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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company for Approval of its 2020 Energy Storage Procurement Plan. (U39E)	Application 20-03-002
Application of San Diego Gas & Electric Company (U902M) for approval of Its 2020 Energy Storage Procurement Framework and Program.	Application 20-03-003
Application of Southern California Edison Company (U338E) for Approval of its 2020 Energy Storage Procurement and Investment Plan.	Application 20-03-004

**ASSIGNED COMMISSIONER'S SCOPING MEMO
AND RULING**

This Scoping Memo and Ruling consolidates Application (A.) 20-03-002, A.20-03-003, and A.20-03-004 and sets forth the issues, need for hearing, schedule, category, and other matters necessary to scope this proceeding pursuant to Public Utilities Code Section 1701.1. and Article 7 of the Commission's Rules of Practice and Procedure.

1. Procedural Background

The three consolidated Applications were filed with the Commission on March 2, 2020. A prehearing Conference (PHC) was held on June 11, 2020 to discuss the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. After considering the Applications, protests, responses, replies, PHC Statements,

and discussion at the PHC, I have determined the issues and initial schedule of the proceeding to be set forth in this scoping memo.

2. Consolidation

We are convinced that the administrative simplicity of handling these applications in a consolidated manner outweighs any potential burden to the applicants of consolidation. Therefore, A.20-03-002, A.20-03-003, and A.20-03-004 are consolidated.

3. Issues

The issues to be determined are:

1. Are the Applications compliant with the Public Utilities Code and relevant Commission Decisions, including Decision (D.) 13-10-040?
2. What remaining obligations do the Applicants have regarding Assembly Bill (AB) 2514? If none, are the applicants discharged of their obligations under AB 2514?
3. Do the Applications provide benefits to disadvantaged communities?
4. Should the Applications be approved in their entirety or with modification?
5. Have the applicants correctly counted existing eligible energy storage credits toward their 2020 energy storage procurement targets as directed in D.13-10-040 and D.16-01-032?
6. If relevant, do the proposed AB 2514 procurement plans comply with the multiple use-case application rules set forth in Appendix A of D.18-01-003 and Ordering Paragraph 2 of that Decision?
7. Are there any safety considerations in approval of the Applications?
8. Should Southern California Edison Company proposed AB 2868 programs and investments be authorized, along

with the proposed cost recovery of \$20 million associated with the program and investment approval?

The Commission will not address technology diversity as a component of this proceeding, however a potential future rulemaking that considers broader energy storage policy issues may be a more appropriate venue.

4. Need for Evidentiary Hearing

The Commission in Resolution ALJ 176-3457 preliminarily determined that hearings are required. At the PHC, parties did not identify material issues of disputed fact but did not oppose a schedule that provides an opportunity for parties to file a motion requesting evidentiary hearings if such issues are identified in the future. At this time, we will leave undisturbed the determination that evidentiary hearings are needed.

If and when a party moves to request evidentiary hearings, any such motion must identify and describe (i) the material issues of disputed fact, (ii) the evidence the party proposes to introduce at the requested hearing, and (iii) the proposed schedule for conducting the hearing. The motion shall also state a justification for hearing and what the moving party would seek to demonstrate through hearing. It shall also contain anything else necessary for the Commission to make an informed decision on the motion. Responses to any such motion may be filed and served and shall be filed and served no later than three days after any such motion. Any right that a party may otherwise have to an evidentiary hearings if will be waived if the party does not submit a timely motion requesting an evidentiary hearing. The record shall be composed of all filed and served documents and shall include evidence received at a hearing if a motion for hearing is granted.

5. Schedule

The following schedule is adopted here and may be modified by the Administrative Law Judge (ALJ) as required to promote the efficient and fair resolution of the Applications.

Event	Date
Any updates to the Applicants' direct testimony served	July 24, 2020
Intervenors' prepared direct testimony served	August 21, 2020
Rebuttal testimony from all parties served	September 4, 2020
Motion requesting evidentiary hearing filed and served	September 8, 2020
Responses to motion(s) requesting evidentiary hearing filed and served.	September 14, 2020
Evidentiary hearing	Second week of October, 2020
Opening briefs	November 2, 2020
Reply briefs <i>[matter submitted]</i>	November 16, 2020
Proposed decision	<i>[no later than 90 days after submission]</i>
Commission decision	<i>[no sooner than 30 days after PD]</i>

The proceeding will stand submitted upon the filing of reply unless the ALJ requires further evidence or argument. Based on this schedule, the proceeding will be resolved within 18 months as required by Public Utilities Code section 1701.5.

6. Alternative Dispute Resolution (ADR) Program and Settlements

The Commission's Alternative Dispute Resolution (ADR) program offers mediation, early neutral evaluation, and facilitation services, and uses ALJs who

have been trained as neutrals. At the parties' request, the assigned ALJ can refer this proceeding to the Commission's ADR Coordinator. Additional ADR information is available on the Commission's website.¹

Any settlement between parties, whether regarding all or some of the issues, shall comply with Article 12 of the Rules of shall be served in writing. Such settlements shall include a complete explanation of the settlement and a complete explanation of why it is reasonable in light of the whole record, consistent with the law and in the public interest. The proposing parties bear the burden of proof as to whether the settlement should be adopted by the Commission.

7. Category of Proceeding and *Ex Parte* Restrictions

This ruling confirms the Commission's preliminary determination that this is a ratesetting proceeding. (Resolution ALJ 176- 3457.) Accordingly, *ex parte* communications are restricted and must be reported pursuant to Article 8 of the Commission's Rules of Practice and Procedure.

8. Public Outreach

Pursuant to Public Utilities Code Section 1711(a), I hereby report that the Commission sought the participation of those likely to be affected by this matter by noticing it in the Commission's monthly newsletter that is served on communities and business that subscribe to it and posted on the Commission's website.

A summary and link to the application was included on page three of the April 2020 "Filings at the CPUC" newsletter. The newsletter was distributed electronically to most elected (typically mayors and county supervisors) and executive (typically city managers) heads of local governments statewide, as well

¹ See D.07-05-062, Appendix A, § IV.O.

as public works directors for which the Commission has contact information, local councils of governments, community organizations, and other parties who have expressed interest in receiving the newsletter. It is also posted on the Business and Community Outreach Office's website.

9. Intervenor Compensation

Pursuant to Public Utilities Code Section 1804(a)(1), a customer who intends to seek an award of compensation must file and serve a notice of intent to claim compensation by July 13, 2020, the first business day after 30 days after the prehearing conference.

10. Response to Public Comments

Parties may, but are not required to, respond to written comments received from the public. Parties may do so by posting such response using the "Add Public Comment" button on the "Public Comment" tab of the online docket card for the proceeding.

11. Public Advisor

Any person interested in participating in this proceeding who is unfamiliar with the Commission's procedures or has questions about the electronic filing procedures is encouraged to obtain more information at <http://consumers.cpuc.ca.gov/pao/> or contact the Commission's Public Advisor at 866-849-8390 or 866-836-7825 (TTY), or send an e-mail to public.advisor@cpuc.ca.gov.

12. Filing, Service, and Service List

The official service list has been created and is on the Commission's website. Parties should confirm that their information on the service list is correct, and serve notice of any errors on the Commission's Process office, the service list, and the ALJ. Persons may become a party pursuant to Rule 1.4.

When serving any document, each party must ensure that it is using the current official service list on the Commission's website.

This proceeding will follow the electronic service protocol set forth in Rule 1.10. All parties to this proceeding shall serve documents and pleadings using electronic mail, whenever possible, transmitted no later than 5:00 p.m., on the date scheduled for service to occur. Rule 1.10 requires service on the ALJ of both an electronic and a paper copy of filed or served documents. When serving documents on Commissioners or their personal advisors, whether or not they are on the official service list, parties must only provide electronic service. Parties must not send hard copies of documents to Commissioners or their personal advisors unless specifically instructed to do so.

Persons who are not parties but wish to receive electronic service of documents filed in the proceeding may contact the Process Office at process_office@cpuc.ca.gov to request addition to the "Information Only" category of the official service list pursuant to Rule 1.9(f).

13. Service of Documents on Commissioners and Their Personal Advisors

Rule 1.10 requires only electronic service on any person on the official service list, other than the ALJ.

When serving documents on Commissioners or their personal advisors, whether or not they are on the official service list, parties must only provide electronic service. Parties must not send hard copies of documents to Commissioners or their personal advisors unless specifically instructed to do so.

14. Assignment of Proceeding

Martha Guzman-Aceves is the assigned Commissioner and Brian Stevens is the assigned ALJ and presiding officer for the proceeding.

IT IS RULED that:

1. The scope of this proceeding is described above.
2. The schedule of this proceeding is set forth above.
3. Evidentiary hearing is needed.
4. The presiding officer is Administrative Law Judge Brian Stevens.
5. The category of the proceeding is ratesetting.

This order is effective today.

Dated July 10, 2020, at San Francisco, California.

/s/ MARTHA GUZMAN ACEVES

Martha Guzman Aceves
Assigned Commissioner