

PROTECT OUR COMMUNITIES FOUNDATION DATA REQUEST

POC-SDG&E-DR-003

SDG&E 2019 GRC – A.17-10-007

SDG&E RESPONSE

DATE RECEIVED: JUNE 20, 2018

DATE RESPONDED: JUNE 28, 2018

1. Your response to our DR#2 Question 8 was the attachment of the SDGE OMEC Nov. 21 2006 letter. That letter explicitly references a “definitive agreement” that was attached. Could we have a copy of that letter? We would be willing to sign an NDA for that document.”

SDG&E Response 1:

SDG&E objects to this question on relevance grounds. Notwithstanding and subject to this objection, SDG&E responds as follows. The October 23, 2006 Definitive Agreement referred to in the November 21, 2006 letter, which was provided in response to Question 8 of POC-SDG&E-DR-002, is the October 23, 2006 PPA Reinstatement Agreement By and Among Otay Mesa Energy Center, LLC, Calpine Corporation, Calpine Construction Management Company, Inc. and San Diego Gas & Electric Company (October 23, 2006 PPA Reinstatement Agreement) and is attached herein. The October 23, 2006 PPA Reinstatement Agreement includes the form of what became the May 1, 2007 Amended and Restated Power Purchase Agreement by and between San Diego Gas & Electric Company and Otay Mesa Energy Center, LLC and the form of what became the May 1, 2007 Ground Sublease and Easement Agreement (which was provided in response to POC-SDG&E-DR-001).