

Docket No.: A.11-05-023

Exhibit No.: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: Mark E. Fulmer

**TESTIMONY OF MARK FULMER ON BEHALF OF  
THE DIRECT ACCESS CUSTOMER COALITION,  
THE ALLIANCE FOR RETAIL ENERGY MARKETS AND  
THE WESTERN POWER TRADING FORUM  
CONCERNING THE APPLICATION OF SAN DIEGO GAS & ELECTRIC FOR  
AUTHORITY TO ENTER INTO PURCHASE POWER TOLLING AGREEMENTS  
WITH ESCONDIDO ENERGY CENTER, PIO PICO ENERGY CENTER,  
AND QUAIL BRUSH POWER**

1 **1. Introduction and Summary**

2

3 **Q. Please state your name and business address.**

4 A. My name is Mark E. Fulmer. I am a Principal at MRW & Associates, LLC (“MRW”).  
5 MRW is an energy consulting firm founded in 1986 that specializes in power and gas  
6 market assessments, regulatory matters, litigation support, expert witness testimony,  
7 contract review, and negotiations. My business address is 1814 Franklin Street, Suite  
8 720, Oakland, California. My professional and educational background is provided in  
9 Attachment A.

10

11 **Q: Have you previously testified before the California Public Utilities Commission?**

12 A: Yes. I have previously testified before the California Public Utilities Commission  
13 (“CPUC”) on behalf of the Direct Access Customer Coalition, the Alliance for Retail  
14 Energy Markets, Debenham Wind, Strategic Energy and Constellation NewEnergy, and  
15 the City and County of San Francisco. I have also submitted testimony in proceedings  
16 before the Federal Energy Regulatory Commission and state utility commissions in  
17 Arizona, Hawaii, Pennsylvania and Rhode Island.

18

19 **Q. On whose behalf are you testifying?**

20 A: I am testifying on behalf of the Alliance for Retail Energy Markets (“AReM”), the Direct  
21 Access Customer Coalition (“DACC”), and the Western Power Trading Forum  
22 (“WPTF”). AReM is a California mutual benefit corporation whose members are electric  
23 service providers that provide Direct Access (“DA”) service to retail end-use customers  
24 throughout the state. DACC is a regulatory alliance of commercial, industrial and

1 governmental customers who have opted for direct access for some or all of their loads.  
2 WPTF is a California non-profit, mutual benefit corporation. It is a broadly based  
3 membership organization dedicated to enhancing competition in Western electric markets  
4 in order to reduce the cost of electricity to consumers throughout the region while  
5 maintaining the current high level of system reliability. WPTF actions are focused on  
6 supporting development of competitive electricity markets throughout the region and  
7 developing uniform operating rules to facilitate transactions among market participants.

8  
9 **Q. What are the interests of AReM, DACC, and WPTF in this proceeding?**

10 A. SDG&E's application seeks approval of three separate Power Purchase Tolling  
11 Agreements ("PPTAs") with Pio Pico Energy Center ("Pio Pico"), 305 MW; Wellhead's  
12 Escondido Energy Center ("EEC"), 45 MW; and Quail Brush Generation Project ("Quail  
13 Brush"), 100 MW. These PPTAs appear to have been bid into SDG&E's 2009 Request  
14 for Offer ("RFO") conducted in compliance with SDG&E's 2006 Long Term  
15 Procurement Plan ("LTPP"), which was approved by the Commission in D.07-12-052, as  
16 amended by D.08-11-008. As first explained in their protest to the Application, AReM,  
17 DACC, and WPTF, along with Energy Users Forum, expressed concern with SDG&E's  
18 request for cost recovery for these PPTAs in accordance with the Cost Allocation  
19 Mechanism ("CAM") provided for in California Public Utilities Code Section 365.1(c)  
20 and in D.11-05-005.

21  
22 **Q. Please summarize your recommendations.**

23 A. My recommendations are as follows:

1           1. The Commission should not authorize CAM cost recovery for the PPTAs unless  
2           and until it has established specific criteria that ensure the application of CAM  
3           treatment is consistent with the underlying statute.

4           2. SDG&E’s request for CAM cost recovery for the PPTAs, if not the PPTAs  
5           themselves, should be denied because there is no demonstrable need for these  
6           PPTAs at this time.

7

8   **2. SDG&E Mischaracterizes the California Public Utilities Code and**  
9   **the Commission’s Order on CAM Treatment**

10  
11 **Q. Please describe SDG&E’s proposal for CAM treatment of its Escondido Energy**  
12 **Center, Pio Pico Energy Center, and Quail Brush Power PPTAs.**

13 A. In support of its request for CAM cost recovery for the PPTAs, SDG&E asserts that:

14  
15           [t]his Application is consistent with SB 695, existing Commission precedent on  
16           the treatment of other new resources, and the newly adopted Decision. SDG&E  
17           believes the costs associated with PPTAs comprising this Application must utilize  
18           a CAM for the duration of those PPTAs.<sup>1</sup>

19  
20 SDG&E cites to D.11-05-005 to support its assertion, noting that the CAM, when

21 authorized by the Commission, imposes costs on all Direct Access (“DA”) and  
22 Community Choice Aggregation (“CCA”) customers as well as bundled customers, and  
23 that the CAM applies for the term of any contract for which it is authorized.<sup>2</sup>

24

25 **Q: Do you agree that the CAM, when authorized by the Commission, imposes costs on**  
26 **all DA, CCA and bundled customers?**

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<sup>1</sup> See SDG&E Application, p. 7.

<sup>2</sup> See SDG&E Application, p. 6.

1 A: Yes. This is current Commission policy concerning the meaning of “all benefitting  
2 customers.” But that is not in question here. What is in question is under what conditions  
3 the CAM is to be applied.

4  
5 **Q: SDG&E also notes in its Application that D.11-05-005 specifically defers to a later**  
6 **proceeding the question of how the net capacity costs to be imposed on all**  
7 **benefitting customers to a later proceeding and offers to have the CAM treatment of**  
8 **these PPTAs carried out in accordance with whatever methodology the Commission**  
9 **implements for this purpose in the future.<sup>3</sup> Do you agree?**

10 A: Decision 11-05-005 does defer how the net capacity costs will be calculated, and  
11 therefore it is appropriate that SDG&E acknowledges that it would be subject to whatever  
12 calculation methodology is adopted. However, again, that is the not the question at issue  
13 here; the question is whether it is appropriate to authorize CAM cost allocation treatment  
14 at all for these PPTAs. In fact, it is interesting that SDG&E is amenable to deferring the  
15 final calculation methodology to future consideration since the Commission has said that  
16 the calculation mechanism needs further development, but nevertheless ignores the fact  
17 that the issue of when the CAM should be applied also remains subject to further  
18 Commission guidance and policy development.

19  
20 **Q. Are there other sections of D.11-05-005 that are applicable here?**

21 A. Yes. D.11-05-005 also says that:

22 ...there is no longer an election or choice whether to apply the CAM. If the  
23 statutorily-specified conditions are met, then the CAM applies. Those conditions  
24 require that the Commission make a determination that the generation resources

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<sup>3</sup> See SDG&E Application, p. 7.

1 in question “are needed to meet system or local area reliability needs for the  
2 benefit of all customers in the electric corporation’s distribution service territory.”  
3 The criteria that the Commission will use in making this determination will be  
4 developed later in this or a successor proceeding.<sup>4</sup>  
5  
6

7 Three key points can be gleaned from this excerpt. First, the Commission—not the  
8 applicant— makes a determination that the generation resources in question “are needed  
9 to meet system or local area reliability needs for the benefit of all customers in the  
10 electric corporations distribution service territory” and thus afforded CAM treatment.  
11 Second, one cannot assume that any new generation resource by its simple existence is  
12 needed to meet local or system reliability needs. If that were so, then there would be no  
13 need for a Commission determination. But since a determination must be made, then  
14 there is obviously the real possibility that a generation resource is not needed to meet  
15 system or local reliability needs and thus should not be afforded CAM treatment. Third,  
16 the criteria upon which the Commission will use to make the determination if a resource  
17 is needed for local or system reliability purposes has yet to be developed.

18 This interpretation of this section of the D.11-05-005 is supported later in the  
19 decision when it says:

20 This decision narrowly modifies our existing rules and processes to ensure  
21 compliance with the resource adequacy provisions of SB 695. In doing so, it is  
22 clear that there are some issues that remain to be resolved, including:  
23

- 24 1. The development of policies and processes for distinguishing between  
25 system and bundled resource needs, and related cost allocation.
- 26 2. Whether there should be a test of “who benefits” under SB 695, and if so,  
27 the construction of such a test.<sup>5</sup>  
28

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<sup>4</sup> D.11-05-005, pp. 6-7.

<sup>5</sup> D.11-05-005, p. 16.

1 This section clearly states that the policies needed for the Commission to make a decision  
2 concerning the CAM-treatment eligibility of a generating resource and who precisely  
3 benefits from new resources “remain to be resolved.”  
4

5 **Q. Please summarize why SDG&E’s request for CAM treatment is premature.**

6 A. The Commission has recognized that further Commission action is needed before the  
7 provisions of SB 695 with respect to CAM can be applied to specific projects. Therefore,  
8 SDG&E should not be allowed to assume CAM treatment for these projects until the  
9 Commission has set rules concerning which projects are afforded CAM treatment and  
10 which are not. The Commission should not authorize CAM treatment until it has  
11 established specific criteria that ensure the application of CAM treatment is consistent  
12 with the underlying statute.  
13

14 **Q. Please address SDG&E’s contention that its CAM request is consistent with  
15 Commission precedent.**

16 A. It is unclear why SDG&E contends that its CAM request is consistent with “existing  
17 Commission precedent on the treatment of other new resources.”<sup>6</sup> D.11-05-005, the  
18 relevant decision on the new CAM, was only issued on May 10 of this year, slightly over  
19 four months ago. Since that time, the Commission has not taken steps to resolve the  
20 remaining outstanding issues pertinent to its future application. The SDG&E claim that  
21 its CAM request is consistent with existing precedent is not supported by the record and  
22 appears to be simple exaggeration.  
23

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<sup>6</sup> SDG&E Direct Testimony, p. 6.

1 **3. The Need for the PPTAs Has Not Been Demonstrated**

2  
3 **Q. What need does SDG&E argue that these PPTAs meet?**

4 A. SDG&E's Application states that:

5 The three PPTAs presented for approval in this Application arose from SDG&E's  
6 LTPP decisions and the ensuing 2009 RFO, the design and outcome of which is  
7 discussed in testimony accompanying this Application. Of the 530 MW of new  
8 capacity the LTPP decisions authorize SDG&E to procure, the PPTAs that are  
9 proposed for approval in this Application would add approximately 450 MW of  
10 new capacity.<sup>7</sup>  
11

12 **Q. Are there flaws in SDG&E's characterization of its need for capacity?**

13 A. Yes. The testimony notes that SDG&E has already purchased 246 MW of the 530 MW  
14 authorized in its 2006 LTPP.<sup>8</sup> It also notes that the Sunrise Powerlink project is expected  
15 to be online by the summer of 2012 and will provide access to 1,000 MW of new  
16 supply.<sup>9</sup> These facts suggest that if these three PPTAs are approved, SDG&E will have  
17 committed to resources totaling 1,696 MW<sup>10</sup> compared to an authorized need in the 2006  
18 LTPP of 530 MW. Thus, SDG&E's own testimony calls into question whether these  
19 facilities are needed at all, and certainly whether they meet reliability needs of the current  
20 DA and possibly future CCA customers in SDG&E's territory – customers that SDG&E  
21 will not be serving.  
22

23 **Q. If SDG&E's testimony indicates that it has already overcommitted to new resources,**  
24 **how does SDG&E justify the cost recovery for three new PPTAs?**

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<sup>7</sup> SDG&E Application, p. 2.

<sup>8</sup> SDG&E Direct Testimony, p. 11.

<sup>9</sup> SDG&E Direct Testimony, p. 9.

<sup>10</sup> 1,000 MW from Sunrise, plus 246 MW already purchased, plus 450 MW from the PPTAs.

1 A. SDG&E argues that the 960 MW Encina plant will be shutting down in 2017 and  
2 executing the PPTAs now will cover that future shortfall.<sup>11</sup> SDG&E Witness Anderson  
3 also testifies that the 188 MW Cabrillo and 35 MW Wellhead Escondido plants will be  
4 shutting down when the new PPTAs come online, which he argues makes SDG&E's real  
5 need 1,713 MW.<sup>12</sup>

6  
7 **Q. Is SDG&E's argument that it needs 1,713 MW consistent with the decision in its**  
8 **2006 LTPP which it claims is proving authority for procuring this new capacity?**

9 A. No. SDG&E seeks to expand the authorization it received in 2006 for 530 MW based on  
10 new circumstances that were not factors at the time the authorized need was established.  
11 Furthermore, this recalculation of SDG&E's need is not timely; there is already another  
12 LTPP cycle underway in R.10-05-006. Given that SDG&E's testimony here does not  
13 show need for the resources until 2018,<sup>13</sup> the current LTPP is the appropriate venue in  
14 which to consider SDG&E's need seven years from now. Even considering the  
15 admonishment by the Commission in D.09-01-008 not to wait until the last moment to  
16 acquire capacity noted by SDG&E,<sup>14</sup> a needs assessment coming out of the current LTPP  
17 should provide sufficient time to add any resources needed by 2018. Most importantly,  
18 assessing any new need in the current LTPP proceeding will provide an opportunity for a  
19 new competitive solicitation to meet any authorized need. As such, the efficacy of the  
20 PPTAs compared to potential new alternative can be assessed; simply put, there is no  
21 reason to assume that facilities offered into an RFO more than two years old would be the

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<sup>11</sup> SDG&E Direct Testimony, pp. 10-11.

<sup>12</sup>SDG&E Direct Testimony, p. 11; 530 MW as authorized, plus an additional 1,183 MW from the Encina, Cabrillo, and Wellhead Escondido plant shutdowns.

<sup>13</sup> SDG&E Direct Testimony, Table 2, p. 13.

<sup>14</sup> SDG&E Direct Testimony, p. 14.

1 winning bids in a competitive solicitation conducted after the needs assessment in the  
2 current LTPP cycle is completed.

3 Furthermore, SDG&E has not demonstrated that the data contained in Table 2 on  
4 page 13 of its Testimony has been vetted by the Commission in any other proceeding.  
5 Key questions that must be answered before even the 2018 date can be believed would  
6 include:

- 7 • Is the Minimum Grid Reliability Need consistent with the planning needs  
8 assumptions in the current LTPP and does it accurately reflect the current  
9 economic conditions?
- 10 • Is the Existing Local Resources value correct?
- 11 • Is the Demand Response capacity consistent with other SDG&E filings?
- 12 • Are the RPS-compliant renewable resources accounted for, and if so, where?
- 13 • And last, and key to SDG&E's arguments, are the retirement assumptions  
14 reasonable and accurate?

15 These questions are best addressed, and are being addressed, in the current LTPP.

16  
17 **Q: You say that the retirement assumptions are key to SD&E's need demonstration.**

18 **What do you mean?**

19 A: Without the retirement of Encina, SDG&E's analysis would not show a need for these  
20 resources until well beyond 2020. However, the owner of Encina, NRG Energy Inc.

21 ("NRG"), filed a Reply to the Application saying:

22 It is premature to assume that the Encina Power Station will be fully retired by the  
23 end of 2017. NRG currently expects to extend the useful life of Encina, in  
24 compliance with California Coastal and Federal OTC policy, if commercially  
25 reasonable. To that end, NRG has filed an Implementation Plan with the SWRCB,

1 in accordance with the CA316 (b) policy, that outlines likely modifications to the  
2 ocean water cooling system for Encina Units 4 and 5 that would demonstrate  
3 Track 2 compliance with impingement and entrainment reduction requirements. If  
4 Encina achieves compliance by December 31, 2017, Encina Units 1, 2, 3, 4 and 5  
5 could run indefinitely as long as the units are needed for capacity and reliability.<sup>15</sup>  
6

7 While this simple assertion may be not sufficient for SDG&E to rely upon Encina  
8 indefinitely, it surely casts a great measure of doubt upon SDG&E's blanket assertion  
9 that Encina must, and will, retire by the end of 2017. And without that assumed  
10 retirement, there is clearly no need for approval now of the PPTAs included in SDG&E  
11 Application. The likelihood and timing of Encina's retirement, along with the need for  
12 these PPTAs, is best addressed in the current LTPP.

13 Furthermore, NRG's 558 MW Carlsbad Energy Center is in the last stages of the  
14 siting process at the California Energy Commission ("CEC").<sup>16</sup> The CEC notes that "[a]s  
15 part of the Carlsbad Project, existing steam boiler Units 1, 2, and 3 at the Encina Power  
16 Station will be retired. The retirements will occur upon the successful commercial  
17 operations of the new Carlsbad Project generating units."<sup>17</sup> As Units 1 through 3 have a  
18 capacity of approximately 320 MW, their retirement, in combination with the Carlsbad  
19 Energy Center, would actually result in a net increase in local capacity.  
20  
21  
22

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<sup>15</sup> A.11-05-023, Response Of NRG Energy, Inc. To Application For Authority To Enter Into Purchase Power Agreements With Escondido Energy Center, Pio Pico Energy Center, And Quail Brush Power, June 24, 2011, pp. 5-6.

<sup>16</sup> See <http://www.energy.ca.gov/sitingcases/carlsbad/index.html>.

<sup>17</sup> Ibid.

1 **Q. In summary, how should the Commission allow SDG&E to pursue cost recovery for**  
2 **the PPTAs?**

3 A. If and when the current LTPP process identifies new procurement requirements, these  
4 projects can participate in a competitive solicitation to determine if they remain the most  
5 cost effective and viable solutions to meet the established need. Alternatively, if the  
6 Commission is inclined to let SDG&E proceed with its proposed piecemeal approach to  
7 need determination and procurement, the Commission should authorize this procurement  
8 by SDG&E to be on behalf of its bundled customers only and should not allow this  
9 clearly excessive procurement to impose costs on customers who no longer have their  
10 electricity requirements served by SDG&E.

11

12 **Q. Does this conclude your testimony?**

13 A. Yes.

**MARK E. FULMER****PROFESSIONAL     Principal  
EXPERIENCE MRW & Associates, LLC  
(1999 - Present)**

Conducts economic and technical studies in support of clients involved in regulatory and legislative proceedings, power project development and end-user energy option assessment. Work includes review of air emissions regulations and their impact on power costs; pro forma analysis of cogeneration and distributed generation facilities; economic analysis of end-use energy-efficiency projects.

**Project Engineer  
Daniel, Mann, Johnson & Mendenhall  
(1996 - 1999)**

Acted as project manager and technical advisor on energy efficiency projects. Work included management of PG&E program to promote innovative energy efficient technologies for large electricity users. Coordinated the implementation of an intranet-based energy efficiency library. Directed technical and market analyses of small commercial and residential emerging technologies.

**Associate  
Tellus Institute  
(1990-1996)**

Advised public utility commissions in five states on electric and gas industry deregulation issues. Submitted testimony on the rate design of a natural gas utility to the Pennsylvania Public Utilities Commission. Testified before the Hawaii PUC on behalf of a gas distribution utility concerning a competing electric utility's demand-side management plan. Analyzed national energy policies for a set of non-governmental agencies, including critiquing the DOE's national energy forecasting model. Developed model to track transportation energy use and emissions and used the model to evaluate state-level transportation policies. Developed model to track greenhouse gas emission reductions resulting from state-level carbon taxes.

**Research Assistant  
Center for Energy and Environmental Studies, Princeton University  
(1988-1990)**

Researched the technical and economic viability of gas turbine cogeneration using biomass in the cane sugar and alcohol industries. First researcher to apply "pinch" analysis and a mixed-integer linear programming model to minimize energy use in cane sugar refineries and alcohol distilleries.

**EDUCATION** M.S.E., Mechanical and Aerospace Engineering, Princeton University, 1991  
B.S., Mechanical Engineering, University of California, Irvine, 1986

### Selected Publications

1. A Technical and Economic Assessment of the Co-Production of Electricity and Alcohol From Sugar Cane. Presented at the *International Engineering Conference on Energy Conversion (IECEC-90)*. American Institute of Chemical Engineers. New York, NY. August 1990. Principal author and presenter.
2. Cogeneration Applications of Biomass Gasifier/Gas Turbine Technologies in the Cane Sugar and Alcohol Industries. Proceedings, *Energy and Environment in the 21st Century*, MIT Press. Cambridge, Massachusetts. 1991. Co-author.
3. The Environmental Impacts of Demand-Side Management. Electric Power Research Institute report TR-101673. 1992. Co-author.
4. The Role of Gas Heat Pumps in Electric DSM. Presented at the 6th National Demand-Side Management Conference. Miami Beach, Florida. March 1993. Principal author and presenter.
5. Applying an Integrated Energy/Environmental Framework to the Analysis of Alternative Transportation Fuels. Invited paper at the European Council for an Energy Efficient Economy (ECEEE) 1993 Summer Study. Principal author.
6. Mistakes, Misconceptions, and Misnomers in DSM Cost-Effectiveness Analysis. Peer reviewed paper at the ACEEE 1994 Summer Study. Principal author and presenter.
7. A Social Cost Analysis of Alternative Fuels for Light Vehicles. *Energy Strategies for a Sustainable Transportation System*, ACEEE. Washington, DC. 1995.
8. Strategies for Reducing Energy Consumption in the Texas Transportation Sector. Project for the Texas Sustainable Energy Development Council. Austin, Texas. June 1995. Co-author.
9. Evaluation of Food Processing Effluent Treatment Alternatives. Paper presented at the American Chemical Society meeting, Las Vegas, Nevada. December 1997. Co-Author.
10. Market Transformation Effect Indicators for Government, Utilities, Retailers and Manufacturers. Invited panelist in a roundtable discussion at the American Council for an Energy Efficient Economy (ACEEE) 1998 Summer Study.
11. California: Crisis Over? Project Finance NewsWire, Chadbourne & Parke . October 2001. Co-author.
12. California: Back to Basics or Déjà Vu? Natural Gas & Electricity, Volume 20, Number 12. July 2004. Co-author.
13. Nuclear Fuel Reprocessing: Issues and Future Prospects. Report for the California Energy Commission. (Final Draft) March 2006. Co-author.
14. AB 1632 Assessment of California's Operating Nuclear Plants. California Energy Commission, CEC-100-2008-005-F. October 2008. Co-author.

15. Framework for Evaluating Greenhouse Gas Implications of Natural Gas-fired Power Plants in California. California Energy Commission, CEC-700-2009-009-F. May 2009. Co-author.

### **Prepared Testimony**

1. Rhode Island Public Utilities Commission No. 2025  
Prepared Testimony on Behalf of Rhode Island Department of Public Utilities and Carriers (Commission Staff). Testimony addressed the costs, savings, and cost-effectiveness of the proposed demand-side management programs of Providence Gas Company. (April 1993)
2. Pennsylvania Public Utility Commission R-943029  
Prepared Testimony on Behalf of the Pennsylvania Office of Consumer Advocate. Testimony reviewed 1307(f) filing of Columbia Gas of Pennsylvania, particularly the impact of the proposed gas cost recovery mechanism on residential customers. May 1994.
3. Public Utilities Commission of the State of Hawaii No. 94-0206  
Prepared Testimony on Behalf of the Gas Company of Hawaii (Gasco). Testimony identification of Gasco's concerns regarding HECO's proposed DSM programs for competitive energy end-use markets. December 1994.
4. FERC Docket Nos. EL00-95-075 and EL00-98-063  
Affidavit on Behalf of Duke Energy Trading and Marketing LLC. (March 20, 2003)
5. CPUC Rulemaking 01-10-024 Prepared  
Testimony on Behalf of the Alliance for Retail Energy Markets. Testimony addressed the utility procurement plans with respect to resource adequacy. (June 23, 2003)
6. CPUC Rulemaking 01-10-024  
Rebuttal Testimony on Behalf of the Alliance for Retail Energy Markets. (July 14, 2003)
7. Arizona Corporation Commission No. E-00000A-02-0051, E-01345A-01-0822, E-00000A-01-0630. E01933A-02-0069, E-01933A-98-0471  
Rebuttal Testimony on behalf of Constellation NewEnergy, Inc. and Strategic Energy, L.L.C.  
Testimony addressed the future of the Arizona Independent System Administrator. (July 28, 2003)
8. Arizona Corporation Commission No. E-00000A-02-0051  
Reply Testimony on behalf of Constellation NewEnergy, Inc. and Strategic Energy L.L.C. (August 29, 2003)
9. Arizona Corporation Commission No. E-01345A-03-0437  
Direct Testimony on behalf of Constellation NewEnergy and Strategic Energy, Inc. (February 3, 2004)

10. Arizona Corporation Commission No. E-01345A-03-0437  
Cross Rebuttal Testimony of Mark E. Fulmer on Behalf of Constellation NewEnergy and Strategic Energy, Inc. (March 30, 2004)
11. CPUC Rulemaking 03-10-003  
Direct Testimony of Mark E. Fulmer on Behalf of The City and County of San Francisco on Community Choice Aggregation Transaction Costs. (April 15, 2004)
12. CPUC Rulemaking 03-10-003  
Reply Testimony of Mark E. Fulmer on Behalf of The City and County of San Francisco on Cost Responsibility Surcharge for Community Choice Aggregation. (May 7, 2004)
13. CPUC Rulemaking 03-10-003  
Rebuttal Testimony of Mark E. Fulmer on Behalf of The City and County of San Francisco on Cost Responsibility Surcharge for Community Choice Aggregation. (May 20, 2004)
14. CPUC Rulemaking 04-04-003  
Testimony of Mark Fulmer on Behalf of Strategic Energy LLC and Constellation NewEnergy concerning the Long Term Procurement Plans of PG&E, SCE and SDG&E. (August 6, 2004)
15. CPUC Rulemaking 04-04-003  
Rebuttal Testimony of Mark Fulmer on Behalf of Strategic Energy LLC and Constellation NewEnergy concerning the Long Term Procurement Plans of PG&E, SCE and SDG&E. (August 20, 2004)
16. CPUC Rulemaking 03-10-003  
Opening Testimony of Mark E. Fulmer on Behalf of the City and County Of San Francisco on Allocation of Costs for Community Choice Aggregation Phase 2. (April 28, 2005)
17. CPUC Rulemaking 04-12-014  
Testimony of Mark E. Fulmer on Behalf of the Alliance for Retail Energy Markets Concerning Southern California Edison's Test Year 2006 General Rate Case Application (May 6, 2005)
18. CPUC Rulemaking 03-10-003  
Rebuttal Testimony of Mark E. Fulmer on Behalf of the City and County Of San Francisco on Allocation of Costs for Community Choice Aggregation Phase 2. (May 16, 2005)
19. CPUC Rulemaking 04-12-014  
Testimony of Mark E. Fulmer on Behalf of the Alliance for Retail Energy Markets Concerning Southern California Edison's Test Year 2006 General Rate Case Application (May 25, 2005)
20. CPUC Application 06-03-005  
Testimony of Mark E. Fulmer on Behalf of The Direct Access Customer Coalition Concerning Phase 2 of the Pacific Gas and Electric Co.2007 General Rate Case Marginal Cost, Revenue Allocation and Rate Design (October 27, 2006)

21. CPUC Application 07-01-045  
Testimony of Mark E. Fulmer on Behalf of The Alliance for Retail Energy Markets and The California Manufacturers and Technology Association Concerning Southern California Edison's Application to Update its Direct Access and Other Service Fees (June 22, 2007)
22. CPUC Rulemaking 08-03-002  
Testimony of Mark Fulmer Behalf of Debenham Energy, LLC. Concerning Tariffs Supportive of Green Distributed Generation (October 31, 2008)
23. CPUC Application 09-02-022  
Testimony of Mark E. Fulmer on Behalf of The Direct Access Customer Coalition Concerning Pacific Gas & Electric's 2009 Rate Design Window Application (July 31, 2009)
24. CPUC Application 09-02-019  
Testimony of Mark E. Fulmer on Behalf of The Direct Access Customer Coalition Concerning the Cost Recovery Proposed By PG&E in its Application to Implement A Photovoltaic Program (August 14, 2009)
25. Superior Court of San Francisco  
Deposition of Mark E. Fulmer on behalf of the City and County of San Francisco in PG&E v. CCSF. (Verbal deposition only.) (September 2, 2009)
26. California Superior Court of San Francisco Court Case No. CGC-07-470086 Testimony of Mark E. Fulmer on behalf of the City and County of San Francisco in Pacific Gas & Electric Company v. City and County of San Francisco. (Trial exhibits only in electronic file.) (September 25, 2009)
27. CPUC Application 09-12-020  
Testimony of Mark E. Fulmer on Behalf of The Direct Access Customer Coalition Concerning Phase 1 Of Pacific Gas & Electric Company's Test Year 2011 General Rate Case (May 19, 2010)
28. CPUC Application 10-03-014  
Testimony of Mark E. Fulmer on Behalf of the Direct Access Customer Coalition Concerning Phase 2 of Pacific Gas & Electric's Test Year 2011 General Rate Case Application (October 6, 2010)
29. CPUC Rulemaking 07-05-025  
Testimony Of John P. Dalessi, Mark E. Fulmer, Margaret A. Meal on Behalf of the Joint Parties on a Fair and Reasonable Methodology to Determine the Power Charge Indifference Adjustment (PCIA) and the Competition Transition Charge (CTC) (January 21, 2011)
30. CPUC Rulemaking 07-05-025  
Testimony of Mark E. Fulmer on Behalf of the Direct Access Parties Concerning the Transitional Bundled Service Rate, Direct Access Switching Rules, Minimum Stay Provisions, and Energy Service Provider Financial Security Requirements (January 31, 2011)
31. CPUC Rulemaking 07-05-025  
Rebuttal Testimony of Mark E. Fulmer on Behalf of The Direct Access Parties Concerning the Transitional Bundled Service Rate, Direct Access Switching Rules, Minimum Stay Provisions, and Energy Service Provider Financial Security Requirements (February 25, 2011)

32. CPUC Rulemaking 07-05-025  
Rebuttal Testimony Of John P. Dalessi, Mark E. Fulmer, Margaret A. Meal on Behalf of The Joint Parties on a Fair And Reasonable Methodology to Determine the Power Charge Indifference Adjustment (PCIA) and the Competition Transition Charge (CTC) (February 25, 2011)
33. CPUC Rulemaking 07-05-025  
Testimony of Mark E. Fulmer on Behalf of the Direct Access Parties Concerning the Transitional Bundled Service Rate, Direct Access Switching Rules, Minimum Stay Provisions, and Energy Service Provider financial Security Requirements. (March 28, 2011)
34. CPUC Rulemaking 07-05-025  
Reply Testimony of Mark E. Fulmer on Behalf of the Direct Access Parties Concerning the Transitional Bundled Service Rate, Direct Access Switching Rules, Minimum Stay Provisions, and Energy Service Provider financial Security Requirements. (March 28, 2011)
35. CPUC Application A.11-03-001, 11-03-002, 11-03-003  
Testimony of Mark E. Fulmer on Behalf of The Direct Access Customer Coalition and The Alliance for Retail Energy Markets Concerning Competitive Issues in the 2012-2014 Demand Response Program Proposals (June 15, 2011)
36. CPUC Application 11-06-004  
Testimony of Mark E. Fulmer on behalf of the Direct Access Customer Coalition and the Alliance for Retail Energy Markets concerning PG&E's 2012 Energy Resource Recovery Account (ERRA) and 2012 Generation Non-bypassable Charges Forecast (August 26, 2011)