

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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Application of Southern California Edison Company (U338E) for Approval of the Results of Its 2015 Preferred Resources Pilot Request for Offers.

Application 15-12-013
(Filed December 15, 2015)

**OFFICE OF RATEPAYER ADVOCATES'
NOTICE OF EX PARTE COMMUNICATIONS
(PUBLIC VERSION)**

Pursuant to Rule 8.4 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure, the Office of Ratepayer Advocates ("ORA") respectfully submits the following notice of ex parte communications in the above-referenced docket.

ORA met with two Commission advisors in person at the Commission's offices in San Francisco. On July 19, 2016 at 11:30 A.M., representatives from ORA met with Scott Murtishaw, Advisor to Commissioner Picker. Karin Hieta, Program and Project Supervisor, Christopher Myers and Christian Knierim, Public Utilities Regulatory Analysts, and Matt Miley, staff attorney, attended on behalf of ORA. Later the same day, at 1:15 P.M., the same ORA representatives met with Ehren Seybert, Advisor to Commissioner Peterman. Both of the ex parte communications were initiated by ORA. Each meeting lasted approximately thirty minutes.

At each of the meetings, ORA discussed Southern California Edison Company's (SCE) Application (A.) 15-12-013, Application for approval of the Results of Its 2015 Preferred Resources Pilot Request for Offers (Application or PRP DG RFO). SCE's Application requests approval of two Power Purchase Agreements (PPAs) with SunEdison for in front of the meter (IFOM) solar photovoltaic (PV) projects totaling 2.167 megawatts (MW). The two executed PPAs are the result of two offers made by

SunEdison in SCE's PRP DG RFO. ORA recommended that the Commission deny the PPAs because they are not competitively priced, and are not needed.

ORA stated that SCE's PRP program is, pursuant to the Scoping Memo and SCE's own request, outside the scope of this proceeding and cannot be relied upon as a reasonable justification of the two SunEdison contracts at issue in SCE's Application. ORA noted that the Scoping Memo requires the PPAs to be reviewed under Renewables Portfolio Standard (RPS) criteria and, consistent with the Scoping Memo's clear direction, ORA analyzed the reasonableness of terms and prices of the SunEdison contracts, the RPS need for the contracts, and the reasonableness of SCE's conduct with respect to the PRP DG RFO. ORA emphasized that SCE failed to meet its burden to demonstrate reasonableness on these scoped issues and the PPAs should therefore be denied.

ORA noted that the SunEdison PPA prices are more expensive than similar-sized RPS contracts procured through various RPS programs. The SunEdison PPAs are comparable to offers received in SCE's Solar Photovoltaic Program (SPVP), which is located in the same general geographic location and sought procurement of similar resources. ORA pointed out that the Commission recently granted SCE's request to terminate its SPVP program due to high costs for SPVP projects. Finally, ORA noted that the SunEdison PPAs are not needed for SCE to meet its RPS requirements.

ORA provided a handout at each meeting, which is attached to this filing. The handout (confidential version) references material that SCE claims is confidential. SCE labeled such information and documents as confidential pursuant to Public Utilities Code Section 454.5(g), General Order 66-C, Decision 06-06-066, and several related

Decisions.¹ Concurrent with this notice, ORA is filing the confidential version under seal in a separate motion.

Respectfully submitted,

/s/ MATT MILEY
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¹ See e.g., SCE-1C, Appendix I (Declaration of John Zoida Regarding the Confidentiality of Certain Data), p. I-1 (“In accordance with Decision (D.)91-05-007, D.06-06-066, which adopted the investor-owned utilities’ proposed Matrix (the IOU Matrix), D.08-04-023, issued in Rulemaking 05-06-040, D.11-07-028, General Order (GO) 96-B, GO 66-C, and California Public Utilities Code Section 454.5(g), which protects the confidentiality of market sensitive information, SCE requests confidential treatment of the redacted information in the testimony of Caroline McAndrews in support of the Application (SCE-1), and the confidential versions of the SCE-1’s supporting Appendices (Exhibit SCE-2), which includes the redacted version of the independent evaluator’s (IE’s) report.” [citations omitted]).