



FILED

01/25/21
02:24 PM

RMD/bx1 1/25/2021

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Fresno Community Solar Developers,
LLC,

Complainant,

vs.

Case 20-10-021

Pacific Gas & Electric Company (U39E),

Defendant.

**E-MAIL RULING GRANTING JOINT MOTION
FOR EXTENSION TO FILE ANSWER
AND STATUS UPDATE**

Dated January 25, 2021, at San Francisco, California.

/s/ REGINA M. DEANGELIS

Regina M. DeAngelis
Administrative Law Judge

From: DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>
Sent: Monday, January 25, 2021 11:01 AM
To: LWesterlund@ch-law.com; Jennifer.ReyesLagunero@pge.com;
RegRelCPUCCases@pge.com; Brown, Mary Claire <MaryClaire.Brown@cpuc.ca.gov>;
DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>; K2C0@pge.com;
Steven.Frank@pge.com
Cc: ALJ Process <alj_process@cpuc.ca.gov>; ALJ Docket Office
<ALJ_Docket_Office@cpuc.ca.gov>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>
Subject: C.20-10-021 (Fresno Comm. Solar v PG&E) Email Ruling Granting Joint Motion
for Extension to file Answer and Status Update

To Service List:

This ruling grants the joint email request by Fresno Community Solar Developers, LLC (Fresno) and Pacific Gas and Electric Company (PG&E) for an additional week, until February 8, 2021, to file a joint status update and for PG&E to file its Answer.

On January 22, 2021, PG&E informed me via email the parties had met and conferred twice, on January 7 and 19, 2021. As a result, PG&E explained the parties appeared near a resolution of the proceeding, and PG&E requested an additional week to file its Answer and joint status update so the parties could continue efforts to resolve the matter. On the same date, January 22, 2021, Fresno indicated, via email, its agreement with the earlier PG&E email request.

In their January 22, 2021 emails, the parties acknowledge the Commission is required under statute to resolve complaint proceedings, such as this proceeding, within 12 months from the filing date. The parties further state their understanding that, due to this statutory deadline, limited possibilities for extensions exist.

The request for an extension until February 8, 2021 to file the Answer and status update is granted, with the understanding, as acknowledged by the parties, that this matter should be resolved in 12 months. As a result, limited opportunities for further extensions exist.

The docket office shall formally file this ruling.

IT IS SO RULED.

Regina M. DeAngelis
Administrative Law Judge
California Public Utilities Commission

C.20-10-021 RMD/bx1

regina.deangelis@cpuc.ca.gov

Notice: This communication may contain confidential and/or legally privileged information for the use of the intended recipient(s). Unauthorized use or disclosure is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Lawrence Westerlund <LWesterlund@ch-law.com>
Sent: Friday, January 22, 2021 4:11 PM
To: 'Reyes Lagunero, Jennifer (Law)' <J0RT@pge.com>; DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>; RegRelCPUCCases <RegRelCPUCCases@pge.com>; Brown, Mary Claire <MaryClaire.Brown@cpuc.ca.gov>; Cheng, Kingsley <K2C0@pge.com>; Frank, Steven (Law) <SWF5@pge.com>
Cc: ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>
Subject: RE: C.20-10-021 (Fresno Comm. Solar v PG&E) Joint Procedural Motion for Limited 1-Week Extension

Dear ALI Angelis,

We are in agreement with this request. Thank you very much for your consideration.

Sincerely,

Larry Westerlund

From: Reyes Lagunero, Jennifer (Law) <J0RT@pge.com>
Sent: Friday, January 22, 2021 2:47 PM
To: DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>; Lawrence Westerlund <LWesterlund@ch-law.com>; RegRelCPUCCases <RegRelCPUCCases@pge.com>; Brown, Mary Claire <MaryClaire.Brown@cpuc.ca.gov>; Cheng, Kingsley <K2C0@pge.com>; Frank, Steven (Law) <SWF5@pge.com>
Cc: ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>
Subject: C.20-10-021 (Fresno Comm. Solar v PG&E) Joint Procedural Motion for Limited 1-Week Extension

Dear ALJ Angelis,

Fresno Community Solar (Fresno) and Pacific Gas & Electric Company (PG&E) met and conferred twice (January 7 and 19, 2021) in the above-referenced proceeding.

Fresno and PG&E believe we are close to resolving this complaint, without the need for further CPUC involvement. Parties are targeting Feb. 5, 2021 as the date of completion of their discussions.

As stated in the December 14, 2020 Email Ruling below, parties acknowledge the Commission is required under statute to resolve complaint proceedings, such as this complaint, within 12 months from the filing date. Parties understand there are limited possibilities for extensions and that further delay may not be permitted. However, since Fresno and PG&E both believe this matter is close to resolution, we respectfully request the Commission consider a very limited extension to the Feb. 1 deadlines for (i) PG&E's answer and (ii) the parties' joint status update. Specifically, PG&E and Fresno respectfully request a 1-week extension for these deadlines to Monday, Feb. 8, 2021.

Fresno will reply to all indicating its agreement with this procedural request.

Thank you.

Regards,
Jennifer Reyes Lagunero

Jennifer C. Reyes Lagunero | PG&E | Counsel | 77 Beale St. | San Francisco, CA 94105 | O:
(415) 973-2361 or (925) 328-5873 | C: (925) 786-5113 | * Jennifer.ReyesLagunero@pge.com

From: DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>
Sent: Monday, December 14, 2020 12:22 PM
To: LWesterlund@ch-law.com; Reyes Lagunero, Jennifer (Law) <J0RT@pge.com>;
RegRelCPUCCases <RegRelCPUCCases@pge.com>; Brown, Mary Claire
<MaryClaire.Brown@cpuc.ca.gov>; DeAngelis, Regina
<regina.deangelis@cpuc.ca.gov>; Cheng, Kingsley <K2C0@pge.com>; Frank, Steven
(Law) <SWF5@pge.com>
Cc: ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process
<alj_process@cpuc.ca.gov>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>
Subject: C.20-10-021 (Fresno Comm. Solar v PG&E) Email Ruling Cancelling December
17, 2020 Prehearing Conference , Extending Deadline for Filing Answer, and Directing
Parties to Meet and Confer

*******CAUTION: This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*******

To Service List:

This email ruling serves to cancel the December 17, 2020 Prehearing Conference, extend the deadline for filing an answer to the complaint and any related motions to February 1, 2021, and direct the parties to meet and confer and then report back to me and the service list with an update on the status of the dispute on or before February 1, 2021.

On December 7, 2020, Pacific Gas and Electric Company (PG&E) sent an email to me and the service list requesting the December 17, 2020 Prehearing Conference be postponed and the complaint proceeding be stayed while parties continue to attempt to resolve this complaint. PG&E pointed to a related dispute now before the Commission's Energy Division centered around a PG&E Advice Letter, the November 9, 2020 PG&E Advice 5996-E, that Fresno Community Solar Developers, LLC (Fresno Community Solar) protested. PG&E states that it expects the contested Advice Letter to be resolved by the Energy Division in the next month. According to PG&E, the resolution of the Advice Letter will impact the status of this complaint. On December 7, 2020, Fresno Community Solar sent an email to me and the service list concurring with the statements made by PG&E in its email. The parties state that they plan to meet and confer the first full week of January 2021. These emails are below.

Because PG&E and Fresno Community Solar are engaged in a closely related dispute before the Energy Division that the parties state will impact the status of this complaint, I will cancel the prehearing conference in this case and permit PG&E additional time to file an answer and any related motions. PG&E may file its answer and any related motions on or before February 1, 2021. Parties are also directed to meet and confer and report to me and the service list via email on or before February 1, 2021 with a status update regarding this complaint. Parties may, be are not required, to report back to me and the service list with an update following their early January 2021 meet and confer.

Lastly, parties are reminded that the Commission is required under statute to resolve complaint proceedings, such as the case, within 12 months from the filing date. Limited possibilities for extension exist. For this reason, further delay may not be permitted. This matter will be addressed in more detail, if needed, upon my receipt of the update on the status of the case on or before February 1, 2021.

The docket office shall formally file this ruling.

IT IS SO RULING

Regina M. DeAngelis
Administrative Law Judge
California Public Utilities Commission
regina.deangelis@cpuc.ca.gov

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C.20-10-021 RMD/bx1

From: DeAngelis, Regina
Sent: Wednesday, December 09, 2020 5:10 PM
To: Lawrence Westerlund <LWesterlund@ch-law.com>; 'Reyes Lagunero, Jennifer (Law)' <JORT@pge.com>
Cc: RegRelCPUCCases <RegRelCPUCCases@pge.com>; Cheng, Kingsley <K2C0@pge.com>; U'u, Tauvela (Law) <TVU1@pge.com>; Brown, Mary Claire <MaryClaire.Brown@cpuc.ca.gov>; Frank, Steven (Law) <SWF5@pge.com>
Subject: RE: C20-10-021 (Fresno Comm. Solar v PG&E) Joint Procedural Motion for Minimum 30-day Stay of Proceeding

To Parties,

Thank you for your email update and the request. I will respond next Monday.

Regina M. DeAngelis
Administrative Law Judge
California Public Utilities Commission
regina.deangelis@cpuc.ca.gov

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From: Lawrence Westerlund <LWesterlund@ch-law.com>
Sent: Monday, December 07, 2020 12:23 PM
To: 'Reyes Lagunero, Jennifer (Law)' <JORT@pge.com>; DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>
Cc: RegRelCPUCCases <RegRelCPUCCases@pge.com>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; Cheng, Kingsley <K2C0@pge.com>; U'u, Tauvela (Law) <TVU1@pge.com>; ALJ Process <alj_process@cpuc.ca.gov>; ALJ Front Desk <ALJFrontDesk@cpuc.ca.gov>; Brown, Mary Claire <MaryClaire.Brown@cpuc.ca.gov>; Frank, Steven (Law) <SWF5@pge.com>
Subject: RE: C20-10-021 (Fresno Comm. Solar v PG&E) Joint Procedural Motion for Minimum 30-day Stay of Proceeding

Dear ALJ DeAngelis,

On behalf of Fresno Community Solar Developers, LLC., we respectfully join in the request set forth below.

Thank you.

Sincerely,

Larry Westerlund
CEO

Fresno Community Solar Developers, LLC.

From: Reyes Lagunero, Jennifer (Law) <JORT@pge.com>

Sent: Monday, December 7, 2020 12:06 PM

To: regina.deangelis@cpuc.ca.gov; Lawrence Westerlund <LWesterlund@ch-law.com>

Cc: RegRelCPUCCases <RegRelCPUCCases@pge.com>; ALJ Docket Office

<ALJ_Docket_Office@cpuc.ca.gov>; Cheng, Kingsley <K2C0@pge.com>; U'u, Tauvela

(Law) <TVU1@pge.com>; ALJ Process <alj_process@cpuc.ca.gov>; ALJ Front Desk

<ALJFrontDesk@cpuc.ca.gov>; Brown, Mary Claire <MaryClaire.Brown@cpuc.ca.gov>;

Frank, Steven (Law) <SWF5@pge.com>

Subject: C20-10-021 (Fresno Comm. Solar v PG&E) Joint Procedural Motion for Minimum 30-day Stay of Proceeding

Dear ALJ DeAngelis,

Pursuant to the Email Ruling Ordering Meet and Confer in the above-referenced proceeding, PG&E and Fresno Community Solar Developers, LLC (Fresno) met and conferred on December 4, 2020. As directed by the Ruling, PG&E and Fresno discussed the following: “(1) the issues to be addressed in the proceeding (2) the schedule of milestones/events/pleadings for the proceeding to follow with proposed dates (3) identify any factual disputes (4) the possibility of informal resolution of this dispute and the potential for using the Commission’s Administrative Law Judge Division’s Alternative Dispute Resolution program to assist with an informal resolution of this matter.”

In light of our discussion, PG&E and Fresno agreed to and jointly request a minimum 30-day stay of C.20-10-021 for the following reasons:

1. The dispute, with identical facts and remedy sought, is currently pending with the Energy Division.

On November 9, 2020, PG&E filed Advice 5996-E *Spring 2020 Solar in Disadvantaged Communities (“DAC”) Solicitation; Power Purchase Agreements Between PG&E and FFP CA Community Solar, LLC* (PG&E Advice Letter or Advice 5996-E) . On November 30, 2020, Fresno filed a protest to PG&E’s Advice Letter seeking the same remedy that is being sought in the current proceeding. PG&E intends to file a reply to Fresno’s protest on December 7, 2020. Pursuant to General Order 96-B, parties expect Energy Division to issue (1) a disposition on PG&E’s Advice Letter, or (2) a 120-day suspension on PG&E’s Advice Letter. This disposition may impact Fresno’s complaint. Parties believe

that the advice letter process should be completed before this complaint moves forward. Parties seek a minimum 30-day stay to allow time for Energy Division to issue a disposition.

2. PG&E intends to announce the outcome of its Fall 2020 Request for Offer (RFO) within the next one to two weeks.

PG&E plans to announce the outcome of its Fall 2020 RFO shortly. Without disclosing any details or the outcome of PG&E's Fall 2020 RFO, the announcement may impact aspects of Fresno's complaint. PG&E emphasizes that Fresno's complaint and protest to Advice 5996-E has no bearing on the outcome of PG&E's Fall 2020 RFO. PG&E offers time for Fresno to review PG&E's Fall 2020 RFO announcement to determine any impact it may have on Fresno's complaint.

3. PG&E and Fresno agree to meet and confer the first full week of January 2021.

Parties agree to meet and confer the first full week of January 2021 regarding the status of the complaint and proceeding. By that time, parties expect (1) Energy Division to issue a disposition of Advice 5996-E (or a 120-day suspension), and (2) Fresno will have had an opportunity to review and analyze PG&E's Fall 2020 RFO announcement and whether it impacts Fresno's complaint. PG&E and Fresno can provide you a joint status update after the January 2021 meet and confer regarding whether we intend to continue the minimum 30-day stay.

Based on the foregoing, PG&E and Fresno submit this procedural motion jointly requesting a minimum 30-day stay of this proceeding, which includes (a) extending the time for PG&E to file an answer and any related motions, and (b) removing the December 17, 2020 Pre-Hearing Conference from the calendar.

Fresno will reply to all indicating its agreement with this procedural request.

Thank you.

Regards,
Jennifer Reyes Lagunero

Jennifer C. Reyes Lagunero | PG&E | Counsel | 77 Beale St. | San Francisco, CA 94105 | O: (415) 973-2361 or (925) 328-5873 | C: (925) 786-5113 | * Jennifer.ReyesLagunero@pge.com

From: DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>

Sent: Monday, November 30, 2020 11:06 AM

To: Lawrence Westerlund <LWesterlund@ch-law.com>; Steven.Frank@pge.com;

C.20-10-021 RMD/bx1

RegRelCPUCCases@pge.com; DeAngelis, Regina <regina.deangelis@cpuc.ca.gov>;
K2C0@pge.com

Cc: ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ Process
<alj_process@cpuc.ca.gov>; ALJ Front Desk <ALJFrontDesk@cpuc.ca.gov>; Brown,
Mary Claire <MaryClaire.Brown@cpuc.ca.gov>

Subject: [EXTERNAL] C20-10-021 (Fresno Comm. Solar v PG&E) Email Ruling
Ordering Meet and Confer

To Service List:

This email ruling serves to order the parties to meet and confer prior to the scheduled telephonic prehearing conference in this proceeding on December 17, 2020@4pm - Conf Line Number: 866-561-8485 | Participant code: 1153320.

Parties are directed to set at least one date for this meet and confer and then to send an email with this date to me and the service list, to serve as confirmation that the meet and confer has been scheduled.

Parties are directed to meet and confer on the following topics in an effort to present mutually agreed upon positions: (1) the issues to be addressed in the proceeding (2) the schedule of milestones/events/pleadings for the proceeding to follow with proposed dates (3) identify any factual disputes (4) the possibility of informal resolution of this dispute and the potential for using the Commission's Administrative Law Judge Division's Alternative Dispute Resolution program to assist with an informal resolution of this matter.

All these topics will be addressed at the upcoming prehearing conference. At the prehearing conference, parties will be expected to report on the outcome of this meet and confer, including, the areas where agreement exists and the areas where the parties disagree.

The docket office shall formally file this ruling.

IT IS SO RULED.

Regina M. DeAngelis
Administrative Law Judge
California Public Utilities Commission
regina.deangelis@cpuc.ca.gov

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