



ALJ/DBB/kz1 3/20/2020

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03/20/20
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Forward Resource Adequacy Procurement Obligations.

Rulemaking 19-11-009

NOT CONSOLIDATED

Order Instituting Rulemaking to Oversee the Resource Adequacy Program, Consider Program Refinements, and Establish Annual Local and Flexible Procurement Obligations for the 2019 and 2020 Compliance Years.

Rulemaking 17-09-020

**E-MAIL RULING SETTING PROCESS AND
SCHEDULE FOR LIMITED REHEARING OF DECISION 19-10-021**

Dated March 20, 2020, at San Francisco, California.

/s/ DEBBIE CHIV

Debbie Chiv
Administrative Law Judge

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Sent: Friday, March 20, 2020 5:00 PM

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Subject: R.17-09-020, R.19-11-009_E-Mail Ruling Setting Process and Schedule
for Limited Rehearing of Decision 19-10-021

To All Parties in R.17-09-020 and R.19-11-009:

On March 16, 2020, the Commission issued D.20-03-016, determining that good cause has been shown to grant limited rehearing of D.19-10-021. This e-mail ruling sets forth the process and schedule for the limited rehearing of D.19-10-021.

1. Rehearing Order

D.20-03-016 determined the scope of limited rehearing, as follows:

- (1) Limited rehearing is granted in order to allow party comments as to the self-scheduling requirement, and as to the distinction between resource-specific and resource-non-specific RA import contracts.
- (2) Limited rehearing is granted in order to augment the existing evidentiary record regarding the distinction between resource-specific and resource-non-specific RA import contracts, and to provide a sufficient evidentiary basis for this distinction.
- (3) Limited rehearing is granted in order to clarify certain specific terms used in D.19-10-021, including “resource specific” and “resource-non-specific,” as well as to clarify the timeframe within which RA importers are required to self-schedule in the CAISO market. (D.20-03-016 at 9.)

D.20-03-016 also states that “[w]e acknowledge that there is a successor proceeding, R.19-11-009, that is considering issues that may be pertinent to the record on limited rehearing, and that a future rehearing decision may incorporate the record from R.19-11-009.” (D.20-03-016 at 8.)

2. Track 1 of R.19-11-009

In R.19-11-009, the Assigned Commissioner's Scoping Memo and Ruling provided that Track 1 "will consider revisions to the RA import rules." (Scoping Memo at 3.) The Scoping Memo provided the scope of issues for Track 1, as follows:

- (1) What types of import resources should be counted as RA (*e.g.*, resource-specific imports with a must-offer obligation, non-resource specific imports for firm energy, etc.)?
- (2) What rules should govern resource-specific RA imports, including what should be required by the Commission to demonstrate compliance?
- (3) What rules should govern non-resource specific RA imports, including what should be required by the Commission to demonstrate compliance?
- (4) Should the Commission consider allowing firm, fixed priced energy contracts paired with an import allocation to count for import RA? If, so, how?
- (5) Other issues raised by Energy Division or parties regarding import RA requirements and demonstrating compliance with these requirements may be considered in Track 1.

The Scoping Memo also provided a schedule and process for Track 1, which included an Energy Division report on RA import issues, a workshop on Track 1 issues, and submission of a workshop report, proposals, comments and reply comments. To date, all items on the Track 1 schedule have been completed, other than the issuance of a proposed and final decision.

3. Rehearing Process and Schedule

A rehearing decision on the issues scoped in D.20-03-016 will be issued in R.17-09-020. This e-mail ruling notifies parties that the record developed in Track 1 of R.19-11-009 shall be incorporated into the record of R.17-09-020 for purposes of limited rehearing.

The scope of limited rehearing overlaps with the scope for Track 1, which considers broader changes to the RA import rules. To ensure a comprehensive record for limited rehearing, parties in either R.17-09-020 or R.19-11-009 may submit any additional comments on the rehearing issues ordered in D.20-03-016. Parties may also submit comments on the incorporation of the Track 1 record of R.19-11-009 into the record of R.17-09-020 for purposes of limited rehearing.

Comments shall be filed and served in R.17-09-020 by **April 6, 2020**. Reply comments shall be filed and served by **April 13, 2020**. We request that parties do not repeat comments that were previously submitted in Track 1 of R.19-11-009.

IT IS RULED that:

1. The record developed in Track 1 of R.19-11-009 is incorporated into the record of R.17-09-020 for purposes of the Limited Rehearing of Decision 19-10-021.

2. Parties may file and serve any additional comments on the rehearing issues ordered in D.20-03-016. Parties may also submit comments on the incorporation of the Track 1 record of

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R.19-11-009 into the record of R.17-09-020 for purposes of the Limited Rehearing of Decision 19-10-021.

3. Comments shall be filed and served in R.17-09-020 by **April 6, 2020**. Reply comments shall be filed and served by **April 13, 2020**. Parties should not repeat comments that were previously submitted in Track 1 of R.19-11-009.

Docket Office shall formally file this ruling.

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