



ALJ/KHY/fzs 11/16/2023

FILED

11/16/23

04:59 PM

A2205022

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 Matter.

Application 22-05-023

Application 22-05-024

**EMAIL RULING DENYING SAN DIEGO GAS & ELECTRIC COMPANY'S
REQUEST FOR EXTENSION OF TIME**

Dated November 16, 2023, at San Francisco, California.

/s/ KELLY A. HYMES

Kelly A. Hymes
Administrative Law Judge

From: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>
Sent: Thursday, November 16, 2023 3:47 PM
To: 'JArmstrong@seia.org' <JArmstrong@seia.org>; 'SahmSahm@umich.edu' <SahmSahm@umich.edu>; 'BSmithwood@Dimension-Energy.com' <BSmithwood@Dimension-Energy.com>; 'Regulatory@HuaNani.com' <Regulatory@HuaNani.com>; 'awilson@biologicaldiversity.org' <awilson@biologicaldiversity.org>; 'JSchlesinger@KeyesFox.com' <JSchlesinger@KeyesFox.com>; 'aleon@votesolar.org' <aleon@votesolar.org>; 'Rebecca.Meiers.DePastino@SCE.com' <Rebecca.Meiers.DePastino@SCE.com>; 'GBarnes@SempraUtilities.com' <GBarnes@SempraUtilities.com>; 'CAlt@ValtaEnergy.com' <CAlt@ValtaEnergy.com>; 'Ben@Clean-Coalition.org' <Ben@Clean-Coalition.org>; 'RKoss@AdamsBroadwell.com' <RKoss@AdamsBroadwell.com>; Delaporta, Megan <Megan.Delaporta@cpuc.ca.gov>; 'william.rostov@sfcityatty.org' <william.rostov@sfcityatty.org>; 'Matthew@turn.org' <Matthew@turn.org>; 'Ariel@UtilityAdvocates.org' <Ariel@UtilityAdvocates.org>; 'MBorgeson@nrdc.org' <MBorgeson@nrdc.org>; 'TLindl@KeyesFox.com' <TLindl@KeyesFox.com>; 'JSqueri@DowneyBrand.com' <JSqueri@DowneyBrand.com>; 'VidhyaPrabhakaran@dwt.com' <VidhyaPrabhakaran@dwt.com>; 'SChurchill@SolarLandscape.com' <SChurchill@SolarLandscape.com>; 'Ashley.Merlo@pge.com' <Ashley.Merlo@pge.com>; 'JKim@cbecal.org' <JKim@cbecal.org>; 'Joe@JFWiedman.com' <Joe@JFWiedman.com>; 'Iles@BraunLegal.com' <Iles@BraunLegal.com>; 'ANHammer@sdge.com' <ANHammer@sdge.com>; 'alexis@caleja.org' <alexis@caleja.org>; 'ayerrapotu@mcecleanenergy.org' <ayerrapotu@mcecleanenergy.org>; 'A4B0@pge.com' <A4B0@pge.com>; 'RegrelcpucCases@pge.com' <RegrelcpucCases@pge.com>; 'cjoves@calstrat.com' <cjoves@calstrat.com>; 'Delia_Wahby@redlands.edu' <Delia_Wahby@redlands.edu>; 'Derek@CommunitySolarAccess.org' <Derek@CommunitySolarAccess.org>; 'jeanne@cleanenergycounsel.com' <jeanne@cleanenergycounsel.com>; 'ksmith@nexamp.com' <ksmith@nexamp.com>; 'LWatts1@sdgecontractor.com' <LWatts1@sdgecontractor.com>; 'L7SH@pge.com' <L7SH@pge.com>; 'regulatory@mceCleanEnergy.org' <regulatory@mceCleanEnergy.org>; 'RUmoff@seia.org' <RUmoff@seia.org>; 'tbrunello@calstart.com' <tbrunello@calstart.com>; 'mrw@mrwassoc.com' <mrw@mrwassoc.com>;

'policy@ampion.net' <policy@ampion.net>; 'Sarah@FieldworksPower.com' <Sarah@FieldworksPower.com>; 'Dylan@SolarLandscape.com' <Dylan@SolarLandscape.com>; 'gweinberg@jouleassets.com' <gweinberg@jouleassets.com>; 'richard.caperton@arcadia.com' <richard.caperton@arcadia.com>; 'sdoyle@seia.org' <sdoyle@seia.org>; 'madeline.symm@ccrenew.com' <madeline.symm@ccrenew.com>; 'Matt.Kozey@CCRenew.com' <Matt.Kozey@CCRenew.com>; 'Victoria.Moroney@CCRenew.com' <Victoria.Moroney@CCRenew.com>; 'CPUCdockets@eq-research.com' <CPUCdockets@eq-research.com>; 'BDickman@NewGenStrategies.net' <BDickman@NewGenStrategies.net>; Ahlstedt, James <James.Ahlstedt@cpuc.ca.gov>; Litwin, Joshua <Joshua.Litwin@cpuc.ca.gov>; 'FChoi@CleanPowerAlliance.org' <FChoi@CleanPowerAlliance.org>; 'tperry@arenarenew.com' <tperry@arenarenew.com>; 'Alex.Gutierrez@sce.com' <Alex.Gutierrez@sce.com>; 'Dhaval.Dagli@sce.com' <Dhaval.Dagli@sce.com>; 'Joe.Cox@sce.com' <Joe.Cox@sce.com>; 'case.admin@sce.com' <case.admin@sce.com>; 'ssarria@sdcommunitypower.org' <ssarria@sdcommunitypower.org>; 'ttobar@sdcommunitypower.org' <ttobar@sdcommunitypower.org>; 'ABosco@sdge.com' <ABosco@sdge.com>; 'MSomerville@sdge.com' <MSomerville@sdge.com>; 'CentralFiles@SempraUtilities.com' <CentralFiles@SempraUtilities.com>; 'ayanna.dunmore@powerflex.com' <ayanna.dunmore@powerflex.com>; 'MRutherford@PeninsulaCleanEnergy.com' <MRutherford@PeninsulaCleanEnergy.com>; 'MDJoseph@AdamsBroadwell.com' <MDJoseph@AdamsBroadwell.com>; 'AKragArnold@SFWater.org' <AKragArnold@SFWater.org>; 'blau@sflower.org' <blau@sflower.org>; 'ctaylor@sflower.org' <ctaylor@sflower.org>; 'GKay@SFwater.org' <GKay@SFwater.org>; Phanh, Beckie <Beckie.Phanh@cpuc.ca.gov>; Jenquin, Craig <Craig.Jenquin@cpuc.ca.gov>; Chiv, Debbie <Debbie.Chiv@cpuc.ca.gov>
Cc: ALJ_Support ID <alj_supportid@cpuc.ca.gov>; ALJ Process <alj_process@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>
Subject: A.22-05-022 et al. Email Ruling Denying San Diego Gas & Electric Company's Request for Extension of Time (email 1 of 2)

This email ruling formally denies the request from San Diego Gas and Electric Company (SDG&E) for an extension of time to file comments on the November 6, 2023, *Ruling Setting Aside Submission of the Record to Seek Comments on Aspects of the*

NBVT Proposal (November 6 Ruling). This ruling further confirms that the due date for opening responses to the November 6 Ruling is November 27, 2023.

On November 10, 2023, SDG&E emailed the Administrative Law Judges and the service list of Application (A.) 22-05-022 et al. to request a one-week extension of time (from November 27, 2023 to December 4, 2023) to comment on questions contained in the November 6 Ruling. (See email below.) SDG&E stated in that email that “subject matter experts needed to fully respond to the ruling are unavailable due to conflicting deadlines and prior commitments to Thanksgiving holidays.”

While SDG&E’s request is not unreasonable, the request is denied due to the impending statutory deadline of March 31, 2024 for the Commission to (1) complete an evaluation on the Green Access Program tariffs and (2) determine whether it is beneficial to ratepayers to establish a community renewable energy program (Public Utilities Code Section 769.3(b)). This impending deadline was taken into consideration both in setting aside submission of the proceeding record and in developing the filing schedule for comments and replies. Further, the Thanksgiving Day holiday was also taken into consideration when setting the due dates. Accordingly, SDG&E’s request to extend the deadline to file comments on the November 6 Ruling is denied.

SDG&E’s request had been denied through a November 15, 2023 email from the assigned Administrative Law Judge to the representative for SDG&E. (See email below.) The Commission Rules of Practice and Procedure, Rule 11.6 permit an email response to an email extension request. The November 15, 2023 email from the Administrative Law Judge, which SDG&E subsequently served to the service list, contained the incorrect filing due date. The incorrect date in the November 15, 2023 email from the Administrative Law Judge has led to party confusion, as indicated by the November 16, 2023 email from Pacific Gas and Electric Company. (See email below.) To clear any such confusion, this email ruling formalizes denial of the SDG&E extension request and confirms that the due date for opening responses to the November 6 Ruling is November 27, 2023.

IT IS SO RULED.

The Docket Office shall formally file this email ruling.

Kelly A. Hymes (she)
Administrative Law Judge
California Public Utilities Commission
kelly.hymes@cpuc.ca.gov

Note: Due to the number of entities on the proceeding service list, this email ruling is being sent in batches.

From: Merlo, Ashley (Law) <Ashley.Merlo@pge.com>
Sent: Thursday, November 16, 2023 11:43 AM
To: Barnes, E. Gregory <GBarnes@sdge.com>; Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>
Cc: Barr, Amy <A4B0@pge.com>; Bosco, Anthony S <ABosco@sdge.com>; AKragArnold@SFWater.org; Hammer, Alana N <ANHammer@sdge.com>; Alex.Gutierrez@sce.com; Allie@Reimagine-Power.com; Gonzalez, Ana <AYG3@pge.com>; Ariel@UtilityAdvocates.org; Cragg, Brian <BCragg@DowneyBrand.com>; Brian Dickman <bdickman@newgenstrategies.net>; BSmithwood@Dimension-Energy.com; Ben@Clean-Coalition.org; Blaising@BraunLegal.com; CAlt@ValtaEnergy.com; CPUCdockets@eq-research.com; Central Files <CentralFiles@semprautilities.com>; Cesa_Regulatory@StorageAlliance.org; DWTcpucDockets@dwt.com; Delia_Wahby@redlands.edu; Derek@CommunitySolarAccess.org; Dhaval Dagli <Dhaval.Dagli@sce.com>; Dylan@SolarLandscape.com; ELagerquist@caiso.com; FChoi@CleanPowerAlliance.org; GKay@SFwater.org; Igor@Reimagine-Power.com; Iles@BraunLegal.com; JArmstrong@seia.org; JHenri@Dimension-Energy.com; JKim@cbeal.org; Jacob Schlesinger <jschlesinger@keyesfox.com>; JSqueri@DowneyBrand.com; Jack@renewprop.com; James@UtilityAdvocates.org; JessicaJandura@dwt.com; Jin@Decodees.com; Joe.Cox@sce.com; Joe@JFWiedman.com; Kate@Calssa.org; Piro, Kelsey <Kelsey.Piro@pge.com>; L7SH@pge.com; LFykes@KeyesFox.com; Watts, Leah N <LWatts1@sdge.com>; McKenna, Lilly B. <lilly.mckenna@stoel.com>; Borgeson, Merrian <mborgeson@nrdc.org>; MDJoseph@AdamsBroadwell.com; MRutherford@PeninsulaCleanEnergy.com; Somerville, Michelle

<MSomerville@sdge.com>; Chiv, Debbie <Debbie.Chiv@cpuc.ca.gov>

Subject: [EXTERNAL] RE: GAP applications - A.22-05-022 et al. - Ruling denying motion for extension of time to comment on NBVT questions per 11/6 ALJ ruling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Judge Hymes,

We write to seek clarification of Your Honor's email ruling regarding the deadline for submission of opening comments on the November 6, 2023 Ruling. Your email ruling below states that the "December 4, 2023 due date for the opening comments took into consideration the Thanksgiving Day holiday," however, the deadline set forth in the November 6 Ruling set a submission deadline of November 27. Would you please clarify whether the deadline for opening comments is December 4 or November 27?

Thank you,

Ashley E. Merlo | Senior Counsel, Law (Strategy & Policy)
Pacific Gas and Electric Company
925-200-5819 cell | ashley.merlo@pge.com

From: Barnes, E. Gregory <GBarnes@sdge.com>
Sent: Wednesday, November 15, 2023 4:52 PM
To: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>
Cc: Barr, Amy <A4B0@pge.com>; Bosco, Anthony S <ABosco@sdge.com>;
AKragArnold@SFWater.org; Hammer, Alana N <ANHammer@sdge.com>;
Alex.Gutierrez@sce.com; Allie@Reimagine-Power.com; Gonzalez, Ana
<Ana.Gonzalez@pge.com>; Ariel@UtilityAdvocates.org; Merlo, Ashley (Law)
<Ashley.Merlo@pge.com>; Cragg, Brian <BCragg@DowneyBrand.com>; Brian
Dickman <bdickman@newgenstrategies.net>; BSmithwood@Dimension-Energy.com;
Ben@Clean-Coalition.org; Blaising@BraunLegal.com;
CAlt@ValtaEnergy.com; CPUCdockets@eq-research.com; Central Files
<CentralFiles@semprautilities.com>; Cesa_Regulatory@StorageAlliance.org;
DWTcpucDockets@dwt.com; Delia_Wahby@redlands.edu;
Derek@CommunitySolarAccess.org; Dhaval Dagli <Dhaval.Dagli@sce.com>;

Dylan@SolarLandscape.com; ELagerquist@caiso.com;
FChoi@CleanPowerAlliance.org; Barnes, E. Gregory <GBarnes@sdge.com>;
GKay@SFwater.org; Igor@Reimagine-Power.com; Iles@BraunLegal.com;
JArmstrong@seia.org; JHenri@Dimension-Energy.com; JKim@cbecal.org; Jacob
Schlesinger <jschlesinger@keyesfox.com>; JSqueri@DowneyBrand.com;
Jack@renewprop.com; James@UtilityAdvocates.org; JessicaJandura@dwt.com;
Jin@Decodees.com; Joe.Cox@sce.com; Joe@JFWiedman.com; Kate@Calssa.org;
Piro, Kelsey <Kelsey.Piro@pge.com>; L7SH@pge.com; LFykes@KeyesFox.com;
Watts, Leah N <LWatts1@sdge.com>; McKenna, Lilly B.
<lilly.mckenna@stoel.com>; Borgeson, Merrian <mborgeson@nrdc.org>;
MDJoseph@AdamsBroadwell.com; MRutherford@PeninsulaCleanEnergy.com;
Somerville, Michelle <MSomerville@sdge.com>; Chiv, Debbie
<Debbie.Chiv@cpuc.ca.gov>

Subject: RE: GAP applications - A.22-05-022 et al. - Ruling denying motion for extension of time to comment on NBVT questions per 11/6 ALJ ruling

CAUTION: EXTERNAL SENDER!

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Thank you, your Honor. I hereby copy your ruling on the service list .

Greg Barnes

Attorney for SDG&E

858-654-1583

gbarnes@sdge.com

cc: Service list A.22-05-022 et al.

From: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>

Sent: Wednesday, November 15, 2023 4:39 PM

To: Barnes, E. Gregory <GBarnes@sdge.com>

Cc: Chiv, Debbie <Debbie.Chiv@cpuc.ca.gov>

Subject: RE: [EXTERNAL] GAP applications - A.22-05-022 et al. - Motion for Extension of time to comment on NBVT questions per 11/6 ALJ ruling

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Do you know this person? Were you expecting this email, any links or attachments? Does the content make sense? If suspicious, do not click links, open attachments, or provide credentials. Don't delete it. Report it by using the REPORT SPAM option!

Mr. Barnes,

Pursuant to Commission Rules of Practice and Procedure, Rule 11.6, this email responds to the email below from San Diego Gas and Electric Company (SDG&E) requesting a one-week extension of time to file comments on the November 6, 2023, *Ruling Setting Aside Submission of the Record to Seek Comments on Aspects of the NBVT Proposal*. While SDG&E's request is not unreasonable, the request is denied due to the impending statutory deadline of March 31, 2023 for the Commission to (1) complete an evaluation on the Green Access Program tariffs and (2) determine whether it is beneficial to ratepayers to establish a community renewable energy program (*see* Public Utilities Code Section 769.3(b)). This impending deadline was taken into consideration both in setting aside submission of the proceeding record and in developing the filing schedule for comments and replies. Additionally, the December 4, 2023 due date for the opening comments took into consideration the Thanksgiving Day holiday.

A copy of this email will be placed in the correspondence file for this proceeding (A.22-05-022 et al.).

Kelly A. Hymes (she)
Administrative Law Judge
California Public Utilities Commission
kelly.hymes@cpuc.ca.gov

From: Barnes, E. Gregory <GBarnes@sdge.com>
Sent: Friday, November 10, 2023 5:31 PM
To: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>; Chiv, Debbie <Debbie.Chiv@cpuc.ca.gov>

Cc: A4B0@pge.com; Bosco, Anthony S <ABosco@sdge.com>;
AKragArnold@SFWater.org; Hammer, Alana N <ANHammer@sdge.com>;
Alex.Gutierrez@sce.com; Allie@Reimagine-Power.com; Ana.Gonzalez@pge.com;
Ariel@UtilityAdvocates.org; Ashley.Merlo@pge.com;
BCragg@DowneyBrand.com; Brian Dickman <bdickman@newgenstrategies.net>;
BSmithwood@Dimension-Energy.com; Ben@Clean-Coalition.org;
Blaising@BraunLegal.com; CAlt@ValtaEnergy.com; CPUCdockets@eq-research.com; Central Files <CentralFiles@semprautilities.com>;
Cesa_Regulatory@StorageAlliance.org; DWTcpucDockets@dwt.com;
Delia_Wahby@redlands.edu; Derek@CommunitySolarAccess.org;
Dhaval.Dagli@sce.com; Dylan@SolarLandscape.com; ELagerquist@caiso.com;
FChoi@CleanPowerAlliance.org; Barnes, E. Gregory <GBarnes@sdge.com>;
GKay@SFwater.org; Igor@Reimagine-Power.com; Iles@BraunLegal.com;
JArmstrong@seia.org; JHenri@Dimension-Energy.com; JKim@cbecal.org; Jacob
Schlesinger <jschlesinger@keyesfox.com>; JSqueri@DowneyBrand.com;
Jack@renewprop.com; James@UtilityAdvocates.org; JessicaJandura@dwt.com;
Jin@Decodees.com; Joe.Cox@sce.com; Joe@JFWiedman.com; Kate@Calssa.org;
Kelsey.Piro@pge.com; L7SH@pge.com; LFykes@KeyesFox.com; Watts, Leah N
<LWatts1@sdge.com>; McKenna, Lilly B. <lilly.mckenna@stoel.com>; Borgeson,
Merrian <mborgeson@nrdc.org>; MDJoseph@AdamsBroadwell.com;
MRutherford@PeninsulaCleanEnergy.com; Somerville, Michelle
<MSomerville@sdge.com>

Subject: [EXTERNAL] GAP applications - A.22-05-022 et al. - Motion for Extension of time to comment on NBVT questions per 11/6 ALJ ruling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear ALJ Hymes and ALJ Chiv,

Pursuant to Commission Rule 11.6, San Diego Gas and Electric Company requests a 1-week extension of the deadlines set in your *Ruling Setting Aside Submission of the Record to Seek Comments on Aspects of the NBVT Proposal* issued November 6, 2023. If granted, this request would change the due dates as follows: Monday, **December 4** for comments; and Thursday, **December 14** for reply comments.

SDG&E makes this request because subject matter experts needed to fully respond to the ruling are unavailable due to conflicting deadlines and prior commitments to Thanksgiving holidays.

As required by Rule 11.6, SDG&E contacted the other parties to the proceeding to seek their support for the extension request. The results are as follows:

- The following parties support the request: Southern California Edison, Pacific Gas & Electric; The Utility Reform Network, Coalition of California Utility Employees, the Joint CCAs, and Center for Biological Diversity.
- The following parties do not object to the request: Coalition for Community Solar Access, Solar Energy Industries Association, and Cypress Creek.
- No party opposed the extension.

Thank you for your consideration of this motion.

Greg Barnes

Attorney for SDG&E
858-654-1583
gbarnes@sdge.com

cc: Service list

From: Barnes, E. Gregory

Sent: Thursday, November 9, 2023 1:22 PM

To: Merlo, Ashley (Law) <AHMW@pge.com>; Jeanne Armstrong <jarmstrong@seia.org>; SahmSahm@umich.edu; BSmithwood@Dimension-Energy.com; Regulatory@HuaNani.com; awilson@biologicaldiversity.org; Rebecca.Meiers.DePastino@SCE.com; Ty@TosdalAPC.com; Rachael E. Koss <rkoss@adamsbroadwell.com>; jo2@cpuc.ca.gov; william.rostov@sfcityatty.org; Matthew Freedman <matthew@turn.org>; Ariel@UtilityAdvocates.org; Borgeson, Merrian <mborgeson@nrdc.org>; Tim Lindl <tlindl@keyesfox.com>; JSqueri@DowneyBrand.com; VidhyaPrabhakaran@dwt.com; SChurchill@SolarLandscape.com; sdoyle@votesolar.org; JKim@cbecal.org; Joe@JFWiedman.com; lles@BraunLegal.com; Ben@Clean-Coalition.org

Subject: RE: GAP applications - A.22-05-022 et al. - Poll - Request for Extension of time to comment on NBVT question per 11/6 ALJ ruling

Note error **below**. Please respond by 2 pm tomorrow, November 10.

From: Barnes, E. Gregory

Sent: Thursday, November 9, 2023 1:18 PM

To: Merlo, Ashley (Law) <AHMW@pge.com>; Jeanne Armstrong <jarmstrong@seia.org>; SahmSahm@umich.edu; BSmithwood@Dimension-Energy.com; Regulatory@HuaNani.com; awilson@biologicaldiversity.org; Rebecca.Meiers.DePastino@SCE.com; Ty@TosdalAPC.com; Rachael E. Koss <rkoss@adamsbroadwell.com>; jo2@cpuc.ca.gov; william.rostov@sfcityatty.org; Matthew Freedman <matthew@turn.org>; Ariel@UtilityAdvocates.org; Borgeson, Merrian <mborgeson@nrdc.org>; Tim Lindl <tlindl@keyesfox.com>; JSqueri@DowneyBrand.com; VidhyaPrabhakaran@dwt.com; SChurchill@SolarLandscape.com; sdoyle@votesolar.org; JKim@cbeval.org; Joe@JFWiedman.com; Iles@BraunLegal.com; Ben@Clean-Coalition.org

Subject: GAP applications - A.22-05-022 et al. - Poll - Request for Extension of time to comment on NBVT question per 11/6 ALJ ruling

Active Parties to A.22-05-022, A.22-05-023, and A.22-05-024:

In light of the Thanksgiving holiday and the unavailability of SMEs needed to comment in response, SDG&E intends to request a 1-week extension of the deadlines set in the ALJs' *Ruling Setting Aside Submission of the Record to Seek Comments on Aspects of the NBVT Proposal* issued November 6, 2023. If granted, this request would change the due dates as follows: Monday, **December 4** for comments; and Thursday, **December 14** for reply comments. Per CPUC Rule 11.6, please respond to this email by 2pm tomorrow, **April 12, 2023**, indicating whether you support, do not object to, or oppose this proposed change to the procedural schedule.

Thank you,

Greg Barnes

Attorney for SDG&E

858-654-1583

gbarnes@sdge.com

From: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>
Sent: Thursday, November 16, 2023 3:47 PM
To: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>; Fleisher, Kerry <Kerry.Fleisher@cpuc.ca.gov>; Ammermuller, Michael <Michael.Ammermuller@cpuc.ca.gov>; Lerhaupt, Sarah <Sarah.Lerhaupt@cpuc.ca.gov>; Lyser, Shelly <Shelly.Lyser@cpuc.ca.gov>; George, Simi R. <Simi.George@cpuc.ca.gov>; Babka, Sophie <Sophie.Babka@cpuc.ca.gov>; Rehman, Uzma <Uzma.Rehman@cpuc.ca.gov>; 'William.Sanders@SFCityAtty.org' <William.Sanders@SFCityAtty.org>; 'mpanning@turn.org' <mpanning@turn.org>; 'James@UtilityAdvocates.org' <James@UtilityAdvocates.org>; 'Lilly.McKenna@Stoel.com' <Lilly.McKenna@Stoel.com>; 'LFykes@KeyesFox.com' <LFykes@KeyesFox.com>; 'NVijaykar@KeyesFox.com' <NVijaykar@KeyesFox.com>; 'rbird@forefrontpower.com' <rbird@forefrontpower.com>; 'SPauker@KeyesFox.com' <SPauker@KeyesFox.com>; 'vmoroney@forefrontpower.com' <vmoroney@forefrontpower.com>; 'BCragg@DowneyBrand.com' <BCragg@DowneyBrand.com>; 'Rick.Brown@TerraVerde.energy' <Rick.Brown@TerraVerde.energy>; 'JHenri@Dimension-Energy.com' <JHenri@Dimension-Energy.com>; 'JessicaJandura@dwt.com' <JessicaJandura@dwt.com>; 'lkubiak@nrdc.org' <lkubiak@nrdc.org>; 'DWTcpucDockets@dwt.com' <DWTcpucDockets@dwt.com>; 'Allie@Reimagine-Power.com' <Allie@Reimagine-Power.com>; 'Igor@Reimagine-Power.com' <Igor@Reimagine-Power.com>; 'nick@reimagine-power.com' <nick@reimagine-power.com>; 'Jack@renewprop.com' <Jack@renewprop.com>; 'Jin@Decodees.com' <Jin@Decodees.com>; 'jbaak@pakbell.net' <jbaak@pakbell.net>; 'SCampbell@GRIDalternatives.org' <SCampbell@GRIDalternatives.org>; 'Ana.Gonzalez@pge.com' <Ana.Gonzalez@pge.com>; 'josh.harmon@pge.com' <josh.harmon@pge.com>; 'keoni.kanoa@pge.com' <keoni.kanoa@pge.com>; 'larsen.plano@pge.com' <larsen.plano@pge.com>; 'RYSK@pge.com' <RYSK@pge.com>; 's9pa@pge.com' <s9pa@pge.com>; 'Kelsey.Piro@pge.com' <Kelsey.Piro@pge.com>; 'scsmall@cbecal.org' <scsmall@cbecal.org>; 'jkopyciok-

lande@mcecleanenergy.org' <jkopyciok-lande@mcecleanenergy.org>;
'SChen@mceCleanEnergy.org' <SChen@mceCleanEnergy.org>;
'philm@scdenergy.com' <philm@scdenergy.com>; 'Taylor.Knecht@SanJoseCa.gov'
<Taylor.Knecht@SanJoseCa.gov>; 'akilduff@caiso.com' <akilduff@caiso.com>;
'csanada@caiso.com' <csanada@caiso.com>; 'ELagerquist@caiso.com'
<ELagerquist@caiso.com>; 'Kate@Calssa.org' <Kate@Calssa.org>;
'ksc@cpuc.ca.gov' <ksc@cpuc.ca.gov>; Gutierrez Tapia, Omar
<Omar.GutierrezTapia@cpuc.ca.gov>; 'ps7@cpuc.ca.gov' <ps7@cpuc.ca.gov>;
'regulatory@braunlegal.com' <regulatory@braunlegal.com>;
'Samantha.Holdstock@Stoel.com' <Samantha.Holdstock@Stoel.com>;
'Blaising@BraunLegal.com' <Blaising@BraunLegal.com>; 'abb@eslawfirm.com'
<abb@eslawfirm.com>; 'edward@caliberstrat.com' <edward@caliberstrat.com>;
'elsi@caliberstrat.com' <elsi@caliberstrat.com>; 'bill.heberger@treasurer.ca.gov'
<bill.heberger@treasurer.ca.gov>; 'Cesa_Regulatory@StorageAlliance.org'
<Cesa_Regulatory@StorageAlliance.org>
Cc: ALJ_Support ID <alj_supportid@cpuc.ca.gov>; ALJ Process
<alj_process@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>
Subject: A.22-05-022 et al. Email Ruling Denying San Diego Gas & Electric
Company's Request for Extension of Time (email 2 of 2)

This email ruling formally denies the request from San Diego Gas and Electric Company (SDG&E) for an extension of time to file comments on the November 6, 2023, *Ruling Setting Aside Submission of the Record to Seek Comments on Aspects of the NBVT Proposal* (November 6 Ruling). This ruling further confirms that the due date for opening responses to the November 6 Ruling is November 27, 2023.

On November 10, 2023, SDG&E emailed the Administrative Law Judges and the service list of Application (A.) 22-05-022 et al. to request a one-week extension of time (from November 27, 2023 to December 4, 2023) to comment on questions contained in the November 6 Ruling. (See email below.) SDG&E stated in that email that “subject matter experts needed to fully respond to the ruling are unavailable due to conflicting deadlines and prior commitments to Thanksgiving holidays.”

While SDG&E’s request is not unreasonable, the request is denied due to the impending statutory deadline of March 31, 2024 for the Commission to (1)

complete an evaluation on the Green Access Program tariffs and (2) determine whether it is beneficial to ratepayers to establish a community renewable energy program (Public Utilities Code Section 769.3(b)). This impending deadline was taken into consideration both in setting aside submission of the proceeding record and in developing the filing schedule for comments and replies. Further, the Thanksgiving Day holiday was also taken into consideration when setting the due dates. Accordingly, SDG&E's request to extend the deadline to file comments on the November 6 Ruling is denied.

SDG&E's request had been denied through a November 15, 2023 email from the assigned Administrative Law Judge to the representative for SDG&E. (See email below.) The Commission Rules of Practice and Procedure, Rule 11.6 permit an email response to an email extension request. The November 15, 2023 email from the Administrative Law Judge, which SDG&E subsequently served to the service list, contained the incorrect filing due date. The incorrect date in the November 15, 2023 email from the Administrative Law Judge has led to party confusion, as indicated by the November 16, 2023 email from Pacific Gas and Electric Company. (See email below.) To any clear such confusion, this email ruling formalizes denial of the SDG&E extension request and confirms that the due date for opening responses to the November 6 Ruling is November 27, 2023.

IT IS SO RULED.

The Docket Office shall formally file this email ruling.

Kelly A. Hymes (she)
Administrative Law Judge
California Public Utilities Commission
kelly.hymes@cpuc.ca.gov

Note: Due to the number of entities on the proceeding service list, this email ruling is being sent in batches.

From: Merlo, Ashley (Law) <Ashley.Merlo@pge.com>
Sent: Thursday, November 16, 2023 11:43 AM
To: Barnes, E. Gregory <GBarnes@sdge.com>; Hymes, Kelly A.

<kelly.hymes@cpuc.ca.gov>

Cc: Barr, Amy <A4B0@pge.com>; Bosco, Anthony S <ABosco@sdge.com>;
AKragArnold@SFWater.org; Hammer, Alana N <ANHammer@sdge.com>;
Alex.Gutierrez@sce.com; Allie@Reimagine-Power.com; Gonzalez, Ana
<AYG3@pge.com>; Ariel@UtilityAdvocates.org; Cragg, Brian
<BCragg@DowneyBrand.com>; Brian Dickman
<bdickman@newgenstrategies.net>; BSmithwood@Dimension-Energy.com;
Ben@Clean-Coalition.org; Blaising@BraunLegal.com; CAlt@ValtaEnergy.com;
CPUCdockets@eq-research.com; Central Files
<CentralFiles@semprautilities.com>; Cesa_Regulatory@StorageAlliance.org;
DWTcpucDockets@dwt.com; Delia_Wahby@redlands.edu;
Derek@CommunitySolarAccess.org; Dhaval Dagli <Dhaval.Dagli@sce.com>;
Dylan@SolarLandscape.com; ELagerquist@caiso.com;
FChoi@CleanPowerAlliance.org; GKay@SFwater.org; Igor@Reimagine-Power.com;
Iles@BraunLegal.com; JArmstrong@seia.org; JHenri@Dimension-Energy.com;
JKim@cbeal.org; Jacob Schlesinger <jschlesinger@keyesfox.com>;
JSqueri@DowneyBrand.com; Jack@renewprop.com; James@UtilityAdvocates.org;
JessicaJandura@dwt.com; Jin@Decodees.com; Joe.Cox@sce.com;
Joe@JFWiedman.com; Kate@Calssa.org; Piro, Kelsey <Kelsey.Piro@pge.com>;
L7SH@pge.com; LFykes@KeyesFox.com; Watts, Leah N <LWatts1@sdge.com>;
McKenna, Lilly B. <lilly.mckenna@stoel.com>; Borgeson, Merrian
<mborgeson@nrdc.org>; MDJoseph@AdamsBroadwell.com;
MRutherford@PeninsulaCleanEnergy.com; Somerville, Michelle
<MSomerville@sdge.com>; Chiv, Debbie <Debbie.Chiv@cpuc.ca.gov>

Subject: [EXTERNAL] RE: GAP applications - A.22-05-022 et al. - Ruling denying motion for extension of time to comment on NBVT questions per 11/6 ALJ ruling

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Dear Judge Hymes,

We write to seek clarification of Your Honor's email ruling regarding the deadline for submission of opening comments on the November 6, 2023 Ruling. Your email ruling below states that the "December 4, 2023 due date for the opening comments took into consideration the Thanksgiving Day holiday," however, the

deadline set forth in the November 6 Ruling set a submission deadline of November 27. Would you please clarify whether the deadline for opening comments is December 4 or November 27?

Thank you,

Ashley E. Merlo | Senior Counsel, Law (Strategy & Policy)
Pacific Gas and Electric Company
925-200-5819 cell | ashley.merlo@pge.com

From: Barnes, E. Gregory <GBarnes@sdge.com>
Sent: Wednesday, November 15, 2023 4:52 PM
To: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>
Cc: Barr, Amy <A4B0@pge.com>; Bosco, Anthony S <ABosco@sdge.com>;
AKragArnold@SFWater.org; Hammer, Alana N <ANHammer@sdge.com>;
Alex.Gutierrez@sce.com; Allie@Reimagine-Power.com; Gonzalez, Ana
<Ana.Gonzalez@pge.com>; Ariel@UtilityAdvocates.org; Merlo, Ashley (Law)
<Ashley.Merlo@pge.com>; Cragg, Brian <BCragg@DowneyBrand.com>; Brian
Dickman <bdickman@newgenstrategies.net>; BSmithwood@Dimension-Energy.com;
Ben@Clean-Coalition.org; Blaising@BraunLegal.com;
CAlt@ValtaEnergy.com; CPUCdockets@eq-research.com; Central Files
<CentralFiles@semprautilities.com>; Cesa_Regulatory@StorageAlliance.org;
DWTcpucDockets@dwt.com; Delia_Wahby@redlands.edu;
Derek@CommunitySolarAccess.org; Dhaval Dagli <Dhaval.Dagli@sce.com>;
Dylan@SolarLandscape.com; ELagerquist@caiso.com;
FChoi@CleanPowerAlliance.org; Barnes, E. Gregory <GBarnes@sdge.com>;
GKay@SFwater.org; Igor@Reimagine-Power.com; Iles@BraunLegal.com;
JArmstrong@seia.org; JHenri@Dimension-Energy.com; JKim@cbeal.org; Jacob
Schlesinger <jschlesinger@keyesfox.com>; JSqueri@DowneyBrand.com;
Jack@renewprop.com; James@UtilityAdvocates.org; JessicaJandura@dwt.com;
Jin@Decodees.com; Joe.Cox@sce.com; Joe@JFWiedman.com; Kate@Calssa.org;
Piro, Kelsey <Kelsey.Piro@pge.com>; L7SH@pge.com; LFykes@KeyesFox.com;
Watts, Leah N <LWatts1@sdge.com>; McKenna, Lilly B.
<lilly.mckenna@stoel.com>; Borgeson, Merrian <mborgeson@nrdc.org>;
MDJoseph@AdamsBroadwell.com; MRutherford@PeninsulaCleanEnergy.com;
Somerville, Michelle <MSomerville@sdge.com>; Chiv, Debbie
<Debbie.Chiv@cpuc.ca.gov>

Subject: RE: GAP applications - A.22-05-022 et al. - Ruling denying motion for extension of time to comment on NBVT questions per 11/6 ALJ ruling

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Thank you, your Honor. I hereby copy your ruling on the service list .

Greg Barnes

Attorney for SDG&E

858-654-1583

gbarnes@sdge.com

cc: Service list A.22-05-022 et al.

From: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>

Sent: Wednesday, November 15, 2023 4:39 PM

To: Barnes, E. Gregory <GBarnes@sdge.com>

Cc: Chiv, Debbie <Debbie.Chiv@cpuc.ca.gov>

Subject: RE: [EXTERNAL] GAP applications - A.22-05-022 et al. - Motion for Extension of time to comment on NBVT questions per 11/6 ALJ ruling

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Mr. Barnes,

Pursuant to Commission Rules of Practice and Procedure, Rule 11.6, this email responds to the email below from San Diego Gas and Electric Company (SDG&E) requesting a one-week extension of time to file comments on the November 6, 2023, *Ruling Setting Aside Submission of the Record to Seek Comments on Aspects of the NBVT Proposal*. While SDG&E's request is not unreasonable, the request is denied due to the impending statutory deadline of March 31, 2023 for the Commission to

(1) complete an evaluation on the Green Access Program tariffs and (2) determine whether it is beneficial to ratepayers to establish a community renewable energy program (*see* Public Utilities Code Section 769.3(b)). This impending deadline was taken into consideration both in setting aside submission of the proceeding record and in developing the filing schedule for comments and replies. Additionally, the December 4, 2023 due date for the opening comments took into consideration the Thanksgiving Day holiday.

A copy of this email will be placed in the correspondence file for this proceeding (A.22-05-022 et al.).

Kelly A. Hymes (she)
Administrative Law Judge
California Public Utilities Commission
kelly.hymes@cpuc.ca.gov

From: Barnes, E. Gregory <GBarnes@sdge.com>
Sent: Friday, November 10, 2023 5:31 PM
To: Hymes, Kelly A. <kelly.hymes@cpuc.ca.gov>; Chiv, Debbie <Debbie.Chiv@cpuc.ca.gov>
Cc: A4B0@pge.com; Bosco, Anthony S <ABosco@sdge.com>; AKragArnold@SFWater.org; Hammer, Alana N <ANHammer@sdge.com>; Alex.Gutierrez@sce.com; Allie@Reimagine-Power.com; Ana.Gonzalez@pge.com; Ariel@UtilityAdvocates.org; Ashley.Merlo@pge.com; BCragg@DowneyBrand.com; Brian Dickman <bdickman@newgenstrategies.net>; BSmithwood@Dimension-Energy.com; Ben@Clean-Coalition.org; Blaising@BraunLegal.com; CAlt@ValtaEnergy.com; CPUCdockets@eq-research.com; Central Files <CentralFiles@semprautilities.com>; Cesa_Regulatory@StorageAlliance.org; DWTcpucDockets@dwt.com; Delia_Wahby@redlands.edu; Derek@CommunitySolarAccess.org; Dhaval.Dagli@sce.com; Dylan@SolarLandscape.com; ELagerquist@caiso.com; FChoi@CleanPowerAlliance.org; Barnes, E. Gregory <GBarnes@sdge.com>; GKay@SFwater.org; Igor@Reimagine-Power.com; Iles@BraunLegal.com; JArmstrong@seia.org; JHenri@Dimension-Energy.com; JKim@cbeal.org; Jacob Schlesinger <j Schlesinger@keyesfox.com>; JSqueri@DowneyBrand.com;

Jack@renewprop.com; James@UtilityAdvocates.org; JessicaJandura@dwt.com;
Jin@Decodees.com; Joe.Cox@sce.com; Joe@JFWiedman.com; Kate@Calssa.org;
Kelsey.Piro@pge.com; L7SH@pge.com; LFykes@KeyesFox.com; Watts, Leah N
<LWatts1@sdge.com>; McKenna, Lilly B. <lilly.mckenna@stoel.com>; Borgeson,
Merrian <mborgeson@nrdc.org>; MDJoseph@AdamsBroadwell.com;
MRutherford@PeninsulaCleanEnergy.com; Somerville, Michelle
<MSomerville@sdge.com>

Subject: [EXTERNAL] GAP applications - A.22-05-022 et al. - Motion for
Extension of time to comment on NBVT questions per 11/6 ALJ ruling

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unless you recognize the sender and know the content is safe.

Dear ALJ Hymes and ALJ Chiv,

Pursuant to Commission Rule 11.6, San Diego Gas and Electric Company requests
a 1-week extension of the deadlines set in your *Ruling Setting Aside Submission of
the Record to Seek Comments on Aspects of the NBVT Proposal* issued November 6,
2023. If granted, this request would change the due dates as follows: Monday,
December 4 for comments; and Thursday, **December 14** for reply comments.

SDG&E makes this request because subject matter experts needed to fully
respond to the ruling are unavailable due to conflicting deadlines and prior
commitments to Thanksgiving holidays.

As required by Rule 11.6, SDG&E contacted the other parties to the proceeding to
seek their support for the extension request. The results are as follows:

- The following parties support the request: Southern California Edison,
Pacific Gas & Electric; The Utility Reform Network, Coalition of California
Utility Employees, the Joint CCAs, and Center for Biological Diversity.
- The following parties do not object to the request: Coalition for
Community Solar Access, Solar Energy Industries Association, and Cypress
Creek.
- No party opposed the extension.

Thank you for your consideration of this motion.

Greg Barnes

Attorney for SDG&E

858-654-1583

gbarnes@sdge.com

cc: Service list

From: Barnes, E. Gregory

Sent: Thursday, November 9, 2023 1:22 PM

To: Merlo, Ashley (Law) <AHMW@pge.com>; Jeanne Armstrong <jarmstrong@seia.org>; SahmSahm@umich.edu; BSmithwood@Dimension-Energy.com; Regulatory@HuaNani.com; awilson@biologicaldiversity.org; Rebecca.Meiers.DePastino@SCE.com; Ty@TosdalAPC.com; Rachael E. Koss <rkoss@adamsbroadwell.com>; jo2@cpuc.ca.gov; william.rostov@sfcityatty.org; Matthew Freedman <matthew@turn.org>; Ariel@UtilityAdvocates.org; Borgeson, Merrian <mborgeson@nrdc.org>; Tim Lindl <tlindl@keyesfox.com>; JSqueri@DowneyBrand.com; VidhyaPrabhakaran@dwt.com; SChurchill@SolarLandscape.com; sdoyle@votesolar.org; JKim@cbeal.org; Joe@JFWiedman.com; lles@BraunLegal.com; Ben@Clean-Coalition.org
Subject: RE: GAP applications - A.22-05-022 et al. - Poll - Request for Extension of time to comment on NBVT question per 11/6 ALJ ruling

Note error **below**. Please respond by 2 pm tomorrow, November 10.

From: Barnes, E. Gregory

Sent: Thursday, November 9, 2023 1:18 PM

To: Merlo, Ashley (Law) <AHMW@pge.com>; Jeanne Armstrong <jarmstrong@seia.org>; SahmSahm@umich.edu; BSmithwood@Dimension-Energy.com; Regulatory@HuaNani.com; awilson@biologicaldiversity.org; Rebecca.Meiers.DePastino@SCE.com; Ty@TosdalAPC.com; Rachael E. Koss <rkoss@adamsbroadwell.com>; jo2@cpuc.ca.gov; william.rostov@sfcityatty.org; Matthew Freedman <matthew@turn.org>; Ariel@UtilityAdvocates.org; Borgeson, Merrian <mborgeson@nrdc.org>; Tim Lindl <tlindl@keyesfox.com>; JSqueri@DowneyBrand.com; VidhyaPrabhakaran@dwt.com;

A.22-05-022 et al. ALJ/KHY/fzs

SChurchill@SolarLandscape.com; sdoyle@votesolar.org; JKim@cbecal.org;
Joe@JFWiedman.com; lles@BraunLegal.com; Ben@Clean-Coalition.org

Subject: GAP applications - A.22-05-022 et al. - Poll - Request for Extension of time to comment on NBVT question per 11/6 ALJ ruling

Active Parties to A.22-05-022, A.22-05-023, and A.22-05-024:

In light of the Thanksgiving holiday and the unavailability of SMEs needed to comment in response, SDG&E intends to request a 1-week extension of the deadlines set in the ALJs' *Ruling Setting Aside Submission of the Record to Seek Comments on Aspects of the NBVT Proposal* issued November 6, 2023. If granted, this request would change the due dates as follows: Monday, **December 4** for comments; and Thursday, **December 14** for reply comments. Per CPUC Rule 11.6, please respond to this email by 2pm tomorrow, **April 12, 2023**, indicating whether you support, do not object to, or oppose this proposed change to the procedural schedule.

Thank you,

Greg Barnes

Attorney for SDG&E

858-654-1583

gbarnes@sdge.com