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8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 In re

12 Pacific Gas and Electric Company, a
California corporation,

13
14
15 TIN: 94-0742640

16 Debtor.

Case No. 01-30923 DM

Chapter 11 Case

17 NOTICE OF MOTION FOR ORDER
18 ALLOWING ADMINISTRATIVE CLAIM
OF COMMONWEALTH ENERGY
CORPORATION

DATE: April 29, 2004

TIME: 1:30 p.m.

JUDGE: Hon. Dennis Montali

19 PLACE: Courtroom 22
235 Pine Street
San Francisco, CA

Motion filed January 21, 2004,
continued to April 29, 2004 at
1:30 p.m.

20 TO THE DEBTOR AND PARTIES-IN-INTEREST:

21 PLEASE TAKE NOTICE on April 29, 2004, at 1:30 p.m. in Courtroom 22 of
22 the above-entitled Court, 235 Pine Street, San Francisco, California, Commonwealth
23 Energy Corporation ("Commonwealth") will be heard on its motion for an order allowing
24 an administrative claim under 11 U.S.C. § 503(a).

25 The motion will be based upon the accompanying memorandum of points and
26 authorities and declaration of Michael Nelson, with exhibits, and upon such other and
27 further evidence as may be presented at the hearing. By this motion, Commonwealth
28 seeks allowance of the sums of (a) \$1,319,258 as an administrative claim for the period

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1 following the petition date to July 31, 2001 plus (b) interest thereon at the legal rate of
2 10% per annum for the period following July 31, 2001. The administrative claim is
3 entitled to priority under 11 U.S.C. § 503 to be paid in full, in cash, on the effective date
4 of the plan, under 11 U.S.C. § 1129(a)(9)(A).

5 Commonwealth is entitled to an order allowing its administrative claim because
6 the Debtor, without right or authority, created "CTC credits" against billing to direct
7 access customers for power purchased by Commonwealth. This had the effect of
8 eliminating Commonwealth's ability to receive payment for the power.

9 You may request a copy of the supporting memorandum of points and authorities
10 and declaration by contacting counsel at the address given above.

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12 DATE: March 26, 2004

ALBERT, WEILAND & GOLDEN, LLP

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14 By: 

15 THEODOR C. ALBERT
Attorneys for Commonwealth
Energy Corporation

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