



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

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Application of Pacific Gas and Electric
Company for Approval of 2024-2031 Energy
Efficiency Business Plan and 2024-2027
Portfolio Plan.

Application No. 22-02-005

(U39M)

And Related Matters.

Application No. 22-03-003

Application No. 22-03-004

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Application No. 22-03-007

Application No. 22-03-008

Application No. 22-03-011

Application No. 22-03-012

**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 M)
PRE-HEARING CONFERENCE STATEMENT**

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**PACIFIC GAS AND ELECTRIC COMPANY'S (U 39 M)
PRE-HEARING CONFERENCE STATEMENT**

I. INTRODUCTION

Pursuant to Administrative Law Judge (ALJ) Kao’s Email Ruling Permitting Filing of Pre-Hearing Conference Statements and Providing Other Guidance for May 17, 2022, Pre-Hearing Conference,^{1/} Pacific Gas and Electric Company (PG&E) files this Pre-Hearing Conference (PHC) Statement. Concurrent with this filing, PG&E also files a Meet and Confer Status Report (Status Report) regarding a May 4, 2022, meet and confer teleconference (May 4, 2022, Meet and Confer) between parties to discuss the proceeding schedule.^{2/} The Status Report is limited to the proceeding schedule as agreed upon during the May 4, 2022, Meet and Confer. PG&E incorporates by reference the agreed-upon schedule as described in the Status Report.^{3/}

^{1/} ALJ Kao’s Email “A2202005 et al. email ruling permitting filing of prehearing conference statements and providing other guidance for May 17, 2022 prehearing conference” (May 5, 2022).

^{2/} The Status Report also reports on other topics that were discussed during the May 4, 2022, Meet and Confer but leaves out substantive discussion of parties’ respective PHC Statements and/or the May 17, 2022 PHC.

^{3/} Status Report, Attachment A.

Accordingly, PG&E submits this PHC Statement to cover scope of the proceeding and remaining schedule issues/procedural next steps.

II. SCOPE OF THE PROCEEDING

PG&E discusses two topics below that PG&E maintains are out of scope for this proceeding. While PG&E has already addressed these issues in its Response to 2024 Energy Efficiency Business Plan Applications^{4/} and Reply to Protests and Responses,^{5/} PG&E provides further clarification as necessary.

A. Data Sharing.

Regarding data sharing, PG&E acknowledges the regional energy networks' (RENs) requests for additional data sharing, however, PG&E cautions against including blanket data sharing as in scope for this proceeding but agrees that existing data issues and clarifications pursuant to current energy efficiency data sharing requirements are generally in scope. PG&E maintains that data sharing policies that go beyond EE are better suited for an overarching proceeding where all impacted programs and proceedings can be addressed in a consistent manner and where all relevant stakeholders are on notice and have a meaningful opportunity to participate.^{6/}

For instance, sharing of customer demand response information would impact the third-party demand response providers who recruit, manage, or aggregate customers for the provision of demand response (DR), either (1) directly at the California Independent System Officer through registrations enabled through Electric Rule 24, and/or (2) in the utility programs where third parties aggregate retail customers for purposes of providing demand response. Examples of these programs or pilots for PG&E include Base Interruptible Program, Capacity Bidding Program, Demand Response Auction Mechanism, and certain Emergency Load Reduction

^{4/} Pacific Gas & Electric Company's (U39 M) Response to 2024 Energy Efficiency Business Plan Applications. (April 18, 2022).

^{5/} Pacific Gas & Electric Company's (U39 M) Reply to Protests and Responses. (April 25, 2022).

^{6/} PG&E Response to Applications, p. 4. Southern California Edison (SCE) (U399-E) Reply to Protests and Responses, pp. 11-12.

Program subgroups. Therefore, consideration of changes to data sharing for demand response are better suited in a proceeding where these third parties are given notice and the opportunity to be heard.

Further, there are specific rules for sharing data with community choice aggregators (CCAs) that may be implicated. There is a primary tariff^{7/} that governs the release of information by PG&E to CCAs and includes measures providing for confidential protection of information released. Revisions to this tariff and related non-disclosure agreements may be implicated, and these revisions would exceed the scope of this energy efficiency proceeding.

Finally, Decision (D.) 21-12-011 focuses on emergency summer reliability energy efficiency programs and interventions for 2022 and 2023. In that decision, the Commission did not approve proposals “unless a nexus with energy efficiency can be shown.”^{8/} The Commission also stated that Rulemaking (R.) 20-11-003 is the “primary venue for general emergency summer reliability activities,” in which many of the parties’ current data sharing requests are applicable.^{9/} Many of the parties’ data sharing arguments have been raised in that proceeding and have not yet been resolved.

B. Cost Effectiveness.

As PG&E stated in PG&E’s Response to Applications, the appropriateness of using specific cost-effectiveness metrics (for example, the Program Administrator Cost (PAC) test or Total Resource Cost (TRC) test) to evaluate programs should be contemplated across distributed energy resources (DERs), rather than piecemeal.^{10/} However, PG&E clarifies that it is not requesting that cost-effectiveness should be wholly ignored in this proceeding. Certainly, cost-

^{7/} PG&E Tariff Electric Schedule EE-CCAINFO-Information Release to Community Choice Aggregators; PG&E Electric Form 79-1031, Community Choice Aggregator Non-Disclosure Agreement.

^{8/} D. 21-12-011, p. 54, Conclusions of Law (COL) 2.

^{9/} R. 13-11-005, *Email ruling requesting comments/proposals to address Governor’s Proclamation of July 30, 2021*, August 6, 2021.

^{10/} PG&E’s Response to Applications, pp. 5-6.

effectiveness is one aspect to evaluate the reasonableness of portfolio administrator’s proposed programs for 2024 and beyond.

Rather, PG&E is concerned that if energy efficiency were to move to the PAC test rather than the TRC test and other DERs were to continue to be evaluated using the TRC, the comparability of energy efficiency to other DERs may be compromised. This may then further reinforce silos between programs and proceedings. Therefore, PG&E respectfully requests that discussions of cost-effectiveness metrics take place in the successor proceeding to integrated distributed energy resources (IDER).

III. SCHEDULE AND PROCEDURAL NEXT STEPS

Below, PG&E addresses the remaining areas of disagreement from the May 4, 2022 Meet and Confer and hearings and procedural next steps.

A. The Commission Should Evaluate the RuralREN Motion on the Same Track as Other Portfolio Administrators’ Energy Efficiency Business Plan Applications.

As stated in the Status Report, parties were unable to agree whether the Commission should consider the *Motion of Redwood Coast Energy Authority on Behalf of the Rural Regional Energy Network for Approval of Energy Efficiency Portfolio Application* (RuralREN Motion) on a separate track within the proceeding.^{11/} PG&E understands and appreciates that new RENs can be brought to the Commission via motion at any time.^{12/} However, in D. 19-12-031, the Commission stated that it “should consider the business plans of existing and potential new RENs alongside other administrators when new business plans are required, based on the quality of their proposals.”^{13/} Should the Commission decide against considering RuralREN Motion “alongside” the other portfolio administrators’ applications by permitting a separate track, then it will be difficult to determine whether RuralREN’s programs are actually complementary. Thus, it is beneficial for the Commission to examine all portfolio administrators’ plans concurrently to

^{11/} Status Report, p. 4.

^{12/} D.19-12-021, pp. 88-89, Ordering Paragraph (OP) 2.

^{13/} D. 19-12-021, p. 83, Conclusion of Law COL 3.

promote complementary programs and mitigate potential duplication of programs and funds at this stage.

B. Prioritized Topics/Interim Decisions.

During the May 4, 2022, Meet and Confer, participating parties were also unable to agree on whether the Commission should prioritize certain topics earlier in the proceeding and issue interim decisions. While many issues to be considered in this proceeding are interrelated, PG&E believes that two categories of items may merit consideration earlier in the proceeding. PG&E also respectfully requests the Commission allow portfolio administrators sufficient time to incorporate any updates into their 2023 true-up advice letters.

The first category that the Commission may prioritize includes strategic policy issues that would significantly affect how the Commission evaluates 2024-2027 portfolios and 2024-2031 strategic business plans. Policy changes related to the role of energy efficiency in decarbonization and building electrification beginning in 2024 may fall into this category, because any changes could (1) influence the strategic direction of portfolios, and (2) could affect the energy efficiency potential and goals study and goals adoption for program years 2024 and 2025.

The second category of items that may merit the Commission's consideration earlier in this proceeding include policy issues that overlap with issues scheduled for consideration in R.13-11-005 in 2022 or early 2023 pursuant to the December 2021 Amended Scoping Ruling.^{14/} At a minimum, PG&E requests that to the extent possible, and as it applies to the pending energy efficiency 2024 strategic business plans, the Commission align issues that overlap the two proceedings. This would help minimize duplication and encourage efficiencies.

^{14/} R. 13-11-005, Assigned Commissioner and Administrative Law Judges' Amended Scoping Ruling (Amended Scoping Ruling). (December 23, 2021).

C. Hearings and Procedural Next Steps.

PG&E maintains that hearings are not required because PG&E does not believe that there will be material issues of disputed facts. PG&E expects to actively participate in discovery, workshops, and comments to rulings, as necessary, to establish the record. However, PG&E agrees to including hearing dates on the proceeding schedule in the event hearings are necessary. These dates for hearings are included in Attachment A of the Status Report.^{15/}

Regarding procedural next steps, PG&E recommends that the Commission delegate Commission staff to work with parties regarding workshops proposed for summer 2022. Commission staff can also coordinate the workshop schedule, topic, and agenda.^{16/} In addition, PG&E recommends that to build a record in this proceeding, parties may be permitted to file and serve comments on workshops as needed.

IV. CONCLUSION

As stated in the Status Report, PG&E thanks parties for participating in the May 4, 2022, Meet and Confer. PG&E looks forward to engaging with all interested parties on the details of PG&E's 2024 Energy Efficiency Business Plan Application as the Commission moves forward to consider PG&E's Application on its merits.

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^{15/} Status Report, Attachment A (May 13, 2022).

^{16/} As discussed in Section III.B, Commission staff may wish to coordinate workshops with issues slated for consideration in the Amended Scoping Ruling.

