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**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

Rulemaking 08-08-009  
(Filed August 21, 2008)

**ADMINISTRATIVE LAW JUDGE'S RULING  
REGARDING MOTIONS TO AMEND PLANS AND FILE  
MATERIAL UNDER SEAL**

This ruling grants several motions to (a) amend draft 2010 Renewables Portfolio Standard (RPS) Procurement Plans and (b) file certain material under seal.

**A. Motions to Amend Plans**

Five motions to amend draft 2010 RPS Procurement Plans are granted.

**1. February 17, 2010 Motion of SDG&E**

The schedule for Commission consideration of draft 2010 RPS Procurement Plans included respondent utilities filing draft plans by December 18, 2009, and filing motions regarding updates by February 17, 2010. (See November 2, 2009 Amended Scoping Memo at Attachment C.) San Diego Gas & Electric Company (SDG&E) timely filed a motion to update its Plan. No party responded. SDG&E's motion should be granted.

**2. February 17, 2010 Motion of PG&E**

Pacific Gas and Electric Company (PG&E) also filed a motion to update its Plan. On March 4, 2010, a response in opposition was filed jointly by California

Wind Energy Association (CalWEA) and the Large-Scale Solar Association (LSA). Opponents address the substance of PG&E's proposed amendment, but do not object to the filing of the amendment. On March 15, 2010, PG&E filed a reply in which PG&E states that it does not oppose four of six substantive changes proposed by CalWEA/LSA.

The substantive issues can be addressed in the Commission's decision accepting, rejecting or modifying PG&E's Plan. Therefore, the motion to amend should be granted so the disputed issues are in the record, with the substantive issues later resolved by the Commission.

### **3. April 9, 2010 Motion of PG&E**

PG&E filed a motion to amend its Plan regarding PG&E's use of tradable Renewable Energy Credits (TREC's). (See Ordering Paragraph 33 of Decision (D.) 10-03-021, and Ruling dated March 19, 2010.) No party responded. The motion should be granted.

### **4. April 9, 2010 Motion of SCE**

Southern California Edison Company (SCE) filed a motion to amend its Plan regarding SCE's use of TREC's. SCE also proposed other amendments, including amended curtailment language. On April 23, 2010, a response in opposition was filed jointly by CalWEA/LSA. Opponents address the substance of SCE's proposed amendment, but do not object to the filing of the amendment. The motion to amend should be granted, with the substantive issues later resolved by the Commission in its decision accepting, rejecting or modifying SCE's Plan.

### **5. June 17, 2010 Motion of SCE**

SCE filed a motion to amend its Plan regarding economic curtailment and other items. On July 2, 2010, a response in opposition was filed jointly by

CalWEA/LSA. Opponents address the substance of SCE's proposed amendment, but do not object to the filing of the amendment. On July 12, 2010, SCE filed a reply addressing the substantive issues, and asking that the Commission grant SCE's motion. The motion to amend should be granted, with the substantive issues addressed by the Commission in its decision accepting, rejecting or modifying SCE's Plan.

**B. Motions for Leave to File Under Seal**

Seven motions to file certain material under seal are granted.

**1. Four Motions of PG&E**

PG&E files four motions for leave to file certain material under seal. The motions are dated December 18, 2009; February 17, 2010; April 9, 2010; and June 2, 2010. The four motions are relative to PG&E's 2010 RPS Procurement Plan and amendments to that Plan. No party filed a response to any of these motions.

**2. Three Motions of SCE**

SCE filed three motions for leave to file certain material under seal. The motions are dated December 18, 2009; October 6, 2010; and October 7, 2010. The first motion is relative to SCE's 2010 RPS Procurement Plan. The second is relative to certain material included in a Notice of Ex Parte Communications filed currently with the motion. The third motion is relative to certain material in SCE's reply comments on the August 24, 2010 Proposed Decision Adopting the Renewable Auction Mechanism. No party filed a response to any of these motions.

**3. Discussion**

No party opposes granting these motions. Each motion includes information required by the Commission.<sup>1</sup> The motions should be granted.

**IT IS RULED** that:

1. Five motions to amend draft 2010 Renewable Portfolio Standard

Procurement Plans are granted:

- a. Motion of San Diego Gas and Electric Company dated February 17, 2010;
- b. Motions of Pacific Gas and Electric Company dated February 17, 2010, and April 9, 2010; and
- c. Motions of Southern California Edison Company dated April 9, 2010, and June 17, 2010.

2. Seven motions to file certain material under seal are granted. The sealed material is specifically identified in each motion, and is sealed for the periods authorized in Decision (D.) 06-06-066 (as modified by D.08-04-023). The seven motions are:

- a. Motions of Pacific Gas and Electric Company dated December 18, 2009, February 17, 2010, April 9, 2010, and June 2, 2010; and
- d. Motions of Southern California Edison Company dated December 18, 2009, October 6, 2010, and October 7, 2010.

Dated February 9, 2011, at San Francisco, California.

/s/ BURTON W. MATTSON

Burton W. Mattson  
Administrative Law Judge

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<sup>1</sup> See, for example, D.06-06-066 (Ordering Paragraph 2), and D.08-04-023.

