

**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)

NOTICE OF EX PARTE COMMUNICATION OF OHMCONNECT, INC.

Pursuant to Rule 8.4 of the Commission's Rules of Practice and Procedure, OhmConnect, Inc. ("OhmConnect") hereby gives notice of the following *ex parte* communication.

On July 7, 2016, Cadir Lee, President of OhmConnect, Matthew Duesterberg, CEO of OhmConnect, and Mike Hanson, Head of Partnerships at OhmConnect, met with Nicholas Chaset, advisor to CPUC President Picker. The meeting was initiated by Mr. Duesterberg at the Commission's office in San Francisco. The meeting lasted approximately 30 minutes and the communications were exclusively oral.

The meeting was initiated by Mr. Duesterberg based on concerns that the 2017 DRAM auction results may not adhere to the market rules as defined by Resolution E-4754 and Decision D-16-06-008. Mr. Duesterberg highlighted that Resolution E-4754 stated on multiple occasions that either the Rule 24 registrations or DRAM budget was to be the limiting constraint. Mr. Duesterberg discussed how the completion dates for the implementation of the Rule 24/32 Intermediate Step may not be aligned perfectly with the 2017 DRAM Auction, but that Decision D16-06-008 accounted for this, stating that "the intermediate implementation step should be ready for the second auction pilot". Mr. Duesterberg also noted the CPUC Energy Division's prior admonishment (e.g. in the March 10, 2016 Disposition Letter approving SDG&E Advice Letter 2843-E-A) that the utilities are not to use "proprietary benchmarks" in evaluating the

offers submitted to their 2017 DRAM RFOs. Mr. Duesterberg referred to Resolution E-4728 which stated that cost-effectiveness evaluation does not apply to pilots.

Finally, Mr. Duesterberg reiterated that the DRAM is presently a *pilot* – the specific purpose of which is to evaluate third-party demand response (DR) resources’ ability to supply Resource Adequacy (RA) and integrate with the CAISO’s markets. By following the Commissions orders when creating the auction solution, the data from the pilot could be used to determine whether or not the DRAM “pilot” should evolve into a “program”.

Respectfully submitted,

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/s/ MATTHEW DUESTERBERG

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