

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



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

Rulemaking 08-08-009
(Filed August 21, 2008)

**BRIEF OF SUSTAINABLE CONSERVATION
ON IMPLEMENTATION OF SENATE BILL 32**

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FOR Sustainable Conservation

March 7, 2011

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ATTACHMENT A

I. Introduction

In accordance with the Rules of Practice and Procedure of the California Public Utilities Commission (“CPUC” or “Commission”), and as directed in the January 27, 2011 Ruling from Administrative Law Judge Simon and subsequent e-mail extending the due date, Sustainable Conservation submits this brief on implementation of Senate Bill 32. Proper implementation of SB 32 could assist greatly in increasing the diversity and reliability of small, renewable electricity resources – in many cases installed by customers whose primary business is not energy production. These include farm scale energy generation such as turning methane from dairy lagoons or biomass from orchards and field crops into renewable electricity. The Commission can build on the tariffs it approved in 2007 to implement Assembly Bill 1969. SB 32 provides the opening to improve on the existing tariffs and the lessons learned subsequent to their implementation; we do not need to start from scratch.

The Commission’s implementation of SB 32 provides a new environmental leadership opportunity for California. Through SB 32, California can choose to diversify its portfolio of small renewable generators. These projects are often located on the premises of existing utility customers (i.e., farms), which can eliminate disputes over siting. They also can help provide grid support on stressed distribution lines. Most of these projects can operate as baseload renewable generation. Once operational, customers can use the electricity from these projects onsite, offsetting existing load. This helps alleviate power demand, particularly during hot summer months. The Commission must be mindful as it implements SB 32 of these and other opportunities.

An examination of Renewable Portfolio Standard (“RPS”) compliance reports filed March 1, 2011 in this docket reveals that the percentage of utility renewable generation from

biomass sources has fallen precipitously since 2004, despite the existence of 2006 Executive Order S.06-06, which says that the biopower content of California's RPS energy should remain stable and not decline. For SCE, from 2004-2006, bioenergy comprised about 8.7% of SCE's renewable portfolio. That percentage has fallen since 2006, and in 2010 bioenergy was only 6.5% of SCE's renewable portfolio. SDG&E reports biopower providing 81% of its renewable generation in 2004 (the majority of that from biomass). By 2010, the percentage of SDG&E's renewable portfolio provided through biopower had fallen to 28.4%. It is worth noting that biodigester gas, one of the technologies for which Sustainable Conservation advocates, comprised just under 3% of SDG&E's renewable portfolio, and fell during the reporting period. Biopower in PG&E's renewable portfolio has fallen from 39% in 2004 to 24.6% in 2010, with the majority of that being biomass; only a small portion was from farm digesters and gasification of crop waste. Summary charts of these data are provided in Attachment A.

SB 32 calls for the tariff to incorporate additional factors into the price generators are paid for their renewable power, including:

- Current and anticipated environmental compliance costs.
- Value of electricity generated on a time-of-delivery basis;
- Value for a facility located on a distribution circuit that offsets peak demand on that circuit.

SB 32 also requires the Commission to ensure that projects are able to interconnect to the grid. The Commission must use this opportunity to fix interconnection problems that have been plaguing farm scale biogas and gasification projects. Challenges with interconnection are a factor in why more farm scale methane digesters and gasifiers have not come online.

The Commission also must recognize that recent FERC rulings change the landscape for establishing tariff prices, and provide opportunities for compensating distributed renewable power from these environmental beneficial facilities that have struggled to be financially viable.

II. Response to Questions Raised in ALJ Ruling

SB 32 provides an important opportunity for California to bring a diverse portfolio of renewable, distributed generation onto the grid. This will assist in meeting AB 32 greenhouse gas reduction objectives and RPS goals, and will be even more critical if the Legislature and Governor increase the target to 33%. The Commission should use the principles below to govern its expansion of the feed-in tariff:

1. The program should be easy to access, understand, and implement.
2. The Commission must ensure that diverse resources are able to participate.
3. Pricing under this tariff must recognize the contributions of different renewable technologies (baseload vs. intermittent), as dictated in SB 32.
4. The Investor Owned Utilities should demonstrate ownership of the outcome and not just the process (i.e., success at overcoming hurdles to bringing new facilities on line).

Below we respond to the questions posed by ALJ Simon. Sustainable Conservation reserves the opportunity to expand on these responses in reply comments.

1. Customers and eligibility

The most basic task for the CPUC in this proceeding is to raise the eligibility from the current tariff – implemented pursuant to AB 1969 – from 1.5 MW to 3 MW. As will be discussed in response to other questions, the Commission likely will need to develop payment structures appropriate to different technologies, where there are significant differences in terms of environmental compliance costs, time of delivery, and facilities that generate electricity at a

time and in a manner so as to offset the peak demand on the distribution circuit. The Commission may also need to differentiate based on customer category such as farm scale vs. municipal facility vs. an industrial facility.

SB 32 is intended for projects 3 MW and smaller. A customer or small customer installing an electric generation facility is in most cases doing so in order to operate their business more effectively. Most small projects are not going to bid into solicitations or participate in complex auction mechanisms. The tariff must be clear and straightforward for small generation projects to take advantage of it. The Commission should ensure that these small projects have access to the tariff and that it does not get subscribed by larger projects that game the process – perhaps by dividing up larger projects into smaller ones. Any project that wants to participate in the feed-in tariff must have a maximum size of no more than 3 MW. SB 32 is clear about this; the Commission must establish what is called out in the tariff language and ensure that large players do not take advantage of the system at the expense of small operators.

Elimination of separate tariffs for (a) water/wastewater and (b) other customers;

The Commission has not, to our knowledge, published data on how many customers have signed up for the current tariff from each category. Our research shows it to be very small. Pending review of those data, it is our current opinion that the Commission’s resources are better focused on ensuring a diversity of renewable technology types within the feed-in tariff program. Baseload power should be a priority for reasons that are articulated elsewhere in this brief.

As discussed above, SB 32 requires the Commission to ensure that tariffs recognize the different qualities of various technologies.¹ Some technology categories are more mature in terms of a large body of developers poised to take advantage of this tariff. Allowing the feed-in

¹ SB 32, Sections 1(d), 1(e).

tariff, which at this time has a capacity limit of 750 MW, to be dominated by one or two technologies (i.e., wind and solar) would deny California the benefits of a more diverse and reliable resource base. Sustainable Conservation has been involved in AB 1969 tariff implementation and will be involved in SB 32 implementation specifically to ensure farmers and other agricultural customers and food processors can use agricultural waste to provide renewable power. It is well-documented that methane digester technology is a baseload renewable resource and that methane is 21 times more potent as a greenhouse gas than CO₂, so harnessing methane to generate electricity provides a tremendous environmental benefit. Likewise, gasification of farm waste produces as a byproduct a carbon “char” byproduct that sequesters carbon for centuries. The California Energy Commission has documented the benefits of bioenergy in the *Bioenergy Action Plan*.²

Elimination of "retail customer" requirement; and

Public Utilities Code § 399.20(f) states the tariff shall be available to “...the owner or operator of an electric generation facility within the service territory...on a first-come-first-served basis...” The statute does not appear to require that the entity making the contract be a retail customer. However, as stated above, the Commission should as a matter of policy ensure that diverse resources participate in the feed-in tariff and one or two resources do not dominate.

Tariff language regarding eligible facility requirements

SB 32 is specific: in order to participate, a facility cannot exceed 3 MW. It also must be located in the service territory of an electrical corporation, and must be developed to sell renewable electricity to an electrical corporation. SB 32 does not specify whether a facility can be located in the service territory of a different California utility. In the Renewable Auction

² California Energy Commission for the Bioenergy Interagency Working Group, *2011 Bioenergy Action Plan*, December 2010, CEC-300-2010-012-SD.

Mechanism program, the Commission allows generators to bid into the solicitations offered by any of the utilities, so long as the project is located in the service territory of PG&E, SCE, or SDG&E.³ The Commission should permit similar flexibility here.

It also is critical, as the Commission implements SB 32, that it retain the “excess sales” option in the current tariff that was developed in 2007 to implement AB 1969. Under this option, a customer uses onsite whatever electricity it needs, then sells the excess to the utility. . . Many or most agricultural customers have feedstocks that can generate more electricity than can be used on the farm or in food processing facility. The ability to sell electricity at a fair price that covers costs is the only way the customers can justify the expense of installing the farm-scale biomass or gasification facility. The “sell all – buy all” approach is not advantageous to the generators, was rejected by the CPUC in the AB 1969 adopted tariffs (D.07-07-027), and will discourage new renewable generation. Sustainable Conservation objects to the “sell all – buy all” approach for the AB 32 tariffs.

2. Increase in size of eligible facility to three MW:

Commission’s discretion to reduce three MW capacity limit to maintain system reliability

As the Commission looks at system reliability, it should differentiate reliable baseload generation that generally operates at 90+ percent capacity from facilities where power generation is intermittent. The Commission needs to recognize the value baseload biomass generator benefits add, and encourage their deployment. They are not now specifically encouraged by the CPUC

Having more baseload generation facilities along the distribution circuit should increase reliability and reduce the need for new transmission, which is notoriously difficult to site and

³ D.10-12-048, p. 47.

expensive to build. For baseload renewable plants, there are economies of scale that occur for larger (i.e., 3 MW) over smaller (i.e., 1 MW) generating systems. Allowing for the larger size facility actually increases both the number of facilities that can participate and ensures their financial viability, thereby allowing greater system reliability. The Commission should not start from the assumption that 3MW size decreases system reliability, certainly not for baseload power. It would be preferable that the Commission not reduce the 3 MW capacity to maintain system reliability; any such action should be an exception and not a rule. The Commission should be very clear about the specific circumstances, rationale, and guidelines that would trigger any reduction in the 3 MW capacity limit.

3. Utility reporting requirements

Statute requires that the utility post the city in which a request is located, within 10 days of receipt of a request for a tariff. The Commission should also require the utilities to submit a semi-annual report on the number of interconnection requests, by technology type and size, location, and date request was initially submitted. The report also should indicate any project for which an interconnection request has been pending for more than six months and identify what the utility is doing to complete the interconnection request. If the utility is requiring further study, it should indicate the purpose of those studies and the estimated cost to the customer of completing them. Most importantly it should track the barriers customers experience in trying to interconnect with the utility and identify what is being done to surmount them.

4. Adjustment of program cap and allocation to 750 MW **Identification of basis for determining statewide electrical capacity and utilities' shares**

SB 32 is clear that “The proportionate share shall be calculated based on the ratio of the utility’s peak demand compared to the total statewide peak demand.” (Public Utilities Code § 387.6 (e)) This should not be a complicated task.

In keeping with Sustainable Conservation’s recommended principle that diverse resources be able to participate in the program, the Commission should recognize that certain technologies are currently underrepresented in the utilities’ renewable portfolio, and that these technologies provide specific benefits that technologies that are represented in greater proportion do not. The Commission should reserve within the SB 32 cap a recommended 150 MW of capacity for baseload renewable biomass resources. Within this baseload renewable resource set-aside, the Commission should ensure that various generator categories have the opportunity to participate. These should include agricultural feedstock facilities, municipal waste feedstock facilities, and food processing facilities. All have access to a renewable fuel source that can be used in biogas digester and gasification electricity generators.

5. Yearly inspection and maintenance report

This should not become an onerous, expensive undertaking. Public Utilities Code § 399.20 (p) requires the owner of the facility to provide an inspection and maintenance report to the utility at least once every other year, not yearly.

6. New contract provisions

The Commission should allow a simple process such as a check-off form that certifies that the generator has met the requirements in the statute, or that they are in process and will be completed before startup, namely “all applicable state and local laws and building standards, and

utility interconnection requirements.” The Commission should pay particular attention to the interconnection requirements recommended by the utilities, as some utilities currently advertently or inadvertently use the interconnection process as a tool to delay and/or increase the cost of participating in the current tariff. Specifically, the Commission should direct that all interconnection at the distribution level occur under Rule 21, which is governed by the CPUC. This is described in greater detail below.

7. Utility discretion to deny tariff, subject to appeal to the Commission

The conditions under which a utility may deny a tariff request almost all relate to interconnection. As has been noted in this brief, and in other comments filed by Sustainable Conservation in this docket, problems with interconnection are a major barrier right now to greater participation in existing tariff opportunities. The Commission needs to anticipate utility reluctance to participate in the tariffs or the potential for arbitrary or improper denial, and develop upfront a dispute resolution process. Rule 21, which we recommend be the standard under which all interconnection at the distribution level occur, includes a dispute resolution provision.

8. Contract termination provisions

SB 32 requires the customer to receive service under the tariff until either the “owner or operator” of the facility no longer meets the eligibility requirements, or the period of service under the tariff expires. The tariff must be offered in 10, 15, or 20 year increments. There are no other circumstances in SB 32 that allow contract termination.

9. Performance standards to be established by the Commission

SB 32 states that performance standards apply to facilities 1 MW or greater in size, and should ensure that the facility is built, operated, and maintained to meet is expected electricity

production goals, and that the facility not impact system reliability. The Commission has an opportunity in this proceeding to recognize that renewable distributed generation may improve system reliability. As stated elsewhere, the utilities have been using the specter of negative impact on grid reliability as a reason to delay interconnection. The Commission must establish performance standards for the utilities in their administration of this program in terms of how quickly they process interconnection requests and resolve delays. Other States have figured this out, and some municipal utilities appear to have done so also. It is time for California's IOUs to do the same.

10. Commission discretion to make adjustments for small utilities

The current tariff is only applicable to PG&E, SCE, SDG&E. Statute allows utilities with fewer than 100,000 service connections to have modified requirements. If the State wants to meet a 33% RPS goal, it should push these smaller utilities to participate or have an equivalent tariff in place for publicly owned utilities; for example the Sacramento Municipal District has voluntarily established a feed-in tariff for small distributed generation.

11. Setting the tariff price

Price calculation

In calculating a price, the CPUC must include the items identified in SB 32:

399.20(d)(1) The payment shall be the market price determined by the commission pursuant to Section 399.15 and shall include all current and anticipated environmental compliance costs, including, but not limited to, mitigation of emissions of greenhouse gases and air pollution offsets associated with the operation of new generating facilities in the local air pollution control or air quality management district where the electric generation facility is located.

(2) The commission may adjust the payment rate to reflect the value of every kilowatthour of electricity generated on a time-of-delivery basis. (emphasis added)

SB 32 also states the Legislature’s intent to prioritize renewable generation that: “Is strategically located and interconnected to the electrical transmission and distribution grid in a manner that optimizes the deliverability of electricity generated at the facility to load centers.”⁴

The Federal Energy Regulatory Commission (“FERC”) allows even broader discretion including (but not limited to) location benefits, environmental attributes, and base load power.⁵ The CPUC will need to develop a record on the costs associated with these items. The costs will vary by technology and perhaps business category (i.e., farm vs. municipal), as will the value different technologies provide. In the case of biogas, value has more than one component including: the reduction in emissions of methane, a potent greenhouse gas, and the ability to operate these facilities in a baseload manner, thereby increasing system reliability.

Customer indifference

In D.09-12-042, the Commission addressed the issue of ratepayer indifference to, in that case, the tariff developed pursuant to AB 1613. The same reasoning can be applied here:

In light of these considerations, we find that customer indifference under AB 1613 would not be achieved if the price paid under the program only reflected the market price of power. As discussed, since customers who are not utilizing the eligible CHP system will receive environmental and locational benefits from these systems, the price paid for power should also include the costs to obtain these benefits.⁶

Relevance, if any, of FERC Order Granting Clarification and Dismissing Rehearing, 133 FERC ¶ 61,059 (October 21, 2010) and FERC Order Denying Rehearing, 134 FERC ¶ 61,044 (January 20, 2011), to setting the tariff price

As noted above, FERC’s orders have provided guidance in key areas.

⁴ § 399.20(b)(3).

⁵ FERC, *Order Granting Clarification and Dismissing Rehearing*, in Dockets EL10-64-001 and EL10-66-001, October 21, 2010, Paragraphs 26, 29, 31. Also in those same dockets, *Order Denying Rehearing*, January 20, 2011, Paragraphs 30, 32.

⁶ D.09-12-042, p. 17.

- FERC now recognizes the importance of allowing states to establish avoided costs that reflect state policies, for example, greenhouse gas emission adders and regulatory compliance. In the January 2011 denial of the utilities' request for rehearing, FERC is clear that States determine what costs a utility is avoiding when it purchases from a qualifying facility, and that States can require utilities to purchase capacity.⁷
- States can establish multi-tiered avoided cost structures that reflect a range of avoided costs depending on the resources the utility is avoiding having to build or purchase.⁸

12. Expedited interconnection procedures

Sustainable Conservation offers these comments on interconnection in what appears to be a morphing environment for interconnection. At the March 4, 2011 meeting of the CPUC's Renewable Distributed Energy Collaborative, there were presentations on proposals from SCE and PG&E to reform the wholesale distribution interconnection process. Additionally, on March 3, 2011, PG&E sent a notice of a workshop on interconnection reform proposals to an unidentified list; the purpose of the workshop is to explain the proposal PG&E filed with FERC earlier this month. Sustainable Conservation must caveat our comments here as this information is new to us, although it may not be to other parties. The fact that not all interested parties were included in the utilities' deliberations to develop these new tariff proposals is troubling. At this point, the utilities are making their interconnection tariff reform proposals to FERC with the presumption that FERC is the appropriate authority on interconnection. We believe that for distribution level interconnection the CPUC is the appropriate authority, with Rule 21 the currently operative mechanism for resolution.

⁷ FERC, January 20, 2011, *loc. cit.*

⁸ FERC, October 2010, paragraph 29.

The Commission must recognize the need to address the problem of interconnection. Interconnection now averages more than a year and in some cases much longer. The Commission must establish a check/balance mechanism to ensure the utilities are fairly and quickly facilitating projects under the feed-in tariff to interconnect. A good starting point would be for the Commission to mandate that all interconnection at the distribution level occur under Rule 21, which is governed by the CPUC. Currently, the Commission has allowed the utilities the option to use the Small Generation Interconnection Process, which is governed by FERC. Sustainable Conservation first raised the issue of a venue within the CPUC for resolving interconnection in 2007, in the proceedings to implement AB 1969.⁹ The Commission declined to take that action but did indicate it would re-evaluate. We were preparing to file a petition for modification of D.07-07-027 on this topic when the Ruling to which we are responding was released. We are hopeful that the Commission will use this opportunity to establish customer-friendly processes for resolving interconnection problems in California and, more hopefully, substantially reform the process so problems are infrequent.

Using Rule 21 for interconnection supports Sustainable Conservation's recommended principle for SB 32 that the program should be easy to access, understand, and implement. The CPUC in other dockets has recognized that it may be the appropriate venue for interconnection rules and tariffs. In the decision adopting the Renewable Auction Mechanism, D.10-12-048, the Commission stated, "Among other things, the IOUs should consider adopting or modifying criteria for expedited processing where possible, either at the FERC or at this Commission."¹⁰ Further, in that same decision the Commission recognizes that the process is cumbersome. Conclusion of Law 45 states: "Each IOU should examine DG interconnection screening tools

⁹ *Opening Comments of Sustainable Conservation and RCM International on Assembly Bill 1969 Implementation Proposals*, May 2, 2007, p. 6.

¹⁰ D.10-12-048, p. 68.

currently used to screen DG interconnection applications. The IOUs should evaluate how individual projects studies could be automated to provide the requested data and a reasonable assessment of a DG project's impact on the distribution system.”

The Proposed Decision adopting a net surplus compensation rate for customers who participate in net energy metering, currently on the Commission's agenda for March 10, 2011, similarly discusses the issues of small distributed generation and interconnection. The Proposed Decision states: “We share PG&E's preference for Rule 21 to govern interconnections of customers who receive NSC [net surplus compensation]. We prefer PG&E's second option and therefore, we will require NEM [net energy metering] customers opting for an NSC payment to self-designate as QFs, which will entitle NEM customers to interconnect pursuant to the Rule 21 process.”¹¹

Rule 21 includes a dispute resolution process that allows the parties (generator and utility) to request mediation from the CPUC's Chief Administrative Law Judge. There are several other potential ways for customers to bring to the Commission's attention poor performance on the part of the utilities, short of filing a formal complaint.

Sustainable Conservation has previously submitted recommendations for expediting and improving interconnection. Now that there is a formal request for information, we provide specific suggestions again. We offer below several practical ways to improve the interconnection process for farmers and small generators. We do not offer this as a comprehensive list, but rather a starting point to develop a framework that will work for all the involved parties and bring distributed generation on line in a timely, cost-effective manner.

¹¹ Proposed Decision in A.10-03-001, et al., Section 3.2. That same Proposed Decision notes, in Section 3.1, that “FERC has recently modified its regulation so that generating facilities of 1 MW or less no longer need to file a certification of QF status with FERC to be considered a QF.”

- ❖ The IOUs should have a dedicated farm interconnection facilitator. Right now there is no one within the utility company advocating for or helping shepherd farmers through the process. That is important because the current process is complex, technically undecipherable, procedurally “siloed,” largely discretionary, and sometimes arbitrary in application. There needs to be someone internal to the IOUs who understands that farmers (and sometimes even their consultants) are not versant on the interconnection rules, contract stipulation about the Western Renewable Energy Generation Information System, electrical engineering standards, ground fault protection mechanisms, etc.
- ❖ Utility interconnection engineers should be graded by the applicant on their performance in completing the process in a timely and appropriate manner. They would be graded much like school students (A-F) and their ratings used in their performance review. This speaks to a particular complaint from every farmer, engineer, project developer and interconnection consultant with which we have spoken who has attempted to install a farm scale biomass including biogas digesters and gasifiers. Namely, that there are some helpful utility engineers and some who are not helpful at all.
- ❖ New York State requires there be review by the regulator periodically of the IOUs’ performance in conducting the interconnection (every six months would be good). The reviews would be performed with permit applicants present or at least invited to participate. And there should be sanctions for failing to perform well.
- ❖ Another complementary approach is to require that the interconnection be completed within 6 months. Failure to do so would result in a penalty or some other recourse. The intent is to encourage the IOUs to work with the interconnection engineer as a partner when there are barriers to interconnection or where they cannot figure out how to resolve

contradictory requirements demanded by the IOU engineers (where they may have as many as four different engineers assigned due to turnover).

- ❖ The needs to be a “de-siloing” of the review process within the IOUs. One hand does not know what the other one is doing and it is often hard to find any one person who is responsible for resolving conflicts or facilitating the process. Each reviewer works in a silo, often providing contradictory responses or uncoordinated demands. One important outcome is that there is no “ownership” for a successful outcome within the IOUs.

13. Commission consideration of locational benefits

The Commission must recognize baseload facilities provide grid support on distribution lines. These facilities provide at least three distinct benefits to the IOUs.

1. Grid support from appropriately sited power generators (most of them).
2. Power operating at 90+ percent capacity (meaning that when central power stations are shut down for whatever reason, there is capacity on the grid particularly if there are catastrophic failures - earthquake, floods, etc.)
3. Renewable electricity that can be counted towards RPS and greenhouse gas emission reduction goals.

14. Refunds of incentives pursuant to the California Solar Initiative and the Self-Generation Incentive Program

There are some generators who participated in early versions of the Self Generation Incentive Program. The Commission should establish a statute of limitations on the refund requirement for those who participated in the Self Generation Incentive Program. Specifically, if you received the funds more than 4 years ago, no refund should be required. Ratepayers have received the benefit of electricity from these renewable projects for many years, and they should not now be penalized for taking advantage of a new tariff opportunity.

III. Procedural Recommendations

The Commission should immediately direct the utilities to use Rule 21 for all interconnection at the distribution level. No further record is needed on this topic.

The Commission will need to develop a record on the various elements that will comprise the tariff price, and the value that different technologies provide. This can happen through written comments that identify the price elements and values associated with different technologies that are expected to participate in the SB 32 tariff. The comments should be narrowly focused on these topics, and should be submitted as soon as possible, no later than May.

IV. CONCLUSION

The Commission has an opportunity as it implements SB 32 to diversify the portfolio of renewable resources managed by California's investor-owned utilities. The Commission must ensure that the expanded feed-in tariff program is easy to access, understand, and implement. Pricing under the feed-in tariff must recognize the contribution of different renewable technologies, as directed in SB 32. Interconnection is currently a major barrier for certain renewable technologies that could participate in the feed-in tariff and bring the resource diversity discussed above. At a minimum, the Commission should direct that interconnection at the distribution level to occur under Rule 21. Finally, the Commission should receive as soon as possible a written comments to gather the cost data required to develop prices by technology type. This is allowed by FERC and required under SB 32.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jody S. London". The signature is fluid and cursive, with a long horizontal stroke at the end.

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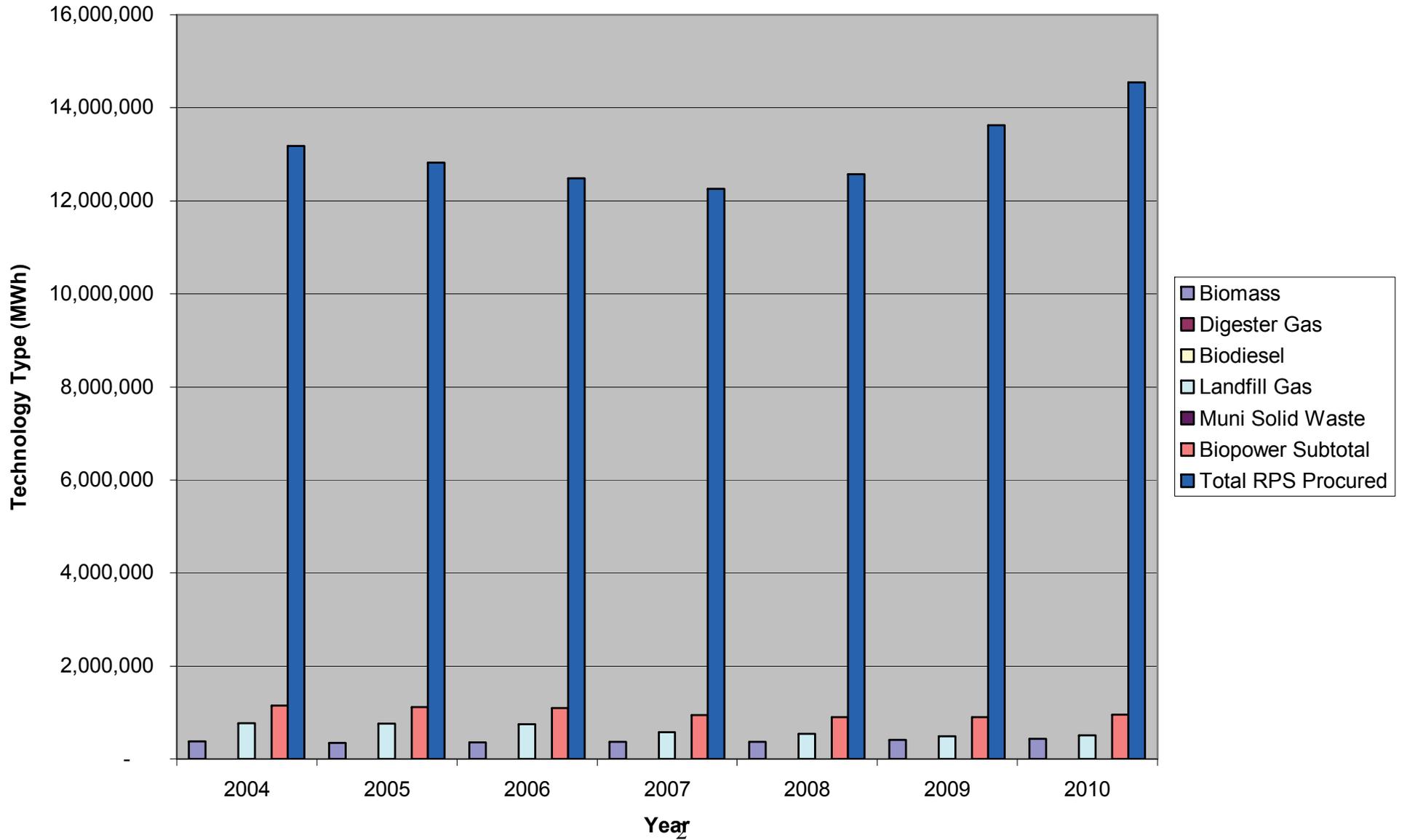
March 7, 2011

ATTACHMENT A

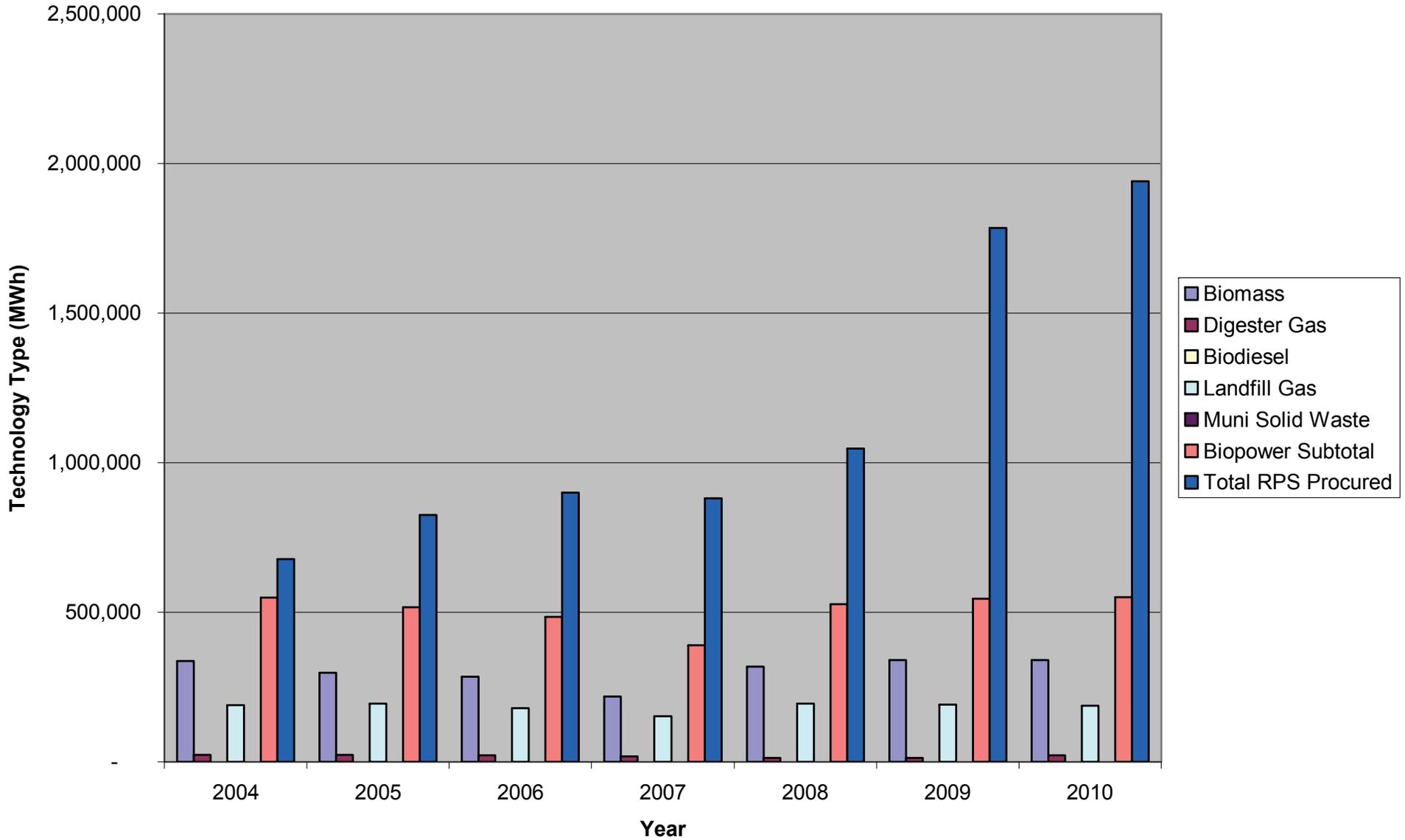
UTILITY RPS COMPLIANCE DATA

**(From RPS Compliance Reports submitted March 1, 2011 in
R.08-08-009)**

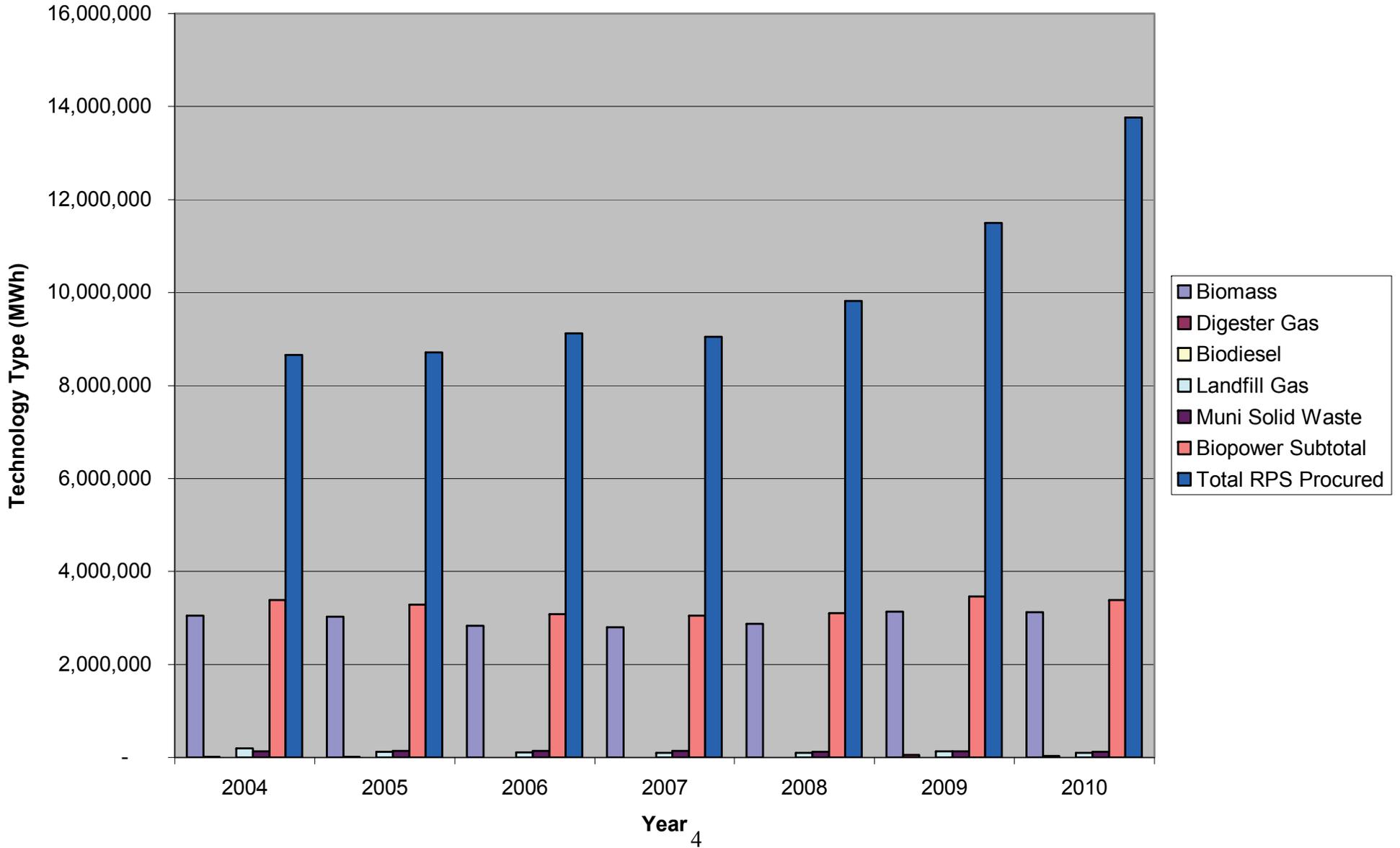
SCE RPS Procurement



SDG&E RPS Procurement



PG&E RPS Procurement



Verification

I am the representative for the applicant herein; said applicant is absent from the County of Alameda, California, where I have my office, and I make this verification for said applicant for that reason; the statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or 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 March 7, 2011, at Oakland, California.

A handwritten signature in blue ink that reads "Jody London". The signature is written in a cursive, flowing style.

Jody London
FOR Sustainable Conservation

Certificate of Service

I hereby certify that I have this day served a copy of "Brief of Sustainable Conservation on Implementation of Senate Bill 32" on all known parties of record in R.08-08-009 by transmitting an e-mail message with the document attached to each party named in the official service list, and by serving a hard copy on the Administrative Law Judge.

Executed on March 7, 2011.

A handwritten signature in blue ink that reads "Jody S. London". The signature is written in a cursive style with a long horizontal flourish at the end.

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Service List

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