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07-28-11

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's own motion to consider alternative-fueled vehicle tariffs, infrastructure and policies to support California's greenhouse gas emissions reduction goals.

Rulemaking 09-08-009
(Filed August 20, 2009)

ASSIGNED COMMISSIONER'S SCOPING MEMO RULING – Phase 3

In accordance with Rule 7.3 of the Commission's Rules of Practice and Procedure,¹ this ruling defines the scope of phase 3 of this proceeding and adopts a procedural schedule.

1. Background

The Commission initiated this rulemaking proceeding on August 24, 2009 as part of its efforts to ready the electric infrastructure for light-duty passenger plug-in hybrid electric vehicles and battery electric vehicles (collectively "Electric Vehicles"). I issued the first scoping memo in this proceeding on January 12, 2010. My scoping memo envisioned three phases to this proceeding. The Commission completed phase 1 of this proceeding with the issuance of Decision (D.) 10-07-044. The Commission completed phase 2 of this proceeding with the issuance of D.11-07-029. As noted in the phase 2 decision, the Commission

¹ All subsequent references to Rules are to the Commission's Rules of Practice and Procedure, Chapter 1, Division 1 of Title 20 of the California Code of Regulations. The current version of the Rules is available on the Commission's website: www.cpuc.ca.gov.

modified my initial approach to phase 3. Phase 3 will now serve as a forum for parties to develop and file compliance reports. While the filing of compliance reports does not require a proceeding to remain open, in this instance it is reasonable to maintain a forum for further discussion of matters due to the amount of information provided in these reports and the possibility that I may want parties to comment on matters that arise in these compliance reports.

2. Submetering Protocol

The phase 2 decision established the following requirements for the development of a submeter protocol:

- Submit a Submeter Protocol Development Roadmap report to the Commission by October 31, 2011.
- Ordering Paragraph 4 directs Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE) to hold at least one publicly noticed workshop in collaboration with Energy Division during the development of the submeter protocol report roadmap and the submeter protocol report and jointly file a compliance report within 15 days of the conclusion of the workshop.
- On or before July 31, 2012, PG&E, SDG&E, and SCE will jointly file a Tier 2 advice letter that will allow the joint implementation of a comprehensive submetering protocol.

This ruling serves to clarify those requirements. It is the intention of the Commission that the development of the submeter protocol will take place under the following sequential activities: Roadmap Development, Protocol Development, and Tariff Development. Where possible, this ruling directs PG&E, SDG&E, and SCE to consult with appropriate working groups of the Plug-in Electric Vehicle Collaborative, and national standards bodies, such as the

Smart Grid Interoperability Plan, the American National Standards Institute, and others.

- Roadmap Development (August 2011 through December 2011): The utilities will work with stakeholders to develop a submetering roadmap report by December 31, 2011. This report should outline all of the technical and procedural issues needed to develop a submetering protocol that conforms to national standards. This ruling requires that the Energy Division organize at least one public workshop by October 31, 2011. This workshop should be followed by the release of a workshop report filed by the utilities no later than 15 days after the workshop.
- Protocol Development (January - July 2012): Utilities will work with stakeholders to develop submeter protocols. On or before July 31, 2012, PG&E, SDG&E, and SCE will jointly file a Tier 2 advice letter that will support the joint implementation of a comprehensive submetering protocol.
- Tariff Development (August - September 2012): Following the submission of the submeter protocol, utilities are directed to file Tariff sheet changes on or before September 1, 2012 that will formally implement the submetering protocol into utility tariff rules.

Submetering Protocol Development Process

Roadmap Development	<p>Utilities will establish a stakeholder working group to identify submeter protocol issues and challenges.</p> <p>The Energy Division will organize at least one publicly noticed workshop by October 31, 2011 to support the development of the submeter protocol report roadmap.</p> <p>File a compliance report within 15 days of the conclusion of the workshop.</p> <p>Submit submeter protocol roadmap report by December 31, 2011.</p>
Protocol Development	<p>Utilities continue to use stakeholder working groups to develop submeter protocols consistent with the</p>

Phase	roadmap. On or before July 31, 2012, PG&E, SDG&E, and SCE will jointly file a Tier 2 advice letter that will support the joint implementation of a comprehensive submetering protocol.
Tariff Phase	Utilities will develop tariff sheets to establish tariff rules for the use of customer submeters. These should be completed and submitted to the Commission on or before September 1, 2011.

3. Phase 3 Issues – Compliance Reports

The Commission’s decision in phase 2 of the proceeding orders the following compliance reports be filed and working groups established:

- **Notification Assessment Report:** Within 150 days of the effective date of the phase 2 decision, Ordering Paragraph 1 directs PG&E, SDG&E, and SCE to jointly file an assessment report setting forth, among other things, notification options to track the location and re-location of plug-in hybrid and electric vehicle charging on the electric grid.
- **Submeter Protocol Tariff Sheet Changes.** In order to effectuate the submeter protocols, utilities are directed to file Tariff sheet changes on or before September 1, 2012.
- **Load Research Report:** Ordering Paragraph 7 directs PG&E, SDG&E, and SCE to complete the load and cost research required by Ordering Paragraph 6 and file a compliance report reflecting the results of that research by January 1, 2013. This ruling clarifies the Order and directs PG&E, SDG&E, and SCE to develop a scope of work for the load research by December 1, 2011, and circulate the scope of work to parties. The utilities shall include a publicly noticed workshop to be held in January of 2012 to allow stakeholders to evaluate the scope of work and provide input. Additionally, the utilities are directed to schedule a workshop to present the preliminary results of

their load and cost research at least 45 days in advance of the filing deadline for the compliance report.

4. Phase 3 Procedural Schedule – Compliance Filings

Phase 3 - Compliance Report Schedule R.09-08-009

Submeter Protocol Working Groups	From January 1, 2012 to June 30, 2012
Notification Assessment Report	150 days after issuance of phase 2 decision
Submeter Protocol Roadmap Workshop	Workshop to be held on or before October 31, 2011
Submeter Protocol Roadmap Workshop Report	Within 15 days after the Workshop
Scope of Load Research	To be developed by utilities and circulated to parties by December 1, 2011
Submeter Protocol Roadmap Report	On or before December 31, 2011
Submeter Protocol Report	On or before July 31, 2012
Tariff Sheet Filings to effectuate submeter protocols	On or before September 1, 2012
Load Research Workshop and Load Research Report	Scope of Research to be developed and circulated on or before December 1, 2011. Workshop to be held in January, 2012. At least 45 days in advance of load research report filing deadline, utilities to hold workshop to discuss preliminary results. Final Load Research Report to be filed on or before January 1, 2013
Decision Closing Proceeding	By January 2013

Pursuant to Pub. Util. Code § 1701.5, the Commission must resolve the issues raised in the phase 3 scoping memo within 18 months of the issuance of

the scoping memo. We anticipate this proceeding will conclude within 18 months of the issuance of this phase 3 scoping memo.

5. Phase 3 - Need for Evidentiary Hearings

Today's scoping memo for phase 3 adopts a procedural schedule that does not include evidentiary hearings. Should this determination change, the assigned Commissioner will issue a revised scoping memo and "the ruling shall be placed on the Commission's Consent Agenda for approval of that change."² It is anticipated that the record will be composed of all documents filed and served on parties.

6. Phase 3 - Categorization of Proceeding

This rulemaking is categorized as "quasi-legislative," as that term is defined in § 1701.1(c)(1). Today's ruling confirms this categorization for phase 3 of this proceeding.

IT IS RULED that:

1. The scope of the proceeding is set forth in Section 3, above.
2. The schedule for the proceeding is set forth in Section 4, above, subject to change by subsequent ruling by the assigned Commissioner or assigned Administrative Law Judge, as appropriate.
3. The schedule does not anticipate evidentiary hearings for phase 3 of this proceeding. Should this determination change, the assigned Commissioner will issue a revised scoping memo and the ruling shall be placed on the Consent Agenda for the full Commission's approval of this change. It is anticipated that the record will be composed of all documents filed and served on parties.

² Rule 7.5.

4. The Commission determined that this proceeding should be categorized as “quasi-legislative,” as that term is defined in Pub. Util. Code § 1701.1(c)(1). Today’s ruling confirms this categorization for phase 3 of this proceeding.

Dated July 28, 2011, at San Francisco, California.

/s/ MICHAEL R. PEEVEY

Michael R. Peevey
Assigned Commissioner