

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Application of Pacific Gas and Electric Company for
Approval and Recovery of Costs Associated With its
Fuel Cell Project.
(U 39 E)

A.09-02-013
(Filed February 20, 2009)

Application Of Southern California Edison Company (U
338-E) for Authority to Implement and Recover in Rates
the Cost of its Proposed Fuel Cell Installation Program
for State Universities.

A.09-04-018
(Filed April 27, 2009)

**COMMENTS OF THE CALIFORNIA ENERGY STORAGE ALLIANCE
ON THE PROPOSED DECISION OF ALJ DUDA AND THE ALTERNATE
PROPOSED DECISION OF PRESIDENT PEEVEY**

Donald C. Liddell
DOUGLASS & LIDDELL
2928 2nd Avenue
San Diego, California 92103
Telephone: (619) 993-9096
Facsimile: (619) 296-4662
liddell@energyattorney.com

Attorneys for the
CALIFORNIA ENERGY STORAGE ALLIANCE

March 22, 2010

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company for Approval and Recovery of Costs Associated With its Fuel Cell Project. (U 39 E)	A.09-02-013 (Filed February 20, 2009)
Application Of Southern California Edison Company (U 338-E) for Authority to Implement and Recover in Rates the Cost of its Proposed Fuel Cell Installation Program for State Universities.	A.09-04-018 (Filed April 27, 2009)

**COMMENTS OF THE CALIFORNIA ENERGY STORAGE ALLIANCE
ON THE PROPOSED DECISION OF ALJ DUDA AND THE PROPOSED
ALTERNATE OF PRESIDENT PEEVEY**

Pursuant to Rule 14.3 of the Commission’s Rules of Practice and Procedure, the California Energy Storage Alliance (“CESA”)¹ hereby submits these comments regarding the Proposed Decision of Administrative Law Judge (“ALJ”) Dorothy Duda (“PD”) and the Alternate Proposed Decision of President Peevey (“Alternate”), both of which were issued on March 2, 2010, concerning consolidated Application of Pacific Gas & Electric Company (“PG&E Application”) filed on February 20, 2009, and the Application of Southern California Edison Company (“SCE Application”) on April 27, 2009 (together, the “Applications”).

Both the PD and Alternate leave intact Commission policy expressly prohibiting utilities from using Self generation Incentive Program (“SGIP”) to fund utility projects. Since the PD rejects the Applications entirely, it determines that SCE’s request to use uncommitted SGIP

¹ The California Energy Storage Alliance consists of A123 Systems, Altairnano, Beacon Power, Chevron Energy Solutions, Debenham Energy, Deeya Energy, Enersys, Enervault, Fluidic Energy, Ice Energy, Powergetis, Prudent Energy, PVT Solar, Suntech, and Xtreme Power. The views expressed in these comments are those of CESA, and do not necessarily reflect the views of all of the individual CESA member companies.

funds for its own account is moot.² The Alternate approves the Applications, but expressly declines to depart from Commission policy prohibiting utilities from receiving SGIP funds for their own projects.³ The Alternate accordingly contains Conclusion of Law Number 14: “PG&E and SCE should not use SGIP funds for the Fuel Cell Project.” CESA fully supports both the PD and the Alternate as they relate to the SGIP.

Respectfully submitted,



Donald C. Liddell
DOUGLASS & LIDDELL

Attorneys for the
CALIFORNIA ENERGY STORAGE ALLIANCE

March 22, 2010

² PD, pp. 20-21.

³ Alternate, pp. 28-29.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of *Comments of the California Energy Storage Alliance on the Proposed Decision of ALJ Duda and the Alternate Proposed Decision of President Peevey* on all parties of record in proceedings *A.09-02-013* and *A.09-04-018* by serving an electronic copy on their email addresses of record and by mailing a properly addressed copy by first-class mail with postage prepaid to each party for whom an email address is not available.

Executed on March 26, 2010, at Woodland Hills, California.



Michelle Dangott

SERVICE LISTS – A.09-02-013 and A.09-04-018

AGL9@pge.com
am1@cpuc.ca.gov
atrowbridge@daycartermurphy.com
bari@pge.com
blaising@braunlegal.com
californiadockets@pacificorp.com
case.admin@sce.com
cassandra.sweet@dowjones.com
cem@newsdata.com
CentralFiles@semprautilities.com
connor.flanigan@sce.com
dakinports@semprautilities.com
dbp@cpuc.ca.gov
dot@cpuc.ca.gov
douglas.porter@sce.com
douglass@energyattorney.com
EGrizard@deweysquare.com
ek@a-klaw.com
gloria.ing@sce.com
HYao@SempraUtilities.com
jheinzmann@fce.com
jmcMahon@8760energy.com
jordan.white@pacificorp.com
jrg@cpuc.ca.gov
jwwd@pge.com
kd1@cpuc.ca.gov
liddell@energyattorney.com
lkelly@energy.state.ca.us
lmh@eslawfirm.com
marcel@turn.org
mc3@cpuc.ca.gov
mrw@mrwassoc.com
mrw@mrwassoc.com
mts@cpuc.ca.gov
nes@a-klaw.com
nmr@cpuc.ca.gov
rabromley@att.net
regrelcuccases@pge.com
rjl9@pge.com
rmm@cpuc.ca.gov
rnevis@daycartermurphy.com
rshaw@fce.com
S2B9@pge.com
sbeserra@sbcglobal.net
sean.beatty@mirant.com
sha@cpuc.ca.gov
spatrick@sempra.com
walker.matthews@sce.com
WVM3@pge.com