



**FILED**

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

Order Instituting Rulemaking to Continue  
Implementation and Administration of  
California Renewables Portfolio Standard  
Program.

U 39 E

Rulemaking 11-05-005  
(Filed May 5, 2011)

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)  
REPLY IN SUPPORT OF MOTION TO HOLD 2016 SOLICITATION  
IN ABEYANCE PENDING OUTCOME ON PETITION TO MODIFY  
DECISION 14-11-042 REGARDING 2016 AND 2017 SOLICITATIONS**

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Dated: August 8, 2016

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Pursuant to Commission Rule of Practice and Procedure 11.1, Pacific Gas and Electric Company ("PG&E") respectfully submits this reply in support of its *Motion to Hold 2016 Solicitation in Abeyance Pending Outcome on Petition to Modify Decision 14-11-042 Regarding 2016 and 2017 Solicitations* ("Motion"). Administrative Law Judge Mason authorized PG&E to file this reply pursuant to Commission Rule of Practice and Procedure 11.1(f) in an e-mail sent to PG&E on August 3, 2016.

PG&E's Motion requests that the Commission hold in abeyance the 2016 solicitation directed in Decision ("D.") 14-11-042 for photovoltaic ("PV") resources pending the outcome of PG&E's petition for modification of D.14-11-042. In its petition for modification, PG&E requested that the Commission modify the decision to cancel PV solicitations in 2016 and 2017. Granting the Motion will benefit all parties so that they do not expend time and resources on a solicitation that may ultimately be cancelled if the Commission grants the petition for modification. PG&E's requested relief in the Motion is narrow and limited, and the abeyance would only remain in effect as long as the Commission is reviewing the petition for modification. If the petition is denied, the abeyance would be lifted and the solicitation would

proceed. If the petition is granted, the abeyance would be moot and the 2016 and 2017 solicitations would be cancelled.

Clean Coalition was the only party opposing the Motion, asserting that the 2016 solicitation should not be cancelled because developers had already spent time and resources preparing for it, costs for Renewable Portfolio Standard (“RPS”) resources may be higher in the future, and additional and accelerated RPS procurement may be necessary to meet California RPS and greenhouse gas goals.<sup>1</sup> These arguments miss the point of the Motion and are unsupported by any evidence.

First, most of Clean Coalition’s concerns go to the merits of the underlying petition for modification, not the Motion which is at issue here. The parties have already fully briefed the petition for modification and that request is now pending before the Commission. There is no point in proceeding with a solicitation in 2016 if the Commission ultimately grants PG&E’s petition and cancels the 2016 and 2017 solicitations. Proceeding with a solicitation in the face of this uncertainty is not reasonable and may only result in developers expending time and resources preparing a bid and participating in a solicitation that is terminated during the process. Clean Coalition does not and cannot dispute that it is reasonable to have a limited abeyance of the 2016 solicitation while all of the parties are waiting for a Commission decision. Whatever the merits of the underlying petition for modification, and the Commission’s decision on that request, it is clearly reasonable in the immediate term to hold the 2016 solicitation in abeyance while the Commission reviews the petition for modification.

Second, Clean Coalition raises a number of policy issues that are also well beyond the limited scope of the relief requested in this Motion. For example, Clean Coalition urges that the

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<sup>1</sup> Clean Coalition Response filed July 29, 2016, at pp. 1-2.

50% RPS requirements are a “floor not a ceiling” and asserts that PG&E may need to procure RPS resources on a more accelerated basis to achieve greenhouse gas reduction goals.<sup>2</sup> These are general policy issues that can, and likely will, be addressed in the ongoing RPS proceeding (Rulemaking 15-02-020). These are not, however, reasons to go ahead with a solicitation that is currently being reviewed by the Commission in response to PG&E’s petition for modification.

Finally, Clean Coalition’s response includes a number of assertions that are made without any evidentiary support. For example, Clean Coalition asserts that developers have spent thousands of dollars for interconnection studies presumably preparing for PG&E’s 2016 solicitation to procure remaining PV Program volumes using the Renewable Auction Mechanism (“RAM”).<sup>3</sup> However, these assertions are unsupported by any evidence, such as declarations from developers. Indeed, it is notable that no developers or associations representing developers filed responses opposing PG&E’s Motion. Given that PG&E filed its petition for modification in January 2016 to eliminate the 2016 and 2017 solicitations, it is unlikely that developers have spent any money in 2016 preparing for a solicitation that is at best uncertain. Moreover, the Motion does not impact the time and resources, if any, that developers have already spent. If the underlying petition for modification is denied, the 2016 solicitation will proceed and developers will be able to submit their proposals. However, if the petition for modification is granted, developers will not have spent additional time and resources participating in a solicitation that is subsequently terminated.

Clean Coalition has failed to offer any reasoned basis for denying PG&E’s Motion, and no other party in this proceeding has opposed PG&E’s request. PG&E respectfully requests that

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<sup>2</sup> *Id.* at p. 2.

<sup>3</sup> *Id.* at p. 3.

the Commission grant the Motion and hold the 2016 solicitation in abeyance while the Commission considers the petition for modification.

Respectfully submitted,

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Attorney for  
PACIFIC GAS AND ELECTRIC COMPANY

Dated: August 8, 2016

**VERIFICATION**

I am an employee of Pacific Gas and Electric Company, a corporation, and am authorized to make this verification on its behalf. I have read the foregoing:

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 E)  
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The statements in the foregoing document are true to my own knowledge, except as to matters which are therein stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 8th day of August 2016 at San Francisco, California.

/s/ Chris DiGiovanni  
Chris DiGiovanni  
Manager, Renewable Energy  
Pacific Gas and Electric Company