the April 7, 2011 Prehearing Conference for PG&E’s 2011 Compliance proceeding (A.11-02-011), Commissioner Florio indicated that filing a motion for MRTU bifurcation and consolidation in each of the ERRA Compliance dockets would make it easier for the Commission to address this issue and avoid inconsistent results in separate proceedings.<sup>4</sup> Notably, as detailed below,

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<sup>3</sup> D.10-07-049, p. 50.

<sup>4</sup> Commissioner Florio stated:

This is just a suggestion, but it is very awkward having different ALJs, different assigned commissioners in these various cases. And I would suggest that if DRA wants to pursue this, it might be a good idea to file a motion to consolidate in each of the dockets that you would like. It could be the same motion but with three different captions and filed in each docket laying out exactly what you want consolidated. That makes it a little easier for us to consider whether that happens.

At this point all we can do in this docket is say MRTU costs are in or they are not. But the consolidation involves talking with those other assigned commissioners and ALJs. So that I think would be a way to tee it up and let everybody make their arguments. There is a significant risk of inconsistent results if it is done individually in three different proceedings.

RT, p. 21: 5-26.

the Commission's grant of this motion to bifurcate and consolidate the three different IOUs' requests for recovery of MRTU implementation expenses into a single and separate proceeding will similarly serve the goals of efficiency and fairness, and will be in the Commission's, utilities', and ratepayers' interest.

**B. MRTU Background and Current Commission Mechanism for Review of MRTU Implantation Costs**

**1. MRTU Presents a Dramatic Increase in Complexity**

MRTU is a comprehensive program intended to enhance the efficiency of generation dispatch and interact with the California Public Utilities Commission's (CPUC) Resource Adequacy program to increase grid reliability and remedy flaws in the California Independent System Operator (CAISO) previous markets.<sup>5</sup> The FERC ordered a comprehensive redesign of the California electricity market structure.<sup>6</sup> The MRTU market launch is the beginning of a multi-year process the CAISO will undertake to implement additional market design features as part of the FERC-mandated MRTU initiative.<sup>7</sup> Given the complexity and large-scale nature of MRTU, the implementation approach that the CAISO described to FERC involves three major releases: Release 1, which is the initial implementation; Release 1A, which includes Virtual Bidding, which

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<sup>5</sup> The CAISO was established in 1996. In D.95-12-063 the Commission ordered the Investor Owned Utilities (IOUs) to transfer operational control of its transmission facilities to the CAISO, stating:

The ISO will have primary responsibility for the determination of the final operation and dispatch of the system to preserve reliability and achieve the lowest total cost for all uses of the transmission system. The ISO will have control over the operation of the transmission facilities. The participating investor and publicly owned utilities will continue to own those facilities and be responsible for their maintenance.

D.95-12-063, p. 26.

<sup>6</sup> D.09-12-021, p.3 fn. 1.

<sup>7</sup> *FERC Order Conditionally Accepting the California Independent System Operator's Electric Tariff Filing to Reflect Market Redesign and Technology Upgrade*, issued on September 21, 2006 in Docket No. ER06-616 et. al.

was to be implemented within 12 months of Release 1; and Release 2 to be implemented within three years of the initial implementation date.<sup>8</sup>

The MRTU has been in development since 2002 and the project officially went live on April 1, 2009. The initial implementation of MRTU required sweeping changes to several of the IOUs energy dispatch processes; managing the overall energy supply portfolio risk, and reconciling transactions related to the trading and procurement of electricity.

Some significant changes in the CAISO market resulting from MRTU are:

- The move from three zonal wholesale pricing areas to approximately thirty two hundred nodal price points (nodes) for generators.
- The introduction of a centralized day-ahead energy market.
- The co-optimization of three markets simultaneously; energy, ancillary services, and grid congestion; which were previously managed separately.
- The introduction of the Residual Unit Commitment (RUC) process, which identifies resources needed for grid reliability based on the outcomes of the Day-Ahead market and before the Hour-Ahead market.
- The introduction of Congestion Revenue Rights, a financial hedge against transmission costs, to replace the prior system of physical transmission rights.

These changes required new Information Technology (IT) transmission systems on the part of the CAISO as well as entities participating in California's wholesale energy markets. The implementation of these systems required the IOUs to make significant changes to their IT systems in order to interface with the CAISO and accommodate new

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<sup>8</sup> 116 FERC ¶ 61,274.

energy dispatch and transmission management systems as also required by Public Utilities Code §8360 and D.10-06-047.

## **2. The Commission’s Current Mechanism for IOUs to Request Recovery of MRTU Implementation Costs**

Each of the three major IOUs opened a MRTU-associated memorandum account pursuant to Commission authority (the MRTU Memorandum Account or MRTUMA)<sup>9</sup> to record incremental capital and Operations and Maintenance (O&M) expenses associated with implementation of MRTU’s new systems.<sup>10</sup> These incremental expenses and the associated revenue requirements to recover these costs in the three IOUs’ MRTUMAs are to be reviewed by the Commission to ensure that they are prudent, reasonable, and recorded correctly.

Each year’s costs are discrete applications for review of those costs that must “primarily focus on whether the costs can be verified and are incremental.”<sup>11</sup> Care must also be taken to avoid any double recovery, so the possible inclusion of embedded costs<sup>12</sup> must also be examined. All proposed MRTU implementation costs must, therefore, be evaluated under the post-facto incremental standard outlined below:

- 1) Are the costs mandated for MRTU?
- 2) Have those costs been incurred? and,
- 3) Have embedded costs been removed leaving only the replacement costs above what was allocated to MRTU?

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<sup>9</sup> Resolution E-4087 (SCE), Resolution E-4093 (PG&E), and Resolution E-4088 (SDG&E).

<sup>10</sup> Resolution E – 4087 (SCE), Paragraph 2; Resolution E-4093 (PG&E), Paragraph 2; and Resolution E-4088 (SDG&E), Paragraph 2.

<sup>11</sup> D.09-12-021, p. 3, fn. 1.

<sup>12</sup> Imbedded costs are those internal expenses and labor already included in rates by virtue of ongoing activity, but may be allocated or transferred to MRTU accounts.

Each of the MRTUMA Resolutions ordered the respective IOU to apply for rate recovery of the MRTU costs in conjunction with its annual ERRA application.<sup>13</sup> Thus, while cost recovery for MRTU is part of the same proceeding that seeks various ERRA determinations, the reasonableness of those costs is not judged by the same standards as those that apply to ERRA issues.

### **3. The Three IOUs' History of MRTU Implementation Costs**

The three IOUs have incurred varied amounts in MRTU Capital and O&M expenses. PG&E stated that through 2010 it has incurred \$63.2 million in Capital and \$19.86 million in O&M expenses.<sup>14</sup> SCE stated that through 2010 it has incurred \$58.24 million in Capital and \$28.31 million in O&M expenses.<sup>15</sup> SDG&E stated that through

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<sup>13</sup> Resolution E -4087 (SCE), Paragraphs 1 & 2; Resolution E-4093 (PG&E), Paragraphs 2; and Resolution E-4088 (SDG&E), Paragraphs 2.

<sup>14</sup> These values are a sum of the following: Through 2009, PG&E claimed to have incurred \$50.6 million in Capital and \$11.96 million in O&M expenses. (A.10-02-012, PG&E MRTU Workpapers, ch. 9, pp. 9-1 to 9-2.) In 2010, PG&E claimed to have incurred \$12.6 million in Capital and \$7.9 million in O&M expenses. (A.11-02-011, PG&E MRTU Prepared Testimony, ch. 9, p. 9-2.)

DRA notes that it disagrees with PG&E regarding the MRTU revenue requirement amount that PG&E should be allowed to recover, if MRTU recovery is allowed, in the 2010 Compliance proceeding. That issue has been extensively litigated in the 2009 Record Year Compliance proceeding and is not the subject of this motion. However, should the Commission allow PG&E to recover a revenue requirement for MRTU implementation costs in the 2009 Record Year Compliance proceeding, and without waiving its bifurcation/consolidation recommendation, DRA maintains that PG&E's recovery should be limited to \$932,000. \$932,000 is the revenue requirement associated with the PG&E's verified capital and O&M expenses for MRTU implementation in Record years 2008 and 2009.

<sup>15</sup> These values are a sum of the following: Through 2008, SCE claimed to have incurred \$7.95 million in O&M expenses, and in 2009 SCE claimed to have incurred \$56.2 million in Capital and \$9.4 million in O&M expenses. (A.10-04-002, SCE Supplemental Testimony Re MRTU 2007 and 2008 Incremental O&M Costs, p. 2; A.10-04-002, SCE Testimony, ch. 15, pp. 154, 192-193.) In 2010, SCE claimed to have incurred \$2.04 million in Capital and \$10.96 million in O&M expenses. (A.11-04-001, ch. 15, pp. 145, 153.)

2009 it has incurred \$3.05 million in Capital and \$1.6 million in O&M expenses through 2009.<sup>16</sup> These amounts are summarized in the following table:<sup>17</sup>

**Table 1**  
**MRTU IMPLEMENTATION COSTS in millions**

	Capital	O&M
PG&E (through 2010)	\$63.2	\$19.86
SCE (through 2010)	\$58.24	\$28.31
SDG&E (through 2009)	\$3.05	\$1.6

**III. A CONSOLIDATED REVIEW OF MRTU COSTS WILL FACILITATE A CONSISTENT AND EFFICIENT REVIEW AND IS APPROPRIATE GIVEN THE COMMON FACTORS DRIVING RECOVERY REQUESTS**

As detailed below, the Commission and all parties would benefit if the utilities’ MRTU implementation costs were reviewed in a consolidated proceeding that is separate from future and pending ERRA applications. First, because the utilities’ MRTU implementation costs are driven by common factors, a consolidated comparative view is an appropriate and informative means for the Commission and parties to assess the appropriateness of these costs. Moreover, consideration of the three IOUs requests

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<sup>16</sup> Through 2009, SDG&E claimed to have incurred \$3.05 million in Capital and \$1.6 million in O&M expenses. (A.10-06-001, SDG&E Direct Testimony, ch. 11, pp. TC-33, TC-35.) SDG&E’s 2011 Compliance application will be filed in June, 2011.

<sup>17</sup> DRA acknowledges that some of these costs have already been authorized and recovered in various General Rate Cases and DRA does not seek to challenge those findings. This does, however, support taking a global view of what the IOUs spent to implement MRTU. In other words, it would be impossible to assess the reasonableness of new incremental costs that the IOUs are seeking recovery for without understanding what the prior authorized costs were used for.

together by a single ALJ will allow for a consistent review of costs and will save considerable time, effort, and expense by the Commission and parties.

**A. The IOUs' MRTU Implementation Costs are Driven by the Same CAISO Directives, FERC Tariffs, and Technical Requirements**

A consolidated review of the three IOUs' MRTU implementation costs is appropriate because these costs are driven by the same CAISO directives, FERC Tariffs, and technical requirements. Given these common cost driving factors, the Commission should expect to see consistency in the level of MRTU implementation costs and a consolidated cost review will allow the Commission to compare and clearly see cost differences before the costs are approved.

The value of this approach is not diminished simply by the fact that the utilities may have different approaches to compliance with MRTU-related directives, or different circumstances such as resource portfolios, customer demands, reliability issues, and information systems. MRTU is fundamentally a software interface between the IOUs' operating systems and the CAISO's operating systems. This software interface is independent of the IOUs' size, resource portfolios, customer demands, reliability issue, and information systems. For example, a variation in resource portfolios or customer demands should not cause large variations in the IOUs' MRTU costs as seen in Table 1. As noted above, MRTU is primarily a CAISO load management mechanism to more efficiently and effectively bring power closer to the IOUs' load centers and to mitigate grid congestion. MRTU is not intended to change the IOUs' portfolio resources and customer demand characteristics. Similarly, energy reliability and information systems requirements should not cause large variations in the IOUs' MRTU implementation costs. Power reliability has been a state-wide requirement pre-MRTU implementation and will continue to be a state-wide requirement post-MRTU implementation. In addition, since MRTU implementation is largely a software interface between the IOUs' and CAISO's information systems and is less dependent on the legacy of the information systems

hardware, the incremental costs for information systems required for MRTU implementation should be similar for all three IOUs.

Again, the common CAISO directives, FERC Tariffs, and technical requirements that drive MRTU costs should produce consistency in the level of MRTU implementation costs, and a consolidated cost review will allow the Commission to compare and clearly see cost differences before the costs are approved. Viewing the costs across the three IOUs will also allow the Commission to more easily consider any rationale for differences in specific expenditure areas.

**B. Consolidation will facilitate a consistent and global Commission review of MRTU costs**

Given the complex changes presented by MRTU implementation, as detailed above, it is especially important that implementation costs be reviewed in a consistent manner across all IOUs. Consideration of the three IOUs' MRTU recovery requests together by a single ALJ will allow for consistent review of costs. Such a consolidated approach better ensures that the Commission treats similar issues in a similar fashion to ensure accurate cost recovery by the IOUs and the protection of ratepayers from unnecessary costs and rates. Notably, consideration of similar costs for all three IOUs in one proceeding is not new, and has been used in Resource Adequacy, Demand Response, Energy Efficiency, and Low Income Energy Efficiency proceedings.<sup>18</sup> In the earliest 2010 ERRA Compliance proceeding to reach hearing (A.10-02-012, PG&E 2010 Compliance), ALJ Barnett appreciated the value of such action when he stated that “there

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<sup>18</sup> ALJ Ruling, July 02, 2008 in A. 08-06-001, A. 08-06-002 and A. 08-06-003 (Demand Response); D.07-10-032, followed by A.08-06-004 (Energy Efficiency); A.08-05-022 (Low Income Energy Efficiency).

should be a Rulemaking on this for all of the utilities in California who are involved in MRTU.” RT, 21:1-3.<sup>19</sup>

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<sup>19</sup> For convenience, the majority of the discussion was:

ALJ BARNETT: -- where, as I understand DRA's position, you want a separate Rule-making proceeding, and you want this whole MRTU to be deferred?

MR. SHAPSON: Yes, your Honor.

Well, we're -- what -- what our recommendation is that the three major IOUs in the state be ordered to bifurcate out or that the Commission bifurcate out their now-pending MRTU Applications and that that portion of these cases be consolidated together so that all three IOUs' MRTU expenditures can be assessed in one proceeding.

So as opposed to you becoming educated about MRTU and the cost associated with MRTU and a judge in the Edison case being educated about costs associated with implementing MRTU and a third judge in the San Diego ERRA compliance case be[ing] educated about the implementation costs of MRTU, that those be -- those -- those three are now pending, that those be bifurcated out of those ERRA cases and that that portion of the Application be consolidated together in one proceeding.

Whether you call it an Application or a Rulemaking I don't think is so relevant; I think what's important is that one judge deal with the implementation costs of MRTU.

ALJ BARNETT: All right. Well, as I read this material I got the impression that DRA wanted two things: one, to defer any findings on MRTU and have a separate proceeding where all of the utilities would come in for their MRTU expenses.

Well, as I read this, and what my recommendation is going to be, is that the MRTU expenses that have been already booked that we've just discussed shall be decided in this case; and from what I've seen there doesn't seem to be any objection to the actual numbers.

But I agree with DRA that this should be -- there should be a Rulemaking on this for all of the utilities in California who are involved in MRTU.

But the way these things get done, someone has to prepare a Rulemaking, and so I'm going to order DRA in their -- in your brief to prepare a form of Rulemaking that I will bless and send it up to the Commission.

MR. SHAPSON: (Nodding head)

ALJ BARNETT: Because personally I just can't understand why there are three separate MRTUs. This is all Information Technology, as I understand MRTU. Is that correct, Mr. Huffman?

MR. HUFFMAN: The bulk of the expenses, although not all of the expenses, are incurred by our Information Technology Department. That's correct.

(continued on next page)

**C. Consolidation will facilitate an efficient and cost effective  
Commission review of MRTU costs**

Finally, bifurcation of the MRTU cost portions of the IOUs' 2010 and 2011 ERRA Compliance applications and a consolidated review of those costs by a single ALJ will save considerable time, effort, and expense by the Commission and parties. MRTU bifurcation and consolidation will not result in the filing of new applications or result in the need to re-serve new applications on the public pursuant to Rule 3.2. Consolidation of the IOUs' applications will allow for common scheduling and comparison review of those MRTU implementation costs by the Commission and parties. A comparison

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ALJ BARNETT: All right. And I assume your -- your department is a little different than Edison's and you're both a little different than SDG&E, and so you all have different kinds of numbers, and they are all over the lot; and that's perhaps something where this Commission should impose a set of rules so that you're all the same; and plus it will be one decision with one number, and that number is so high that I -- I was astonished when I saw the amount of money that went into this Information Technology --

MR. HUFFMAN: Uh-huh.

ALJ BARNETT: -- all of which is paid for by the ratepayers, none of which is paid for by the ISO, the FERC, or the utility. Am I correct in that, Mr. Huffman?

MR. HUFFMAN: The expenses PG&E incurred will be borne by PG&E's ratepayers.

...

ALJ BARNETT: The ratepayers pay for everything, and when you're talking about hundreds of millions of dollars for something that I have no idea of what its value is --

MR. HUFFMAN: Uh-huh.

ALJ BARNETT: -- I would like the Commissioners to see the amount of money in one place that is going out for information -- for computers; so the way to do that is for DRA to prepare a Rulemaking, file it with your brief; and if it seems reasonable, you'll see it in my decision, that is, if my decision ever gets to the Commission, which you all know how this place operates.

RT, 19:13 to 23:4, emphasis added. The proposed Order Instituting Rulemaking requested by ALJ Barnett was attached to DRA's Opening Brief in that proceeding; filed September 28, 2010.

review across all three IOUs will help clarify the reasonableness of individual IOU actions as well as help ensure consistency in treatment of similar issues across all three utilities. Similarly, a comparison review will avoid the likelihood that three ALJs will, in order to better understand the reasonableness of their respective individual IOU's costs, spend time learning about the costs and implementation actions of the other IOUs. Finally, a consolidated review will allow DRA and the three IOUs to educate one ALJ about MRTU and its implementation requirements as opposed to three ALJs needing to independently learn that subject matter.

#### **IV. CONCLUSION**

Because of the complex changes presented by the MRTU system and the common factors driving all three utilities' reasonableness requests, the various requests for MRTU implementation cost recovery should be reviewed at the same time in a consolidated proceeding that is separate from future and pending ERRA applications. Resolution of these issues in a consolidated fashion will allow for a consistent, efficient, and global review that is in the Commission's, utilities', and ratepayers' interests.

Accordingly, for the reasons stated herein, DRA requests that the Commission:

- 1) bifurcate those portions of A.10-02-012 (PG&E 2010 Compliance), A.10-04-002 (SCE 2010 Compliance), A.10-06-001 (SDG&E 2010 Compliance), PG&E 2011 Compliance A.11-02-011 (PG&E 2011 Compliance), and A.11-04-001 (SCE 2011 Compliance) that seek recovery of costs associated with the implementation of MRTU and,
- 2) consolidate those portions into in a single proceeding with a new application number.

Respectfully submitted,

/s/ MATT MILEY

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May 18, 2011

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of **MOTION OF THE DIVISION OF RATEPAYER ADVOCATES TO BIFURCATE THE MRTU IMPLEMENTATION COST RECOVERY PORTIONS OF ENERGY RESOURCE RECOVERY ACCOUNT (ERRA) COMPLIANCE PROCEEDINGS AND CONSOLIDATE THOSE PORTIONS INTO A SINGLE AND SEPARATE PROCEEDING** to the official service list in **A.11-04-001** 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 May 18, 2011, at San Francisco, California.

/s/ NANCY SALYER

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NANCY SALYER

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A.11-04-001

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