

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

DOCKET 08-CRI-1
DATE <u>FEB 17 2009</u>
RECD. <u>FEB 17 2009</u>

Complaint / Request for Investigation) Docket Number 08-CRI-01
Regarding Energy Sense / MASCO)
_____)

**EFFICIENCY COMMITTEE DECISION AND ORDER REGARDING
RESPONDENTS' APPLICATION TO TAKE THE VIDEOTAPED
DEPOSITION OF TOM HAMILTON; AND SUBPOENA**

Decision and Order

Having read and considered:

- the Respondents' Application to Take the Videotaped Deposition of Tom Hamilton, and the accompanying declaration of Ivor E. Samson in support thereof;
- the Joint Case Status Statement of the parties, dated December 4, 2008; and
- further information provided by Respondents' counsel, Steven H. Frankel, on February 11, 2009;

and upon a finding of good cause, it is the decision of the Efficiency Committee to issue a subpoena for Tom Hamilton, pursuant to the authority given to the Energy Commission by Section 25210 of the California Public Resources Code and Section 11181, subd. (e), of the California Government Code, and given to the Presiding Member of the Efficiency Committee by Section 1203, subd. (b), of Title 20 of the California Code of Regulations, to attend a videotaped deposition on **Thursday, February 26, 2009 at 9:30 a.m.** at the following location:

**Sonnenschein Nath & Rosenthal LLP
601 South Figueroa Street, Suite 2500
Los Angeles, CA 90017-5704**

This decision shall also constitute the subpoena itself and shall be served, via certified mail – return receipt requested, on Mr. Hamilton at the following address:

**Tom Hamilton
ICF International
14724 Ventura Blvd., Suite 1001
Sherman Oaks, CA 91403**

Respondents are ordered to file a copy of the videotape(s) of the deposition with the Dockets Unit by **Friday, March 6, 2009**, at the following address:

**Dockets Unit
Attn: Docket # 08-CRI-01
California Energy Commission
1516 Ninth Street, MS 4
Sacramento, CA 95814**

Dated: February 17, 2009



ARTHUR H. ROSENFELD
Commissioner
California Energy Commission
Presiding Member, Efficiency Committee