

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
FOR THE SAN FRANCISCO
ELECTRIC RELIABILITY PROJECT

Docket No. 04-AFC-1

COMMISSION ORDER

I. Background

At the May 31, 2006 Evidentiary Hearing, the Hearing Officer ruled against CARE's attempt to introduce into evidence, over Applicant's objection, the transcript of a January 12, 2004, California Public Utilities Commission (CPUC) hearing. On June 5, 2005, CARE requested reconsideration and clarification of the Ruling. On July 6, 2006, the Committee reconsidered the Ruling and, having found the transcript to be immaterial and irrelevant, again denied admission of the transcript into evidence.

II. Order

The Commission considered Intervenor Californians for Renewable Energy's (CARE) appeal of the Committee's July 6, 2006 "**Ruling re: CARE's Request for Reconsideration**" at its August 2, 2006, Business Meeting. CARE did not provide persuasive reasons to overturn or modify the prior Committee Ruling.

The Committee Ruling of July 6, 2006 is **AFFIRMED**. CARE's appeal is therefore **DENIED**.

Dated August 2, 2006, at Sacramento, California.

DOCKET
04-AFC-1
DATE <u>AUG 2 2006</u>
RECD. <u>AUG 4 2006</u>

(Absent)

JACKALYNE PFANNENSTIEL
Chairman

(Absent)

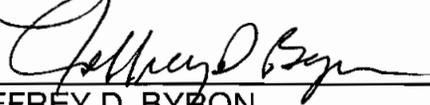
JAMES D. BOYD
Commissioner



JOHN L. GEESMAN
Commissioner



ARTHUR H. ROSENFELD
Commissioner



JEFFREY D. BYRON
Commissioner

Proof of Service List (Revised on 7/5/06)
filed with Original Document. Mailed from
Sacramento on 8/4/06).

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
FOR THE SAN FRANCISCO *ELECTRIC*
RELIABILITY POWER PROJECT

Docket No. 04-AFC-1
PROOF OF SERVICE
**Revised 7/5/06*

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 04-AFC-01
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DOCKET	
04-AFC-1	
DATE AUG	2 2006
RECDAUG	4 2006

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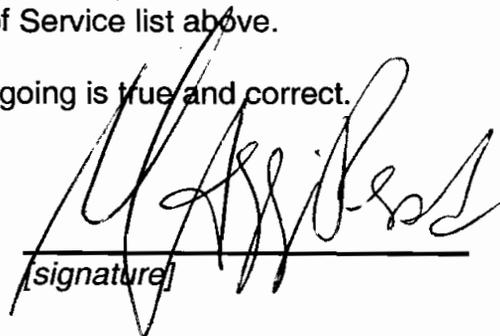
DECLARATION OF SERVICE

I, Maggie Read, declare that on August 4, 2006, I deposited copies of the attached A) "Ruling re: CARE's Request for Reconsideration" B) Joint Motion of CARE and Intervenor Sarvey to Strike Opening Brief of Applicant C) Motion of CARE to Strike Reply Briefs of Staff and Applicant, in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.


[signature]