

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

Order Instituting Rulemaking to Implement )  
Portions of AB117 Concerning Community )  
Choice Aggregation )

Rulemaking 03-10-003 (October 2, 2003)
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**COMMENTS OF LOCAL POWER ON PROPOSED DECISION RESOLVING  
PHASE 1 ISSUES ON PRICING AND COSTS ATTRIBUTABLE TO COMMUNITY  
CHOICE AGGREGATORS AND RELATED MATTERS**

November 18, 2004

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**COMMENTS OF LOCAL POWER ON PROPOSED DECISION RESOLVING  
PHASE 1 ISSUES ON PRICING AND COSTS ATTRIBUTABLE TO COMMUNITY  
CHOICE AGGREGATORS AND RELATED MATTERS**

In accordance with Rule 77 of the Commission's Rules of Practice and Procedure,  
Local Power hereby submits these comments in response to the Draft Proposed Decision  
Resolving Phase 1 Issues On Pricing And Costs Attributable To Community Choice Aggregators  
And Related Matters filed October 29, 2004 in the Order Instituting Rulemaking 03-10-003  
issued in the above-captioned proceeding on October 2, 2003 ("DPD").

The DPD reflects a rigorous effort to developing a systematic approach consistent with the intent  
of Assembly Bill 117 ("AB117") to resolve the cost and pricing questions relative to Community  
Choice Aggregation within the parameters of Phase 1 of this rulemaking. While we do not agree  
with every component of the DPD, Local Power applauds the quality of logic, consistency and  
forward thinking that are in evidence in this DPD. Local Power looks forward to submitting reply  
comments in coming weeks.

Respectfully submitted,

November 18, 2004

Paul Fenn, Executive Director  
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**CERTIFICATE OF SERVICE BY ELECTRONIC MAIL**

I, the undersigned, state that I am a citizen of the United States and am employed in the City of Oakland, California; that I am over the age of eighteen (18) years and not a party to the within cause; and that my business address is 4281 Piedmont Avenue, Oakland, California 94611.

On the 18<sup>th</sup> day of November 2004, I caused service of: **COMMENTS OF LOCAL POWER ON PROPOSED DECISION RESOLVING PHASE 1 ISSUES ON PRICING AND COSTS ATTRIBUTABLE TO COMMUNITY CHOICE AGGREGATORS AND RELATED MATTERS** to be made by EMAIL upon the parties or their attorneys of record for R.03-10-003. I declare under penalty of perjury that the foregoing is true and correct. Dated in Oakland, California, this 13<sup>th</sup> day of February, 2004.

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**Original Plus Hard Copies served:**

ALJ Kim Malcolm

President Michael Peevey

R.03-10-003

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