

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**



**FILED**

09-27-10  
04:59 PM

Application of Pacific Gas and Electric Company for  
Adoption of Electric Revenue Requirements and Rates  
Associated with its 2011 Energy Resource Recovery  
Account (ERRA) and 2011 Ongoing Competition  
Transition Charge (CTC) Forecasts.

(U 39 E)

Application 10-05-022  
(Filed May 28, 2010)

**REPLY BRIEF OF MARIN ENERGY AUTHORITY**

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September 27, 2010

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Pursuant to Rule 13.11 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure, the Marin Energy Authority (MEA) respectfully submits this reply brief to the Opening Brief of Pacific Gas and Electric Company (PG&E Opening Brief). This reply brief offers: (1) a clarification regarding vintaging of the Harvest Wind #1 facility, (2) a clarification regarding vintaging of the utility-owned generation photovoltaic program (UOG PV Program) undertaken by Pacific Gas and Electric Company (PG&E), and (3) alternate recommendations for a proposed decision in this docket.

**I. MEA Clarifications and RECOMMENDATIONS**

**A. Vintaging of Harvest Wind #1 Facility**

In the Opening Brief of Marin Energy Authority filed September 20, 2010 (MEA Opening Brief), MEA noted that the Harvest Wind #1 facility was assigned a 2009 vintage while the contract was signed on January 29, 2010. (MEA Opening Brief at 4.) While PG&E notes that an unspecified contract “would result in re-assigning a 2009 vintage contract to a 2010 vintage,” (PG&E Opening Brief at 8), PG&E asserts later in the brief that “MEA was incorrect,

and that these contracts [including Harvest Wind #1] were executed in 2009.” (PG&E Opening Brief at 16.)

MEA requests that PG&E reflect in the update to be filed on or before November 5, 2010 (PG&E Update) the 2010 vintage of the Harvest Wind #1 contract.

**B. Vintaging of PG&E’s UOG PV Program**

In the MEA Opening Brief, MEA generally agreed with the concept of vintaging of a project “when construction begins.” (MEA Opening Brief at 5.) In the case of the UOG PV Program, vintaging will occur over time, as construction begins on specific sub-projects. However, PG&E’s treatment of this vintaging methodology is unclear in the PG&E Opening Brief. PG&E states that:

“... for the 75 MWs of new UOG PV PG&E expects to be delivering in 2011, PG&E will modify its originally proposed vintaging in 2010 as “2010 vintage projects.” The remaining portion of the forecast PG&E had for 2011 costs associated with the UOG PV facilities will be assigned as 2011 vintage projects.” (PG&E Opening Brief at 16.)

MEA believes that this understanding does not comport with the CPUC-approved methodology. MEA requests that the PG&E Update clarify the vintaging for the UOG PV Program. Specifically, (1) sub-projects of the UOG PV Program which began in 2009 should be assigned a 2009 vintage, (2) sub-projects of the UOG PV Program which began or will have begun in 2010 should be assigned a 2010 vintage, (3) subprojects of the UOG PV Program which are reasonably anticipated to begin in 2011 should be assigned a 2011 vintage, and (4) all other future UOG PV sub-projects should be assigned to the appropriate vintage in future ERRA proceedings, as appropriate, as they are out of the scope of the current proceeding.

MEA requests that the PG&E Update reflect the vintaging of the UOG PV Program such that vintaging occurs in the year in which construction begins or, for future construction, is

reasonably expected to begin. Further, MEA requests that PG&E provide a further update to the Commission by January 31, 2011 confirming which contracts were actually executed in 2010 and which PG&E-owned projects actually began construction in 2010.

### **C. Proposed Decision Recommendations**

In the Opening Brief of PG&E, PG&E made several recommendations regarding the proposed decision (PD) to be issued by Administrative Law Judge Seaneen Wilson (ALJ Wilson). MEA requests that changes be made to PG&E's suggestions. Specifically:

1. With regards to each of Recommendations 3 through 5, the PG&E Update should reflect the vintaging concerns set forth in paragraphs 1.A. and 1.B. above;
2. Recommendation 5 should state that PG&E is in compliance with the Commission rules on PCIA vintaging only if the PG&E Update reflects the revisions recommended in paragraphs 1.A. and 1.B. above; and
3. A new recommendation should be included that PG&E provide a further update to the Commission by January 31, 2011 that (i) confirms which contracts were actually executed in 2010 and which PG&E-owned projects actually began construction in 2010, and (ii) requests an update, if necessary, to the 2010 PCIA to comply with the Commission-adopted vintaging rules.

## **II. CONCLUSION**

For the reasons set forth above relating to (i) PG&E's vintaging of the Harvest Wind #1 facility, and (ii) PG&E's vintaging of the UOG PV Program projects, MEA recommends that:

1. the PG&E Update reflect the 2010 vintage of the Harvest Wind #1 contract;
2. the PG&E Update reflect the vintaging of the UOG PV Program such that vintaging occurs in the year in which construction begins; and



**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the foregoing ***Reply Brief of Marin Energy Authority*** on all parties of record in ***A.10-05-022*** by serving an electronic copy on their email addresses of record and, for those parties without an email address of record, by mailing a properly addressed copy by first-class mail with postage prepaid to each party on the Commission's official service list for this proceeding.

This Certificate of Service is executed on September 27, 2010, at Woodland Hills, California.

  
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Michelle Dargott

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