



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA

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Order Instituting Rulemaking Regarding Policies, )  
Procedures and Rules for the California Solar )  
Initiative, the Self-Generation Incentive Program )  
and Other Distributed Generation Issues. )

Rulemaking 10-05-004  
(Filed May 6, 2010)

**REPLY OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO OPENING  
COMMENTS ON ASSIGNED COMMISSIONER'S RULING REQUESTING  
COMMENT ON MODIFICATION TO DECISION 06-08-028 AND DECISION 06-12-033  
REGARDING THE CALIFORNIA SOLAR INITIATIVE INCENTIVE MECHANISM  
AND DIRECTING TEMPORARY POSTPONEMENT OF CERTAIN NEW  
RESERVATION NOTICES**

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Dated: **July 28, 2010**

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

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| Order Instituting Rulemaking Regarding Policies, )  |                      |
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AND DIRECTING TEMPORARY POSTPONEMENT OF CERTAIN NEW  
RESERVATION NOTICES**

**I.**

**INTRODUCTION**

Pursuant to the Rules of Practice and Procedure of the California Public Utilities Commission (Commission) and the Assigned Commissioner’s Ruling Requesting Comment on Modification to Decision (D.) 06-08-028 and D.06-12-033 Regarding the California Solar Initiative Incentive (CSI) Mechanism and Directing Temporary Postponement of Certain New Reservation Notices (ACR),<sup>1</sup> Southern California Edison Company (SCE) respectfully submits this Reply to Opening Comments submitted in response to the ACR on July 22, 2010. In the ACR, the CSI Program Administrators (PAs) were directed to postpone issuance of new solar reservations for Performance Based Incentive (PBI) projects and all government/non-profit owned projects received after July 9, 2010, until the Commission issues a final decision on the CSI incentive levels after considering opening and reply comments of the parties. The ACR also

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<sup>1</sup> The ACR was issued on July 9, 2010. It set a deadline for Opening Comments on July 22, 2010, and for Reply Comments on July 28, 2010. ACR, p. 13.

requested comments from parties regarding a proposal to modify the current CSI incentive mechanism established by D.06-08-028 and later modified by D.06-12-033.

Several parties filed opening comments on July 22, 2010.<sup>2</sup> In response to these comments, SCE respectfully recommends that:

- The Commission adopt the recommendation of various parties to allow the PAs flexibility to shift funds into the incentive budget as the PAs deem necessary;
- The Commission adopt the recommendation of various parties to shift funds from Research, Development and Demonstration (RD&D), Marketing and Outreach (M&O), Measurement and Evaluation (M&E), Interest, and Unreturned Application Fees rather than from Program Administration;
- The Commission expeditiously adopt a decision to resolve the issues presented in the ACR; and
- The Commission adopt a modified version of the recommendation to update the CSI budget regularly and include the updates in the PAs' Semiannual Program Administration Expense Report submitted to the Commission rather than at the quarterly CSI Forums.

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<sup>2</sup> Parties submitting opening comments included (alphabetically listed): Association of California Water Agencies, California Center for Sustainable Energy, California Solar Energy Industries Association, City of San Jose, CleanTECH San Diego, Community College League of California, Pacific Gas and Electric Company, SolFocus, Inc., Southern California Edison Company, The Solar Alliance and The Utility Reform Network.

## II.

### DISCUSSION

#### **A. The Commission Should Adopt the Recommendation of Various Parties to Allow the PAs Flexibility to Shift Funds into the Incentive Budget as the PAs Deem Necessary**

In their opening comments, Pacific Gas and Electric Company (PG&E)<sup>3</sup> and the California Center for Sustainable Energy (CCSE)<sup>4</sup> each request that the Commission allow the PAs the flexibility to shift funds, as necessary, within each PA's program administration budget. SCE made a similar request in its opening comments,<sup>5</sup> so it supports PG&E's and CCSE's proposal. Conferring such flexibility on each PA to determine the most appropriate budget items to modify in their respective service territories will result in the least potential for negative impact from such a reduction in funds. This will maximize the efficiency of each PA's reduced administration budget, as the PAs know best the strengths and weaknesses of their individual budgets.

SCE supports this recommendation and urges the Commission to allow the PAs flexibility to shift funds within their individual incentive budgets, as they each deem necessary.

#### **B. The Commission Should Adopt the Recommendation of Various Parties to Shift Funds from RD&D, M&O, M&E, Interest, and Unreturned Application Fees Rather than from Program Administration**

In their opening comments, PG&E,<sup>6</sup> CCSE,<sup>7</sup> The Utility Reform Network,<sup>8</sup> the Solar Alliance,<sup>9</sup> and the Association of California Water Agencies (ACWA)<sup>10</sup> each recommend that

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<sup>3</sup> PG&E's Opening Comments, p. 6.

<sup>4</sup> CCSE's Opening Comments, p. 6.

<sup>5</sup> SCE's Opening Comments, pp. 5-6.

<sup>6</sup> PG&E's Opening Comments, p. 7.

<sup>7</sup> CCSE's Opening Comments, p. 6.

<sup>8</sup> TURN's Opening Comments, p. 2.

<sup>9</sup> The Solar Alliance's Opening Comments, p. 8.

the Commission shift the proposed transfer of \$20 million from Program Administration to other underutilized budget items within the overall CSI program, such as RD&D, M&O, and M&E. They argue that any shift of available funding from within the budgets of these sources of funding in the CSI program will not impair the administration of the CSI Program itself. Program administration is a critical function that cannot be impaired if the program is to continue to flourish. Additionally, PA costs are likely to increase as the program matures to lower incentive step levels. For example, the lower incentive step levels are allocated a greater amount of MW, which will result in more applications than the large volume currently received by the PAs. The PAs must have a sufficient administration budget to process applications in a timely manner to meet the needs of their customers. While research, marketing, measurement, and evaluation of the program are all very important components of the CSI Program, efficient and timely application processing is what our customers are most interested in at this time.

Moreover, the Solar Alliance questions whether the CSI budget cap established in Senate Bill (SB) 1 (2006), prohibits the use of the interest on PBI payments that is currently being collected in escrow.<sup>11</sup> SCE agrees with Solar Alliance that perhaps the CSI budget cap was not meant to apply to other sources of CSI program funds, such as the interest collected on funds held in escrow or the unreturned customer application fees for projects that drop out. SB 1 was capping the “charges collected from customers” and did not specifically address either interest or unreturned customer application fees.

Therefore, SCE requests that the Commission re-evaluate its position on this matter, as interest and unreturned customer applications fees are two important monetary sources that would not jeopardize CSI Program Administrator budgets and negatively impact CSI participating customers.

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<sup>10</sup> ACWA’s Opening Comments, p. 5.

<sup>11</sup> The Solar Alliance’s Opening Comments, p. 7.

SCE supports these recommendations and urges the Commission to make up the proposed \$20 million shortfall from the above-identified areas of the overall CSI budget, because this adjustment will not impair the PAs' ability to administer customer applications.

**C. The Commission Should Expeditiously Adopt a Decision to Resolve the Issues Presented in the ACR**

In opening comments, both PG&E<sup>12</sup> and ACWA<sup>13</sup> recommend that the Commission expeditiously act to resolve the issues presented in the ACR, so that the PAs can avoid further postponement of reservation confirmations for new government/non-profit incentives and PBI applications. SCE made the same recommendation in its opening comments.<sup>14</sup> Continued postponement of reservation confirmations could negatively impact the CSI program and the solar power market itself.

SCE supports this recommendation and urges the Commission to resolve the issues identified in the ACR as soon as practical and expedite a decision to maintain market certainty within the CSI program.

**D. The Commission Should Adopt a Modified Version of the Recommendation to Update the CSI Budget Regularly and Include the Updates in the PAs' Semiannual Program Administration Expense Report Submitted to the Commission Rather than at the Quarterly CSI Forums**

In their opening comments, CALSEIA recommends that all future CSI Forums should include a quarterly budget update.<sup>15</sup> SCE agrees with CALSEIA that providing regular budget information is important and such information should be shared with the public. Currently, the PAs provide the Commission with such CSI budget information in the Semiannual Program

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<sup>12</sup> PG&E's Opening Comments, p. 7.

<sup>13</sup> ACWA's Opening Comments, p. 5.

<sup>14</sup> SCE's Opening Comments, p. 6.

<sup>15</sup> CALSEIA's Opening Comments, p. 8.

Administration Expense Report, so providing this information at every CSI Forum is not an efficient use of resources.

As part of the Semiannual Program Administration Expense Report to the Commission, SCE recommends that all potential PBI expenses be tracked regardless of the stage at which the PBI application is being processed. This information will help assure that the IOUs are collecting sufficient funds to make all PBI payments foreseen for the future rolling five-year periods for each PBI customer.

The Commission in D. 06-08-028 adopted an administrative structure that provides for 10-Steps for purposes of ratepayer collection to cover the cost of customer incentives and program administration. However, the volume of applications has increased significantly in recent months. This increase in the volume of applications raises an issue about whether the annual limitations on an IOU's CSI program revenue collection will be sufficient to ensure that the PAs can pay all PBI payments as contemplated in the program design. It is possible that expenditures could exceed revenues collected depending on the influx of applications at any point in time.

Therefore, SCE requests the Commission explicitly include in the final decision on the ACR that IOUs should report all potential PBI expenses and collections as part of the Semiannual Program Administration Expense Report to the Commission. SCE also requests that the Commission explicitly authorize IOUs to collect future year revenue requirements to make all incentive payments and thus to avoid any potential stoppage in the CSI program.

**III.**

**CONCLUSION**

SCE respectfully submits these Reply Comments to Opening Comments of various parties on the ACR and urges the Commission to adopt the recommendations supported herein. SCE looks forward to working with the Commission to establish an incentive structure that continues to help achieve the envisioned CSI program's and State's solar goals.

Respectfully submitted,

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July 28, 2010

**CERTIFICATE OF SERVICE**

I hereby certify that, pursuant to the Commissioner's Rules of Practice and Procedure, I have this day served a true copy of **REPLY OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO OPENING COMMENTS ON ASSIGNED COMMISSIONER'S RULING REQUESTING COMMENT ON MODIFICATION TO DECISION 06-08-028 AND DECISION 06-12-033 REGARDING THE CALIFORNIA SOLAR INITIATIVE INCENTIVE MECHANISM AND DIRECTING TEMPORARY POSTPONEMENT OF CERTAIN NEW RESERVATION NOTICES** on all parties identified in the attached service list(s).

Transmitting the copies via e-mail to all parties who have provided an e-mail address.

First class mail will be used if electronic service cannot be effectuated.

Executed this **28th day of July, 2010**, at Rosemead, California.

/s/ Alejandra Arzola

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**[TOP OF PAGE](#)**  
**[BACK TO INDEX OF SERVICE LISTS](#)**