

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider
Refinements to and Further Development of the
Commission's Resource Adequacy Requirements
Program.

Rulemaking 05-12-013
(Filed December 15, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING PREHEARING CONFERENCE,
SETTING WORKSHOP ON LOCAL RESOURCE ADEQUACY,
AND ADDRESSING CERTAIN PROCEDURAL MATTERS**

1. Prehearing Conference

NOTICE IS HEREBY GIVEN that a prehearing conference in the above-entitled matter is set for Friday, February 3, 2006, at 10 a.m. in the Commission Auditorium, 505 Van Ness Avenue, San Francisco, California. The prehearing conference is set to take appearances and to address the following topics:

- Scope of issues to be taken up in Phase 1 versus those to be taken up in Phase 2 of this proceeding;
- Whether there is a need for evidentiary hearings in addition to workshops;
- Scheduling;
- Category of the proceeding; and
- Any related matters, including those raised in the prehearing conference statements.

Any named respondent to this proceeding who does not appear at the prehearing conference shall, notwithstanding such election not to appear, remain

a respondent and be obligated to participate in the proceeding in accordance with any order or ruling entered in this proceeding by the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ) or the Law and Motion ALJ. Such participation may include, but not necessarily be limited to, the obligation to respond to data requests from the Commission or its staff.

The Assigned Commissioner's scoping memo for this proceeding will be issued following the prehearing conference and the workshop described in Section 2 below.

2. Local Resource Adequacy Requirements Workshop

NOTICE IS HEREBY GIVEN that a two-day workshop on local resource adequacy requirements will be held on Wednesday, February 8, 2006, at 10 a.m. and Thursday, February 9, 2006, at 10 a.m. in the Commission Courtroom, 505 Van Ness Avenue, San Francisco, California.

The workshop is being held to promote a better understanding of the California Independent System Operator's (CAISO) Local Capacity Technical Analysis and the proposals for local resource adequacy filed in response to the Commission's directive in Decision (D.) 05-10-042.¹ The workshop will include discussions of possible alternatives to, and variations of, the proposals. It will also include a more in-depth discussion of need for evidentiary hearings.

¹ See D.05-10-042 at p. 81, which provided that local RAR proposals were due 75 days after the date of that order. By letter dated December 14, 2005, the Executive Director approved a request of the three large electric utilities to extend the filing date for these proposals to January 24, 2006.

The contact person regarding this workshop is Molly Sterkel of the Commission's Energy Division. Her telephone number is (415) 703-1873 and her e-mail address is mts@cpuc.ca.gov. The Energy Division may issue an agenda and instructions for participation in the workshop and, as needed, issue data requests to respondents and the CAISO.

3. Procedural Matters

In the order that instituted this rulemaking, the Commission named as respondents to the proceeding all electric corporations, all registered electric service providers (ESPs), and any community choice aggregator that becomes registered during the course of this proceeding. It has come to the Commission's attention that certain ESPs that were listed as respondents to this proceeding have cancelled their ESP registration. The Energy Division has confirmed that after the ESP registration list used to prepare the order instituting rulemaking (OIR) was compiled, three ESPs requested cancellation of their registration. These are BP Energy Company (ESP #1366), Modesto Irrigation District (ESP #1151), and Quiet Energy (ESP #1368). These ESPs will be excused from required participation in this proceeding. Any other ESP respondent whose registration is cancelled during the course of this proceeding will, upon confirmation of such cancellation by the Energy Division, be similarly excused from further participation. At an appropriate time I will recommend to the Commission that the OIR be modified to provide for the removal of such entities as respondents to the proceeding.

As noted in the OIR, the Commission recently adopted revisions to the Rules of Practice and Procedure (Rules) providing for service by electronic mail.

(See Rule 2.3.1.)² I assume that most, if not all, parties will consent to e-mail service in this proceeding as provided for in Rule 2.3.1(d). A copy of the initial service list is attached to this ruling. Any respondent or party on the list for whom an e-mail address is not shown (or is incorrect) should provide its e-mail address to the Commission's Process Office (ALJ_Process@cpuc.ca.gov).

IT IS RULED that:

1. A prehearing conference and a workshop are set as set forth above.
2. BP Energy Company (ESP #1366), Modesto Irrigation District (ESP #1151), and Quiet Energy (ESP #1368) are excused from required participation in this proceeding.
3. Those respondents and other parties who consent to e-mail service but have not provided an e-mail address to the Commission's Process Office should do so as soon as practicable.

Dated January 23, 2006, at San Francisco, California.

/s/ MARK S. WETZELL

Mark S. Wetzell
Administrative Law Judge

² http://www.cpus.ca.gov/PUBLISHED/RULES_PRAC_PROC/46095.htm.

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(END OF ATTACHMENT)

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference, Setting Workshop on Local Resource Adequacy, and Addressing Certain Procedural Matters on all parties of record in this proceeding or their attorneys of record.

Dated January 23, 2006, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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