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DOCKET
04-AFC-1
DATE JUN 24 2005
RECD.

BEFORE THE
STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

Application for Certification
For the San Francisco
Electric Reliability Project

Docket No. 04-AFC-1

Dear Mr. Russell:

SAN FRANCISCO ELECTRIC RELIABILITY PROJECT (SFERP) DATA REQUEST CARE SET 1 ON INTERVENER MIRANT

CAlifornians for Renewable Energy, Inc. (CARE) respectfully requests, Pursuant to Title 20, California Code of Regulations, section 1716, the information specified in the enclosed data request. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental or financial impacts to ratepayers. If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to the Committee and me within 10 days of receipt of this notice. The notification must contain the reasons for the inability to provide the information or the grounds for any objections (see Title 20, California Code of Regulations, section 1716 (f).

Respectfully submitted,

Lynne Brown

Lynne Brown- Vice President, CAlifornians
for Renewable Energy, Inc. (CARE)
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Michael E. Boyd

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June 24th, 2005

Verification

I am an officer of the Intervening Corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except matters, which are therein stated on information and belief, and as to those matters I believe them to be true.

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

Executed on this 24th day of June 2005, at Soquel, California.

Michael E. Boyd

Michael E. Boyd – President, CARE
CAlifornians for Renewable Energy, Inc. (CARE)
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First Data Request on Intervener Mirant

Purpose and Need

Background: Supplement A page 3-10 states "The SFERP could reduce costs from the operation of existing in-City generation. Because it is comprised of small flexible quick start units, the SFERP will eliminate the need to operate Potrero Unit 3 around the clock merely to ensure that a reliability unit is available to meet needs during peak hours." The SFERP is the subject of PPA with the DWR.

Data Request

1) To analyze whether the SFERP would support affordable electric bills please provide the kilowatt hour price of the RMR agreement for the Potrero Plant and the price per megawatt hour of electricity provided to the San Francisco Peninsula. Because this information is possibly protected please provide this data request reply under confidential cover subject to the attached non-disclosure certificate executed by CARE's designated non-market participant representative below.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Promote Policy and Program Coordination and Integration in Electric Utility Resource Planning.	Rulemaking 04-04-003 (Filed April 1, 2004)

NON-DISCLOSURE CERTIFICATE

I, Michael E. Boyd, have been asked by CAlifornians for Renewable Energy, Inc. (CARE) to inspect certain materials that have been designated as "Protected Materials" under Paragraph 4 of the Protective Order entered in the above-captioned matter by the Administrative Law Judge by order dated June 24, 2005.

1. I hereby certify my understanding that access to Protected Materials is provided to me pursuant to the terms and restrictions of the Protective Order in this proceeding, that I have been given a copy of and have read the Order, and that I agree to be bound by it. I understand that the contents of the Protected Materials, any notes or other memoranda, or any other form of information that copies or discloses such materials shall not be disclosed to anyone other than in accordance with the Protective Order.

2. I understand that my review of Protected Materials is solely for the purpose of participating in the above-captioned matter and establishing and implementing the RAR program adopted in the proceeding, and that any other use or disclosure of such materials by me is a violation of the Protective Order.

3. I hereby agree that for a period of two (2) years from the last date on which a Disclosing Party, as defined in the Protective Order, provides me with Protected Materials, I will not engage, directly or indirectly, in any of the following activities:

(a) the purchase, sale, or marketing of electrical energy or capacity or natural gas (or the direct supervision of any employee(s) whose duties include such activities);

(b) the bidding on or purchasing of power plants (or the direct supervision of any employee(s) whose duties include such activities); or

(c) consulting with or advising others in connection with any activity set forth in 3(a) or 3(b) above (or the direct supervision of any employee(s) whose duties include such activities or consulting).

I acknowledge that engaging in any of the above activities within the two (2) year period following the last date on which a Disclosing Party, as defined in the Protective Order, provides me with Protected Materials constitutes a violation of the Protective Order. Notwithstanding any other provision of this paragraph, with respect to an ISO Reviewing Representative only, participation in the ISO's ordinary operation of the ISO-controlled grid and in its ordinary administration of the ISO administered markets, including markets for ancillary services, supplemental energy, congestion management, and local area reliability services, shall not be deemed to be a violation of this paragraph or the Protective Order.

4. I hereby agree to submit to the jurisdiction of the California Public Utilities Commission ("CPUC") for the enforcement of the undertakings I have made hereby and I waive any objection to venue laid with the Commission for enforcement of the order.

5. I acknowledge that any violation of the Protective Order shall constitute a violation of an order of the CPUC and that the parties to this proceeding and Commission Staff reserve their rights to pursue any legal or equitable remedies that may be available in the event of an actual or anticipated disclosure of Protected Materials.

Executed on this 24th day of June 2005, at Soquel, California.

Michael E. Boyd

Michael E. Boyd – President, CARE
CAlifornians for Renewable Energy, Inc. (CARE)
5439 Soquel Dr.

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-01** **PROOF OF SERVICE** ***Revised 5/04/05**

I, Penny Clancy, declare that on June 27, 2005, I deposited copies of Californians for Renewable Energy's (CARE) Data Request s, Set No. 1, in the US mail in Sacramento, CA with first class postage thereon fully prepaid and addressed to the following:

DOCKET UNIT

Send the original signed document plus 12 copies to the following address:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 04-AFC-01
DOCKET UNIT, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512

In addition to the documents sent to the Commission Docket Unit, also send individual copies of all documents to:

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

Penny Clancy
(Signature)