

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



April 13, 2010

Advice Letter 1930-G

Ronald van der Leeden, Director
Rates, Revenues and Tariffs
San Diego Gas and Electric
8330 Century Park Court, CP32C
San Diego, CA 92123-1548

**Subject: Allocation of the Proceeds Associated with the Sempra
Settlement and Price Indexing Cases Settlements**

Dear Mr. van der Leeden:

Advice Letter 1930-G is effective February 22, 2010.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie A. Fitch".

Julie A. Fitch, Director
Energy Division



Ron van der Leeden
Rates, Revenues & Tariffs
8330 Century Park Court
San Diego, CA 92123-1548

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February 22, 2010

ADVICE LETTER 1930-G
(U 902-M)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**SUBJECT: ALLOCATION OF THE PROCEEDS ASSOCIATED WITH THE SEMPRA
SETTLEMENT AND PRICE INDEXING CASES SETTLEMENT**

San Diego Gas & Electric Company (SDG&E) hereby submits for filing with the California Public Utilities Commission (Commission) a plan for the distribution of the proceeds from the Sempra Settlement and the Price Indexing Cases Settlement (collectively the "Settlements").¹

PURPOSE

Pursuant to Ordering Paragraph (OP) 6 of Decision (D.) 10-01-024, SDG&E submits a plan for allocating the proceeds associated with the Settlements to core procurement and core aggregation transportation (CAT) customers. SDG&E revises its Preliminary Statement to modify its existing FERC Settlement Proceeds Memorandum Account (FSPMA) to record the portion of these Settlement proceeds that are allocable to SDG&E core procurement and CAT customers. SDG&E also submits a refund plan to distribute a portion of the Settlement proceeds to applicable prior core subscription and noncore procurement customers. Tariff revisions are shown on Attachment A.

BACKGROUND

On July 30, 2009, the Commission granted a petition to open a rulemaking to examine how the proceeds from the Settlements should be allocated to the core customers of Pacific Gas and Electric Company (PG&E), SDG&E, Southern California Gas Company (SoCalGas), Southwest Gas Company (SWG), and Long Beach Gas and Oil Department (Long Beach Gas).²

¹ The Sempra Settlement (Pipeline Cases) relates to a set of civil cases that were filed beginning in 2000, which alleged that major pipeline companies conspired to create a scarcity in the natural gas delivery market, which contributed to the energy crises of 2000-2001. D.10-01-024, mimeo., at 2 (fn. 2). The Price Indexing Cases refer to a set of civil cases that were filed beginning in 2003, which alleged that traders of natural gas manipulated the published price of natural gas in the California market during the period of 1999-2002 through prearranged sham transactions and false reporting of prices and volumes to the trade press. The Sempra Settlement and Price Indexing Cases were coordinated in the Superior Court of San Diego County under the title of "Natural Gas Antitrust Cases I-IV. D.10-01-024, mimeo., at 2 (fn. 3).

² According to the petition, Long Beach Gas had already received its 4.07% share of the core class proceeds from the Sempra Settlement.

On January 21, 2010, the Commission adopted in D.10-01-024 methodologies to allocate to gas procurement customers approximately \$110 million from the Settlements approved by the San Diego Superior Court. The allocation methodologies were based on those adopted by the Commission in D.03-10-087, which related to the El Paso Refund Settlement. Pursuant to D.10-01-024, the gas proceeds from the Settlements are allocated as follows: PG&E (46.7%), SDG&E (14.42%), SoCalGas (31.49%), SWG (3.32%), and Long Beach Gas (4.07%). Pursuant to OP 3 of D.10-01-024, the Commission also adopted the implementation procedures for the allocation of the gas proceeds described below.

Refund Plan for Core Procurement Customers

SoCalGas and SDG&E's core procurement portfolios were combined in 2008, in accordance with D.07-12-019, and SoCalGas manages the combined core portfolio under one Purchased Gas Account (PGA). Pursuant to OP 2 of D.10-01-024, Settlement proceeds owed to SoCalGas and SDG&E will be paid to SoCalGas and SoCalGas will allocate those proceeds to both groups of core customers through its PGA, consistent with the adopted allocations.

The proceeds from the Settlements will be initially recorded as a credit to the PGA; however, the payment received by SoCalGas on behalf of SoCalGas' and SDG&E's gas procurement customers will be reduced by the portion allocable to applicable core subscription, noncore procurement and CAT customers as described below, less any applicable income taxes assessed by governmental taxing authorities. Included in Attachment B to this filing is an example of the distribution of the Settlement proceeds among core procurement, CAT and core subscription/noncore procurement customers.

To ensure core procurement customers of SDG&E and SoCalGas separately receive the appropriate monies allocated under the Settlements, the monthly procurement rate for SDG&E and SoCalGas will include a credit based upon the Settlement proceeds awarded individually to SDG&E and SoCalGas. Proceeds received from the Settlements will be returned to the respective utility's core procurement customers over a single winter month by including the Settlement proceeds as a credit in the separate core procurement rates for each utility using the demand forecast for the month that the proceeds will be returned.

Refund Plan for Prior Core Subscription and Noncore Procurement Customers

SDG&E plans to allocate a portion of the Settlements to core subscription and noncore procurement customers who were impacted by high natural gas prices during the period March 1, 2000, through May 31, 2001, and who do not currently receive procurement service. SDG&E terminated core subscription and noncore procurement service on April 1, 2008, per Advice Letter 1739-G (filed 12/21/07).

The core subscription and noncore procurement customers' share of the Settlement proceeds will be recorded in a separate interest-bearing refund liability account. For those prior core subscription and noncore procurement customers currently receiving core procurement service, they will receive their refund through SoCalGas' PGA. The allocation of the total Settlement proceeds to core subscription and noncore procurement customers shall be based on the percentage of gas usage by these customers to the total core, core subscription, and noncore procurement volumes used during the March 1, 2000, through May 31, 2001 period. Since the Settlement periods generally cover the 2000-2001 energy crisis period, to simplify the allocation process, SDG&E plans to use the same percentage (11.22% for core subscription and noncore

procurement) that was used in the implementation of the El Paso Settlement plan.³

The core subscription and noncore procurement customers' share will be calculated by applying the percentage to the proceeds that SDG&E actually receives under the Settlements. To determine the amount of the refund to the core subscription and noncore procurement customers, a refund rate will be calculated by dividing the balance in the refund liability account by the total core subscription and noncore procurement volumes during the energy crisis period. This refund rate will be applied to core subscription and noncore procurement customers' individual usage during the relevant Settlement periods. SDG&E proposes to issue bill credits to eligible customers who are still SDG&E customers and refund checks to eligible customers who are no longer SDG&E customers.

FERC Settlement Proceeds Memorandum Account (FSPMA)

The FSPMA was established to record the proceeds from the El Paso Settlement and other FERC settlements that are allocable to CAT customers who were impacted by high natural gas prices during the period March 1, 2000, through May 31, 2001. The FSPMA was established since CAT customers cannot receive a refund through the PGA. Consistent with the El Paso Settlement Refund plan, SDG&E plans to use the same mechanism to record the CAT customers' share of proceeds associated with the Sempra Settlements and accordingly modifies the FSPMA tariff language to reflect the recording of these Settlement proceeds.

In the El Paso Settlement Refund plan, the allocation of the total Settlement proceeds to CAT customers was based on the percentage of gas transported by CAT customers to the total core throughput during the preceding 12-month period prior to the time SDG&E first received the Settlement proceeds. For the Settlements, SDG&E plans to use a 6.09% allocation percentage based on more recent data⁴. Similar to the core subscription and noncore procurement refund plan described above, SDG&E plans to allocate the CAT customers' share of these Settlement proceeds by applying the percentage to the proceeds that SDG&E actually receives under the Settlements and record those allocated amounts to the FSPMA.

The balance in the FSPMA will be refunded in CAT rates in connection with SDG&E's annual regulatory account balance update filing.

PROTEST

Anyone may protest this Advice Letter to the California Public Utilities Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. The protest must be made in writing and must be received within 20 days of the date this Advice Letter was filed with the Commission. There is no restriction on who may file a protest. The address for mailing or delivering a protest to the Commission is:

³ SDG&E Advice Letter 1592-G (filed 2/3/06) was approved by the Commission on March 7, 2006.

⁴ SDG&E used a 1.35% allocation percentage for CAT customers in the El Paso Settlement Refund plan. The change to 6.09% represents a significant increase in CAT customers.

CPUC Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Copies of the protest should also be sent via e-mail to the attention of both Honesto Gatchalian (inj@cpuc.ca.gov) and Maria Salinas (mas@cpuc.ca.gov) of the Energy Division. A copy of the protest should also be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: Megan Caulson
Regulatory Tariff Manager
8330 Century Park Court, Room 32C
San Diego, CA 92123-1548
Facsimile No. (858) 654-1748
E-mail: mcaulson@semprautilities.com

EFFECTIVE DATE

SDG&E believes that this Advice Letter is subject to Energy Division disposition and should be classified as Tier 1 (effective pending disposition) pursuant to GO96-B. SDG&E respectfully requests that this advice letter be effective on the date filed, February 22, 2010.

NOTICE

A copy of this filing has been served on the utilities and interested parties shown on the attached list which includes parties on service lists R.09-07-029 by either providing them a copy electronically or by mailing them a copy hereof, properly stamped and addressed.

Address changes should be directed to SDG&E Tariffs by facsimile at (858) 654-1748 or by e-mail at SDG&ETariffs@semprautilities.com.

RON VAN DER LEEDEN
Director – Rates, Revenues & Tariffs

(cc list enclosed)

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **SAN DIEGO GAS & ELECTRIC (U 902)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Joff Morales

Phone #: (858) 650-4098

E-mail: jmorales@semprautilities.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas
PLC = Pipeline HEAT = Heat WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 1930-G

Subject of AL: Allocation of the Proceeds Associated with the Sempra Settlement and Price Indexing Cases Settlements

Keywords (choose from CPUC listing): Compliance, Tariffs

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #: N/A

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: None

Summarize differences between the AL and the prior withdrawn or rejected AL¹: N/A

Does AL request confidential treatment? If so, provide explanation: None

Resolution Required? Yes No

Tier Designation: 1 2 3

Requested effective date: 2/22/2010

No. of tariff sheets: 3

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: FERC Settlement Proceeds Memorandum Account (FSPMA)

Service affected and changes proposed¹: See Advice Letter.

Pending advice letters that revise the same tariff sheets: None

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division

Attention: Tariff Unit

505 Van Ness Ave.,

San Francisco, CA 94102

mas@cpuc.ca.gov and jnj@cpuc.ca.gov

San Diego Gas & Electric

Attention: Megan Caulson

8330 Century Park Ct, Room 32C

San Diego, CA 92123

mcaulson@semprautilities.com

¹ Discuss in AL if more space is needed.

General Order No. 96-B
ADVICE LETTER FILING MAILING LIST

cc: (w/enclosures)

Public Utilities Commission

DRA

D. Appling
S. Cauchois
J. Greig
R. Pocta
W. Scott

Energy Division

P. Clanon
S. Gallagher
H. Gatchalian
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CA. Energy Commission

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Alcantar & Kahl LLP

K. Harteloo

American Energy Institute

C. King

APS Energy Services

J. Schenk

BP Energy Company

J. Zaiontz

Barkovich & Yap, Inc.

B. Barkovich

Bartle Wells Associates

R. Schmidt

Braun & Blaising, P.C.

S. Blaising

California Energy Markets

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California Farm Bureau Federation

K. Mills

California Wind Energy

N. Rader

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City of Poway

R. Willcox

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Commerce Energy Group

V. Gan

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H. Nanjo
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Douglass & Liddell

D. Douglass
D. Liddell
G. Klatt

Duke Energy North America

M. Gillette

Dynegy, Inc.

J. Paul

Ellison Schneider & Harris LLP

E. Janssen

Energy Policy Initiatives Center (USD)

S. Anders

Energy Price Solutions

A. Scott

Energy Strategies, Inc.

K. Campbell
M. Scanlan

Goodin, MacBride, Squeri, Ritchie & Day

B. Cragg
J. Heather Patrick
J. Squeri

Goodrich Aerostructures Group

M. Harrington

Hanna and Morton LLP

N. Pedersen

Itsa-North America

L. Belew

J.B.S. Energy

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Luce, Forward, Hamilton & Scripps LLP

J. Leslie

Manatt, Phelps & Phillips LLP

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Matthew V. Brady & Associates

M. Brady

Modesto Irrigation District

C. Mayer

Morrison & Foerster LLP

P. Hanschen

MRW & Associates

D. Richardson

Pacific Gas & Electric Co.

J. Clark
M. Huffman
S. Lawrie
E. Lucha

Pacific Utility Audit, Inc.

E. Kelly

R. W. Beck, Inc.

C. Elder

San Diego Regional Energy Office

S. Freedman
J. Porter

School Project for Utility Rate Reduction

M. Rochman

Shute, Mihaly & Weinberger LLP

O. Armi

Solar Turbines

F. Chiang

Sutherland Asbill & Brennan LLP

K. McCrea

Southern California Edison Co.

M. Alexander
K. Cini

K. Gansecki

H. Romero

TransCanada

R. Hunter
D. White

TURN

M. Florio
M. Hawiger

UCAN

M. Shames

U.S. Dept. of the Navy

K. Davoodi
N. Furuta

L. DeLacruz

Utility Specialists, Southwest, Inc.

D. Koser

Western Manufactured Housing

Communities Association

S. Dey

White & Case LLP

L. Cottle

Interested Parties

R.09-07-029

ATTACHMENT A
ADVICE LETTER 1930-G

Cal. P.U.C. Sheet No.	Title of Sheet	Canceling Cal. P.U.C. Sheet No.
Revised 18100-G	PRELIMINARY STATEMENT, V. MEMORANDUM ACCOUNTS, FERC SETTLEMENT PROCEEDS MEMORANDUM ACCOUNT (FSPMA), Sheet 1	Original 15730-G
Revised 18101-G	TABLE OF CONTENTS, Sheet 1	Revised 18090-G
Revised 18102-G	TABLE OF CONTENTS, Sheet 2	Revised 18091-G



PRELIMINARY STATEMENT

Sheet 1

V. MEMORANDUM ACCOUNTS
FERC SETTLEMENT PROCEEDS MEMORANDUM ACCOUNT (FSPMA)

1. Purpose

The FSPMA is an interest bearing memorandum account that is recorded on the Utility's financial statements. The original purpose of this account (originally established as the El Paso Settlement Proceeds Memorandum Account) was to solely record the El Paso Settlement proceeds allocable to core aggregation customers pursuant to CPUC Decision (D.) 03-10-087. The memorandum account was made effective upon receipt of the first settlement proceeds from El Paso Natural Gas Company (El Paso). The FSPMA will also record the core aggregation customers' share of all FERC settlement proceeds received from other companies settling with the State of California for their involvement in the 2000-2001 energy crisis and the Sempra Settlement (Pipeline Cases) and Price Indexing Cases Settlement pursuant to D.10-01-024.

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2. Applicability

The FSPMA shall apply to core aggregation customers.

3. Rates

The balance in the FSPMA will be included in core aggregation transportation rates upon Commission approval.

4. Accounting Procedure

The Utility shall maintain the FSPMA by making entries at the end of each month as follows:

- a. A credit entry equal to the net present value of the El Paso Settlement proceeds allocable to core aggregation customers. The allocation of the proceeds shall be based on the percentage of gas transported by core aggregation customers to the total core throughput during the preceding 12-month period prior to the time the Utility first receives the settlement proceeds.
- b. A credit entry equal to FERC settlement proceeds associated with the 2000-2001 energy crisis and the Sempra Settlement and Price Indexing Cases Settlement that are allocable to core aggregation customers. The allocation of the proceeds shall be based on the same allocation percentage determined in the implementation of the El Paso Refund Plan, which is described in Advice Letter 1592-G.
- c. An entry reflecting the amortization of the FSPMA or the transfer to another regulatory account, as directed by the Commission.
- d. An entry equal to interest on the average balance in the account at the beginning of the month and the balance after entries 4.a. through 4.c. above, at a rate equal to one-twelfth of the interest rate on three-month Commercial Paper for the previous month, as reported in the Federal Reserve Statistical Release, H.15, or its successor publication.

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5. Disposition

The disposition of the FSPMA balance shall be determined in the Utility's Biennial Cost Allocation Proceeding (BCAP) or annual regulatory account balance update filing.

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Advice Ltr. No. 1930-G

Decision No. 10-01-024

Issued by
Lee Schavrien
Senior Vice President
Regulatory Affairs

Date Filed Feb 22, 2010

Effective Feb 22, 2010

Resolution No. _____



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Sheet 1

The following sheets contain all the effective rates and rules affecting rates, service and information relating thereto, in effect on the date indicated herein.

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(Continued)

1H13

Advice Ltr. No. 1930-G

Decision No. 10-01-024

Issued by
Lee Schavrien
Senior Vice President
Regulatory Affairs

Date Filed Feb 22, 2010

Effective _____

Resolution No. _____



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(Continued)

**ATTACHMENT B
ADVICE LETTER 1930-G
Sempra Energy Utilities**

Allocation of Sempra Settlement (Pipeline Cases) and Price Indexing Cases Settlement

Total Forecasted Settlement Proceeds:

	Total Est Settlement	SoCalGas Allocation	SDG&E Allocation	Other Utilities Allocation	Total
Allocation % Per D.10-01-024 (excluding Long Beach Gas) ^{1/}		32.83%	15.03%	52.14%	100.00%
Sempra Settlement (Pipeline Cases) ²	\$62,600,000	\$20,549,088	\$9,409,903	\$32,641,009	\$62,600,000
Allocation % Per D.10-01-024		31.49%	14.42%	54.09%	100%
Price Indexing Case Settlement ^{3/}	\$55,202,040	\$17,383,122	\$7,960,134	\$29,858,784	\$55,202,040
Total (\$)	<u>\$117,802,040</u>	<u>\$37,932,210</u>	<u>\$17,370,037</u>	<u>\$62,499,793</u>	<u>\$117,802,040</u>
Less:		<i>(a)</i>	<i>(d)</i>		
Allocation to Core Subscription and Noncore^{4/} Customers:					
	<u>SoCalGas</u>	<u>SDG&E</u>			
<i>March 1, 2000 through May 31, 2001:</i>					
Total core and noncore ^{5/} gas throughput volumes (MDTH)	466,310	73,260			
Core subscription and noncore ^{4/} throughput (MDTH) - Estimate	2,467	8,221			
Core subscription and noncore ^{4/} allocation of Settlement ^{5/}	0.53%	11.22%			
	<i>(b)</i>	<i>(e)</i>	\$200,658	\$1,949,209	
			<i>(a) x (b)</i>	<i>(d) x (e)</i>	
Allocation to Core Aggregation Transportation Customers:					
Total Gas Throughput, excluding noncore for prior 12 months	355,679	48,389			
CAT Throughput for the prior 12 months (MDTH)	7,607	2,949			
CAT Allocation of Settlement ^{6/}	2.14%	6.09%			
	<i>(c)</i>	<i>(f)</i>	\$811,294	\$1,058,548	
			<i>(a) x (c)</i>	<i>(d) x (f)</i>	
Estimated Allocation to SoCalGas/SDG&E Core Procurement Customers		<u>\$36,920,258</u>	<u>\$14,362,280</u>		
		<i>(g)</i>	<i>(h)</i>		
Estimated Allocation to be recorded to SoCalGas' Purchased Gas Account [(g) + (h)]		<u>\$51,282,538</u>			

^{1/} Since Long Beach Gas has already been paid for its share of the Sempra Settlement proceeds, the allocation for the remaining four utilities are revised as follows:

	Allocation % Per D.10-01-024	Adjusted Allocation %
PG&E	46.70%	48.68%
SoCalGas	31.49%	32.83%
SDG&E	14.42%	15.03%
Southwest Gas	3.32%	3.46%
	95.93%	
Long Beach Gas	4.07%	
Total percentage:	<u>100.00%</u>	<u>100.00%</u>

^{2/} SoCalGas received \$29,958,991 for the Sempra Settlement on February 3, 2010. The settlement proceeds exclude interest which will be settled on a later date.

^{3/} SoCalGas received \$25,343,256.69 (which includes interest) for the Price Indexing Cases Settlement on February 22, 2010. Please note that Attachment C submitted with SoCalGas Advice Letter 4077 reflected an estimated amount. SDG&E and SoCalGas procurement customers will be receiving their refunds in March 2010 core procurement rates.

^{4/} Noncore procurement customers are only applicable to SDG&E.

^{5/} Allocation is the same percentages used in the El Paso Settlement Refund Plan as filed in SoCalGas Advice Letter 3318 and SDG&E Advice Letter 1592-G.

^{6/} For SoCalGas and SDG&E, CAT percentages were based on 2009 data.