

1 [Settlement Prior to Binding Arbitration]

2

3 **Ordinance authorizing settlement of a dispute prior to binding arbitration under Section**
4 **23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San**
5 **Francisco's right to restrict Turlock's ability to schedule monthly capacity factors;**
6 **Turlock initiated the Section 23 dispute procedure by written notice dated October 10,**
7 **2002.**

8

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The City Attorney is hereby authorized to settle the dispute initiated by
11 Turlock Irrigation District against the City and County of San Francisco, dated October 10,
12 2002, over San Francisco's right to restrict Turlock's ability to schedule monthly firm energy
13 purchases based on a capacity factor between 60 and 70 percent from July to November,
14 upon amendment of the Long-Term Power Sales Agreement between the City and County of
15 San Francisco and Turlock Irrigation District consistent with the Letter Agreement in Board
16 File No. _____.

17 Section 2. Turlock initiated the above-named dispute on October 10, 2001 and named
18 the following party as defendant:: City and County of San Francisco.

19 APPROVED AS TO FORM AND
20 RECOMMENDED:

PUBLIC UTILITIES COMMISSION

21 DENNIS J. HERRERA
22 City Attorney

Patricia Martel
General Manager

23
24 _____
Joanne Hoeper
Chief Trial Deputy

25