

PUBLIC UTILITIES COMMISSION

SAN FRANCISCO, CA 94102-3298



March 19, 2008

Advice Letters 2137-E/E-A/E-B

Akbar Jazayeri  
Vice President, Regulatory Operations  
Southern California Edison Company  
P O Box 800  
Rosemead, CA 91770

Subject: Submission of Contracts for Procurement of Renewable  
Energy from SCE's 2006 Renewables Portfolio Standard  
Solicitation

Dear Mr. Jazayeri:

Advice Letters 2137-E/E-A/E-B are effective March 13, 2008.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean H. Gallagher".

Sean H. Gallagher, Director  
Energy Division

## PUBLIC VERSION

---

January 10, 2008

### **ADVICE 2137-E-B (U 338-E)**

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
ENERGY DIVISION

**SUBJECT:** Second Supplement to Submission of Contracts for  
Procurement of Renewable Energy From SCE's 2006  
Renewables Portfolio Standard Solicitation

### **PURPOSE**

The purpose of this advice filing is to supplement, in part, Advice 2137-E and 2137-E-A, in order to reflect changes pursuant to Decision ("D.") 07-11-025, Opinion on Amended Petition for Modification of Decision 04-06-014 Regarding Standard Terms and Conditions ("Standard Terms and Conditions decision"), issued November 19, 2007. Advice 2137-E was originally filed on July 13, 2007 and seeks California Public Utilities Commission ("Commission" or "CPUC") approval of two renewables portfolio standard ("RPS") power purchase agreements ("PPAs") between (1) Southern California Edison Company ("SCE") and Caithness Dixie Valley, LLC (the "Dixie Valley Contract"), and (2) SCE and ORNI #18, LLC (the "ORNI Contract"). On August 16, 2007, SCE supplemented Advice 2137-E, in order to include the Independent Evaluator Report for SCE's 2006 Renewable Resource Solicitation.

The Commission recently adopted General Order ("GO") 96-B, effective July 1, 2007. GO 96-B, among other things, implements new requirements for establishing the confidentiality of advice letter filings.

In accordance with GO 96-B, the confidentiality of information included in this advice filing is described below. This advice filing contains both confidential and public attachments.

Attachment 1: *Designation of Confidential Information*, is public.

Attachment 2: *Amendment to Power Purchase Agreement between SCE and Caithness Dixie Valley, LLC*, is confidential.

Attachment 3: *Amendment to Power Purchase Agreement between SCE and ORNI #18, LLC*, is confidential.

This advice filing includes both a confidential version, including all attachments, and a public version which includes Attachment 1 and a public version of Attachments 2 and 3.

## **BACKGROUND**

On July 13, 2007, SCE filed Advice 2137-E seeking Commission approval of two PPAs resulting from SCE's 2006 RPS solicitation: (1) the Dixie Valley Contract; and (2) the ORNI Contract. On August 16, 2007, SCE supplemented Advice 2137-E, in order to include the Independent Evaluator Report for SCE's 2006 Renewable Resource Solicitation. On November 19, 2007, the Commission issued the Standard Terms and Conditions decision. This decision set forth four standard "non-modifiable" contract terms to be included in all RPS contracts: (1) "CPUC Approval," (2) "RECs" and "Green Attributes," (3) "Eligibility," and (4) "Applicable Law." Since the issuance of this decision, SCE has amended the contracts identified above in order to comply with the new Commission decision. SCE's original contract terms were substantively the same as the new standard terms set forth in D.07-11-025. However, SCE amended the contracts in order to comply fully with the new decision. The amendments to the contracts are attached hereto as Attachments 2 and 3.

## **CONFIDENTIALITY**

SCE is requesting confidentiality of the confidential portions of Attachments 2 and 3 to this advice filing. The information for which SCE is seeking confidential treatment is identified in Attachment 1 hereto. The confidential version of this advice filing will be made available to appropriate parties (in accordance with SCE's Proposed Protective Order, as discussed below) upon execution of the required non-disclosure agreement. Parties wishing to obtain access to the confidential version of this advice filing may contact William V. Walsh in SCE's Law Department at [William.V.Walsh@sce.com](mailto:William.V.Walsh@sce.com) or (626) 302-4531 to obtain a non-disclosure agreement. In accordance with GO 96-B, a copy of SCE's Proposed Protective Order was provided as Appendix M to Advice 2143-E, filed on July 27, 2007. It is appropriate to accord confidential treatment to the information for which SCE requests confidential treatment in the first instance in the advice letter process because such information is entitled to confidentiality protection pursuant to D.06-06-066 and is required to be filed by advice letter as part of the process for obtaining Commission approval of RPS PPAs.

The information in this advice filing for which SCE requests confidential treatment, the pages on which the information appears, and the length of time for which the information should remain confidential, are provided in Attachment 1. This information is entitled to confidentiality protection pursuant to D.06-06-066 (as provided in the IOU Matrix). The specific provisions of the IOU Matrix that apply to the confidential information in this advice filing are identified in Attachment 1.

The confidential information provided in this advice filing cannot be aggregated, redacted, summarized, masked, or otherwise protected in a manner that would allow partial disclosure of the data, while still protecting confidential information, because the RPS contract advice filing template calls for the data to be provided in its present form. SCE would object to any disclosure of the confidential information in aggregated form. Based on the format of the RPS contract advice filing template, SCE is not aware of any manner that the confidential information could be aggregated that would qualify the information for public status under the IOU Matrix of D.06-06-066.

To the best of my knowledge, SCE maintains as confidential the information contained in this advice filing for which confidentiality is sought. I am informed and believe that this information is maintained by SCE's Renewable and Alternative Power Department and provided internally only to those employees who need to know the information to carry out their job duties. I am also informed and believe that this information has not been disclosed to any person other than employees of SCE or non-market participants (such as staff of the CPUC or the Independent Evaluator).

### **TIER DESIGNATION**

Pursuant to D.07-01-024, Energy Industry Rule 5.3, SCE submits this advice filing with a Tier 3 designation (effective after Commission approval).

### **EFFECTIVE DATE**

SCE requests that this advice filing become effective by January 31, 2008, subject to review and approval by the Commission.

### **PROTESTS**

SCE asks that the protest and comment period be waived because the amendments to the contracts provided in this supplemental advice filing represent non-substantive changes from the contracts that were originally filed as part of Advice 2137-E.

### **NOTICE**

In accordance with Section 4 of GO 96-B, SCE is furnishing copies of this advice filing to the interested parties shown on the attached R.06-05-027, R.06-02-012, and GO 96-B service lists. Address change requests to the GO 96-B service list should be directed to [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com) or at (626) 302-2930. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at [Process\\_Office@cpuc.ca.gov](mailto:Process_Office@cpuc.ca.gov).

Further, in accordance with Public Utilities Code Section 491, notice to the public is hereby given by filing and keeping the advice filing at SCE's corporate headquarters. To view other SCE advice letters filed with the Commission, log on to SCE's web site at <http://www.sce.com/AboutSCE/Regulatory/adviceletters/>.

All questions concerning this advice filing should be directed to James Woodruff at (626) 302-1924 (E-mail: [james.woodruff@sce.com](mailto:james.woodruff@sce.com)).

**Southern California Edison Company**

Akbar Jazayeri

AJ:jw:sq  
Enclosures

# CALIFORNIA PUBLIC UTILITIES COMMISSION

## ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: Southern California Edison Company (U 338-E)

Utility type:

ELC       GAS  
 PLC       HEAT       WATER

Contact Person: James Yee

Phone #: (626) 302-2509

E-mail: [James.Yee@sce.com](mailto:James.Yee@sce.com)

E-mail Disposition Notice to: [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com)

EXPLANATION OF UTILITY TYPE

ELC = Electric      GAS = Gas  
 PLC = Pipeline      HEAT = Heat      WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 2137-E-B      Tier Designation: 3

Subject of AL: Second Supplement to Submission of Contracts for Procurement of Renewable Energy From SCE's 2006 Renewables Portfolio Standard Solicitation

Keywords (choose from CPUC listing): Contracts, Portfolio, Procurement

AL filing type:  Monthly  Quarterly  Annual  One-Time  Other

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: \_\_\_\_\_

Summarize differences between the AL and the prior withdrawn or rejected AL<sup>1</sup>: \_\_\_\_\_

Confidential treatment requested?  Yes  No

If yes, specification of confidential information: See Attachment 1.

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement.

Name and contact information to request nondisclosure agreement/access to confidential information:

William V. Walsh, Law Department, at (626) 302-4531 or William.V.Walsh@sce.com

Resolution Required?  Yes  No

Requested effective date: 1/31/08      No. of tariff sheets: -0-

Estimated system annual revenue effect: (%): \_\_\_\_\_

Estimated system average rate effect (%): \_\_\_\_\_

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: None

Service affected and changes proposed<sup>1</sup>: \_\_\_\_\_

Pending advice letters that revise the same tariff sheets: \_\_\_\_\_

<sup>1</sup> Discuss in AL if more space is needed.

**All correspondence regarding this AL shall be sent to:**

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Ave.,  
San Francisco, CA 94102  
[inj@cpuc.ca.gov](mailto:inj@cpuc.ca.gov) and [mas@cpuc.ca.gov](mailto:mas@cpuc.ca.gov)

Akbar Jazayeri  
Vice President of Regulatory Operations  
Southern California Edison Company  
2244 Walnut Grove Avenue  
Rosemead, California 91770  
Facsimile: (626) 302-4829  
E-mail: [AdviceTariffManager@sce.com](mailto:AdviceTariffManager@sce.com)

Bruce Foster  
Senior Vice President, Regulatory Affairs  
c/o Karyn Gansecki  
Southern California Edison Company  
601 Van Ness Avenue, Suite 2040  
San Francisco, California 94102  
Facsimile: (415) 673-1116  
E-mail: [Karyn.Gansecki@sce.com](mailto:Karyn.Gansecki@sce.com)

**Attachment 1**

**Designation of Confidential Information**

**DESIGNATION OF CONFIDENTIAL INFORMATION**

Identified below are the data in SCE’s advice filing for which SCE is seeking confidential protection and the categories of the Matrix of Allowed Confidential Treatment Investor Owned Utility (“IOU”) Data (the “IOU Matrix”) to which these data correspond. Also set forth is the period of time for which confidential protection is authorized by the IOU Matrix.

<b>Data</b>	<b>Page</b>	<b>Matrix Category</b>	<b>Period of Confidentiality</b>
Amendment to the Dixie Valley Contract	Attachment 2	VII. G. RPS Contracts Confidential for three years	Detailed information is required for the advice letter.
Amendment to the ORNI Contract	Attachment 3	VII. G. RPS Contracts Confidential for three years	Detailed information is required for the advice letter.

**Attachment 2**

**Amendment to Power Purchase Agreement between SCE and Caithness Dixie  
Valley, LLC**

**Confidential Protected Materials – Public Disclosure Prohibited**

**Attachment 3**

**Amendment to Power Purchase Agreement between SCE and ORNI #18, LLC**

**Confidential Protected Materials – Public Disclosure Prohibited**