

132 FERC ¶ 61,073
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 27, 2010

In Reply Refer To:
Pacific Gas and Electric Company
Docket No. ER09-1521-000

Pacific Gas and Electric Company
ATTN: Kerry C. Klein
Attorney for Pacific Gas and Electric Company
P.O. Box 7442
San Francisco, CA 94120

Dear Ms. Klein:

1. On March 31, 2010, you filed an Offer of Settlement and Stipulation (Settlement) on behalf of Pacific Gas & Electric Company (PG&E) and the Settling Parties¹ in the above referenced proceeding. On April 20, 2010, Commission Trial Staff and the California Public Utilities Commission filed comments in support of the Settlement. No other comments were received. On April 21, 2010, the Settlement Judge certified the Settlement to the Commission as uncontested.²

¹ The following parties support, or do not oppose, the Settlement: Bay Area Municipal Transmission Group; California Department of Water Resources State Water Project; California Public Utilities Commission; Cities of Anaheim, Azusa, Banning, Colton, Pasadena, and Riverside; Cities of Redding and Santa Clara and the M-S-R Public Power Agency; The Energy Producers and Users Coalition; Golden State Water Company; The Metropolitan Water District of Southern California; Modesto Irrigation District; Northern California Power Agency; Sacramento Municipal Utility District; San Diego Gas and Electric Company; Southern California Edison Company; State Water Contractors; Transmission Agency of Northern California; and the Western Area Power Administration.

² *Pacific Gas and Electric Company*, 131 FERC ¶ 63,005 (2010).

2. The Settlement resolves all issues set for hearing in the above-referenced docket. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved.

3. If PG&E has made its baseline electronic tariff filing pursuant to Order No. 714, and did not file the Settlement in the eTariff format required by Order No. 714, it is required to make a compliance filing in eTariff format to ensure that its electronic tariff provisions reflect the Commission actions in this order.³ Such a compliance filing also is necessary for any Settlement filing containing pro forma tariff sheets, but is not necessary if the Settlement was filed in eTariff format with actual tariff records (as opposed to pro forma records).

4. PG&E will make the refunds necessary to reflect the rates provided in the Settlement. PG&E will file with the Commission a refund report within thirty days of the date on which PG&E has provided refunds to all customers, as described in the Settlement.

5. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. Article 4.5 of the Settlement provides that the applicable standard of review for the Settlement is the just and reasonable standard. The Commission retains the right to investigate the rates, terms, and conditions under the just and reasonable standard of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2006).

6. This letter order terminates Docket No. ER09-1521-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc: All Parties

State of California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3296

³ See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276, at P 96 (2008).