

REGISTERED LOBBYIST CONTACT DISCLOSURE FORM

This form is to be completed by Executive Branch employees who are contacted by registered lobbyists regarding the Recovery Act. This report includes a written description of each contact, the date and time of the contact, and the names of the registered lobbyist(s) and the employee(s) with whom the contact took place. The information on this form will be available to the public on the Executive Branch agency's recovery website. **Written materials prepared by registered lobbyists should be attached to this form for posting on the website.**

To be completed by the employee contacted.		
Date and time of contact:	Name of the Employee(s) Contacted (Name and Title)	Brief description of the contact: (attach separate sheet if necessary)
January 21, 2010 @ 8:27 pm	Jonathan Silver, Exec. Director, The Loan Programs, DoE	SEE ATTACHED
Name of the Employee(s) who prepared this form: Ruth K., Elena Pelican		Date: 4/25/10

Registered Lobbyist(s) Name:	Title:	Firm or Organization, if applicable:	Client:
Tokay Moffett	Chairman	The Moffett Group	Applicant under transmission solicitation DEFOA 0611132

----- Original Message -----

From: Toby Moffett <tmoffett@moffettgroupdc.com>

To: Silver, Jonathan

Sent: Thu Jan 21 20:27:20 2010

Subject: urgent

J - i am assuming that it is within your ethics guidelines to hear from me, but if not, just ignore this communication. I will make sure,

however, that our filings show that I reached out to you in order to comply on my end.

see attached

you should know that this is coming at you...

5 USC 552(b)(5) →
my client, [REDACTED], and a number of others are facing an enormous crisis regarding projects that are on your list of applicants for loans... this one, specifically is in [REDACTED] where a Calif entity is moving to give right of first refusal on transmission projects to utilities and munis...

to the adverse impact on independent producers who have been working, planning, spending for years.

The CAISO action is wreaking havoc with the business plans of a number of major renewables players. A new association of such is forming and is already voicing its opposition to the CAISO move...as is the Calif Public Utilities Commission

5 USC 552(b)(5)
[REDACTED], and others, are facing your deadline (Tues) of next week and the payment of a \$600,000 fee.

They are going to ask that DOE either move that deadline into the future--until the CAISO controversy is sorted out--or allow the firms to file their materials by the deadline without paying the fee at this time.

There is no doubt that if something isn't done, you will have:

1. major renewables producers reassessing their commitment in California. It will immediately jeopardize [REDACTED] MW of renewables-driven power into [REDACTED].

2. a major hurdle placed in the path of RPS (renewable portfolio standards)

3. a major setback for the noble goals of President Obama, Sec Chu et al to prompt a dramatic shift away from fossil to renewables.

We are asking members of the House and Senate who are prominent on energy issues --Waxman, Capps, Harman, Eshoo, George Miller and Senators Boxer and Feinstein from California ..as well as others in the Congress to weigh in with DOE and FERC to urge either moving the deadline forward or allowing a temporary waiver of the fee payment.

And we expect they will also ask FERC to closely examine the CAISO action and the potential threat to renewables development in [REDACTED].

I don't want to go further here -- you may already know about this and be addressing it.

But I wanted to make sure you know about it.

Needless to say, I'm always available.

toby moffett

5 USC 552(b)(5)

[REDACTED]

Background on [REDACTED] and on the proposed CAISO 33% Transmission Tariff

The California Independent System Operator (CAISO) is nearing conclusion of a proposed change in its tariff that negatively affects transmission projects by independent developer/owners and WILL DELAY CONSTRUCTION OF RENEWABLES PROJECTS.

The proposed tariff would provide the incumbent transmission owners a right to take over the projects developed by independents without any standards of compensation or proof of need to do so.

[REDACTED] has been under development since [REDACTED] and is "shovel ready"—scheduled to begin construction by [REDACTED] and begin operation by [REDACTED] at a cost of more than \$ [REDACTED]. The developers will have invested more than \$ [REDACTED] by the end of [REDACTED].

5 USC 552(b)(5)

California has adopted a 33% standard for renewable resources. One of the important considerations in achieving the goal is to utilize all available proposed transmission projects, both independent and utility owned to meet the goal in a transparent manner with a level competitive playing field.

CAISO proposal, if adopted, will cause [REDACTED] to not qualify for the federal stimulus loan because it will be unable to meet the September 2011 construction start deadline. The "ratepayers" in California lose a low cost opportunity to deliver solar renewables several years ahead of other transmission alternatives.

5 USC 552(b)(5)

The jobs lost or delayed for the line construction and renewable project construction comes at a critical time for rebuilding the hard hit California economy in [REDACTED].

5 USC 552(b)(5)

[REDACTED]

Talking Points

[REDACTED]

Californian's will pay more----

--Because the CAISO move would a shovel ready project that qualifies for a low cost DOE loan—the opportunity to get built

--Because CAISO'S actions would delay savings to ratepayers due to delay in bringing renewable solar resources on line

--Due to elimination of competition by the proposed first right of refusal to incumbents

US Electric Consumers will pay more----

--If right of first refusal is adopted nationwide

--If competition and capital from the independent developers are frozen from the market

Impact on Renewable Development

--IF THE [REDACTED] LINE IS NOT CONSTRUCTED, IT WILL MEAN DELAYING [REDACTED] MW of solar renewables (approx \$ [REDACTED]) in [REDACTED] by up to [REDACTED] years.

IMPACT ON [REDACTED]

--All [REDACTED] MW of solar renewable projects [REDACTED] MEANS OFF-SETTING EXISTING FOSSIL GENERATION IN [REDACTED]. These offsets WILL BE DELAYED OR NOT REALIZED without the [REDACTED].

Impact on California's 33% Renewable Goal and the Obama national renewable agenda

--Delaying construction of or causing [REDACTED] not to be built after [REDACTED] years of development and \$ [REDACTED] of investment sends a chilling message about California's and the national renewable agenda

5066
552(b)(5)