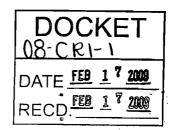
STATE OF CALIFORNIA



ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

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