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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop a  
Successor to Existing Net Energy Metering  
Tariffs Pursuant to Public Utilities Code Section  
2827.1, and to Address Other Issues Related to  
Net Energy Metering.

Rulemaking 14-07-002  
(Filed July 10, 2014)

**NOTICE OF EX PARTE COMMUNICATION OF THE INTERSTATE  
RENEWABLE ENERGY COUNCIL, INC.**

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Attorneys for Interstate Renewable Energy  
Council, Inc.

May 17, 2016

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RENEWABLE ENERGY COUNCIL, INC.**

Pursuant to Rules 8.3 and 8.4 of the Commission’s Rules of Practice and Procedure, the Interstate Renewable Energy Council, Inc. (IREC) hereby gives notice of the following written ex parte communication. Today, IREC sent a letter via email and U.S. Mail to Commissioner Sandoval, with copies to President Picker, Commissioner Florio, Commissioner Peterman, and Commissioner Randolph. In addition to IREC, the letter was signed by Brightline Defense Project (Brightline), California Environmental Justice Alliance (CEJA), California Solar Energy Industries Association (CALSEIA), Everyday Energy, Sierra Club, Solar Energy Industries Association (SEIA), The Alliance for Solar Choice (TASC), and Vote Solar—all of whom are parties to Rulemaking (R.) 14-07-002. The letter is attached hereto as Attachment A.

In the letter, the parties request that Commissioner Sandoval find that IREC’s “CleanCARE” pilot program proposal is legally permissible under California law in her decision in consolidated docket Application (A.) 14-11-007 et al. The parties support the resolution of this threshold legal issue so that CleanCARE may continue to be considered and refined in R.14-07-002.

An ex parte notice is being filed in both consolidated docket A.14-11-007 et al. and docket R.14-07-002 because the CleanCARE proposal is under consideration in both dockets.

DATED: May 17, 2016

Respectfully submitted,

SHUTE, MIHALY & WEINBERGER LLP

By: /s/ Erica S. McConnell

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# Attachment A



*Shaping our future with clean energy*

May 17, 2016

**Re: Legality of CleanCARE Pilot Proposal**

Dear Commissioner Sandoval:

Currently, a proposal for a “CleanCARE” pilot program, submitted by the Interstate Renewable Energy Council (IREC), is under consideration in two Commission dockets: A.14-11-007 et al. (CARE/ESA programs) and R.14-07-002 (net energy metering successor tariff). With this letter, we urge you to confirm that CleanCARE is legally permissible in your decision in docket A.14-11-007 et al.

In short, CleanCARE would allow CARE-eligible customers to redirect the funds associated with their CARE rate discounts toward purchasing shared solar generation. CleanCARE customers’ monthly bills would be offset by bill credits associated with that solar generation, and, as a result, participating customers would still receive a bill discount at least equivalent to what they would have received under standard CARE program rates.

As parties to R.14-07-002, we support continued consideration of CleanCARE in that proceeding, which has moved into a second phase focused in part on policy alternatives for “disadvantaged communities.” Without resolution of the threshold question of CleanCARE’s legality in A.14-11-007 et al., however, it will be challenging to move forward with refinement of CleanCARE’s programmatic details in R.14-07-002. We request that you find that CleanCARE is legally permissible, so that parties to R.14-07-002 will know that it is a viable option worthy of further discussion.

In its testimony and briefing in A.14-11-007 et al., IREC provided a detailed description of the CleanCARE pilot proposal, including an explanation of how it comports with current California law. IREC also responded to other parties’ arguments to the contrary. We refer you to these filings for additional details, and IREC would welcome any questions that you or your fellow Commissioners may have in considering the proposal.

Sincerely,

/s/ Sara Baldwin Auck

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/s/ Brad Heavner

Policy Director  
California Solar Energy Industries Association

/s/ Scott Sarem

Co-Founder/CEO  
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/s/ Alison Seel

Associate Attorney  
Sierra Club

/s/ Sean Gallagher

Vice President, State Affairs  
Solar Energy Industries Association

/s/ Joseph F. Wiedman

Partner  
Keyes, Fox & Wiedman LLP  
Attorney for The Alliance for Solar Choice

/s/ Susannah Churchill

Regional Director, West Coast  
Vote Solar

cc: President Picker  
Commissioner Florio  
Commissioner Peterman  
Commissioner Randolph