



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA

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Application of Southern California Edison  
Company (U 338-E) for Approval of its 2009-  
2011 Energy Efficiency Program Plans and  
Associated Public Goods Charge (PGC) and  
Procurement Funding Requests.

And Related Matters

Application 08-07-021  
(Filed July 21, 2008)

Application 08-07-022  
Application 08-07-023  
Application 08-07-031  
(Filed July 21, 2008)

**SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) AND SOUTHERN  
CALIFORNIA GAS COMPANY'S (U 904-G) JOINT PETITION FOR MODIFICATION  
OF DECISION 09-09-047**

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Dated: **April 22, 2010**

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

Application of Southern California Edison Company (U 338-E) for Approval of its 2009-2011 Energy Efficiency Program Plans and Associated Public Goods Charge (PGC) and Procurement Funding Requests.

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**I.**

**INTRODUCTION**

Pursuant to Rule 16.4 of the Rules of Practice and Procedure of the California Public Utilities Commission (CPUC or Commission), Southern California Edison Company (SCE) and the Southern California Gas Company (SoCalGas) hereby jointly submit this Petition for Modification of Decision (D.)09-09-047 (Petition). Decision (D.)09-09-047 (Decision), issued September 24, 2009, approved the investor owned utilities' (IOU) 2010-2012 energy efficiency portfolios and funding. The Decision included limited funding for SCE's and SoCalGas' (Joint Utilities) Palm Desert Demonstration Partnership (Partnership) with the City of Palm Desert

(City) through June 2010, and directed the Joint Utilities to request any additional extension of the Partnership beyond June through a separate Application.<sup>1</sup> For the reasons discussed herein, the Joint Utilities request the Commission modify D.09-09-047 to authorize continuation of the Partnership on a month-to-month basis, at the currently authorized budget levels<sup>2</sup> of approximately \$578,000 per month for SCE and \$72,000 per month for SoCalGas until the Commission issues a decision on the Joint Utilities' forthcoming Applications for continuation of the Partnership for the remainder of the 2010-2012 cycle. The Joint Utilities have not yet filed their Applications for continuation of the Partnership, because the Joint Utilities are awaiting the pending release of the Palm Desert Partnership process evaluation.<sup>3</sup> Granting the requested modification/continuation will avoid interruption of the Partnership until the Commission can make a fully informed decision, based on the soon to be released evaluation, measurement, and verification (EM&V) studies and the Joint Utilities' Applications.

## II.

### **DISCUSSION**

#### **A. The Decision Should Be Modified To Authorize Continuation Of The Palm Desert Demonstration Partnership At Interim Funding Levels Until The Commission Issues A Final Decision On The Partnership For The 2010-2012 Cycle**

Pursuant to D.09-09-047, the Joint Utilities are developing Applications for the continuation of the Partnership past the currently authorized interim period of January through June 2010. These Applications request authority to extend the Partnership from July 2010 through December 2012. However, D.0-9-09-47<sup>4</sup> clearly specified that the Commission's

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<sup>1</sup> D.09-09-047, dated September 24, 2009, OP#39.

<sup>2</sup> D.09-09-047, OP#39, authorized SCE and SoCalGas interim funding of \$3.9 million. D.09-09-047 at p. 271, specifies this funding is for the first six months of the 2010-2012 cycle. This equates to \$3.47 million for SCE and \$0.43 million for SoCalGas for a sixth month period, or \$578,000 and \$72,000 per month for SCE and SoCalGas, respectively.

<sup>3</sup> Originally due to be released in January 2010.

<sup>4</sup> D.09-09-047, at p. 270.

evaluation of EM&V results from the Partnership to date will be a critical factor in the Commission's decision to continue this Partnership. To date, the process evaluation on this Partnership during the 2006-2008 period has not yet been released by Energy Division. As such, the Joint Utilities have not yet been able to submit their Applications for the continuation of the Partnership, since it is important for the Applications to address the Energy Division's EM&V evaluation results. It is critical to ensure any relevant evaluation results are reflected in the program design and Applications for the 2010-2012 Partnership.

D.09-09-047 also noted<sup>5</sup> that to the extent the pilot is found to have innovative and beneficial elements, the Commission supports the continuation of the program pending release of the evaluation results. The Joint Utilities believe this Partnership is a valuable initiative, as SCE and SoCalGas continue to pursue the City's aggressive goals of a 30% citywide reduction in energy, peak demand, and gas usage. In support of this overarching goal, the Partnership is also supporting the City's aggressive Assembly Bill (AB) 811 program and piloting other innovative concepts such as the "one-stop-shop" concept and Joint Utilities' Applications to improve the customer experience, as well as a comprehensive joint marketing campaign that combines the City and IOU offerings, promoting them seamlessly to Palm Desert residents and businesses. The Partnership not only delivers energy and gas savings and targets unprecedented citywide goals, but also provides valuable information on a number of different pilot concepts, and seeks to develop replicable projects that can be reproduced throughout the IOU service territories in other programs and partnerships.

The Joint Utilities wish to avoid unnecessary program interruption mid-cycle until such time as the Commission has fully reviewed the Applications submitted by SCE and SoCalGas, in conjunction with full EM&V results. As such, the Joint Utilities request the Commission modify D.09-09-047, to authorize continuation of the Partnership on a month-to-month basis, at current

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<sup>5</sup> D.09-09-047, at p. 270-271.

interim funding levels,<sup>6</sup> until the Commission issues a final decision on the continuation of the Partnership for the remainder of the 2010-2012 cycle. SCE and SoCalGas will utilize any portion of the previously authorized \$3.47 and \$0.43 million, respectively, not yet spent until those funds are depleted before undertaking any fundshifting. SCE will then fund the continuation of this Partnership using the fundshifting authority granted in D.09-09-047, utilizing currently authorized 2010-2012 energy efficiency funding, and will not require incremental funding.

SoCalGas requests that any additional funds required to maintain the program on a month-to-month basis (after the \$0.43 million authorized for 2010 has been exhausted) will be authorized to come from its unspent uncommitted monies from the 1998-2005 energy efficiency program cycles recorded in its Conservation Expense Account. These funds will be incremental to the already approved SoCalGas 2010-2012 energy efficiency program portfolio, but will not have any rate or revenue impacts.

The Joint Utilities respectfully request the Commission grant the requested modification to D.09-09-047. The specific wording to accomplish the requested modification is set forth in Attachment A.

### III.

#### CONCLUSION

SCE and SoCalGas hereby respectfully submit this Joint Petition and urge the Commission to authorize the extension of the Palm Desert Partnership on a month-to-month basis at interim funding levels until a final decision is issued on the ultimate continuation of the Partnership for the remainder of the 2010-2012 cycle, as proposed in Attachment A. The Joint Utilities believe this Partnership continues to add value to the IOUs' energy efficiency portfolios,

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<sup>6</sup> D.09-09-047, OP#39, authorized SCE and SoCalGas interim funding of \$3.9 million. D.09-09-047 at p. 271, specifies this funding is for the first six months of the 2010-2012 cycle. This equates to \$3.47 million for SCE and \$0.43 million for SoCalGas for a sixth month period, or \$578,000 and \$72,000 per month for SCE and SoCalGas, respectively.

and should be allowed to continue without interruption until the Commission can fully assess its performance-to-date and proposed 2010-2012 program design.

Respectfully submitted,

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April 22, 2010

**Attachment A**

## ATTACHMENT A

The Petition for Modification requests D.09-09-047 be modified to authorize the month-to-month continuation of the Palm Desert Partnership at the interim funding levels until the Commission issues a final decision on the soon to be filed Applications for Continuation of the Palm Desert Partnership. Accordingly, Decision 09-09-047 should be modified as follows:

1. Text at pages 270-271, the last paragraph at the bottom of 270 and the top of 271:

As we stated in D.06-12-013, we must evaluate the EM&V results before approving any additional funding for this pilot. However, we understand that a disruption in program implementation may create difficulties and additional costs to restart the program if the EM&V results are positive. To the extent that the pilot is found to have provided innovative and beneficial elements, we want to ensure the program may continue pending evaluation results. Therefore, we approve interim funding of \$3.9 million for the first six months of this pilot in the 2010-2012 cycle, or one-sixth of the proposed budget. *We also authorize continued partnership operations beyond the first six months on a month-to-month basis at the monthly funding levels authorized herein, until the Commission issues a decision on the Utilities' Applications to continue the full 2010-2012 cycle.*

2. Ordering Paragraph 39 at page 386:

Southern California Edison Company and Southern California Gas Company funding for the Palm Desert Pilot program is reduced to \$3.9 million or one-sixth of the requested amount. Southern California Edison Company and Southern California Gas Company shall reapply in a separate application for further funding for this project. *The Palm Desert Pilot shall continue to operate on a month-to-month basis beyond June 30, 2010, until the Commission issues a decision on the Utilities' Applications. Funding during any month-to-month continuation shall be at the \$650,000 per month basis set forth herein.* That application shall document the pilot's performance to date and shall address all pilot project criteria as outlined in Ordering Paragraph 20 of this decision; . . .

**CERTIFICATE OF SERVICE**

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) AND SOUTHERN CALIFORNIA GAS COMPANY'S (U 904-G) JOINT PETITION FOR MODIFICATION OF DECISION 09-09-047 on all parties identified on the attached service list(s). Service was effected by one or more means indicated below:

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 **22<sup>nd</sup> day of April, 2010**, at Rosemead, California.

/s/ ANDREA MORENO

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