

1 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission.]

2
3 **Ordinance approving a settlement agreement related to the electricity crisis of 2000-**
4 **2001 in proceedings before the Federal Energy Regulatory Commission and accepting**
5 **distribution of settlement funds collected by FERC.**

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7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~striketrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough-normal~~.

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

11 Section 1. The City Attorney and the General Manager of the San Francisco Public
12 Utilities Commission (PUC) are hereby authorized to accept a Settlement Agreement in
13 proceedings before the Federal Energy Regulatory Commission (FERC), consolidated in
14 Docket Nos. EL03-152 *et al.*, related to the electricity crisis of 2000-2001. The Board of
15 Supervisors hereby approves the City's acceptance of its share of funds collected by FERC
16 through settlement and administrative penalties, currently expected to total approximately
17 \$35,000.

18 Section 2. Background to the Settlement Agreement.

19 A. The central issue of the Settlement Agreement is the distribution of a pool of
20 money paid to FERC in accordance with various settlements or administrative penalties
21 related to the electricity crisis of 2000-01. In November 2007, FERC staff initiated negotiations
22 to reach an agreement on distribution of the funds FERC holds. FERC staff held settlement
23 conferences and facilitated extensive negotiations.

1 C. On November 29, 2007, San Francisco moved to intervene in the phase of the
2 proceedings addressing the distribution of funds. San Francisco submitted a claim based on
3 the City's electricity sales and purchases during the 2000-2001 time period.

4 D. On July 11, 2008, parties reached a Settlement Agreement providing for
5 distribution of settlement funds collected by FERC.

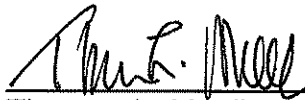
6 Section 3. Funds received by the City from this settlement shall be appropriated to
7 the PUC.

8
9 APPROVED AS TO FORM AND
10 RECOMMENDED:

RECOMMENDED:

11 DENNIS J. HERRERA
12 City Attorney

PUBLIC UTILITIES COMMISSION

13 
14 Theresa L. Mueller
15 Deputy City Attorney

16 
17 Edward Harrington
18 General Manager



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 081263

Date Passed:

Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC.

November 4, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

November 18, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081263

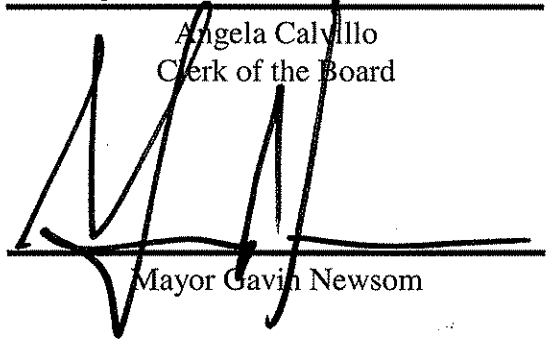
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on November 18,
2008 by the Board of Supervisors of the City
and County of San Francisco.

11/25/2008

Date Approved



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom