



**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)

**INTERSTATE RENEWABLE ENERGY COUNCIL'S REPLY BRIEF ON  
IMPLEMENTATION OF SENATE BILL 32**

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COUNCIL

March 22, 2011

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Pursuant to the January 27, 2011 Ruling Setting the Schedule for Briefs on Implementation of Senate Bill 32 (“Ruling”), the Interstate Renewable Energy Council (“IREC”)<sup>1</sup> respectfully files this reply brief in response to opening briefs filed on March 7, 2011. IREC’s reply brief focuses exclusively on Issue 12 regarding expedited interconnection procedures. Opening briefs filed by the other stakeholders on this issue do not raise many issues that were not already addressed in IREC’s opening brief, so IREC’s reply brief will be concise.

The Investor Owned Utilities’ (“IOUs”) briefs generally provide that the Fast Track procedures that exist in their Wholesale Distribution Access Tariffs (“WDATs”) are sufficient to serve as the expedited interconnection procedures required by SB 32. However, SCE does not directly address that neither its existing procedures, nor its newly proposed reforms, allow for projects up to 3 MWs to use the Fast Track expedited interconnection process that exists within its WDAT. The same is true of SDG&E’s WDAT Fast Track process. Both restrict Fast Track

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<sup>1</sup> IREC is a non-profit organization that has worked for nearly three decades to accelerate the sustainable utilization of renewable energy resources through the development of programs and policies that reduce barriers to renewable energy deployment. IREC participates in workshops, proceedings and rulemakings before state public utility commissions addressing topics that directly impact the development of renewable energy resources, including net metering rules and interconnection standards for distributed renewable generation technologies.

eligibility to projects 2 MW or less and thus would not apply to SB 32 projects in the 2 to 3 MW size range.

In addition, SDG&E's Fast Track procedures still contain a highly restrictive "no construction" screen (screen ten) that excludes a considerable number of projects from proceeding under the Fast Track process even if a project only needs interconnection facilities (an action that does not generally necessitate the need for a full study).

Finally, the Fast Track procedures of all the IOUs contain a very low threshold for circuit penetration (second two), requiring that aggregate generation on a distribution feeder line section not exceed 15% of peak load on that line section without subjecting an interconnecting generator to additional study. This screen will prevent a significant number of projects from moving forward with expedited interconnection even though there is a growing consensus that this screen may be overly conservative. Given these considerations, IREC cannot agree that the proposals of SDG&E and SCE are sufficient to meet the goals of section 399.20(e) of the Public Utilities Code, although it supports the use of WDAT procedures over Rule 21 at this time.

The procedures being proposed by PG&E increase the size threshold for projects up to 5 MWs on most circuits (only 3 MWs on 21 kV circuits and 2 MWs on 12 kV circuits). In addition to the increase in Fast Track eligibility for larger projects, IREC proposed in its opening brief to allow all projects that fail the 15% of peak load screen to proceed on an expedited basis if they can show that they will be below 50% of the minimum load on a distribution feeder with minimum load measured during the time a generator is expected to be online (measured from 10 am to 3 pm for solar photovoltaic generators). In giving effect to the legislature's mandate that expedited procedures be provided for SB 32 projects, the Commission should seek to ensure that all of the IOUs move toward standards that are at least as good as PG&E's and that all of the

IOUs' Fast Track procedures include IREC's proposed modification to the second Fast Track screen as described above.

Although it is true that FERC would have to approve any modifications made directly to FERC-jurisdictional tariffs, the IOUs have the ability to use their discretionary review authority under the Fast Track procedures to implement these changes and they are also free to request such changes at FERC. With these modifications, IREC believes the use of FERC-approved interconnection procedures would offer a more viable path forward in the near term for implementing SB 32 as opposed to pursuing an expansion of the use of Rule 21.

As explained in IREC's opening brief, IREC believes that use of the WDAT interconnection process is necessary at this time because the simplified interconnection process under Rule 21 will not be available to SB 32 projects without significant reforms to Rule 21, and the Rule 21 study process is not well enough defined to provide an adequate process for SB 32 interconnections at this time. Although Rule 21 could be reformed to address some of these concerns, IREC believes the goal should be to reduce, and not increase, the number of different interconnection procedures that could potentially apply to a project in California.

The comments of the remaining stakeholders speak clearly to the frustration the renewable energy community shares over the time that the interconnection process is currently taking. IREC is sympathetic to the concerns raised about the duration of the study process and the lack of transparency in applying that process and believes the CPUC should use its authority to encourage the utilities to make improvements to the Fast Track process to begin easing these concerns for small, wholesale projects. To effectuate this, the following steps should be taken:

- The size limits for Fast Track eligibility should be raised to the highest level that can safely be interconnected on a utility's distribution system;<sup>2</sup>
- SDG&E should be required to modify the no construction screen in its Fast Track procedures (screen ten); and
- The utilities should immediately begin applying a 50% of minimum load screen for distribution feeders (where they have minimum load data available) with minimum load measured during the time of day when a generator is expected to be online (10 am to 3 pm for solar photovoltaic systems), and should commit to evaluating penetrations higher than 50% of minimum load within the next year.<sup>3</sup>

With these changes in place, IREC believes a greater number of projects will be able to be processed in an expedited manner, in compliance with SB 32, without compromising the safety or reliability of grid operations.

Respectfully submitted on March 22, 2011.

/s/ Sky C. Stanfield\_\_\_\_\_

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<sup>2</sup> Throughout its stakeholder process SCE has claimed that a higher level may not be possible on its system but it has refused to provide evidence that it fully studied the question or that it considered other possible solutions to the obstacles it says it has identified. To the extent SCE actually studied the issue, IREC believes that SCE should share the results with the public and the CPUC.

<sup>3</sup> This conversation could be lead through the CPUC's Renewable Distributed Energy Collaborative (Re-DEC) or through independent process, but the conversation and studies (to the extent they are necessary) should begin immediately.

**VERIFICATION**

I am an attorney representing the Interstate Renewable Energy Council and am authorized to make this verification on its behalf. I have read the foregoing “Interstate Renewable Energy Council’s Reply Brief on Implementation of Senate Bill 32” and am informed and believe that the matters stated therein are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of March 2011, at Oakland, California.

/s/ Sky C. Stanfield  
By: Sky C. Stanfield