

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



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Application of San Diego Gas & Electric
Company (U 902 E) for Approval Pursuant
to Public Utilities Code Section 851 to
Lease Transfer Capability Rights to Citizens
Energy Corporation

A.09-10-010
(filed on October 9, 2009)

**PREHEARING CONFERENCE STATEMENT OF SAN DIEGO GAS &
ELECTRIC COMPANY (U 902 E) REGARDING APPLICATION FOR
APPROVAL PURSUANT TO PUBLIC UTILITIES CODE SECTION 851 TO
LEASE TRANSFER CAPABILITY RIGHTS TO CITIZENS ENERGY
CORPORATION**

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January 6, 2010

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

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LEASE TRANSFER CAPABILITY RIGHTS TO CITIZENS ENERGY
CORPORATION**

Pursuant to Administrative Law Judge Myra Prestidge’s Ruling, dated December 3, 2009 (as modified by a subsequent Notice Resetting Date of Prehearing Conference, dated December 14, 2009), San Diego Gas & Electric Company (“SDG&E”) respectfully submits this Prehearing Conference (“PHC”) Statement addressing each of the seven issues identified in the December 3 Ruling as follows:

1. Identification of the specific factual and legal issues that the Commission needs to decide in this case;

The fundamental issue at hand for the Commission is whether the proposed transaction with Citizens Energy Corporation (“Citizens”) should be approved under Public Utilities Code Section 851 (“Section 851”). In light of the substantial detail included as part of SDG&E’s Application, SDG&E believes that the overall transaction, considering both the potential rate impacts and benefits, is in the public interest and warrants Section 851 approval.

2. Whether there are disputed factual issues in this case;

SDG&E believes that its Reply (filed on November 23, 2009) to the lone Protest filed by the Utility Consumers' Action Network ("UCAN") fully addressed and resolved potential factual issues in dispute. Moreover, since meeting and conferring with all the parties on December 8, 2009, UCAN has not notified SDG&E of any additional factual issues it considers to be in dispute nor sought any form of discovery that could resolve any factual disputes.

3. The possibility of settlement and whether mediation conducted by an Administrative Law Judge (ALJ) from the Commission other than the assigned ALJ, would be helpful in resolving the disputed issues;

SDG&E believes that it is premature to consider whether a settlement or mediation is necessary in this proceeding. As noted above, the parties held a meet and confer conference call on December 8, 2009 and SDG&E welcomed any discovery from the lone protesting party, UCAN. SDG&E believes that discovery and further discussions with UCAN should be entertained before a determination of whether settlement or mediation are necessary.

4. Whether any discovery is needed;

At this point, SDG&E does not anticipate having any discovery needs, but indicated to UCAN on the meet and confer conference call that we welcome any data requests the parties choose to submit. UCAN has not informed SDG&E of whether it believes there are issues to investigate via discovery.

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true and correct copy of the foregoing **PREHEARING CONFERENCE STATEMENT OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902 E) REGARDING APPLICATION FOR APPROVAL PURSUANT TO PUBLIC UTILITIES CODE SECTION 851 TO LEASE TRANSFER CAPABILITY RIGHTS TO CITIZENS ENERGY CORPORATION** to each party named in the official service list for the Sunrise proceeding (A.06-08-010) by electronic mail and A.09-10-010. Those parties without an email address were served by placing copies in properly addressed and sealed envelopes and depositing such envelopes in the United States Mail with first-class postage prepaid. Hard copies will also be sent to the Assigned Commissioner and Administrative Law Judge.

Dated at San Diego, California, this 6th day of January, 2010.

/s/ Lisa Fucci-Ortiz
Lisa Fucci-Ortiz



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[TOP OF PAGE](#)
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[TOP OF PAGE](#)
[BACK TO INDEX OF SERVICE LISTS](#)