
PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298

May 24, 2010

Agenda ID #9503

TO PARTIES OF RECORD IN DRAFT RESOLUTION ALJ-252

This draft resolution regarding rules for public comment at Commission business meetings will be on the agenda at the June 24, 2010, Commission meeting. The Commission may then vote on this draft resolution, or it may postpone a vote.

When the Commission acts on the draft resolution, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own order. Only when the Commission acts does the resolution become binding on the parties.

You may serve comments on the draft resolution. Comments shall be served no later than June 15, 2010. Service is required on ALJ Hallie Yacknin and on all Commissioners, The Chief Administrative Law Judge and The General Counsel consistent with the requirements of Rule 14.5 of the Rules of Practice and Procedure.

Comments may be electronically served on Administrative Law Judge Yacknin at hsy@cpuc.ca.gov, but must also be served in hard copy and for that purpose I suggest hand delivery, overnight mail, or other expeditious method of service.

/s/ KAREN V. CLOPTON

Karen V. Clopton, Chief
Administrative Law Judge

KVC:gd2

Attachment

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-252
Administrative Law Judge Division
June 24, 2010

RESOLUTION

RESOLUTION ALJ-252 Adopts rules for public comment at business meetings.

Pursuant to Gov. Code § 11125.7, the Commission may adopt reasonable regulations to provide an opportunity for members of the public to directly address the state body on each agenda item before or during its discussion or consideration of the item.

As part of the “Soup to Nuts” process review initiated in January 2009 by Chief Administrative Law Judge Karen Clopton at the direction of President Michael R. Peevey, a working group was convened to identify, among other things, initiatives to address public access, accommodation and participation at the Commission. The working group presented its recommendations to Chief Administrative Law Judge Clopton on November 30, 2009. After reviewing the recommendations and consulting with the Public Advisor’s Office and the President’s Office, we issued a draft of this resolution on May 24, 2010 for public review and comment. Comments were received from _____.

This resolution adopts the following rules for public comment at the Commission’s business meetings:

- Rule 1. The deadline for individuals to sign up to speak is 10:00 a.m. (or the start of the meeting if not at 10:00) on the day of the meeting.
- Rule 2. Individuals with a shared position are encouraged to select a spokesperson for their group.
- Rule 3. Individuals who sign up by the deadline will have a maximum of two minutes to speak. The two minute speaking time may be reduced by the Commission President, depending on the number of speakers. A speaker may not cede time to another speaker.

- Rule 4. The order of speakers will generally be based on the order in which speakers sign up, but public officials may be taken out of order.
- Rule 5. At the end of Public Comment Session, the Commission President will ask if there any additional individuals who wish to speak.¹ Individuals who wish to speak but did not sign up by the deadline, will be granted a maximum of one minute to make their comments.
- Rule 6. The Commission President will declare when the Public Comment Session is closed. No speakers will be accommodated after the Public Comment Session is closed.
- Rule 7. Individuals may sign up to speak using the electronic system on the Commission's website. However, if the individual has not checked in with the Public Advisor's Office on the day of the meeting, by the sign-up deadline, that individual will be treated the same as any other individual arriving after the sign-up deadline.
- Rule 8. Speakers may address any topic subject to the Commission's jurisdiction, with the following exceptions:
- a. Issues that should be submitted to the Consumer Affairs Branch as an Informal Complaint.
 - b. Adjudicatory matters restricted pursuant to Government Code 11120 et seq.
 - c. Parties to a proceeding cannot speak to issues related to the proceeding to which they are a party.
 - d. Speakers may only speak on a specific agenda item once and may not repeat comments at subsequent meetings. The Commission President will determine whether comments are repetitive.
- Rule 9. If a speaker raises an issue that would more appropriately be addressed as an Informal Complaint, the Commission President may stop the speaker and refer the speaker to the Consumer Service and Information Division staff.

¹ All references to Commission President will refer to the Commissioner chairing the meeting in the absence of the Commission President.

- Rule 10. The Commission President retains the right to stop any speaker who raises an issue that is not under the Commission's jurisdiction.
- Rule 11. Individuals in need of interpreters or other special accommodations must contact the Public Advisor's Office at least three business days in advance of the meeting. Reasonable accommodations will be provided free of charge.²
- Rule 12. Signs brought by meeting attendees are limited to 8 ½ by 11 inches in size. Sticks or any other type of handle are strictly prohibited. Larger signs, or signs with handles, may be left in the area between the auditorium entrance and the security screening, for retrieval after the meeting.
- Rule 13. Speakers may bring written copies of their own comments to a Commission meeting for distribution to the Commissioners and/or Executive Director. Copies of the written comments shall be given to the Public Advisor who will ensure the appropriate distribution of the comments after the meeting.
- Rule 14. With the exception of representatives of public officials, written comments of individuals who cannot be physically present will not be read aloud at the meeting. Copies of written comments of individuals who cannot be physically present should be given to the Public Advisor for distribution as described in Rule 13.
- Rule 15. If written copies of comments are given to the Public Advisor, the Public Advisor will identify the name of the commenter and subject matter of the comments for the Commissioners at the close of the Public Comment Session.
- Rule 16. Attendees may not distribute written materials inside the meeting room except as described in Rules 12 and 13.
- Rule 17. The Commission retains the right to remove disruptive attendees from the Commission meeting.

² Public speakers who require interpreters or other special accommodations may be given additional time to speak, to account for the time needed to provide the accommodation at the podium. The granting of the additional time is at the discretion of the Commission President.

Rule 18. The Commission reserves the right to override the above rules in case of emergency or other unforeseen circumstances.

IT IS RESOLVED that the rules for public comment at Commission business meetings as set forth above are adopted.

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on _____, the following Commissioners approving it:

PAUL CLANON
Executive Director

INFORMATION REGARDING SERVICE

I have served, by U.S. mail, a Notice of Availability of the foregoing Draft Resolution ALJ-252 on the official service lists in Application (A.) 07-01-024, A.08-07-021, R.06-02-012, R.06-04-011, and R.06-05-028. I have provided notification of the foregoing Draft Resolution ALJ-252 to the electronic mail addresses in the indicated official service lists and in a list of community-based organizations maintained by the Commission. I have served a hard copy of the foregoing Draft Resolution ALJ-252 by U.S. mail on those persons in the indicated service lists that do not have e-mail addresses.

Dated May 24, 2010, at San Francisco, California.

/s/ GLADYS M. DINGLASAN
Gladys M. Dinglasan

***** SERVICE LIST *****

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A0701024 LIST

A0701026;A0701029;A0701030

***** PARTIES *****

John K. Hawks
Executive Director
CALIFORNIA WATER ASSOCIATION
601 VAN NESS AVE., STE 2047 / MC E3-608
SAN FRANCISCO CA 94102-3200
(415) 561-9650
jhawks_cwa@comcast.net
For: CALIFORNIA WATER ASSOCIATION

Cheryl Cox
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3027
cxc@cpuc.ca.gov
For: DRA

Diana L. Lee
Legal Division
RM. 4107
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-4342
dil@cpuc.ca.gov
For: DRA

Doug Obegi
Staff Attorney - Water Program
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FL.
SAN FRANCISCO CA 94104
(415) 875-6100
dobegi@nrdc.org
For: Natural Resources Defense Council

Steven S. Shupe
Deputy County Counsel
OFFICE OF THE SONOMA COUNTY COUNSEL
575 ADMINISTRATION DRIVE, ROOM 105A
SANTA ROSA CA 95403
(707) 565-2421
sshupe@sonoma-county.org
For: Sonoma County Water Agency

Deborah S. Shefler
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE ST., RM 3105 , PO BOX 7442
SAN FRANCISCO CA 94120
(415) 973-2959
dss8@pge.com
For: Pacific Gas and Electric Company

Larry R. Cope
R. OLIVIA SAMAD, JENNIFER SHIGEKAWA
Attorney At Law
SOUTHERN CALIFORNIA EDISON
PO BOX 800, 2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
(626) 302-2570
larry.cope@sce.com
For: Southern California Edison

Steven D. Patrick
SOUTHERN CALIFORNIA GAS COMPANY
555 WEST FIFTH STREET, GT14G1
LOS ANGELES CA 90013-1011
(213) 244-2954
SDPatrick@SemptraUtilities.com
For: San Diego Gas & Electric/Southern California Gas

Dan Geis
THE DOLPHIN GROUP
925 L STREET, SUITE 800
SACRAMENTO CA 95814
(916) 441-4383
dgeis@dolphingroup.org
For: Inland Empire Utilities Agency

Diana Mahmud
Attorney At Law
THE METROPOLITAN WATER DISTRICT OF SOUTH
PO BOX 54153
LOS ANGELES CA 90054-0153
(213) 217-6985
dmahmud@mwadh2o.com
For: Metropolitan Water District

***** SERVICE LIST *****
Last Updated on 21-MAY-2010 by: RC4
A0701024 LIST
A0701026;A0701029;A0701030

***** STATE EMPLOYEE *****

David M. Gamson
Administrative Law Judge Division
RM. 5019
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1232
dmg@cpuc.ca.gov

Mikhail Haramati
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1458
mkh@cpuc.ca.gov

Edward Howard
Policy & Planning Division
RM. 5119
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1114
trh@cpuc.ca.gov

Dave Larsen
Division of Ratepayer Advocates
RM. 3200
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2191
md7@cpuc.ca.gov

Raj Naidu
Division of Water and Audits
AREA 3-B
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 355-5573
rkn@cpuc.ca.gov

Zenaida G. Tapawan-Conway
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2624
ztc@cpuc.ca.gov

Hayley Goodson
Attorney At Law
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876
hayley@turn.org
For: TURN

Sean Wilson
Administrative Law Judge Division
RM. 5022
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1525
smw@cpuc.ca.gov

***** INFORMATION ONLY *****

Audrey Chang
Exec. Director
CAL. ENERGY EFFICIENCY INDUSTRY COUNCIL
436 14TH ST., SUITE 1123
OAKLAND CA 94612
(916) 390-6413
achang@efficiencycouncil.org

Shahid Chaudhry
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET
SACRAMENTO CA 95814
(916) 654-4858
schaudhry@energy.state.ca.us

David E. Morse
CALIFORNIA WATER SERVICE COMPANY
1411 W. COVELL BLVD., SUITE 106-292
DAVIS CA 95616-5934
(530) 756-5033
demorse@omsoft.com

Clyde Murley
CONSULTANT TO NRDC
1031 ORDWAY STREET
ALBANY CA 94706
(510) 528-8953
clyde.murley@comcast.net

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0701024 LIST

A0701026;A0701029;A0701030

John Boroski
ECONORTHWEST
888 SW FIFTH AVENUE, STE. 1460
PORTLAND OR 97204
(503) 222-6060
boroski@portland.econw.com

Steve Grover
ECONORTHWEST
888 SW FIFTH AVENUE, SUITE 1460
PORTLAND OR 97204
(503) 222-6060
grover@portland.econw.com

Eric Cutter
ENERGY AND ENVIRONMENTAL ECONOMICS, INC.
101 MONTGOMERY STREET, SUITE 1600
SAN FRANCISCO CA 94104
(415) 391-5100
eric@ethree.com

Cynthia Mitchell
ENERGY ECONOMICS, INC.
530 COLGATE COURT
RENO NV 89503
(775) 324-5300
ckmitchell1@sbcglobal.net

Norman J. Furuta
FEDERAL EXECUTIVE AGENCIES
1455 MARKET ST., SUITE 1744
SAN FRANCISCO CA 94103-1399
(415) 503-6994
norman.furuta@navy.mil

Gerry Hamilton
GLOBAL ENERGY PARTNERS, LLC
500 YGNACIO VALLEY RD, SUITE 450
WALNUT CREEK CA 94596
(925) 284-3780
ghamilton@gepllc.com

Lon W. House Ph. D.
4901 FLYING C RD.
CAMERON PARK CA 95682
(530) 676-8956
lwhouse@innercite.com

Alice Liddell
ICF INTERNATIONAL

Jim Lin
Senior Engineer
DEPARTMENT OF WATER RESOURCES
901 P STREET
SACRAMENTO CA 95616
(916) 651-7201
jllin@water.ca.gov
For: DWR / Division of SIWM

Donald C. Liddell
Attorney At Law
DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO CA 92103
(619) 993-9096
liddell@energyattorney.com

Martha Davis
INLAND EMPIRE UTILITIES AGENCY
6075 KIMBALL AVE.
CHINO CA 91710
(909) 993-1742
mdavis@ieua.org

Dave Hanna
ITRON INC
11236 EL CAMINO REAL
SAN DEIGO CA 92130-2650
(858) 724-2620
Dave.Hanna@itron.com

Jeff Hirsch
JAMES J. HIRSCH & ASSOCIATES
12185 PRESILLA ROAD
CAMARILLO CA 93012-9243
(805) 553-9000
Jeff.Hirsch@DOE2.com

Jody S. London
JODY LONDON CONSULTING
PO BOX 3629
OAKLAND CA 94609
(510) 459-0667
jody_london_consulting@earthlink.net

Ken Keating
6902 SW 14TH AVENUE
PORTLAND OR 97219
(503) 244-7204

***** SERVICE LIST *****

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A0701024 LIST

A0701026;A0701029;A0701030

620 FOLSOM STREET, STE, 200
SAN FRANCISCO CA 94107
(415) 677-7133
aliddell@icfi.com

keatingk2@msn.com

G. Patrick Stoner
Program Director
LOCAL GOVERNMENT COMMISSION
1303 J STREET, SUITE 250
SACRAMENTO CA 95814
(916) 448-1198 X 309
pstoner@lgc.org

Laura L. Krannawitter
Executive Division
RM. 5303
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2642
llk@cpuc.ca.gov

Steven Mccurdy
Dir. Of Municipal Svcs
MASSACHUSETTS / ENVIRONMENTAL PROTECTION
1 WINTER STREET, 6TH FL
BOSTON MA 02108-4747
(617) 292-5779
steven.mccurdy@state.ma.us

Edward Vine
LAWRENCE BERKELEY NATIONAL LABORATORY
EMAIL ONLY
EMAIL ONLY CA 00000
(510) 486-6047
elvine@lbl.gov
For: LAWRENCE BERKELEY NATIONAL LABORATORY

Peter E. Vonhaam
METRO. WATER DIST. OF SO. CALIF.
700 N. ALAMEDA STREET, 11TH FLOOR
LOS ANGELES CA 90054-0153
(213) 217-6726
pvonhaam@mwadh2o.com

Jim Meyers
Southwest Regional Manager
NORTH AMERICAN INSULATION MANUF. ASSOC.
7792 SOUTH HARRISON CIRCLE
CENTENNIAL CO 80122
(303) 974-7243
jmeyers@naima.org

MRW & ASSOCIATES, LLC
EMAIL ONLY
EMAIL ONLY CA 00000
(510) 834-1999
mrw@mrwassoc.com

Jose E. Guzman, Jr.
Attorney At Law
NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP
50 CALIFORNIA STREET, 34TH FLOOR
SAN FRANCISCO CA 94111
(415) 398-3600
jguzman@nossaman.com
For: California Water Association

Lara Ettenson
Energy Policy Analyst & Director
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO CA 94105
(415) 875-6100
lettenson@nrdc.org

Case Coordination
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000; MC B9A
SAN FRANCISCO CA 94177
(415) 973-4744
regrelcpuccases@pge.com

Laurie Park
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670-6078
(916) 631-3200
lpark@navigantconsulting.com

Jenna Olsen
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE N3W
SAN FRANCISCO CA 94123
(415) 973-0302
JMOL@pge.com

Rebecca Honeyfield
NAVIGANT CONSULTING, INC.
310 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0701024 LIST

A0701026;A0701029;A0701030

(916) 631-3208
rhoneyfield@navigantconsulting.com

For: Pacific Gas and Electric Company

Alison Ten Cate
RESOURCE SOLUTIONS GROUP
60 STONE PINE ROAD, SUITE 100
HALF MOON BAY CA 94019
(650) 726-2875
atencate@rsgrp.com

John Rosenblum
900 DORTHEL STREET
SBASTOPOL CA 95472
roseenveng@sbcglobal.net

Jeff Stephenson
SAN DIEGO COUNTY WATER AUTHORITY
4677 OVERLAND AVENUE
SAN DIEGO CA 92123
(858) 522-6750
jstephenson@sdwca.org

Joy C. Yamagata
SAN DIEGO GAS & ELECTRIC/SOCALGAS
8330 CENTURY PARK COURT, CP 32 D
SAN DIEGO CA 92123-1533
(858) 654-1755
JYamagata@SempraUtilities.com

Jeannine Larabee
SANTA CLARA VALLEY WATER DISTRICT
WATER USE EFFICIENCY DISTRICT
5750 ALMADEN EXPRESSWAY
SAN JOSE CA 95118-3614
(408) 265-2607 X3614
jlarabee@valleywater.org

Samuel Sirkin
6908 SW 37TH AVENUE
PORTLAND OR 97219
(503) 804-1851
samsirkin@cs.com

Steve Kromer
SKEE
3110 COLLEGE AVENUE, APT 12
BERKELEY CA 94705
(510) 655-1492
jskromer@gmail.com

Josephine Wu
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MC B9A
SAN FRANCISCO CA 94177
(415) 973-3414
jwwd@pge.com

Martie L. Way
PACIFIC GAS AND ELECTRIC COMPANY
LAW DEPARTMENT
77 BEALE STREET
SAN FRANCISCO CA 94105
(415) 973-0177
mlwk@pge.com

Sandy Lawrie
Energy Proceedings
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442, MC B9A
SAN FRANCISCO CA 94120
(415) 973-2494
sllda@pge.com

Paul Thomas
SOUTHERN CALIFORNIA EDISON
6042A N.IRWINDALE AVE.
IRWINDALE CA 91702
(626) 815-5613
Paul.Thomas@sce.com

Bruce Foster
SOUTHERN CALIFORNIA EDISON COMPANY
601 VAN NESS AVENUE, STE. 2040
SAN FRANCISCO CA 94102
(415) 775-1856
bruce.foster@sce.com

Case Administration
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVE., RM. 370
ROSEMEAD CA 91770
(626) 302-6838
Case.Admin@sce.com

R. Olivia Samad
J. SHIGEKAWA

******* SERVICE LIST *******

Last Updated on 21-MAY-2010 by: RC4

A0701024 LIST

A0701026;A0701029;A0701030

Brian Michelsen
Programs Specialist
SONOMA COUNTY WATER AGENCY
PO BOX 11628
SANTA ROSA CA 95406
(707) 521-6203
brianmm@scwa.ca.gov

SOUTHERN CALIFORNIA EDISON COMPANY
PO BOX 800
2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
(626) 302-3477
olivia.samad@sce.com
For: Southern California Edison Company

Joseph M. Karp
Attorney At Law
WINSTON & STRAWN LLP
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO CA 94111-5894
(415) 591-1000
jkarp@winston.com

Grey Staples
THE MENDOTA GROUP, LLC
EMAIL ONLY
EMAIL ONLY CA 00000
(651) 204-0458
gstaples@mendotagroup.net

Kate Pollina
WINSTON & STRAWN, LLP
35 WEST WACKER DRIVE
CHICAGO IL 60601
cpollina@winston.com

Bill McDonnell
Southern California
THE METROPOLITAN WATER DISTRICT OF
700 N. ALAMEDA STREET
LOS ANGELES CA 90012
(213) 217-7693
bmcdonnell@mwdh2o.com
For: The Metropolitan Water District of Southern California

Marcel Hawiger
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876
marcel@turn.org

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

***** PARTIES *****

Erik S. Emblem
3E INTERNATIONAL INCORPORATED
1809 S STREET, SUITE 101-207
SACRAMENTO CA 95811
(916) 273-7842
eemblem@3eintinc.net
For: Joint Committee On Energy And Environmental Policy

James Weil
Director
AGLET CONSUMER ALLIANCE
PO BOX 1916
SEBASTOPOL CA 95473
(707) 824-5656
jweil@aglet.org
For: AGLET CONSUMER ALLIANCE

Adam Goldberg
AGP, LLC
3003 BARKLEY GATE
FAIRFAX VA 22031
(703) 539-5081
adam@agp-llc.com
For: Mitshubishi Digital Electronics America

Merrilee Harrigan
BRIAN CASTELLI
Vice President Of Education
ALLIANCE TO SAVE ENERGY
1850 M STREET NW, SUITE 600
WASHINGTON DC 20036
(202) 530-2215
mharrigan@ase.org
For: Alliance to Save Energy

Gerald Lahr
ASSOCIATION OF BAY AREA GOVERNMENTS
101 8TH STREET, PO BOX 2050
OAKLAND CA 94607
(510) 464-7908
jerry1@abag.ca.gov
For: ABAG

Dale A. Gustavson
President
BETTER BUILDINGS INCORPORATED
31 E MACARTHUR CRESCENT, NO. E321
SANTA ANA CA 92707-5936
(714) 444-0020
dale@betterbuildings.com
For: BETTER BUILDINGS INCORPORATED

Thomas Eckhart
CAL - UCONS, INC.
10612 NE 46TH STREET
KIRKLAND WA 98033
(425) 576-5409
tom@ucons.com
For: CAL-UCONS, INC.

Robert L. Knight
CAL. BLDG. PERFORMANCE CONTRATORS ASSN.
1000 BROADWAY, SUITE 410
OAKLAND CA 94607
(510) 444-8707 X223
rknight@bki.com
For: BEVILACQUA-KNIGHT INC/The California Building
Performance Contractor's Assn.

Robert Scott
Executive Director
CAL. HOME ENERGY EFFICIENCY RATING SVCS.
20422 BEACH FLVD., SUITE 235
HUNTINGTON BEACH CA 92648
(714) 500-4455
rscott@cheers.org
For: California Home Energy Efficiency Rating Services

Michael E. Bachand
President
CALCERTS,, INC.
31 NATOMA STREET, SUITE 120
FOLSOM CA 95630
mike@calcerts.com
For: CALCERTS, INC.

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

Karen Norene Mills
Attorney At Law
CALIFORNIA FARM BUREAU FEDERATION
2300 RIVER PLAZA DRIVE
SACRAMENTO CA 95833
(916) 561-5655
kmills@cbbf.com
For: California Farm Bureau Federation

Rob Neenan
CALIFORNIA LEAGUE OF FOOD PROCESSORS
1755 CREEKSIDE OAKS DRIVE, SUITE 250
SACRAMENTO CA 95833
(916) 640-8150
rob@clfp.com
For: California League of Food Processors

Peter Canessa
CALIFORNIA STATE UNIVERSITY, FRESNO
1211 CHAPARRAL CIRCLE
SAN LUIS OBISPO CA 93401
(805) 547-1130
pcanessa@charter.net
For: CSUF

Chris Brown
Executive Director
CALIFORNIA URBAN WATER CONSERVATION
455 CAPITOL MALL, SUITE 703
SACRAMENTO CA 95814
(916) 552-5885 X17
chris@cuwcc.org
For: California Urban Water Conservation

Stephen A. S. Morrison
T. MUELLER
CITY & COUNTY OF SAN FRANCISCO
CITY HALL, SUITE 234
1 DR CARLTON B. GOODLET PLACE
SAN FRANCISCO CA 94102-4682
(415) 554-4637
For: City & County of San Francisco

Andrew Mcallister
CALIFORNIA CENTER FOR SUSTAINABLE ENERGY
8690 BALBOA AVENUE, SUITE 100
SAN DIEGO CA 92123
(858) 244-7282
andrew.mcallister@energycenter.org
For: California Center for Sustainable Energy

Jeanne M. Sole
Deputy City Attorney
CITY AND COUNTY OF SAN FRANCISCO
1 DR. CARLTON B. GOODLETT PLACE, RM. 375
SAN FRANCISCO CA 94102-4682
(415) 554-4619
jeanne.sole@sfgov.org
For: City and County of San Francisco

William K. Sanders
DENNIS HERRERA, THERESA MUELLER, JEANNE S
Deputy City Attorney
CITY AND COUNTY OF SAN FRANCISCO
1 DR. CARLTON B. GOODLETT PLACE, RM. 234
SAN FRANCISCO CA 94102-4682
(415) 554-6771
william.sanders@sfgov.org
For: City and County of San Francisco

Scott Wentworth
CITY OF OAKLAND
7101 EDGEWATER DRIVE, NO. 2
OAKLAND CA 94621
(510) 615-5421
swentworth@oaklandnet.com
For: City of Oakland

David S. Dayton
President
CLEAN ENERGY SOLUTIONS, IINC.
1385 CAMBRIDGE STREET
CAMBRIDGE MA 02139
(617) 491-0443
ddayton@cleanenergysol.com
For: Clean Energy Solutions, Inc.

***** SERVICE LIST *****

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A0807021 LIST

A0807022/A0807023/A0807031

Dennis J. Herrera
THERESA L. MUELLER, JEANNE SOLE, STEPHEN
CITY AND COUNTY OF SAN FRANCISCO
CITY HALL, ROOM 234
SAN FRANCISCO CA 94102
(415) 554-4637
For: CITY AND COUNTY OF SAN FRANCISCO

Jon W. Slangerup
CLEAREdge POWER CORPORATION
7205 EVERGREEN PARKWAY
HILLSBORO OR 97124
(310) 405-5399
js@clearedgepower.com
For: ClearEdge Power Corporation

Robert W. Hammon, Ph.D
Principal
CONSOL
7407 TAM OSHANTER DRIVE
STOCKTON CA 95210-3370
(209) 473-5073
Rob@ConSol.ws
For: Consol

Malcolm Lewis
President
CTG ENERGETICS, INC.
16 TECHNOLOGY DRIVE, SUITE 109
IRVINE CA 92618
(949) 790-0010
mlewis@ctg-net.com
For: CTG Energetics, Inc.

Eric Lee
Sr. Engineer
DAVIS ENERGY GROUP
123 C STREET
DAVIS CA 95616
(530) 220-7000
elee@davisenergy.com
For: Davis Energy Group

Nicholas J. Karno
Attorney At Law
CLEAN ENERGY SOLUTIONS, INC.
618 SAN JUAN AVENUE
VENICE CA 90291
(323) 578-6038
nkarno@yahoo.com
For: Clean Energy Solutions, Inc.

Rocky Bacchus
Consultant
EFFICIENCY POWER
6501 TARASCAS
EL PASO TX 79912
(915) 787-0227
rockybacchus@gmail.com
For: EP Investments

Bruce Matulich
Executive Director
ELECTRIC & GAS INDUSTRIES ASSOCIATION
3800 WATT AVE, SUITE 105
SACRAMENTO CA 95821
(916) 480-7314
bmatulich@egia.com
For: Electric & Gas Industries Association

Greggory L. Wheatland
ELLISON SCHNEIDER & HARRIS L.L.P.
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905
(916) 447-2166
glw@eslawfirm.com
For: Sierra Pacific Power Company

David Manoguerra
ENALASYS
250 AVENIDA CAMPILLO
CALEXICO CA 92231
(760) 768-3228
dmano@enalsys.com
For: Enalsys

***** SERVICE LIST *****

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A0807021 LIST

A0807022/A0807023/A0807031

Edward O'Neill
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6500
edwardoneill@dwt.com
For: California Large Energy Consumers Association

Eric Taylor
ENALASYS
250 AVENIDA CAMPILLO
CALEXICO CA 92231
(760) 768-3228
etaylor@enalasys.com
For: Enalasys

Donald C. Liddell
DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO CA 92103
(619) 993-9096
liddell@energyattorney.com
For: California Natural Gas Vehicle Coalition/ Ice Energy Inc. /
TRANE

Cynthia K. Mitchell
ENERGY ECONOMICS INC
530 COLGATE COURT
RENO NV 89503
(775) 324-5300
ckmitchell1@sbcglobal.net
For: TURN

Mona Tierney-Lloyd
Senior Manager Western Reg. Affairs
ENERNOC, INC.
PO BOX 378
CAYUCOS CA 93430
(805) 995-1618
mtierney-lloyd@enernoc.com
For: Enernoc, Inc.

Remi Tan
Ap - Architect
HELLER MANUS ARCHITECTS
221 MAIN STREET, SUITE 940
SAN FRANCISCO CA 94044
(415) 247-1100 X-155
RemiT@hellermanus.com
For: Heller Manus Architects

John Kotowski
GLOBAL ENERGY PARTNERS, LLC
500 YGNACIO VALLEY RD, SUITE 450
WALNUT CREEK CA 94596
(925) 284-3780
jak@gepllc.com
For: Global Energy Partners, LLC

Tom White
HOME ENERGY MAGAZINE
2124 KITTREDGE STREET, SUITE 95
BERKELEY CA 94704
(510) 455-4377
TWhite@homeenergy.org
For: Home Energy Magazine

James D. Squeri
Attorney At Law
GOODIN MACBRIDE SQUERI DAY & LAMPREYLLP
505 SANSOME STREET, STE 900
SAN FRANCISCO CA 94111
(415) 392-7900
jsqueri@goodinmacbride.com
For: CBIA/CAA

Greg Tropsha
President
ICE ENERGY, INC.
9351 EASTMAN PARK DRIVE, UNIT B
WINDSOR CO 80550
(970) 545-3630 X1910
gtropsha@ice-energy.com
For: Ice Energy Inc.

***** SERVICE LIST *****

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A0807021 LIST

A0807022/A0807023/A0807031

Steven Lehtonen
GREEN PLUMBERS USA
4153 NORTHGATE BLVD., STE. 1
SACRAMENTO CA 95834-1218
(916) 239-4577
steve@greenplumbersusa.com
For: Green Plumbers USA

Michael Rogers
Senior Vp, Market Development
GREENHOMES AMERICA
152 TECHNOLOGY
IRVINE CA 92618
(802) 862-3250
mike.rogers@greenhomesamerica.com
For: GreenHomes America

Jeffrey Heller
Faia - President
HELLER MANUS ARCHITECTS
221 MAIN STREET, SUITE 940
SAN FRANCISCO CA 94044
(415) 247-1100 X-120
JeffreyH@hellermanus.com
For: Heller Manus Architects

Bill Marcus
JBS ENERGY
311 D STREET, STE. A
WEST SACRAMENTO CA 95605
(916) 372-0534
bill@jbsenergy.com
For: The Utility Reform Network

Jody London
JODY LONDON CONSULTING
PO BOX 3629
OAKLAND CA 94609
(510) 459-0667
jody_london_consulting@earthlink.net
For: County of Los Angeles, Internal Services Department/The

Tom Hamilton
ICF INTERNATIONAL
14724 VENTURA BLVD., STE. 1001
SHERMAN OAKS CA 91403
(818) 325-3128
thamilton@icfi.com
For: ICF International

Robert E. Burt
INSULATION CONTRACTORS ASSN.
4153 NORTHGATE BLVD., NO.6
SACRAMENTO CA 95834
(916) 568-1826
For: Insulation Contractors Assn.

Jim Flanagan
JAMES FLANAGAN ASSOCIATES
124 LOWER TERRACE
SAN FRANCISCO CA 94114
(415) 863-2525
jimflanagan4@mac.com
For: California Commissioning Collaborative

Thomas S. Crooks
Director
MCR PERFORMANCE SOLUTIONS
3161 CAMERON PARK DR STE 216
CAMERON PARK CA 95682-7979
(916) 932-0113
tcrooks@mcr-group.com
For: MCR Performance Solutions

Don Meek
Attorney At Law
10949 SW 4TH AVENUE
PORTLAND OR 97219
For: Women's Energy Matters

Steven Moss
2325 THIRD STREET

***** SERVICE LIST *****

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A0807021 LIST

A0807022/A0807023/A0807031

Local Government Sustainable EnergyCoalition

SAN FRANCISCO CA 94107
(415) 643-9578
steven@moss.net
For: San Francisco Community Power

Micahel Sachse
OPOWER
1911 FORT MYER DRIVE
ARLINGTON VA 22209
(646) 265-0556
michael@opower.com
For: OPOWER

Donald Gilligan
President
NAT'L. ASSO. OF ENERGY SERVICE COMPANIES
1615 M STREET, NW
WASHINGTON DC 20036
(202) 822-0950
donaldgilligan@comcast.net
For: National Association of Eneyg Service

Sara Steck Myers
Attorney At Law
LAW OFFICES OF SARA STECK MYERS
122 28TH AVENUE
SAN FRANCISCO CA 94121
(415) 387-1904
ssmyers@att.net
For: EnerNoc, Inc.

Noah Long
LARA ETTENSON
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO CA 94104
(415) 875-6100
nlong@nrdc.org
For: Natural Resources Defense Council

William H. Booth
Attorney At Law
LAW OFFICES OF WILLIAM H. BOOTH
67 CARR DRIVE
MORAGA CA 94596
(925) 296-2460
wbooth@booth-law.com
For: California Large Eneyg Consumers Association

Ron Nichols
NAVIGANT CONSULTING
3100 ZINFANDEL DRIVE, STE. 600
RANCHO CORDOVA CA 95670
(916) 631-3264
rnichols@navigantconsulting.com
For: Navigant Consulting

Diana L. Lee
Legal Division
RM. 4107
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-4342
dil@cpuc.ca.gov
For: DRA

Eileen Parker
QUEST
2001 ADDISON STREET, STE. 300
BERKELEY CA 94704
(510) 540-7200
For: Quantum Energy Services & Technologies, Inc.

Tim Rosenfeld
MARIN ENERGY MANAGEMENT TEAM
131 CAMINO ALTO, SUITE D
MILL VALLEY CA 94941
(415) 389-1348

James Ross
RCS, INC.
500 CHESTERFIELD CENTER, SUITE 320
CHESTERFIELD MO 63017
(636) 530-9544
jimross@r-c-s-inc.com

***** SERVICE LIST *****

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A0807021 LIST

A0807022/A0807023/A0807031

tim@marinemt.org
For: Marin Energy Management Team

Mike Moore
NEWPORT VENTURES
22 JAY STREET
SCHENECTADY NY 12305
(303) 279-6769
mmoore@newportpartnersllc.com
For: NEWPORT VENTURES

Chonda J. Nwamu
LISE H. JORDAN
Attorney At Law
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B9A
SAN FRANCISCO CA 94105
(415) 973-6650
cjn3@pge.com
For: Pacific Gas and Electric Company

Shirley A. Woo
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET / PO BOX 7442
SAN FRANCISCO CA 94120-7442
(415) 973-2248
saw0@pge.com
For: Pacific Gas and Electric Company

Peter M. Schwartz
Attorney At Law
PETER SCHWARTZ & ASSOCIATES, LLC
381 CHAPMAN DRIVE
CORTE MADERA CA 94925
(415) 924-6675
pmschwartz@sbcglobal.net
For: Peter M. Schwartz

John Proctor
PROCTOR ENGINEERING GROUP
418 MISSION AVE
SAN RAFAEL CA 94901
(415) 451-2480
john@proctoreng.com
For: Proctor Engineering Group, Ltd.

Chris Scruton
8690 CALVINE RD.

For: RCS

J. Andrew Hoerner
REDEFINING PROGRESS
1904 FRANKLIN STREET
OAKLAND CA 94612
(510) 507-4820
hoerner@redefiningprogress.org
For: Redefining Progress

Jim Parks
SACRAMENTO MUNICIPAL UTILITY DIST.
6301 S STREET, A204
SACRAMENTO CA 95817-1899
(916) 732-5252
jparks@smud.org

Lourdes Jimenez-Price
Office Of The General Counsel
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S STREET, MS B406
SACRAMENTO CA 95817-1899
(916) 732-6441
ljimene@smud.org
For: SMUD

Judi G. Schweitzer
SCHWEITZER AND ASSOCIATES, INC.
25422 TRABUCO ROAD, STE.105-P
LAKE FOREST CA 92630
(949) 859-2020
judi.schweitzer@post.harvard.edu
For: Judy G. Schweitzer

Larry R. Cope
JENNIFER SHIGEKAWA
Attorney At Law
SOUTHERN CALIFORNIA EDISON
PO BOX 800, 2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
(626) 302-2570
larry.cope@sce.com
For: Southern California Edison Company

Monica Ghattas
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

SACRAMENTO CA 95828
cscruton@energy.state.ca.us
For: Chris Scruton

(626) 302-3623
monica.ghattas@sce.com
For: Southern California Edison Company

Carlos F. Pena
SEMPRA ENERGY
101 ASH STREET, HQ12
SAN DIEGO CA 92101
(619) 696-4320
CFPena@SempraUtilities.com
For: San Diego Gas & Electric/SoCal Gas

Steven D. Patrick
SOUTHERN CALIFORNIA GAS COMPANY
555 WEST FIFTH STREET, GT14G1
LOS ANGELES CA 90013-1011
(213) 244-2954
SDPatrick@SempraUtilities.com
For: San Diego Gas & Electric/Southern California Gas Company

Richard Esteves
SESCO, INC.
77 YACHT CLUB DRIVE
LAKE HOPATCONG NJ 07849
(973) 663-5125
sesco@optonline.net
For: SESCO

Keith R. Mccrea
Attorney At Law
SUTHERLAND ASBILL & BRENNAN LLP
1275 PENNSYLVANIA AVE, NW
WASHINGTON DC 20004-2415
(202) 383-0705
keith.mccrea@sutherland.com
For: California Manufacturers & Technology Association

Bob Hines
Energy Programs
SILICON VALLEY LEADERSHIP GROUP
224 AIRPORT PARKWAY, SUITE 620
SAN JOSE CA 95110
(408) 501-7864
bhines@svlg.net
For: Silicon Valley Leadership Group.

Michael Boccadoro
THE DOLPHIN GROUP
925 L STREET, SUITE 800
SACRAMENTO CA 95814
(916) 441-4383
mboccadoro@dolphingroup.org
For: Inland Empire Utilities, Chino Basin Coalition, Santa Ana Watershed Project Authority

Hank Ryan
SMALL BUSINESS CALIFORNIA
750 47TH AVE., 56
CAPITOLA CA 95010
(510) 459-9683
hankryan2003@yahoo.com
For: Small Business California

Samuel Kang
Managing Attorney
THE GREENLINING INSTITUTE
1918 UNIVERSITY AVE., 2ND FLOOR
BERKELEY CA 94704
(510) 926-4001
samk@greenlining.org
For: The Greenlining Institute

Paul Wuebben
SOUTH COAST AIR QUALITY MANAGEMENT DIST
21865 COPLEY DRIVE
DIAMOND BAR CA 91765-4178
(909) 396-3247
pwuebben@aqmd.gov
For: South Coast Air Quality Management District

***** STATE EMPLOYEE *****

Diana Mahmud
Attorney At Law

Carmen Best
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1797

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

THE METROPOLITAN WATER DISTRICT OF SOUTH
PO BOX 54153
LOS ANGELES CA 90054-0153
(213) 217-6985
dmahmud@mwdh2o.com
For: The Metropolitan Water District of Southern California

cbe@cpuc.ca.gov

Cynthia Rogers
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET
SACRAMENTO CA 95814
(916) 651-9009
crogers@energy.state.ca.us

Bob Finklestein
Staff Attorney
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876
bfinklestein@turn.org
For: TURN

E.V. (Al) Garcia
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET. MS 42
SACRAMENTO CA 95814
(916) 654-4045
agarcia@energy.state.ca.us
For: California Energy Commission

Hayley Goodson
Attorney At Law
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876
hayley@turn.org
For: THE UTILITY REFORM NETWORK

Margaret Sheridan
CALIFORNIA ENERGY COMMISSION
DEMAND ANALYSIS OFFICE
1516 NINTH STREET, MS-22
SACRAMENTO CA 95814
(916) 651-9077
msherida@energy.state.ca.us
For: California Energy Commission

Marcel Hawiger
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876 X311
marcel@turn.org
For: TURN

Panama Bartholomy
Advisor To Commissioner Douglas
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS-33
SACRAMENTO CA 95814-5512
(916) 654-4896
pbarthol@energy.state.ca.us

Robert C. Wilkinson
Director, Water Policy Program
4426 BREN BUILDING
SANTA BARBARA CA 93106
wilkinson@es.ucsb.edu

Sylvia Bender
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS20
SACRAMENTO CA 95814
(916) 653-6841
sbender@energy.state.ca.us

Barbara George
WOMEN'S ENERGY MATTERS

Jamie Fordyce
Executive Division
RM. 5303

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

PO BOX 548
FAIRFAX CA 94978
(510) 915-6215
wem@igc.org
For: Women's Energy Matters (WEM)

Jordana Cammarata
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1606
jnc@cpuc.ca.gov

Theresa Cho
Executive Division
RM. 5207
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2682
tcx@cpuc.ca.gov

Jeanne Clinton
Energy Division
RM. 4008
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1159
cln@cpuc.ca.gov

Cheryl Cox
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3027
cxc@cpuc.ca.gov
For: DRA

Fred Curry
DIV OF WATER AND AUDITS
WATER AND SEWER ADVISORY BRANCH
ROOM 3106
SF CA 00000
(415) 703-1739

Tim G. Drew
Energy Division
AREA 4-A

505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-4953
jbf@cpuc.ca.gov

Hazlyn Fortune
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2317
hcf@cpuc.ca.gov

Peter Franzese
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1926
pcf@cpuc.ca.gov

David M. Gamson
Administrative Law Judge Division
RM. 5019
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1232
dmg@cpuc.ca.gov

Mikhail Haramati
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1458
mkh@cpuc.ca.gov

Katherine Hardy
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2322
keh@cpuc.ca.gov

Edward Howard
Policy & Planning Division
RM. 5119

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5618
zap@cpuc.ca.gov

Cathleen A. Fogel
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1809
cf1@cpuc.ca.gov

Peter Lai
Energy Division
RM. 500
320 WEST 4TH STREET SUITE 500
Los Angeles CA 90013
(213) 576-7087
ppl@cpuc.ca.gov

Jean A. Lamming
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2142
jl2@cpuc.ca.gov

Kim Mahoney
Division of Ratepayer Advocates
RM. 4104
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2376
kmb@cpuc.ca.gov

Suman Mathews
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5360
srm@cpuc.ca.gov
For: Division of Ratepayer Advocates

505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1114
trh@cpuc.ca.gov

Anne W. Premo
Energy Division
770 L STREET, SUITE 1050
Sacramento CA 95814
(916) 928-4700
awp@cpuc.ca.gov

Sazedur Rahman
Communications Division
AREA 3-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2338
snr@cpuc.ca.gov

Thomas Roberts
Division of Ratepayer Advocates
RM. 4104
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5278
tcr@cpuc.ca.gov
For: DRA

Kristina Skierka
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1184
ks3@cpuc.ca.gov

George S. Tagnipes
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2451
jst@cpuc.ca.gov

Zenaida G. Tapawan-Conway
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2624
ztc@cpuc.ca.gov

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

Ayat E. Osman
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5953
aeo@cpuc.ca.gov

Lisa Paulo
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 355-5495
lp1@cpuc.ca.gov

Christopher R Villarreal
Policy & Planning Division
RM. 5119
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1566
crv@cpuc.ca.gov

Natalie Walsh
Energy Division
RM. 4003
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1622
nfw@cpuc.ca.gov

Pamela Wellner
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5906
pw1@cpuc.ca.gov

Michael Wheeler
Executive Division
RM. 5206
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5147
mmw@cpuc.ca.gov

Ava N. Tran
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2887
atr@cpuc.ca.gov

Seema Srinivasan
ALCANTAR & KAHL
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94105
(415) 421-4143
sls@a-klaw.com

Michael P. Alcantar
Attorney At Law
ALCANTAR & KAHL, LLP
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94105
(415) 421-4143
mpa@a-klaw.com

Jo Tiffany
ALLIANCE TO SAVE ENERGY
717 WASHINGTON STREET, STE. 210
OAKLAND CA 94607
(510) 451-4056
jtiffany@ase.org

John Laun
APOGEE INTERACTIVE, INC.
1220 ROSECRANS ST., SUITE 308
SAN DIEGO CA 92106
(619) 840-4804
jlaun@apogee.net

Parviz Adib, Ph.D.
Director
APX, INC
1508 VISALIA LANE
AUSTIN TX 78727-4555
(512) 837-6462
padib@apx.com

Jane Wong

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

Joyce de Rossett
Division of Water and Audits
AREA 3-C
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5472
jdr@cpuc.ca.gov

***** INFORMATION ONLY *****

Karen Terranova
ALCANTAR & KAHL
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94105
(415) 403-5542
filings@a-klaw.com

Nora Sheriff
ALCANTAR & KAHL
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94105
(415) 421-4143
nes@a-klaw.com

Elizabeth T. Lowe
BARAKAT CONSULTING
696 SAN RAMON VALLEY BLVD., NO. 265
DANVILLE CA 94526
(925) 838-3887
elowe@barakatconsulting.com

Barbara R. Barkovich
BARKOVICH & YAP, INC.
PO BOX 11031
OAKLAND CA 94611
(510) 450-1270
brbarkovich@earthlink.net

Annette Beitel
200 17TH STREET
WILMETTE IL 60091
annette.beitel@gmail.com

William J. Parlapiano Iii
BP CONSULTING
141 OAK STREET

AUTOCELL ELECTRONICS, INC
7311 GREENHAVEN DRIVE, SUITE 266
SACRAMENTO CA 95831
jane@autocell.net

Richard L. Ng
AUTOCELL ELECTRONICS, INC
7311 GREENHAVEN DRIVE, SUITE 266
SACRAMENTO CA 95831
(916) 393-6668 X202
richard@autocell.net

Bruce Mast
BUILD IT GREEN
1434 UNIVERSITY AVENUE
BERKELEY CA 94702
(510) 845-0472 X-111
Bruce@BuildItGreen.org

Peter C. Jacobs
BUILDING METRICS INC.
2540 FRONTIER AVE. SUITE 100
BOULDER CO 80301
(303) 444-4289
pjacobs@buildingmetrics.biz

Helen Arrick
BUSINESS ENERGY COALITION
MC B8R, PGE
PO BOX 770000
SAN FRANCISCO CA 94177-0001
(415) 973-5445
hxag@pge.com

Chris Ann Dickerson
CAD CONSULTING
720B CANYON OAKS DRIVE
OAKLAND CA 94605
(510) 562-1034
cadickerson@cadconsulting.biz

Audrey Chang
Exec. Director
CAL. ENERGY EFFICIENCY INDUSTRY COUNCIL
436 14TH ST., SUITE 1123
OAKLAND CA 94612
(916) 390-6413
achang@efficiencycouncil.org

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

BALLSTON SPA NY 12020

(518) 309-3415

wjp4@bpconsulting.org

Bruce McLaughlin

BRAUN & BLAISING, P.C.

915 L STREET, SUITE 1270

SACRAMENTO CA 95814

(916) 326-5314

mclaughlin@braunlegal.com

Justin C. Wynne

Attorney At Law

BRAUN BLAISING MCLAUGHLIN, P.C.

915 L STREET, SUITE 1270

SACRAMENTO CA 95814

(916) 326-5813

wynne@braunlegal.com

Ryan Bernardo

BRAUN BLAISING MCLAUGHLIN, P.C.

915 L STREET, SUITE 1270

SACRAMENTO CA 95814

(916) 912-4432

bernardo@braunlegal.com

Misti Bruceri

1521 I STREET

NAPA CA 94559

(707) 252-8355

mistib@comcast.net

Ashley Watkins

CALIFORNIA CENTER FOR SUSTAINABLE ENERGY

8690 BALBOA AVE. SUITE 100

SAN DIEGO CA 92123

(858) 244-1195

ashley.watkins@energycenter.org

For: CALIFORNIA CENTER FOR SUSTAINABLE ENERGY

Jennifer Porter

Policy Analyst

CALIFORNIA CENTER FOR SUSTAINABLE ENERGY

8690 BALBOA AVENUE, SUITE 100

SAN DIEGO CA 92123

(858) 244-1177

jennifer.porter@energycenter.org

For: California Center for Sustainable Energy

Sephra A. Ninow

CALIFORNIA CENTER FOR SUSTAINABLE ENERGY

Irene M. Stillings

Executive Director

CALIF. CNTR FOR SUSTAINABLE ENERGY

8690 BALBOA AVE., STE 100

SAN DIEGO CA 92123

(858) 244-1177

irene.stillings@energycenter.org

Sarah Beserra

CALIFORNIA REPORTS.COM

39 CASTLE HILL COURT

VALLEJO CA 94591

(707) 645-7361

sbeserra@sbcglobal.net

For: CALIFORNIA REPORTS.COM

Steven R. Schiller

CALIF. ENERGY EFFICIENCY IND. COUNCIL

436 14TH STREET, SUITE 1123

OAKLAND CA 94612

(916) 390-6413

sschiller@efficiencycouncil.org

Hilary Corrigan

CALIFORNIA ENERGY MARKETS

425 DIVISADERO ST., SUITE 303

SAN FRANCISCO CA 94117-2242

(415) 963-4439

cem@newsdata.com

Anthony Wayne

CALIFORNIA RETROFIT, INC.

5195 JEFFDALE AVE.

WOODLAND HILLS CA 91364

(310) 230-5519

twayne@roadrunner.com

John Celona

505 VISTA AVENUE

SAN CARLOS CA 94070

(650) 802-9201

jcelona@sbcglobal.net

CENTRAL FILES SDG&E

8330 CENTURY PARK COURT - CP-31E

SAN DIEGO CA 92123

CentralFiles@SemptraUtilities.com

For: Central Files SDG&E

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

8690 BALBOA AVENUE, SUITE 100
SAN DIEGO CA 92123
(858) 244-1186
sephra.ninow@energycenter.org

Bill Kelly
Correspondent
CALIFORNIA ENERGY CIRCUIT
PO BOX 1022
SOUTH PASADENA CA 91031
(626) 441-2112
southlandreports@earthlink.net

Elaine Hebert
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-42
SACRAMENTO CA 95814
(916) 654-4800
ehebert@energy.state.ca.us

Kae Lewis
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 22
SACRAMENTO CA 95814
(916) 654-4176
klewis@energy.state.ca.us

Richard Sapudar
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO CA 95814
(916) 653-4521
rsapudar@energy.state.ca.us

Shawn Thompson
CITY OF IRVINE
1 CIVIC CENTER PLAZA
IRVINE CA 92646
(949) 724-7449
sthompson@ci.irvine.ca.us

Thomas L. Trimberger
Chief Building Official
CITY OF RANCHO CORDOVA
2729 PROSPECT PARK DRIVE
RANCHO CORDOVA CA 95670

Mary Tucker
CITY OF SAN JOSE, ENVIRONMENTAL SRVC DEP
200 EAST SANTA CLARA ST., 10TH FLR.
SAN JOSE CA 95113-1905
(408) 975-2581

Michael Cheng
2723 HARLAND COURT
WALNUT CREEK CA 94598
(925) 947-2188
michael.cheng@paconsulting.com

Ann Kelly
Department Of The Environment
CITY AND COUNTY OF SAN FRANCISCO
11 GROVE STREET
SAN FRANCISCO CA 94102
(415) 355-3720
ann.kelly@sfgov.org

Nancy Kirshner-Rodriguez
Consulting Department Manager
CONSOL
7407 TAM O SHANTER DRIVE
STOCKTON CA 95210-3370
(209) 473-5000
NancyKRod@conSol.ws

Nora Hernandez
COUNTY OF LOS ANGELES-INTERNAL SERVICES
1100 N. EASTERN AVENUE
LOS ANGELES CA 90063
(323) 881-3949
nhernandez@isd.co.la.ca.us

Dana Armanino
Community Development Agency
COUNTY OF MARIN
3501 CIVIC CENTER DRIVE, ROOM 308
SAN RAFAEL CA 94903
(415) 449-3292
darmanino@co.marin.ca.us

David Matson
Office Of Long Range Planning
COUNTY OF SANTA BARBARA
30 E. FIGUEROA, 2ND FLOOR
SANTA BARBARA CA 93101
(805) 568-2068
dmatson@co.santa-barbara.ca.us

Willie M. Gaters
Manager, Energy And Sustainability Div.

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

mary.tucker@sanjoseca.gov

Susan Munves
Energy And Green Bldg. Prog. Admin.
CITY OF SANTA MONICA
1212 5TH STREET, FIRST FLOOR
SANTA MONICA CA 90401
(310) 458-8229
susan.munves@smgov.net

Gregory Clayborn
3717 W. 59TH STREET
LOS ANGELES CA 90043
gclayborn@gmail.com

Carlos Lamas-Babbini
COMVERGE, INC.
EMAIL ONLY
EMAIL ONLY CA 00000
(415) 491-4049
clamasbabbini@comverge.com

Kecia Davison
CONSERVATION SERVICES GROUP
807 PARKVIEW DRIVE
EL SEGUNDO CA 90245
(310) 469-5602
kecia.davison@csggrp.com

Scott Bowman
CONSERVATION SERVICES GROUP
807 PARKVIEW DRIVE
EL SEGUNDA CA 90245
(310) 469-5607
scott.bowman@csggrp.com

Gene Thomas
ECOLOGY ACTION
PO BOX 1188
SANTA CRUZ CA 95061-1188
(831) 426-5925
gthomas@ecoact.org

Mahlon Aldridge
ECOLOGY ACTION
PO BOX 1188
SANTA CRUZ CA 95061-1188
(831) 426-5925 X-116
emahlon@ecoact.org

Michael Drudy
ECOLOGY ACTION

COUNTY OF SONOMA
2300 COUNTY CENTER DRIVE, A200
SANTA ROSA CA 95403
gsenergy@sonoma-county.org
For: COUNTY OF SONOMA

Clinton Cole
CURRENT GROUP, LLC
20420 CENTURY BOULEVARD
GERMANTOWN MD 20874
(301) 944-2718
CCole@currentgroup.com

Cassandra Sweet
DOW JONES NEWSWIRES
201 CALIFORNIA ST., 13TH FLOOR
SAN FRANCISCO CA 94111
(415) 439-6468
cassandra.sweet@dowjones.com

Walter Mcguire
EFFICIENCY PARTNERSHIP
2962 FILLMORE STREET
SAN FRANCISCO CA 94123
(415) 775-7571
wmcguire@fypower.org

David Gordon
EFM SOLUTIONS
10310 CAMINITO AGADIR
SAN DIEGO CA 92131
(858) 566-4306
david.gordon@efm-solutions.com

Ellen Petrill
Director, Public/Private Partnerships
ELECTRIC POWER RESEARCH INSTITUTE
3420 HILLVIEW AVENUE
PALO ALTO CA 94304-1338
(650) 855-8939
epetrill@epri.com

Lynn Haug
GREGG WHEATLAND
Attorney At Law
ELLISON, SCHNEIDER & HARRIS, LLP
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905
(916) 447-2166
lmh@eslawfirm.com

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

PO BOX 1188
SANTA CRUZ CA 95061-1188
(831) 426-5925 X140
michael@ecoact.org

Ted Flanigan
President
ECOMOTION - THE POWER OF THE INCREMENT
1537 BARRANCA PARKWAY, SUITE F-104
IRVINE CA 92618
(949) 450-7155
TFlanigan@EcoMotion.us

Richard Lauman
Vice President
ECOS
433 CALIFORNIA STREET, SUITE 630
SAN FRANCISCO CA 94104
(415) 399-0451
rlauman@ecosconsulting.com

Crystal Needham
Senior Director, Counsel
EDISON MISSION ENERGY
18101 VON KARMAN AVE., STE 1700
IRVINE CA 92612-1046
(949) 798-7977
cneedham@edisonmission.com

Jared Asch
EFFICIENCY FIRST
660 KING ST., NO. 341
SAN FRANCISCO CA 94107
(415) 738-6396
jared@efficiencyfirst.org
For: Efficiency First

Steven Kihm
ENERGY CENTER OF WISCONSIN
455 SCIENCE DRIVE, STE 200
MADISON WI 53711
(608) 238-8276 X131
skihm@ecw.org

Reuben Deumling
ENERGY ECONOMICS INC.
3309 SE MAIN STREET
PORTLAND OR 97214
(503) 231-5059

Sharon Talbott
EMETER CORPORATION
2215 BRIDGEPOINTE PARKWAY, SUITE 300
SAN MATEO CA 94404
(650) 227-7770 X117
sharon@emeter.com

Luke Hermann
Evp, Sales & Marketing
ENALASYS CORPORATION
250 AVENIDA CAMPILLO
CALEXICO CA 92231
(760) 768-3228
LukeH@enalsys.com

Eric Cutter
ENERGY AND ENVIRONMENTAL ECONOMICS, INC.
101 MONTGOMERY STREET, SUITE 1600
SAN FRANCISCO CA 94104
(415) 391-5100
eric@ethree.com

Samara Rassi
FELLON-MCCORD & ASSOCIATES
9960 CORPORATE CAMPUS DR., SUITE 2500
LOUISVILLE KY 40223-4055
(504) 214-6303

Thomas P. Conlon
President
GEOPRAXIS
PO BOX 5
SONOMA CA 95476-0005
(707) 280-1529
tconlon@geopraxis.com

Gerry Hamilton
GLOBAL ENERGY PARTNERS, LLC
500 YGNACIO VALLEY RD, SUITE 450
WALNUT CREEK CA 94596
(925) 284-3780
ghamilton@gepllc.com

Marlo A. Go
GOODIN MACBRIDE SQUERI DAY & LAMPREY LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
mgo@goodinmacbride.com

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

9watts@gmail.com

Jim Bazemore
ENERGY MARKET INNOVATIONS INC
83 COLUMBIA STREET, SUITE 303
SEATTLE WA 98104-1417
(206) 621-1160
jbazemore@emi1.com

Jennifer Holmes
ENERGY MARKET INNOVATIONS INC.
83 COLUMBIA STREET, SUITE 303
SEATTLE WA 98104
(206) 621-1160
jholmes@emi1.com

Melanie Gillette
Sr Mgr Western Reg. Affairs
ENERNOC, INC.
115 HAZELMERE DRIVE
FOLSOM CA 95630
(916) 501-9573
mgillette@enernoc.com

Amelia Gulkis
ENSAVE, INC.
65 MILLER STREET, SUITE 105
RICHMOND VT 05477
(802) 434-1826
ameliag@ensave.com

Norman J. Furuta
FEDERAL EXECUTIVE AGENCIES
1455 MARKET ST., SUITE 1744
SAN FRANCISCO CA 94103-1399
(415) 503-6994
norman.furuta@navy.mil

Andrew W. Wood
Energy Efficiency Engineer
HONEYWELL UTILITY SOLUTIONS
353 A VINTAGE PARK DRIVE
FOSTER CITY CA 94404
(415) 725-0892
andrew.wood3@honeywell.com

Tam Hunt
HUNT CONSULTING
EMAIL ONLY
EMAIL ONLY CA 00000-0000

Dr. Hugh (Gil) Peach
H GIL PEACH & ASSOCIATES LLC
16232 NW OAKHILLS DRIVE
BEAVERTON OR 97006
(503) 645-0716
hgilpeach@scanamerica.net

Devon Hartman
HARTMAN BALDWIN DESIGN/BUILD, INC.
100 W. FOOTHILL BLVD.
CLAREMONT CA 91711
(909) 670-1310
devon@hartmanbaldwin.com

John M. Clarkson
HEAT PROJECT UK
ENACT ENERGY
EMAIL ONLY
EMAIL ONLY CA 00000
john@enactenergy.com

Douglas E. Mahone
HESCHONG MAHONE GROUP
11211 GOLD COUNTRY BLVD., SUITE 103
GOLD RIVER CA 95670
(916) 962-7001
dmahone@h-m-g.com

Jay Bhalla
Principal
INTERGY CORPORATION
11875 DUBLIN BLVD., SUITE A201
DUBLIN CA 94568
(925) 556-2600 X-22
jay.bhalla@intergycorp.com

Jennifer Fagan
Principal Energy Consultant
ITRON, INC
1111 BROADWAY, SUITE 1800
OAKLAND CA 94607
(608) 235-1314
jennifer.fagan@itron.com
For: ITRON, INC

Alex Kang

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

(805) 705-1352
tam.hunt@gmail.com
For: Community Environmental Council

Alice Liddell
ICF INTERNATIONAL
620 FOLSOM STREET, STE, 200
SAN FRANCISCO CA 94107
(415) 677-7133
aliddell@icfi.com

Steven Culbertson
ICF INTERNATIONAL
14724 VENTURA BLVD., SUITE 1001
SHERMAN OAKS CA 91403
(818) 325-3152
sculbertson@icfi.com

Ashish Goel
Founder And Co
INTERGY CORPORATION
11875 DUBLIN BOULEVARD, SUITE A201
DUBLIN CA 94568
(925) 556-2600 X-23
ashish.goel@intergycorp.com

Brad Bergman
Director
INTERGY CORPORATION
133 W. LEMON AVE.
MONROVIA CA 91016
(925) 785-3124
brad.bergman@intergycorp.com

Grant Cooke
Vice President
INTERGY CORPORATION
11875 DUBLIN BOULEVARD, SUITE A201
DUBLIN CA 94568
(925) 989-7117
grant.cooke@intergycorp.com

Jeff Hirsch
JAMES J. HIRSCH & ASSOCIATES
12185 PRESILLA ROAD
CAMARILLO CA 93012-9243
(805) 553-9000
Jeff.Hirsch@DOE2.com

Jay Luboff
JAY LUBOFF CONSULTING SERVICES

ITRON, INC.
1111 BROADWAY, STE. 1800
OAKLAND CA 94607
(510) 844-2800
alex.kang@itron.com

Ann Peterson
ITRON, INC.
1111 BROADWAY, SUITE 1800
OAKLAND CA 94607
(510) 844-2811
Ann.Peterson@itron.com

John Cavalli
ITRON, INC.
1111 BROADWAY, STE. 1800
OAKLAND CA 94607
(510) 844-2876
john.cavalli@itron.com

Rachel Harcharik
ITRON, INC.
11236 EL CAMINO REAL
SAN DIEGO CA 92130
(858) 724-2638
rachel.harcharik@itron.com

Bob Ramirez
ITRON, INC. (CONSULTING & ANALYSIS DIV.)
11236 EL CAMINO REAL
SAN DIEGO CA 92130
(858) 724-2650
bob.ramirez@itron.com

Jennifer Canseco
KEMA, INC.
492 9TH STREET, SUITE 220
OAKLAND CA 94607
(510) 891-0446
jenna.canseco@us.kema.com

Clark Pierce
LANDIS+GYR
REGULATORY AFFAIRS
246 WINDING WAY
STRAFORD NJ 08084
(856) 435-6024
Clark.Pierce@us.landisgyr.com

Edward Vine
LAWRENCE BERKELEY NATIONAL LABORATORY

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

1329 19TH ST, APT D
SANTA MONICA CA 90404-1946
(415) 377-7161
jcluboff@lmi.net

Garrick Jones
JBS ENERGY
311 D STREET
WEST SACRAMENTO CA 95605
(916) 372-0534
garrick@jbsenergy.com

Kurt J. Kammerer
K. J. KAMMERER & ASSOCIATES
PO BOX 60738
SAN DIEGO CA 92166-8738
(619) 546-6175
kjk@kjkammerer.com

Kathleen Gaffney
KEMA
492 NINTH ST., SUITE 220
OAKLAND CA 94607
(510) 891-0446
kathleen.gaffney@kema.com
For: KEMA

Fred Coito
KEMA INC
492 NINTH ST., SUITE 220
OAKLAND CA 94607
(510) 891-0446
fred.coito@kema.com

Karin Corfee
KEMA, INC
155 GRAND AVE., SUITE 500
OAKLAND CA 94612
(510) 891-0446
Karin.Corfee@kema.com

Bob Hondeville
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO CA 95354
(209) 526-7373
bobho@mid.org

Joy A. Warren

EMAIL ONLY
EMAIL ONLY CA 00000
(510) 486-6047
elvine@lbl.gov

Marcia W. Beck
LAWRENCE BERKELEY NATIONAL LABORATORY
EMAIL ONLY
EMAIL ONLY CA 00000
(510) 486-6156
mwbeck@lbl.gov

G. Patrick Stoner
LOCAL GOVERNMENT COMMISSION
1303 J STREET, SUITE 250
SACRAMENTO CA 95816
(916) 448-1198 X 309
pstoner@lgc.org

David R. Pettijohn
Manager, Water Resources Development
LOS ANGELES DEPT.OF WATER & POWER
111 NORTH HOPE STREET, ROMM 1460
LOS ANGELES CA 90012
(213) 367-0899
David.Pettijohn@ladwp.com

Richard Mccann
M.CUBED
2655 PORTAGE BAY ROAD, SUITE 3
DAVIS CA 95616
(530) 757-6363
rmccann@umich.edu

Kenny Swain
NAVIGANT CONSULTING
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670
(916) 631-3206
kenneth.swain@navigantconsulting.com

Kirby Dusel
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670
(916) 834-0684
kdusel@navigantconsulting.com

Laurie Park

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

Regulatory Administrator
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO CA 95354
(209) 526-7389
joyw@mid.org

MRW & ASSOCIATES, LLC
EMAIL ONLY
EMAIL ONLY CA 00000
(510) 834-1999
mrw@mrwassoc.com

Terry L. Murray
MURRAY & CRATTY
8627 THORS BAY ROAD
EL CERRITO CA 94530
(510) 215-2860
tlmurray@earthlink.net

James Chou
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO CA 94104
(415) 875-6100
jchou@nrdc.org

Kristen Grenfell
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET 20TH FLOOR
SAN FRANCISCO CA 94104
(415) 875-6100
kgrenfell@nrdc.org

Lara Ettenson
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO CA 94104
(415) 875-6100
lettenson@nrdc.org
For: Natural Resources Defense Council

Matt Sullivan
NEWCOMB ANDERSON MCCORMICK
201 MISSION ST., SUITE 2010
SAN FRANCISCO CA 94105
(415) 898-0300

NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670-6078
(916) 631-3200
lpark@navigantconsulting.com

David Nemtzow
NEMTZOW & ASSOCIATES
1254 9TH STREET, NO. 6
SANTA MONICA CA 90401
(310) 622-2981
david@nemtzw.com

Andrew Meiman
Senior Program Manager
NEWCOMB ANDERSON MCCORMICK
201 MISSION STREET, SUITE 2000
SAN FRANCISCO CA 94105
(415) 896-0300
andrew_meiman@newcomb.cc

Ann L. McCormick, P.E.
Principal
NEWCOMB ANDERSON MCCORMICK
201 MISSION STREET, SUITE 2010
SAN FRANCISCO CA 94105
(415) 896-0300
ann_mccormick@newcomb.cc

John M. Newcomb
NEWCOMB ANDERSON MCCORMICK
201 MISSION STREET, SUITE 2010
SAN FRANCISCO CA 94105
(415) 896-0300
John_Newcomb@newcomb.cc

Sean Harrington
OPOWER
1911 FORT MYER DRIVE
ARLINGTON VA 22209
(650) 575-3566
sean.harrington@opower.com

Jack Rosenthal
P2S ENGINEERING, INC.
5000 EAST SPRING STREET, 8TH FLOOR
LONG BEACH CA 90815
(562) 497-2999
jack.rosenthal@p2seng.com

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

matt_sullivan@newcomb.cc

Terry M. Fry
NEXANT, INC.
101 SECOND STREET, 10TH FLOOR
SAN FRANCISCO CA 94105
(415) 369-1021
tmfry@nexant.com

Jim Meyers
Southwest Regional Manager
NORTH AMERICAN INSULATION MANUF. ASSOC.
7792 SOUTH HARRISON CIRCLE
CENTENNIAL CO 80122
(303) 974-7243
jmeyers@naima.org

David Reynolds
Member Services Manager
NORTHERN CALIFORNIA POWER AGENCY
651 COMMERCE DRIVE
ROSEVILLE CA 95678-6420
(916) 781-4293
david.reynolds@ncpa.com

Scott Tomashefsky
NORTHERN CALIFORNIA POWER AGENCY
651 COMMERCE DRIVE
ROSEVILLE CA 95678-6420
(916) 781-4291
scott.tomashefsky@ncpa.com

Richard T. Sperberg
ONSITE ENERGY CORPORATION
2701 LOKER AVENUE WEST, SUITE 107
CARLSBAD CA 92010
(760) 931-2400 4140
rsperberg@onsitenergy.com

Sharyn Barata
OPINION DYNAMICS CORPORATION
28202 CABOT ROAD, SUITE 300
LAGUNA NIGUEL CA 92677
(949) 365-5730
sbarata@opiniondynamics.com

Lise H. Jordan, Esq.
Director And Counsel, Rates
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B30A

Don Wood
PACIFIC ENERGY POLICY CENTER
4539 LEE AVENUE
LA MESA CA 91941
(619) 463-9035
dwood8@cox.net

Jenny Gluzgold
PACIFIC GAS & ELECTRIC CO.
77 BEALE STREET, B9A
SAN FRANCISCO CA 94105
(415) 973-0347
yxg4@pge.com

Case Coordination
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MC B9A
SAN FRANCISCO CA 94177
(415) 973-4208
regrelcpuccases@pge.com

Eileen Cotroneo
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MC B9A
SAN FRANCISCO CA 94105
(415) 973-8340
efm2@pge.com

Jill Marver
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, N7K
SAN FRANCISCO CA 94177
(415) 973-0712
jkz1@pge.com

Lauren Rohde
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MC B9A
SAN FRANCISCO CA 94105
(415) 973-8340
LDRi@pge.com

Brian K. Cherry
Director, Regulatory Relations
PACIFIC GAS AND ELECTRIC COMPANY (39)
PO BOX 770000, MAIL CODE: B10C

***** SERVICE LIST *****

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A0807021 LIST

A0807022/A0807023/A0807031

SAN FRANCISCO CA 94105
(415) 973-6965
lhj2@pge.com
For: PACIFIC GAS AND ELECTRIC COMPANY

Michael R. Klotz
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MS B30A, ROOM 3105B
SAN FRANCISCO CA 94120
(415) 973-7565
M1ke@pge.com

Rafael Friedmann
Supervisor Customer Energy Efficiency
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000
SAN FRANCISCO CA 94177-0001
(415) 972-5799
rafi@pge.com

Robert Kasman
PACIFIC GAS AND ELECTRIC COMPANY
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(415) 973-4094
rekl@pge.com

Sandy Lawrie
Energy Proceedings
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442, MC B9A
SAN FRANCISCO CA 94120
(415) 973-2494
slda@pge.com

Shilpa Ramaiya
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
77 BEALE STREET, MAIL CODE N3A
SAN FRANCISCO CA 94120
(415) 973-3186
SRRd@pge.com

Subid Wagley
PACIFIC GAS AND ELECTRIC COMPANY
245 MARKET STREET, N6G, PO BOX 7442
SAN FRANCISCO CA 94120
s1w2@pge.com

Elizabeth M. Souza
PREMIUM EFFICIENCY COOLING PROGRAM
6161 EL CAJON BLVD NO. 524

SAN FRANCISCO CA 94177
(415) 973-4977
bkc7@pge.com

Michele Rodriguez
PLANNING SUSTAINABLE COMMUNITIES
220 MCALLISTER AVENUE
KENTFIELD CA 94904
(415) 845-9110
michele@boggis.com

Lisa Weinzimmer
PLATTS MCGRAW-HILL
695 NINTH AVENUE, NO. 2
SAN FRANCISCO CA 94118
(415) 387-1025
lisa_weinzimer@platts.com

Anne Arquit Niederberger
POLICY SOLUTIONS
57 CLIFFORD TERRACE
SAN FRANCISCO CA 94117
(415) 829-2199
policy.solutions@comcast.net

Diana Bjornskov
Senior Program Manager
PORTLAND ENERGY CONSERVATION, INC
1400 SW 5TH AVENUE, STE 700
PORTLAND OR 97201
(503) 961-6176
Dbjornskov@peci.org

Emily Hallet
POSITIVE ENERGY
1911 FT. MYER DRIVE, SUITE 702
ARLINGTON VA 22209
(703) 778-4544
emily.hallett@positiveenergy.com
For: Positive Energy

Matt Golden
SUSTAINABLE SPACES, INC.
1167 MISSION STREET, FLR 2
SAN FRANCISCO CA 94103
(415) 294-5380
matt@sustainablespaces.com
For: Sustainable Spaces, Inc.

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

SAN DIEGO CA 92115
(888) 369-1608
Elizabeth.DeSouza@csggrp.com

Brian Hedman
Vice President
QUANTEC, LLC
720 SW WASHINGTON STREET, STE 400
PORTLAND OR 97205
(503) 228-2992
brian.hedman@cadmusgroup.com

M. Sami Khawaja, Ph.D
QUANTEC, LLC
SUITE 400
720 SW WASHINGTON STREET
PORTLAND OR 97205
(503) 228-2992
Sami.Khawaja@cadmusgroup.com

Alison Watson
QUANTUM ENERGY SERVICES & TECHNOLOGIES
2001 ADDISON STREET, SUITE 300
BERKELEY CA 94704
(510) 540-7200
awatson@quest-world.com

Jane S. Peters, Ph.D.
RESEARCH INTO ACTION, INC.
PO BOX 12312
PORTLAND OR 97212
(503) 287-9136
janep@researchintoaction.com

Alison Ten Cate
RESOURCE SOLUTIONS GROUP
60 STONE PINE ROAD, SUITE 100
HALF MOON BAY CA 94019
(650) 726-2875
atencate@rsgrp.com

Marianne King
STAPLES MARKETING COMMUNICATIONS
N28W23050 ROUNDY DRIVE
PEWAUKEE WI 53072
(262) 650-9900
mking@staplesmarketing.com
For: STAPLES MARKETING COMMUNICATIONS

Nick Hall
TECMARKET WORKS
165 WEST NETHERWOOD ROAD, 2/F, SUITE A
OREGON WI 53575
(608) 835-8855
nphall@tecmarket.net

Leif Magnuson
U.S. EPA
WST-7 75 HAWTHORNE ST.
SAN FRANCISCO CA 94105
(415) 972-3286
magnuson.leif@epa.gov
For: U.S. EPA

Benjamin Finkel
Program Manager
UC DAVIS ENEGY EFFICIENCY CENTER
1 SHIELDS AVENUE
DAVIS CA 95616
(530) 752-7659
bmfinkelor@ucdavis.edu

Mariann Long
Assistant General Manager
UTILITIES JOINT SERVICES
201 S. ANAHEIM BLVD., NO. 101
ANAHEIM CA 92805
(714) 765-4251
mlong@anaheim.net

Paul Kerkorian
UTILITY COST MANAGEMENT, LLC
6475 N PALM AVE., STE. 105
FRESNO CA 93704
(559) 261-9230
pk@utilitycostmanagement.com

Cheryl Collart
VENTURA COUNTY REGIONAL ENERGY ALLIANCE
1000 SOUTH HILL ROAD, STE. 230
VENTURA CA 93003
(805) 289-3335
cheryl.collart@ventura.org

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

Erin Grizard
THE DEWEY SQUARE GROUP
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(916) 447-4099
EGrizard@deweysquare.com

Dan Geis
THE DOLPHIN GROUP
925 L STREET, SUITE 800
SACRAMENTO CA 95814
(916) 441-4383
dgeis@dolphingroup.org
For: Inland Empries Utilities Agency

Craig Perkins
THE ENERGY COALITION
15615 ALTON PKWY, SUITE 245
IRVINE CA 92615
(949) 701-4646
cperkins@energycoalition.org

Robert Gnaizda
THAILIA GONZALEZ, STEPHANIE CHEN
THE GREENLINING INSTITUTE
1918 UNIVERSITY AVE., 2/F
BERKELEY CA 94704
(510) 926-4006
robertg@greenlining.org
For: THE GREENLINING INSTITUTE

Grey Staples
THE MENDOTA GROUP, LLC
EMAIL ONLY
EMAIL ONLY CA 00000
(651) 204-0458
gstaples@mendotagroup.net

William P. McDonnell
THE METROPOLITAN WATER DISTRICT
700 N. ALAMEDA STREET
LOS ANGELES CA 90012
bmcdonnell@mwdh2o.com

Marshall B. Hunt
Programs Director, Uc Davis
WESTERN COOLING EFFICIENCY CENTER
1554 DREW AVENUE
DAVIS CA 95616-4632
(530) 747-3976
mbhunt@ucdavis.edu
For: WESTERN COOLING EFFICIENCY CENTER

Carol Yin
YINSIGHT, INC
2275 HUNTINGTON DRIVE., 240
SAN MARINO CA 91108
cyin@yinsight.net

******* SERVICE LIST *******

Last Updated on 21-MAY-2010 by: RC4

A0807021 LIST

A0807022/A0807023/A0807031

Craig Tyler
TYLER & ASSOCIATES
2760 SHASTA ROAD
BERKELEY CA 94708
(510) 841-8038
craigtyler@comcast.net

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

***** PARTIES *****

3 PHASES RENEWABLES LLC
2100 SEPULVEDA BLVD, SUITE 37
MANHATTAN BEACH CA 90266

Michael Mazur
3 PHASES RENEWABLES, LLC
2100 SEPULVEDA BLVD, SUITE 37
MANHATTAN BEACH CA 90266
(310) 798-5275
mmazur@3PhasesRenewables.com

Gabe Petlin
3DEGREES
PRESIDIO OF SAN FRANCISCO
6 FUNSTON AVENUE
SAN FRANCISCO CA 94129
(415) 595-1679
gpetlin@3degreesinc.com

Dennis W. De Cuir
Atty At Law
A LAW CORPORATION
2999 DOUGLAS BLVD., SUITE 325
ROSEVILLE CA 95661
(916) 788-1022
dennis@ddecuir.com
For: Bear Valley Electric Service, Div. of Golden State Water Co.

James Weil
Director
AGLET CONSUMER ALLIANCE
PO BOX 1916
SEBASTOPOL CA 95473
(707) 824-5656
jweil@aglet.org
For: Aglet Consumer Alliance

Evelyn Kahl
Attorney At Law
ALCANTAR & KAHL, LLP
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94015
(415) 421-4143
ek@a-klaw.com
For: Energy Producers and Users Coalition

Michael Alcantar
Attorney At Law
ALCANTAR & KAHL, LLP
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94105
(503) 402-9900
mpa@a-klaw.com
For: Cogeneration Association of California

Nora Sheriff
ALCANTAR & KAHL, LLP
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94015
(415) 421-4143
nes@a-klaw.com
For: Energy Producers and Users Coalition

AMERICAN UTILITY NETWORK
10705 DEER CANYON DRIVE
ALTA LOMA CA 91737
pssed@adelphia.net

Paul Delaney
AMERICAN UTILITY NETWORK (A.U.N.)
10705 DEER CANYON DRIVE
ALTA LOMA CA 91737
(805) 390-5632
pssed@adelphia.net

Gloria Britton
ANZA ELECTRIC COOPERATIVE, INC. (909)
PO BOX 391909 / 58470 HWY 371
ANZA CA 92539
GloriaB@anzaelectric.org

AOL UTILITY CORP.
12752 BARRETT LANE
SANTA ANA CA 92705

John R. Redding
ARCTURUS ENERGY CONSULTING
44810 ROSEWOOD TERRACE
MENDOCINO CA 95460
(707) 937-0878
johnredding@earthlink.net
For: Silicon Valley Manufacturers Group

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Holly Gordon
Vp Legislative/Regulatory Affairs
AUSRA, INC.
303 RAVENDALE DR.
MOUNTAIN VIEW CA 94043
(650) 353-9767
holly@ausra.com
For: Large-Scale Solar Association

Josh Richman
BLOOM ENERGY CORPORATION
1252 ORLEANS DRIVE
SUNNYVALE CA 94089
(408) 543-1547
jrichman@bloomenergy.com
For: Bloom Energy Corporation

J. Courtney Olive
Attorney-Advisor
BONNEVILLE POWE ADMINISTRATION
905 NE 11TH AVE
PORTLAND OR 97217
(503) 230-5085
jcolive@bpa.gov
For: Bonnerville Power Administration

Laurie Mazer
BP WIND ENERGY NORTH AMERICA, INC.
360 22ND STREET, SUITE 850
OAKLAND CA 94612
Laurie.Mazer@bp.com
For: BP Wind Energy North America, Inc.

Sylvia Castillo
Director, Regulatory Affairs
BSG CLEARING SOLUTIONS
7411 JOHN SMITH DRIVE, SUITE 1500
SAN ANTONIO TX 78229
(210) 949-7405
sylvia.castillo@bsgclearing.com
For: BSG Clearing Solutions

Jan Mcfarland
CAEATFA
915 CAPITOL MALL, RM. 468
SACRAMENTO CA 95814

Anthony J. Ivancovich
Assist General Counsel - Regulatory
CALIF. INDEP. SYSTEM OPERATOR CORP
151 BLUE RAVINE ROAD
FOLSOM CA 95630
(916) 351-4400
aivancovich@caiso.com
For: California Independent System Operator Corporation

Karen Mills
CALIFORNIA FARM BUREAU FEDERATION
2300 RIVER PLAZA DRIVE
SACRAMENTO CA 95833
(916) 561-5655
kmills@cfbf.com
For: California Farm Bureau Federation

Judith Sanders
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM CA 95630
(916) 351-4400
jsanders@caiso.com

Jacqueline Kepke
CALIFORNIA WASTEWATER CLIMATE CHANGE GRP
155 GRAND AVENUE, SUITE 1000
OAKLAND CA 94612
(510) 206-3820
jkepke@ch2m.com
For: California Wstewater Climate Change Group

Avis Kowalewski
CALPINE CORPORATION
4160 DUBLIN BLVD, SUITE 100
DUBLIN CA 94568
(925) 557-2284
kowalewskia@calpine.com
For: Calpine Corporation

Janice G. Hamrin
CENTER FOR RESOURCE SOLUTIONS
PRESIDIO BUILDING 97
PO BOX 29512
SAN FRANCISCO CA 94129
(415) 561-2100
For: CENTER FOR RESOURCE SOLUTIONS

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

(916) 651-8157
jmcfarland@treasurer.ca.gov
For: Americans for Solar Power

Joseph Langenberg
CENTRAL CALIFORNIA POWER
5125 NORTH MARTY AVENUE, NO.324
FRESNO CA 93711
(559) 917-5064
Joe.Langenberg@gmail.com
For: Central California Power

Stephen A. S. Morrison
CITY & COUNTY OF SAN FRANCISCO
CITY HALL, SUITE 234
1 DR CARLTON B. GOODLET PLACE
SAN FRANCISCO CA 94102-4682
(415) 554-4637
For: City & County of San Francisco

Neal De Snoo
Energy Office
CITY OF BERKELEY
2180 MILVIA AVENUE
BERKELEY CA 94704
(510) 981-5434
ndesnoo@ci.berkeley.ca.us
For: East Bay Power Authority/City of Berkeley

Kerry Eden
Asst. General Mgr.
CITY OF CORONA DEPT. OF WATER & POWER
730 CORPORATION YARD WAY
CORONA CA 92880
(951) 817-5740
kerry.eden@ci.corona.ca.us

Frederick M. Ortlieb
Office Of City Attorney
CITY OF SAN DIEGO
1200 THIRD AVENUE, SUITE 1200
SAN DIEGO CA 92101
(619) 236-6318
fortlieb@sandiego.gov
For: CITY OF SAN DIEGO

Susan Munves
Energy And Green Bldg. Prog. Admin.
CITY OF SANTA MONICA

Janis C. Pepper
CLEAN POWER MARKETS, INC.
PO BOX 3206
LOS ALTOS CA 94024
(650) 949-5719
pepper@cleanpowermarkets.com
For: CLEAN POWER MARKETS, INC.

Bill Barnes
CLEANTECH AMERICA, INC.
50 CALIFORNIA STREET, SUITE 1500
SAN FRANCISCO CA 94111
(415) 277-5455
b.barnes@cleantechamerica.com
For: Cleantech America, Inc.

L. Jan Reid
COAST ECONOMIC CONSULTING
3185 GROSS ROAD
SANTA CRUZ CA 95062
(831) 476-5700
janreid@coastecon.com
For: Aglet Consumer Alliance

Cynthia A. Fonner
Senior Counsel
CONSTELLATION ENERGY GROUP INC
550 W. WASHINGTON ST., STE. 300
CHICAGO IL 60661
(312) 704-8518
Cynthia.A.Fonner@constellation.com
For: Constellation Energy Group Inc

R. Thomas Beach
Principal Consultant
CROSSBORDER ENERGY
2560 NINTH STREET, SUITE 213A
BERKELEY CA 94710-2557
(510) 649-9790
tomb@crossborderenergy.com
For: California Wind Energy Assn/California Cogeneration
Council/Large-scale Solar Assn/Solar Alliance

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

1212 5TH STREET, FIRST FLOOR
SANTA MONICA CA 90401
(310) 458-8229
susan.munves@smgov.net

Salle E. Yoo
STEVEN GREENWALD
Attorney At Law
DAVIS WRIGHT TREMAINE
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6564
salleyoo@dwt.com
For: Wal-Mart Stores, Inc.

Jeffrey P. Gray
Attorney At Law
DAVIS WRIGHT TREMAINE, LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6500
jeffgray@dwt.com
For: CalpinePowerAmerica-CA, LLC/Firends of Kirkwood
Association

Larry F. Eisenstat
DICKSTEIN SHAPIRO LLP
1825 EYE STREET, NW
WASHINGTON DC 20006
(202) 420-2200
For: CPV Renewable Energy Company, LLC

Richard Lehfeltd
DICKSTEIN SHAPIRO LLP
1825 EYE STREET, NW
WASHINGTON DC 20006
(202) 420-2200
For: CPV Renewable Energy Company, LLC

Ronald M. Cerniglia
Director- National Advocacy
DIRECT ENERGY SERVICES, LLC
40 COLUMBINE DRIVE
GLENMONT NY 12077-2966
(518) 439-2195
ron.cerniglia@directenergy.com
For: Direct Energy Services, LLC

Vidhya Prabhakaran
DURHAM C. MCCORMICK
Attorney
DAVIS WRIGHT & TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111
(415) 276-6568
vidhyaprabhakaran@dwt.com
For: Lakeview Light & Power, Lakeview Green Energy, Inc.,
LL&P Wind Energy, Inc.

Gregory S.G. Klatt
DOUGLASS & LIDDELL
411 E. HUNTINGTON DRIVE, SUITE 107-356
ARCADIA CA 91006-8102
(818) 961-3002
klatt@energyattorney.com
For: Alliance for Retail Energy Markets/ APS Energy
Services/Western Power Trading Forum

Jane E. Luckhardt
Attorney At Law
DOWNEY BRAND LLP
621 CAPITOL MALL, 18TH FLOOR
SACRAMENTO CA 95814
(916) 520-5348
jluckhardt@downeybrand.com
For: Sacramento Municipal Utility District

Dan L. Carroll
Attorney At Law
DOWNEY BRAND, LLP
621 CAPITOL MALL, 18TH FLOOR
SACRAMENTO CA 95814
(916) 444-1000
dcarroll@downeybrand.com
For: Mountain Utilities

Audra Hartmann
DYNEGY INC.
4140 DUBLIN BLVD., STE. 100
DUBLIN CA 94568
(916) 441-6242

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Audra.Hartmann@Dynergy.com
For: Dynergy, Inc.

Daniel W. Douglass
DOUGLASS & LIDDELL
21700 OXNARD STREET, SUITE 1030
WOODLAND HILLS CA 91367
(818) 961-3001
douglass@energyattorney.com
For: Direct Access Customer Coalition, Alliance For Retail
Energy Markets, Energy America, LLC, Commerce Energy, Inc.,
Agent for Royal Bank of Scotland, PLC

Lynn M. Haug
ELLISON, SCHNEIDER & HARRIS, L.L.P.
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5931
(916) 447-2166
lmh@eslawfirm.com
For: Sierra Pacific Power Company

Douglas K. Kerner
CHASE B. KAPPEL
Attorney At Law
ELLISON, SCHNEIDER & HARRIS, LLP
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905
(916) 447-2166
dkk@eslawfirm.com
For: Independent Energy Producers Association/Sierrra Pacific
Industries

Carolyn Kehrein
Energy Management Services
ENERGY USERS FORUM
2602 CELEBRATION WAY
WOODLAND CA 95776
(530) 668-5600
cmkehrein@ems-ca.com
For: Energy Users Forum

Garson Knapp
FPL ENERGY, LLC
770 UNIVERSE BLVD.

Greggory L. Wheatland
LYNN M. HAUG
ELLISON SCHNEIDER & HARRIS L.L.P.
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905
(916) 447-2166
glw@eslawfirm.com
For: the City of Corona

Andrew B. Brown
Attorney At Law
ELLISON SCHNEIDER & HARRIS, LLP (1359)
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905
(916) 447-2166
abb@eslawfirm.com
For: Constellation New Energy, Inc./Praxair Plainfield, Inc.

Suzy Hong
GOODIN MACBRIDE SQUERI DAY & LAMPREY
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
shong@goodinmacbride.com
For: Terra-Gen Power, LLC

Jeanne B. Armstrong
GOODIN MACBRIDE SQUERI DAY & LAMPREY LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
jarmstrong@goodinmacbride.com
For: Solar Alliance

Michael B. Day
GOODIN MACBRIDE SQUERI DAY & LAMPREY LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
mday@goodinmacbride.com
For: Solar Alliance

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

JUNO BEACH FL 33408
(561) 304-5720
garson_knapp@fpl.com

Standish O'Grady
FRIENDS OF KIRKWOOD ASSOCIATION
31 PARKER AVENUE
SAN FRANCISCO CA 94118
(415) 591-7701
sho@ogrady.us

Keith Switzer
Vp Regulatory Affairs
GOLDEN STATE WATER COMPANY
630 EAST FOOTHILL BLVD.
SAN DIMAS CA 91773-9016
(909) 394-3600 X 780
kswitzer@gswater.com

Randall W. Hardy
HARDY ENERGY CONSULTING
719 2ND STREET, STE. 1150
SEATTLE WA 98104-1728
(206) 264-0224
rhardy@hardyenergy.com
For: Hardy Energy Consulting

Will Plaxico
HELIOS ENERGY, LLC/ AXIO POWER, INC.
31897 DEL OBISPO ST. SUITE 270
SAN JUAN CAPISTRANO CA 92675-3243
(888) 728-1117 X55
wplaxico@axiopower.com

Anders Glader
Svp, Origination
IBERDROLA RENEWABLES
114 MORNING SUN AVENUE
MILL VALLEY CA 94941
(415) 388-2767
anders.glader@elpower.com
For: Element Power

Donald N. Furman
Senior Vice President

Brian T. Cragg
JOSEPH F. WIEDMAN
GOODIN, MACBRIDE, SQUERI, DAY & LAMPREY
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
bcragg@goodinmacbride.com
For: Independent Energy Producers Association (IEPA)

James D. Squeri
Attorney At Law
GOODIN, MACBRIDE, SQUERI, DAY & LAMPREY
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
jsqueri@gmsr.com
For: California Retailers Association/Powerex Corp.

Gregory Morris
Director
GREEN POWER INSTITUTE
2039 SHATTUCK AVE., SUITE 402
BERKELEY CA 94704
(510) 644-2700
gmorris@emf.net
For: Green Power Institute

Jody S. London
JODY LONDON CONSULTING
PO BOX 3629
OAKLAND CA 94609
(510) 459-0667
jody_london_consulting@earthlink.net
For: FOR Sustainable Conservation

Shannon Eddy
Executive Director
LARGE SCALE SOLAR ASSOCIATION
2501 PORTOLA WAY

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

IBERDROLA RENEWABLES INC
1125 NW COUCH STREET, SUITE 700
PORTLAND OR 97209
(503) 796-7723
For: Iberdrola Renewables Inc.

SACRAMENTO CA 95818
(916) 731-8371
eddyconsulting@gmail.com
For: Large Scale Solar Association

Kevin A. Lynch
IBERDROLA RENEWABLES INC
1125 NW COUCH ST., SUITE 700
PORTLAND OR 97209
(503) 796-7108
kevin.lynch@iberdrolausa.com
For: Iberdrola Renewables, Inc.

Jared W. Johnson
JOEL H. MACK
LATHAM & WATKINS, LLP
505 MONTGOMERY ST., SUITE 2000
SAN FRANCISCO CA 94111
(415) 391-0600
jared.johnson@lw.com
For: TransAlta Corporation / TransWest Express LLC

Steven Kelly
Policy Director
INDEPENDENT ENERGY PRODUCERS
1215 K STREET, SUITE 900
SACRAMENTO CA 95814
(916) 448-9499
steven@iepa.com
For: IEP

William H. Booth
Attorney At Law
LAW OFFICE OF WILLIAM H. BOOTH
67 CARR DRIVE
MORAGA CA 94556
(925) 376-9685
wbooth@booth-law.com
For: Ridgewood Renewable Power, LLC and Ridgewood Olinda,
LLC, Iberdrola Renewables, Inc.

John W. Leslie
Attorney At Law
LUCE, FORWARD, HAMILTON & SCRIPPS, LLP
600 WEST BROADWAY, SUITE 2600
SAN DIEGO CA 92101-3391
(619) 699-2536
jleslie@luce.com
For: Coral Power L.L.C./Shell Energy No. America.

Jeremy D. Weinstein
Attorney At Law
LAW OFFICES OF JEREMY D. WEINSTEIN
1512 BONANZA STREET
WALNUT CREEK CA 94596
(925) 943-2708
jeremy.weinstein@pacificorp.com
For: PacifiCorp

Randall W. Keen
Attorney At Law
MANATT PHELPS & PHILLIPS, LLP
11355 WEST OLYMPIC BLVD.
LOS ANGELES CA 90064
(310) 312-4361
rkeen@manatt.com
For: MANATT PHELPS & PHILLIPS, LLP

Jennifer Chamberlin
LS POWER DEVELOPMENT, LLC
5000 HOPYARD ROAD, SUITE 480
PLEASANTON CA 94588
(925) 201-5253
JChamberlin@LSPower.com
For: LS Power Associates, L.P.

David L. Huard
MANATT, PHELPS & PHILLIPS, LLP

Nancy Murray

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

ONE EMBARCADERO CENTER, STE 2900
SAN FRANCISCO CA 94111-3736
(415) 291-7430
dhuard@manatt.com
For: MANATT, PHELPS & PHILLIPS, LLP

NATURENER USA, LLC.
394 PACIFIC AVENUE, SUITE 300
SAN FRANCISCO CA 94111
(415) 217-5523
nmurray@naturener.net
For: NATURENER USA, LLC.

David E. Morse
1411 W. COVELL BLVD., STE. 106-292
DAVIS CA 95616-5934
(530) 756-5033
demorse@omsoft.com
For: Bear Valley Electric Service

John Dalessi
Director
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670-6078
(916) 631-3200
jdalessi@navigantconsulting.com
For: South San Joaquin Valley Power Authority/Kings River
Conservation District

John Dutcher
MOUNTAIN UTILITIES
3210 CORTE VALENCIA
FAIRFIELD CA 94534-7875
(707) 426-4003
ralf1241a@cs.com

OCCIDENTAL POWER SERVICES, INC.
5 GREENWAY PLAZA, SUITE 110
HOUSTON TX 77046
ej_wright@oxy.com

Sara Steck Myers
Attorney At Law
122 28TH AVE.
SAN FRANCISCO CA 94121
(415) 387-1904
ssmyers@att.net
For: Center for Energy Efficiency and Renewable Technologies
(CEERT)

Cheryl Ponds
OFFICE OF THE CITY ATTORNEY
276 FOURTH AVENUE
CHULA VISTA CA 91910
(619) 691-5037
cponds@ci.chula-vista.ca.us
For: The City of Chula Vista

Charles Middlekauff
Attorney At Law
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO CA 94120
(415) 973-6971
crmd@pge.com
For: Pacific Gas and Electric Company

Noel Obiora
Legal Division
RM. 4107
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5987
nao@cpuc.ca.gov
For: DRA

William V. Manheim
Attorney At Law
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, ROOM 3025-B30A

Evelyn C. Lee
WILLIAM MANHEIM
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO CA 94120-7442

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

SAN FRANCISCO CA 94105
(415) 973-6628
wvm3@pge.com
For: Pacific Gas and Electric Company

Jordan A. White
Senior Attorney
PACIFICORP
1407 W. NORTH TEMPLE, SUITE 320
SALT LAKE CITY UT 84116
(801) 220-2279
jordan.white@pacificorp.com
For: PacifiCorp

Carol A. Smoots
PERKINS COIE LLP
607 FOURTEENTH STREET, NW, SUITE 800
WASHINGTON DC 20005
(202) 628-6600
csmoots@perkinscoie.com

PILOT POWER GROUP, INC.
8910 UNIVERSITY CENTER LANE, STE 520
SAN DIEGO CA 92122
(858) 678-0118
tdarton@pilotpowergroup.com

Thomas Darton
PILOT POWER GROUP, INC.
8910 UNIVERSITY CENTER LANE, STE 520
SAN DIEGO CA 92122
(858) 627-9577
tdarton@pilotpowergroup.com
For: Pilot Power Group, Inc.

Kim F. Hassan
SAN DIEGO GAS & ELECTRIC COMPANY
101 ASH STREET, HQ-12
SAN DIEGO CA 92101
(619) 699-5006
KHassan@SempraUtilities.com
For: San Diego Gas & Electric

Theresa L. Mueller
DENNIS HERRERA; JEANNE M. SOLE; AUSTIN Y
Chief Energy & Telecommunications Deputy
SAN FRANCISCO CITY ATTORNEY
CITY HALL, ROOM 234
SAN FRANCISCO CA 94102-4682

(415) 973-2786
ECL8@pge.com
For: PACIFIC GAS AND ELECTRIC COMPANY

Thomas Elgie
POWEREX CORPORATION
1400, 666 BURRAND ST
VANCOUVER BC V6C 2X8
CANADA
(604) 891-5000
Tom.Elgie@powerex.com
For: Powerex Corporation

PRAXAIR PLAINFIELD, INC.
2711 CENTERVILLE ROAD, SUITE 400
WILMINGTON DE 19808
rick_noger@praxair.com

David Peck
Division of Ratepayer Advocates
RM. 4103
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1213
dbp@cpuc.ca.gov
For: DRA

Marcelo Poirier
Legal Division
RM. 5025
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2913
mpo@cpuc.ca.gov
For: DRA

Daniel V. Gulino
RIDGEWOOD POWER MANAGEMENT, LLC
947 LINWOOD AVENUE
RIDGEWOOD NJ 07450
(201) 447-9000
dgulino@ridgewoodpower.com
For: RIDGEWOOD POWER MANAGEMENT, LLC

William W. Westerfield Iii
Sr. Attorney - Off. Of Gen. Counsel
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S STREET, M.S. B406, PO BOX 15830
SACRAMENTO CA 95852-1830

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

(415) 554-4640
theresa.mueller@sfgov.org
For: City and County of San Francisco

Michael A. Hyams
Power Enterprise-Regulatory Affairs
SAN FRANCISCO PUBLIC UTILITIES COMM
1155 MARKET ST., 4TH FLOOR
SAN FRANCISCO CA 94103
(415) 554-1513
mhyams@sfgwater.org

David Orth
SAN JOAQUIN VALLEY POWER AUTHORITY
ADMIN OFF @KINGS RIVER CONSERV DISTRICT
4886 EAST JENSEN AVENUE
FRESNO CA 93725
(559) 237-5567
dorth@krcd.org
For: Kings River Conservation District

Aimee M. Smith
SEMPRA ENERGY
101 ASH STREET, HQ12
SAN DIEGO CA 92101
(619) 699-5042
AMSmith@SempraUtilities.com
For: San Diego Gas & Electric Company

Daniel A. King
SEMPRA ENERGY
101 ASH STREET, HQ 12
SAN DIEGO CA 92101
(619) 696-4350
DAKing@SempraUtilities.com
For: Sempra Generation

William V. Walsh
FRANK J. COOLEY, CATHY KARLSTAD
Attorney At Law
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVE.
ROSEMEAD CA 91770
(626) 302-4531

(916) 732-7107
wwester@smud.org
For: SACRAMENTO MUNICIPAL UTILITY DISTRICT

SEMPRA ENERGY SOLUTIONS
101 ASH STREET, HQ09
SAN DIEGO CA 92101-3017
CentralFiles@SempraUtilities.com

Greg Bass
SEMPRA ENERGY SOLUTIONS LLC
401 WEST A STREET, SUITE 500
SAN DIEGO CA 92101
(619) 684-8199
GBass@SempraSolutions.com
For: Sempra Energy Solutions LLC

David R. Branchcomb
SIERRA PACIFIC INDUSTRIES
PO BOX 496028
REDDING CA 96049
(530) 378-8412
dbranchcomb@spi-ind.com
For: Sierra Pacific Industries

SOCAL WATER/BEAR VALLEY ELECTRIC
630 EAST FOOTHILL BLVD.
SAN DIMAS CA 91773
kswitzer@gswater.com

Rhone Resch
SOLAR ENERGY INDUSTRIES ASSOCIATION
805 FIFTEENTH STREET, N.W., SUITE 510
WASHINGTON DC 20005
(202) 682-0556
rresch@seia.org

Cathy A. Karlstad
MICHAEL MONTOYA; J. TEMPLETON
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVE.
ROSEMEAD CA 91770

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

william.v.walsh@sce.com
For: Southern California Edison Company

Dina M. Dubson
STOEL RIVES, LLP
900 SW FIFTH AVENUE, SUITE 2600
PORTLAND OR 97204
(503) 294-9675
dmdubson@stoel.com
For: Wasatch Wind, Inc.

(626) 302-1096
cathy.karlstad@sce.com
For: Southern California Edison Company

Joni A. Templeton
MICHAEL D. MONTOYA
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE, PO BOX 800
ROSEMEAD CA 91770
(626) 302-6210
Joni.Templeton@sce.com
For: Southern California Edison Company

Jp Ross
Vp Strategoc Relationships
SUNGEVITY
1625 SHATTUCK AVE., STE 210
BERKELEY CA 94709
(510) 845-5660 X124
jpross@sungevity.com
For: THE VOTE SOLAR INITIATIVE

Thomas H. Nelson
Attorney
THOMAS H. NELSON & ASSOCIATES
PO BOX 1211
WELCHES OR 97067-1211
(503) 442-9157
nelson@thnelson.com
For: Renewable Energy Coalition

Keith Mccrea
Attorney At Law
SUTHERLAND, ASBILL & BRENNAN
1275 PENNSYLVANIA AVENUE, NW
WASHINGTON DC 20004-2415
(202) 383-0100
keith.mccrea@sablaw.com
For: CA Manufacturers & Technology Assn./L.S. Power
Associates, L.P.

James P. White
JOHN DUNN
TRANSCANADA CORPORATION
4547 RINCON PLACE
MONTCLAIR VA 22025
(703) 680-7774
jim_p_white@transcanada.com
For: Chinook Power Transmission, LLC/Zephyr Power
Transmission, LLC

Donald R. Smith
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1562
dsh@cpuc.ca.gov
For: DRA

Laura Wisland
UNION OF CONCERNED SCIENTISTS
2397 SHATTUCK AVE., SUITE 203
BERKELEY CA 94704
(510) 809-1565
lwisland@ucsusa.org
For: Union of concerned Scientists

Marcel Hawiger
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900

Ken Baker
Sr. Mgr. Sustainable Regulation
WAL-MART STORES, INC.

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

SAN FRANCISCO CA 94104
(415) 929-8876 X311
marcel@turn.org
For: The Utility Reform Network

Joseph A. Abhulimen
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1552
jaa@cpuc.ca.gov

Amy C. Baker
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1691
ab1@cpuc.ca.gov

Traci Bone
Legal Division
RM. 5031
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2048
tbo@cpuc.ca.gov

Jonathan Burrows
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1816
jb9@cpuc.ca.gov

Gary Collord
Stationary Source Division
CALIFORNIA AIR RESOURCES BOARD
1001 I STREET, PO BOX 2815
SACRAMENTO CA 95812
(916) 324-5548
gcollord@arb.ca.gov

Y. Anny Huang
Air Resources Engineer
CALIFORNIA AIR RESOURCES BOARD
1001 I STREET, 7TH FLOOR (MS 7A)
SACRAMENTO CA 95812
(916) 323-8475
ahuang@arb.ca.gov

2001 SE 10TH STREET
BENTONVILLE AR 72716-0550
(479) 204-0404
ken.baker@wal-mart.com
For: Wal-Mart Stores, Inc.

Joseph M. Karp
Attorney At Law
WINSTON & STRAWN LLP
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO CA 94111-5894
(415) 591-1000
jkarp@winston.com
For: California Wind Energy Association, Large-Scale Solar
Association

***** STATE EMPLOYEE *****

Clare Laufenber Gallardo
Strategic Transmission Investmnt Program
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS 17
SACRAMENTO CA 95814
(916) 654-4859
claufenb@energy.state.ca.us

Heather Raitt
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 45
SACRAMENTO CA 95814
(916) 654-4735
hrait@energy.state.ca.us
For: CALIFORNIA ENERGY COMMISSION

Kate Zocchetti
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-45
SACRAMENTO CA 95814
kzocchet@energy.state.ca.us

Lorraine Gonzales
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET MS-45
SACRAMENTO CA 95814
(916) 654-5997
lgonzale@energy.state.ca.us

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

For: CALIFORNIA ENERGY COMMISSION

Holly B. Cronin
State Water Project Operations Div
CALIFORNIA DEPARTMENT OF WATER RESOURCES
3310 EL CAMINO AVE., LL-90
SACRAMENTO CA 95821
(916) 574-0708
hcronin@water.ca.gov

James McMahon
CRA INTERNATIONAL
50 CHURCH ST.
CAMBRIDGE MA 02138
(603) 591-5898
jmcMahon@crai.com
For: California Department of Water Resources

Panama Bartholomy
Advisor To Commissioner Douglas
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS-33
SACRAMENTO CA 95814-5512
(916) 654-4896
pbarthol@energy.state.ca.us

Ross Miller
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET
SACRAMENTO CA 95814
(916) 654-4892
rmiller@energy.state.ca.us

Andrew Campbell
Executive Division
RM. 5203
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2501
agc@cpuc.ca.gov

Susannah Churchill
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3072
sc1@cpuc.ca.gov

Paul Douglas
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 355-5579
psd@cpuc.ca.gov

Dorothy Duda
Administrative Law Judge Division
RM. 5109
505 VAN NESS AVE
San Francisco CA 94102 3298

Gina Barkalow
CALIFORNIA ENERGY COMMISSION (CEC)
1516 NINTH STREET MS-45
SACRAMENTO CA 95814
(916) 654-4057
gbarkalo@energy.state.ca.us

Anne Gillette
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5219
aeg@cpuc.ca.gov

Louis M. Irwin
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1225
lmi@cpuc.ca.gov

Sara M. Kamins
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1388

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

(415) 703-2800
dot@cpuc.ca.gov

Gretchen T. Dumas
Legal Division
RM. 4300
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1210
gtd@cpuc.ca.gov

Julie A. Fitch
Energy Division
RM. 4004
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2059
jf2@cpuc.ca.gov

Burton Mattson
Administrative Law Judge Division
RM. 5104
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2504
bwm@cpuc.ca.gov

Rahmon Momoh
Division of Ratepayer Advocates
RM. 4102
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1725
rmm@cpuc.ca.gov
For: DRA

Candace Morey
Legal Division
RM. 5119
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3211
cjm@cpuc.ca.gov
For: DRA

Kenneth Swain
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DR., SUITE 600
RANCHO CORDOVA CA 95670
(916) 631-3200
kenneth.swain@navigantconsulting.com
For: NAVIGANT CONSULTING, INC.

smk@cpuc.ca.gov

Cheryl Lee
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2167
cnl@cpuc.ca.gov

Meri Levy
Division of Ratepayer Advocates
RM. 4102
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 355-5556
mjh@cpuc.ca.gov

Mark R. Loy
Division of Ratepayer Advocates
RM. 4205
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2268
mrl@cpuc.ca.gov

Jaclyn Marks
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2257
jm3@cpuc.ca.gov

Aniana M. Schwankl
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1990
ams@cpuc.ca.gov

Andrew Schwartz
Executive Division
RM. 5217
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1175
as2@cpuc.ca.gov

Curtis Seymour
Energy Division
AREA 4-A

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Karen P. Paull
Legal Division
RM. 4300
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2630
kpp@cpuc.ca.gov

Nika Rogers
Division of Ratepayer Advocates
RM. 4101
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1529
nlr@cpuc.ca.gov

***** INFORMATION ONLY *****

Ian McGowan
Utility Partnership Manager
3DEGREES
38 KEYES AVENUE, SUITE 300
SAN FRANCISCO CA 94129
(415) 370-6489
imcgowan@3degreesinc.com

Marc D. Joseph
Attorney At Law
ADAMS, BROADWELL, JOSEPH & CARDOZO
601 GATEWAY BLVD., STE. 1000
SOUTH SAN FRANCISCO CA 94080
(650) 589-1660
mdjoseph@adamsbroadwell.com
For: Coalition of California Utility Employees/California Unions
for Reliable Energy

Annie Stange
ALCANTAR & KAHL
1300 SW FIFTH AVE., SUITE 1750
PORTLAND OR 97201
(503) 402-8703
sas@a-klaw.com

Donald Brookhyser
ALCANTAR & KAHL
1300 SW FIFTH AVE., SUITE 1750
PORTLAND OR 97210
(503) 402-8702
deb@a-klaw.com
For: Cogeneration Association of California

505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5404
css@cpuc.ca.gov

Anne E. Simon
Administrative Law Judge Division
RM. 5107
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2014
aes@cpuc.ca.gov

Sean A. Simon
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3791
svn@cpuc.ca.gov

Elizabeth Stoltzfus
Energy Division
AREA 4-A
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5586
eks@cpuc.ca.gov

Mary Jo Stueve
Division of Ratepayer Advocates
RM. 4101
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2673
mjs@cpuc.ca.gov

Todd J. Martin
ALTERNITY WIND POWER, LLC
ONE CRAGWOOD ROAD
SOUTH PLAINFIELD NJ 07080
(908) 791-4825
tmartin@alternitywindpower.com

Lon W. House, Ph.D
ASSOCIATION OF CAL WATER AGENCIES

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Karen Terranova
ALCANTAR & KAHL, LLP
33 NEW MONTGOMERY STREET, SUITE 1850
SAN FRANCISCO CA 94105
(415) 403-5542
filings@a-klaw.com
For: Cogeneration Association of California

R. James Ansell
ALTERNITY WIND POWER
ONE CRAGWOOD ROAD
SOUTH PLAINFIELD NJ 07080
(908) 791-4871
jansell@alternitywindpower.com

Barbara R. Barkovich
BARKOVICH & YAP, INC.
44810 ROSEWOOD TERRACE
MENDOCINO CA 95460
(707) 937-6203
brbarkovich@earthlink.net

Reed V. Schmidt
BARTLE WELLS ASSOCIATES
1889 ALCATRAZ AVENUE
BERKELEY CA 94703-2714
(510) 653-3399 X111
rschmidt@bartlewells.com

Olga Beznosova
BC TRANSMISSION CORPORATON
1100-1055 DUNSMUIR STREET
VANCOUVER BC V7X 1V5
CANADA
(604) 699-7465
olga.beznosova@bctc.com

Peter T. Pearson
Energy Supply Specialist
BEAR VALLEY ELECTRIC SERVICE
42020 GARSTIN DRIVE, PO BOX 1547
BIG BEAR LAKE CA 92315-1547
(909) 866-4678 X186
peter.pearson@bves.com

4901 FLYING C RD.
CAMERON PARK CA 95682
(530) 676-8956
lwhouse@innercite.com

Philippe Auclair
11 RUSSELL COURT
WALNUT CREEK CA 94598
(925) 588-9109
philha@astound.net

Carl Steen
BAKER & HOSTETLER LLP
600 ANTON BLVD., SUITE 900
COSTA MESA CA 92626
(714) 966-8803
csteen@bakerlaw.com
For: BAKER & HOSTETLER LLP

Roger Lee
BAKER & HOSTETLER LLP
600 ANTON BLVD., SUITE 900
COSTA MESA CA 92626
(714) 966-8811
rblee@bakerlaw.com
For: BAKER & HOSTETLER LLP

Darin Lowder
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
601 13TH STREET, NW, STE. 1000S
WASHINGTON DC 20005
(202) 661-7631

Steven S. Schleimer
Director, Compliance & Regulatory Affairs
BARCLAYS BANK, PLC
200 PARK AVENUE, FIFTH FLOOR
NEW YORK NY 10166
steven.schleimer@barclayscapital.com

Bruce McLaughlin
Attorney At Law
BRAUN & BLAISING, P.C.
915 L STREET SUITE 1270
SACRAMENTO CA 95814
(916) 326-5812
mclaughlin@braunlegal.com

Scott Blaising
BRAUN BLAISING MCLAUGHLIN, P.C.

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Ryan Wiser
BERKELEY LAB
1 CYCLOTRON ROAD, MS-90-4000
BERKELEY CA 94720
(510) 486-5474
rhwiser@lbl.gov
For: BERKELEY LAB

Ryan Pletka
Renewable Energy Project Manager
BLACK & VEATCH
2999 OAK ROAD, SUITE 490
WALNUT CREEK CA 94597
(925) 949-5929
pletkarj@bv.com
For: BLACK & VEATCH

Mark Chediak
BLOOMBERG NEWS
3 PIER 101
SAN FRANCISCO CA 94111
mchediak@bloomberg.net

915 L STREET, SUITE 1270
SACRAMENTO CA 95814
(916) 682-9702
blaising@braunlegal.com

Ryan Bernardo
BRAUN BLAISING MCLAUGHLIN, P.C.
915 L STREET, SUITE 1270
SACRAMENTO CA 95814
(916) 912-4432
bernardo@braunlegal.com

Clare Breidenich
4202 ASHWORTH AVE. N
SEATTLE WA 98103-7514
(206) 829-9193
cbreidenich@yahoo.com

Arthur L. Haubenstock
BRIGHTSOURCE ENERGY, INC.
1999 HARRISON STREET, SUITE 2150
OAKLAND CA 94612
(510) 250-8150
ahaubenstock@brightsourceenergy.com

Dan Adler
Director, Tech And Policy Development
CALIFORNIA CLEAN ENERGY FUND
5 THIRD STREET, SUITE 1125
SAN FRANCISCO CA 94103
(415) 957-0167
Dan.adler@calcef.org

Mohan Niroula
CALIF DEPT OF WATER RESOURCES
RESOURCE ADEQUACY SECTION
3310 EL CAMINO AVENUE, STE 256
SACRAMENTO CA 95821
(916) 574-0712
mniroula@water.ca.gov

Beth Vaughan
CALIFORNIA COGENERATION COUNCIL
4391 N. MARSH ELDER COURT
CONCORD CA 94521
(925) 408-5142
beth@beth411.com

Tom Pomales
CALIFORNIA AIR RESOURCES BOARD
1001 I STREET
SACRAMENTO CA 95812
(916) 322-2052
tpomales@arb.ca.gov

Hilary Corrigan
CALIFORNIA ENERGY MARKETS
425 DIVISADERO ST. SUITE 303
SAN FRANCISCO CA 94117-2242
(415) 963-4439
cem@newsdata.com

Karen Lindh
CALIFORNIA ONSITE GENERATION
7909 WALERGA ROAD, NO. 112, PMB 119
ANTELOPE CA 95843
(916) 729-1562
karen@klindh.com

***** SERVICE LIST *****

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R0602012 LIST

For: CALIFORNIA ENERGY MARKETS

Legal And Regulatory Department
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM CA 95630
e-recipient@caiso.com
For: CALIFORNIA ISO

Baldassaro Dicapò
CALIFORNIA ISO
LEGAL AND REGULATORY DEPARTMENT
151 BLUE RAVINE ROAD
FOLSOM CA 95630
bdicapò@caiso.com
For: California Independent System Operators

Grant A. Rosenblum
Staff Counsel
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM CA 95630
(916) 608-7138
groosenblum@caiso.com
For: CALIFORNIA ISO

Claire E. Torchia
CHADBOURNE & PARKE LLP
350 SOUTH GRAND AVE., STE 3300
LOS ANGELES CA 90071
(213) 892-2105
ctorchia@chadbourne.com

Lisa Yoho
CITIGROUP ENERGY, INC.
2800 POST OAK BLVD., STE. 500
HOUSTON TX 77056
(713) 752-5004
lisa.yoho@citi.com
For: Citigroup Energy, Inc.

Peter Blood
COLUMBIA ENERGY PARTNERS, LLC
317 COLUMBIA STREET

Sarah Beserra
CALIFORNIA REPORTS.COM
39 CASTLE HILL COURT
VALLEJO CA 94591
(707) 645-7361
sbeserra@sbcglobal.net

Sue Kateley
Executive Director
CALIFORNIA SOLAR ENERGY INDUSTRIES ASSN
PO BOX 782
RIO VISTA CA 94571
(916) 747-6987
info@calseia.org
For: California Solar Energy Industries Association

Nancy Rader
Executive Director
CALIFORNIA WIND ENERGY ASSOCIATION
2560 NINTH STREET, SUITE 213A
BERKELEY CA 94710
(510) 845-5077
nrader@calwea.org

Danielle Matthews Seperas
CALPINE CORPORATION
1215 K STREET, SUITE 2210
SACRAMENTO CA 95814-3978
(916) 491-3377
dseperas@calpine.com

Venkat Suravarapu
Associates Director
CAMBRIDGE ENERGY RESEARCH ASSOCIATES
1150 CONNECTICUT AVE., NW STE 400
WASHINGTON DC 20036-4133
(202) 857-5177
vsuravarapu@cera.com
For: CAMBRIDGE ENERGY RESEARCH ASSOCIATES

Justin Felt
CARBON PROJECT MANAGER NORTH AMERICA
EMAIL ONLY
EMAIL ONLY DC 00000
(202) 289-3930 X234
jff@pointcarbon.com

Tony Chen
Sr. Manger, Business Devel.

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

VANCOUVER WA 98660
(503) 720-4064
pblood@columbiaenergypartners.com

Melanie Falls
COMPETITIVE POWER VENTURES, INC.
55 SECOND STREET, SUITE 525
SAN FRANCISCO CA 94105
(415) 293-1460

Cynthia Fonner Brady
Senior Counsel
CONSTELLATION NEW ENERGY, INC.
500 WEST WASHINGTON BLVD., STE 300
CHICAGO IL 60661
(312) 704-8518
For: Constellation NewEnergy, Inc.

Clyde Murley
CONSULTANT TO NRDC
1031 ORDWAY STREET
ALBANY CA 94706
(510) 528-8953
clyde.murley@comcast.net
For: The Union of Concerned Scientists

COOL EARTH SOLAR
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(925) 454-8506
mpr-ca@coolearthsolar.com
For: Cool Earth Solar

Ann L. Trowbridge
DAY CARTER & MURPHY LLP
3620 AMERICAN RIVER DRIVE, SUITE 205
SACRAMENTO CA 95864
(916) 570-2500 X-103
atrowbridge@daycartermurphy.com

Derek Denniston
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(415) 786-3773
Derek@AltaPowerGroup.com

Balwant S. Purewal
DEPARTMENT OF WATER RESOURCES
3310 EL CAMINO AVE., LL-90
SACRAMENTO CA 95821

COOL EARTH SOLAR
4659 LAS POSITAS RD., STE. 94551
LIVERMORE CA 94551
(925) 454-8506
For: COOL EARTH SOLAR

Graig Cooper
55 2ND STREET, SUITE 525
SAN FRANCISCO CA 94105
(415) 293-1467
gcooper@cpv.com

Docket Coordinator
5727 KEITH ST.
OAKLAND CA 94618
(510) 597-1798
cpucdockets@keyesandfox.com

Janine L. Scancarelli
Attorney At Law
CROWELL & MORING LLP
275 BATTERY STREET, 23RD FLOOR
SAN FRANCISCO CA 94111
(415) 986-2800
jscancarelli@crowell.com

Judy Pau
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6587
judypau@dwt.com

Robert B. Gex
Attorney At Law,
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6500
bobbex@dwt.com

Steven F. Greenwald
MARK J. FUMIA; VIDHYA PRABHAKARAN
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111
(415) 276-6500
stevegreenwald@dwt.com

Donald C. Liddell

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

(916) 574-0668
bpurewal@water.ca.gov
For: DEPARTMENT OF WATER RESOURCES

Douglas M. Grandy, P.E.
California Onsite Generation
DG TECHNOLOGIES
1220 MACAULAY CIRCLE
CARMICHAEL CA 95608
(916) 871-2432
dgrandy@caonsitegen.com
For: California Onsite Generation

Chad Dickason
PO BOX 4646
INCLINE VILLAGE NV 89450
chad_dickason@soleonenergy.com

Mark L. Perlis
DICKSTEIN SHAPIRO LLP
1825 EYE STREET, NW
WASHINGTON DC 20006
(202) 420-4703
perlism@dicksteinshapiro.com

William F. Dietrich
Attorney At Law
DIETRICH LAW
2977 YGNACIO VALLEY ROAD, NO. 613
WALNUT CREEK CA 94598-3535
(415) 297-2356
dietrichlaw2@earthlink.net

Jeffrey Harris
Attorney At Law
ELLISON & SCHNEIDER
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905
(916) 447-2166
jdh@eslawfirm.com
For: Dynegy

Jedediah J. Gibson
Attorney At Law
ELLISON SCHNEIDER & HARRIS LLP
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905

DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO CA 92103
(619) 993-9096
liddell@energyattorney.com

Cassandra Sweet
DOW JONES NEWSWIRES
201 CALIFORNIA ST., 13TH FLOOR
SAN FRANCISCO CA 94111
(415) 439-6468
cassandra.sweet@dowjones.com

Michael Mann
DTE BIOMASS ENERGY
425 S. MAIN STREET
ANN ARBOR MI 48104
(734) 913-2977
mannm@dteenergy.com

Joseph Paul
Senior Corporate Counsel
DYNEGY-WEST GENERATION
1000 LOUISIANA STREET, STE. 5800
HOUSTON TX 77002
(713) 767-0064
joe.paul@dynegy.com
For: Dynegy

Ramona Gonzalez
EAST BAY MUNICIPAL UTILITY DISTRICT
375 ELEVENTH STREET, M/S NO. 205
OAKLAND CA 94607
(510) 287-1619
ramonag@ebmud.com

Stephen Hess
Director, Market Policy & Reg. Affairs
EDISON MISSION MARKETING & TRADING INC.
18101 VON KARMAN AVE, STE. 1700
IRVINE CA 92612-1046
(949) 798-7833
shess@edisonmission.com

Roy D. McCoy
Manager, Regulatory Support & Reporting
ELECTRIC RELIABILITY COUNCIL OF TEXAS
2705 W. LAKE DRIVE
TAYLOR TX 76574
(512) 248-3131
rmccoy@ercot.com

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

(916) 447-2166
jjg@eslawfirm.com
For: Sierra Pacific Power Company

Brian S. Biering
ELLISON SCHNEIDER & HARRIS, LLP
2600 CAPITOL AVENUE, SUITE 400
SACRAMENTO CA 95816-5905
(916) 447-2166
bsb@eslawfirm.com

Snuller Price
ENERGY AND ENVIRONMENTAL ECONOMICS
101 MONTGOMERY, SUITE 1600
SAN FRANCISCO CA 94104
(415) 391-5100
snuller@ethree.com
For: ENERGY AND ENVIRONMENTAL ECONOMICS

Kevin J. Simonsen
ENERGY MANAGEMENT SERVICES
646 EAST THIRD AVENUE
DURANGO CO 81301
(970) 259-1748
kjsimonsen@ems-ca.com

Jennifer Holmes
ENERGY MARKET INNOVATIONS INC.
83 COLUMBIA STREET, SUITE 303
SEATTLE WA 98104
(206) 621-1160
jholmes@emi1.com

Anupama Vege
FIRST WIND
2 SHAW ALLEY, SUITE 500
SAN FRANCISCO CA 94105
(415) 671-4445
avege@firstwind.com

Barry H. Epstein
FITZGERALD, ABBOTT & BEARDSLEY, LLP
1221 BROADWAY, 21ST FLOOR
OAKLAND CA 94612
(510) 451-3300
bepstein@fablaw.com
For: FITZGERALD, ABBOTT & BEARDSLEY, LLP

Dan Perkins
ENERGYSMARTHOMES.NET
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(760) 639-0945
dan@energysmarthomes.net

Douglas E. Cover
ENVIRONMENTAL SCIENCE ASSOCIATES
225 BUSH STREET, SUITE 1700
SAN FRANCISCO CA 94104
(415) 896-5900
dcover@esassoc.com

Bill Mason
Senior Asset Administrator
ENXCO, INC.
PO BOX 581043
N. PALM SPRINGS CA 92258
(760) 329-1437 X-108
billm@enxco.com

Katherine Ryzhaya
EVOLUTION MARKETS
101 CALIFORNIA ST., STE. 2750
SAN FRANCISCO CA 94111-5802
(415) 963-9120
katherine@evomarkets.com

Nicole Finerty
EVOLUTION MARKETS, LLC
101 CALIFORNIA STREET, SUITE 2750
SAN FRANCISCO CA 94111-5802
(415) 963-9120
nfinerty@evomarkets.com

Rafi Hassan
Senior Research Associate
FBR CAPITAL MARKETS
1950 EMBARACADERO FOUR
SAN FRANCISCO CA 94111
(415) 248-2932
rhassan@fbr.com

Saeed Farrokhpay
FEDERAL ENERGY REGULATORY COMMISSION
110 BLUE RAVINE RD., SUITE 107
FOLSOM CA 95630
(916) 294-0322
saeed.farrokhpay@ferc.gov

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Thomas Hobson
GE ENERGY
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(909) 477-5707
thomase.hobson@ge.com

Rich Lauckhart
GLOBAL ENERGY
SUITE 200
2379 GATEWAY OAKS DR.
SACRAMENTO CA 95833
(916) 569-0985

Ronald Moore
GOLDEN STATE WATER/BEAR VALLEY ELECTRIC
630 EAST FOOTHILL BOULEVARD
SAN DIMAS CA 91773
(909) 394-3600 X 682
rkmoore@gswater.com

Diarmuid McGarry
GREENWOOD ENVIRONMENTAL
330 TOWNSEND ST. SUITE 118
SAN FRANCISCO CA 94107
(415) 541-9653
diarmuid@greenwoodenv.com
For: GREENWOOD ENVIRONMENTAL

Mary Anne Sullivan
HAGAN & HARTSON, LLP
555 THIRTEENTH STREET, NW
WASHINGTON DC 20006
(202) 637-3695
MASullivan@hhlaw.com

Alex Kang
ITRON, INC.
1111 BROADWAY, STE. 1800
OAKLAND CA 94607
(510) 844-2800
alex.kang@itron.com

Todd Jaffe
Energy Business Brokers And Consultants
3420 KEYSER ROAD
BALTIMORE MD 21208

Lily M. Mitchell
HANNA AND MORTON LLP
444 SOUTH FLOWER ST., STE. 1500
LOS ANGELES CA 90071-2916
(213) 430-2509
lmitchell@hanmor.com
For: Southern California Public Power Authority

Martin Homec
PO BOX 4471
DAVIS CA 95617
(530) 867-1850
martinhomec@gmail.com

Tam Hunt
HUNT CONSULTING
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(805) 963-0583 X 122
tam.hunt@gmail.com
For: Community Environmental Council

Tauna M. Szymanski
HUNTON & WILLIAMS LLP
1900 K STREET, NW, SUITE 1200
WASHINGTON DC 20006
(202) 955-1949
tszymanski@hunton.com

Amber Riesenhuber
Energy Analyst
INDEPENDENT ENERGY PRODUCERS ASSOC.
1215 K STREET, SUITE 900
SACRAMENTO CA 95814
(916) 448-9499
amber@iepa.com

Peter Brehm
INFINIA CORPORATION
6811 OKANOGAN PLACE
KENNEWICK WA 99336
(509) 737-2199
pbrehm@infiniacorp.com

Michael J. Gilmore
INLAND ENERGY
SOUTH TOWER SUITE 606
3501 JAMBOREE RD

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

(410) 602-2589
tjaffe@energybusinessconsultants.com

Nellie Tong
Senior Analyst
KEMA, INC.
492 NINTH STREET, SUITE 220
OAKLAND CA 94607
(510) 891-0446
nellie.tong@us.kema.com

Kevin Fox
KEYES & FOX LLP
5727 KEITH AVENUE
OAKLAND CA 94618
(510) 381-3052
kfox@keyesandfox.com

Robin A. Rego
General Manager
LAKEVIEW LIGHT & POWER
11509 BRIDGEPORT WAY, S.W.
LAKEWOOD WA 98499-3041
(253) 584-6060
rarego@lakeviewlight.com
For: Lakeview Light & Power

Timothy Castille
LANDS ENERGY CONSULTING, INC.
18109 SE 42ND STREET
VANCOUVER WA 98683
(360) 885-4567
castille@landsenergy.com

Elizabeth Blase
LATHAM & WATKINS LLP
505 MONTGOMERY STREET, SUITE 2000
SAN FRANCISCO CA 94111
(415) 391-0600
elizabeth.blase@lw.com

Richard Mccann
M.CUBED
2655 PORTAGE BAY ROAD, SUITE 3
DAVIS CA 95616
(530) 757-6363
rmccann@umich.edu

Jack Mcnamara
Attorney At Law

NEWPORT BEACH CA 92660
(949) 856-2200
michaelgilmore@inlandenergy.com

Gerald T. Robinson
LAWRENCE BERKLEY NATIONAL LABS
ONE CYCLOTRON ROAD
BERKLEY CA 94720
(510) 486-5769
gtrobinson@lbl.gov

Lynn M. Alexander
LMA CONSULTING
129 REDWOOD AVENUE
CORTE MADERA CA 94925
(415) 945-9938
lynn@lmaconsulting.com

G. Patrick Stoner
Program Director
LOCAL GOVERNMENT COMMISSION
1303 J STREET, SUITE 250
SACRAMENTO CA 95814
(916) 448-1198 X 309
pstoner@lgc.org

Paul Fenn
LOCAL POWER
35 GROVE STREET
SAN FRANCISCO CA 94102
(510) 451-1727
paulfenn@local.org

Elizabeth Douglass
Staff Writer
LOS ANGELES TIMES
202 WEST FIRST STREET
LOS ANGELES CA 90012
(213) 237-5799

John R. Lowe
Consultant
12050 SW TREMONT STREET
PORTLAND OR 97225
(503) 372-6909
jravenesanmarcos@yahoo.com
For: Renewable Energy Coalition

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

MACK ENERGY COMPANY
PO BOX 1380
AGOURA HILLS CA 91376-1380
(818) 865-8515
jackmack@suesec.com

Allison Heaton
MACQUARIE ENERGY LLC
500 DALLAS STREET, LEVEL 31
HOUSTON TX 77002
(713) 275-6125
allison.heaton@macquarie.com

Christi Nicolay
MACQUARIE ENERGY LLC
500 DALLAS STREET, LEVEL 31
HOUSTON TX 77002
(713) 275-6126
christi.nicolay@macquarie.com

Andre Templeman
MACQUARIE ENERGY, LLC
500 DALLAS STREET, LEVEL 31
HOUSTON TX 77002
(713) 275-6138
andre.templeman@macquarie.com

Tara S. Kaushik
MANATT, PHELPS & PHILLIPS, LLP
ONE EMBARCADERO CENTER, 30TH FLOOR
SAN FRANCISCO CA 94111
(415) 291-7409
tkaushik@manatt.com

C. Susie Berlin
Attorney At Law
MCCARTHY & BERLIN LLP
100 W. SAN FERNANDO ST., SUITE 501
SAN JOSE CA 95113
(408) 288-2080
sberlin@mccarthylaw.com

Joy A. Warren
Regulatory Administrator
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO CA 95354
(209) 526-7389
joyw@mid.org

Cynthia Wooten
LUMENX CONSULTING, INC.
1126 DELAWARE STREET
BERKELEY CA 94702
(510) 525-6309
cwooten@lumenxconsulting.com

Michael McDonald
1103 TIMBERPINE COURT
SUNNYVALE CA 94086
(408) 712-5689
michael.mcdonald@ieee.org

Mark Mcewan
President
MCEWAN ENTERPRISES
PO BOX 910
VISTA CA 92085
(760) 505-6873
mtmcewan@gmail.com
For: McEwan Enterprises

Cathy S. Woollums
MIDAMERICAN ENERGY HOLDINGS COMPANY
106 EAST SECOND STREET
DAVENPORT IA 52801
(563) 333-8009
cswoollums@midamerican.com

William Fisher
MILLER & NASH
111 SOUTH WEST AVE. SUITE 3400
PORTLAND OR 97204
(503) 205-2525

Wes Miller
350 BRYANT STREET
MOUNTAIN VIEW CA 94041
(650) 968-8816
wes658@gmail.com

Sean P. Beatty
Sr. Mgr. External & Regulatory Affairs
MIRANT CALIFORNIA, LLC
696 WEST 10TH ST., PO BOX 192
PITTSBURG CA 94565
(925) 427-3483
sean.beatty@mirant.com

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Thomas S Kimball
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO CA 95352-4060
(209) 557-1510
tomk@mid.org

Peter W. Hanschen
Attorney At Law
MORRISON & FOERSTER, LLP
101 YGNACIO VALLEY ROAD, SUITE 450
WALNUT CREEK CA 94596
(925) 295-3450
phanschen@mofo.com

Whitney Bardwick
MP2 CAPITAL
1101 5TH AVENUE, SUITE 360
SAN RAFAEL CA 94901
(415) 457-5911

Brad Bauer
MP2CAPITAL
1101 FIFTH AVENUE, SUITE 360
SAN RAFAEL CA 94901
(415) 457-5911
brad@mp2capital.com

Michael Laine
MP2CAPITAL
1101 5TH AVENUE, STE. 360
SAN RAFAEL CA 94901
(415) 457-5911
michael@mp2capital.com

MRW & ASSOCIATES, LLC
EMAIL ONLY
EMAIL ONLY CA 00000
(510) 834-1999
mrw@mrwassoc.com

Noah Long
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO CA 94104
(415) 875-6100

David Olivares
Electric Resource
MODESTO IRRIGATION DISTRICT
PO BOX 4060
MODESTO CA 95352
davido@mid.org
For: Electric Resource Planning and Development Modesto
Irrigation District

Jeffrey Rehfeld
NATURENER USA, LLC
394 PACIFIC AVENUE, SUITE 300
SAN FRANCISCO CA 94111
(415) 217-5500
jrehfeld@naturener.net

David Oliver
NAVIGANT CONSULTING
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670
(916) 631-3209
david.oliver@navigantconsulting.com

Timea Zentai
NAVIGANT CONSULTING
1990 NORTH CALIFORNIA AVE., SUITE 700
WALNUT CREEK CA 94596
(925) 935-0270
timea.Zentai@navigantconsulting.com

Erin Ranslow
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670-6078
(916) 631-3200
cpucrulings@navigantconsulting.com

Fred Wellington
NAVIGANT CONSULTING, INC.
1 MARKET ST., SPEAR ST. TOWER, STE 1200
SAN FRANCISCO CA 94105
(415) 356-7132
fred.wellington@navigantconsulting.com

Jennifer Barnes
NAVIGANT CONSULTING, INC.
1 MARKET ST., SPEAR ST. TWR., STE. 1200
SAN FRANCISCO CA 94105
(925) 935-0270

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

nlong@nrdc.org

Laurie Park
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670-6078
(916) 631-3200
lpark@navigantconsulting.com
For: NAVIGANT CONSULTING, INC.

Paul D. Maxwell
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670-6078
(916) 631-2300
pmaxwell@navigantconsulting.com

Kerry Hattevik
Director Of Reg. And Market Affairs
NEXTERA ENERGY
829 ARLINGTON BLVD.
EL CERRITO CA 94530
(510) 898-1847
kerry.hattevik@nexteraenergy.com

Diane I. Fellman
Director, Regulatory & Market Affairs
NRG WEST
73 DOWNEY STREET
SAN FRANCISCO CA 94117
(415) 665-3824
Diane.Fellman@nrgenergy.com

Christopher A. Hilen
NV ENERGY
6100 NEIL ROAD, MS A35
RENO NV 89511
(775) 834-5696
chilen@NVEnergy.com

Taryn Ciardella
Sr. Legal Secretary
NV ENERGY
EMAIL ONLY
EMAIL ONLY NV 00000
(775) 834-4347
tciardella@nvenergy.com

Harold M. Romanowitz
OAK CREEK ENERGY SYSTEMS, INC.
14633 WILLOW SPRINGS ROAD

Jennifer.Barnes@Navigantconsulting.com

Kirby Dusel
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA CA 95670
(916) 834-0684
kdusel@navigantconsulting.com
For: San Joaquin Valley Power Authority

Valerie Winn
Project Manager
PACIFIC GAS & ELECTRIC
245 MARKET STREET, MC N12G
SAN FRANCISCO CA 94105
(415) 973-3839
vjw3@pge.com

Andrew L. Harris
PACIFIC GAS & ELECTRIC COMPANY
PO BOX 770000 MAIL CODE B9A
SAN FRANCISCO CA 94177
(415) 973-1596
alho@pge.com

Alyssa T. Koo
Attorney At Law
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B30A / PO BOX 7442
SAN FRANCISCO CA 94120
(415) 973-3386
atk4@pge.com

Case Coordination
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000; MC B9A
SAN FRANCISCO CA 94177
(415) 973-4744
regrelcpucases@pge.com

Cory M. Mason
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MC B30A
SAN FRANCISCO CA 94105-1814
(415) 973-2320
cmmw@pge.com
For: Pacific Gas and Electric Company

Ed Lucha
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE B9A

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

MOJAVE CA 93501
(661) 822-6853
hal@rwitz.net
For: OAK CREEK ENERGY SYSTEMS, INC.

Grady Mathai-Jackson
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B30A
SAN FRANCISCO CA 94105
(415) 973-3744
MGML@pge.com

Matt Gonzales
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE B9A
SAN FRANCISCO CA 94177
MRGG@pge.com

Niels Kjellund
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MAIL CODE B9A
SAN FRANCISCO CA 94105-1814
(415) 973-7512
nxk2@pge.com

Regulatory File Room
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B30A / PO BOX 7442
SAN FRANCISCO CA 94105
(415) 973-4295
cpuccases@pge.com

Shaun Halverson
PACIFIC GAS AND ELECTRIC COMPANY
PG&E MAIL CODE B9A
PO BOX 770000
SAN FRANCISCO CA 94177
SEHC@pge.com
For: PACIFIC GAS AND ELECTRIC COMPANY

David Saul
PACIFIC SOLAR & POWER CORPORATION
2850 W. HORIZON RIDGE PKWY, SUITE 200
HENDERSON NV 89052
(702) 289-4361
dsaul@pacificsolar.net
For: Pacific Solar & Power Corporation

Mark Tucker

SAN FRANCISCO CA 94177
(415) 973-3872
ELL5@pge.com

Grace Livingston-Nunley
Assistant Project Manager
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000 MAIL CODE B9A
SAN FRANCISCO CA 94177
(415) 973-4304
GXL2@pge.com

Jason Payne
5450 MAYME AVE 23
SAN JOSE CA 95129
(408) 338-7771
jrobertpayne@gmail.com

Brooke Reilly
PG & E
PO BOX 770000, MAIL CODE B9A
SAN FRANCISCO CA 94177
bari@pge.com

Maggie Chan
PG&E
MAILCODE B9A
PO BOX 770000
SAN FRANCISCO CA 94177
MMCL@pge.com

Cindy L. Casselman
PILOT POWER GROUP, INC.
8910 UNIVERSITY CENTER LANE, SUITE 520
SAN DEIGO CA 92122
(858) 678-0118
ccasselman@pilotpowergroup.com

Lisa Weinzimer
PLATTS MCGRAW-HILL
695 NINTH AVENUE, NO. 2
SAN FRANCISCO CA 94118
(415) 387-1025
lisa_weinzimer@platts.com

Rick C. Noger
PRAXAIR, INC.
2430 CAMINO RAMON DRIVE, STE. 300
SAN RAMON CA 94583
(925) 866-6809
rick_noger@praxair.com

Richard W. Raushenbush

***** SERVICE LIST *****

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R0602012 LIST

PACIFICORP
825 NE MULTNOMAH, SUITE 2000
PORTLAND OR 97232
(503) 813-5269
californiadockets@pacificorp.com

Donald Schoenbeck
RCS, INC.
900 WASHINGTON STREET, SUITE 780
VANCOUVER WA 98660
(360) 737-3877
dws@r-c-s-inc.com
For: CAC

Andre Devilbiss
Associate, Development
RECURRENT ENERGY
300 CALIFORNIA STREET, 8TH FLOOR
SAN FRANCISCO CA 94104
(415) 501-9521
andre.devilbiss@recurrentenergy.com

Jim Howell
RECURRENT ENERGY
300 CALIFORNIA ST., 8TH FLOOR
SAN FRANCISCO CA 94104
(415) 501-9414
jim.howell@recurrentenergy.com

Luke Dunnington
Associate, Development
RECURRENT ENERGY
300 CALIFORNIA STREET, 8TH FL
SAN FRANCISCO CA 94104
(415) 501-9529
luke.dunnington@recurrentenergy.com

Arno Harris
RECURRENT ENERGY, INC.
1700 MONTGOMERY ST., SUITE 251
SAN FRANCISCO CA 94111
(415) 298-7096
arno@recurrentenergy.com

Elizabeth W. Hadley
Resource Planner
REDDING ELECTRIC UTILITY
777 CYPRESS AVENUE
REDDING CA 96001
(530) 339-7321
ehadley@reupower.com

EMAIL ONLY
EMAIL ONLY CA 00000-0000
(415) 518-7887
r.raushenbush@comcast.net

Harry Singh
RBS SEMPRA COMMODITIES
600 WASHINGTON BLVD
STAMFORD CT 06901
(203) 355-5571
Harry.Singh@RBSSempra.com

Art Rivera
RENEWABLE TECHCOM
10243 ELLENWOOD AVE
SACRAMENTO CA 95827
(916) 469-9917
artrivera@comcast.net

Tobin Richardson
RICHARDSON GROUP
1416 VIGO COURT
DAVIS CA 95618
(916) 801-5810
tobinjmr@sbcglobal.net

William P. Short
RIDGEWOOD POWER MANAGEMENT, LLC
947 LINWOOD AVENUE
RIDGEWOOD NJ 07450
(201) 447-9000
For: RIDGEWOOD POWER MANAGEMENT, LLC

Sue Mara
RTO ADVISORS, LLC
164 SPRINGDALE WAY
REDWOOD CITY CA 94062
(415) 902-4108
sue.mara@rtoadvisors.com

Bud Beebe
Regulatory Affairs Coordinator
SACRAMENTO MUNICIPAL UTILITY DIST
6201 S STREET, MS B257
SACRAMENTO CA 95817-1899
(916) 732-5254
bbeebe@smud.org
For: Advanced, Renewable, & Distributed Generation
Technology

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

Jason Abiecunas
Black & Beatch Global Renewable Energy
RENEWABLE ENERGY CONSULTANT
11401 LAMAR
OVERLAND PARK KS 66211
(913) 458-2114
abiecunasjp@bv.com
For: RENEWABLE ENERGY CONSULTANT

Michael Deangelis
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S STREET
SACRAMENTO CA 95817-1899
(916) 732-6589
mdeange@smud.org
For: SACRAMENTO MUNICIPAL UTILITY DISTRICT

Obadiah Bartholomy
Mechanical Engineer
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S. STREET, M.S. B257
SACRAMENTO CA 95817
(916) 732-6835
obartho@smud.org

Rob Roth
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S STREET MS 75
SACRAMENTO CA 95817
(916) 732-6131
rroth@smud.org
For: SACRAMENTO MUNICIPAL UTILITY DISTRICT

Vikki Wood
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6301 S STREET, MS A204
SACRAMENTO CA 95817-1899
(916) 732-6278
vwood@smud.org

Hannon Rasool
SAN DIEGO GAS & ELECTRIC
8330 CENTURY PARK CT.
SAN DIEGO CA 92123
(858) 654-1590
HRasool@SemptraUtilities.com

Arlen Orchard
Attorney At Law
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S STREET, M.S. B406
SACRAMENTO CA 95817-1899
(916) 732-5830
aorchar@smud.org

Elaine Sison-Lebrilla
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6201 S STREET
SACRAMENTO CA 95817
(916) 732-7017
esison@smud.org

Central Files
SAN DIEGO GAS AND ELECTRIC COMPANY
8330 CENTURY PARK COURT, CP31-E
SAN DIEGO CA 92123
(858) 654-1148
CentralFiles@SemptraUtilities.com
For: SAN DIEGO GAS & ELECTRIC

Despina Niehaus
SAN DIEGO GAS AND ELECTRIC COMPANY
8330 CENTURY PARK COURT, CP32H
SAN DIEGO CA 92123-1530
(858) 654-1714
DNiehaus@SemptraUtilities.com

Sandra Rovetti
Regulatory Affairs Manager
SAN FRANCISCO PUC
1155 MARKET STREET, 4TH FLOOR
SAN FRANCISCO CA 94103
(415) 554-3179
srovetti@sfgwater.org

Shani Kleinhaus
SANTA CLARA VALLEY AUDUBON SOCIETY
22221 MCLELLAN ROAD
CUPERTINO CA 95014
(408) 252-3747
shani@scvas.org

Thomas P. Corr
SEMPRA ENERGY GLOBAL ENTERPRISES
101 ASH STREET, HQ16C
SAN DIEGO CA 92101
(619) 696-4246
TCorr@SemptraGlobal.com

***** SERVICE LIST *****

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R0602012 LIST

Jennifer Wright
SAN DIEGO GAS & ELECTRIC CO.
8330 CENTURY PARK CT
SAN DIEGO CA 92123
(858) 654-1891
JWright@SempraUtilities.com
For: SAN DIEGO GAS & ELECTRIC

Billy Blattner
SAN DIEGO GAS & ELECTRIC COMPANY
EMAIL ONLY
EMAIL ONLY CA 00000
(415) 202-9986
WBlattner@SempraUtilities.com
For: SDG&E/SoCal Gas

Douglas Brooks
Nevada Power Company
SIERRA PACIFIC POWER COMPANY
6226 WEST SAHARA AVENUE
LAS VEGAS NV 89151
(702) 402-5697
dbrooks@nvenergy.com

Elena Mello
SIERRA PACIFIC POWER COMPANY
6100 NEIL RD.
RENO NV 89511
(775) 834-5696
emello@sppc.com

Trevor Dillard
SIERRA PACIFIC POWER COMPANY
6100 NEIL ROAD, MS S4A50 / PO BOX 10100
RENO NV 89520-0024
(775) 834-5894
tdillard@sppc.com

Eric Cherniss
SOLARGEN ENERGY
20400 STEVENS CREEK BLVD, SUITE 700
CUPERTINO CA 95014
(408) 460-8200
eric.cherniss@gmail.com

Janet M. Gagnon
SOLARWORLD CALIFORNIA
4650 ADOHR LANE
CAMARILLO CA 93012
(805) 388-6550

Daniel M. Hecht
Associate General Counsel
SEMPRA ENERGY TRADING CORP.
58 COMMERCE ROAD
STANFORD CT 06902
(203) 355-5417
DHecht@sempraTrading.com

Marcie Milner
SHELL ENERGY NORTH AMERICA
4445 EASTGATE MALL, SUITE 100
SAN DIEGO CA 92121
(858) 526-2106
marcie.milner@shell.com
For: CORAL POWER LLC

Case Administration
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
(626) 302-4875
case.admin@sce.com
For: SOUTHERN CALIFORNIA EDISON COMPANY

Melissa P. Martin
STATESIDE ASSOCIATES
EMAIL ONLY
EMAIL ONLY CA 00000
(703) 525-7466 X244
mpf@stateside.com

Brian J. Nese
STOEL RIVES, LLP
12265 EL CAMINO REAL, STE. 303
SAN DIEGO CA 92130
(858) 794-4100
bjnese@stoel.com

Seth D. Hilton
STOEL RIVES, LLP
555 MONTGOMERY ST., SUITE 1288
SAN FRANCISCO CA 94111
(415) 617-8943
sdhilton@stoel.com

Janice Lin
Managing Partner
STRATEGEN CONSULTING LLC
EMAIL ONLY

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

janet.gagnon@solarworldusa.com

EMAIL ONLY CA 00000
(510) 665-7811
janice@strategenconsulting.com

Mary C. Hoffman
President
SOLUTIONS FOR UTILITIES, INC.
1192 SUNSET DRIVE
VISTA CA 92081
(760) 724-4420
mary@solutionsforutilities.com

Elizabeth Baker
SUMMIT BLUE CONSULTING
1722 14TH STREET, SUITE 230
BOULDER CO 80304
(720) 244-4184
bbaker@summitblue.com

Gary L. Allen
SOUTHERN CALIFORNIA EDISON
2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
(626) 302-9612
gary.allen@sce.com

Ed Smeloff
Senior Manager
SUNPOWER CORPORATION
1414 HARBOUR WAY SOUTH
RICHMOND CA 94804
(510) 289-9082
ed.smeloff@sunpowercorp.com

Joe Greco
TERRA-GEN POWER LLC
9590 PROTOTYPE COURT, SUITE 200
RENO NV 89521
(775) 850-2245
jgreco@terra-genpower.com

Angie Dykema
THIRD PLANET WINDPOWER, LLC
940 SOUTHWOOD BLVD., SUITE 201
INCLINE VILLAGE NV 89451
(775) 997-9950
dykema@thirdplanetwind.com

Erin Grizard
THE DEWEY SQUARE GROUP
EMAIL ONLY
EMAIL ONLY CA 00000-0000
(916) 447-4099
EGrizard@deweysquare.com

David Townley
18 BASSWOOD AVENUE
OAK PARK CA 91377
(818) 416-4745

Matthew Freedman
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, NO. 350
SAN FRANCISCO CA 94102
(415) 929-8876 X304
matthew@turn.org

Lindsay Zaitsoff
Legal Counsel
TRANSALTA CORPORATION
110-12TH AVENUE SW / PO BOX 1900, ST - M
CALGARY AB T2P 2M1
CANADA
(403) 267-7303
lindsay_zaitsoff@transalta.com
For: TransAlta Corp.

Nina Suetake
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876 X 308
nsuetake@turn.org

John Dunn
TRANSCANADA CORPORATION
450 1ST ST. S.W.
CALGARY AB T2P 5H1
CANADA
(403) 920-5566
john_dunn@transcanada.com
For: Chinook Power Transmission, LLC/Zephyr Power
Transmission, LLC

Robert Finkelstein
MATTHEW FREEDMAN
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876 X-307

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST

bfinkelstein@turn.org

Michel P. Florio
THE UTILITY REFORM NETWORK (TURN)
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876
mflorio@turn.org

Amy Frees
THIRD PLANET WINDPOWER, LLC
940 SOUTHWOOD BLVD., SUITE 201
INCLINE VILLAGE NV 89451
(775) 833-9463
freesa@thirdplanetwind.com

Michael Shames
UTILITY CONSUMERS' ACTION NETWORK
3100 FIFTH AVENUE, SUITE B
SAN DIEGO CA 92103
(619) 696-6966
mshames@ucan.org

Andrew J. Van Horn
VAN HORN CONSULTING
12 LIND COURT
ORINDA CA 94563
(925) 254-3358
andy.vanhorn@vhcenergy.com

Judith Kim
WAL-MART STORES, INC.
2001 SE 10TH STREET
BENTONVILLE AR 72716-0550
judith.kim@walmartlegal.com

Robin J. Walther
1380 OAK CREEK DRIVE, NO. 316
PALO ALTO CA 94304-2016
(650) 793-7445
rwalther@pacbell.net

Keith White
312 KELLER ST
PETALUMA CA 94952
keithwhite@earthlink.net

Sheridan J. Pauker
WILSON SONSINI GOODRICH & ROSATI

Meredith Lamey
TRANSCANADA CORPORATION
450 1ST STREET S.W.
CALGARY AB T2P 5H1
CANADA
(403) 920-5056
meredith_lamey@transcanada.com

Roxane J. Perruso
Vp / General Counsel
TRANSWEST EXPRESS LLC
555 SEVENTEENTH STREET, STE 2400
DENVER CO 80202
(303) 299-1342
roxane.perruso@tac-denver.com
For: TransWest Express LLC

******* SERVICE LIST *******

**Last Updated on 21-MAY-2010 by: RC4
R0602012 LIST**

SPEAR TOWER, SUITE 3300
ONE MARKET ST
SAN FRANCISCO CA 94105
(415) 947-2136
spauker@wsgr.com

Lisa A. Cottle
Attorney At Law
WINSTON & STRAWN LLP
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO CA 94111
(415) 544-1105
lcottle@winston.com
For: NextEra Energy Resources

Thomas W. Solomon
Attorney At Law
WINSTON & STRAWN LLP
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO CA 94111-5894
(415) 591-1000
tsolomon@winston.com

***** SERVICE LIST *****

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R0604011 LIST

***** PARTIES *****

David Starr
Director, Regulatory
ALLEGIANCE TELECOM OF CALIFORNIA, INC.
9201 N CENTRAL EXPRESSWAY, BLDG AC-B6
DALLAS TX 75231
For: Allegiance Telecom of California, Inc.

Ira Schoenholtz
President
AMERICAN ASSN OF BUSINESS PERSONS W/DIS
2 WOODHOLLOW
IRVINE CA 92604-3229
(949) 559-1516
For: American Association of Business Persons with Disabilities

Neel Advani
AMERICAN TRAINING SYSTEMS
100 MARIN CENTER DRIVE NO. 6
SAN RAFAEL CA 94903
For: American Training Systems

Phillip Chen
APEX COMPUTER SYSTEMS
16639 VALLEY VIEW AVENUE
CERRITOS CA 94903
For: Apex Computer Systems

Peter Fusselman
ASSOCIATED GENERAL CONTRACTORS
3095 BEACON BOULEVARED
WEST SACRAMENTO CA 95691
For: Associated General Contractors

Nelsonya Causby
AT&T CALIFORNIA
525 MARKET ST., STE 2025
SAN FRANCISCO CA 94105
(415) 778-1488
nelsonya.causby@att.com
For: AT&T

Susan Rossi
Attorney At Law
CALIFORNIA POWER EXCHANGE CORPORATION
201 S LAKE AVE STE 409
PASADENA CA 91101-4807
(626) 685-9857
sdrossi@calpx.com
For: California Power Exchange Corporation

Cindy Manheim
CINGULAR WIRELESS
PO BOX 97061
REDMOND WA 98073-9761
(425) 580-8112
cindy.manheim@cingular.com
For: Cingular Wireless

Selwyn Whitehead
COALITION OF BAY AREA WOMEN OWNED BUS.
4650 SCOTIA AVENUE
OAKLAND CA 94605
For: Coalition of Bay Area Women Owend Business

John A. Gutierrez
COMCAST CABLE COMMUNICATIONS, INC.
3055 COMCAST PLACE
LIVERMORE CA 94551
(925) 424-0164
John_Gutierrez@cable.comcast.com
For: Comcast Phone of California LLC

E. Garth Black
COOPER, WHITE & COOPER, LLP
201 CALIFORNIA STREET, 17TH FLOOR
SAN FRANCISCO CA 94111
(415) 433-1900
gblack@cwclaw.com
For: Roseville Telephone Company; Citizens
Telecommunications, Surewest Wireless

Esther Northrup
COX COMMUNICATIONS
350 10TH AVENUE, SUITE 600
SAN DIEGO CA 92101
(619) 266-5315
esther.northrup@cox.com
For: XO California, Inc.

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0604011 LIST

Ileana Winterhalter
Area Manager-Regulatory Relations
AT&T EXTERNAL AFFAIRS
525 MARKET STREET, 19TH FLOOR, NO.24
SAN FRANCISCO CA 94105
(415) 778-1468
ileana.winterhalter@att.com
For: SBC

Suzanne Toller
Attorney At Law
DAVIS WRIGHT TREMAINE, LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6536
suzannetoller@dwt.com

Virginia McBride
DIAGRAMIX, INC.
60 S MICHILLINDA AVENUE
SIERRA MADRE CA 91024
For: Diagramix, Inc.

James W. Mctarnaghan
DUANE MORRIS, LLP
ONE MARKET, SPEAR TOWER, SUITE 2200
SAN FRANCISCO CA 94105-1127
(415) 957-3088
jwmctarnaghan@duanemorris.com
For: Cingular Wireless

W. Lee Biddle
FERRIS AND BRITTON, APC
401 W. A ST., SUITE 1600
SAN DIEGO CA 92101
(619) 233-3131
lbiddle@ferrisbritton.com
For: Cox Communications, Inc.

Diane Peters
Director Regulatory
GLOBAL CROSSING TELECOMMUNICATIONS
225 KENNET DRIVE
ROCHESTER NY 14623-4277
For: Global Crossing Telecommunications

Jimmie D. Jackson
JACKSON AND ASSOCIATES
210 NUGGET DRIVE
VALLEJO CA 94598
For: Jackson and Associates

Enrique Gallardo
Attorney At Law
LATINO ISSUES FORUM
160 PINE STREET, SUITE 700
SAN FRANCISCO CA 94111
(415) 547-7550
For: Latino Issues Forum

Earl Nicholas Selby
Attorney At Law
LAW OFFICES OF EARL NICHOLAS SELBY
530 LYTTON AVENUE, 2ND FLOOR
PALO ALTO CA 94301-1705
(650) 323-0990
selbytelecom@gmail.com

Thomas Dill
President
LODI GAS STORAGE, L.L.C.
I GREENWAY PLAZA, STE. 800
HOUSTON TX 77046-0121
(281) 679-3599
trdill@westernhubs.com
For: Lodi Gas Storage, L.L.C.

Gretchen Fisher
LOS ANGELES CELLULAR TELEPHONE CO
PO BOX 6028
CERRITOS CA 90702-6028
For: Los Angeles Cellular Telephone Company

David L. Huard
MANATT, PHELPS & PHILLIPS, LLP
ONE EMBARCADERO CENTER, STE 2900
SAN FRANCISCO CA 94111-3736
(415) 291-7430
dhuard@manatt.com

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0604011 LIST

Jeanne B. Armstrong
GOODIN MACBRIDE SQUERI RITCHIE & DAY LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
jarmstrong@gmsr.com
For: WILD GOOSE STORAGE INC.

Mary E. Wand
Attorney At Law
MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO CA 94105
(415) 268-7000

George Granger
V.P. External Affairs
NEW CINGULAR WIRELESS PCS, LLC
4420 ROSEWOOD DRIVE, 4TH FLOOR
PLEASANTON CA 94588
(925) 227-3070
george.granger@cingular.com
For: Cingular Wireless

William T. Bagley
Attorney At Law
NOSSAMAN GUTHNER KNOX & ELLIOTT
50 CALIFORNIA STREET, 34TH FLOOR
SAN FRANCISCO CA 94111-4799
(415) 398-3600
jguzman@nossaman.com

Rowena Valle
Tariff Administrator
NOSVA, L.P.
4380 BOULDER HIGHWAY
LAS VEGAS NV 89121
For: Nosva, L.P.

Robert J. Gloistein
The Orrick Building
ORRICK HERRINGTON & SUTCLIFFE, LLP
405 HOWARD STREET
SAN FRANCISCO CA 94105-2669
(415) 773-5700
rgloistein@orrick.com

Jesus G. Roman
MCIMETRO ACCESS TRANSMISSION SERVICES
112 LAKEVIEW CANYON ROAD, CA501LB
THOUSAND OAKS CA 91362
(805) 372-6233
jesus.g.roman@verizon.com
For: Verizon

Rebecca Giles
SAN DIEGO GAS AND ELECTRIC COMPANY
8330 CENTURY PARK COURT - CP32D
SAN DIEGO CA 92123
RGiles@SempraUtilities.com

Clifford Waldeck
President
SAN FRANCISCO SMALL BUSINESS NETWORK
2261 MARKET STREET, SUITE 288
SAN FRANCISCO CA 94114
(415) 981-3381
For: San Francisco Small Business Network

Carol Diaz-Regis
Regulatory And Constituency Relations
SBC
140 NEW MONTGOMERY, RM 1326
SAN FRANCISCO CA 94105

Terrence E. Scott
SBC ADVANCED SOLUTIONS, INC.
2623 CAMINO RAMON, ROOM 2C111
SAN RAMON CA 94583
(925) 244-9594
For: SBC Advanced Solutions, Inc.

Carlos F. Pena
SEMPRA ENERGY
101 ASH STREET, HQ12
SAN DIEGO CA 92101
(619) 696-4320
CFPena@SempraUtilities.com

Randolph W. Deutsch
Attorney At Law
SIDLEY AUSTIN LLP
SUITE 2000

***** SERVICE LIST *****

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R0604011 LIST

555 CALIFORNIA STREET
SAN FRANCISCO CA 94104
(415) 772-1280
For: Comcast Phone of California LLC

Customer Regulatory Liaison
PACIFICORP
825 NE MULTNOMAH, SUITE 300 LCT
PORTLAND OR 97232
For: PacifiCorp

Greg R. Gierczak
Executive Director-Regulatory
ROSEVILLE TELEPHONE COMPANY
PO BOX 969
ROSEVILLE CA 95678
g.gierczak@surrewest.com
For: Roseville Telephone Company

Gloria M. Ing
Senior Attorney
SOUTHERN CALIFORNIA EDISON CO
2244 WALNUT GROVE AVE
ROSEMEAD CA 91770
(626) 302-1999
gloria.ing@sce.com

Bruce Foster
SOUTHERN CALIFORNIA EDISON COMPANY
601 VAN NESS AVENUE, STE. 2040
SAN FRANCISCO CA 94102
(415) 775-1856
bruce.foster@sce.com
For: Southern California Edison Company

Veronica Gutierrez
GLORIA ING
SOUTHERN CALIFORNIA EDISON COMPANY
601 VAN NESS AVENUE, SUITE 2040
SAN FRANCISCO CA 94102
(415) 929-5510
veronica.gutierrez@sce.com
For: Southern California Edison Company

Bridge B. Jensen
Senior Counsel
SOUTHWEST GAS CORPORATION
PO BOX 98510

Elena Mello
SIERRA PACIFIC POWER COMPANY
6100 NEIL ROAD
RENO NV 89520
(775) 834-5696
emello@sppc.com
For: Sierra Pacific Power Company

Valerie V. Bailey
Administrator/Supplier Diversity
SOUTHWEST GAS CORPORATION
PO BOX 98510
5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89150-8510
(702) 876-7315
valerie.bailey@swgas.com

Stephen H. Kukta
Counsel
SPRINT NEXTEL
201 MISSION STREET, SUITE 1500
SAN FRANCISCO CA 94105
(415) 572-8358
Stephen.h.kukta@sprint.com
For: Sprint Communications Company, L.P.

James C. Paine
Attorney At Law
STOEL RIVES LLP
900 S.W. FIFTH AVENUE, STE. 2600
PORTLAND OR 97204
(503) 294-9246

Christopher Johnson
T-MOBLIE, INC.
2380 BISSO LANE
CONCORD CA 94520
(925) 288-6615
chris.r.johnson@t-mobile.com

Lidia Tarango
4826 BELLE DRIVE
ANTIOCH CA 94509

Robert Gnaizda

***** SERVICE LIST *****

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R0604011 LIST

5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89193
(702) 876-7396
bridget.branigan@swgas.com

Policy Director/General Counsel
THE GREENLINING INSTITUTE
1918 UNIVERSITY AVENUE, SECOND FLOOR
BERKELEY CA 94704
(510) 926-4006
robertg@greenlining.org

Jd Calhoun
Administrator/Supplier Diversity
SOUTHWEST GAS CORPORATION
PO BOX 98510
5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89193-8510
(702) 876-7348
jd.calhoun@swgas.com

Samuel S. Kang
THE GREENLINING INSTITUTE
1918 UNIVERSITY AVENUE, 2ND FLR.
BERKELEY CA 94704
(510) 898-0506
samuelk@greenlining.org

Valerie J. Ontiveroz
Specialist/ State Regulatory Affairs
SOUTHWEST GAS CORPORATION
5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89193-8510
(702) 876-7323
valerie.ontiveroz@swgas.com

Jerry R. Bloom
Attorney At Law
WINSTON & STRAWN LLP
333 SOUTH GRAND AVENUE, 38TH FLOOR
LOS ANGELES CA 90071-1543
(213) 615-1756
jbloom@winston.com

Eva Wohn
Governmental Affairs
U.S. CELLULAR
8410 WEST BRYN MAWR
CHICAGO IL 60631-3486
For: U.S. CELLULAR

***** STATE EMPLOYEE *****

Richard Clark
Consumer Protection & Safety Division
RM. 2205
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2349
rwc@cpuc.ca.gov

Marilyn H. Ash
Director, Public Policy
U.S. TELEPACIFIC CORP/MPOWER COMM CORP
620 THIRD ST.
SAN FRANCISCO CA 94107
(415) 430-3119
ashm@telepacific.com
For: Mpower Communications Corp.

Melanie Darling
Administrative Law Judge Division
RM. 5041
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1461
md2@cpuc.ca.gov

Lorriane Kocen
VERIZON CALIFORNIA INC.
CA501LS
112 S. LAKEVIEW CANYON ROAD
THOUSAND OAKS CA 91362
(805) 372-6945
lorraine.kocen@verizon.com

Mary Evans
Consumer Service & Information Division
AREA 2-B
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3342
mle@cpuc.ca.gov

Jenny Wong
Director, Regulatory Affairs

Janice L. Grau
Administrative Law Judge Division
RM. 5011

***** SERVICE LIST *****

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R0604011 LIST

VERIZON CALIFORNIA, INC.
711 VAN NESS AVENUE, SUITE 300
SAN FRANCISCO CA 94102

505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1223
jlg@cpuc.ca.gov

Mary Ann Hartman
Supervisor, Finance
VERIZON WIRELESS, L.L.C.
ONE VERIZON PLACE, MC 2B2REV
ALPHARETTA GA 30004-8511
For: Verizon Wireless, L.L.C.

Frederick Harris
Legal Division
RM. 5002
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1557
fnh@cpuc.ca.gov
For: CPUC Legal Division

Will Johnson
VISAGE ENERGY CORP
6345 GREEN VALLEY CIRCLE, STE 216
CULVER CITY CA 90230
For: Visage Energy Corporation

Mike Botula
CALIFORNIA DVBE ALLIANCE
1611 S STREET, STE. 102
SACRAMENTO CA 95814
For: CALIFORNIA DVBE ALLIANCE

Kevin B. Williams
Director Of Projects
176 BRADFORD STREET
SAN FRANCISCO CA 94110

Risa Martyn
COMMUNI-COMP
52 LONGVIEW AVENUE
SAN ANSELMO CA 94960

Arthur M. Jimenez
Consumer Service & Information Division
AREA 2-B
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2186
amj@cpuc.ca.gov

Jeffrey F. Beck
Attorney At Law
COOPER, WHITE & COOPER ,L.L.P.
201 CALIFORNIA ST., 17TH FLOOR
SAN FRANCISCO CA 94111
(415) 433-1900
smalllecs@cwclaw.com

Marshall Kennedy
Consumer Service & Information Division
RM. 2013
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1432
mke@cpuc.ca.gov
For: CPUC Consumer Affairs Branch

Greg Cox
Director Of Taxes
COX CALIFORNIA TELECOM, L.L.C.
1400 LAKE HEARN DRIVE
ATLANTA GA 30319

John E. Thorson
Administrative Law Judge Division
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 355-5568
jet@cpuc.ca.gov

Allen Amaro
DAV LEGISLATIVE COMMITTEE
9524 MOSQUITO ROAD
PLACERVILLE CA 95667
For: DVBE NETWORK

Anita Taff-Rice

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0604011 LIST

Bill Vicini
Information & Management Services Divisi
RM. 3003
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1387
wav@cpuc.ca.gov

EXTENET SYSTEMS, LLC
1547 PALOS VERDES MALL, NO. 298
WALNUT CREEK CA 94597
(415) 699-7885
anitataffrice@earthlink.net

***** INFORMATION ONLY *****

Michelle Choo
AT&T CALIFORNIA
525 MARKET STREET, 20TH FLOOR
SAN FRANCISCO CA 94105
(415) 778-1489
michelle.choo@att.com

AT&T COMMUNICATIONS OF CALIFORNIA, INC.
525 MARKET ST. 18TH FLOOR 4
SAN FRANCISCO CA 94105
(415) 442-2902

Mart Mccann
AT&T WIRELESS SERVICES
10000 GOETHE ROAD, 1ST FLOOR
SACRAMENTO CA 95827-3553
rmccann@pacwest.com

George A. Maness
3388-B EAST TULARE
TULARE CA 93274

R. Gerald Metz
21144 MISSION BLVD.
HAYWARD CA 94541

Pauline Wickstrom
PAC-WEST TELECOMM, INC
4210 CORONADO AVENUE
STOCKTON CA 95204
(209) 926-3186
Pwickstr@Pacwest.com

Lynne Martinez
Director Government Affairs
PAC-WEST TELECOMM, INC.
4210 CORONADO AVE.
STOCKTON CA 95204
(209) 926-3235

Charles E. Born
Manager, State Government Affairs
FRONTIER, A CITIZENS TELECOMM COMPANY
PO BOX 340
ELK GROVE CA 95759
(916) 686-3570
charlie.born@frontiercorp.com

Michael B. Day
GOODIN MACBRIDE SQUERI DAY & LAMPREY LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
mday@goodinmacbride.com

Marjorie Herlth
Regional Director - Policy & Law
QWEST COMMUNICATIONS COMPANY, LLC
1801 CALIFORNIA STREET, 10TH FL
DENVER CO 80202
(303) 383-6680
marjorie.herlth@qwest.com

James Ramos
PMB 436
3450 PALMER DRIVE, STE. 4
SHINGLE SPRINGS CA 95682

Don Rice
PO BOX 1438
FALLBROOK CA 92028

Dan Roberts
57 POST STREET, NO. 614
SAN FRANCISCO CA 94104

Central Files
SAN DIEGO GAS AND ELECTRIC COMPANY
8330 CENTURY PARK COURT, CP31-E
SAN DIEGO CA 92123
(858) 654-1148

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0604011 LIST

lmartin@pacwest.com

Kathleen A. Brown
Law Department
PACIFIC GAS AND ELECTRIC CO.
77 BEALE STREET, B30A
SAN FRANCISCO CA 94105
(415) 973-2073
kbw4@pge.com

Ann Kim
Attorney At Law
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B30A
SAN FRANCISCO CA 94105
(415) 973-7467
ahk4@pge.com

John Armstrong
PARK WATER COMPANY
PO BOX 7002
DOWNEY CA 90241-7002
(562) 923-0711
johna@parkwater.com

Jane Jansen
PG&E SUPPLY CHAIN
245 MARKET STREET, ROOM 548
SAN FRANCISCO CA 94105
(415) 973-4853
jsj3@pge.com

Debra S. Gallo
SOUTHWEST GAS CORPORATION
5241 SPRING MOUNTAIN ROAD
LAS VEGAS NV 89150
(702) 876-7163
debra.gallo@swgas.com
For: Southwest Gas Corporation

Marcel Hawiger
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876 X311
marcel@turn.org

Michel Peter Florio

CentralFiles@SemptraUtilities.com
For: SAN DIEGO GAS & ELECTRIC

Tanya Nixon
Diversity Program Administrator
SAN JOSE WATER COMPANY
110 W TAYLOR STREET
SAN JOSE CA 95110
(408) 279-7962
tanya_nixon@sjwater.com
For: SAN JOSE WATER COMPANY

Case Administration
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE, ROOM 370
ROSEMEAD CA 91770
(626) 302-1711
case.admin@sce.com
For: Southern California Edison Company

Joe Alderete
SOUTHERN CALIFORNIA EDISON COMPANY
EQUAL OPPORTUNITY DEPARTMENT
2244 WALNUT GROVE AVENUE
ROSEMEAD CA 91770
(626) 302-4892
joe.alderete@sce.com

Gwen Wilson
VERIZON WIRELESS
HQE04D12
600 HIDDEN RIDGE
IRVING TX 75038
Gwen.Wilson@verizonWireless.com

Sande Buhai Pond
WESTERN LAW CENTER FOR DISABILITY RIGHTS
1441 WEST OLYMPIC BLVD
LOS ANGELES CA 90015
For: Western Law Center for Disability Rights

Leon M. Bloomfield
WILSON & BLOOMFIELD, LLP
1901 HARRISON STREET, SUITE 1620
OAKLAND CA 94612
(510) 625-8250
lmb@wblaw.net

Thomas Foley

******* SERVICE LIST *******

**Last Updated on 21-MAY-2010 by: RC4
R0604011 LIST**

Attorney At Law
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876 X302
mflorio@turn.org
For: TURN

Executive Director
WORLD INSTITUTE ON DISABILITY
510-16HT STREET, SUITE 100
OAKLAND CA 94612
(510) 251-4312
tom@wid.org

Regina Costa
Research Director
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876 X-312
rcosta@turn.org

Margaret Tobias
Attorney At Law
TOBIAS LAW OFFICE
460 PENNSYLVANIA AVE
SAN FRANCISCO CA 94107
(415) 641-7833
marg@tobiaslo.com

Michael Shames
UTILITY CONSUMERS' ACTION NETWORK
3100 FIFTH AVENUE, SUITE B
SAN DIEGO CA 92103
(619) 696-6966
mshames@ucan.org

Jacque Lopez
VERIZON CALIFORNIA INC
112 LAKEVIEW CANYON ROAD, CA501LB
THOUSAND OAKS CA 91362
(805) 372-6664
jacque.lopez@verizon.com

***** SERVICE LIST *****

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R0605028 LIST

***** PARTIES *****

Peter A. Casciato
A PROFESSIONAL CORPORATION
355 BRYANT STREET, SUITE 410
SAN FRANCISCO CA 94107
(415) 291-8661
pacasciato@gmail.com
For: Comcast Phone of California, LLC

Stephanie Holland
General Attorney
AT&T CALIFORNIA
525 MARKET STREET, ROOM 2026
SAN FRANCISCO CA 94105
(415) 778-1465
stephanie.holland@att.com
For: AT&T

Thomas J. Selhorst
Senior Paralegal
AT&T CALIFORNIA
525 MARKET STREET, RM. 2023
SAN FRANCISCO CA 94105
(415) 778-1482
thomas.selhorst@att.com

Anna Kapetanakis
JAMES B. YOUNG
Senior Attorney At Law
AT&T SERVICES INC.
525 MARKET STREET, ROOM 2024
SAN FRANCISCO CA 94105
(415) 778-1480
anna.kapetanakis@att.com
For: AT&T California

Russell A. Selken
BUTTE COUNTY OFFICE OF EDUCATION
1859 BIRD STREET
OROVILLE CA 95965
(530) 532-5678
jbellamy@bcoe.org
For: Butte County Office of Education

Shelley Bergum
CALIFORNIA COMMS. ACCESS FOUNDATION
1300 CLAY STREET, SUITE 600
OAKLAND CA 94612
(510) 446-7766
info@communicationsaccess.org

Richard Chabran
CALIFORNIA COMMUNITY TECHNOLOGY POLICY
1000 N ALAMEDA STREET, SUITE 240
LOS ANGELES CA 90012
(909) 234-1768
chabran@cctpg.org

Beth Fujimoto
Director-External Affairs
CINGULAR WIRELESS
PO BOX 97061
REDMOND WA 98073-9761
(425) 580-1822
beth.fujimoto@cingular.com

Cindy Manheim
CINGULAR WIRELESS
PO BOX 97061
REDMOND WA 98073-9761
(425) 580-8112
cindy.manheim@cingular.com

Mark P. Schreiber
COOPER, WHITE & COOPER, LLP
201 CALIFORNIA STREET, 17TH FLOOR
SAN FRANCISCO CA 94111
(415) 765-6228
mschreiber@cwclaw.com
For: Calaveras/SureWest Telephone

Patrick M. Rosvall
SEAN P. BEATTY
Attorney At Law
COOPER, WHITE & COOPER, LLP
201 CALIFORNIA STREET, 17TH FLOOR
SAN FRANCISCO CA 94111
(415) 433-1900
smalllecs@cwclaw.com
For: The Small LECs/SureWest Telephone

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0605028 LIST

Anna Leach-Proffer
J.KENDRICK KRESSE
Staff Attorney
CALIFORNIA CENTER FOR LAW AND THE DEAF
14895 E. 14TH ST., SUITE 220
SAN LEANDRO CA 94578
(510) 483-0962
For: CCASDHH

Douglas Garrett
COX COMMUNICATIONS
2200 POWELL STREET, STE. 1035
EMERYVILLE CA 94608
(510) 923-6222
douglas.garrett@cox.com

Esther Northrup
COX COMMUNICATIONS
350 10TH AVENUE, SUITE 600
SAN DIEGO CA 92101
(619) 266-5315
esther.northrup@cox.com

Suzanne Toller
Attorney At Law
DAVIS WRIGHT TREMAINE
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6536
suzannetoller@dwt.com

Phil Kaplan
DDTPAC
19262 PEBBLE BEACH PLACE
NORTHRIDGE CA 91326-1444
(818) 368-1303
philillini@aol.com
For: DDTPAC(Telecommunication Access for the Deaf &
Disabled Administrative Committee)

Melissa W. Kasnitz
DISABILITY RIGHTS ADVOCATES
2001 CENTER STREET, FOURTH FLOOR
BERKELEY CA 94704-1204
(510) 665-8644
pucservice@dralegal.org
For: Disability Rights

James Dolgonas
President/Ceo
CORPORATION FOR EDUCATION NETWORK
16700 VALLEY VIEW AVE., STE. 400
CYPRESS CA 90630-5042
(714) 220-3434
JDOLGONAS@CENIC.ORG
For: Corporation for Education Network Initiatives in California
(CENIC)

Jeanne B. Armstrong
GOODIN MACBRIDE SQUERI RITCHIE & DAY LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
jarmstrong@gmssr.com

Fernanda Martinez De Oliveira
LATINO ISSUES FORUM
160 PINE STREET, SUITE 700
SAN FRANCISCO CA 94111
(415) 284-7220
foliveira@lif.org
For: Latino Issues Forum

Earl Nicholas Selby
Attorney At Law
LAW OFFICES OF EARL NICHOLAS SELBY
530 LYTTON AVENUE, 2ND FLOOR
PALO ALTO CA 94301-1705
(650) 323-0990
selbytelecom@gmail.com
For: Sprint Nextel

Sarah E. Leeper
MANATT, PHELPS & PHILLIPS, LLP
1 EMBARCADERO CENTER 30TH FLOOR
SAN FRANCISCO CA 94111
(415) 291-7461
sleeper@manatt.com

Jesus G. Roman
MCIMETRO ACCESS TRANSMISSION SERVICES
112 LAKEVIEW CANYON ROAD, CA501LB
THOUSAND OAKS CA 91362
(805) 372-6233
jesus.g.roman@verizon.com
For: VERIZON

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0605028 LIST

Ann Ruth
EQUIPMENT PROGRAM ADVISORY COMMITTEE
505 14TH STREET, SUITE 400
OAKLAND CA 94612
(510) 302-1100
annruth1@aol.com
For: The Equipment Program Advisory Committee

Lewis Golinker
ASSISTIVE TECHNOLOGY LAW CENTER
401 EAST STATE STREET, SUITE 300
ITHACA NY 14850
(607) 277-7286
lgolinker@aol.com

Martin A. Mattes
Attorney At Law
NOSSAMAN GUTHNER KNOX & ELLIOTT, LLP
50 CALIFORNIA STREET, 34TH FLOOR
SAN FRANCISCO CA 94111-4799
(415) 398-3600
mmattes@nossaman.com
For: California Payphone Association

Peter Hayes
PACIFIC BELL TELEPHONE COMPANY
525 MARKET STREET, ROOM 1919
SAN FRANCISCO CA 94105
(415) 778-1473
peter.hayes@att.com

Kristin L. Jacobson, Esq.
SPRINT NEXTEL
201 MISSION STREET, SUITE 1500
SAN FRANCISCO CA 94105
(415) 278-5314
Kristin.L.Jacobson@sprint.com

Stephen H. Kukta
SPRINT NEXTEL
201 MISSION STREET, STE. 1500
SAN FRANCISCO CA 94105-1831
(415) 572-8358
stephen.h.kukta@sprint.com

Olivia B. Wein
Attorney At Law
NATIONAL CONSUMER LAW CENTER
1001 CONNECTICUT AVE., NW., STE. 510
WASHINGTON DC 20036
(202) 452-6252
owein@nclcdc.org
For: National Consumer Law Center

Regina Costa
Research Director
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876 X-312
rcosta@turn.org

William Nusbaum
THE UTILITY REFORM NETWORK
SUITE 350
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876
bnusbaum@turn.org
For: TURN

William D. Wallace Esq.
VERIZON WIRELESS
1300 I STREET, N.W., SUITE 400 WEST
WASHINGTON DC 20005
(202) 589-3790
Bill.Wallace@VerizonWireless.com

Mike Bagley
JOYCE MASAMITSU
VERIZON WIRELESS
BUILDING E. THIRD FLOOR
15505 SAND CANYON AVENUE
IRVINE CA 92618
Michael.Bagley1@VerizonWireless.com

Hien Vo
Legal Division
RM. 5135
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3651

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0605028 LIST

hcv@cpuc.ca.gov
For: DRA

Stephanie Chen
SAMUEL S. KANG
THE GREENLINING INSTITUTE
1918 UNIVERSITY AVENUE, 2ND FLOOR
BERKELEY CA 94704
(510) 898-0506
stephaniec@greenlining.org
For: THE GREENLINING INSTITUTE

Christine Mailloux
WILLIAM R. NUSBAUM
Attorney At Law
THE UTILITY REFORM NETWORK
115 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94104
(415) 929-8876
cmailloux@turn.org
For: TURN

Thomas Foley
Executive Director
WORLD INSTITUTE ON DISABILITY
510-16HT STREET, SUITE 100
OAKLAND CA 94612
(510) 251-4312
tom@wid.org

Natalie Wales
Legal Division
RM. 5141
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 355-5490
ndw@cpuc.ca.gov

Jane Whang
Executive Division
RM. 5029
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2721
jjw@cpuc.ca.gov

***** STATE EMPLOYEE *****

Leon M. Bloomfield
WILSON & BLOOMFIELD, LLP
1901 HARRISON STREET, SUITE 1620
OAKLAND CA 94612
(510) 625-8250
lmb@wblaw.net
For: Omnipoint Communications, Inc.

Adam Clark
Communications Division
AREA 3-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5212
ajc@cpuc.ca.gov

Cherrie Conner
Communications Division
AREA 3-D
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2767
chr@cpuc.ca.gov

Bezawit Dilgassa
Consumer Protection & Safety Division
AREA 2-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5269
bez@cpuc.ca.gov

Faline Fua
Communications Division
AREA 3-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1989
fua@cpuc.ca.gov

Laura E. Gasser
Legal Division
RM. 4107
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2169

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0605028 LIST

Natalie Billingsley
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1368
nxb@cpuc.ca.gov

lgx@cpuc.ca.gov

Maribeth A. Bushey
Administrative Law Judge Division
RM. 5018
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-3362
mab@cpuc.ca.gov

Robert Haga
Executive Division
RM. 5304
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2538
rwh@cpuc.ca.gov

Nathan Christo
Communications Division
AREA 3-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1069
nc2@cpuc.ca.gov

Edward Howard
Policy & Planning Division
RM. 5119
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1114
trh@cpuc.ca.gov

Xiao Selena Huang
Division of Ratepayer Advocates
RM. 4211
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5247
xsh@cpuc.ca.gov

Richard Maniscalco
Communications Division
AREA 3-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2005
rcm@cpuc.ca.gov

Kelly Hymes
Executive Division
RM. 5306
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5132
khy@cpuc.ca.gov

Fernando Ramirez
Legislative Assistant
OFFICE OF SENATOR RIDLEY-THOMAS
STATE CAPITOL, ROOM 4061
SACRAMENTO CA 95814
(916) 651-4026
framirez@bos.lacounty.gov.

William Johnston
Communications Division
AREA 3-F
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2124
wej@cpuc.ca.gov

Paul S. Phillips
Executive Division
RM. 5306
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1786
psp@cpuc.ca.gov

Michele M. King
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298

Elizabeth Podolinsky
Division of Ratepayer Advocates
RM. 4211
505 VAN NESS AVE
San Francisco CA 94102 3298

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(415) 703-1349
mki@cpuc.ca.gov

Fe N. Lazaro
Communications Division
AREA 3-D
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2627
fnl@cpuc.ca.gov

Alik Lee
Division of Ratepayer Advocates
RM. 4209
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-2050
ayo@cpuc.ca.gov

Janeen L. Long
Consumer Protection & Safety Division
RM. 2-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1246
jl3@cpuc.ca.gov

Sindy J. Yun
Legal Division
RM. 4300
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1999
sjy@cpuc.ca.gov

***** INFORMATION ONLY *****

John L. Darby
ADMINISTRATIVE COMMITTEE, DDTP
1661 PINE STREET, APT.443
SAN FRANCISCO CA 94109-0416
(415) 447-5757
birdarby@yahoo.com

Ross Allen Buntrock
ARENT FOX LLP
1050 CONNECTICUT AVENUE, NW, 7TH FLOOR
WASHINGTON DC 20036
(202) 775-5734
telecomlit@arentfox.com

Michael Arrigo
7516 FOUNTAIN AVENUE
W. HOLLYWOOD CA 90046

(415) 703-4943
pod@cpuc.ca.gov

Felix Robles
Communications Division
AREA 3-F
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1193
fvr@cpuc.ca.gov

Benjamin Schein
Communications Division
AREA 3-D
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-1088
bda@cpuc.ca.gov

Roxanne Scott
Communications Division
AREA 3-E
505 VAN NESS AVE
San Francisco CA 94102 3298
(415) 703-5263
rs2@cpuc.ca.gov

John A. Gutierrez
COMCAST CABLE COMMUNICATIONS, INC.
3055 COMCAST PLACE
LIVERMORE CA 94551
(925) 424-0164
John_Gutierrez@cable.comcast.com

E. Garth Black
Attorney At Law
COOPER, WHITE & COOPER, LLP
201 CALIFORNIA STREET, 17TH FLOOR
SAN FRANCISCO CA 94111
(415) 433-1900
gblack@cwclaw.com

Marcie Evans
COX COMMUNICATIONS
350 10TH AVENUE, SUITE 600
SAN DIEGO CA 92101
(619) 266-5637
marcie.evans@cox.com

Katie Nelson
DAVIS WRIGHT TREMAINE, LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO CA 94111-6533
(415) 276-6500

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0605028 LIST

(323) 876-1414
michaelanthony@adelpi.net

Michael Foreman
Associate Director-State Regulatory
AT&T CALIFORNIA
525 MARKET STREET, 19TH FLOOR 30
SAN FRANCISCO CA 94105
(415) 778-1474
michael.foreman@att.com

Glenn Semow
CALIFORNIA CABLE & TELECOMM. ASSOC.
360 22ND STREET, STE. 750
OAKLAND CA 94612
(510) 628-8043
grs@calcable.org

Anita Taff-Rice
Counsel
CALTEL
1547 PALOS VERDES, 298
WALNUT CREEK CA 94597
(415) 699-7885
anitataffrice@earthlink.net

Kevin Saville
Associate General Counsel
FRONTIER CORP
2378 WILSHIRE BLVD.
MOUND MN 55364
(952) 491-5564
kevin.saville@frontiercorp.com

Charles E. Born
Manager - Government & External Affairs
FRONTIER TELECOMMUNICATIONS OF CALIF.
9260 E. STOCKTON BLVD.
ELK GROVE CA 95624
(916) 686-3570
charlie.born@frontiercorp.com

Gilbert Deltoro
GREATCALL, INC. - JITTERBUG
12680 HIGH BLUFF DRIVE, STE 310
SAN DIEGO CA 92130
gilbert.deltoro@jitterbug.com

Marilyn Finn
HEARING LOSS ASSOCIATION OF CA
101 LAFAYETTE CIRCLE, APT. 1
LAFAYETTE CA 94549

katiensel@dw.com

Winston Ching
DDTPAC
2133 GRANT STREET, 1
BERKELEY CA 94703
winson8@comcast.net

Bettina Cardona
President
FONES4ALL CORPORATION
10755 SCRIPPS POWAY PKWY
SAN DIEGO CA 92131-3924
(818) 615-0100

Joe Chicoine
Manager, State Government Affairs
FRONTIER COMMUNICATIONS
PO BOX 340
ELK GROVE CA 95759
(916) 686-3588
joe.chicoine@frontiercorp.com

David Discher
Attorney At Law
PACIFIC BELL TELEPHONE COMPANY
525 MARKET STREET, RM. 2027
SAN FRANCISCO CA 94105
(415) 778-1464
david.discher@att.com

Linda Burton
SIERRA TELEPHONE COMPANY, INC.
PO BOX 219
OAKHURST CA 93644-0219
(559) 642-0229
lindab@stcg.net

Christy Doleshal
SOLIX, INC.
100 S. JEFFERSON ROAD
WHIPPANY NJ 07981
(973) 581-5242
cdolesh@solixinc.com

Jack Donovan
SOLIX, INC.
100 S. JEFFERSON ROAD
WHIPPANY NJ 07981

***** SERVICE LIST *****

Last Updated on 21-MAY-2010 by: RC4
R0605028 LIST

(925) 284-2847

Fernanda M. De Oliveira
Technology & Telecommunications Program
LATINO ISSUES FORUM
160 PINE STREET, SUITE 700
SAN FRANCISCO CA 94111
(415) 284-7220
foliveira@lif.org

(973) 581-5200

jdonova@solixinc.com

Karen Haith
SOLIX, INC.
100 S. JEFFERSON ROAD
WHIPPANY NJ 07981
(973) 581-6718
khaith@solixinc.com

Bill Stobbe
MISSION CONSULTING
428 J STREET, SUITE 550
SACRAMENTO CA 95814
(916) 446-5624
bstobbe@missionconsulting.com

Glenn Stover
Attorney At Law
STOVER LAW
584 CASTRO ST., NO 199
SAN FRANCISCO CA 94114-2594
(415) 495-7000
StoverLaw@gmail.com

Charles Harak
NATIONAL CONSUMER LAW CENTER
7 WINTHROP SQUARE, 4TH FLOOR
BOSTON MA 02110
(617) 523-8010
charak@nclc.org

Samuel Kang
Managing Attorney
THE GREENLINING INSTITUTE
1918 UNIVERSITY AVE., 2ND FLOOR
BERKELEY CA 94704
(510) 926-4001
samk@greenlining.org

Margaret Tobias
Attorney At Law
TOBIAS LAW OFFICE
460 PENNSYLVANIA AVE
SAN FRANCISCO CA 94107
(415) 641-7833
marg@tobiaslo.com

WORLD INSTITUTE ON DISABILITY
510-16TH STREET, STE. 100
OAKLAND CA 94612-1500

Regina Tochtermann
1506 WENTWORTH AVENUE
SACRAMENTO CA 95822
(916) 456-1663
RegGreco@yahoo.com

Jacque Lopez
VERIZON CALIFORNIA INC
112 LAKEVIEW CANYON ROAD, CA501LB
THOUSAND OAKS CA 91362
(805) 372-6664
jacque.lopez@verizon.com

Lorraine A. Kocen
VERIZON CALIFORNIA INC.
112 S. LAKEVIEW CANYON ROAD, CA501LS
THOUSAND OAKS CA 91362-3811

******* SERVICE LIST *******

**Last Updated on 21-MAY-2010 by: RC4
R0605028 LIST**

(805) 372-6945
lorraine.kocen@verizon.com

Phillip L. Cleverly
VERIZON CALIFORNIA INC.
112 S LAKEVIEW CANYON RD, CA501LS
THOUSAND OAKS CA 91362
(805) 372-7861
phillip.cleverly@verizon.com

Donald C. Eachus
VERIZON CALIFORNIA, INC.
112 LAKEVIEW CANYON ROAD, CA501LS
THOUSAND OAKS CA 91362
(805) 372-7626
don.eachus@verizon.com

Elaine M. Duncan
VERIZON CALIFORNIA, INC.
711 VAN NESS AVENUE, SUITE 300
SAN FRANCISCO CA 94102
(415) 474-0468
elaine.duncan@verizon.com

Justine Weldon
760 NORTH POINT STREET SUITE 101
SAN FRANCISCO CA 94109
(415) 474-4189