

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Fact-Finding Investigation of Potential)	Docket No. PA02-2-000
Manipulation of Electric and Natural Gas)	
Prices)	
_____)	

AFFIDAVIT OF JAMES AVERY

The State of California

The County of San Diego

James Avery being duly sworn, upon oath, deposes and says:

1. I am Senior Vice President of Electric Transmission of San Diego Gas & Electric Company (“SDG&E”), a subsidiary of Sempra Energy.

2. I have reviewed the Staff’s Data Requests to Sellers of Wholesale Electricity and/or Ancillary Services to the California Independent System Operator and/or the California Power Exchange During the Years 2000-2001, dated May 8, 2002, as modified on May 16, 2002 (the “May 8, 2002 Data Request”). In response to the May 8, 2002 Data Request, employees of SDG&E and Sempra Energy, under my supervision and control, diligently conducted a thorough investigation into the trading activities of SDG&E employees and agents in the U.S. portion of the WSCC during the years 2000 and 2001.

3. On behalf of SDG&E, I certify that the responses to the May 8, 2002 Data Request provided by SDG&E are true and accurate to the best of my knowledge, information and belief, formed after a thorough investigation was diligently conducted under my supervision and control into the trading activities of SDG&E's employees and agents in the U.S. portion of the WSCC during the years 2000 and 2001.
4. I am informed and believe, and on that basis state that the affiliates and subsidiaries of SDG&E who engaged in trading activities in the U.S. portion of the WSCC during the years 2000 and 2001, are each separately responding to the May 8, 2002 Data Request.

FURTHER, AFFIANT SAYETH NOT.

/s/
JAMES AVERY

SUBSCRIBED AND SWORN to me this 30th day of May 2002 in the County of San Diego. Witness my hand and official seal. My commission expires:

/s/