

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

Order Instituting Rulemaking to Establish Policies and
Cost Recovery Mechanisms for Generation Procurement
and Renewable Resource Development.

Rulemaking 01-10-024
(Filed October 25, 2001)

**COMMENTS OF THE INDEPENDENT ENERGY
PRODUCERS ASSOCIATION ON THE PROPOSED
DECISION DENYING PROTECT OUR COMMUNITIES'
PETITION FOR MODIFICATION OF DECISION 06-09-021**

INDEPENDENT ENERGY PRODUCERS
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Dated: March 7, 2019

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The Independent Energy Producers Association (IEP) offers its comments on the Proposed Decision (PD) of Administrative Law Judge Julie Fitch on the petition of Protect Our Communities' petition for modification of Decision 06-09-021, issued on February 15, 2019.

IEP fully concurs with the PD's denial of the petition. There are no factual, legal, or technical errors in the PD, but IEP would like to comment favorably on the fact that the PD choose to go beyond the procedural defects that in themselves would justify rejection of the petition to address the substance of the petition.

At a time when the financial condition of California's electric utilities is uncertain and under review by the credit rating agencies, it is particularly important for those who follow the status of California's electric utilities to hear the Commission state that "the sanctity of contracts is paramount and that market actors need to have faith and confidence in this Commission's commitment to uphold its commitment to an approved contract, just as we expect contractual counterparties to do the same."¹ It is this respect for the contracts that the

¹ PD, p. 23.

Commission has reviewed and approved that has supported the investment of billions of dollars of private investment in California's transformation to clean energy. The recent bankruptcy filing by Pacific Gas and Electric Company and the threat to all California electric utilities of significant future wildfire liability have had the unfortunate effect of eroding confidence in California's investment climate, but statement like these can go a long way toward renewing investors' "faith and confidence" in California.

For these reasons, the Independent Energy Producers Association respectfully urges the Commission to approve the PD without modification and to deny Protect Our Community's petition.

Respectfully submitted March 7, 2019, at San Francisco, California.

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