

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



Utilisource, fka Eastern Pacific Energy,

Complainant,

vs.

Pacific Gas and Electric Company,

Defendant.

Case No. 04-12-026

Certified Mail

7002 3150 0002 0527 1276

INSTRUCTIONS TO ANSWER

Pacific Gas and Electric Company
Attn.: Andrew L. Niven
77 Beale Street, Suite 3109
San Francisco, CA 94105

You are hereby notified that the above-entitled complaint has been filed against you as defendant. You are directed to answer the complaint in writing within 30 days after today unless time is modified pursuant to Rule 13 of the Commission's "Rules of Practice and Procedure." The answer shall be in compliance with Rule 6(b)(2) and Rule 13.1 of these rules. Your answer shall be sent to California Public Utilities Commission, Attn.: Docket Office, 505 Van Ness Avenue, San Francisco, CA 94102.

This matter has been assigned to Commissioner Geoffrey F. Brown and Administrative Law Judge Janet A. Econome. It has been determined that the complaint will be categorized as Adjudicatory/Ratesetting. **THIS IS THE COMMISSION DESIGNATED CATEGORY FROM CIS (Delete the nonapplicable one).** A hearing will be scheduled by the assigned Administrative Law Judge, unless the matter is otherwise resolved by the parties.

Dated at San Francisco, California this 31st day of December, 2004.

/s/ ANGELA K. MINKIN

by Martin Nakahara

Angela K. Minkin
Chief Administrative Law Judge

AM/pcg

Enclosures: Complaint and Rules 13 & 13.1

cc: Complainant

cc via email only, w/o copy of encls.: Cmmr. Brown and ALJ Econome

13. (Rule 13) Time for Answers.

Within thirty days after the date of service of the complaint, the defendant shall answer the complaint. The Commission, the Chief Administrative Law Judge, or the presiding officer may require the filing of an answer within a shorter time.

Requests for an extension of time to answer shall be directed to the Chief Administrative Law Judge, or the presiding officer, in writing, and a copy shall be served on all parties. The request shall indicate complainant's acquiescence to the extension of time or the measures taken by defendant in his unsuccessful effort to obtain acquiescence. The Chief Administrative Law Judge, or the presiding officer, shall notify the parties of his ruling.

If an amendment to a complaint is filed before receipt of the answer, the defendant's time to answer the complaint shall be thirty days from the date of service of the amendment, unless otherwise directed. Amendments to a complaint made subsequent to the filing of an answer need not be answered.

13.1. (Rule 13.1) Contents of Answers.

The answer must admit or deny each material allegation in the complaint and shall set forth any new matter constituting a defense. Its purpose is to fully advise the complainant and the Commission of the nature of the defense. It should also set forth any defects in the complaint which require amendment or clarification. Failure to indicate jurisdictional defects does not waive these defects and shall not prevent a motion to dismiss made thereafter.