

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



FILED

05-11-12
04:59 PM

Application of Pacific Gas and Electric
Company for Authority to Increase Electric
Rates and Charges to Recover Costs Relating
to California Solar Photovoltaic Manufacturing
Development Facility

A.10-11-002
(Filed November 1, 2010)

(U 39 E)

**MOTION OF PACIFIC GAS AND ELECTRIC COMPANY
FOR LEAVE TO FILE CONFIDENTIAL INFORMATION
IN NOTICE OF *EX PARTE* COMMUNICATION UNDER
SEAL**

together with
[proposed Ruling]

CHRISTOPHER J. WARNER

Pacific Gas and Electric Company
77 Beale Street
San Francisco, CA 94105
Telephone: (415) 973-6695
Facsimile: (415) 973-0516
E-Mail: CJW5@pge.com

Dated: May 11, 2012

Attorneys for
PACIFIC GAS AND ELECTRIC COMPANY

I. INTRODUCTION

Pursuant to Rules 11.1 and 11.4 and the above-referenced application, Pacific Gas and Electric Company (PG&E) respectfully requests leave to file certain confidential information under seal in its notices of *ex parte* communication related to this proceeding.

II. RELIEF REQUESTED

On November 1, 2010, PG&E filed A.10-11-002, requesting Commission approval to increase electric rates and charges to provide partial support for the balance of non-federal matching funds under an application by SVTC Technologies, a for-profit entity, for an award of federal funds from the U.S. Department of Energy (DOE) to construct a California solar photovoltaic (PV) manufacturing development facility (California Solar PV MDF) in San Jose, California. In return for PG&E's financial contribution, PG&E will receive a financial interest in SVTC Solar in order to provide the potential for full reimbursement to PG&E's customers over the long-term.

During the course an all-party meeting held by Commissioner Sandoval on May 2, 2012, Commissioner Sandoval requested certain information from PG&E and SVTC regarding the identity of third parties which have committed contractually to use the PV MDF facility or to provide in-kind contributions of equipment or tools. In response to Commissioner Sandoval's request, SVTC sent a letter dated May 7, 2012, to Commissioner Sandoval, providing the requested information. However, certain information in the letter regarding these third parties is proprietary and confidential to SVTC, and therefore the letter has been made available to parties to this proceeding, specifically including DRA, TURN and the Greenlining Institute, under appropriate non-disclosure agreements under which the proprietary and confidential information is maintained as such.

The confidential and proprietary information in the term sheet relates to confidential user and third-party contributor information under the project. Public dissemination of the information could compromise and adversely impact the project, to the detriment of PG&E and SVTC, and PG&E's ratepayers if the project is approved. SVTC provided the letter to Commissioner Sandoval and will provide it to any other Commissioner or Commissioner's office that requests it, and therefore PG&E hereby requests leave under Section 583 of the Public Utilities Code and CPUC General Order No. 66-C to file the letter under seal in this proceeding in its notices of *ex parte* communication.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, PG&E respectfully requests that the Assigned Commissioner or Administrative Law Judge grant this Motion to file the referenced information under seal. Pursuant to Rule 11.4(a), PG&E has appended a proposed ruling that would grant the relief requested.

Respectfully Submitted,

CHRISTOPHER J. WARNER

By: _____ /s/ _____
CHRISTOPHER J. WARNER

Pacific Gas and Electric Company
77 Beale Street
San Francisco, CA 94105
Telephone: (415) 973-6695
Facsimile: (415) 973-0516
E-Mail: CJW5@pge.com

Dated: May 11, 2012

Attorney for
PACIFIC GAS AND ELECTRIC COMPANY

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

Application of Pacific Gas and Electric
Company for Authority to Increase Electric
Rates and Charges to Recover Costs Relating
to California Solar Photovoltaic Manufacturing
Development Facility

A.10-11-002
(Filed November 1, 2012)

(U 39 E)

**ALJ RULING GRANTING PACIFIC GAS AND ELECTRIC
COMPANY'S MOTION FOR LEAVE TO FILE
CONFIDENTIAL INFORMATION IN *EX PARTE*
COMMUNICATION UNDER SEAL**

I. INTRODUCTION

On May 11, 2012, Pacific Gas and Electric Company (PG&E) filed a motion for leave to file certain confidential information under seal. This Ruling grants the relief requested.

II. RELIEF REQUESTED

On November 1, 2010, PG&E filed A.10-11-002, requesting Commission approval to increase electric rates and charges to provide partial support for the balance of non-federal matching funds under an application by SVTC Technologies, a for-profit entity, for an award in federal funds from the U.S. Department of Energy (DOE) to construct a California solar photovoltaic (PV) manufacturing development facility (California Solar PV MDF) in San Jose, California. In return for PG&E's financial contribution, PG&E will receive a financial interest in SVTC Solar in order to provide the potential for full reimbursement to PG&E's customers over the long-term.

During the course an all-party meeting held by Commissioner Sandoval on May 2, 2012, Commissioner Sandoval requested certain information from PG&E and SVTC regarding the identity of third parties which have committed contractually to use the PV MDF facility or to provide in-kind contributions of equipment or tools. In response to Commissioner Sandoval's request, SVTC sent a letter dated May 7, 2012, to Commissioner Sandoval, providing the

requested information. However, certain information in the letter regarding these third parties is proprietary and confidential to SVTC, and therefore the letter has been made available to parties to this proceeding, specifically including DRA, TURN and the Greenlining Institute, under appropriate non-disclosure agreements under which the proprietary and confidential information is maintained as such.

The confidential and proprietary information in the term sheet relates to confidential user and third-party contributor information under the project. Public dissemination of the information could compromise and adversely impact the project, to the detriment of PG&E and SVTC, and PG&E's ratepayers if the project is approved. SVTC provided the letter to Commissioner Sandoval and will provide it to any other Commissioner or Commissioner's office that requests it.

Based on these assertions, PG&E's motion requests leave under Section 583 of the Public Utilities Code and CPUC General Order No. 66-C to file the referenced sections of the Term Sheet under seal in this proceeding in its notices of *ex parte* communication to Commissioner Sandoval and other Commissioners and Commission offices.

[No party has opposed PG&E's motion.] PG&E's request that the referenced information be filed under seal pursuant to Public Utilities Code Section 583 and General Order 66-C is reasonable and supported by the facts, and therefore is granted.

Dated: _____

Administrative Law Judge