

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



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Rulemaking regarding whether, or subject to what Conditions, the suspension of Direct Access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.

R.07-05-25
(Filed May 24, 2007)

MOTION OF THE SAFEWAY PARTIES FOR PARTY STATUS

CALPINE CORPORATION
Matthew Barmack
Director, Market and Regulatory Analysis
4160 Dublin Blvd.
Dublin, CA 94568
Telephone: (925) 557-2267
E-Mail: barmackm@calpine.com

CALPINE POWER AMERICA
Craig Martin
Director, Retail Sales
4160 Dublin Blvd.
Dublin, CA 94568
Telephone: (925) 557-2294
E-Mail: craig.martin@calpine.com

SAFEWAY INC.
George Waidelich
Vice President—Energy Operations
Safeway Inc.
5918 Stoneridge Mall Road
Pleasanton, CA 94588-3229
Telephone: (925) 467-2983
E-mail: george.waidelich@safeway.com

January 5, 2010

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MOTION OF THE SAFEWAY PARTIES FOR PARTY STATUS

I. Introduction

Pursuant to rule 1.4 of the Commission's *Rules of Practice and Procedure*, Calpine Corporation, Calpine Power America, and Safeway Inc., jointly the Safeway Parties, seek party status in this proceeding.

II. The Safeway Parties' Interest in this Proceeding

The Safeway Parties are collectively Calpine Corporation, Calpine Power America, and Safeway Inc. Calpine Power America is the retail affiliate of Calpine Corporation. Safeway Inc. operates one of the largest chains of grocery stores in California. Approximately 85 percent of the load associated with those stores is served by Calpine Power America. Safeway Inc. has been and continues to be a strong supporter of direct access (DA). Its stores that are currently not served by Calpine Power America and are on bundled utility service are generally stores that were developed subsequent to the imposition of limits on new DA accounts. For administrative simplicity and operational efficiency, Safeway is interested in consolidating all of its retail

electricity service accounts in the investor owned utility's (IOU) service territory with Calpine Power America. The Safeway Parties have a current long-term agreement in place that would facilitate this consolidation. Consequently, the Safeway Parties favor rules for implementing SB 695 that will allow this consolidation to occur in an expeditious and timely manner.

III. Notice

Service of notices, orders, and other communications and correspondence in this proceeding should be directed to the following members of the Safeway Parties:

CALPINE CORPORATION
Matthew Barmack
Director, Market and Regulatory Analysis
4160 Dublin Blvd.
Dublin, CA 94568
Telephone: (925) 557-2267
E-Mail: barmackm@calpine.com

CALPINE POWER AMERICA
Craig Martin
Director, Retail Sales
4160 Dublin Blvd.
Dublin, CA 94568
Telephone: (925) 557-2294
E-Mail: craig.martin@calpine.com

SAFEWAY INC.
George Waidelich
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5918 Stoneridge Mall Road
Pleasanton, CA 94588-3229
Telephone: (925) 467-2983
E-mail: george.waidelich@safeway.com

IV. Conclusion

For all of the reasons above and because the participation of the Safeway Parties

will not delay or broaden the scope of the proceeding, the Safeway Parties request party status.

Respectfully submitted this January 5, 2010 at Dublin, California

By _____/s/_____

CALPINE CORPORATION
Avis Kowalewski
Vice President
Government and Regulatory Affairs
Calpine Corporation
4160 Dublin Blvd., Suite 100
Dublin, CA 94568
Tel: (925) 557-2284
Fax: (925) 479-9650
E-mail: kowalewskia@calpine.com

January 5, 2010

CERTIFICATE OF SERVICE

I, Marjorie Oxsen, hereby certify that I have this day, January 5, 2010, served a copy of **MOTION OF THE SAFEWAY PARTIES FOR PARTY STATUS** on all known parties to R. 07-05-025 by transmitting an e-mail message with the document attached to each person named in the official service list and by first class mail on the parties listed as “Parties” and “State Service” on the attached service list who have not provided an electronic mail address.

Executed on January 5, 2010 at Dublin, CA.

/s/ Marjorie Oxsen

Marjorie Oxsen

Via Email and US Mail
President Michael R. Peevey
ALJ Thomas R. Pulsifer