



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

FILED
11/12/20
04:59 PM

Application of Pacific Gas and Electric Company for Approval of Its Proposals and Cost Recovery for Improvements to the Click-Through Authorization Process Pursuant to Ordering Paragraph 29 of Resolution E-4868. (U39E)	A.18-11-015 (filed November 26, 2018)
And Related Matters.	A.18-11-016 A.18-11-017

**JOINT RESPONSE OF HOME ENERGY ANALYTICS, MISSION:DATA COALITION
AND OHMCONNECT, INC.
TO PACIFIC GAS & ELECTRIC COMPANY'S OCTOBER 27, 2020 MOTION**

Michael Murray, President
Mission:data Coalition
1752 NW Market St #1513
Seattle, WA 98107
Tel: (510) 910-2281
Email: michael@missiondata.io

November 12, 2020

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

Application of Pacific Gas and Electric Company for Approval of Its Proposals and Cost Recovery for Improvements to the Click-Through Authorization Process Pursuant to Ordering Paragraph 29 of Resolution E-4868. (U39E)	A.18-11-015 (filed November 26, 2018)
And Related Matters.	A.18-11-016 A.18-11-017

**JOINT RESPONSE OF HOME ENERGY ANALYTICS, MISSION:DATA COALITION
AND OHMCONNECT, INC.
TO PACIFIC GAS & ELECTRIC COMPANY’S OCTOBER 27, 2020 MOTION**

1. Introduction

Pursuant to Rule 11.1(e) of the California Public Utilities Commission’s Rules of Practice and Procedure, Home Energy Analytics (“HEA”), Mission:data Coalition (“Mission:data”) and OhmConnect, Inc. (“OhmConnect”; together, the “Joint Parties”) respectfully submit this Joint Response¹ to the October 27, 2020 Motion of Pacific Gas & Electric Company (“PG&E”) seeking an Administrative Law Judge (“ALJ”) ruling about filing an amended application and notice (the “PG&E Motion”).

¹ Pursuant to the Commission’s Rules of Practice and Procedure 1.8(d), Mission:data confirms that HEA and OhmConnect have authorized Mission:data to file this Joint Response on behalf of their organizations.

2. Discussion

After considering the PG&E Motion, the Joint Parties support PG&E's request for an ALJ ruling waiving Rule 1.12(a) as it relates to PG&E's updated testimony to be filed November 13, 2020. Under Rule 1.2, the Commission may permit deviations from the rules "in special cases and for good cause shown." The Joint Parties believe this is a special case and that good cause has been shown. The Joint Parties concur with PG&E that "triggering an amended application and all the related procedural steps would be excessive for a small change in its proposed costs and could require further revisions to the recently issued schedule."²

Furthermore, while an increase in costs would, technically speaking, require the filing of an amended application, a combination of factors indicates that an amended application would not serve the objectives of public utility regulation in this case. First, the increases in costs are likely to be relatively minor, an increase of several million dollars on PG&E's original request of \$16.62 million.³ While several million dollars are not *de minimus*, the Joint Parties do not believe it rises to the level of an amended application that requires additional notices pursuant to Rule 3.2 (b), (c) and (d), and the filing of protests and replies. Second, the substance of the applications has not changed since the issuance of Resolution E-4868. If PG&E were required to modify its application to address new or different functionality not envisaged in Resolution E-4868, then the Joint Parties believe an amended application would be appropriate. However, that is not the case here.

² PG&E Motion at 2.

³ *Id.*

Furthermore, waiver of Rule 1.12(a) would support the just, speedy and inexpensive resolution of the applications in this docket. Failure to grant a waiver would require (i) additional notices, protests, responses and yet another modification to the scheduling order, or (ii) the Commission could approve the amended applications only up to the originally-requested amounts, causing a disjointed and administratively inefficient process for recovering the marginal additional monies sought. The Joint Parties remind the Commission that considerable time has already passed since the original applications were filed, and the procedural schedule has already been modified once, via the October 23, 2020 Assigned Commissioner's First Amended Scoping Memo and Ruling. Given that three (3) years has now passed in this proceeding without even reaching the point of the filing of intervenor testimony, the Joint Parties believe there should be a higher-than-normal burden required to justify further procedural delays. Simply put, the Joint Parties do not believe PG&E's suggested modifications to its application rise to such a level as to warrant further postponements or unnecessary administrivia.

Finally, the Joint Parties note that the requested ALJ waiver of Rule 1.12(a) should also apply to Southern California Edison Company ("SCE") and San Diego Gas & Electric Company ("SDG&E"). This is necessary to ensure consistency among all the investor-owned utilities' updated testimonies, which may contain changes in overall costs as compared to the original applications filed November 26, 2018.

3. Conclusion

For the reasons stated above, the Joint Parties request an ALJ ruling waiving Rule 1.12(a) as it relates to the updated testimonies to be filed November 13, 2020 by PG&E, SCE and SDG&E.

Dated: November 12, 2020

Respectfully submitted,

FOR MISSION:DATA COALITION

/s/

Michael Murray, President
1752 NW Market St #1513
Seattle, WA 98107
Tel: (510) 910-2281
Email: michael@missiondata.io

FOR OHMCONNECT, INC.

/s/

John Anderson, Director of Energy Markets
OhmConnect, Inc.
616 16th St, Suite M20
Oakland, CA 94612
Email: john@ohmconnect.com
Tel: 415-697-1271

FOR HOME ENERGY ANALYTICS

/s/

Lisa Schmidt
13016 Byrd Ln
Los Altos, CA 94022
Email: Lisa@hea.com
Tel: 650-492-8029