



FILED

05-28-10
09:57 AM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN CALIFORNIA EDISON
COMPANY (U338E) for Modification of
Decision 05-09-018 to Extend EDR-Retention
Rates.

Application 09-10-012
(Filed October 13, 2009)

And Related Matters.

Application 09-11-010

**ADMINISTRATIVE LAW JUDGE'S RULING
ON JOINT PARTIES' MOTION TO AMEND SETTLEMENT**

1. Summary

I grant the unopposed motion of the Joint Parties to amend the *Settlement Agreement for Extension of Economic Development Rates through December 31, 2012*, which settlement agreement was filed on May 3, 2010, which is attached to the proposed decision in Application (A.) 09-10-012 and A.09-11-010.

2. The Motion

On May 27, 2010, the Joint Parties, consisting of Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), the Division of Ratepayer Advocates, The Utility Reform Network, and the Energy Users Forum, filed the *Joint Motion of Southern California Edison Company (U 338-E) and Settling Parties to Amend Certain Appendices to the Settlement Agreement Extending Economic Development Rates Through December 31, 2012* (Motion). The Joint Parties

requested that Appendices B-1, B-2, B-3 and D to the *Settlement Agreement for Extension of Economic Development Rates through December 31, 2012* (Settlement Agreement) be amended. The Joint Parties also stated that no text in the proposed decision itself would have to be changed.

The Joint Parties request that selected Provisions in Appendices B-1, B-2, B-3 and D to the Settlement Agreement be amended. In particular, the Joint Parties request amendment of:

- a. Provision 10.4 of Appendices B-1, B-2, and B-3 for SCE and Provision 12 of Appendix D for PG&E, to properly capture the intent of the Settling Parties with respect to damages assessed on contract termination; and
- b. Provision 16 of Appendices B-1, B-2, and B-3 for SCE, which allows more up-to-date means for SCE and Economic Development Rate customers to provide notice to each other, including fax and e-mail, in addition to regular mail.

The other two parties to this proceeding that are not part of the Joint Parties, Greenlining Institute and Tamco Steel Mini Mill, have each confirmed that they do not oppose the proposed amendments to the Settlement Agreement.

We find the requested amendments to the Settlement Agreement to be reasonable. Therefore, the Joint Parties' Motion is granted. Furthermore, the assigned Administrative Law Judge will make conforming changes to the Settlement Agreement attached to the proposed decision in A.09-10-012 and A.09-11-010, which is on the Commission's June 3, 2010 Agenda.

IT IS SO RULED.

Dated May 28, 2010, at San Francisco, California.

/s/ SEANEEN M. WILSON
Seaneen M. Wilson
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a hard copy of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the hard copy of the filed document is current as of today's date.

Dated May 28, 2010, at San Francisco, California.

/s/ CRISTINE FERNANDEZ
Cristine Fernandez

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.