

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 05 - 0055

WHEREAS, On December 7, 2004, the Board of Supervisors passed an ordinance approving the settlement of the lawsuit filed by San Francisco in San Francisco Superior Court against TID seeking to validate termination of the Long Term Power Sales Agreement dated April 1, 1988, which ordinance was subsequently approved by the Mayor on December 14, 2004; and

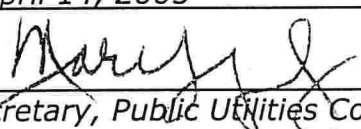
WHEREAS, The ordinance authorized the City Attorney to settle the action upon amendment of the Long Term Power Sales Agreement consistent with the Agreement to Implement and Settlement Term Sheet. The Agreement to Implement provided for a 60-day period within which the parties are to develop and negotiate the ARLTPSA. The Settlement Term Sheet provided that the ARLTPSA will not be executed by the Parties and will not become binding on them until after due authorization and approval of the same has been given by each of the TID Board of Directors and the San Francisco Public Utilities Commission; and

WHEREAS, execution of the Amended and Restated Long Term Power Sales Agreement with Turlock Irrigation District requires the purchase of firm energy on behalf of TID for the current fiscal year and will require a supplemental appropriation to the departments Purchase of Power budget; and

WHEREAS, The parties have finalized development and negotiation of the Amended and Restated Long Term Power Sales Agreement;

RESOLVED, that the Public Utilities Commission hereby authorizes the General Manager to execute the Amended and Restated Long Term Power Sales Agreement with the Turlock Irrigation District.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of April 14, 2005



Secretary, Public Utilities Commission