

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

ENRON ENERGY SERVICES, INC. and ENRON  
ENERGY MARKETING CORP.,

Complainants,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case 01-01-032  
(Filed January 19, 2001)

ENRON ENERGY SERVICES, INC. and ENRON  
ENERGY MARKETING CORP.,

Complainants,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case 01-09-011  
(Filed September 6, 2001)

**NOTICE OF AVAILABILITY**

The presiding officer's decision of ALJ Robert Barnett has been made available at [http://www.cpuc.ca.gov/PUBLISHED/COMMENT\\_DECISION/44997.htm](http://www.cpuc.ca.gov/PUBLISHED/COMMENT_DECISION/44997.htm) on March 29, 2005. The presiding officer's decision grants the motion of Enron Energy Services, Inc. and Enron Energy Marketing Corporation (complainants) and Pacific Gas and Electric Company (defendant) to dismiss the complaints and refund to complainants approximately \$22 million on deposit with the Commission.

Any recipient of this Notice of Availability who is not receiving service by electronic mail in this proceeding or who is unable to access the link to the Commission's web site given above may request a paper copy of the presiding officer's decision from the

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Commission's Central Files Office, at (415) 703-2045; fax number (415) 703-2263; e-mail [cen@cpuc.ca.gov](mailto:cen@cpuc.ca.gov).

Any party to this adjudicatory proceeding may file and serve an Appeal of the presiding officer's decision within 30 days of the date of issuance (i.e., the date of mailing) of this decision. In addition, any Commissioner may request review of the presiding officer's decision by filing and serving a Request for Review within 30 days of the date of issuance.

Appeals and Requests for Review must set forth specifically the grounds on which the appellant or requestor believes the presiding officer's decision to be unlawful or erroneous. The purpose of an Appeal or Request for Review is to alert the Commission to a potential error, so that the error may be corrected expeditiously by the Commission. Vague assertions as to the record or the law, without citation, may be accorded little weight.

Appeals and Requests for Review must be served on all parties and accompanied by a certificate of service. Any party may file and serve a Response to an Appeal or Request for Review no later than 15 days after the date the Appeal or Request for Review was filed. In cases of multiple Appeals or Requests for Review, the Response may be to all such filings and may be filed 15 days after the last such Appeal or Request for Review was filed. Replies to Responses are not permitted. (See, generally, Rules 2.3 and 2.3.1 (governing service) and Rule 8.2 of the Commission's Rules of Practice and Procedure, accessible at <http://www.cpuc.ca.gov/PUBLISHED/RULES PRAC PROC/44887.htm>.)

If no Appeal or Request for Review is filed within 30 days of the date of issuance of the Presiding Officer's Decision, the decision shall become the decision of the Commission. In this event, the Commission will designate a decision number and advise the parties by letter that the Presiding Officer's Decision has become the Commission's decision.

Dated March 29, 2005, at San Francisco, California.

/s/ ANGELA K. MINKIN by LTC  
Angela K. Minkin, Chief  
Administrative Law Judge