



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

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Application of San Diego Gas & Electric
Company (U902E) to Amend Renewable
Energy Power Purchase Agreement with
NaturEner Rim Rock Wind Energy, LLC and
for Authority to Make a Tax Equity
Investment in the Project

Application 10-07-017
(Filed July 15, 2010)

**JOINT COMMENTS OF SAN DIEGO GAS & ELECTRIC COMPANY,
NATURENER RIM ROCK WIND ENERGY, LLC, DIVISION OF RATEPAYER
ADVOCATES, AND THE UTILITY REFORM NETWORK ON
ADMINISTRATIVE LAW JUDGE VIETH'S PROPOSED DECISION
APPROVING SETTLEMENT SUBJECT TO CONDITION**

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Dated: June 9, 2011

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PROPOSED DECISION APPROVING SETTLEMENT SUBJECT TO CONDITION**

Pursuant to Rule 14.3 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure ("Rules"), San Diego Gas & Electric Company ("SDG&E"), NaturEner Rim Rock Wind Energy, LLC ("Rim Rock"), the Division of Ratepayer Advocates ("DRA") and The Utility Reform Network ("TURN") (collectively, "Joint Parties") hereby respectfully submit these Joint Comments on Administrative Law Judge ("ALJ") Vieth's Proposed Decision ("PD") entitled *Decision Approving Settlement Subject to Condition*, issued on May 20, 2011 in the above-captioned proceeding.

The PD finds that the all-party settlement agreement filed on April 8, 2011 by Joint Parties is "reasonable in light of the record, consistent with law and in the public interest" and should be approved (PD at p. 12) subject to one condition.¹

¹ As set forth in Ordering Paragraph 1 of the PD, the condition is that "if all parties agree to an increase in SDG&E's rate of return as provided in § 2(g)(ii) and (iii) of the settlement, they then must file a petition to modify this decision that meets the requirements of Rule 16.4 of the Commission's Rules of Practice and Procedure and the rate of return increase shall not become effective except upon the Commission's approval of the petition for modification."

The Joint Parties fully support the PD and, per Commission Rule 12.4(c)², accept the condition identified in the PD.³

Respectfully submitted,

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² Commission Rule 12.4(c) states in relevant part that the Commission may “propose alternative terms to the parties to the settlement which are acceptable to the Commission and allow the parties reasonable time within which to elect to accept such terms or to request other relief.”

³ Per Commission Rule 1.8, SDG&E has been authorized to sign this pleading on behalf of Rim Rock, DRA and TURN.