

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding)
Policies, Procedures and Incentives for) Rulemaking 04-03-017
Distributed Generation and Distributed)
Energy Resources.)
_____)

MOTION TO INTERVENE LATE BY THE STATE BUILDING AND CONSTRUCTION
TRADES COUNCIL OF CALIFORNIA, AFL-CIO

and

COMMENTS OF THE STATE BUILDING AND CONSTRUCTION TRADES COUNCIL OF
CALIFORNIA ON DRAFT DECISION, INTERIM ORDER ADOPTING POLICIES AND
FUNDING FOR THE CALIFORNIA SOLAR INITIATIVE

SCOTT A. KRONLAND (#171693)
ALTSHULER, BERZON, NUSSBAUM,
RUBIN & DEMAIN
177 Post Street, Suite 300
San Francisco, CA 94108
Telephone: (415) 421-7151
skronland@altshulerberzon.com

Attorneys for Proposed Intervenor
State Building and Construction Trades Council
of California, AFL-CIO

Submitted January 3, 2006

I. MOTION TO INTERVENE LATE BY THE STATE BUILDING AND CONSTRUCTION TRADES COUNCIL OF CALIFORNIA, AFL-CIO

The State Building and Construction Trades Council of California, AFL-CIO (“SBCTC”) respectfully requests leave to intervene late in this proceeding to submit the following comments on Commissioner Peevey and ALJ Malcolm’s Draft Decision, Interim Order Adopting Policies and Funding for the California Solar Initiative.

The SBCTC is a labor federation composed of 131 local unions, 16 district labor councils and 22 local building trades councils that collectively represent about 300,000 men and women who work in the building and construction trades in California, including workers who install solar energy systems. The SBCTC was founded in 1901 to advocate for the health, jobs, safety and economic conditions of all workers in the construction industry. As the umbrella organization representing the interests of California construction workers, the SBCTC has a significant interest in the proposed program to make a major public investment in the installation of solar energy systems and a great deal of experience with the prevailing wage requirements that California has long imposed on projects funded in whole or in part out of public funds. That being so, the SBCTC believes its comments will be of assistance to the Commission in this proceeding.

The SBCTC seeks leave to intervene late in this proceeding because the SBCTC became aware only recently that the Commission was contemplating a decision to move forward with funding a major solar energy program even though the California Legislature has not adopted Senate Bill 1. The Legislature has given extensive consideration to essentially the same program of incentives that the Commission is contemplating, and the SBCTC had assumed that the

Commission would defer to the Legislature on this issue rather than attempting to bypass the people's elected representatives.

II. COMMENTS OF THE STATE BUILDING AND CONSTRUCTION TRADES COUNCIL OF CALIFORNIA ON DRAFT DECISION, INTERIM ORDER ADOPTING POLICIES AND FUNDING FOR THE CALIFORNIA SOLAR INITIATIVE

The SBCTC submits that a program to collect \$3 billion from ratepayers to subsidize the installation of solar energy systems should not be adopted in the absence of explicit prevailing wage protections for the workers who would install those solar systems.

As the Commission knows, a similar program to raise about \$3 billion from ratepayers to subsidize the installation of solar energy systems has received extensive consideration by the California Legislature as Senate Bill 1 (introduced on December 6, 2004). Senate Bill 1 did not pass before the Legislature recessed in 2005 in part because of unresolved issues about how to incorporate labor standards protections into the bill. Instead, Senate Bill 1 was sent back to committee, and Senate Bill 1 will be pending when the Legislature reconvenes in 2006.

The Commission should await the outcome of the legislative process rather than proceeding with its solar initiative without legislative authorization. The people's elected representatives are better equipped than the Commission to balance all the policies implicated by a proposal to impose about \$3 billion in charges on ratepayers to fund an incentive program for the installation of solar systems. This program involves what is essentially a special tax and a decision about how to spend those taxes. The Legislature is the appropriate body to set policy on this issue.

If the Commission does proceed without legislative authorization, however, the Commission should explicitly require, as a condition of eligibility for the subsidy, that the solar energy systems must be installed by workers who are paid at least the prevailing wage for their craft and locality (except for installations on entirely residential projects involving no more than four units). As explained below, the public policy of this State is to require prevailing wages for construction paid for in whole or in part out of public funds. This ensures that the public does not subsidize the destruction of the wage base in local communities and encourages contractors to use the most highly skilled workers. The Commission should not undermine this important public policy.

A. California's policy is to require the payment of prevailing wages to workers on projects subsidized with public money.

The California Labor Code requires contractors and subcontractors performing construction, demolition, installation, maintenance, and repair work paid for in whole or in part out of public funds to pay their employees at least the general prevailing rate of per diem wages for the same craft and locality. *See* Labor Code §1720 *et seq.* California has had a prevailing wage law since 1931.

The prevailing wage law serves very important state interests. As an initial matter, the prevailing wage law protects all construction workers by ensuring that public spending on construction does not undermine the wage base in local communities. *See* Stats. 2003, ch. 851, sec. 1 (A.B. 1506) (“Public works projects should never undermine the wage base in a community, and requiring that workers on public works projects are paid the prevailing rate of per diem wages ensures that wage base is not lowered.”); Stats. 2002, ch. 892, sec. 1 (S.B. 278)

(same); Stats. 2002, ch. 868, sec. 1 (A.B. 1506) (same); Stats. 2003, ch. 135 (S.C.R. 49) (similar statement).

The prevailing wage law also “benefit[s] the public through the superior efficiency of well-paid employees.” *Lusardi Construction Co. v. Aubry*, 1 Cal.4th 976, 987 (1992); *Division of Lab. Stds. Enforcement v. Ericsson Information Systems, Inc.*, 221 Cal.App.3d 114, 123 (1990); *O.G. Sansone Co. v. Department of Transportation*, 55 Cal.App.3d 434, 458 (1976); *see also* Stats.2003, ch. 851, § 1 (“Payment of the prevailing rate of per diem wages to workers employed on public works projects is necessary to attract the most skilled workers for those projects and to ensure that work of the highest quality is performed on those projects.”).

B. The Commission should not undermine State labor policy by authorizing the solar initiative without explicit prevailing wage protections.

The proposed decision would authorize a rate increase to raise about \$3 billion to fund a solar incentive program. That rate increase would fall on virtually all ratepayers served by the covered utilities, including the construction workers represented by the SBCTC and their families. As a matter of economic reality, there is no distinction between the rate increase and any other tax imposed on a broad segment of the public to support a program considered to be of social benefit. The money raised from ratepayers to support the solar program, like money raised from an income tax, sales tax, or property tax, is public money.

Under the proposed decision, the public funds would be used to subsidize the installation of solar energy systems. Part of the costs of installing those systems, of course, is the cost of paying the construction workers who perform the installation. Thus, the program involves the expenditure of public money to pay for construction work, and California’s policy of requiring

that prevailing wages be paid for such work is implicated.

The proposed decision reasons that the public will benefit from the installation of more solar energy systems and, therefore, that it is good policy to provide incentives for the installation of those systems. It is *not* good policy, however, to use public money to subsidize construction work performed by employees who do not receive adequate wages and health and pension benefits. As the Legislature has recognized, such subsidies undermine labor standards for all workers in the community and ultimately hurt the public.

It is also *not* good policy to use public money to subsidize low-quality work. As the Legislature has recognized, workers who are paid the prevailing wages for their crafts and localities are more likely to be highly skilled workers who perform quality work. Subsidizing work performed under substandard labor conditions is especially bad policy when the work can involve a danger of injury to workers and to the public. The installation of solar energy systems is a good example of such work as it involves both electrical connections and work performed on rooftops.

If the Commission is unwilling to wait for legislative authorization, the Commission can avoid undermining California labor policy by explicitly requiring, as a condition of eligibility for the solar subsidy, that installation work must be performed by employees who are paid the applicable prevailing wage rates based on the determinations of the California Department of Industrial Relations. The Department of Industrial Relations publishes prevailing wage rates for every county in California.¹ The Commission may wish to provide an exemption for the installation of solar systems on entirely residential projects involving no more than four units, so

¹ See www.dir.ca.gov/DLSR/statistics_research.html#PWD

that individual homeowners and small landlords are not subject to any administrative burdens. There is no reason, however, why contractors on commercial projects and larger residential projects cannot easily comply with the prevailing wage law.

DATED: January 3, 2006

Respectfully submitted,

SCOTT A. KRONLAND
ALTSHULER, BERZON, NUSSBAUM,
RUBIN & DEMAIN

By: 

Scott A. Kronland

Attorneys for [Proposed] Intervenor
State Building and Construction Trades
Council of California, AFL-CIO

PROOF OF SERVICE

CASE: CALIFORNIA PUBLIC UTILITIES COMMISSION
Proceeding: R0403017 - CPUC - PG&E, SDG&E

I am employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within action; my business address is 177 Post Street, Suite 300, San Francisco, California 94108. On January 3, 2006, I served the following document(s):

Motion to Intervene Late by
the State Building and Construction Trades Council of California, AFL-CIO;

Comments of the State Building and Construction Trades Council of California on Draft Decision, Interim Order Adopting Policies and Funding for the California Solar Initiative

on the parties, through their attorneys of record for service as designated below:

- (A) By Messenger Service: I am readily familiar with the practice of Altshuler, Berzon for messenger delivery. I placed true copies thereof in sealed envelopes addressed as shown below. I caused each such envelope to be delivered to a courier employed by **LIGHTNING MESSENGER SERVICE**, with whom we have a direct billing account, who personally delivered each such envelope to the office of the addressee on the date last written below.

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
(Original plus four copies)

Administrative Law Judge Karen Jones
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Commissioner Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

(B) By First Class Mail: I am readily familiar with the practice of Altshuler, Berzon for the collection and processing of correspondence for mailing with the United States Postal Service. I placed true copies thereof in sealed envelopes addressed as shown below. I caused each such envelope, with first-class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection and mailing to the office of the addressee on the date shown herein.

ROBERT PANORA
TECOGEN, INC.
45 FIRST AVENUE
WALTHAM, MA 2451

LORI A. GLOVER
PRESIDENT
S.O.L.I.D. USA, INC.
10645 N. TATUM BLVD., SUITE 200-306
PHOENIX, AZ 85028

PETER T. PARRISH
CALIFORNIA SOLAR ENGINEERING, INC.
CALIFORNIA SOLAR ENGINEERING, INC.
820 CYNTHIA AVE.
LOS ANGELES, CA 90065

RANDY HAYES
OAKLAND MAYOR'S OFFICE
ONE FRANK H. OGAWA PLAZA
OAKLAND, CA 94612

ROB JOHANNSEN
DIRECTOR OF MARKETING
FIRST SOLAR ELECTRIC COMPANY, LLC
4050 E. COTTON CENTER BLVD., STE. 68
PHOENIX, AZ 85040-8864

JERRY MOORE
CONNECT ENERGY
CONNECT ENERGY
1050 WHISPERING PINES LN STE F
GRASS VALLEY, CA 95945-5954

CHRISTOPHER J. ROCK
NORTHGATE AVIATION
2826 CORY CREEK ROAD
BUTTE VALLEY, CA 95965

LISA DECARLO
STAFF COUNSEL
CALIFORNIA ENERGY COMMISSION
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET
SACRAMENTO, CA 95814

(C) By Email: I caused such document(s) to be served pursuant to Rule 2.3.1 via electronic mail on the parties in this action who authorized e-mail service by transmitting true and correct copies to the following email address(es):

KEITH MCCREA
ATTORNEY AT LAW
SUTHERLAND, ASBILL & BRENNAN
CA Manufacturers & Technology Assn.
1275 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004-2415
keith.mccrea@sablaw.com

CHRISTOPHER O'BRIEN
SHARP SOLAR
VP STRATEGY AND GOVERNMENT
RELATIONS
VP STRATEGY AND GOVERNMENT
RELATIONS
3808 ALTON PLACE NW
WASHINGTON, DC 20016
obrienc@sharpsec.com

GLENN HAMER
DIRECTOR, GOVERNMENT AFFAIRS
FIRST SOLAR ELECTRIC COMPANY
FIRST SOLAR ELECTRIC COMPANY
4050 E. COTTON CENTER BLVD., STE. 68
PHOENIX, AZ 85040-8864
ghamer@firstsolar.com

STEVEN D. PATRICK
ATTORNEY AT LAW
SOUTHERN CALIFORNIA GAS
SDG&E and SoCal Gas
555 WEST 5TH STREET, SUITE 1400
LOS ANGELES, CA 90013
spatrick@sempra.com

STEVE CHADIMA
ENERGY INNOVATIONS, INC.
130 WEST UNION STREET
PASADENA, CA 91103
steve@energyinnovations.com

CASE ADMINISTRATION
SOUTHERN CALIFORNIA EDISON
COMPANY
SCE
GO1, CASE ADMINISTRATION
2244 WALNUT GROVE AVENUE, RM. 370
ROSEMEAD, CA 91770
case.admin@sce.com

DANIEL TUNNICLIFF
SOUTHERN CALIFORNIA EDISON
2244 WALNUT GROVE
ROSEMEAD, CA 91770
daniel.tunncliff@sce.com

MICHAEL D. MONTOYA
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON
COMPANY
SCE
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770
mike.montoya@sce.com

THOMAS W. OAKES, PHD
SOLAR HYDROGEN CO.
10303 CENTINELLA DR.
LA MESA, CA 91941
pairedhelix@cox.net

FREDERICK M. ORTLIEB
OFFICE OF CITY ATTORNEY
CITY OF SAN DIEGO
City of San Diego
1200 THIRD AVENUE, 11TH FLOOR
SAN DIEGO, CA 92101
fortlieb@sandiego.gov

LISA BROWY
CASE ADMINISTRATOR
SAN DIEGO GAS & ELECTRIC COMPANY
8330 CENTURY PARK COURT, CP32D
SAN DIEGO, CA 92123

MARK SHIRILAU
ALOHA SYSTEMS, INC.
ALOHA SYSTEMS, INC.
14801 COMET STREET
IRVINE, CA 92604-2464
marks@alohasys.com

LES NELSON
EXECUTIVE DIRECTOR
CALIFORNIA SOLAR ENERGY INDUSTRIES
ASSN
California Solar Energy Industries Association
30012 AVENTURA, SUITE A
RANCHO SANTA MARGARITA, CA 92688
lnelson@westernrenewables.com

MATTHEW FREEDMAN
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102
freedman@turn.org

Regina DeAngelis
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
rmd@cpuc.ca.gov

KAREN TERRANOVA
ALCANTAR & KAHL, LLP
Cogeneration Association of California
120 MONTGOMERY STREET, STE 2200
SAN FRANCISCO, CA 94104
filings@a-klaw.com

NORA SHERIFF
ATTORNEY AT LAW
ALCANTAR & KAHL LLP
Energy Producers and Users Coalition
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104
nes@a-klaw.com

JP ROSS
DEPUTY DIRECTOR
THE VOTE SOLAR INITIATIVE
182 SECOND STREET, SUITE 400
SAN FRANCISCO, CA 94105
jpross@votesolar.org

PAUL C. LACOURCIERE
ATTORNEY AT LAW
THELEN REID & PRIEST LLP
SOLEL INC.
101 SECOND STREET, SUITE 1800
SAN FRANCISCO, CA 94105
placourciere@thelenreid.com

JOSEPH F. WIEDMAN
ATTORNEY AT LAW
GOODIN MACBRIDE SQUERI RITCHIE &
DAY,LLP
PV Now
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111
jwiedman@gmsr.com

MICHAEL B. DAY
ATTORNEY AT LAW
GOODIN MACBRIDE SQUERI RITCHIE &
DAY LLP
PV
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111
mday@gmsr.com

ROB ERLICHMAN
SUNLIGHT ELECTRIC, LLC
2001 PIERCE STREET, STE. 62
SAN FRANCISCO, CA 94115
rob@sunlightelectric.com

GREG KENNEDY
OCCIDENTAL POWER SOLAR AND
COGENERATION
OCCIDENTAL POWER SOLAR AND
COGENERATION
3629 TARAVAL ST.
SAN FRANCISCO, CA 94116
solar@oxypower.com

RANDY LITTENEKER
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
PG&E
PO BOX 7442
SAN FRANCISCO, CA 94120
rjl9@pge.com

MEGAN MACNEIL MYERS
LAW OFFICES OF SARA STECK MYERS
Americans for Solar Power and PV Manufacturers
Alliance
122 28TH AVE
SAN FRANCISCO, CA 94121
meganmmyers@yahoo.com

SARA STECK MYERS
ATTORNEY AT LAW
LAW OFFICES OF SARA STECK MYERS
Center for Energy Efficiency and Renewable
Technologies
122 - 28TH AVENUE
SAN FRANCISCO, CA 94121
ssmyers@att.net

JOHN GALLOWAY
UNION OF CONCERNED SCIENTISTS
UNION OF CONCERNED SCIENTISTS
2397 SHATTUCK AVENUE, SUITE 203
BERKELEY, CA 94704
jgalloway@ucsusa.org

CLYDE MURLEY
CONSULTING ON ENERGY AND
ENVIRONMENT
600 SAN CARLOS AVENUE
ALBANY, CA 94706
clyde.murley@comcast.net

KARI SMITH
POWERLIGHT CORPORATION
Powerlight
2954 SAN PABLO AVENUE
BERKELEY, CA 94706
ksmith@powerlight.com

MICHAEL HALL
BORREGO SOLAR SYSTEMS
727 ALLSTON WAY, SUITE B
BERKELEY, CA 94710
mike@borregosolar.com

TOM BEACH
CROSSBORDER ENERGY
California Solar Energy Industries Association
(CALSEIA)
2560 NINTH STREET, SUITE 316
BERKELEY, CA 94710
tomb@crossborderenergy.com

ARNO HARRIS
EI SOLUTIONS
2173 FRANCISCO BLVD., SUITE H
SAN RAFAEL, CA 94901
arno@energyinnovations.com

DAN THOMPSON
SUN POWER & GEOTHERMAL ENERGY CO.
INC.
Sun Power & Geothermal Energy Co., Inc.
863 E. FRANCISCO BLVD.
SAN RAFAEL, CA 94901
dan@sunpowergeo.com

MICHAEL KYES
7423 SHAUN CT.
SEBASTOPOL, CA 95472
michaelkyes@sbcglobal.net

MARK JOHNSON
GOLDEN SIERRA POWER
Golden Sierra Power
2872 B MOSQUITO ROAD
PLACERVILLE, CA 95667
mark@goldensierrapower.com

KARLY MCCRORY
CONTRACTS ADMINISTRATOR
RWE SCHOTT SOLAR INC.
RWE SCHOTT SOLAR INC.
4051 ALVIS COURT, SUITE 1
ROCKLIN, CA 95677
karly.mccrory@rweschottsolar.us

STEVEN A. GREENBERG
DISTRIBUTED ENERGY STRATEGIES
DISTRIBUTED ENERGY STRATEGIES
4100 ORCHARD CANYON LANE
VACAVILLE, CA 95688
steveng@destrategies.com

ANDREW B. BROWN
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS, LLP
California Department of General Services
2015 H STREET
SACRAMENTO, CA 95814
abb@eslawfirm.com

ANN L. TROWBRIDGE
ATTORNEY AT LAW
DOWNEY BRAND, LLP
California Clean DG Coalition
555 CAPITOL MALL, 10TH FLOOR
SACRAMENTO, CA 95814
atrowbridge@downeybrand.com

BERNADETTE DEL CHIARO
CLEAN ENERGY ADVOCATE
ENVIRONMENT CALIFORNIA
ENVIRONMENT CALIFORNIA RESEARCH &
POLICY CENTRE/CLEAN ENERGY
ADVOCATE
1107 9TH STREET, SUITE 601
SACRAMENTO, CA 95814
bernadette@environmentcalifornia.org

CHRISTOPHER T. ELLISON
ELLISON, SCHNEIDER & HARRIS, LLP
California Solar Energy Industries Assn.
2015 H STREET
SACRAMENTO, CA 95814
cte@eslawfirm.com

LYNN HAUG
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814
lmh@eslawfirm.com

RONALD LIEBERT
ATTORNEY AT LAW
CALIFORNIA FARM BUREAU FEDERATION
California Farm Bureau
2300 RIVER PLAZA DRIVE
SACRAMENTO, CA 95833
rliebert@cfbf.com

ALEXANDER G. CHEN
THERMAL MANAGEMENT GROUP
UNITED TECHNOLOGIES RESEARCH
CENTER
UNITED TECHNOLOGIES RESEARCH
CENTER
STAFF ENGINEER
411 SILVER LANE, MS129-16
E. HARTFORD, CT 6108
chenag@utrc.utc.com

HEATHER HUNT
W.H. ROBERT & H.F. HUNT, LLC
UTC POWER
242 WHIPPOORWILL LANE
STRATFORD, CT 6614
heather@wrobert.net

ROBERT M. MARGOLIS
SENIOR ENERGY ANALYST
NATIONAL RENEWABLE ENERGY
LABORATORY
901 D STREET, S.W., SUITE 930
WASHINGTON, DC 20004
robert_margolis@nrel.gov

FREDERICK MORSE
MORSE ASSOCIATES, INC.
1808 CORCORAN ST., NW
WASHINGTON, DC 20009
FredMorse@MorseAssociatesInc.com

JAMES ROSS
RCS INC.
500 CHESTERFIELD CENTER, SUITE 320
CHESTERFIELD, MO 63017
jimross@r-c-s-inc.com

PATRICK J. FORKIN III

TEJAS SECURITIES
TEJAS SECURITIES
7700 BONHOMME AVE. STE 575
CLAYTON, MO 63105
pforkin@tejassec.com

LORI SMITH SCHELL PH.D.
EMPOWERED ENERGY
EMPOWERED ENERGY
N. ELK RUN
DURANGO, CO 81303
lschell@empoweredenergy.com

JILL K. CLIBURN
45 CRAZY RABBIT DRIVE
SANTA FE, NM 87508
jkcliburn@gmail.com

CLAY FABER
SAN DIEGO GAS & ELECTRIC COMPANY
555 WEST FIFTH STREET, GT14D6
LOS ANGELES, CA 90013
cfaber@semprautilities.com

HUGH YAO
SOUTHERN CALIFORNIA GAS COMPANY
SOUTHERN CALIFORNIA GAS COMPANY
555 W. 5TH ST, GT22G2
LOS ANGELES, CA 90013
hyao@semprautilities.com

NOAH GOLDEN
GOLDEN ENERGY
GOLDEN ENERGY
2630 LA CIENEGA AVE.
LOS ANGELES, CA 90034
golden@goldenergy.com

NORMAN A. PEDERSEN
ATTORNEY AT LAW
HANNA AND MORTON LLP
444 SOUTH FLOWER STREET, SUITE 1500
LOS ANGELES, CA 90071-2916
npedersen@hanmor.com

HILLARY GROSS
CAMPAIGN & ADVOCACY COORDINATOR
GLOBAL GREEN USA
2218 MAIN STREET, 2ND FLOOR
SANTA MONICA, CA 90405
hgross@globalgreen.org

MARTIN KAY
PROGRAM SUPERVISOR
SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT
SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT
21865 COPLEY DR.
DIAMOND BAR, CA 91765-3252
mkay@aqmd.gov

RONALD K. ISHII
AESC, INC.
AESC, INC.
1945 CAMINO VIDA ROBLE, SUITE A
CARLSBAD, CA 92008
rishii@aesc-inc.com

SCOTT DEBENHAM
DEBENHAM ENERGY LLC
DEBENHAM ENERGY LLC
11317 VALLE VISTA ROAD
LAKESIDE, CA 92040
scott@debenhamenergy.com

DONALD C. LIDDELL, P.C.
DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO, CA 92103
liddell@energyattorney.com

CARL C. LOWER
THE POLARIS GROUP
717 LAW STREET
SAN DIEGO, CA 92109-4236
clower@earthlink.net

SCOTT J. ANDERS
RESEARCH/ADMINISTRATIVE DIRECTOR
UNIVERSITY OF SAN DIEGO SCHOOL OF
LAW
5998 ALCALA PARK
SAN DIEGO, CA 92110
scottanders@sandiego.edu

ABBAS M. ABED
ELECTRIC AND GAS PROCUREMENT
SAN DIEGO GAS & ELECTRIC
8315 CENTURY PARK COURT, CP21D
SAN DIEGO, CA 92123
amabed@semprautilities.com

IRENE M. STILLINGS
SAN DIEGO REGIONAL ENERGY OFFICE
8520 TECH WAY, SUITE 110
SAN DIEGO, CA 92123
irene.stillings@sdenenergy.org

JENNIFER PORTER
POLICY ANALYST
SAN DIEGO REGIONAL ENERGY OFFICE
8520 TECH WAY - SUITE 110
SAN DIEGO, CA 92123
jennifer.porter@sdenenergy.org

SUSAN FREEDMAN
SAN DIEGO REGIONAL ENERGY OFFICE
8520 TECH WAY, SUITE 110
SAN DIEGO, CA 92123
susan.freedman@sdenenergy.org

CENTRAL FILES
SAN DIEGO GAS & ELECTRIC
SAN DIEGO GAS & ELECTRIC
CP31-E
8330 CENTURY PARK COURT
SAN DIEGO, CA 92123-1530
centralfiles@semprautilities.com

TAMLYN M. HUNT
COMMUNITY ENVIRONMENTAL COUNCIL
COMMUNITY ENVIRONMENTAL COUNCIL
26 W. ANAPAMU ST., 2/F
SANTA BARBARA, CA 93101
thunt@cecmil.org

CORIE CHEESEMAN
301 VAN BUREN APT. 14
MONTEREY, CA 93940
corie.cheeseman@miis.edu

BREENE KERR
27261 SHERLOCK ROAD
LOS ALTOS HILLS, CA 94022
breene@bcp.com

JANE H. TURNBULL
LEAGUE OF WOMEN VOTERS OF
CALIFORNIA
64 LOS ALTOS SQUARE
LOS ALTOS, CA 94022
jturnbu@ix.netcom.com

DIANE I. FELLMAN
ATTORNEY AT LAW
FPL ENERGY, LLC
234 VAN NESS AVENUE
SAN FRANCISCO, CA 94102
diane_fellman@fpl.com

JOSEPH P. COMO
DEPUTY CITY ATTORNEY
CITY AND COUNTY OF SAN FRANCISCO
1 DR CARLTON B GOODLETT PLACE
RM.234
SAN FRANCISCO, CA 94102
joe.como@sfgov.org

MICHAEL HYAMS
SAN FRANCISCO PUBLIC UTILITIES COMM
1155 MARKET ST., 4/F
SAN FRANCISCO, CA 94103
mhyams@sflower.org

SEAN CASEY
SAN FRANCISCO PUBLIC UTILITIES
COMMISSIO
1155 MARKET STREET, 4TH FLOOR
SAN FRANCISCO, CA 94103
scasey@sfwater.org

DAN ADLER
DIRECTOR, TECH AND POLICY
DEVELOPMENT
CALIFORNIA CLEAN ENERGY FUND
582 MARKET ST., SUITE 1015
SAN FRANCISCO, CA 94104
Dan.adler@calcef.org

DEVRA WANG
STAFF SCIENTIST
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 94104
dwang@nrdc.org

ANGELA TORR
PACIFIC GAS & ELECTRIC COMPANY
PACIFIC GAS & ELECTRIC COMPANY
77 BEALE STREET, RM. 1058, B10A
SAN FRANCISCO, CA 94105
act6@pge.com

CALIFORNIA ENERGY MARKETS
CALIFORNIA ENERGY MARKETS
517-B POTRERO AVE.
SAN FRANCISCO, CA 94110-1431
cem@newsdata.com

BRIAN T. CRAGG
ATTORNEY AT LAW
GOODIN MACBRIDE SQUERI RITCHIE &
DAY LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111
bcragg@gmssr.com

LISA WEINZIMER
CALIFORNIA ENERGY CIRCUIT
CALIFORNIA ENERGY CIRCUIT
695 NINTH AVENUE, NO. 2
SAN FRANCISCO, CA 94118
lisa_weinzimer@platts.com

LAW DEPARTMENT FILE ROOM
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO, CA 94120-7442
cpuccases@pge.com

DAVID MCMANUS
3 PHASES ENERGY SERVICES
6 FUNSTON AVENUE, SUITE A
SAN FRANCISCO, CA 94129
dmcmamus@3phases.com

CHRIS HARRIS
PACIFIC GAS AND ELECTRIC COMPANY
MAIL CODE B10A
PO BOX 770000
SAN FRANCISCO, CA 94177
jchs@pge.com

SUSAN SKILLMAN
TEAM LEAD
PACIFIC GAS AND ELECTRIC COMPANY
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000
MAIL CODE B10A
SAN FRANCISCO, CA 94177
sgw1@pge.com

ROCCO COLICCHIA
HARRIS & ASSOCIATES
HARRIS & ASSOCIATES
120 MASON CIRCLE
CONCORD, CA 94520
rcolicchia@harris-assoc.com

PATRICIA THOMPSON
SUMMIT BLUE CONSULTING
1766 LACASSIE AVE. STE 103
WALNUT CREEK, CA 94596
pthompson@summitblue.com

WILLIAM F. DIETRICH
ATTORNEY AT LAW
DIETRICH LAW
2977 YGNACIO VALLEY ROAD, 613
WALNUT CREEK, CA 94598-3535
dietrichlaw@earthlink.net

J.A. SAVAGE
CALIFORNIA ENERGY CIRCUIT
3006 SHEFFIELD AVE.
OAKLAND, CA 94602
editorial@californiaenergycircuit.net

CATHERINE E. YAP
BARKOVICH AND YAP
BARKOVICH AND YAP
PO BOX 11031
OAKLAND, CA 94611
ceyap@earthlink.net

MRW & ASSOCIATES, INC.
MRW & ASSOCIATES, INC.
1999 HARRISON STREET, SUITE 1440
OAKLAND, CA 94612
mrw@mrwassoc.com

EBEN TWOMBLY
KW ENGINEERING
360 - 17TH STREET, SUITE 100
OAKLAND, CA 94612
twombly@kw-engineering.com

JEANNE CLINTON
2232 WARD STREET
BERKELEY, CA 94705
jeanne.clinton@earthlink.net

RYAN WISER
BERKELEY LAB
BERKELEY LAB
MS-90-4000
ONE CYCLOTRON ROAD
BERKELEY, CA 94720
rhwiser@lbl.gov

JIAB TONGSOPIT
ENVIRONMENTAL STUDIES DEPARTMENT

UNIVERSITY OF CALIFORNIA, SANTA
CRUZ
UNIVERSITY OF CALIFORNIA, SANTA
CRUZ
1156 HIGH STREET
SANTA CRUZ, CA 95064
jiab@ucsc.edu

BARBARA R. BARKOVICH
BARKOVICH & YAP, INC.
BARKOVICH AND YAP, INC.
44810 ROSEWOOD TERRACE
MENDOCINO, CA 95460
brbarkovich@earthlink.net

JOHN R. REDDING
ARCTURUS ENERGY CONSULTING, INC.
44810 ROSEWOOD TERRACE
MENDOCINO, CA 95460
johnrredding@earthlink.net

LIZ MERRY
EXECUTIVE DIRECTOR
NORCAL SOLAR
NORCAL SOLAR
2402 WESTERNESSE RD.
DAVIS, CA 95616
lmerry1@yahoo.com

VIKKI WOOD
PRINCIPAL DEMAND-SIDE SPECIALIST
SACRAMENTO MUNICIPAL UTILITY
DISTRICT
6301 S STREET, MS A103
SACRAMENTO, CA 95618-1899
vwood@smud.org

LEGAL AND REGULATORY DEPARTMENT
CALIFORNIA ISO
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM, CA 95630
e-recipient@caiso.com

LAURIE PARK
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600

RANCHO CORDOVA, CA 95670-6078
lpark@navigantconsulting.com

VICTORIA P. FLEMING
NAVIGANT CONSULTING, INC.
3100 ZINFANDEL DRIVE, SUITE 600
RANCHO CORDOVA, CA 95670-6078
vfleming@navigantconsulting.com

SCOTT TOMASHEFSKY
REGULATORY AFFAIRS MANAGER
NORTHERN CALIFORNIA POWER AGENCY
CEC
180 CIRBY WAY
ROSEVILLE, CA 95678
scott.tomashefsky@ncpa.com

DARRYL J. CONKLIN
RENEWABLE TECHNOLOGIES
INCORPORATED
RENEWABLE TECHNOLOGIES
INCORPORATED
PO BOX 1569
SUTTER CREEK, CA 95685
darryl.conklin@renewable.com

BRUCE MCLAUGHLIN
ATTORNEY AT LAW
BRAUN & BLAISING P.C.
915 L STREET, SUITE 1420
SACRAMENTO, CA 95814
mclaughlin@braunlegal.com

DARCIE L. HOUCK
MONTEAU & PEEBLES LLP
MONTEAU & PEEBLES LLP
1001 SECOND STREET
SACRAMENTO, CA 95814
dhouck@ndnlaw.com

JAN E. MCFARLAND
CALIFORNIA SOLAR ENERGY INDUSTRIES
ASSO.
CALIFORNIA SOLAR ENERGY INDUSTRIES
ASSO.
1100 ELEVENTH STREET, SUITE 322
SACRAMENTO, CA 95814
janmcfar@sonic.net

SCOTT BLAISING
ATTORNEY AT LAW
BRAUN & BLAISING, P.C.
915 L STREET, STE. 1420
SACRAMENTO, CA 95814
blaising@braunlegal.com

WILLIAM W. WESTERFIELD III
ATTORNEY AT LAW
STOEL RIVES LLP
770 L STREET, SUITE 800
SACRAMENTO, CA 95814
www.westerfield@stoel.com

KAREN LINDH
LINDH & ASSOCIATES
PMB 119
7909 WALERGA ROAD, NO. 112
ANTELOPE, CA 95843
karen@klindh.com

STEVE COONEN
CONNECT ENERGY
CONNECT ENERGY
14790 MOSSWOOD LANE
GRASS VALLEY, CA 95945
steve@connectenergy.com

MARIA ROCK
NORTHGATE AVIATION
NORTHGATE AVIATION
2826 CORY CREEK ROAD
BUTTE VALLEY, CA 95965
mlrock@shocking.com

GEORGE SIMONS
PRINCIPAL RESEARCH CONSULTANT
ITRON
1104 MAIN STREET, SUITE 630
VANCOUVER, WA 98660
George.Simons@itron.com

KURT SCHEUERMANN
ITRON, INC.
1104 MAIN STREET, SUITE 630
VANCOUVER, WA 98660
Kurt.Scheuermann@itron.com

LOS ANGELES DOCKET OFFICE
CALIFORNIA PUBLIC UTILITIES
COMMISSION
320 W. 4TH STREET, SUITE 500
LOS ANGELES, CA 90013
LAdocket@cpuc.ca.gov

Donald R. Smith
CALIF PUBLIC UTILITIES COMMISSION
ORA
ELECTRICITY RESOURCES & PRICING
BRANCH
ROOM 4209
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
dsh@cpuc.ca.gov

Kim Malcolm
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW
JUDGES
ROOM 5005
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
kim@cpuc.ca.gov

Lisa Paulo
CALIF PUBLIC UTILITIES COMMISSION
NATURAL GAS, ENERGY EFFICIENCY AND
RESOURCE ADVISORY
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
lp1@cpuc.ca.gov

Mark R. Loy
CALIF PUBLIC UTILITIES COMMISSION
ENERGY COST OF SERVICE & NATURAL
GAS BRANCH
ROOM 4205
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
mrl@cpuc.ca.gov

Martin Homec
CALIF PUBLIC UTILITIES COMMISSION
ENERGY COST OF SERVICE & NATURAL
GAS BRANCH
ROOM 4205
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
mxh@cpuc.ca.gov

Merideth Sterkel
CALIF PUBLIC UTILITIES COMMISSION
NATURAL GAS, ENERGY EFFICIENCY AND
RESOURCE ADVISORY
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
mts@cpuc.ca.gov

Philippe Auclair
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5218
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
pha@cpuc.ca.gov

Rachel McMahon
CALIF PUBLIC UTILITIES COMMISSION
NATURAL GAS, ENERGY EFFICIENCY AND
RESOURCE ADVISORY
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
rcl@cpuc.ca.gov

Shannon Eddy
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 4102
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
sed@cpuc.ca.gov

Terrie D. Prosper
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5301
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
tdp@cpuc.ca.gov

Valerie Beck
CALIF PUBLIC UTILITIES COMMISSION
NATURAL GAS, ENERGY EFFICIENCY AND
RESOURCE ADVISORY
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
vjb@cpuc.ca.gov

Werner M. Blumer
CALIF PUBLIC UTILITIES COMMISSION
ENGINEERING, ENVIRONMENTAL
STUDIES, CUSTOMER SERVICE
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
wmb@cpuc.ca.gov

ANN PETERSON
TECHNOLOGY SYSTEMS DIVISION
CALIFORNIA ENERGY COMMISSION
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 45
SACRAMENTO, CA 95814
apeterso@energy.state.ca.us

BRIAN BIERING
RESOURCES AGENCY
1416 NINTH STREET, SUITE 1311
SACRAMENTO, CA 95814
brian.biering@resources.ca.gov

Don Schultz
CALIF PUBLIC UTILITIES COMMISSION
ORA
ELECTRICITY RESOURCES & PRICING
BRANCH
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814
dks@cpuc.ca.gov

EDWARD RANDOLPH
ASSEMBLY UTILITIES AND COMMERCE
COMMITTEE
ASSEMBLY UTILITIES AND COMMENCE
COMMITTEE
STATE CAPITOL
SACRAMENTO, CA 95814
edward.randolph@asm.ca.gov

KEITH ROBERTS
CITY ENERGY MANAGER
CITY OF SACRAMENTO
CITY OF SACRAMENTO
927 10TH STREET, 300, GENERAL SERVICES
SACRAMENTO, CA 95814
kroberts@cityofsacramento.org

MARK RAWSON
CALIFORNIA ENERGY COMMISSION
CEC
1516 NINTH STREET, MS 43
SACRAMENTO, CA 95814
mrawson@energy.state.ca.us

RACHEL MACDONALD
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS 43
SACRAMENTO, CA 95814
rmacdona@energy.state.ca.us

TIM TUTT
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-45
SACRAMENTO, CA 95814
ttutt@energy.state.ca.us

TODD LIEBERG
CALIFORNIA ENERGY COMMISSION
TECHNOLOGY SYSTEMS DIVISION
1516 NINTH STREET, MS-45
SACRAMENTO, CA 95814
tlieberg@energy.state.ca.us

JEFF WILSON
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS 45
SACRAMENTO, CA 95814-5512
jewilson@energy.state.ca.us

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this January 3, 2006, at San Francisco, California.



Jean Perley