



DRAFT Consultant Scope of Work

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Introduction

In November 2022, the California Public Utilities Commission (CPUC or the Commission) established order instituting rulemaking (R.22-11-013) to consider Distributed Energy Resource (DER) Program Cost-Effectiveness Issues, Data Use and Access and Equipment Performance Standards.¹ On May 31, 2023, the CPUC issued the Assigned Commissioner's Scoping Memo and Ruling, which established two phases in this proceeding.^{2,3} The Energy Division is seeking a consultant to provide the Commission technical support for Phase 1 Track 2 of this Rulemaking.⁴ In Phase 1 Track 2, the Commission examines the rules and requirements to improve data access to facilitate adoption, evaluation and utilization of DERs.

The primary task of the consultant is to administer and facilitate the Data Use and Access Working Group, produce a working group report with recommendations, and to provide other technical support for CPUC decision making on the Data Use and Access issues. The successful consultant will have a background in energy and data, as well as familiarity with CPUC policy on energy data, and California data privacy laws. Under the direction and guidance of the Energy Division, the consultant will administer the Data Working Group (DWG) and must be able to facilitate discussions across diverse stakeholders including utilities, state agencies, local and tribal governments, third party implementers, community-based organizations, and other interested parties, and provide a working group process that facilitates equal participation from all entities.

The Data Working Group meetings should occur over a period of 6 months, but may be longer if there are delays. The consultant should build in time for potential delays when planning the DWG meetings. The consultant will have time to prepare before the start of DWG meetings and have time after the conclusion of the DWG meetings to write the relevant reports. With the initial preparation time and the time for drafting reports, the expected duration of the contract is 12 months.

Project Objectives

The DWG is expected to propose actionable recommendations and/or solutions to remove the identified data barriers for the Commission to consider. The information gathered from the DWG should assist the Commission in addressing and removing data barriers that prevent the realization of the

¹ docs.cpuc.ca.gov/PublishedDocs/Published/G000/M499/K158/499158023.PDF

² docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M510/K287/510287758.PDF

³ Phase 1 focuses on issues related to cost-effectiveness of customer DER programs, including updating the Avoided Cost Calculator, and policies on improving data usage and access to help customers make informed decisions about adoption, evaluation, and utilization of DERs. Phase 2 focuses on developing equipment performance standards. There are two tracks in Phase 1. Phase 1 Track 1 examines how to make cost-effectiveness assessments more accurate and consistent across DER programs. Phase 2 Track 2 examines the rules and requirements to improve data access to facilitate adoption, evaluation, and utilization of DERs by customers and other entities and to improve DER integration with the grid.

⁴ Energy Division also plans to engage a consultant to provide technical support in Phase 1 Track 1.

use cases. The consultant should produce a working group report that documents areas of consensus and non-consensus to recommend to the Commission.

Scope of Work

The duration of the DWG activities should be no longer than six months; however, there will be time to prepare the group in the beginning and manage the report after the group concludes; this will bring the contract to a full 12 months. The consultant will work closely with and report to the CPUC's Energy Division. The consultant should be well versed in scoping state-of-the-art data management tools, and have familiarity with enterprise-scale best practices for data management including use of open-source methods and techniques for managing data privacy while maximizing the usefulness of data for multiple entities with varied permissions and access levels. The consultant should also be well-versed with federal and state laws that pertain to public records and preservation of customer privacy.⁵ The consultant should also be familiar with existing CPUC and CEC data decisions and policies.⁶

The consultant will facilitate the Data Working Group (DWG), which will:

- 1) Identify types of data needed to:
 - a. enable customers and other entities (such as local governments, researchers, and others) to make informed decisions on selecting, adopting, evaluating, and utilizing DERs,
 - b. increase accuracy of demand forecast from the DER load, and
 - c. align with other DER-related Commission proceedings, particularly R.22-07-005 (Demand Flexibility OIR), R.21-06-017 (High DER Future Grid OIR), Building Decarbonization proceeding and Gas Decommissioning OIR. The consultant must reach out to the relevant Track 2 active and advisory members on an on-going basis to enable coordination with the data related work in other CPUC proceedings.⁷
 - d. enable local governments to know the impacts of DERs for public health/safety planning, and climate action planning.
 - e. other valid data needs.

- 2) Identify additional use cases for each type of data (for examples, see current list of identified business cases in D.14-05-016)

- 3) Identify barriers to obtaining the data

⁵ These laws include but are not limited to SB 1476 (2010), AB 802 (2015)

⁶ These Commission decisions include but are not limited to D.14-05-016, D.11-07-056, and D.23-02-002.

⁷ Building Decarbonization Proceeding: [R.19-01-011](#)

Long-term Gas Infrastructure Proceeding: [R.20-01-007](#)

Integrated Customer Programs Proceeding: [R.22-11-013](#)

Energy Efficiency Proceeding- [R.13-11-005](#)

Self-Generation Incentive Program Proceeding: [R.20-05-012](#)

Energy Savings Assistance Program Proceeding: [A.19-11-003](#)

Affordability Proceeding: [R.18-07-006](#)

Income-Graduated Fixed Charge Proceeding: [R.22-07-005](#)

San Joaquin Valley proceeding: [R.15-03-010](#) (closed)

West Coast Gas Low Income Programs: [A.20-03-014](#)

- 4) Provide recommendations and/or solutions to existing barriers
- 5) Identify unresolved barriers, gaps and/or issues
- 6) Identify any applicable privacy laws by use case

All working group meetings should be scheduled and facilitated by the consultant. The frequency of the DWG meetings should be determined by the stakeholders; however, there should be a meeting at least once a month. It is important that the six items that the consultant addresses are reflective of the unique needs and experiences of potential users and use cases. The consultant shall work with and under the direction of Energy Division staff to determine what (if any) parallel tracks are needed. The consultant should be responsible for all necessary gatherings of the identified subgroups to present findings and move to the next steps. The consultant must produce monthly progress reports in addition to the final DWG report. During the DWG meetings, the consultant will work with parties to identify data gaps and lead discussions to address those gaps. The consultant will deliver a final report on items 1-6, above.

Consultant's Tasks and Responsibilities

After the Energy Division notice the stakeholders on the DWG formation, the consultant should work with Energy Division staff to contact and manage the DWG participants. The DWG will have varying degrees of Commission staff participation.

The DWG will begin with one large stakeholder group. The consultant will then determine if the group will benefit from being organized in smaller sub-groups. These sub-groups should include a State Agencies sub-group, which will be discussed in more detail below. Milestones and deliverables will be established for the DWG, and sub-groups, if any. The sub-groups will reconvene, at some regular interval, to discuss pertinent findings with all stakeholders.

The consultant's responsibilities include scheduling and facilitating DWG meetings, including agenda development, preparing meeting notes and follow up items. Consultant will also set up and manage a secure shared file location to enable online collaboration for group members, and any software programs necessary for work product development (e.g., note sharing/ whiteboard applications) to ensure a satisfactory work experience for group members. The consultant must accommodate feedback by email in addition to online collaborations.

In addition to these meetings, the consultant should anticipate time to prepare for meetings, perform follow-up from meetings, and conduct various ad hoc calls as needed between meetings to obtain information and complete deliverables.

State Agencies sub-group: The DWG subgroups should include a State Agencies sub-group, which is to be comprised of representatives from CPUC, CEC, CARB, CAISO, and the Housing and Community Development (HCD). Representatives from utilities or other organizations, such as Tribal governments and coalitions, may be invited to certain meetings based on the agenda. The CPUC Tribal Advisor may assist in outreach to the Tribal governments and coalitions. A subject matter expert from the CPUC

designated for this sub-group will oversee this DWG, including approval of meeting agenda and any interim and final deliverables. The consultant shall be responsible for:

- 1) Meeting scheduling and facilitation, including agenda development, meetings notes, assignment of action items;
- 2) Creation and maintenance of a secure shared file location for state agency representatives to collectively contribute and develop ongoing work products, and any software programs necessary for work product development (e.g. note sharing/ whiteboard applications);
- 3) Creation of presentations to lead interagency discussions and/or meetings in accordance with the agenda.

Meeting frequency and interim deliverables for this track may differ from the other track but will not exceed those set for other track by more than 50% and will be established in coordination with the CPUC-designated subject matter expert, with input from the wider DWG.

Deliverables

The following deliverables are required:

- 1) Working Group Meeting Notes**
- 2) The consultant shall publish detailed DWG meetings notes after all meetings on a publicly accessible location and provide action item follow-up.
- 3) The consultant shall produce monthly progress reports.
- 4) The consultant shall create and publish presentations made for the DWG meetings.

All above materials shall be ADA-compliant. The consultant shall work closely with and under the direction and guidance of Energy Division staff to develop templates for the various reports.

2) Draft DWG Report

The draft DWG report should include discussions on the items identified in the Scope of Work. The draft DWG report should include areas of consensus and non-consensus. The purpose of facilitated meetings is to identify data needs and the relevant use cases for having access to the data. In some cases, data are either unavailable in the needed format or there is a perception that there are privacy concerns preventing its availability. These should be described in a Gap Analysis. The consultant should strive to facilitate consensus among parties to develop recommendations on possible solutions. The consultant is expected to include a list of data types, use cases, remaining “gaps” and proposed solutions in the draft report, and submit the report to Energy Division no later than 30 days after the last DWG meeting.

The Energy Division or its consultant will then share the draft report with the DWG participants for stakeholder comments. After incorporating initial stakeholder comments as appropriate, the final DWG report will then be issued. When the final DWG report is issued, parties will be provided with the opportunity to file comments on the final DWG report.

3) Final Report

The consultant is responsible for reviewing the initial stakeholder comments on the draft report, summarizing the comments and revising the draft proposal under Energy Division guidance. The consultant shall submit the final report to Energy Division no later than 45 days after the initial stakeholder comments are submitted.