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

Appeal of East Bay Community Energy (ID 201) from Citation No. E-4195-77 issued on March 10, 2020 by Consumer Protection and Enforcement Division.

K.20-04-006

**MOTION OF EAST BAY COMMUNITY ENERGY (ID 201)
TO WITHDRAW CITATION APPEAL**

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September 16, 2020

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Pursuant to Rules 11.1 of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure, East Bay Community Energy (“EBCE”) hereby moves to withdraw the *Appeal of East Bay Community Energy (ID 201) from Citation No. E-4195-77 issued on March 10, 2020 by Consumer Protection and Enforcement Division, K.20-04-006*, (“Citation Appeal”), which was filed with the Commission on April 9, 2020.

On September 10, 2020, the Commission approved Resolution ALJ-382, which denied the appeal of a Resource Adequacy citation issued to San Jose Clean Energy in 2019. In light of this recent decision, EBCE has decided to withdraw its Citation Appeal. EBCE can pay the full amount of the citation to the Commission’s Fiscal Office within 15 business days after the Commission approves this motion to withdraw. EBCE has informed CPED of its intent to withdraw its Citation Appeal, and CPED indicated that it did not have any objection to EBCE seeking to withdraw.

On September 14, 2020, Administrative Law Judge Yacknin issued an Email Ruling scheduling a telephonic status conference for September 24, and requiring the parties to meet and confer on a number of items in advance of the status conference. Assuming its motion to

withdraw is granted, EBCE respectfully requests that the September 24 status conference be taken off the calendar.

For the reasons set forth above, EBCE respectfully requests that the Commission grant this motion to withdraw its Citation Appeal.

Dated: September 16, 2020

Respectfully submitted,

By: /s/_____

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K.20-04-006

**[PROPOSED] ORDER GRANTING THE MOTION OF EAST BAY COMMUNITY
ENERGY (ID 201) TO WITHDRAW CITATION APPEAL**

In accordance with its Rules of Practice and Procedure, the assigned Administrative Law Judge has considered East Bay Community Energy’s Motion to Withdraw the Citation Appeal, filed September 16, 2020 in this proceeding (“Motion”). The Administrative Law Judge rules as follows:

1. East Bay Community Energy’s Motion is granted.

Dated _____, 2020 at San Francisco, California.

Administrative Law Judge