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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Promote Consistency in Methodology and Input Assumptions in Commission Applications of Short-run and Long-run Avoided Costs, Including Pricing for Qualifying Facilities.	Rulemaking 04-04-025

NOTICE OF EX PARTE COMMUNICATION

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Counsel to the Energy Producers and Users Coalition and the Cogeneration Association of California

April 3, 2007

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Promote Consistency in Methodology and Input Assumptions in Commission Applications of Short-run and Long-run Avoided Costs, Including Pricing for Qualifying Facilities.	Rulemaking 04-04-025

NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rule 8 of the Rules of Practice and Procedure of the California Public Utilities Commission (Commission), the Cogeneration Association of California[1] and the Energy Producers and Users Coalition[2] (jointly CAC/EPUC), submit this notice.

On March 30, 2007, Evelyn Kahl and Nora Sheriff, counsel to CAC/EPUC, met with Rami Kahlon, advisor to President Peevey. The meeting was held from approximately 10:05 to 10:40 AM at the Commission's office in San Francisco.

Ms. Kahl addressed the need for implementation of a reasonable policy for CHP, noting that potential new CHP installations have been waiting for a Commission policy for years. Ms Sheriff discussed differing avoided cost pricing theories and positions for both short run avoided costs and long run avoided costs. Ms. Sheriff expressed

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[1] CAC represents the power generation, power marketing and cogeneration operation interests of the following entities: Coalinga Cogeneration Company, Mid-Set Cogeneration Company, Kern River Cogeneration Company, Sycamore Cogeneration Company, Sargent Canyon Cogeneration Company, Salinas River Cogeneration Company, Midway Sunset Cogeneration Company and Watson Cogeneration Company.

[2] EPUC is an ad hoc group representing the electric end use and customer generation interests of the following companies: BP West Coast Products LLC, Chevron U.S.A. Inc., ConocoPhillips Company, Shell Oil Products US, THUMS Long Beach Company, Occidental Elk Hills, Inc., and Valero Refining Company - California.

CAC/EPUC's position that for short-run avoided costs, the evidence presented during hearings demonstrated that the existing Section 390(b) formula adequately represented utility avoided costs for as available energy. Ms. Sheriff explained that existing QFs with expiring contracts have had difficulty negotiating for the Commission-ordered interim relief of five-year Standard Offer 1 contracts; a recent utility offering of the NP-15 day-ahead price for as available energy was described as an example. Ms. Sheriff also noted the need for an updated as available capacity price for Southern California Edison Company. Ms. Sheriff recommended use of the Market Price Referent model to determine long-run avoided cost pricing, noting its adoption and use by the Commission in other areas. Ms. Sheriff added that long-term contract terms and conditions similar to those in the Mountainview contract should be utilized for QF contracts.

To request a copy of this notice, please contact:

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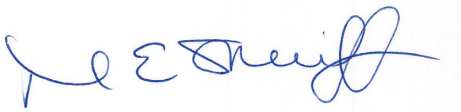
Dated: April 3, 2007

Respectfully submitted,



Evelyn Kahl
Nora Sheriff
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CERTIFICATE OF SERVICE

I, Karen Terranova hereby certify that I have on this date caused the attached **Notice of Ex Parte Communication** in R.04-04-025 to be served to all known parties by either United States mail or electronic mail, to each party named in the official attached service list obtained from the Commission's website, attached hereto, and pursuant to the Commission's Rules of Practice and Procedure.

Dated April 3, 2007 at San Francisco, California.

Karen Terranova

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