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ALJ/KHY/jnf 4/21/2023

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND
ELECTRIC COMPANY (U39E) for
Review of the Disadvantaged
Communities - Green Tariff,
Community Solar Green Tariff and
Green Tariff Shared Renewables
Programs.

Application 22-05-022

And Related Matters.

Application 22-05-023

Application 22-05-024

**ADMINISTRATIVE LAW JUDGE'S RULING UPDATING PROCEDURAL
SCHEDULE AND REQUIRING USE OF BRIEFING OUTLINE**

Pursuant to Commission Rules of Practice and Procedure, Rule 11.6, via email sent on April 17, 2023, the Administrative Law Judge granted a request by Pacific Gas and Electric Company to delay by one week (to April 28, 2023) the submission of sur-rebuttal testimony. This Ruling delays the remaining activities on the procedural schedule by one week to align with the delay in sur-rebuttal testimony submission. This one-week delay will allow additional time for parties to file opening and closing briefs and for the Commission to consider the issues of this proceeding.

For regulatory efficiency, parties are directed to use the attached outline (Attachment A) when organizing opening and reply briefs.

IT IS RULED that:

1. The remaining elements of the procedural schedule are delayed by one week.
2. Parties shall: file motions to admit testimony into the evidentiary record on May 8, 2023, file opening briefs on May 17, 2023 and file reply briefs on May 30, 2023.
3. Parties shall organize their opening and reply briefs using the outline attached as Attachment A.

Dated April 21, 2023, at San Francisco, California.

/s/ KELLY A. HYMES

Kelly A. Hymes
Administrative Law Judge

Attachment A

Attachment A

Outline for Opening and Reply Briefs in A.22-05-022 et al.

All parties are directed to use the following outline for addressing the scope of issues in their briefs.

A. Objectives of Green Access Programs (GAP) –what should be the objectives of the Commission-adopted GAP final outcome? Include proposed metrics and methods to determine whether the adopted GAP option(s) meets these objectives. Your proposed objectives should be the same for whatever outcome is adopted, whether that outcome is the modification of existing GAP options, adoption of a new option, or adoption of a combination of modifications and new options.

B. Current GAP Options Evaluation Foundation

- a. By what method should the Commission measure whether the current GAP options efficiently serve distinct customer groups? Explain your reasoning for advocating for this method.
- b. By what method should the Commission measure whether the current GAP options minimize duplicative offerings? Explain your reasoning for advocating for this method.
- c. By what method should the Commission measure whether the current GAP options promote robust participation by low-income customers? Explain your reasoning for advocating for this method.

C. Evaluation of Current GAP Options

- a. Green Tariff (GT) – using the methods proposed in B, does the current GT:
 - i. Efficiently serve distinct customer groups?
 - ii. Minimize duplicative offerings?
 - iii. Promote robust participation by low-income customers?

- iv. What impact does departing load from Community Choice Aggregators have on GT?
- b. Enhanced Community Renewables (ECR) – using the methods proposed in B, does the current ECR:
 - i. Efficiently serve distinct customer groups?
 - ii. Minimize duplicative offerings?
 - iii. Promote robust participation by low-income customers?
 - iv. What impact does departing load from Community Choice Aggregators have on ECR?
- c. Disadvantaged Communities (DAC)-GT – using the methods proposed in B, does the current DAC-GT:
 - i. Efficiently serve distinct customer groups?
 - ii. Minimize duplicative offerings?
 - iii. Promote robust participation by low-income customers?
 - iv. What impact does departing load from Community Choice Aggregators have on DAC-GT?
- d. Community Solar (CS) GT – using the methods proposed in B, does the current CSGT:
 - i. Efficiently serve distinct customer groups?
 - ii. Minimize duplicative offerings?
 - iii. Promote robust participation by low-income customers?
 - iv. What impact does departing load from Community Choice Aggregators have on CSGT?

D. Improving GAP Options– based on your answers to A, B, and C above, should the Commission modify existing GAP options, adopt a new option, or adopt a combination of modifications and new options? Your answer should include the following in order:

- a. A complete description of your recommendation and how it meets your proposed objectives described in A above.
- b. Explain how your recommendation addresses the results of your evaluations of the current GAP options described in B above?
- c. Explain how your recommendation addresses the results of other parties' evaluations of the current GAP options.
- d. If you recommend the Commission adopt a modified GAP option, explain how the modified GAP option meets or is consistent with the requirements of AB 2316 or the suggested guidance described in D.18-06-027 and D.21-12-036, and is beneficial to ratepayers, including how the modified GAP option:
 - i. Supports, or is complimentary to and consistent with Title 24 of the California Building Standards Code;
 - ii. ensures low-income customers are served by at least 51 percent of the capacity of the program, or are complementary to proposed new programs which target this population;
 - iii. minimizes impacts to nonparticipating customers by prohibiting the program's costs from being paid by nonparticipating customers in excess of the avoided costs;
 - iv. supports compliance with Public Utilities Code Section 769.3(c)(4)(A) including that all construction workers employed in the execution of the project are paid the general prevailing rate of per diem wages;
 - v. provides bill credits to subscribers based on the avoided costs of the program's facilities; and
 - vi. prioritizes the maximum use of state and federal incentives.

- e. If you recommend the Commission adopt a new GAP option, explain how the new option meets the requirements of AB 2316, including that it:
 - i. is beneficial to all ratepayers
 - ii. is complementary to and consistent with Title 24 of the California Building Standards Code;
 - iii. ensures low-income customers are served by at least 51 percent of the capacity of the program;
 - iv. minimizes impacts to nonparticipating customers by prohibiting the program's costs from being paid by nonparticipating customers in excess of the avoided costs;
 - v. ensures compliance with Public Utilities Code Section 769.3(c)(4)(A) including that all construction workers employed in the execution of the project are paid the general prevailing rate of per diem wages;
 - vi. provides bill credits to subscribers based on the avoided costs of the program's facilities; and
 - vii. prioritizes the maximum use of state and federal incentives.
- f. If you recommend the Commission adopt a new GAP option, explain how the new option would serve unmet needs or gaps that existing or potentially modified programs do not already achieve. Quantify the needs or gaps, and explain why creating a new program to fill these needs or gaps benefits all ratepayers (participating and non-participating.)

E. Implementation of Improved GAP Options– based on your answers to D above, propose the implementation of your recommendation, including time line and anticipated costs.

(END OF ATTACHMENT A)