



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA

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Order Instituting Rulemaking to Integrate and )  
Refine Procurement Policies and Consider Long- )  
Term Procurement Plans. )

Rulemaking 10-05-006  
(Filed May 6, 2010)

**RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) AND SAN  
DIEGO GAS & ELECTRIC COMPANY (U 902-E) TO MOTION OF THE  
INDEPENDENT ENERGY PRODUCERS ASSOCIATION FOR RECONSIDERATION  
OF THE SCHEDULE FOR THIS PROCEEDING**

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Dated: **February 1, 2011**

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Pursuant to Rule 11.1 of the California Public Utilities Commission’s (CPUC or Commission) Rules of Practice and Procedure, Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E) (hereinafter referred to as, Joint Utilities) submit their response to the Motion of the Independent Energy Producers Association (IEP) for Reconsideration of the Schedule for this Proceeding. Joint Utilities agree with IEP that the schedule for Track I issues should be delayed to assure that Track I analysis related to the overall long-term need for new system and local reliability resources is thorough and comprehensive. However, IEP’s request to delay the Track I schedule appears to be moot at this point because the Track I Schedule was suspended by ALJ Peter Allen on Friday, January 28, 2011 through an e-mail message served on all parties. Joint Utilities disagree with IEP’s recommendation that consideration of certain Track III, Phase 2 issues should be accelerated to “take advantage” of the delay in Track I schedule. On the contrary, Joint Utilities believe that the Commission needs to be informed first by the overall need analysis submitted by the Investor Owned Utilities (IOUs) in Track I before it takes up the time consuming policy issues that IEP apparently wants

to resolve now. That being said, the Commission doesn't need to wait to take up these issues until issuance of a final decision on Track I.

Specifically, IEP requests that the Commission accelerate the schedule for two Track III, Phase 2 issues.<sup>1</sup> These issues are: (1) procurement necessitated by Once Through Cooling (OTC) regulations, and (2) refinements to bid evaluations in competitive solicitations comparing utility owned generation (UOG) to non-utility generation. Regarding OTC regulations, the need for new generating capacity will be impacted by the State Water Resource Control Board's review of generators' mitigation plans and input from the California Independent System Operator and the OTC plant owners. Nevertheless, the system planning analysis in Track I will allow the Commission to study various scenarios. Until there is better clarity on the future of the OTC units as well as a better understanding of how much new generation capacity in aggregate is necessary to maintain California's electric system reliability, it is premature to discuss how and which entities have procurement responsibilities related to the development of such new generation capacity.<sup>2</sup>

Similarly, with regard to refinements to bid evaluations in competitive solicitations, there is no urgency to consider it on an accelerated basis, especially when the Commission and various stakeholders will be dedicating their scarce resources to Tracks I and II of this proceeding, as well as to more urgent topics in Track III such as procurement authorization for GHG products. Furthermore, the Commission must establish the need for new generation and authorize the IOUs and others to implement solicitations before such solicitations can take place. The Commission will establish the need for new generation and presumably grant authorization to procure new generation in Track 1. Therefore, accelerating the policy discussion on this particular topic will

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<sup>1</sup> IEP' Motion, p.6.

<sup>2</sup> The discussion regarding new generation capacity procurement, regardless of whether such new capacity is triggered by OTC retirements or renewable integration or due to other reasons such as load growth, will involve how much new capacity needs to be procured, who will procure such new capacity, how the new capacity will be procured, and how the Commission will ensure that, consistent with SB 695, all customers will pay for their share of the cost of such new capacity.

not result in any faster procurement. Furthermore, neither IEP nor anyone else has demonstrated that such faster procurement is desirable or necessary at this time.

For all of the reasons stated above, Joint Utilities respectfully request the Commission to deny IEP's request to accelerate consideration of the two Track III, Phase 2 issues identified in IEP's Motion.

Respectfully submitted,

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February 1, 2011

**CERTIFICATE OF SERVICE**

I hereby certify that, pursuant to the Commissioner's Rules of Practice and Procedure, I have this day served a true copy of **RESPONSE OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) AND SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E) TO MOTION OF THE INDEPENDENT ENERGY PRODUCERS ASSOCIATION FOR RECONSIDERATION OF THE SCHEDULE FOR THIS PROCEEDING** on all parties identified in the attached service list(s).

Transmitting the copies via e-mail to all parties who have provided an e-mail address. First class mail will be used if electronic service cannot be effectuated.

Executed this **4th day of February, 2011**, at Rosemead, California.

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