

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



FILED

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In the Matter of the Application of
SOUTHERN CALIFORNIA EDISON
COMPANY (U338E) for a Certificate of
Public Convenience and Necessity for the West
of Devers Upgrade Project and for an Interim
Decision Approving the Proposed Transaction
Between Southern California Edison and
Morongo Transmission LLC.

Application 13-10-020
(Filed October 25, 2013)

NOTICE OF EX PARTE COMMUNICATION

Pursuant to Commission Rules of Practices and Procedure, Rules 8.3(c)(3) and 8.4, the Office of Ratepayer Advocates (ORA) gives notice of the following ex parte communication with the office of Commissioner Liane M. Randolph.

On March 30, 2016, ORA met with Commissioner Liane M. Randolph and her advisers, Rachel Peterson and Leuwam Tesfai, from 2:30 p.m. to 3:00 p.m., at the Commission office located at 505 Van Ness Avenue, San Francisco, CA 94102. ORA representatives present at the meeting were: Chloe Lukins, ORA's Program Manager, Christopher Myers, ORA Analyst, Robert Jenkins and Pushkar Wagle, ORA's Consultants affiliated with Flynn Resource Consultants, Inc. (Flynn RCI), and Noel Obiora, ORA's Counsel.

ORA proposed that the Commission deny the West of Devers Upgrade Project (WODUP) without prejudice. ORA stated that WODUP is not needed to meet RPS goals or for reliability, and that the interim upgrades on the system provide sufficient capacity to accommodate all renewable resources with PPAs, while providing 1050 MW of Full Capacity Deliverability Status (FCDS) that can be made permanent. ORA expressed concern that FCDS was the metric used to determine that WODUP was needed in the first place, as FCDS is a resource adequacy criterion that should not be used to assess the need for transmission to meet an energy based renewable goal. In addition, the Commission's RPS program does not require RPS PPAs to be FCDS; they can be energy only PPAs. Further, ORA stated that the most current RPS

calculator is the best decision support tool to evaluate transmission need for renewables, and it clearly shows that WODUP is not needed to meet either 33% or 50% RPS target. However, the old version of the calculator showed the WODUP was needed because it heavily weighted PPAs, of which two large PPAs have since been canceled.

ORA's counsel stated that there was no evidence in the record of this proceeding to support a finding that the environmentally preferred alternative, known as the "Phased build", is infeasible. ORA stated that the transaction between Southern California Edison Company (SCE) and the Morongo Band of Indians (Morongo tribe) should not dictate the outcome of the proceeding. Further, it was unclear how SCE and the Morongo tribe arrived at the \$400 million dollars that the Morongo tribe would purportedly invest in the project, except that they arrived at that figure through negotiations. ORA's counsel also stated that a conditional grant of the Right-of-Way over the Morongo tribal land, was legally insufficient to support a Commission decision to build the WODUP over tribal land.

ORA used a handout which outlined the aforementioned discussion and provided tables that ORA used to illustrate that the project is not needed.

Respectfully submitted,

/s/ NOEL OBIORA

Noel Obiora

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