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03-03-10

02:02 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine the Commission's Post-2008 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.

Rulemaking 09-11-014
(Filed November 20, 2009)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING PREHEARING CONFERENCE**

On November 20, 2009, the California Public Utilities Commission (the Commission) issued an Order Instituting Rulemaking (OIR or Rulemaking) to address the policies, programs, evaluation, measurement, and verification (EM&V) activities related to the post-2008 energy efficiency activities of Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company.¹ This Rulemaking is the successor to Rulemaking (R.) 06-04-010, the Commission's post-2005 rulemaking on Policies, Programs, Evaluation, Measurement and Verification, and Related Issues.

This ruling sets a Prehearing Conference (PHC) for March 18, 2010 at 10:00 a.m., in the Commission's Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.

¹ For the purpose of the Rulemaking, energy efficiency programs excluded low-income assistance activities, including the Low-Income Energy Efficiency Program.

PHC

The OIR underlying R.09-11-014 addresses updates to the Commission's energy efficiency savings goals based on further studies of energy efficiency potential and consideration of other energy resource and climate action strategies. The Rulemaking also serves as the forum for the Commission's continued implementation of the California Energy Efficiency Strategic Plan (Strategic Plan), as well as to consider adjustments to the methodologies used to inform decision-making on investments and budgets, in light of the Strategic Plan and other factors. Finally, this Rulemaking, or its successor proceeding, will be the forum for initiating the next planning cycle for 2013-2015 energy efficiency program plans, funding levels, and related issues.

As an initial step toward these objectives, this ruling schedules a PHC to discuss two issues. First, in Decision (D.) 09-09-047, the Commission ordered its Energy Division to "initiate in 2010 a comprehensive review of current EM&V technical and institutional frameworks."² The Commission explained that the purpose of the review was to "set a course to develop effective EM&V going forward, post-2012." This PHC will serve as the procedural starting point through which the Commission will conduct this review. We further clarify that to the extent the results of this review require changes to Commission policy in the areas of Energy Efficiency goal-setting and cost-effectiveness testing, those issues may also be addressed. Second, we will identify and prioritize issues related to the implementation of energy efficiency programs by Community Choice Aggregators at the PHC.

² D.09-09-047 at 302.

In furtherance of the objectives above, interested Parties are directed to serve (but not file) written proposals on the following: First, how should the Commission's comprehensive review of EM&V's technical and institutional frameworks, as described above, be conducted? Second, Parties shall include an analysis that identifies and prioritizes issues related to the implementation of energy efficiency programs by Community Choice Aggregators in the document they prepare. Parties' proposals must be served on or before March 11, 2010. Parties may serve (but not file) comments on the proposals they receive up to one week after receipt of the proposal. Other issues raised in the OIR may also be discussed at the PHC.

IT IS RULED that:

1. The Commission has set a prehearing conference in the above-captioned matter for March 18, 2010, commencing at 10:00 a.m., in the Commission's Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California.
2. Interested Parties may serve written proposals that set forth how the Commission's EM&V protocols and processes should be examined to determine savings achieved through the utilities' energy efficiency programs for the post-2012 period, and that identify and prioritize issues related to the implementation of energy efficiency programs by Community Choice Aggregators.
3. Parties' proposals shall be served but need not be formally filed.
4. To the extent that a Party's proposal includes hearings, workshops, and/or the submission of written comments, that Party shall set forth a proposed schedule with suggested dates running through the issuance of a proposed decision.

5. Parties' proposals must be served (but not filed) on or before March 11, 2010.

6. Parties may serve (but need not file) comments on the proposals they receive up to one week after receipt of the proposal.

Dated March 3, 2010, at San Francisco, California.

/s/ DARWIN E. FARRAR

Darwin E. Farrar
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a Notice of Availability of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the Notice of Availability of the filed document is current as of today's date.

Dated March 3, 2010, at San Francisco, California.

/s/ ANTONINA V. SWANSEN
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

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