

# ATTORNEY GENERAL OFFICE COPY

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**State of California *ex rel.* Bill Lockyer,  
Attorney General,**

Petitioner,

v.

**Federal Energy Regulatory Commission,**

Respondent.

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U.S. COURT OF APPEALS  
FOR THE NINTH CIRCUIT

## PETITION FOR REVIEW

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State of California *ex rel.* Bill Lockyer,  
Attorney General**

IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

<p><b>State of California <i>ex rel.</i> Bill Lockyer, Attorney General,</b></p> <p style="text-align: right;">Petitioner,</p> <p style="text-align: center;">v.</p> <p><b>Federal Energy Regulatory Commission,</b></p> <p style="text-align: right;">Respondent.</p>
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Pursuant to Section 313 of the Federal Power Act, 16 U.S.C. §8251(b), and Rule 15 of the Federal Rules of Appellate Procedure, the State of California *ex rel.* Bill Lockyer, Attorney General (“Petitioner”), hereby petitions this Court for review of the following Orders of the Federal Energy Regulatory Commission (“FERC”):

(1) *State of California ex rel. Bill Lockyer, Attorney General of the State of California v. British Columbia Power Exchange Corp. et al.*, FERC Docket No. EL02-71-000, Order on Complaint, 99 FERC ¶61,247 (2002), issued May 31, 2002;

(2) *State of California ex rel. Bill Lockyer, Attorney General of the State of California v. British Columbia Power Exchange Corp. et al.*, FERC

Docket No. EL02-71-001, Order Denying Rehearing, 100 FERC ¶61,295 (2002),  
*Slip Op.*, issued September 23, 2002.<sup>1/</sup>

Dated: September 24, 2002

Respectfully Submitted,

BILL LOCKYER  
Attorney General of the State of California  
RICHARD M. FRANK  
Chief Assistant Attorney General  
TOM GREENE  
Senior Assistant Attorney General  
KEN ALEX  
Supervising Deputy Attorney General



PAUL STEIN  
Deputy Attorney General

Attorneys for Petitioner, State of California *ex*  
*rel.* Bill Lockyer, Attorney General

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1. The Orders on appeal are attached as Exhibits A - B to the Civil Appeals Docketing Statement filed concurrently with the Court.

**CERTIFICATE OF SERVICE**

I hereby certify that I have, on this 24<sup>th</sup> day of September, 2002, served by first class mail, postage prepaid, a copy of the foregoing Petition for Review and the Civil Appeals Docketing Statement filed concurrently with the Court upon the Solicitor, and upon each person designated on the attached official service list compiled by the Secretary of the Federal Energy Regulatory Commission in the proceeding below.



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PAUL STEIN