

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



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Order Instituting Rulemaking To Enhance  
the Role of Demand Response in Meeting  
the State's Resource Planning Needs and  
Operational Requirements.

Rulemaking 13-09-011  
(Filed September 19, 2013)

**MOTION OF COMVERGE, INC., CPOWER, ENERNOC, INC., AND  
ENERGYHUB ("JOINT DR PARTIES") FOR INCLUSION OF INFORMATION  
IN FINAL REPORT ON JANUARY 13, 2016 WORKSHOP**

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August 8, 2016

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IN FINAL REPORT ON JANUARY 13, 2016 WORKSHOP**

Comverge, Inc., CPower, EnerNOC, Inc., and EnergyHub (“Joint DR Parties”) respectfully move for the inclusion of specified information in the final “January 13, 2016 Workshop Report: Proposals Regarding Prohibited Resources in Demand Response Programs.” This Motion is filed and served pursuant to Rule 11.1 of the Commission’s Rules of Practice and Procedure.

**I.  
DESCRIPTION OF REQUESTED ACTION (Rule 11.1(a))**

On January 20, 2016, Pacific Gas and Electric Company (PG&E) filed a “Draft Report on Back-Up Generation Workshop Held on January 13, 2016” (January 20 Draft 1/13 Workshop Report). On January 25, 2016, the Joint DR Parties timely filed Comments on the January 20 Draft 1/13 Workshop Report, which included both a request for the inclusion of additional information as well as specific corrections to that report.

On July 28, 2016, an Administrative Law Judge’s (ALJ’s) Ruling “Addressing Draft Report on January 13, 2016 Workshop” was issued with an attached “January 13, 2016 Workshop Report: Proposals Regarding Prohibited Resources in Demand Response Programs,” dated July 26, 2016 (July 26 Revised 1/13 Workshop Report). According to the ALJ’s Ruling, the July 26 Revised 1/13 Workshop Report “incorporates requested changes from parties, as well

as revisions from the Administrative Law Judge.”<sup>1</sup> The July 28 ALJ’s Ruling also gave parties the opportunity to request “final corrections” to the July 26 Revised 1/13 Workshop Report by August 8, 2016, and, absent such corrections or comments, the attached Report would become “the final report.”<sup>2</sup>

The Joint DR Parties greatly appreciate the inclusion of most of their specifically requested corrections to the January 20 Draft 1/13 Workshop Report in the July 26 Revised 1/13 Workshop Report and offer no further changes to those passages. However, the Joint DR Parties’ January 25 Comments on the January 20 Draft 1/13 Workshop Report also included the following request, which is not reflected in the July 26 Revised 1/13 Workshop Report:

“The [January 20] Draft January 13 Workshop Report references, but does not include new proposals that were served in advance of the January 13 Workshop, were permitted to be considered by assigned ALJ Hymes, and were presented and discussed during the Workshop. [Footnote 1 omitted.] In addition, on January 2[1], Southern California Edison Company (SCE) served two documents that provided further information on its ‘new’ proposal pursuant to the request of parties attending the Workshop. [Footnote 2 omitted, but included in Footnote 3 herein.] Further, power point presentations were made by Energy Division Staff during the Workshop in support of the Staff Proposal on the use of ‘prohibited resources’ in DR Programs.

“The Joint DR Parties request that the final January 13 Workshop Report include the documents related to new proposals served in advance of the Workshop, as well as the supporting information served on January 22 by SCE. In addition, the final January 13 Workshop Report should include any presentations made by Energy Division at the January 13 Workshop that are different from or in addition to the Staff Proposal appended to the ALJ’s Ruling of September 29, 2015. The Joint DR Parties believe that these additions are needed to provide a full record of the Workshop and the proposals before the Commission on the use of back-up generation in DR Programs.”<sup>3</sup>

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<sup>1</sup> July 28 ALJ’s Ruling, at p. 1.

<sup>2</sup> July 28 ALJ’s Ruling, at pp. 2-3.

<sup>3</sup> Joint DR Parties January 25 Comments on January 20 Draft Workshop Report, at pp. 1-2. Footnote 2 in those Comments stated, in reference to the additional documentation provided by SCE: “These documents, both dated January 15, 2016, include: (1) Rough Cost Estimate for SCE Implementation of CPUC Staff Proposal on BUG Prohibition (PDF), and (2) SCE BUG Implementation Estimate (Excel).” The Statement recited above from the Joint DR Parties’ January 25 Comments contained a typographical

By this motion, the Joint DR Parties renew the above request and move for the incorporation of this information in the final January 13 Workshop Report, for the reasons stated therein and as further described and specified in Section II. below. The Joint DR Parties believe that the inclusion of this information is necessary to provide a full and complete record of all proposals presented at the January 13 Workshop.

**II.**  
**SUPPORT FOR REQUESTED RELIEF (Rule 11.1(d))**

At this point in time, the only record of the January 13 Workshop that will be part of the formal file in R.13-09-011 (DR) will be the January 20 Draft 1-13 Workshop Report and the July 26 Revised 1-13 Workshop Report, the latter of which will become the “final report” absent further corrections by parties. Unfortunately, neither the January 20 Draft 1-13 Workshop Report nor the July 26 Revised 1-13 Workshop Report include the documents distributed prior to the January 13 Workshop supporting proposals or alternate proposals offered at the Workshop, the PowerPoint presentation made by the Energy Division in support of their proposal, or the documents provided by SCE, specifically in response to party requests made at the Workshop, that informed its proposal.

As to the latter information, on January 21, 2016, SCE served two documents to the service list in R.13-09-011 (DR) stating:

“At the January 13, 2016 workshop, SCE presented an alternate proposal pursuant to ALJ Hymes’ email ruling on January 6, 2016. At the request of parties at the workshop, SCE now presents the documentation that informed its alternate proposal.”

The two documents served by SCE included the same information in each, but were provided in different formats (PDF and Excel). The PDF version of this information, entitled “Rough Cost

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error indicating that SCE’s documents were served on January 22, when in fact that service took place on January 21, as corrected herein.

Estimate for SCE Implementation of CPUC Staff Proposal on BUG Prohibition” and dated January 15, 2016, is attached hereto as Appendix A and incorporated by reference herein.

The Joint DR Parties believe that the record on the proposals and alternate proposals considered at the January 13 Workshop will be incomplete without all of this information being included in the final January 13 Workshop Report. Only by including this information will the Commission have a full record on all of the “Proposals Regarding Prohibited Resources in Demand Response Programs” on which to make an informed decision on whether (1) to adopt any of those proposals, (2) to provide further direction or discussion on those proposals, or (3) to modify and adopt a modified proposal.

### **III. REQUESTED RELIEF**

For these reasons, the Joint DR Parties move for the inclusion of all of the following documentation or information in the final January 13, 2016 Workshop Report: Proposals Regarding Prohibited Resources in Demand Response Programs:

- All power point presentations made at the January 13 Workshop.
- All proposal or alternate proposal documents served before or provided during the January 13 Workshop.
- SCE’s document entitled “Rough Cost Estimate for SCE Implementation of CPUC Staff Proposal on BUG Prohibition,” served to the R.13-09-011 (DR) service list on January 21, 2016, and appended hereto as Appendix A.

Respectfully submitted,

August 8, 2016

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**APPENDIX A**

**Rough Cost Estimate for SCE Implementation of  
CPUC Staff Proposal on BUG Prohibition  
January 15, 2016**

## Rough Cost Estimate for SCE Implementation of CPUC Staff Proposal on BUG Prohibition

All DR customers (except CPP, RTP, PTR) must indicate whether or not they have a BUG.

For non-residential customer, if they do not respond to the attestation requirement, or responds falsely, they will be de-enrolled. Those who attest to not having a BUG will require site verifications bi-annually before March 30<sup>th</sup> each year. If they attest to owning and operating a BUG, they must provide specifications. Non-residential customers who attest to having a BUG must choose a proration method (see below) or de-enroll from the program.

- A. Default Adjustment requires site visit for verification
- B. Metered Adjustment requires additional metering, data storage, and monitoring

BUG Proposal Cost Impacts	Cost Type	Applicable Option	Rough Approx. of Costs	Cost Frequency
Project Management	labor (project manager)	A & B	110,700	annual
Program incentive adjustment/proration	system changes	A & B	1,500,000	one-time
BUG data storage	system changes	A & B	unavailable	one-time
attestation processing, follow-up & de-enrollments <sup>1</sup>	labor (cust service rep)	A & B	879,044	one-time (additional costs for ongoing for maintenance is not included)
General policy change communications	Marketing (single mailing)	A & B	130,000	one-time
Attestation customer communications	Marketing (two mailings)	A & B	260,000	one-time (new contracts and agreements will require attestation to be completed prior to enrollment)
CPUC reporting & data request responses	labor (analyst)	A & B	14,475	annual
Physical verifications <sup>2</sup>	labor (field service rep)	A & B	1,250,255	annual (additional costs for new enrollments are not included)
Scheduling verifications <sup>3</sup>	labor (cust service rep)	A & B	134,408	annual (additional costs for new enrollments are not included)
BUG meter installation <sup>4</sup>	labor (meter tech)	B	0	not applicable
BUG meter data storage	system changes	B	unavailable	one-time
BUG meter data analyses	labor (analyst)	B	43,425	annual
<i>Total approximate costs for first year of implementation</i>			4,322,307	

<sup>1</sup> Assumes an action needs to be taken for 100% of the applicable DR population and an employee can get through 100 tasks per day.

<sup>2</sup> Assumes 95% of customers will attest to not having a BUG, and an employee can complete 2.5 site verifications per day.

<sup>3</sup> Assumes 95% of customers will require a scheduled site verification, and employee can make 50 appointments per day and have to make 3 attempts to reach a customer.

<sup>4</sup> Meter installation costs to be covered by customer, but we will need to have the appropriate amount of staff.