BEFORE THE PUBLI UTIITIES COMMISSION
OF THE STATE OF CALIFORNIA

FILED
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Order Instituting Rulemaking to Promote Policy And Program Coordination and Integration in Electric Utility Resource Planning	Rulemaking 04-04-003 (Filed April 1, 2004) (QF Issues)
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 (Filed April 22, 2004) (QF Issues)

NOTICE OF EX PARTE COMMUNICATION
OF THE CALIFORNIA COGENERATION COUNCIL

Pursuant to Rule 8.3 of the Rules of Practice and Procedure of the California Public Utilities Commission (the "Commission"), the California Cogeneration Council ("CCC") submits this Notice of *Ex Parte* Communication.

On September 12, 2007 at approximately 11:10 a.m., representatives of the CCC met with Commissioner Dian M. Grueneich and advisor Theresa Cho, at the Commission's offices in San Francisco. This was an equal time meeting. The CCC Representatives in attendance were Beth Vaughan, Executive Director of the CCC, R. Thomas Beach, consultant to the CCC, Shakil Rahman, a member of the CCC employed by Juniper Generation, David Hermanson, a member of the CCC employed by Primary Energy, Seth Hooper, a member of the CCC employed by Weyerhaeuser Company, and Jerry R. Bloom and Joseph M. Karp of Winston & Strawn, LLP, counsel for the CCC.

At the meeting, the CCC representatives explained their position on the Alternate Proposed Decision ("Alternate PD") in the above-captioned proceedings. The CCC representatives stated that the Alternate PD is, in many respects, a significant improvement over the original Administrative Law Judge's Proposed Decision ("PD"). The CCC representatives stated the Alternate PD still places too much weight on the NP-15 and SP-15 spot market prices and proposed they account for no more than one third of the SRAC formula, with the existing administrative values making up the difference. The CCC representatives explained why the

Southern California Edison Company's ("SCE") administrative heat rate should be set at 9,705 Btu/kWh and that the record on the proceedings supports this value as reasonable. The CCC representatives proposed that the Commission require the utilities to employ, on an interim basis, the updated time of use ("TOU") factors adopted by the Commission for energy efficiency and demand response programs, and revisit these interim TOU factors in the technical workshop that the Alternate PD requires 60 days after the Commission's decision. The CCC representatives also explained that PG&E City-gate prices are much better indicators of gas prices actually being paid by electricity generators and should be used in PG&E'S new SRAC formula rather than the arbitrary 50/50 mix of Malin and Topock gas. The CCC representatives stated the 2007 MPR should serve as the basis for the combined cycle gas turbine fixed costs of the firm capacity price calculation. Finally, the CCC representatives said that the Commission should increase the as-available capacity price to reflect a realistic capital cost for the combustion turbine proxy.

Respectfully submitted,

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September 14, 2007

Certificate of Service

I hereby certify that I have this day served a copy of the

Notice of Ex Parte Communication of the California Cogeneration Council

on all known parties to R.04-04-003 and R.04-04-025 by sending a copy via electronic mail and by mailing a properly addressed copy by first-class mail with postage prepaid to each party named in the official service list without an electronic mail address.

Executed on September 14, 2007, at San Francisco, California.

Marcus Russo

CALIFORNIA PUBLIC UTILITIES COMMISSION
Service Lists

Proceeding: R0404003 - CPUC - PG&E, EDISON,
Filer: CPUC - PG&E, EDISON, SDG&E
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Last changed: August 30, 2007

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Top of Page
Back to INDEX OF SERVICE LISTS

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Back to Service Lists Index

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Top of Page
Back to INDEX OF SERVICE LISTS