



**FILED**  
10-06-16  
04:59 PM

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

Order Instituting Rulemaking on the  
Commission's Own Motion to Conduct a  
Comprehensive Examination of Investor  
Owned Electric Utilities' Residential Rate  
Structures, the Transition to Time Varying and  
Dynamic Rates, and Other Statutory  
Obligations.

Rulemaking 12-06-013  
(Filed June 21, 2012)

**JOINT PRE-HEARING CONFERENCE STATEMENT OF  
PACIFIC GAS AND ELECTRIC COMPANY (U-39-E),  
SOUTHERN CALIFORNIA EDISON COMPANY (U-338-E), AND  
SAN DIEGO GAS AND ELECTRIC COMPANY (U-902-E)**

GEORGETTA BAKER  
San Diego Gas and Electric Company  
8330 Century Park Court CP32E  
San Diego, CA 92123  
Telephone: (619) 696-2000  
Email: [GBaker@SempraUtilities.com](mailto:GBaker@SempraUtilities.com)  
Attorney for  
SAN DIEGO GAS & ELECTRIC COMPANY

FADIA KHOURY  
RUSSELL ARCHER  
Southern California Edison Company  
2244 Walnut Grove Avenue  
Rosemead, CA 91770  
Telephone: (626) 302-6008  
Facsimile: (626) 302-6693  
Email: [Fadia.Khoury@sce.com](mailto:Fadia.Khoury@sce.com)  
Attorneys for  
SOUTHERN CALIFORNIA EDISON COMPANY

GAIL L. SLOCUM  
CHRISTOPHER J. WARNER  
Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, CA 94105  
Telephone: (415) 973-6583  
Facsimile: (415) 973-0516  
Email: [Gail.Slocum@pge.com](mailto:Gail.Slocum@pge.com)  
Attorneys for  
PACIFIC GAS AND ELECTRIC COMPANY

Dated: October 6, 2016

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

Order Instituting Rulemaking on the Commission's Own Motion to Conduct a Comprehensive Examination of Investor Owned Electric Utilities' Residential Rate Structures, the Transition to Time Varying and Dynamic Rates, and Other Statutory Obligations.

Rulemaking 12-06-013  
(Filed June 21, 2012)

**JOINT PRE-HEARING CONFERENCE STATEMENT OF  
PACIFIC GAS AND ELECTRIC COMPANY (U 39 E),  
SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E), AND  
SAN DIEGO GAS AND ELECTRIC COMPANY (U-902-E)**

**I. INTRODUCTION**

Pursuant to assigned Administrative Law Judge (ALJ) Jeanne McKinney's September 30, 2016 Ruling setting a Prehearing Conference for October 10, 2016, Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE) and San Diego Gas and Electric Company (SDG&E) (collectively, the Joint IOUs) provide this Joint Pre-Hearing Conference (PHC) Statement.<sup>1/</sup> In accordance with the ALJ's Ruling, this PHC Statement addresses the issues related to Public Utilities (P.U.) Code Section 745 (or Section 745) that were not decided in Decision (D.) 16-09-016, and remain to be resolved in the future, with preliminary recommendations as to the potential procedural vehicles and ideal timing for addressing them. The Joint IOUs are committed to supporting the most expeditious possible approach that can satisfy the CPUC's stated goals, while ensuring a successful roll-out of default TOU that appropriately meets Section 745's legal requirements.

---

1/ Pursuant to Rule 1.8(d) of the Commission's Rules of Practice and Procedure, PG&E has been authorized by SCE and SDG&E to file these Joint Reply Comments on their behalf.

## II. P.U. CODE SECTION 745 ISSUES THAT REMAIN OPEN AFTER D.16-09-016

As the Commission noted in D.16-09-016:

In order to comply with Section 745, we must first identify the specific data that should be evaluated. Today's decision adopts an interpretation of Section 745 that will allow the Commission and parties to this proceeding to take the appropriate steps to obtain those data. Once obtained, and prior to implementation of default TOU, the data will be the subject of future Commission actions that will determine if the findings and conditions of Section 745 have been met.<sup>2/</sup>

The Joint IOUs present below a discussion recommending how and when such future Commission actions might be taken.

### A. "Unreasonable Hardship" Assessment In Compliance with Section 745(c)(2)

Under P.U. Code Section 745(b), "[t]he commission shall not establish a... default time-variant pricing tariff for any residential customer except as authorized in subdivision (c)."

Section 745(c) states that "[b]eginning January 1, 2018, the commission may require or authorize an electrical corporation to employ default time-of-use pricing for residential customers subject to all of the following [prerequisites]... [745(c)](2) [t]he commission shall ensure that any [default] time-of use rate schedule does not cause unreasonable hardship for senior citizens or economically vulnerable customers in hot climate zones."

While D.16-09-016 provided the necessary definitions of terms to guide data collection, the Commission expressly declined to "attempt to predetermine a definition of hardship caused by default Time-of-Use (TOU) rates without first obtaining results from the opt-in and default TOU pilots."<sup>3/</sup> Rather, the Commission

agree[d] with the parties that the determination of whether default TOU rates would cause unreasonable hardship under Section 745(c)(2) should not, and cannot be made until the data are gathered... and examined by the parties. The initial examination will be done using the opt-in pilots and other existing data; any

---

2/ D.16-09-016, mimeo, p. 2.

3/ *Id.*, pp. 16 – 17.

relevant findings from the default TOU pilots can be incorporated in the [unreasonable hardship] analysis at a later date.<sup>4/</sup>

The Joint IOUs concur that the CPUC’s analysis of unreasonable hardship will take place in two steps, with an initial, preliminary analysis based primarily on the results of the opt-in TOU pilots, with a second step based on any relevant preliminary data from the default TOU pilots. Only after two stages of data analysis – from both the opt-in and default pilots – are complete can the CPUC determine whether the default TOU rate it adopts does not cause “unreasonable hardship” under Section 745(c)(2). These two stages of this analysis are discussed below.

### **1. Step 1: Opt-In TOU Pilot Data Analysis**

D.16-09-016 provides that the CPUC should assess unreasonable hardship through careful examination of all data available to it, listing the following types of data:

- (1) bill impacts, including seasonal bill volatility;
- (2) energy burden changes;
- (3) load shifting behavior during hot summer peaks;
- (4) impacts on energy insecurity;<sup>5/</sup> and
- (5) arrearages, disconnections, and any economic reasons that caused TOU pilot customers to drop out of the study.<sup>6/</sup>

As shown in the Draft Procedural Schedule attached to the ALJ’s September 30, 2016 Ruling Inviting Prehearing Conference Statements, the survey data from the opt-in TOU pilot that is necessary for conducting this initial evaluation of unreasonable hardship is not expected to be available until late February 2017. Initial results on other relevant data from the opt-in pilot, such as on load shifting, summer bill impacts, etc., are not expected to be available, even on a

---

4/ *Id.*, p. 17.

5/ The Decision notes that the term “energy insecurity” has not been clearly defined in this proceeding, has been previously contested, and is currently under review by the Low Income Needs Assessment (LINA) effort. Therefore, the Decision directs the parties to refer to any of the data collected by the TOU pilot surveys that they believe is relevant in their filing on unreasonable hardship. (*Id.*, p. 16.)

6/ *Id.*, pp. 14 – 15.

preliminary basis, until January 2017, with the final First Interim Report expected in March 2017. The Draft Procedural Schedule had focused exclusively on the survey results, and had called for parties to conduct discovery on interim data findings in March and through the 3<sup>rd</sup> week of April 2017, and calls for opening briefs and service of data analysis on 745(c)(2) “unreasonable hardship” at the end of April, 2017. It is unclear whether evidentiary hearings might be needed on disputed factual issues. The Draft Procedural Schedule suggests that evidentiary hearings “could add 3 – 4 weeks to this schedule.” The Joint IOUs would note that the Draft Procedural Schedule, which does not include those three to four extra weeks for hearings, is already tight, in that it calls for a final CPUC decision at the first meeting in September 2017, leaving the IOUs only about two and a half months to make any required changes to previously approved default TOU pilot plans. The IOUs concur with Energy Division’s observation that “this [2 and a half month lead-time] may or may not be feasible depending on any such changes.”

As discussed with the TOU Working Group, the IOUs’ default TOU pilot rate(s) are currently targeted to go into effect March 1, 2018. However, communication to pilot customers may start as early as 90 days prior to that date (December 1, 2017), and web-based on-line tools must be fully programmed with the final default TOU rates before then, and Customer Contact Center representatives need to be trained in advance of the first mailings to ensure a positive customer experience. It would be a significant challenge to accomplish these important tasks if a final CPUC decision were not issued by the first meeting of September 2017 (thus, ideally, it would be issued earlier). Even if the IOUs each received a final decision in or before September 2017, if it materially changed the IOUs’ assumptions about the defaulting process or the TOU rate plan or pilot program structure, any of these changes could require an even longer lead time. An example of this would be if the CPUC were to order that any segment of either seniors or economically vulnerable customers needed to be exempted from default TOU (either the pilot or the full-roll-out). Similarly, any CPUC modifications requiring structural changes to the rates in the IOUs’ billing systems could require a lead time of about 6 – 9 months, which would push out

the start of the default pilot beyond what is currently being planned.

## **2. Step 2: Default TOU Pilot Data Analysis**

The second step is for the CPUC to evaluate the operational success and customer acceptance, and any other data from the default TOU pilots the CPUC deems necessary for it to evaluate whether this incremental information modifies its earlier assessment of “unreasonable hardship” based on the opt-in pilot results. As discussed below, the type and amount of data, and process for review, that the CPUC deems necessary for this “step 2” evaluation of preliminary results from the default TOU pilots on “unreasonable hardship” will have a significant effect on when the CPUC can issue its final decision and thus when in 2019 default TOU would begin to be rolled-out.

Because there is self-selection bias in the opt-in TOU pilots, data from the default TOU pilots could vary from the opt-in TOU pilots’ results. Thus, some form of “Step 2” analysis of “unreasonable hardship” is warranted to inform the overall structure of default TOU, and ensure success when it is rolled out to upwards of 10 million customers of the three IOUs in 2019.<sup>7/</sup>

The default TOU pilots are currently expected to begin in March 2018. Resulting data will become available at differing times. Guidance is needed from the CPUC about what amount and types of data the CPUC believes it must review from the default TOU pilot to complete Step 2 of its “unreasonable hardship” assessment. The IOUs present below some preliminary

---

7/ It is important to note that significant steps were taken to minimize selection bias in the opt-in pilot (through the participation incentive and bill protection), and painstaking efforts have been expended on a carefully crafted survey to understand customer hardship, not only after a full summer, but after a *full year* on TOU. Plus opt-in TOU Pilot customers will receive an incentive payment for returning each survey, a feature that is expected to yield an extremely high response rate. The expected response rate from any default pilot survey, and the associated cost to achieve that target, is uncertain and subject to the CPUC’s ruling on the IOUs’ December 16, 2016 Advice Letters on the scope of the default TOU pilot. Thus it could be argued that the data from the opt-in pilot, along with preliminary results from the initial rollout of the default pilot (with insights on opt-out rate, opt-out reasons, call volumes, etc.), and the preliminary ME&O messaging survey results which will measure customer awareness) – all expected around June 2018 – might be sufficient, and that anything beyond that might not add sufficient value to warrant the resulting significant delays in the timeline for a final decision.

information on likely timing of availability of information the CPUC may want to review, as well as some suggested options for the CPUC to consider if it wishes to aim for an expedited final decision. Such options are not the only possible approaches, and the IOUs welcome further discussion at the PHC and perhaps in follow-on meetings with the TOU Working Group with some preliminary guidance from the PHC.

On *operational* matters, preliminary results will likely be available starting in June 2018.

For *customer surveys*, the timing of preliminary results will depend on when the initial customer surveys are conducted. An initial survey on messaging (ME&O approaches), being tested in the default pilot are likely to be available as early as June 2018. A *quantitative customer survey* (perhaps similarly to the opt-in pilot survey), could potentially be conducted after July 2018 (so that one hot summer month were included); if so, survey responses would be received in August and September, with top-line results likely by mid-October 2018 (at the soonest), and a month or so later for a full report.<sup>8/</sup>

As regards *usage-based data* for assessing “unreasonable hardship” (such as bill impacts and load shifting effects in summer), the earliest that raw data that would include one hot summer month (July 2018) could be available would be in early September (at the absolute earliest), if the CPUC would like an expedited review.<sup>9/</sup> If, instead, the CPUC were to prefer usage data for the full summer season for all three IOUs, similar raw data would not be expected to be available until at least November 2018.<sup>10/</sup>

---

8/ If the CPUC were concerned about further expediting the timing on customer survey results from default pilot participants, the IOUs could put together panels of pilot customers, with a sufficient sample, ensuring that they are signed up with “MyAccount” so they have access to their usage and billing information. The IOUs could then conduct quick surveys at will throughout the default pilot. How representative that panel may or may not be of the overall population will depend on the level of sign-ups resulting from IOU efforts to drive online account access enrollments between now and then.

9/ However, as the TOU Working Group concluded during the design of the opt-in pilot, load-shift does not provide direct insight into hardship.

10/ The summer season for PG&E and SCE ends September 30, and for SDG&E it does not end until October 31. It takes at least 30 days after the end of the summer season to conduct even a preliminary data analysis on summer data on the metrics that D.16-09-016 requires to be

As with the Draft Procedural Schedule for reviewing data from the opt-in pilots, parties to the proceeding will likely need time to analyze the preliminary data from the default TOU pilots, and then submit briefs presenting their arguments on whether they believe the data support a change in the CPUC's previous opt-in pilot-based findings as to whether the proposed default TOU rate(s) would cause unreasonable hardship for seniors or the economically vulnerable in hot areas, or not.

The Joint IOUs attach as Appendix A a strawman 2018 Rate Design Window procedural schedule, as a "Discussion Draft," to help advance consideration at the PHC of the potential timing impacts of whatever the CPUC decides is the data analysis it wishes to review to support its final findings on "unreasonable hardship" as required under Section 745(c)(2). Decision 16-09-016 leaves some ambiguity about what type and extent of default TOU Pilot data the CPUC's review requires. The resolution of that ambiguity has significant scheduling consequences. As shown in Appendix A, if the CPUC seeks expedited review based on preliminary results a decision by the end of 2018 would still be possible, but if the CPUC awaits further data (beyond July 2018, such as to cover a full summer), it would likely cause as much as a six-month delay in the final decision on default TOU (to mid-2019).

The Joint IOUs are committed to supporting the most expeditious possible approach, for as rapid as possible a final decision on default TOU that can satisfy the CPUC's stated goals – including review of preliminary data to fulfill the second step in the CPUC's 745(c)(2) analysis. The Joint IOUs look forward to further discussing these issues with the ALJ and all parties, to seek creative solutions at the PHC on October 10, 2016.

#### **B. Hardship Assessment In Compliance with Section 745(d)**

Under Section 745(d), the CPUC must also "explicitly consider evidence addressing the extent to which hardship will be caused on (1) customers located in hot, inland areas, and (2)

---

reviewed in making any assessment of whether the rates proposed by any of the IOUs would cause "unreasonable hardship" for seniors or economically vulnerable customers in hot inland areas.

customers living in areas with hot summer weather as a result of seasonable bill volatility. Since both of these assessments are to be made “assuming no change in summertime usage or in usage during peak periods,” this assessment can be made independent of the results from the TOU pilots. Because no change in usage must be assumed, the Section 745(d) finding can be based on what the TOU Working Group has called “paper studies” – meaning analysis of existing usage data as applied to a selected TOU rate and then compared to the tiered rate on which the customer would otherwise have been taking service had they not been defaulted to TOU.

By September 2016, the IOUs had each already provided Energy Division with initial such paper studies. Consistent with D.16-09-016, a final IOUs-specific paper study would be run based on the default TOU rates proposed in the IOUs’ 2018 RDW applications relative to the tiered rate expected to be in effect in 2019. In order to be considered in the CPUC’s final decision on the 2018 RDW, the Joint IOUs recommend these final paper studies for Section 745(d) purposes be provided to the CPUC and all parties by September 2018. If the CPUC’s final decision were to adopt a significantly different default TOU rate than had been proposed by any of the IOUs, the Section 745(d) paper studies could be re-run within 30 days after the final rate became available.

**C. How Will IOUs Identify and Exempt Targeted Customers from Default TOU?**

**1. Customers Requiring an In-Person IOU Visit Before Disconnection**

One of the required exemptions under P.U. Code Section 745(c)(1) is that customers requiring an in-person visit from the utility before being disconnected must be exempted from default TOU. Although this issue, as raised by CforAT, was addressed in detail in the parties’ prior filings, D.16-09-016 found that “further review [on this issue] is necessary and should be addressed later in this proceeding.”<sup>11/</sup> The Joint IOUs recommend this issue be briefed by April 2017, for a final CPUC decision on this issue as soon as possible thereafter, but no later than the

---

11/ D.16-09-016, mimeo, p. 31.

mid-September 2017 decision reflected in the Draft Procedural Schedule.<sup>12/</sup> The TOU working group has discussed this issue and although the IOUs currently maintain lists of customers that fall under Section 745(c)(1), there are questions by some parties as to if and how customers eligible for such lists should also be excluded. If the TOU Working Group cannot resolve the issue, it is anticipated that the IOUs will address the requirement and any process in their 2018 RDW applications to reasonably ensure customers in the excluded groups are not defaulted to TOU rates.

## **2. Possible Exemption of any Seniors or Economically Vulnerable Customers**

If the CPUC were to find unreasonable hardship for some segment of either seniors or economically vulnerable customers, the IOUs would need to develop a mechanism for identifying and tracking such customers for exclusion from either the default TOU pilot or full default TOU. In such a case, the IOUs would need time to examine existing processes and efficient mechanisms.

### **D. After the Full Default TOU Rollout, What Does Section 745(c)(4) Require?**

P.U. Code Section 745(c)(4) requires that a customer cannot be defaulted to TOU until, among other things, they have been “provided with not less than one year of interval usage data from an advanced meter.” Perhaps the most important open Section 745 issue identified in the matrix of issues the parties jointly developed last July is whether or not Section 745(c)(4) sets up a continuing IOU obligation to track and default customers to TOU in perpetuity, or not. For example, after the initial full roll-out of default TOU could the CPUC’s decision interpret this provision to no longer be applicable? What if, for 2020 and beyond, the CPUC were to order the

---

12/ The Draft Procedural Schedule includes a “first CPUC meeting in September, 2017” date for final decision on the default IOU pilots. SDG&E remains concerned about the feasibility of implementing changes in approximately 2.5 months from such an issuance date of a final decision (including on Section 745(c)(2) issues. The IOUs are concerned that, if the final decision were to deviate materially from the RDW proposal, such as requiring new systems for implementation or tracking ongoing changes, more lead-time would be needed to prepare for a successful roll-out of default TOU than would be afforded by a final decision in mid-September 2017.

utilities to use a method like Arizona's, where the utility discussed in detail with each new customer (including customers who move within its service territory), all of the available rates with whatever best rate analysis is possible, such that each customer would be *choosing* its initial rate rather than being "defaulted to it" from a tiered rate. A related set of questions surrounds whether, under such an approach, if customers in and after 2020, i.e., after the initial rollout of default TOU has concluded, choose a TOU rate that happens to have been the previously-adopted "default" rate, do they still get bill protection.<sup>13/</sup> Obviously, the tracking and defaulting of customers with bill protection into the indefinite future would add a huge and complex new administrative burden for the IOUs. The CPUC should resolve the issue of whether there are such continuing obligations as part of the final decision in the 2018 RDW.

For example, it appears that PG&E may have upwards of 900,000 customers, who will not have been provided with 12 months of interval billing data from an AMI meter by the date on which they would otherwise have been defaulted. Most customers who have less than 12 months of interval billing data are in this category because they have not been in their residence for over a year. Such customers would be expected to reach a point sometime later in 2019 or in 2020 when their 12-month "anniversary" of having been provided with interval data from an AMI meter is reached. The CPUC could declare that those *who were already customers* as of the date on which full default TOU roll-out actually begins would be tracked, and would later be defaulted to TOU with bill protection when they reach 12 months of service with AMI interval metered data at the same address. Alternatively, after a specified date following default TOU rollout, customers who commence service at a residence would receive a detailed summary of their rate choices and make an affirmative choice among TOU and other options that would no longer trigger the bill protection that is first provided when a customer is "defaulted" to TOU after being served on a tiered rate. Unless the CPUC interprets the law in a manner that obviates

---

13/ If so, a sub-issue is whether a customer who had already been defaulted to TOU at a previous address, and received bill protection before, should receive bill protection again at their new address.

the former situation where tracking and defaulting to TOU with bill protection goes forward in perpetuity, there will always be significant numbers of customers who will start taking service on TOU rates with 12 months of bill protection decades after default TOU was rolled-out.

It is important that the CPUC fully understand the administrative burdens that would be involved if this latter situation were to result from the CPUC's decision, and that it consider the alternatives that might also be consistent with the CPUC's reading of this provision of Section 745. The Joint IOUs would prefer that this set of "continuation" issues be resolved as part of the CPUC's decision on the opt-in pilots by no later than early September 2017 so that the full default proposal can be designed accordingly. If the CPUC were to find that the language of Section 745(c)(4) cannot be interpreted so as to obviate the need for future tracking and defaulting of customers, with bill protection, the IOUs and/or other parties might wish to seek an amendment to the legislation to sunset this provision. If the CPUC wishes to get a head-start on this issue, it could be referred to the TOU Working Group for a recommendation sometime in 2017, to see if a consensus could be reached on some or all such issues, to help expedite the CPUC's process.

#### **E. Other Issues**

Decision 16-09-016 listed 5 issues at page 33, including some operational issues:

1. How should bill protection payments be paid out? Should payments be trued-up on a monthly basis, twice per year, or at the end of 12 months/time of opt-out?
2. How do IOUs handle moves or transfers?
3. Should opt-outs be tracked when customers move from one home to another/from one service territory to another?
4. After default implementation, must new customers continue to receive 12 months of service on a tiered rate prior to being defaulted to a TOU rate (post education, if customer doesn't opt-out)?
5. What does "default" mean for a customer who establishes service after the initial transition to default TOU is complete?

Issues 2, 4 and 5 relate to the continuing obligation question discussed in section D above, and can be handled in the CPUC's decision on the 2018 RDW.

Issues 1 and 3 appear to require resolution by no later than September, 2017,<sup>14/</sup> so the CPUC's decision can be known with enough lead time before the default TOU pilot is implemented.

There may be other open issues that, given the limited time available, the Joint IOUs were not able to address in this PHC Statement. The Joint IOUs welcome the opportunity to review the PHC statements of other parties and to discuss the full range of issues at the PHC.

### III. CONCLUSION

The Joint IOUs appreciate the opportunity to provide this Pre-Hearing Conference Statement, and look forward to being able to provide further comments during the discussion among the parties on October 10, 2016. The Joint IOUs value the degree to which the members of the TOU Working Group have worked together collaboratively, and aim to continue to do so in order to support the most timely and successful possible rollout of the default TOU pilot, ME&O, and full default TOU implementation.

Respectfully Submitted,

GAIL L. SLOCUM

By: \_\_\_\_\_ /s/  
GAIL L. SLOCUM

Pacific Gas and Electric Company  
77 Beale Street  
San Francisco, CA 94105  
Telephone: (415) 973-6583  
Facsimile: (415) 973-0516  
E-Mail: [Gail.Slocum@pge.com](mailto:Gail.Slocum@pge.com)

Dated: October 6, 2016

Attorneys for  
PACIFIC GAS AND ELECTRIC COMPANY

---

<sup>14/</sup> See Section C above, and footnote 13 above regarding concerns that a mid-September 2017 final decision date may not be early enough lead time for implementation and rollout of the default TOU pilot in early 2018.

# APPENDIX A

**Joint IOU's PHC Statement, Appendix A  
Discussion Draft for October 10 PHC**

**Discussion Draft: Potential 2018 RDW Procedural Schedule for Default TOU Rate Approval (as of Oct 6, 2016)**

<b>Event</b>	<b>Expedited Schedule</b>	<b>Potential Sched w/ Poss. Confounding Events</b>	<b>Comments</b>
<b>File 2018 RDW Application/Testimony</b>	Mon. Jan 1, 2018		Workpapers out ~2 weeks later
Protests (30 days from date published in Daily Calendar)	~ February 5		
Reply to Protests (10 days from Protests)	~ February 15		
Pre-Hearing Conference	~ Feb. 20		
CPUC's Scoping Memo	Early March		
ORA and Intervenor Testimony	Late May*	Late May*	*If intervenors want testimony <i>after</i> ORA's, add one month (puts it in late June, see below)
Default Pilot Prelim Operational Stress Results	Early June?	Early June?	At earliest. Assumes Default TOU Pilot is rolled-out March 1, 2018
Formal Settlement Talks Begin	June	June	
<i>Pos. sep. Intervenor Testimony</i>	Late June	Late June	
<i>Possible IOU Amended Testimony to Account for Prelim Operational Stress Test Results (if issued by early June)</i>		Mid-July	If stress test reveals problems, IOUs may need to modify RDW proposals. Presumably ORA and Intervenor would want to amend responsive testimony, too. This would delay start date for hearings.
Preliminary Default Pilot ME&O/Messaging Survey Results	June	June	At earliest. Assumes Default TOU Pilot is rolled-out March 1, 2018

Event	Expedited Schedule	Potential Sched w/ Poss. Confounding Events	Comments
More Settlement talks	Early-Mid July	Mid-July	<i>Very</i> hard to settle while drafting rebuttal. If stlmt seems in reach, request suspend rebuttal.
Rebuttal Testimony (All parties)	Late July	Suspend to finalize settlement talks	Parties need <i>at least</i> 3 weeks after responsive testimony to draft rebuttal
More Settlement talks	Early August	Late July	
ORA/Intervenor Amended Responsive Testimony		Mid-August	Would delay hearings
More Settlement talks		Late August	
File Settlement, if reached		Early September?	On all issues but “unreasonable hardship”?
Responses to Motion for Settlement		Late September	
Evidentiary Hearings (on some or all issues)	Late-August (at earliest) ~2 weeks	Mid Oct Hearing (on Stlmt & on unsetld issues) 2-3 days	Likely to need hearings to create adequate record on some factual issues. A later set of hearings may be needed on summer load shifting and other 745 Default TOU pilot data that’s not available until early September, at earliest
Raw Data Available on load shifting, etc., from March 1 – July 31 Default Pilot Results	Early September		
Parties analyze Default Pilot Data through July 31, 2018	All September		<i>Possible TOU Working Group workshop to facilitate/expedite data analysis to seek consensus on unreasonable hardship</i>
Opening Briefs on all but default TOU Pilot summer data Section 745(c)(2) issues (3+ weeks after hearings)	~4th week Sept	Early November	

<b>Event</b>	<b>Expedited Schedule</b>	<b>Potential Sched w/ Poss. Confounding Events</b>	<b>Comments</b>
Opening Briefs on Default TOU Pilot Data/Unreasonable Hardship (if use data only through July 2018)	2d Week October		Could be delayed if parties were to request and ALJ authorize evidentiary hearings on any factual issues about the available Default TOU Pilot Data available to date.
Reply Briefs on all but default TOU Pilot summer data issues (2+ wk.s after op. briefs)	3rd week October	Early December	Ample time needed for Reply Briefs as there are so many issues/parties.
Reply Briefs on Default TOU Pilot Data/Unreasonable Hardship (if use data only through July 2018)	4th week October		Could be delayed if parties were to request and ALJ authorize evidentiary hearings on any factual issues about the available Default TOU Pilot Data available to date.
Default TOU Pilot Load/Bill Impact Preliminary Data (covering full summer season)		November	CPUC required to review per D.16-09-016 before it can make 745 findings on unreasonable hardship and approve default TOU
Parties' analysis and discovery on Default TOU Pilot Load/Bill Impact Results (if wait for full summer results)		December	
Top-line customer survey results after full summer on default pilot		December?	
Hearings on Default TOU Pilot Data, if nec?		Mid-Jan, if nec (2 day)	

Event	Expedited Schedule	Potential Sched w/ Poss. Confounding Events	Comments
PD	4 <sup>th</sup> week of November?* (on all issues)	<i>Early February? ** (on non-unreasonable hardship issues)</i>	* Expedited Schedule assumes no hearings are needed, and that the ALJ can prepare and issues a PD on all issues (including unreasonable hardship) just 1 month after receiving reply briefs. (ALJ may need more than 1 month) ** Assumes 2 months for ALJ to prepare PD, which would be conditioned on a later PD on Unreasonable Hardship. (ALJ may need longer than 2 months)
Opening Comments on PD <i>(20 days after PD)</i>	Mid-December* (all issues)	Mid-February**	*If CPUC desires a decision by end of 2018, may need to shorten time for comments **On all issues but unreasonable hardship
Reply Comments on PD <i>(5 days after Opening)</i>	3 <sup>rd</sup> week December (all issues)	Late February	
CPUC Final Decision	Last Decision Conference in December 2018*	Initial Decision on non-unreasonable hardship issues could be issued in March 2018**	*May be later if hearings are required or ALJ takes longer than 1 month to issue PD (see assumptions above) ** This “first phase” decision (on all issues but “unreasonable hardship”) should provide IOUs with an adequate basis for beginning preparations for full roll-out.
All parties file Supplemental Opening Briefs on Unreasonable Hardship issues (based on full summer’s Default TOU Pilot results on load shifting/bill impact/customers surveys, etc.)		2d week February	

<b>Event</b>	<b>Expedited Schedule</b>	<b>Potential Sched w/ Poss. Confounding Events</b>	<b>Comments</b>
All parties file Supplemental Reply Briefs on Unreasonable Hardship issues	2d week February	1 <sup>st</sup> week March	
CPUC Second PD (on any remaining Unreasonable Hardship Issues)		1 <sup>st</sup> week May	Assumes ALJ takes 2 mo.s to write/vet this second PD on unreasonable hardship issues
Opening Comments on Second PD		Late May 2019	CPUC could shorten comment time to 14 days
Reply Comments on Second PD		Early June 2019	
<b>Earliest Final Decision on all issued</b> (if no Alternate, not Held)	<b>End of December 2018</b>	<b>Mid-June 2019</b>	
<b>If Decision Held for 1 mtng</b>	<b>Mid-January 2019</b>	<b>Late June 2019</b>	
<i>If Alternate PD is Issued</i>	<i>~ December 2018?</i>	<i>~June 2019?</i>	
<i>Comments on Alt PD</i>	<i>~January 2019?</i>	<i>~July 2019</i>	
<i>Reply Comments on Alt</i>	<i>~ late January 2019?</i>	<i>late July 2019</i>	
<i>Final Vote btw Alt PD and Original PD</i>	<i>February 2019</i>	<i>August 2019</i>	