

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA



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ADMINISTRATIVE LAW JUDGE ELAINE LAU, presiding

Order Instituting Rulemaking to) EVIDENTIARY
Consider Distributed Energy Resource) HEARING
Program Cost-Effectiveness Issues,)
Data Access and Use, and Equipment) Rulemaking
Performance Standards.) 22-11-013
)

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VIRTUAL PROCEEDING

JANUARY 24, 2024 - 10:10 a.m.

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ADMINISTRATIVE LAW JUDGE LAU: Let's go on record.

The Commission will come to order. This is day two of the evidentiary hearing in Order Instituting Rulemaking R.22-11-013 to Consider Distributed Energy Resource, DER, Program Cost Effectiveness Issues, Data Access and Use, and Equipment Performance Standards. For this evidentiary hearing, we are examining the facts related to the 2024 Avoided Cost Calculator, ACC, update.

Good morning. I am Administrative Law Judge, ALJ, Elaine Lau and the presiding officer of this proceeding. The assigned officer is Commissioner Darcie Houck, but she will not be joining us.

We are resuming cross-examinations, and today we have on schedule the cross-examination of Mr. Paul Worhach from Cal Advocates, or Public Advocates Office. We also have on stage here Mr. Gautam Dutta, attorney for Public Advocates Office.

So on the screen is the set of witness attestations that I've circulated earlier, and they were attached as part of a ruling that was issued earlier.

1 Mr. Worhach, can you please introduce yourself.

2 THE WITNESS: Good morning, your Honor. I'm
3 Paul Worhach from the Public Advocates Office.

4 ALJ LAU: Do you see the set of witness
5 attestations projected on the screen?

6 THE WITNESS: Yes, I do.

7 ALJ LAU: Have you had the opportunity to
8 review these attestations?

9 THE WITNESS: Yes, I have.

10 ALJ LAU: And do you agree to abide by them?

11 THE WITNESS: Yes, I do.

12 ALJ LAU: Thank you, Mr. Worhach.

13 Mr. Dutta, you may proceed with your direct
14 examination.

15 MR. DUTTA: Thank you, your Honor.

16 PAUL WORHACH,

17 called as a witness by Cal Advocates,

18 having attested, testified as follows:

19 DIRECT EXAMINATION

20 BY MR. DUTTA:

21 Q Good morning, Mr. Worhach. Can you please
22 state your current position with Cal Advocates.

23 A I am an analyst with the Public Advocates
24 Office.

25 Q Do you have with you today the document that

1 has been marked for identification as Exhibit CA-01?

2 A Yes, I do.

3 Q And that is a document that's been labeled
4 "Opening Testimony of the Public Advocates Office";
5 correct?

6 A That's correct.

7 Q Is this the prepared testimony -- I'm sorry.
8 And is this document familiar to you?

9 A Yes, it is.

10 Q And do you sponsor the testimony in that
11 document in its entirety?

12 A I sponsor a portion of the testimony in that
13 document.

14 Q Okay. A portion. And what parts of the
15 document are you the witness for?

16 A I am the witness for sections 3.B and 3.C.

17 Q Okay. Was the testimony in those sections
18 prepared by you or under your direction?

19 A Yes, it was.

20 Q Do you have any changes or corrections to
21 Exhibit CA-01?

22 A No, I do not.

23 Q Do you adopt CA-01 as your sworn testimony in
24 this proceeding?

25 A Yes.

1 Q To the best of your knowledge, are the
2 statements and information presented in CA-01 true and
3 correct?

4 A Yes.

5 Q And to the extent that you made statements in
6 the nature of judgments in this testimony, do those
7 represent your best professional judgment?

8 A Yes.

9 Q Thank you. Okay. So now we're going to go
10 to -- and just so that your Honor knows, there are four
11 pieces of -- four items that we're going to go through,
12 so this was the first one. Okay.

13 Mr. Worhach, do you have with you today the
14 document that has been marked for identification as
15 CA-01-E?

16 A Yes, I do.

17 Q And is this a document that's been labeled as
18 "Errata to Opening Testimony" of the Public Advocates
19 Office?

20 A Yes.

21 Q Okay. And is this document familiar to you?

22 A Yes, it is.

23 Q Do you sponsor the testimony in that document
24 in its entirety?

25 A Yes.

1 Q Was the testimony in the errata, in that
2 document, prepared by you or under your direction?

3 A Yes.

4 Q Do you have any changes or corrections to the
5 document; that is, document CA-01-E?

6 A No.

7 Q Do you adopt CA-01-E as your sworn testimony in
8 this proceeding?

9 A Yes.

10 Q To the best of your knowledge, are the
11 statements and information presented in this testimony
12 true and correct?

13 A Yes.

14 Q And to the extent that you made just statements
15 in the nature of judgments in this testimony, do you
16 represent your -- do those represent your best
17 professional judgment?

18 A Yes.

19 Q Okay. Now I'd like to turn to our third
20 document. So, Mr. Worhach, do you have with you today
21 the document that has been marked as CA-02?

22 A Yes, I do.

23 Q And that document has been labeled "Supporting
24 Attachments to the Opening Testimony of the Public
25 Advocates Office"; is that correct?

1 A Yes.

2 Q And is this document familiar to you?

3 A Yes.

4 Q Do you sponsor this testimony in its entirety?

5 A I sponsor portions of the testimony.

6 Q Okay. And which portions of the exhibit are
7 you the witness for?

8 A Sections A.4.

9 Q Uh-huh.

10 A A.5, A.6.

11 Q Uh-huh.

12 A And that completes the sections that I've
13 sponsored.

14 Q Okay. Was the testimony in those sections
15 prepared by you or under your direction?

16 A Yes, to the extent that they were included as
17 source documents, but they were prepared by other
18 agencies and sources.

19 Q And do you have any changes or corrections to
20 CA-02?

21 A No.

22 Q Do you adopt CA-02 as your sworn testimony in
23 this proceeding?

24 A Yes.

25 Q To the best of your knowledge, are the

1 statements and information presented in this testimony
2 true and correct?

3 A Yes.

4 Q And to the extent that you made statements in
5 the nature of judgments in this testimony, do those
6 represent your best professional judgment?

7 A Yes.

8 Q Thank you. Now let's move to our last
9 document. Mr. Worhach, do you have with you today the
10 document that has been marked as Exhibit CA-03?

11 A (No audible response.)

12 Q Okay. That was a "yes"; correct?

13 A Yes, correct.

14 Q And that's a document that has been marked as
15 "Rebuttal Testimony" of the Public Advocates Office; is
16 that correct?

17 A That is correct.

18 Q Is this document familiar to you?

19 A Yes, it is.

20 Q And did you sponsor this testimony in its
21 entirety?

22 A I sponsored portions of this testimony.

23 Q And which portions did you sponsor? Which
24 portions of this exhibit did you sponsor and were you
25 the witness for?

1 A I sponsored sections 3.A and 3.D.

2 Q Any other sections --

3 (Crosstalk.)

4 THE WITNESS: Section -- I'm -- no, that's
5 incorrect. And 4.A. Sorry.

6 BY MR. DUTTA:

7 Q Okay. For the clarity of the record --

8 (Crosstalk.)

9 THE WITNESS: 5 -- 5.A.

10 BY MR. DUTTA:

11 Q Okay. For the clarity of the record, could you
12 restate it, please.

13 A So I sponsored sections 3.A and 5.A.

14 Q 3.A and 5.A; correct?

15 A Yes. Correct.

16 Q Okay. Was the testimony in those sections
17 prepared by you or under your direction?

18 A Yes.

19 Q Do you have any changes or corrections to
20 Exhibit CA-03?

21 A No.

22 Q Do you adopt CA-03 as your sworn testimony in
23 this proceeding?

24 A Yes.

25 Q To the best of your knowledge, are the

1 statements and information presented in this testimony
2 true and correct?

3 A Yes.

4 Q And to the extent you made statements in the
5 nature of judgments in this testimony, do those
6 represent your best professional judgment?

7 A Yes.

8 MR. DUTTA: Your Honor, the witness is
9 available for cross-examination.

10 ALJ LAU: Thank you, Mr. Dutta.

11 Can we have on the stage Ms. Jeanne Armstrong
12 from Solar -- SEIA. And I'm sure she will, when she
13 introduces herself, explain what SEIA is.

14 Ms. Armstrong, can you introduce yourself and
15 the party you're representing, and then you may begin
16 your cross after that.

17 MS. ARMSTRONG: Yes. I'm Jeanne Armstrong with
18 the Solar Energy Industries Association.

19 CROSS-EXAMINATION

20 BY MS. ARMSTRONG:

21 Q Good morning, Mr. Worhach. Just a handful of
22 questions for you this morning. If you could look at
23 page 1-15 of Exhibit CA-1.

24 A Yes, I'm there.

25 Q Okay. And this part of your testimony you're

1 discussing the interdependence between the IEPR forecast
2 and DERs and the ACC. Are you generally familiar with
3 the Commission's IRP process that's running in parallel
4 with this ACC process?

5 A Yes, I am generally familiar with the
6 Integrated Resources Planning process.

7 Q And at the end of line 11 of that page, 1-15,
8 when you reference the IEPR DER forecast, do you mean
9 the forecast of DER adoption that's being used in the
10 IRP modeling in order to develop the ACC?

11 MR. DUTTA: Objection. Just for the sake of
12 clarity, if counsel could read that sentence or ask that
13 witness to read that sentence, that would help for the
14 record.

15 MS. ARMSTRONG: I'm not asking about the
16 sentence. I'm asking about the reference to the IEPR
17 DER forecast. I'm asking is that the forecast of DER
18 adoption that is being used in the IRP modeling, which
19 is then used to develop the ACC.

20 ALJ LAU: I think for clarity it's okay to have
21 the witness, Mr. Worhach, to read lines -- I believe
22 we're kind of referring to the sentence starting on
23 line 11, the IRP uses the IEPR forecast.

24 MS. ARMSTRONG: Right.

25 ALJ LAU: Yeah. Mr. Worhach, do you mind

1 reading that sentence.

2 THE WITNESS: Yes, I will.

3 The Integrated Resources Planning process
4 uses the Integrated Energy Policy Report
5 Distributed Energy Resource forecast to fix
6 the quantity of DERs in the Preferred
7 System Plan, rather than optimizing the
8 selection of DERs for cost, reliability, or
9 emissions reductions.

10 BY MS. ARMSTRONG:

11 Q And so is -- and so my question was, with
12 respect to the IEPR DER forecast, is that the forecast
13 used in the IRP, I-R-P, modeling, which is then used to
14 develop the ACC?]

15 A In the integrated resources planning
16 proceeding, the -- the -- the California Energy
17 Commission's Integrated Energy Policy Report forecast
18 for behind-the-meter resources, distributed energy
19 resources, is used within the integrated resources
20 planning modeling to develop the -- the preferred system
21 plan, Preferred System Portfolio, that's used in the --
22 the integrated resources planning proceeding and
23 resource planning, yes.

24 Q And does that same modeling then feed into the
25 ACC process?

1 A By way of the adopted preferred system plan
2 that indicates the -- the level of resources that are --
3 are -- exist and are procured for the Preferred System
4 Portfolio.

5 Q Okay. Are you aware that in the current IRP
6 docket the Commission has issued a proposed decision
7 proposing a new Preferred System Portfolio?

8 MR. DUTTA: I'd just lodge an objection here,
9 because a preferred decision -- a proposed decision is
10 not a final one, and -- and so there's no -- there -- it
11 lacks foundation, at this juncture, to ask about a
12 proposed decision when it's not the final Commission
13 decision.

14 MS. ARMSTRONG: I'm just merely asking if he's
15 aware of it.

16 ALJ LAU: Right.

17 MS. ARMSTRONG: Not any details about it.

18 ALJ LAU: Yeah. I -- I would overrule that.

19 THE WITNESS: Yes, I am aware that a proposed
20 decision has been issued in the integrated resources
21 planning proceeding proposing to adopt a Preferred
22 System Portfolio. Yes.

23 BY MS. ARMSTRONG:

24 Q And am I correct that in this proceeding, in
25 the ACC proceeding, that Cal Advocates is recommending

1 the use of the base portfolio system portfolio to
2 develop the 2024 ACC?

3 A Can you please provide reference to testimony
4 before we -- we make that --

5 Q To the best of your knowledge, do you know if
6 Cal Advocates is advocating the use of the base PSP
7 portfolio to develop the 2024 ACC?

8 MR. DUTTA: Your Honor, I'll -- I'll object to
9 the extent -- on the ground of relevance. It has to be
10 within the scope -- and rather, it has to be within the
11 scope of the testimony of the witness; so if -- if
12 counsel can direct us to the relevant part of his
13 testimony.

14 MS. ARMSTRONG: He is talking about the
15 interdependence between the IRP -- the use of the IEPR
16 forecast in the --

17 ALJ LAU: And counsel --

18 MS. ARMSTRONG: -- in the IRP and the ARC --
19 ACC. He's talking about the interdependence of the two
20 proceedings. I think it's totally relevant.

21 ALJ LAU: I understand, Ms. Armstrong. But,
22 you need to -- to help the witness. Can you point to
23 anywhere in his testimony to establish foundation for
24 him? And we can go off the record for you to kind of
25 take a look.

1 MS. ARMSTRONG: No, I'll move on. This -- this
2 just shows -- goes to the credibility of the witness.

3 Q I'm going to ask another question dealing with
4 the IEPR DER forecast that you reference several times
5 in your testimony.

6 Would you agree that the modeling for the 2024
7 PSP uses the CEC's 2022 IEPR demand forecast?

8 MR. DUTTA: Again, if -- if counsel could refer
9 to a portion of the testimony where the witness is
10 discussing this topic.

11 ALJ LAU: I agree with Mr. Dutta that you --

12 MS. ARMSTRONG: I can point to several
13 references to this forecast and its use in his
14 testimony.

15 MR. DUTTA: Okay.

16 (Crosstalk.)

17 ALJ LAU: That is fine.

18 MS. ARMSTRONG: The --

19 (Reporter clarification.)

20 ALJ LAU: Let's go off the record.

21 (Off the record.)

22 ALJ LAU: Let's go back on record.

23 Ms. Armstrong, can you restate your question?

24 BY MS. ARMSTRONG:

25 Q Well, first, I would like for the record to

1 reference the -- your testimony, as you've asked, where
2 you -- where you talk about the IEPR DER forecast.

3 At line 11, page 1-15, you say the IRP uses the
4 IEPER (sic) DER forecast to fix the quantity of DERs in
5 the PSP, and at line 15 you say the IEPR DER forecast
6 sets an upper limit on the quantity of
7 in-front-of-the-meter resources that can be selected in
8 the IRP to minimize costs. So -- and there's -- there's
9 another -- references, but I'll just cite you to those
10 two, for now.

11 So my question was: Are you aware that the
12 2024 PSP, the -- uses the 2022 IEPER -- I'm sorry, IEPR
13 demand forecast?

14 A The proposed Preferred System Portfolio in the
15 proposed decision for the 2023 IRP planning process
16 uses, to the best of my understanding, the DER,
17 distributed energy resource, forecast from the
18 California Energy -- Energy Commission that is available
19 at the time during which the modeling work is performed.

20 Q Okay. And for this current cycle of the IRP,
21 do you know what that -- what that forecast was? Was
22 it -- was it the 2022 IEPR demand forecast that was used
23 in the modeling?

24 A I believe that's the forecast --

25 MR. DUTTA: Compound question. Objection; just

1 compound question.

2 ALJ LAU: Can you restate your --

3 BY MS. ARMSTRONG:

4 Q Mr. Worhach, you said that the -- that they
5 used, for the modeling, the version of the CEC IEPR
6 demand forecast that's available at the time they did
7 the modeling.

8 My question is: For the modeling that was done
9 for preparation of the 2023 PSP, was the 2022 IEP --
10 IEPR demand forecast used?

11 A Yes, I believe the -- that is the forecast that
12 was available when the modeling was --

13 Q Okay.

14 A -- was --

15 (Crosstalk.)

16 MS. ARMSTRONG: Thank you.

17 MR. DUTTA: Was the witness finished?

18 THE WITNESS: Yes.

19 ALJ LAU: Mr. Worhach?

20 THE WITNESS: Yes, I'm finished.

21 BY MS. ARMSTRONG:

22 Q At line -- at line 9 on that -- at the end of
23 line 9 on that same page of 1-15, you say the 2023 IEPR
24 forecast has recently been updated to include impacts of
25 the Net Billing Tariff on the adoption of

1 behind-the-meter solar and storage in the IEPER (sic)
2 DER forecast. And you -- there's a footnote there that
3 references -- footnote 55 that refers -- references
4 Exhibit A -- A-7 contained in -- in CE -- Cal exhibit --
5 Cal Advocates Exhibit 03.

6 I notice when you were going through the
7 exhibits that you sponsor with your attorney, you didn't
8 mention Exhibit A-7. Are you, in fact, sponsoring that
9 exhibit?

10 A Yes, I am. That was an omission on my part.

11 Q Okay. And so this exhibit is the -- the 2023
12 IEPR forecast. And -- and we have just established,
13 have we not, that the 2023 IEPER (sic) forecast was not
14 used in the latest modeling of the PSP. Is that
15 correct?

16 MR. DUTTA: Objection; facts in the premise are
17 not established.

18 MS. ARMSTRONG: Well, I do believe that
19 Mr. Worhach said that the 2022 IEPR forecast was used in
20 the modeling of the most recent PSP.

21 Q Is that -- am I understanding you correctly,
22 Mr. Worhach?

23 ALJ LAU: Yeah. I'm going to over --

24 (Crosstalk.)

25 ALJ LAU: I'm going to overrule that objection,

1 and have Mr. Worhach answer that question.

2 BY MS. ARMSTRONG:

3 Q So -- so let me -- okay. So let me just
4 rephrase the question.

5 Given the fact that the 2022 IEPER (sic)
6 forecast was used in the latest "P" -- PSP, would you
7 agree that the 2024 ACC will not reflect the impacts of
8 the Net Billing Tariff on the adoption of
9 behind-the-meter solar and storage?

10 A To the extent that the 2023 California Energy
11 Commission Integrated Energy Policy Report forecast for
12 BTM resources was not available at the time that the
13 preferred system planning modeling was being performed,
14 those forecasts would reflect the 2022 forecast, as --
15 as -- yeah.

16 Q So they would not reflect the impact of the Net
17 Billing Tariff on the adoption of behind-the-meter solar
18 and storage. Is that correct?

19 MR. DUTTA: Objection; just -- if counsel could
20 clarify what she means by they, just if the -- you know,
21 if she could rephrase the question.

22 MS. ARMSTRONG: I'm referring back to the
23 answer that the witness just gave. I'm trying to
24 confirm whether the 2022 IEPER (sic) forecast includes
25 the impacts of the Net Billing Tariff on the adoption of

1 solar plus storage.

2 MR. DUTTA: And also, the -- the phrase, net --
3 impacts on the Net Billing Tariff -- that's rather
4 general, if counsel could --

5 MS. ARMSTRONG: Well, that's used in his
6 testimony on -- at line 10. So I'm just citing his
7 testimony, line 10, page 1-15.

8 THE WITNESS: Yes. Given that, as I stated,
9 it's a recent update, so it -- the -- the 2023 BTM
10 forecast from the CEC has not been incorporated into IRP
11 planning, that's correct.

12 BY MS. ARMSTRONG:

13 Q And therefore, it would not be reflected in the
14 2024 ACC. Correct?

15 (Line muted.)

16 MR. DUTTA: Mr. Worhach, I don't think we could
17 hear you.

18 THE WITNESS: That is correct.

19 BY MS. ARMSTRONG:

20 Q Thank you. Do you have a copy of SEIA Exhibit
21 05?

22 It was served over a week ago, and it was
23 reflected on the exhibit that it was going to be used in
24 your cross-examination.

25 MR. DUTTA: And, your Honor, before -- before

1 counsel begins her questions on that exhibit, we do have
2 objections to that entire exhibit, SEIA-05, on the basis
3 of four- --

4 MS. ARMSTRONG: You know what? I'm going to --
5 I'm going to stop there. I can -- I can go on without
6 the exhibit. I don't need the exhibit. So I'll just
7 ask the questions without the exhibit. So I can pull
8 that exhibit from the exhibit list, your Honor.

9 ALJ LAU: Okay. But -- all right.

10 MS. ARMSTRONG: I don't -- I -- I -- it's fine.
11 I can ask the questions without it.

12 ALJ LAU: Okay. But, you may not be able to
13 establish foundation, if you can't ask questions --

14 MS. ARMSTRONG: No, I -- I understand. I
15 understand. But, I -- I -- I understand what it's --
16 the counsel's going, and I can imagine that the -- the
17 answers the witness will give me, if I try to use the
18 exhibit. So I will ask questions related to the topic
19 of the exhibit, but not on the exhibit itself.

20 ALJ LAU: Okay. We can try that. And if we
21 need to refer to the exhibit, we -- as I said, we'll
22 take motions for entering that into evidence later, like
23 on Thursday; but, you know, we'll -- we'll try to go
24 without it first.

25 MS. ARMSTRONG: Okay.

1 Q Mr. Worhach, you are sponsoring Exhibit A-7,
2 which is the CEC's 2023 forecast, IEPR forecast,
3 reflecting the impacts of the -- of the Net Billing
4 Tariff.

5 Have you -- do you -- have you had a chance
6 to -- to review that -- that exhibit, and specifically,
7 what they represent as the impacts on the Net Billing
8 Tariff?]

9 MR. DUTTA: Objection.

10 BY MS. ARMSTRONG:

11 Q I'm sorry. Let me rephrase the question.

12 In your sponsoring of the Exhibit A-7, what --
13 what has the CEC represented as the impact on the IEPR
14 DER forecast of the Net Billing Tariff?

15 MR. DUTTA: Objection to the extent that it's
16 asking for a legal conclusion from the witness, who is a
17 layperson. I mean, if counsel could just rephrase the
18 question?

19 MS. ARMSTRONG: It's not a legal conclusion.

20 He is sponsoring --

21 ALJ LAU: Okay.

22 MS. ARMSTRONG: I'm sorry. I'm trying to
23 respond to the objection.

24 ALJ LAU: I'm going to overrule the objection.
25 I just want Mr. Worhach to speak from his professional

1 experience. What is his impression of the report?

2 BY MS. ARMSTRONG:

3 Q Mr. Worhach, I'm particularly focussing on the
4 impact of the Net Billing Tariff on the IEPR DER
5 forecast. In your professional judgment, what has the
6 CEC represented as being that impact? What percentage
7 decline? What -- what impact?

8 MR. DUTTA: Objection. It's a compound
9 question. It's also vague -- unclear. If counsel could
10 rephrase it?

11 ALJ LAU: Yeah. Counsel, can you rephrase your
12 question as to --

13 BY MS. ARMSTRONG:

14 Q What percentage decline of DER did the CEC
15 determine would occur as the result of the Net Billing
16 Tariff?

17 MR. DUTTA: Again, just -- just object. Just
18 an objection on the basis of clarity. If counsel could
19 just clarify? You know, she's asking a question, but if
20 she could reference the -- what part of the document
21 that she's referring to?

22 ALJ LAU: Counsel, it would help the witness if
23 you refer to the document.

24 BY MS. ARMSTRONG:

25 Q Okay. Well, it's in Exhibit A-7, which is at

1 the -- it's at the very end of Cal Advocates'

2 Exhibit 03. And there is -- I'm sorry. I'm looking at

3 the wrong document.

4 ALJ LAU: Let's go off --

5 MS. ARMSTRONG: I'm sorry. CA-02. It's at the

6 very end of Cal Advocates' Exhibit CA-02. I apologize.

7 ALJ LAU: Let's go off the record.

8 (Off the record.)

9 ALJ LAU: So let's go back on record.

10 Mr. Worhach, the question presented to you
11 is -- there's a sentence on line 11, "The IRP uses the
12 IEPR DER forecast to fix the quantity of DERs in the
13 PSP, rather an optimizing the selection of DERs for
14 cost, reliability, or emissions reductions." And
15 there's a footnote 56, which -- there's a Footnote 56,
16 and also there's a footnote 55. Footnote 55 --
17 actually, the sentence for footnote -- let's scratch
18 that. Let me ask a question.

19 That footnote 55 refers to Exhibit A-7,
20 Behind-the-Meter Distributed Generation Forecast
21 Updates. And the sentence that precedes that footnote
22 is "The 2023 IEPR forecast has been recently updated to
23 include impacts of the NBT, Net Billing Tariff, on the
24 adoption of behind-the-meter solar and storage in the
25 IEPR DER forecast." And for that conclusion, you have

1 referenced Footnote 55, which is Exhibit A-7.

2 What from that Exhibit A-7 -- what from that
3 exhibit -- what facts from that exhibit support your
4 conclusion in this sentence?

5 THE WITNESS: Yeah. Thank you, your Honor. I
6 understand now. And I'm looking for the reference in
7 the report.

8 ALJ LAU: All right. Let's go off the record
9 and let you look.

10 (Off the record.)

11 ALJ LAU: Back on the record.

12 Mr. Worhach?

13 THE WITNESS: Yes. Oh, I'm sorry. Can you
14 please repeat the question?

15 ALJ LAU: Right. The question is on lines 9 to
16 11 of your testimony on page 1-15, the sentence reads
17 "The 2023 IEPR forecast has recently been updated to
18 include impacts of the Net Billing Tariff on the
19 adoption of the behind-the-meter solar and storage in
20 the IEPR DER forecast," which has a reference of
21 footnote 55, referencing Exhibit A-7.

22 What facts or conclusions from that
23 Exhibit A-7, which reads as "Behind-the-Meter
24 Distributed Generation Forecast Updates" from the
25 California Energy Commission -- what facts and

1 conclusions from that exhibit lead you to the conclusion
2 in that sentence?

3 THE WITNESS: Yes. The reference is to a
4 California Energy Commission presentation on updates to
5 the 2023 behind-the-meter forecasts. And I reference to
6 a slide in that presentation that states that the Net
7 Billing Tariff has been -- the forecast has been updated
8 to include the impacts of the Net Billing Tariff.

9 BY MS. ARMSTRONG:

10 Q Thank you. But there's no specificity in that
11 report to exactly what those impacts were?

12 A Not -- not in the reference that I'm citing,
13 no.

14 Q Okay. I'm going to go to another question.

15 At page -- at page -- the same page, 1-15,
16 line 20 -- starting at line 20, you say, "All else
17 equal, higher DER adoption forecasts in the IEPR due to
18 the higher Net Billing Tariff compensation rates would
19 avoid the need to select in-front-of-the-meter resources
20 with relatively higher marginal costs, resulting in
21 lower ACC avoided costs."

22 Instead of rereading this, let me just have you
23 review 1-15, line 20 to 1-16, line 7 where you appear to
24 be discussing how DER adoption forecasts impact the ACC.
25 Can you review that and tell me if that's a correct

1 characterization of that testimony?

2 MR. DUTTA: Objection. If counsel could just
3 rephrase the question?

4 ALJ LAU: I'm just going to overrule it.

5 MS. ARMSTRONG: I'm sorry. This is -- I'm
6 sorry, but there's no objection. I told him what to
7 read -- what sentences to read and asked him if it's a
8 discussion of the DER -- of the -- how the DER adoption
9 forecast impacts the ACC.

10 ALJ LAU: I'm going to overrule the objection.
11 She just merely paraphrased in her opinion what this
12 paragraph means, and Mr. Worhach can either agree with
13 Ms. Armstrong's paraphrase or not.

14 Ms. Armstrong, can you just rephrase it --
15 restate your question for the witness?

16 MS. ARMSTRONG: Yes.

17 Q Mr. Worhach, if you could review page 1-15,
18 line 20 of your testimony through page 1-16, line 7 and
19 tell me in that section, are you discussing how the DER
20 adoption forecast impacts the ACC?

21 A Yes. That is what I'm discussing in that
22 paragraph that you've cited.

23 Q Thank you.

24 If the forecast of DER adoption used in the ACC
25 is too high, then would you agree that the ACC avoided

1 costs and conversely Net Billing Tariff compensation
2 rates will be too low?

3 A I'm sorry. Can you repeat the question?

4 Q Yes. If the forecast of DER adoption used in
5 the ACC is too high, then would you agree that the ACC
6 avoided costs will be too low?

7 MR. DUTTA: Objection to the extent that the
8 reference to NBT is vague.

9 MS. ARMSTRONG: I took the NBT out of the
10 question when I re-asked it. And he is discussing the
11 relationship between the DER adoption forecast and the
12 ACC, so I'm trying to hone in on that.

13 ALJ LAU: I'm going to overrule the objection.

14 Witness, can you just ask to the -- answer to
15 the best of your ability?

16 THE WITNESS: There is an interrelationship
17 between the forecast and the resources selected in the
18 IRP which will impact ACC values, yes.

19 BY MS. ARMSTRONG:

20 Q So -- but my question was if the forecasted DER
21 adoption used in the ACC is too high, would you agree
22 that the ACC avoided costs will be too low?

23 A To the extent that resources are -- are, you
24 know, either selected in the IRP or input as a fixed
25 forecast in the IRP, to the extent that their benefits

1 exceed their costs, that would have an impact on the
2 ACC's values in the direction that you've indicated,
3 yes.]

4 Q The ACC avoided costs will be too low? Is that
5 your response to my question?

6 MR. DUTTA: It's vague and ambiguous as to the
7 word -- as to what counsel means by "too low."

8 ALJ LAU: Counsel, can you just be more clear.
9 Rephrase your question.

10 BY MS. ARMSTRONG:

11 Q If the forecasted DER adoption used in the ACC
12 is higher than it should have been, it's inaccurate,
13 it's too high, it's inaccurate than what turns -- than
14 what the adoption rate turns out to be, would you agree
15 that the ACC avoided cost will be lower than they
16 otherwise would have been if the forecast was accurate?

17 A I would say that the ACC values would be
18 adjusted appropriately to reflect the values of DERs to
19 the system.

20 Q Okay. I'm not getting any answers to the
21 questions, so this is getting very frustrating. Let me
22 go on to another line of questioning. Am I correct that
23 you are proposing caps and floors on future changes to
24 the ACC?

25 MR. DUTTA: Objection. If counsel could point

1 to the section in the witness' testimony she is
2 referring.

3 ALJ LAU: Right --

4 MS. ARMSTRONG: I would think that the witness
5 would know whether he -- I can do that, but I think the
6 witness would know whether he is proposing caps and
7 floors on future changes.

8 ALJ LAU: Right. But I agree with Mr. Dutta
9 that this -- the witness is right to be able to have
10 counsel footnote reference his testimony so that he can
11 address the questions pertaining to his testimony and
12 clarify what in his testimony --

13 BY MS. ARMSTRONG:

14 Q I'm not asking -- I'm just asking that
15 question. Is he -- is -- are you proposing that?
16 That's all I'm asking.

17 ALJ LAU: Right. How about, Mr. Worhach, can
18 you just address the question. Are you proposing --

19 Ms. Armstrong, what is your --

20 BY MR. ARMSTRONG:

21 Q Caps and -- yeah. Caps and floors are changes
22 to the ACC.

23 A We are proposing a range of bound -- upper and
24 lower bounds on inputs to the ACC planning process that
25 would represent a reasonable and likely range of prices

1 that are realized in the market and that would serve as
2 indicators of the benefits and the avoided costs that
3 can be achieved by resource market.

4 Q You know what, I'm going to stop there. I'm
5 not getting response -- I'm going to stop there. Thank
6 you, Mr. Worhach, for your time.

7 ALJ LAU: Mr. Dutta, do you have any redirect
8 for Mr. Worhach?

9 MR. DUTTA: No, your Honor.

10 ALJ LAU: All right. I believe that concludes
11 the cross-examination of Mr. Worhach. Let's go off the
12 record.

13 (Off the record.)

14 ALJ LAU: For the record, we have excused
15 Mr. Paul Worhach from the witness stand, and now we're
16 calling forth Mr. James Ahlstedt. Can we also bring the
17 set of witness attestations on screen.

18 Mr. Ahlstedt, in a moment I'm going to ask you
19 to introduce yourself, and then after you introduce
20 yourself, I will ask if you've read the witness
21 attestations. So, Mr. Ahlstedt, can you introduce
22 yourself and the party you are representing.

23 THE WITNESS: Thank you, your Honor. My name
24 is James Ahlstedt. That is spelled A-h-l-s-t-e-d-t. I
25 am a witness for the Public Advocates Office where I'm

1 employed as a public utilities regulatory analyst five.

2 ALJ LAU: Thank you.

3 THE WITNESS: And I have read the attestation,
4 and I agree to it.

5 ALJ LAU: Okay. All right. That sounds good.
6 So the set of witness attestations for the record was
7 circulated previously and attached in a ruling. Thank
8 you, Mr. Ahlstedt, for spelling your last name, which I
9 forgot to ask you to spell, and thank you for attesting
10 that you agree to the set of witness attestations.

11 Mr. Dutta, you may begin your direct of
12 Mr. Ahlstedt.

13 MR. DUTTA: Thank you, your Honor.

14 JAMES AHLSTEDT,
15 called as a witness by Cal Advocates,
16 having attested, testified as follows:

17 DIRECT EXAMINATION

18 BY MR. DUTTA:

19 Q Good morning, Mr. Ahlstedt. Can you please
20 state your current position.

21 A Yes. I'm a public utilities regulatory
22 analyst five with the Public Advocates Office.

23 Q Do you have with you today the document that
24 has been marked as Exhibit CA-01?

25 A I do.

1 Q And is this a document that has been labeled as
2 "Opening Testimony" of the Public Advocates Office?

3 A It is.

4 Q And is this document familiar to you?

5 A Yes.

6 Q Do you sponsor the testimony in that document
7 in its entirety?

8 A I sponsor portions of the testimony.

9 Q Okay. And what portions of the exhibit are you
10 the witness for?

11 A I am responsible for the portions of the
12 testimony regarding baseline DER forecasts, guiding
13 principles, and on equal access to DER programs.

14 Q Was the testimony in those sections prepared by
15 you or under your direction?

16 A It was.

17 Q Do you have any changes or corrections to make
18 to CA-01?

19 A I do have one edit to a footnote that I found
20 after recently reviewing my testimony again. I think it
21 would be helpful to correct on the record just for
22 clarity. It is on page 2-4 of the opening testimony,
23 which is the 33rd page for those looking at the PDF.

24 Footnote 91 is a reference to Decision
25 20-04-010. There appears to be a typographical error

1 with that citation which I'd like to correct if you'd
2 allow me.

3 Q Okay. Go ahead.

4 A So the footnote includes two quotations from
5 the decision. The second quotation is correct, but the
6 first quotation appears to have been copied incorrectly.
7 So for the record, the first quotation should read:

8 The Avoided Cost Calculator is used to
9 determine the primary benefits of
10 distributed energy resources across
11 Commission proceedings. The primary
12 benefits being the avoided costs related to
13 the provision of electric and natural gas
14 service.

15 End quote. And then the page number is
16 incorrectly listed as page 26. That is actually page 4
17 of the decision.

18 And then the last correction to that citation
19 is the second quotation in that footnote. The page
20 number is actually page 80, not page 37, but the quote
21 itself is correct.

22 Q Are there any other corrections that should be
23 made to this exhibit?

24 A No.

25 Q With the correction that you just mentioned --

1 the set of corrections you just mentioned, do you adopt
2 Exhibit CA-01 as your sworn testimony in this
3 proceeding?

4 A I do.

5 Q To the best of your knowledge, are the
6 statements and information presented in this testimony
7 true and correct?

8 A They are.

9 Q And to the extent that you made statements in
10 the nature of judgments in this testimony, do those
11 represent your best professional judgment?

12 A They do.

13 Q Okay. I'd like to turn -- let's see. Now, the
14 next document -- we'll go to the next document.
15 Mr. Ahlstedt, do you have with you today the document
16 that has been marked as CA-01-E?

17 A Yes.

18 Q And that's a document that has been labeled
19 "Errata to Opening Testimony" of the Public Advocates
20 Office; is that correct?

21 A It is.

22 Q Are you familiar with that document?

23 A I am.

24 Q Do you sponsor the testimony in that document
25 in its entirety?

1 A This testimony, I believe, pertained to
2 Mr. Worhach's portion of testimony, so none of the
3 errata here are relevant to the portions in my testimony
4 that I sponsor.

5 Q Thank you for clarifying. So was the testimony
6 in this document prepared by you or under your
7 direction?

8 A CA-01-E? No, it was not.

9 Q That's E. Okay. You stated that you were
10 not in -- you stated that you were not involved in the
11 preparation of this document; is that correct?

12 A I may have been involved in compiling the
13 document but not in terms of the substantive nature of
14 the document.

15 Q Okay. So you weren't involved with the -- in
16 the substance of the document. Okay. Let's move to
17 the -- and this document, just for the record, has been
18 addressed by Mr. Worhach. So let's move to our next
19 document, which is CA-02. Do you have with you today
20 CA-02, Exhibit CA-02?

21 A I do.

22 Q Okay. And is this the document that has been
23 labeled as "Supporting Attachments" to the opening
24 testimony of the Public Advocates Office?

25 A Yes.

1 Q And is this document familiar to you?

2 A Yes.

3 Q Do you sponsor this document -- the testimony
4 in this document in its entirety?

5 A To the extent that I referenced exhibits within
6 this document in my own testimony, I do, although I will
7 acknowledge that I did not personally prepare any of the
8 exhibits within this document. I only compiled them.

9 Q And what parts of this exhibit are you the
10 witness for or -- yeah. Let's stop there.

11 A I believe I've cited to Exhibits A.1, A.2, A.3,
12 and A.11 within the portions of the testimony that I
13 sponsor in opening testimony.

14 Q Okay. And was your testimony pertaining to
15 those chapters prepared by you or under your direction?

16 A Yes.

17 Q Do you have any changes or corrections to
18 Exhibit CA-02?

19 A No.

20 Q Do you adopt CA-02 as your sworn testimony in
21 this proceeding?

22 A I do to the extent that they are used as
23 citations within my testimony.

24 Q And to the best of your knowledge, are the
25 statements and information presented in this testimony

1 true and correct?

2 A Yes.

3 Q And to the extent that you made statements in
4 the nature of judgments in this testimony, do those
5 represent your best professional judgment?

6 A Again, to the extent that I made references in
7 CA-01, they do.

8 Q And then finally we'll go to CA-03. Do you
9 have with you today the document that's been marked as
10 CA-03?

11 A Yes.

12 Q And that's a document that's been labeled as
13 "Rebuttal Testimony" of the Public Advocates Office; is
14 that correct?

15 A Correct.

16 Q And is this document familiar to you?

17 A It is.

18 Q Do you sponsor the testimony in that exhibit in
19 its entirety?

20 A No. I sponsor portions of the testimony within
21 this exhibit.

22 Q Okay. And which portions of the exhibit are
23 you sponsoring in witness (sic) 4?

24 A I believe it is Section 4, "Responses to Party
25 Testimony on Equity and Cost Effectiveness."

1 Q And was the testimony in those sections
2 prepared by you or under your direction?

3 A Yes.

4 Q And do you have any changes or corrections to
5 make to CA-03?

6 A No.

7 Q Do you adopt Exhibit CA-03 as your sworn
8 testimony in this proceeding?

9 A Yes. For the portions I sponsor, I do.

10 Q And to the best of your knowledge, are the
11 statements and information presented in this testimony
12 true and correct?

13 A Again, yes for the portions that I sponsor.

14 Q And to the extent that you made statements in
15 the nature of judgments in this testimony, do those
16 represent your best professional judgment?

17 A They do.

18 MR. DUTTA: Your Honor, the witness is
19 available for cross-examination.

20 ALJ LAU: Thank you, Mr. Dutta.

21 Can we bring on stage Ms. Andrea White. Can we
22 also bring on stage Mr. Dutta -- it's Dutta. Sorry.

23 MR. DUTTA: I just happened to be off stage.

24 ALJ LAU: Well, I guess you don't want to raise
25 any objections then.

1 Ms. White, can you first introduce yourself
2 before you begin cross-examination of Mr. Ahlstedt.

3 MS. WHITE: Yes, of course, your Honor. So I'm
4 Andrea White and I'm representing the Protect Our
5 Communities Foundation, or PCF.

6 CROSS-EXAMINATION

7 BY MS. WHITE:

8 Q Okay. So I will proceed to my questions then,
9 Mr. Ahlstedt. So my first question refers to the
10 rebuttal testimony, and it's on page 7, lines 15 through
11 17.

12 A I'm there.

13 Q Are you there? Okay. So you state:

14 At its core distributional equity refers to
15 ensuring that the costs and benefits of a
16 DER program are spread fairly across
17 participating and nonparticipating customer
18 segments.

19 So when you state this, you do not mention the
20 benefits to utility shareholders; correct?

21 A No. That sentence does not include a reference
22 to utility shareholders.

23 Q Okay. So next I'm going to ask a few questions
24 about just to explain how you perceive distributional
25 equity analyses. Okay. So, first, do you think a

1 distributional equity analysis should affect
2 distribution of costs and benefits to identify when
3 utility shareholders are overrepresented in terms of
4 benefits and ratepayers are overrepresented in terms of
5 costs?

6 MR. DUTTA: Objection just on the basis of
7 foundation. If the counsel could refer to the part of
8 the testimony that's applicable here.

9 ALJ LAU: Well, she did refer to
10 "distributional equity" in that sentence. And based on,
11 you know, the conclusion in that sentence, witness can
12 answer to the best of his ability. But actually my
13 issue is I didn't hear the question well. Sorry.

14 BY MS. WHITE:

15 Q Oh, okay. I'll try to speak up and I'll repeat
16 the question. Okay.

17 So this refers to the distributional equity
18 analysis that you mentioned. So do you think -- is it
19 your understanding that DEAs should affect the
20 distribution of costs and benefits to identify when
21 utility shareholders are overrepresented in terms of
22 benefits and ratepayers are overrepresented in terms of
23 costs?

24 A My testimony did not look at shareholder
25 benefits in any way. I don't believe I've referenced

1 that or used that term anywhere in my testimony. The
2 distributional equity analysis that I referenced was
3 proposed by the Natural Resources Defense Council, PG&E,
4 SCE, and SDG&E, as well as SoCalGas. And my
5 understanding of their proposal, which Public Advocates
6 Office is in favor of, is focused on analysis of
7 customers.

8 Q Okay. Thank you. So you say that you don't
9 look at the effects on shareholders in your rebuttal
10 testimony. So you wouldn't analyze if shareholders
11 would make a small profit versus a large profit in the
12 DEA?

13 MR. DUTTA: Objection. Asked and answered.

14 MS. WHITE: Sorry. What was your objection,
15 Mr. Dutta?

16 MR. DUTTA: Asked and answered because, you
17 know, the witness stated that, you know, he did not
18 conduct any shareholder analysis, so any line of
19 questions based on that would be redundant.

20 ALJ LAU: Yeah. So, Mr. Ahlstedt, if you want
21 to just re-answer the same question.

22 THE WITNESS: Of course, your Honor. The focus
23 of my testimony and employment in the Public Advocates
24 Office is on representing customers and not utility
25 shareholders. In fact, that is not something I don't

1 think I've ever considered in my line of work.

2 BY MS. WHITE:

3 Q Okay. Good to know. I will move on to my next
4 question then. Okay. Let's see. So in your rebuttal
5 testimony at page 7 starting on line 13 -- let's see.
6 You testify that -- oh, okay. So you testify that DER
7 programs, as I've already stated, should conduct a
8 distributional equity analysis. So do you think it's
9 important to make sure that all the values being
10 included in a distributional equity analysis are
11 accurate?

12 A I think even more generally the inputs you use
13 in any analysis should be as accurate as possible.

14 Q Okay. And from the quote I quoted earlier on
15 lines 15 through 17, it references costs and benefits.
16 So do you think it would be okay to use inaccurate
17 avoided transmission costs when conducting the
18 distributional equity analysis?

19 MR. DUTTA: Objection to the extent -- if
20 counsel could just refer to the part of the witness'
21 testimony where transmission costs are referred to.

22 MS. WHITE: So Mr. Ahlstedt does not refer
23 specifically to transmission costs, but he does refer to
24 ensuring that the costs and benefits of the DER program
25 are spread fairly across participating and

1 nonparticipating customer segments. So since it
2 mentions costs, that would imply avoided transmission
3 costs since they would be an aspect of that analysis.

4 ALJ LAU: I'm going to overrule the objection
5 and have Mr. Ahlstedt answer to the best of his ability.

6 THE WITNESS: Could you repeat the question,
7 please.

8 BY MS. WHITE:

9 Q Yeah. So essentially, do you think it's
10 appropriate to use inaccurate avoided transmission costs
11 when conducting distributional equity analysis?

12 A As I stated previously, I think it's important
13 to have as accurate of inputs into any analysis that's
14 possible. To the extent that transmission costs or any
15 other costs or benefits are included in any analysis,
16 they should be as accurate as possible. I didn't
17 discuss transmission costs though.

18 Q Okay. Thank you. So next I'm going to move to
19 your rebuttal testimony at page 9. So this refers
20 specifically to the sentence starting on line 9. So you
21 say, "The Commission should not adopt" -- sorry. Do I
22 need to wait a moment or are you guys good?

23 A I'm good.

24 Q Okay.

25 The Commission -- and I'm quoting -- should

1 not adopt CBD's proposal to include
2 additional NEBs in the ACC or in
3 standardized cost effectiveness tests
4 because CBD fails to consider the
5 proposal's impact on ratepayers' bills or
6 rates and fails to calculate the value of
7 the NEBs themselves.

8 And "NEBs" is referring to non-energy benefits.
9 So my question is whether Cal Advocates has attempted to
10 calculate the value of non-energy benefits that has been
11 included in the ACC or not included. Have you made any
12 attempt to calculate the non-energy benefits?

13 A Are you asking me personally or was your
14 question for Cal Advocates generally?

15 MR. DUTTA: Could counsel rephrase the
16 question.

17 BY MS. WHITE:

18 Q Yes. Sorry. I'll be more clear.

19 So has Cal Advocates attempted to calculate the
20 value of non-energy benefits that have been included in
21 ACC?

22 A Again, and to be clear, that is Cal Advocates
23 generally?

24 Q Yeah. Do you know -- well, this is more asking
25 your knowledge. So do you know if Cal Advocates has

1 calculated the value of non-energy benefits?

2 MR. DUTTA: Objection to the extent it calls
3 for -- it exceeds the scope of the witness' testimony in
4 this proceeding.

5 ALJ LAU: Well, he's just -- I'm going to
6 overrule it because she's just asking if you're aware if
7 Cal Advocates calculated the net energy benefits.

8 THE WITNESS: Non-energy benefits, I believe,
9 your Honor.

10 ALJ LAU: Yes. Sorry.

11 THE WITNESS: I am not aware if Cal Advocates
12 has ever in our history calculated the value of
13 non-energy benefits generally or in this proceeding. I
14 just don't know. I would need to do some research.
15 I'll leave it there.

16 BY MS. WHITE:

17 Q So do you think in your opinion that non-energy
18 benefits have a non-zero value?

19 A Could you define what you mean by "value."

20 Q Yeah. Just -- I mean -- so to -- it's more
21 referring to value to -- it's like a quantifiable value.
22 Like, do you think that non-energy benefits have
23 benefits that could be quantified in the ACC?]

24 A My testimony is that non-energy benefits, or at
25 least the proposal by CBD, or the Center for Biological

1 Diversity, should not be adopted, because the non-energy
2 benefits they propose to include within the ACC have not
3 been quantified.

4 Does that answer your question?

5 Q I guess -- well, what I'm also wondering is so
6 do you think that non-energy benefits have some value
7 that is not being captured in the current ACC, as in the
8 Commission should be quantifying them?

9 MR. DUTTA: Objection; compound. If the
10 witness -- if the -- if the counsel could just rephrase
11 the question.

12 MS. WHITE: Okay.

13 ALJ LAU: It's compound.

14 BY MS. WHITE:

15 Q Do you think -- do you think non-energy
16 benefits have some value that is not being captured in
17 the current ACC?

18 A So to answer that question, I think it's still
19 a bit compound.

20 Do you have one question on do I think there is
21 a value to non-energy benefits, and then the second
22 question about do I think that value, if it exists,
23 should be in the ACC? Is that correct?

24 Q Yeah, I think that it could be a compound
25 question; so if you could answer the first -- the first

1 part, whether non-energy benefits have a value. I
2 believe you already sort of said that, though; but,
3 perhaps you could repeat it.

4 A Sure. So in this portion of my rebuttal
5 testimony on page 9, which you've -- you've already read
6 into the record, I believe I've stated that Center for
7 Biological Diversity, or CBD's, proposal to include
8 additional non-energy benefits in the ACC is
9 inappropriate, because they've, one, failed to consider
10 the proposal's impact on ratepayer bills or rates, and
11 they've also failed to calculate the value of NEBs
12 themselves, which I believe is -- that second portion
13 there is relevant to your question.

14 Q Okay. And so do you think this value is
15 currently being captured in the ACC?

16 A Some --

17 (Crosstalk.)

18 MR. DUTTA: Objection. Objection to the -- to
19 the -- to -- okay. Sorry.

20 ALJ LAU: Counsel, can you just specify what --
21 what you're talking about, in terms of value?

22 MS. WHITE: Yes.

23 Q So do you think non-energy benefits -- I mean
24 this sort of just goes back to what my question was
25 originally.

1 Do you think non-energy benefits has some value
2 that is not being captured in the current ACC?

3 So you already answered the first part. So I
4 mean non-energy benefits --

5 ALJ LAU: No. That's fine. That's fine,
6 Counsel.

7 MS. WHITE: Okay.

8 ALJ LAU: Can you repeat it again? Can --

9 MS. WHITE: I'll -- I'll just restate my --
10 the -- the entirety of my question.

11 Q So do you think non-energy benefits has some
12 value that is not being captured in the current ACC?

13 And if you still think that's a compound
14 question, you can just try to answer the second part.

15 A I do still think it's a very complicated
16 question, if not compound.

17 Q Yeah.

18 A So the ACC currently has several what's called
19 adders for various different categories of costs, let's
20 say, that are avoided --

21 Q Yes.

22 A -- by DERs. And the proposal that I reference
23 to in my rebuttal testimony is from CBD, and CBD's
24 proposal, to my knowledge, requests the Commission
25 include several other non-energy benefits within the

1 ACC. So by virtue of CBD requesting their inclusion,
2 that means that they are currently not in the ACC.

3 Does that answer your question?

4 Q Yeah. Yeah. Thank you.

5 Okay. So next, I'm going to turn to page 9 of
6 your rebuttal testimony again, lines 17 through 18.

7 So you say that CBD's interpretation fails to
8 consider costs to society aside from their proposed
9 NEBs.

10 A I see that.

11 Q Okay. So based on this assertion, you believe
12 ratepayers are part of society?

13 A Certainly, yes.

14 Q Okay. I'm going to move on to my next
15 question.

16 Okay. So this refers to page 10 of your
17 opening testimony, or --

18 MR. DUTTA: Is counsel referring to 1-10, or
19 which?

20 MS. WHITE: Sorry. I need to -- I need to
21 check.

22 ALJ LAU: Okay. Let's go off the record.

23 (Off the record.)

24 ALJ LAU: Let's go back on record.

25 Ms. White, do you want to clarify the

1 reference?

2 MS. WHITE: Sorry. What did you say, your
3 Honor?

4 ALJ LAU: Did you want to clarify, for the
5 record, where would you like the witness --

6 MS. WHITE: Oh.

7 ALJ LAU: -- to reference?

8 MS. WHITE: Yes. Thank you, your Honor.

9 Q Okay. So on page 10 of your rebuttal
10 testimony, starting around line 4, you assume that
11 including non-energy benefits in the ACC will increase
12 ratepayer costs.

13 So would it surprise you to learn that
14 including non-energy benefits in the ACC could reduce
15 ratepayer costs, if accurate values were utilized?

16 And this -- this is just asking if you would be
17 surprised.

18 MR. DUTTA: Objection. The question's unclear.
19 I mean it's asking -- the counsel's asking for an
20 emotion. I mean it's -- you know, maybe she could
21 rephrase it.

22 MS. WHITE: Okay. I'll -- I'll rephrase it.

23 Q So are you aware that including non-energy
24 benefits in the ACC could reduce ratepayer costs, if
25 accurate values were utilized?

1 MR. DUTTA: Objection to the extent that a fact
2 is embedded in the question.

3 ALJ LAU: You know, the witness can, you know,
4 agree or disagree.

5 MR. DUTTA: Okay.

6 THE WITNESS: I don't think I said anything
7 like that in my testimony, so I'm -- I'm not sure how to
8 respond to that.

9 BY MS. WHITE:

10 Q Okay. That's fine.

11 Okay. So next, I'm going to refer to pages 9
12 and 10 of your rebuttal testimony. So there's multiple
13 examples of this.

14 So you -- from my perspective, you fault the
15 Center for Biological Diversity for not detailing the
16 rate impacts of non-energy benefits. Is that correct?

17 And I can provide examples, if that would be
18 helpful.

19 A I think, generally, on pages 9 through 10, I --
20 I do make that argument.

21 Q Okay. So my question is: Isn't it actually
22 the Commission -- Commission's job to regulate the
23 utilities and reduce rates as low as possible, which
24 is -- it's cited in the Public Utilities Code 747, which
25 I can read, if that would be helpful?

1 MR. DUTTA: Objection; compound.

2 MS. WHITE: Okay.

3 ALJ LAU: It is compound.

4 MS. WHITE: Okay. Sorry. I -- I'm just trying
5 to explain my question. But, I can see how that would
6 be confusing, so I will restate it.

7 Q So you fault -- as you -- as you mentioned, you
8 fault the center for not detailing the rate impacts of
9 non-energy benefits. So that -- that's what you said.

10 And so my question is: Do you think -- or do
11 you agree that it's the Commission's job to regulate the
12 utilities and reduce rates as low as possible?

13 MR. DUTTA: Objection. It's un- -- it's a
14 compound question.

15 ALJ LAU: I -- well, I don't understand how the
16 first segment like relates to the second segment.
17 Maybe, Counsel, you can just phrase -- ask the second
18 segment of the question, based on Mr. Ahlstedt's
19 understanding as a public utilities regulatory analyst,
20 what his understanding is.

21 MS. WHITE: Yeah. Sure. Okay.

22 Q So, Mr. Ahlstedt, based on your understanding
23 of the Public Utilities Code, isn't it the Commission's
24 job to regulate the utilities and reduce rates as low as
25 possible?

1 MR. DUTTA: Objection just to the extent that
2 any legal conclusion is called for. Obviously, the
3 witness is here as a layperson.

4 ALJ LAU: I -- I would actually allow the
5 question, because it's -- other than the fact that
6 Ms. White didn't provide a cross reference for
7 Mr. Ahlstedt to read the code section, this is just
8 base -- basic -- basically how Mr. Ahlstedt would, you
9 know, be -- you know, as -- as a public utilities
10 regulatory analyst how he would, you know, understand
11 the -- the -- the code section as it relates to his job.

12 THE WITNESS: I -- I can speak to the Public
13 Advocates Office. Our job is to represent ratepayers
14 and the public in California and to help achieve the
15 lowest possible rates.

16 In terms of the Commission overall, I think the
17 Commission has a separate and distinct set of criteria
18 for its efforts.

19 If you have a reference you'd like me to read,
20 I'd be happy to do so.

21 MS. WHITE: Okay. Your Honor, I didn't -- I
22 guess I should go off the record.

23 ALJ LAU: Let's go off the record.

24 (Off the record.)

25 ALJ LAU: Let's go back on the record.

1 Ms. White.

2 MS. WHITE: Okay. Thank you, your Honor.

3 Q So Public Utilities Code 747 states that it is
4 the intent of the legislature that the Commission reduce
5 rates for electricity and natural gas to the lowest
6 amount possible; so that -- that's basically the
7 context.

8 A Okay.

9 ALJ LAU: And, Ms. White, what is your
10 question?

11 MS. WHITE: So --

12 ALJ LAU: Yeah.

13 MS. WHITE: Oh.

14 Q Well, I'd ask, Mr. Ahlstedt, do you have
15 anything to add, then, based on what you previously
16 stated about whether it's the Commission's job to
17 regulate the utilities and reduce rates?

18 MR. DUTTA: Objection. I mean it's -- the
19 question's unclear.

20 Is counsel -- does counsel mean -- ask -- is
21 ask -- is this counsel asking if the witness has
22 anything to supplement, at this point? The witness has
23 already answered.

24 MS. WHITE: Yeah. Yeah. So previously, the
25 witness stated that he thought it might be helpful to

1 answer in his question if I read the Public Utilities
2 Code. So I then read the Public Utilities Code. And so
3 now I just want to know if he has anything to
4 supplement.

5 ALJ LAU: How about -- can I -- let me try to
6 rephrase the question.

7 Mr. Ahlstedt, based on the Public Utilities
8 Code that Ms. White read, do you agree that the
9 Commission's -- that the legislative mandate for the
10 Commission is to ensure low --

11 MS. WHITE: Low rates.

12 ALJ LAU: -- low rates?

13 THE WITNESS: Yes, with the caveat that there
14 are a lot of Public Utilities Codes and a lot of
15 requirements of the Commission by legislature. So while
16 achieving low rates, I think, or lowest possible --

17 BY MS. WHITE:

18 Q Yeah.

19 A -- I'm not sure what the exact phrasing was in
20 that Public Utilities Code -- while that certainly seems
21 to be a requirement based on the PU Code that you
22 mentioned, certainly, there are other factors that go
23 into what the lowest possible rate actually is.

24 Q Okay. Thank you, Mr. Ahlstedt. So I have one
25 final question.

1 So this refers to your opening testimony at
2 page 1-6.

3 A Okay.

4 Q Okay. And it's going to be at line --
5 beginning at line 19, and then moving on to lines 1 and
6 2 on page 1-7.

7 Okay. So here, you state: For these reasons,
8 the no new DER forecast does not have the intended
9 effect -- effect of more accurately representing the
10 actual avoided costs attribute to -- attributable to
11 DERs.

12 So --

13 A Yes.

14 Q -- base -- based on this sentence, do you agree
15 that it is important for the avoided cost -- oh. I --
16 can you all still hear me?

17 A We can hear you, but I can't see you. So it's
18 fine.

19 Q Okay. I think I lost Internet connection; but,
20 I can continue.

21 So referring to the sentence I just quoted, do
22 you agree that it is important for the avoided costs
23 attributable to DERs be accurately represent (sic)?

24 A Yes. In fact, I touch upon this in my
25 testimony.

1 Your Honor, if you would turn to -- I believe
2 it is Chapter 2 of my testimony, opening testimony, that
3 is. Let me find the page number. I believe it's
4 page 2-5 of my testimony, which is the 34th page of the
5 PDF.

6 Q Okay.

7 A And in there, I propose a guiding principle
8 that states: "Avoided cost used in the ACC shall be
9 grounded in verifiable and observable data that supports
10 the avoided costs of DERs."

11 So that essentially means that the avoided
12 costs that go into the Avoided Cost Calculator should be
13 accurate, and should be grounded in -- in verifiable
14 data.

15 Q Okay. I'll -- I'll just ask a follow-up
16 question to that, then.

17 So do you have any examples of this verifiable
18 and observable data that you recommend?

19 A Yes. In my -- in that same page, I reference
20 sources, including the California Air Resources Board
21 and from IOU general rate cases; IOU --

22 Q Okay.

23 A -- referring to investor-owned utilities.

24 Q Okay. Thank you very much, Mr. Ahlstedt.

25 That concludes my questions, your Honor.

1 ALJ LAU: It is 11:45 right now, and I think we
2 have another 40 minutes -- estimated 40 minutes of cross
3 by Mr. Lin.

4 Mr. Lin, if you are okay, let's take a
5 ten-minute break.

6 Let's take a ten-minute break. We'll be back
7 at 11:55, and then we'll do the cross, and then we'll
8 break for lunch.

9 MR. LIN: Great. Thanks.

10 ALJ LAU: All right. Thank you.

11 Let's go off the record.

12 (Recess.)

13 ALJ LAU: Let's go on the record.

14 We have the cross-examination of Mr. Ahlstedt
15 by Mr. Lin.

16 Mr. Lin, can you, for the record, introduce
17 yourself again and the party you're sponsoring before
18 you begin cross of Mr. Ahlstedt?

19 MR. LIN: Yes, your Honor. Roger Lin on behalf
20 of the Center for Biological Diversity.

21 ALJ LAU: You may proceed.

22 MR. LIN: Thank you, your Honor.

23 CROSS-EXAMINATION

24 BY MR. LIN:

25 Q Mr. Ahlstedt, going to -- starting with your

1 opening testimony -- and I'm going to be much better
2 today, and start with your opening testimony, and then
3 go to your rebuttal.

4 But, starting with your opening at page 2-6,
5 line -- lines 18 through 20, you -- Cal Advocates
6 proposes a guiding principle that the ACC should meet
7 the state's climate goals.

8 Do you see that part of your testimony?

9 A Yes. I believe the recommendation in question
10 reads: "Avoided cost categories in the ACC should be
11 technology neutral and should reflect the marginal cost
12 of the most cost-effective resource that meets the
13 state's climate goals."

14 Q Correct. Do you agree that the state's climate
15 goals consider equity?

16 A Could you point me to where in my testimony
17 I --

18 Q Actually --

19 A -- I say that?

20 MR. LIN: Your Honor, Mr. Dutta --

21 MR. DUTTA: Yes.

22 MR. LIN: Sorry. Counsel's established
23 Mr. Ahlstedt's expertise in equity for Cal Advocates.
24 So I think this question -- this question is well-suited
25 to Mr. Ahlstedt's expertise.

1 MR. DUTTA: Objection. And again, if counsel
2 could refer to a section of the --

3 ALJ LAU: Can I restate the question?

4 MR. DUTTA: -- of his testimony.

5 ALJ LAU: Can I restate the question?

6 When you -- Mr. Ahlstedt, as you proposed this
7 as a guiding principle, what do you think -- can you
8 specify what are the climate goals that are stated in
9 this principle?

10 THE WITNESS: I -- I don't believe I make any
11 specific reference to climate goals in this particular
12 portion of my testimony. I know in -- throughout my
13 testimony, I reference various goals from the state,
14 including SB 100, and the climate goals there; but, as
15 far as this particular reference, it's more generally
16 whatever the state's climate goals are.

17 ALJ LAU: And so you don't -- you don't have
18 any defined, you know -- as far as this recommended
19 guiding principles, you don't have any defined goals
20 that -- when you -- when you state let's meet the state
21 climate goals? There's no defined definitive state
22 climate goals?

23 THE WITNESS: That's correct, your Honor, and
24 that's on purpose, because guiding principles are
25 guiding. Right? They are supposed to be high level

1 general guidance for the Commission to follow across its
2 DER proceedings. So if I were to make it too specific,
3 it would defeat the purpose of it being guidance. So,
4 this way, by just referencing the state climate goals
5 generally, you know, we're not fixed to one particular
6 goal the state may have. It can evolve over time.

7 ALJ LAU: Okay.

8 Mr. Lin, you can -- based on those answers, you
9 may want to re- -- re-modify your questions, or not.

10 MR. LIN: Thank you, your Honor.

11 Q Is it a general state climate goal to avoid
12 disproportionate impacts of pollution on low-income
13 communities of color?

14 MR. DUTTA: Objection. Again, if counsel could
15 reference a part of, you know, the witness' testimony.

16 BY MR. LIN:

17 Q When you -- okay.

18 When you drafted the lines 18 through 20, did
19 you have in mind that the ACC should avoid
20 disproportionate impacts of pollution on low-income
21 communities of color?

22 A As I said, I didn't have any particular goal in
23 mind. To the extent that -- that it is a goal, I'd be
24 happy if you could point me to it, and I could read it
25 into the record.

1 But, when I was drafting this particular
2 guiding principle, I made it as high level as possible
3 so as the Commission could apply it as it sees fit
4 across its DER proceedings.

5 Q Okay. Health and Safety Code
6 Section 38562(b)(2), which is part of the state climate
7 policy AB 32, requires that we ensure activities
8 undertaken to meet our climate goals do not
9 disproportionately impact low-income communities.

10 Are you willing to read that Health and Safety
11 Code section into your testimony to be part of the goals
12 that you -- Cal Advocates would like to see the ACC
13 align with?

14 MR. DUTTA: Objection; compound question. You
15 know, first, I'm not clear about the statute that
16 counsel's referring to. It wasn't referred prior.

17 ALJ LAU: It is compound, first. First, it is
18 compound. Let's try to do it one at a time, for the
19 purpose of this.

20 Mr. Lin, why don't you read the -- the -- the
21 code section for us?

22 MR. LIN: Okay. Health and Safety Code
23 Section 38562(b)(2), which is part of AB 32, ensures
24 that activities undertaken to comply with meeting our
25 climate goals do not disproportionately impact

1 low-income communities of color.

2 MR. DUTTA: Point of clarification. Is counsel
3 reading that verbatim? I'm not clear. Because I don't
4 have this in front of me.

5 ALJ LAU: Right.

6 MR. LIN: Okay. Well, then, your Honor, I
7 think this goes to the weight of the -- the witness'
8 testimony, then. Because if, as -- counsel has
9 established his foundation as an expert on equity
10 issues, and if there's a question of whether a climate
11 policy aims to eliminate or minimize disproportionate
12 impacts on environmental justice communities, then I
13 think there is a significant question as to the
14 credibility of the witness.

15 ALJ LAU: Why don't you state -- I think you
16 were paraphrasing that. At least for the benefit of
17 me -- I'm not a witness -- I'm not -- I'm not an
18 expert -- if you can just state what that code section
19 is, and ask whether the witness is aware of this code,
20 and then we can proceed from there.

21 MR. LIN: Okay. I'll go in even further baby
22 steps. Thank you, your Honor.

23 Q Mr. Ahlstedt, are you aware of AB 32?

24 A At a very high level, yes.

25 Q At a very high level, are you aware that AB 32

1 tries to avoid disproportionate impacts on low-income
2 communities of color?

3 A That's my general understanding, but I would
4 need to see the actual bill to provide any further
5 details.

6 Q Okay. Your general understanding is okay, at a
7 high level. Thank you.

8 Is SB 100 part of the state's climate goals?

9 MR. DUTTA: Again, if counsel can refer to the
10 witness' testimony, a section of it, it would be
11 helpful.

12 MR. LIN: Sure; the rebuttal testimony on
13 page 11.

14 Q Actually, I'll start with SB 350, which is at
15 your rebuttal testimony, at page 11, starting at line 1,
16 and it extends throughout most of that page. You talk
17 about the SB -- SB 350.

18 Is SB 350, also known as the Clean Energy and
19 Pollution Reduction Act, part of our climate policy?

20 A It certainly was in 2015. I'm not sure if it's
21 been superseded by a more up-to-date portion of -- of
22 code; but, at that time, it was.

23 MR. LIN: Okay, your Honor. I think this
24 definitely speaks to the credibility of the witness, at
25 this point, but we'll -- we'll elaborate more on that on

1 briefing.

2 Q The SB 350 establishes the Disadvantaged
3 Communities Advisory Group. Are you aware of that?

4 MR. DUTTA: Objection. Counsel's, in effect,
5 testifying.

6 ALJ LAU: Well, she -- he -- he's just --
7 that --

8 MR. DUTTA: Maybe he could rephrase the
9 question.

10 BY MR. LIN:

11 Q Are you aware of the Disadvantaged Communities
12 Advisory Group?

13 A I am. I believe you're a member.

14 Q I am.

15 Are you aware that SB 350 established the
16 Disadvantaged Communities Advisory Group?

17 A I don't recall if SB 350 was the bill that
18 established the Disadvantaged Community (sic) Advisory
19 Group.

20 Q Are you aware that the Disadvantaged
21 Communities Advisory Group aims to tackle the barriers
22 to clean energy resources in disadvantaged communities?

23 MR. DUTTA: Again, I'm going to object here,
24 because there needs to be foundation to some part of the
25 testimony, some reference to the witness' testimony.

1 This is going in very granular.

2 MR. LIN: Counsel, you're -- you've established
3 the -- that Mr. Ahlstedt is Cal Advocates' expert on
4 equity. We're running through different equity programs
5 that the Public Utilities Commission has to follow.

6 ALJ LAU: Let me -- can I rule, please? I -- I
7 don't want to just butt in, because I don't want to have
8 the court reporter having a hard time.

9 Let -- let -- let the witness speak to the best
10 of his ability. He did reference 350. So --

11 THE WITNESS: My reference to SB 350, your
12 Honor, was in reference to a proposal by CBD. I don't
13 mention the Disadvantaged Community (sic) Advisory Group
14 in my testimony, my opening or my rebuttal, I believe.
15 Correct me if I'm wrong.

16 The focus of my testimony, your Honor, is on
17 the Avoided Cost Calculator, which I believe is a --
18 calculates the benefits, essentially, of DERs compared
19 to in-front-of-the-meter resources. Right? So I -- I
20 don't think this is related to my testimony, if I'm
21 being honest.

22 BY MR. LIN:

23 Q It's related to your testimony, Mr. Ahlstedt,
24 because of the proposed guiding principle. And I know
25 I'm paraphrasing that the "A" steps -- the ACC should

1 meet the state's climate goals.

2 MR. DUTTA: There's no question.

3 ALJ LAU: Right. And I believe he already
4 answered that it's -- it's a very high level climate
5 goal, and he didn't specify what those climate goals
6 are.

7 MR. LIN: Okay. But, again, we'll -- we'll be
8 briefing on the -- on this one. So I'll just move on.

9 Q So you've already said that SB 100 is part of
10 the state's climate goal -- goals. Is that correct,
11 Mr. Ahlstedt?

12 A I believe so. Again, there may be something
13 that supersedes it; but, at the time that it was
14 enacted, it certainly is.

15 Q Are you familiar with the SB 100 Joint Agency
16 Report?

17 A I've heard of it. I may have read it. But, at
18 this point in time, I don't have it in front of me, so I
19 can't say exactly what it includes.

20 Q That's okay. I'm just going to read you a
21 portion of it. It's not -- nothing controversial.

22 And it says that California still suffers some
23 of the worst air quality in the nation, resulting in
24 more than 7,000 premature deaths and thousands of
25 illnesses and emergency room visits each year.

1 MR. DUTTA: Objection. I mean I'll object,
2 because, again, I'm not sure what section's being
3 referred to. It's not in evidence. You know, it's --
4 this is not clear for the record. We're not talking
5 even about a statute here.

6 ALJ LAU: Right. And -- but, based on -- why
7 don't we -- let me listen to the question first,
8 because, right now, he's just reading things into the
9 record. But, I don't hear a question.]

10 BY MR. LIN:

11 Q Is there a societal benefit, Mr. Ahlstedt, to
12 avoiding premature deaths as a result of air pollution?

13 ALJ LAU: I'm going to sustain the objection
14 because Mr. Ahlstedt is not an expert on -- he did not
15 testify to the joint agency report.

16 MR. LIN: But Mr. Ahlstedt mentioned SB 100 in
17 his rebuttal testimony, and the joint agency report
18 implements SB 100.

19 ALJ LAU: Can you, Counsel, point me to where
20 he should have knowledge of the joint agency report --
21 where in the testimony?

22 MR. LIN: Yes. Hold on one second.

23 ALJ LAU: Let's go off the record.

24 (Off the record.)

25 ALJ LAU: Let's go back on the record.

1 Mr. Lin, can you just repeat your reference?

2 MR. LIN: Yes. The witness references SB 100
3 on page 10 of his rebuttal testimony.

4 ALJ LAU: And so, Counsel, because he
5 referenced SB 100, you want him to address some
6 questions based on conclusions of the joint agency
7 report?

8 MR. LIN: Yes.

9 MR. DUTTA: Your Honor, if I may, this
10 reference to SB 100 talks about, quote, "water customer
11 rates and bills." You know, so --

12 ALJ LAU: I will sustain the objection.

13 BY MR. LIN:

14 Q Okay. Moving on to water rates and bills, the
15 joint agency report concludes that given that reliable
16 supply of water will continue to be a key contributor to
17 a reliable generation sector, it will be imperative for
18 water quality and quantity impacts to be considered in
19 planning processes.

20 Given this conclusion, is there a societal
21 benefit to avoiding impacts to water quality and supply
22 in this state?

23 MR. DUTTA: Again, objection because I'm not
24 sure what counsel is reading from. I mean, this is not
25 before me. It's not a statute.

1 ALJ LAU: I'm going to sustain the objection.
2 Maybe counsel -- as I said, maybe you can provide a
3 cross-examination exhibit for Mr. Ahlstedt or other
4 witnesses to kind of -- you know, where are you getting
5 the reference?

6 MR. LIN: Okay. I'll come back to the water
7 quality and quantity issue in a little bit.

8 Q But moving on to the relationship between the
9 integrated energy policy reports, the IRP, the ACC, and
10 the Net Billing Tariff. You discuss this in your
11 opening testimony, pages 1 through 5 and -- sorry --
12 page 1-5. And at line 7, there's an image.

13 A That's correct.

14 Q In regards to considerations of equity, do you
15 agree that there be consistency between each of these
16 processes? Again, the Integration Energy Policy Report,
17 the IRP, the ACC, and the Net Billing Tariff?

18 MR. DUTTA: Objection. If counsel could direct
19 us to where a discussion of equities involved with this
20 interrelationship between all these factors?

21 MR. LIN: Okay. Two issues, your Honor. The
22 first is equity is scoped into this proceeding, one --
23 and specifically into the ACC update. Number two,
24 Mr. Ahlstedt -- and, again, counsel has established that
25 Mr. Ahlstedt is the expert on equity. So for us to not

1 address equity in this --

2 ALJ LAU: I will overrule the -- overrule the
3 objection.

4 And, Mr. Ahlstedt, can you please answer the
5 question to the best of your ability?

6 Mr. Lin, can you restate the question?

7 MR. LIN: Yes.

8 Q Do you -- I'll just simplify it to the IRP and
9 the ACC. In regards to equity, should the IRP be
10 consistent with the ACC?

11 A Well, I actually have a proposal on equity in
12 the ACC, your Honor, that I don't believe Mr. Lin has
13 referenced yet. But in Chapter 2 of my testimony -- and
14 let me find the page.

15 MR. LIN: Apologies, your Honor. Can I just --

16 THE WITNESS: Excuse me. Can I finish my
17 response?

18 ALJ LAU: Let the witness finish speaking, and,
19 Mr. Lin, you can ask further questions based on the
20 witness's answer.

21 THE WITNESS: Thank you. I'm almost there,
22 your Honor.

23 So on pages 2-10 of my testimony, I believe, I
24 have a section entitled Equity Customer Participation
25 Should be Evaluated Outside of DER Cost-Effectiveness.

1 Sorry for speaking so fast there.

2 This portion of my testimony specifically
3 discusses why I believe considerations on equity should
4 be looked at separately or outside of DER cost
5 effectiveness, which is the purview of the ACC and, by
6 extension, the IRP.

7 BY MR. LIN:

8 Q Okay. So should it be -- should the ACC be
9 consistent with the IRP as far as equity?

10 MR. DUTTA: If counsel could -- objection just
11 to the extent -- if counsel could clarify what
12 "consistent" means as he's using it?

13 ALJ LAU: That would help the witness, I think,
14 Mr. Lin.

15 BY MR. LIN:

16 Q If the IRP considers disproportionate impacts
17 of pollution to low-income communities of color, should
18 the ACC also consider the disproportionate impacts of
19 pollution on low-income communities of color?

20 A Your Honor, if you go back to the original
21 diagram that Mr. Lin referenced on page 1-5 of my
22 testimony, the IRP is certainly an input to the ACC. So
23 anything that the IRP considers by default would flow
24 into the ACC.

25 Q Should by default, not will by default; is that

1 correct?

2 A I think what you're referencing -- correct me
3 if I'm wrong -- is the fact that each of these
4 components in this cycle on the diagram are not
5 necessarily occurring in the same year. So, for
6 example, an update to the IRP in one year may come into
7 effect in the ACC in a following year. So it should
8 eventually make its way through this cycle, yes.

9 Q So you agree if the IRP considers
10 disproportionate impacts of pollution on low-income
11 communities of color, then the ACC should also consider
12 the disproportionate impacts of pollution on communities
13 of color?

14 A No. That's not what I said. I said that
15 the -- whatever is considered in the IRP eventually
16 flows into the ACC. I'm making no recommendation or
17 judgment of the inputs to the IRP.

18 Q Okay. Are you familiar with the recent
19 proposed decision in the IRP proceeding to adopt
20 Preferred System Plan? This was marked as
21 Exhibit CBD-02 and served on parties yesterday with
22 specific page reference numbers.

23 ALJ LAU: Can we go off the record?

24 (Off the record.)

25 ALJ LAU: Let's go back on the record.

1 Mr. Lin, did you want to ask the witness to
2 look at a certain exhibit?

3 MR. LIN: Yes. Page 15 of the proposed
4 decision.

5 ALJ LAU: So this is CBD-02?

6 MR. LIN: Yes.

7 ALJ LAU: And I believe Mr. Dutta was going to
8 raise an objection.

9 MR. DUTTA: Yes, your Honor. We have a general
10 objection to the use of this document because it's a
11 proposed decision. It's not a final ruling of any sort
12 by the Commission. And so on that -- it depends on --
13 I'll be curious about the line of questioning that
14 counsel has in mind here.

15 ALJ LAU: So I can't -- I can't rule -- say no
16 right now because I haven't heard the line of questions.
17 You can raise that objection when we -- when we -- when
18 counsel -- Mr. Lin requests to enter the exhibit into
19 evidence.

20 BY MR. LIN:

21 Q On page 15 of CBD-02, the proposed decision
22 states that load serving entities should address
23 programs and activities. They also should mitigate
24 these impacts, referring to impacts on disadvantaged
25 communities. Do you see that part?

1 A I believe so. That's the first half of
2 page 15?

3 Q Yes. And then in response to load serving
4 entities' attempts to meet that -- the requirements of
5 the IRP, certain LSEs, load serving entities, now have
6 to redo and resubmit their individual IRPs, at page 20,
7 the including reporting of local air pollutants.

8 Do you see that part?

9 A I'm on page 20. I've not looked at this
10 before, so I take your word for it.

11 Q Okay.

12 MR. DUTTA: Again, I'm sorry to interrupt. I
13 just generally object to the relevance of this document.
14 It doesn't appear any questions have been asked at this
15 point. Counsel has just asked the witness to see if he
16 can read it. That adds no substance. So that in and of
17 itself we don't have an objection to, but we do have a
18 broader objection to the relevance of this document.

19 ALJ LAU: Mr. Dutta, I'm going to let Mr. Lin
20 ask the question, and then we can raise the objections.
21 BY MR. LIN:

22 Q At page 20 -- thank you, your Honor.

23 At page 21, reporting activities targeted at
24 minimizing local pollution in disadvantaged communities
25 and load serving entities have to identify feasible

1 procurement opportunities to reduce reliance on
2 fossil-fueled power plants, particularly those that are
3 located within disadvantaged communities, including
4 specific metrics and scoring criteria that the load
5 serving entities uses to prioritize the minimization of
6 criteria air pollution in disadvantaged communities.

7 Do you see that part? I'm going to get to my
8 question right after this.

9 A I believe so, yeah.

10 Q Do you agree that the IRP process tries to
11 minimize local air pollution in disadvantaged
12 communities?

13 A Could you point me to where in my testimony I
14 state that?

15 Q Just based on your expert qualifications on
16 equity, do you agree that the IRP process tries to
17 minimize local air pollution in disadvantaged
18 communities?

19 MR. DUTTA: Objection because there's no
20 reference to the -- where the witness has testified
21 about this topic.

22 ALJ LAU: I'm going to overrule the objection.
23 I mean, we know that based on Mr. Ahlstedt's testimony,
24 you know, he is an expert on behalf of Advocates of
25 Equity, and he did talk about how the IRP interacts with

1 the ACC. And if Mr. Ahlstedt doesn't have any opinion,
2 he can state so.

3 THE WITNESS: So is your question referring to
4 the --

5 ALJ LAU: Can you ask the question again?

6 MR. LIN: Yes.

7 Q Do you agree that the IRP process tries to
8 minimize local air pollution in disadvantaged
9 communities?

10 ALJ LAU: Let's go off the record for a second.

11 (Off the record.)

12 ALJ LAU: On the record.

13 We're going to break for lunch, and we will
14 resume at 1:15.

15 Let's go off the record.

16 (At the hour of 12:24 p.m., a recess was
17 taken until 1:19 p.m.)]

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AFTERNOON SESSION - 1:19 P.M.

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ALJ LAU: Let's go back on the record.

We are resuming from lunch recess for the cross-examination of Mr. Ahlstedt.

And, Mr. Lin, do you have any -- can you continue with your line of questions?

MR. LIN: Yes, your Honor. And following up on Ms. Armstrong's comment this morning as well, I'll try to go quickly, but it is bit difficult to do so with counsel and the witness. But I'll do my best to move quickly given the interest of time.

JAMES AHLSTEDT,

resumed the stand and testified further as follows:

CROSS-EXAMINATION RESUMED

BY MR. LIN:

Q Mr. Ahlstedt, going -- sticking with your opening testimony, you talk about cost effectiveness at page 2-9, line --

(Crosstalk.)

Q -- in particular, equity issues are distinct from DER program cost effectiveness?

(Reporter clarification.)

MR. LIN: Oh, I'm sorry. Line 21.

1 Q Mr. Ahlstedt, are there fewer programs serving
2 disadvantaged communities because of those programs'
3 performance under the existing cost effectiveness tests?

4 MR. DUTTA: Objection. Lack of foundation --
5 (Crosstalk.)

6 MR. LIN: -- be an objection.

7 MR. DUTTA: It's lack of foundation because I
8 think there's some parts embedded in that question that
9 need to be asked separately.

10 ALJ LAU: Actually, Mr. Lin, can you ask that
11 question again? It kind of went over my head.

12 BY MR. LIN:

13 Q Okay. Mr. Ahlstedt, you -- your testimony
14 refers to existing cost effectiveness tests and the need
15 to score above 1.0 to be cost effective; is that
16 correct?

17 A I don't -- sorry. What --

18 MR. DUTTA: Objection to the extent that 1.0
19 does not appear in the sentence that counsel
20 highlighted.

21 MR. LIN: Your Honor, if we have to find every
22 single part of the testimony that I reference, then
23 we're going to be here all day. I'm happy to do so, but
24 I just express the interest of time. It is not a
25 controversial point, and I believe Mr. Ahlstedt can talk

1 about how it's in his testimony somewhere without his
2 counsel interrupting again.

3 ALJ LAU: Mr. Ahlstedt, I think that's not a
4 very controversial question. So if you can just address
5 the question? If you don't feel comfortable, then let
6 me know, but I think it's not a very controversial
7 question.

8 THE WITNESS: I'll do my best, your Honor. I
9 would say it is a bit controversial because I don't
10 think Mr. Lin is correctly characterizing my testimony.

11 Do I reference 1.0 in my testimony? The answer
12 is yes, I do, your Honor, on page 2-10. So, again, not
13 where he initially pointed me.

14 But in that context, it's just describing 1.0
15 as -- I mean, it could be cost effective. But I think
16 it really depends that what you or I or the Commission
17 perceive as cost effective. I think everyone has a
18 slightly different opinion of that.

19 1.0 just indicates that the cost and the
20 benefits are equal. If it were 1.1, it would mean that
21 there were slightly higher benefits than there were
22 costs. And, of course, this depends on tests and what
23 you include in those costs and benefits. So there's a
24 lot of variables here. But the, I guess, broad
25 statement that 1.0 is cost effective, I think, depends

1 on your definition of cost effective.

2 BY MR. LIN:

3 Q What about under the definition of the
4 existing -- under the existing cost effectiveness test
5 that the Commission uses today? Is 1.0 -- does it have
6 to be over 1.0 to be cost effective?

7 MR. DUTTA: Objection to the extent there might
8 be a number of such tests -- cost effectiveness tests.

9 ALJ LAU: Mr. Lin, can you --

10 BY MR. LIN:

11 Q Okay. Under the total resource cost test, if a
12 program scores above 1.0, is it cost effective?

13 A So, your Honor, again, this really depends on
14 the program you're talking about. Under the total
15 resource cost or TRC test, it's my understanding that
16 the Commission views the score of 1.0 or above as cost
17 effective. But, again, it really depends on an
18 individual's position as to what exactly cost effective
19 means. And I think that varies on a case-by-case basis,
20 depending on the program you're looking at.

21 Q Okay. And then the majority of disadvantaged
22 communities -- programs that serve disadvantaged
23 communities, under the total resource cost test, those
24 programs generally score below 1.0; is that correct?

25 MR. DUTTA: Objection. Compound. There's a

1 reference to many different undefined programs.

2 ALJ LAU: I agree with that objection. Can
3 you -- counsel, can you narrow it down to one or two --
4 one example?

5 MR. LIN: It's energy efficiency programs. And
6 please don't ask me to narrow it to a single --

7 ALJ LAU: Can you restate the question again
8 with the --

9 BY MR. LIN:

10 Q How about energy efficiency programs? For
11 disadvantaged communities, do energy efficiency programs
12 designed to serve disadvantaged communities typically
13 score below 1.0?

14 A Again, that really depends on the program.
15 There's several, I mean, even more than I can count,
16 energy efficiency programs. You have what I would term
17 mass market energy efficiency programs. And, your
18 Honor, to be --

19 Q Okay. Let's take mass market then.

20 A May I finish my response?

21 ALJ LAU: Counsel, let's let the witness finish
22 his response, and then you can ask him to clarify his
23 response.

24 THE WITNESS: Thank you, your Honor.

25 This is not explicitly discussed in my

1 testimony. But I do have a little bit of knowledge
2 about this, as described in my statement of
3 qualifications at the end, so I'm free to share what I
4 do know about it.

5 So for mass market energy efficiency programs,
6 there is a segment within those programs called equity.
7 And within that segment, those programs are, to my
8 understanding, designed to serve disadvantaged
9 communities among other communities. There's also the
10 state's specific Energy Savings Assistance Program,
11 which provides energy efficiency services to low-income
12 customers.

13 So each of those have different calculations.
14 And even within those programs, there are specific
15 measures that may or may not be achieving a TRC of 1.0
16 or above. So there's just a lot of factors that go into
17 that question. It's very broad.

18 BY MR. LIN:

19 Q The equity programs that you just referenced
20 for energy efficiency, do those typically score below
21 1.0?

22 MR. DUTTA: Objection. It's just this question
23 is overbroad.

24 ALJ LAU: Witness can answer based on his
25 knowledge. But he did not testify to it, so he can just

1 say he doesn't know if he doesn't know.

2 THE WITNESS: Thank you.

3 So I don't know because I believe those -- the
4 equity segment is new and has yet to show many results,
5 or at least I haven't seen any results. I think it was
6 only established as of this year, if I recall correctly,
7 or went into effect this year, that is.

8 BY MR. LIN:

9 Q Scoring above 1.0 -- many programs for
10 disadvantaged -- that serve disadvantaged communities in
11 the energy efficiency world are exempt from that
12 requirement to score above 1.0; is that correct?

13 MR. DUTTA: Objection. Again, this is
14 overbroad, references to vague, undefined programs.

15 MR. LIN: Programs in energy efficiency,
16 Counsel.

17 ALJ LAU: I mean, Counsel --

18 MR. DUTTA: Again, it's going beyond the scope
19 of the witness's testimony at a certain point,
20 your Honor.

21 ALJ LAU: It is beyond the scope of the witness
22 testimony. And if you can tie it back your -- line of
23 questioning back to the witness's testimony, that would
24 be -- I feel like we are going far and far, I think,
25 maybe because, Counsel, you're trying to establish

1 foundation.

2 MR. LIN: Yes.

3 ALJ LAU: So let's try -- if -- I believe
4 Mr. Ahlstedt can -- if he wants to address it, he can
5 address it. If he doesn't, you can say, "It's beyond
6 the scope of my testimony." Can we try that? Okay.

7 THE WITNESS: Yes. So I would point you to my
8 testimony, page 2-10, where I say on -- starting on line
9 8 that, quote, "A low-income, slash, disadvantaged
10 customer-focused DER program could have a
11 cost-effectiveness score of over 1.0, in parentheses,
12 indicating more benefits than cost, close parentheses,
13 just as a mass-market program could have a score below
14 1.0, open parentheses, indicating more costs than
15 benefits, close parentheses."

16 BY MR. LIN:

17 Q Okay. Are you aware of a
18 low-income/disadvantaged customer-focused DER program
19 that does have a cost effectiveness score of over 1?

20 A Again, a program in general or --

21 Q Any program.

22 A -- a specific measure --

23 Q Any program.

24 A Can I finish my question, please?

25 ALJ LAU: Let -- he -- Mr. -- okay. Why don't

1 you finish your question -- your comment.

2 THE WITNESS: So if I could restate my
3 question, it was when you say "a program," do you mean,
4 like, EE, the equity segment entirely, or a program from
5 a specific IOU perhaps or a measure within that program?
6 Or what exactly do you mean, just for my --

7 BY MR. LIN:

8 Q I'm asking you to name -- I'm asking you,
9 Mr. Ahlstedt, as an expert for Cal Advocates on equity
10 and equity's intersection with cost effectiveness, if
11 you can name any program whatsoever that has a cost
12 effectiveness score of over 1.0.

13 A Any program or any equity program?

14 Q Any program, any equity program. We'll go with
15 program first, and then we'll go to equity program so I
16 avoid a compound objection from your counsel. So let's
17 go with any program first.

18 Are you aware of any program that serves
19 low-income or disadvantaged customers that has a cost
20 effectiveness score of over 1.0?

21 A Again, for the EE programs in particular, I
22 haven't seen any new data to show their cost
23 effectiveness on a program level or a measure level
24 since they've been approved. So I don't have that
25 information for you today.

1 Q Is it fair to say you cannot name any program
2 then that serves low-income or disadvantaged customers
3 focused on DER that has a cost effectiveness score of
4 over 1.0?

5 MR. DUTTA: Objection to the extent that I
6 believe counsel had -- was earlier asking about EE,
7 energy efficiency programs. So a clarification would be
8 warranted here.

9 MR. LIN: On line 8 of -- we're reading the
10 exact same line that Mr. Ahlstedt just pointed us to.
11 He says, "The low-income/disadvantaged customer-focused
12 DER program could have a score of over 1.0."

13 We were all talking about that one. I'm now
14 asking Mr. Ahlstedt if he has any example from any
15 program ever that has -- that can represent what is on
16 line 9 on this page 2-10.

17 ALJ LAU: I'm going to allow Mr. Lin's
18 question. It's very fair since Mr. Ahlstedt did
19 reference EE programs could have a cost effectiveness
20 score of over 1.0.

21 Is there any example of such programs?

22 THE WITNESS: Honestly, I can't name a mass
23 market program just because I don't really know many
24 names of mass market programs that would achieve a score
25 of 1.0. That doesn't mean that there are no programs --

1 mass market programs that achieve a 1.0, and that
2 doesn't mean there are no low-income/disadvantaged
3 customer-focused DER programs -- I'm sorry. I'm
4 speaking too fast -- that achieve 1.0. I just didn't
5 reference any specific program in my testimony,
6 your Honor. That does not mean that no program exists
7 today or could exist in the future, as my testimony
8 states.

9 BY MR. LIN:

10 Q But as of today, right now, you cannot recall
11 any program -- not necessarily the name of it. A
12 description is okay. But today you cannot recall any
13 program that serves low-income or disadvantaged
14 customers for DERs that scores over 1.0?

15 MR. DUTTA: I would actually put in an
16 objection here because counsel is assuming that -- that
17 there has been determined the cost effectiveness score
18 for any program. That is not a given.

19 ALJ LAU: I'm actually going to sustain the
20 objection for -- the reason is that he -- it is asked
21 and answered. He addressed the question.

22 BY MR. LIN:

23 Q Okay. I think my point is made.

24 If we continue to use these cost effectiveness
25 tests then as -- the cost -- total resource cost test as

1 is it today -- if we continue to use the total resource
2 cost as it is today, will we continue to have fewer
3 programs that serve disadvantaged communities?

4 MR. DUTTA: Objection. Beyond the scope of the
5 witness's testimony.

6 ALJ LAU: I -- I think I'm going to allow it.
7 It seems relevant here.

8 Can you ask again, Mr. Lin?

9 MR. LIN: Thank you, your Honor.

10 ALJ LAU: It was just not very clear.

11 MR. LIN: Thank you, your Honor.

12 BY MR. LIN:

13 Q If we continue to use the total resource cost
14 test in its current form, will we also continue to have
15 fewer programs that serve disadvantaged communities?]

16 A No. The total resource cost test is just that.
17 It's a test. The Commission is free to do whatever it
18 pleases with the results of that test.

19 Q Okay. If we continue to use the total resource
20 cost test as it is today, will we continue to have fewer
21 programs or disadvantaged communities that score less
22 than 1.0?

23 MR. DUTTA: Asked and answered. Objection.

24 ALJ LAU: Well --

25 MR. LIN: Okay. Well, he can answer it then,

1 and we know the answer. If Mr. Ahlstedt cannot name any
2 programs, then we know the answer.

3 ALJ LAU: It's sustained. He asked and
4 answered.

5 BY MR. LIN:

6 Q Right. Okay. Let's move to the Standard
7 Practice Manual, your opening testimony page 2-13,
8 line 7. You reference the CPUC Standard Practice
9 Manual cost effective -- yes, you reference the PUC
10 Standard Practice Manual. Are you familiar with the
11 Standard Practice Manual?

12 A Yes.

13 Q Does the Standard Practice Manual discuss
14 externalities?

15 A I don't have the manual in front of me. I
16 couldn't say for certain.

17 Q Okay. If the Standard Practice Manual does
18 discuss externalities and it does not include a value
19 for those externalities, does that mean that the value
20 of those externalities is zero?

21 MR. DUTTA: Objection. Calls for speculation.
22 It's also compound. It also assumes facts not in
23 evidence.

24 ALJ LAU: Speculative, Counsel. Can we break
25 down the question.

1 BY MR. LIN:

2 Q Okay. If the Standard Practice Manual does not
3 include a value for a benefit, does that mean the
4 benefit has no value?

5 MR. DUTTA: Objection. Unclear what "value"
6 means.

7 MR. LIN: Value means whether it's a cost of
8 the energy system or society as a whole.

9 ALJ LAU: So I'm going to allow it because
10 counsel did clarify.

11 THE WITNESS: So if I could reinterpret the
12 question, the question is if there is some value of
13 something that is not included in one of the Standard
14 Practice Manual tests, just because it is not included
15 does not also mean that that value does not exist? Is
16 that your question?

17 BY MR. LIN:

18 Q In some degree. Say the Standard Practice
19 Manual says that there are certain benefits such as
20 externalities that we have to avoid. If the Standard
21 Practice Manual does not include a value for that, is
22 the value zero?

23 A I don't think those are connected. A value for
24 anything is kind of independent of its use in the
25 Standard Practice Manual, a manual in my eyes. So I

1 don't know whether or not something is included or
2 excluded means that there is value necessarily. I mean
3 presumably if it's included, it should have a value.
4 But aside from that, if it's excluded, I'm not sure
5 whether there would be a value or not.

6 Q That will do. Thanks. Let's move on to the
7 Environmental and Social Justice Action Plan. Your
8 opening testimony, page 2-13, line 12 -- and actually,
9 no. Moving above, you discuss the Environmental and
10 Social Justice Action Plan in greater detail as you've
11 indicated on page 2-10, section 2 beginning at line 15;
12 is that correct?

13 A Yes. Thanks for the citation.

14 Q And you interpret the goals of the
15 Environmental and Social Justice Action Plan; is that
16 correct?

17 MR. DUTTA: I think the question -- objection.
18 Vague and ambiguous. I mean if counsel could just be a
19 little more specific about his question.

20 MR. LIN: Okay.

21 ALJ LAU: Counsel, maybe you can, you know, ask
22 what you'd gather from the second sentence.

23 BY MR. LIN:

24 Q Yes, your Honor.

25 Let's just move to Goal 1 that you mention on

1 the next page, line 1 -- page 2-11, line 1:

2 Goal 1 of the ESJ Action Plan is to
3 integrate equity and access considerations
4 in all regulatory activities at the CPUC.

5 Is that correct?

6 A Yes. That is what I have cited to here as
7 Goal 1 of the ESJ Action Plan, version 2.0.

8 Q Is what we're doing today, discussing the ACC
9 and what should be in it or not, a regulatory activity
10 at the CPUC?

11 MR. DUTTA: Objection. Calling for a legal
12 conclusion.

13 ALJ LAU: No. I'm going to overrule the
14 objection. Maybe, Counsel, you can restate the question
15 a little bit.

16 BY MR. LIN:

17 Q Is the ACC a regulatory activity at the CPUC?

18 A I don't think -- I wouldn't call it a
19 regulatory activity. Is the proceeding in which we are
20 currently at hearings a regulatory activity? Yes. Is
21 the ACC itself a regulatory activity? I don't think so,
22 not in my understanding of what a regulatory activity
23 is.

24 Q But the proceeding that we're in right now is a
25 regulatory activity?

1 A Yes.

2 Q And the proceeding that we're in right now
3 considers what should be in or out of the ACC; is that
4 correct?

5 MR. DUTTA: Objection. Vague and ambiguous.

6 MR. LIN: Your Honor, if you're not ready to
7 speak about what this proceeding is about, then I don't
8 know why we're here.

9 MR. DUTTA: I'm not sure where the line of
10 questions are going, to be honest.

11 ALJ LAU: Right. I'm going to overrule the
12 objection and let counsel try to reach his ultimate
13 question. I think he is just trying to establish
14 foundation because we've had a lot of objections about
15 foundation, so let counsel -- I don't even remember the
16 question. Is the ACC a regulatory activity; right?

17 Counsel, can you repeat your question.

18 BY MR. LIN:

19 Q Thank you, your Honor.

20 Mr. Ahlstedt, is the ACC a regulatory activity?

21 A No. I view regulatory activities as
22 proceedings such as the one we're currently in.

23 Q So the proceeding we're in right now is a
24 regulatory activity. You agree with that.

25 A Yes.

1 Q And the proceeding we're in right now decides
2 what goes in or out of the ACC?

3 MR. DUTTA: Asked and answered. I mean we
4 already --

5 MR. LIN: Your Honor, no, we have not gone into
6 this.

7 ALJ LAU: We have not had an answer to it. Can
8 you -- why don't -- Mr. Lin, can you just proceed to
9 your next question.

10 MR. LIN: Yes. I think we all know the answer
11 to this one. Thank you, your Honor. And I agree with
12 Ms. Armstrong this morning. This is a very frustrating
13 examination --

14 (Crosstalk.)

15 MR. DUTTA: Counsel is testifying --

16 MR. LIN: I request the opportunity --

17 THE REPORTER: Excuse me. Mr. Lin, Mr. Lin.
18 Excuse me, Mr. Lin. This is the court reporter. I'd
19 like to make a friendly reminder for everyone to please
20 speak one at a time. The record suffers when people
21 speak over one another. Thank you.

22 Excuse me, your Honor.

23 MR. DUTTA: Your Honor, I was just merely
24 stating that counsel is -- seems like counsel is
25 testifying. That's inappropriate.

1 ALJ LAU: All right. How about this:

2 Mr. Lin -- let's go off the record.

3 (Off the record.)

4 ALJ LAU: Let's go back on the record.

5 Mr. Lin, can you proceed with your next
6 question.

7 BY MR. LIN:

8 Q Yes, your Honor.

9 Sticking with cost effectiveness and the ESJ
10 Action Plan, going to Mr. Ahlstedt's opening testimony
11 at page 2-13, lines 11 -- line 10, you request that --
12 you interpret the ESJ Action Plan 2.0 to require
13 standardization in both the DE -- to require
14 standardization. Do you see that part of your
15 testimony?

16 A I would say that's a mischaracterization of
17 that sentence. The sentence reads:

18 Using unique cost effectiveness tests also
19 deviates from the goals of standardization
20 described in both the DER Action Plan 2.0,
21 and the ESJ Action Plan 2.0.

22 End quote. And what I'm saying here, your
23 Honor, is that the DER Action Plan 2.0 and the ESJ
24 Action Plan 2.0 list things that the Commission should
25 do. But to my understanding, they're not requirements.

1 So using unique cost effectiveness tests certainly is
2 not in line with the intentions of these two documents,
3 your Honor, but there's a lot of flexibility given to
4 the Commission.

5 My recommendation here is that we should have a
6 standardized approach to be more in line with these
7 documents, the DER Action Plan 2.0 and the ESJ Action
8 Plan 2.0.

9 Q Thank you, Mr. Ahlstedt. And in so doing, are
10 you interpreting the ESJ Action Plan?

11 A My statement here is based on the goals we had
12 just discussed in my plain reading of them. I don't
13 know if you would consider that an interpretation. I'm
14 just reading what the goal is.

15 Q And the reading -- your plain interpretation --
16 have you consulted any equity groups or organizations
17 focused on equity on that interpretation of that plain
18 language?

19 MR. DUTTA: Objection. Relevance.

20 ALJ LAU: I'm going to overrule it. It's did
21 he consult any equity groups in coming to that
22 conclusion in that sentence.

23 THE WITNESS: In this particular case, did I
24 discuss with any equity groups or equity representatives
25 or individuals for this specific sentence? No, I did

1 not. But have I been in situations where I discuss
2 equity generally with representatives from these
3 communities? Of course I have. It's part of my job.

4 BY MR. LIN:

5 Q Have you had -- have those discussions
6 determined what the standardization that you describe
7 the ESJ Action Plan calls for and your plain language
8 interpretation -- have those discussions with equity
9 groups involved your plain language interpretation of
10 the ESJ Action Plan?

11 MR. DUTTA: Objection. I'm unclear. It looks
12 like the question is compound. If counsel could
13 rephrase it.

14 ALJ LAU: Yes.

15 BY MR. LIN:

16 Q Mr. Ahlstedt your plain language interpretation
17 of the ESJ Action Plan, have you discussed that
18 interpretation with other organizations that focus on
19 equity?

20 MR. DUTTA: Asked and answered.

21 ALJ LAU: No, it was asked, but it wasn't
22 answered.

23 Mr. Ahlstedt, can you address it to the best of
24 your ability.

25 THE WITNESS: Yes, your Honor. I believe I did

1 answer that, so apologies for being unclear. My
2 response was have I discussed issues regarding equity
3 with representatives from equity communities or with
4 organizations? Yes, I have. Have I discussed this
5 specific issue with representatives or organizations
6 regarding this sentence or these interpretations of the
7 goals for use in this testimony? No, I have not.

8 BY MR. LIN:

9 Q And when you reference Goal 1 to integrate --
10 of the ESJ Action Plan, which, again, to remind you is
11 to integrate equity considerations across all PUC
12 regulatory activities, doesn't that refer to the
13 barriers study recommendation to incorporate non-energy
14 benefits and social costs into all energy programs?

15 MR. DUTTA: Objection. Counsel is referring to
16 a barriers study that's not in the record and it's not
17 before the witness.

18 MR. LIN: Counsel, it's in your witness'
19 testimony.

20 MR. DUTTA: Well, can you refer to where -- if
21 counsel --

22 (Crosstalk.)

23 MR. LIN: It's on that same page actually of
24 the rebuttal -- page 10, sorry, of the rebuttal
25 beginning at line 19.

1 MR. DUTTA: 19.

2 BY MR. LIN:

3 Q So let me read from line 19 of Mr. Ahlstedt's
4 rebuttal testimony:

5 The barriers study recommended that the
6 State should create a task force to
7 establish common definitions of non-energy
8 benefits, develop standards to measure
9 them, and attempt to determine consistent
10 values for use in all energy programs.

11 MR. DUTTA: Can we have --

12 (Crosstalk.)

13 ALJ LAU: Let's go off the record first because
14 it's going to be really hard for the hearing reporter.

15 (Off the record.)

16 ALJ LAU: Let's go back on the record.

17 Mr. Lin, for the record, again, for clarity of
18 the record, can you restate where your reference --
19 where you're referencing.

20 MR. LIN: Yes. Mr. Ahlstedt references the
21 SB 350 barriers study in his rebuttal testimony at
22 page 10 beginning on line 19.

23 THE WITNESS: Yes.

24 BY MR. LIN:

25 Q And I'll start the question again. You

1 reference Goal 1 of the Environmental and Social Justice
2 Action Plan to integrate -- to more thoroughly consider
3 equity issues in PUC regulatory activities; correct?

4 A We're flipping between testimonies here, but --

5 Q We were just talking about your --

6 (Crosstalk.)

7 THE WITNESS: Excuse me. I really don't
8 appreciate you talking over me when I'm trying to
9 respond. Thank you very much.

10 ALJ LAU: Wait.

11 THE WITNESS: I believe we're referring back to
12 my opening testimony where we discuss the goals of the
13 ESJ Action Plan. Let me just find that page number
14 again.

15 MR. DUTTA: I believe it's 2-11.

16 THE WITNESS: Yes. Thank you. 2-11 in my
17 testimony where I say:

18 Goal Number 1 of the ESJ Action Plan 2.0 is
19 to integrate equity and access
20 considerations in all regulatory activities
21 at the CPUC.

22 BY MR. LIN:

23 Q Yes. Now, doesn't that -- switching to your
24 rebuttal testimony now -- page 10 of your rebuttal
25 testimony at line 19 -- you reference the SB 350

1 barriers study that recommends developing standards to
2 measure non-energy benefits, establish common
3 definitions, and attempt to determine consistent values
4 for use in all energy programs; is that correct?

5 A Yes, that is what it says.

6 Q Isn't Goal 1 of the Environmental and Social
7 Justice Action Plan referring to this recommendation
8 from the SB 350 barriers study?

9 A I don't --

10 MR. DUTTA: Objection.

11 THE WITNESS: -- recall. I would need to see
12 the study again to make that affirmative yes or no.

13 MR. LIN: Okay.

14 MR. DUTTA: I just want to put for the record
15 the objection which is calls for a legal conclusion.

16 BY MR. LIN:

17 Q Okay. And sticking with your opening
18 statement -- we're almost on rebuttal. And I apologize
19 to the other witnesses and attorneys who have to go
20 today, but this is taking unexpectedly long, and I hope
21 we have some latitude to continue.

22 Your opening testimony, Mr. Ahlstedt, at
23 page 2-5, line 15, you say that non-energy benefits are
24 not avoided costs for the IOU. Do you see that part of
25 your testimony?

1 MR. DUTTA: What line?

2 MR. LIN: 15.

3 THE WITNESS: Yes, I see that.

4 BY MR. LIN:

5 Q Are greenhouse gases an avoided -- or avoid --
6 sorry. Let me start again. Are avoided greenhouse
7 gases an avoided cost for an IOU?

8 A I think we should --

9 MR. DUTTA: Objection to the extent that it
10 cause -- that to the extent that this is not
11 discussed -- if -- well, if counsel could point to a
12 place where the witness discusses GHGs, greenhouse
13 gases.

14 MR. LIN: Your Honor, if we -- if you could let
15 me finish my next question, then you'll see the
16 relevance of this.

17 ALJ LAU: Right. You know what, in the
18 interest of time, can we -- I firmly believe that
19 Mr. Ahlstedt actually does kind of, you know, understand
20 in the context of, you know, costs, are we talking about
21 greenhouse gas costs.

22 So, Mr. Lin, I'm sorry to interrupt, but what
23 was your question? Can you restate your question again.

24 BY MR. LIN:

25 Q Are avoided greenhouse gases an avoided cost

1 for an IOU?

2 A So I believe what you're referring to is, as I
3 had mentioned before the break, your Honor, the Avoided
4 Cost Calculator is composed of several categories of
5 costs, one of which is, in fact, greenhouse gas costs,
6 which has a -- I think a whole history behind that which
7 I don't think is necessary to go into here since it will
8 probably take a lot of time.

9 What I'm referring to here in my testimony --
10 my opening testimony -- on page 2-5 is, again, a guiding
11 principle. It's a principle for the CPUC that I'm
12 proposing to follow when it looks to what it should and
13 should not include in the ACC going forward.

14 That principle says on line 19 here:

15 Avoided costs used in the ACC shall be
16 ground in a verifiable and observable data
17 that supports the avoided costs of DERs.

18 So to answer Mr. Lin's question more directly,
19 GHGs are already in the ACC and there is significant
20 procedural history about that which I do not discuss in
21 my testimony.

22 Q Okay. So if an IOU avoids GHG emissions, does
23 the IOU also avoid other pollutants that come along with
24 those GHG emissions, co-pollutants if you will?

25 MR. DUTTA: Objection. I don't see the

1 relevance here.

2 ALJ LAU: Mr. Lin, can you tie -- let's tie it
3 to the question you really want to ask.

4 BY MR. LIN:

5 Q So local air pollution is a non-energy benefit
6 that we request to be in the ACC -- or avoided local air
7 pollution is a benefit that we request to be in the ACC.
8 Mr. Ahlstedt here is saying that that is not
9 a benefit -- it's not an avoided cost for the IOU. I'm
10 asking Mr. Ahlstedt if GHGs are an avoided cost, then
11 are local pollutants that are remitted simultaneously
12 with GHGs also an avoided cost for the IOU?

13 A I believe I can answer, your Honor, if you
14 like.

15 ALJ LAU: Yeah, please.

16 THE WITNESS: So as I had said, your Honor, the
17 ACC already includes at least some portion of GHG costs
18 within the ACC. The Commission has already decided
19 that. If I recall correctly, Cal Advocates had a
20 position in the run-up to the GHG included in the ACC,
21 so I don't necessarily agree or have a position today
22 whether or not GHGs are an avoided cost from the
23 utility's standpoint. What I will say, your Honor, is
24 that it is currently within the ACC.

25 ///

1 BY MR. LIN:

2 Q Okay. If an IOU avoids excessive use of water
3 for energy generation, is that an avoided cost for the
4 IOU?

5 MR. DUTTA: Objection. Exceeds the scope of
6 the witness' testimony. It's also speculative.

7 ALJ LAU: I --

8 MR. LIN: So -- sorry.

9 ALJ LAU: We did, right, establish that he did
10 talk about water?

11 MR. DUTTA: Talked about water once not in --
12 in a separate context.

13 MR. LIN: The same context, your Honor.
14 Mr. Ahlstedt's testimony is that non-energy benefits are
15 not avoided costs. Water equality and quantity are
16 non-energy benefits.

17 ALJ LAU: Right.

18 Mr. Ahlstedt, if it is really beyond your
19 scope, you can answer to the best of your ability and
20 say anything beyond that is beyond your scope.

21 THE WITNESS: I'll do the best to answer to the
22 best of my ability, your Honor, for your knowledge, but
23 I do think it is very much outside of the scope of my
24 testimony.

25 My understanding, though, is that the Avoided

1 Cost Calculator includes costs that utilities avoid,
2 which includes the cost of running their facilities
3 presumably. And if it means that the cost of running
4 their facilities are lower, yeah, I'm sure there's a
5 whole lot of things that could lower those costs that
6 are not a separate adder as the Center for Biological
7 Diversity is proposing here. So I think we're
8 misconstruing the issue.

9 The issue that I discuss in my rebuttal
10 testimony is whether or not there should be a separate
11 adder in the Avoided Cost Calculator for these various
12 categories of non-energy benefits, including water
13 quality or use, to which my position is no, there should
14 not be a separate adder.

15 But that does not mean that these costs are not
16 already somehow factored into the costs that currently
17 go into the ACC, whether it be in terms of efficiencies
18 on the IOU's cost that, again, are already included in
19 the ACC.

20 BY MR. LIN:

21 Q So, Mr. Ahlstedt, are you saying that the ACC
22 already includes the non-energy benefits that we are
23 requesting that it include?

24 A No, I'm not. I'm saying there's a whole lot of
25 things that could theoretically go into the value and

1 the costs that currently go into the ACC. I'm not
2 familiar with the utility's entire expense framework and
3 what leads to the final numbers that we see in the ACC.

4 Q Okay. Well, let's move to your rebuttal
5 testimony then, page 9, line 1.

6 A Okay.

7 Q You say that because the Center for Biological
8 Diversity did not propose a value for the non-energy
9 benefits that we're proposing for inclusion, then they
10 should not be included; is that correct?

11 A I'm sorry, page 9, line 1?

12 Q Yes.

13 And, your Honor, this whole discussion further
14 I'm going to go through is all related to Cal Advocates'
15 and Mr. Ahlstedt's response to our opening testimony
16 directly. So everything that I'm about -- the remainder
17 of my cross-examination will focus on pages 9 and 10.
18 So I would hope that counsel does not object to require
19 exact citations to whichever line, but everything is on
20 pages 9 through 10 of my remaining cross-examination
21 and -- to speed things up. I hope we can speed things
22 up.

23 ALJ LAU: Yeah. Mr. Ahlstedt, why don't we
24 take -- go off the record for -- let's go off the
25 record.

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(Off the record.)

ALJ LAU: Let's go back on the record.

Mr. Lin, let's begin your line of questioning.

BY MR. LIN:

Q Thank you, your Honor.

Mr. Ahlstedt, you say that non-energy benefits should not be included in cost effectiveness tests or in the ACC because my organization has failed to consider that proposal's impact on ratepayers and also has failed to calculate the value of non-energy benefits themselves; is that correct?

MR. DUTTA: Your Honor, again, I don't want to object, but this question is unclear. It looks compound too.

MR. LIN: My God. You just read the damn page.

ALJ LAU: Why don't, Mr. Ahlstedt, you agree or not agree. And if you don't agree, you can clearly state for the record what do you disagree with CBD's testimony.

THE WITNESS: Right, your Honor. Sorry. I'm a bit sidetracked by Mr. Lin's candor, but I'll try and proceed. I believe what Mr. Lin had just read was a quotation from my rebuttal testimony page 9, lines 9 through 12.

///

1 BY MR. LIN:

2 Q Taking the last bit then, failing to calculate
3 the value of non-energy benefits themselves, if no value
4 is proposed by a stakeholder, does that mean that the
5 value is zero?]

6 A It's a bit of a chicken and the egg situation,
7 your Honor.

8 As of right now, there is no clearly defined
9 non-energy benefit values for the various categories
10 that Center for Biological Diversity proposes to include
11 in the ACC.

12 Does that mean it's impossible to calculate
13 those values? Not necessarily. Does it mean that it's
14 possible? Also, not necessarily. It's just -- it's
15 unresolved, at this point. It's premature.

16 Q Well, if it's premature and/or if it's
17 unresolved, does that mean that the value is zero?

18 A I believe I just answered that there's no
19 saying if it's zero or if it's not zero. It's just
20 there's no way to know right now if there is a value, to
21 begin with.

22 Q Okay. If there's no current methodology to
23 estimate a value of a non-energy benefit, does that mean
24 that the value is zero?

25 MR. DUTTA: Asked and answered.

1 ALJ LAU: Yeah. Let's move on. I -- I -- I --
2 yeah.

3 MR. LIN: Okay. Let's see.

4 Q Has Cal Advocates calculated rate impacts from
5 considering non-energy benefits in the Avoided Cost
6 Calculator?

7 A Are you referring to me personally, and use in
8 this testimony, or Cal Advocates, generally?

9 Q Let's go with your testimony first.

10 A No, I have not personally calculated the values
11 of non-energy benefits that Center for Biological
12 Diversity proposes to include in the Avoided Cost
13 Calculator.

14 Q That's not what I was asking, Mr. Ahlstedt.
15 I was asking: Have you calculated the
16 ratepayer impacts for the rate increases from including
17 the values that we propose?

18 A Apologies. No, for the same reason it is
19 Center for Biological Diversity's proposal. I've not
20 calculated the ratepayer bills or impacts, in no small
21 part to the fact that there is no quantifiable value
22 attributed to Center for Biological Diversity's various
23 non-energy benefit adders.

24 Q So your conclusion that -- your conclusion that
25 rate increases would happen by considering non-energy

1 benefits is not a conclusion, it's an assumption?

2 MR. DUTTA: Mischaracterizing the witness --
3 objection -- the witness' testimony.

4 ALJ LAU: I'm going to sustain that objection.

5 Can you restate that question?

6 BY MR. LIN:

7 Q So, Mr. Ahlstedt, are you assuming that
8 considering non-energy benefits would cause rate
9 increases?

10 A This particular sentence that we've been
11 talking about refers to impacts on ratepayer bills or
12 rates. It doesn't say rate increases or rate decreases
13 or zero impact.

14 As I said, the values of these non-energy
15 benefits are unknown; therefore, we do not know what the
16 impact will be. And that is a very serious issue when
17 we are considering including these in the Avoided Cost
18 Calculator, which is used in every single DER program,
19 to value the costs and benefits to ratepayers.

20 So if we don't even know what the impacts are,
21 how can we include them in the Avoided Cost Calculator?

22 Q That's exactly the answer I was looking for.
23 Thank you.

24 Now, moving on to page 10, line 4 --

25 A I'm there.

1 Q -- you say that we do not -- the Center for
2 Biological Diversity does not acknowledge that a cost to
3 society also includes ratepayer costs in the form of
4 increased rates and bills.

5 A That's not exactly what it says, but I think
6 that's the general understanding, yes.

7 ALJ LAU: And, Mr. Ahlstedt, why don't you
8 read, for the record, what you wrote on page 10 of your
9 rebuttal testimony, line 4?

10 THE WITNESS: Of course, your Honor.

11 The quote reads: CBD interpretation errs by
12 not acknowledging that a 'cost to society' also includes
13 ratepayer costs in the form of increased rates and bills
14 as a result of including proposed non-energy benefits in
15 the ACC or in standardized cost-effectiveness tests.

16 ALJ LAU: Thank you.

17 Mr. Lin, do you have any questions based on
18 that question -- sentence?

19 MR. LIN: Yes, your Honor.

20 Q The cost to society -- Mr. Ahlstedt, you
21 interpret cost to society to include ratepayer costs.
22 Is that correct?

23 A Yes.

24 Q And are you an attorney?

25 A No.

1 Q Do you have any expertise in statutory
2 interpretation?

3 A Aside from my normal day job as a regulatory
4 analyst at the Public Utilities Commission, no.

5 Q Okay. And related question, you say that cost
6 to society -- or actually, no. I'm -- I'm happy to move
7 on from that one.

8 Let's stick on page 10, but go to line 13.

9 A Okay.

10 Q You -- your testimony cites to a portion of
11 SB 100 that requires the Commission to prevent
12 unreasonable impacts to electricity, gas, and water
13 customer rates.

14 A Yes. It specifically looks at Public Utilities
15 Code Section 454.53(b)(2).

16 Q Okay. If we have decreasing water quality and
17 quantity throughout the state, won't water -- won't
18 water rates increase?

19 MR. DUTTA: Objection. This is over -- this
20 question's overbroad.

21 ALJ LAU: It --

22 MR. DUTTA: And lacks context.

23 ALJ LAU: Sustained. That -- that's very
24 beyond his scope.

25 MR. LIN: Okay.

1 Q Let's go to page 11, line 11.

2 A Okay.

3 Q You -- you say that the -- in your testimony
4 say, actually beginning on -- where is that -- line 10,
5 sorry, neither SB 350 nor the SB 350 barriers study
6 contain any mandate or recommendation to include the
7 proposed non-energy benefits in the ACC or
8 cost-effectiveness tests.

9 A Yes, that is what that sentence says.

10 Q Does the ACC affect the -- the -- does the ACC
11 affect DER customer programs?

12 MR. DUTTA: Objection. It's unclear what
13 counsel means by affect; if counsel could rephrase the
14 question.

15 BY MR. LIN:

16 Q If the ACC goes higher or lower, does that have
17 an effect on DER customer programs and the number of
18 people that subscribe to those programs?

19 ALJ LAU: I'm going to --

20 (Crosstalk.)

21 ALJ LAU: I'm going to allow that question,
22 Mr. Ahlstedt; just qualify your answer, if necessary.

23 THE WITNESS: Thank you, your Honor.

24 The ACC is updated regularly, and it's
25 something that I point to as a benefit of the Avoided

1 Cost Calculator, actually, in my opening testimony,
2 where I have a guiding principle reiterating the fact
3 that it should update and should grow continuously, and
4 should strive to be as accurate as possible.

5 Now, if the question is do iterations --
6 different iterations of the ACC result in different
7 avoided cost values? Then, yes, naturally they do,
8 because, again, the ACC changes over time. It updates.
9 It gets more accurate. That is the goal of the ACC.
10 The ACC is not supposed to be this one, you know, figure
11 set in -- in stone, and is in -- it is supposed to be
12 flexible and updated on a regular basis to reflect the
13 actual avoided cost value of DERs to the grid.

14 BY MR. LIN:

15 Q Thank you. Are DER customer programs an energy
16 program?

17 A Yes. So DER stands for distributed energy
18 resource. So, yes.

19 Q Okay. Let's see. You conclude your rebuttal
20 by saying that it's premature -- and you've just said
21 that, as well -- premature to include non-energy
22 benefits in the Avoided Cost Calculator.

23 Do you agree that, one day, whether this year,
24 next year, the year after, we should include non-energy
25 benefits in the Avoided Cost Calculator?

1 MR. DUTTA: Objection; beyond the scope. I
2 mean this is --

3 ALJ LAU: This is just calling for his expert
4 opinion.

5 If you don't want to speculate, it's fine; but,
6 Mr. Ahlstedt, you -- answer to the best of your ability.

7 THE WITNESS: Thank you, your Honor.

8 I think, at this point, it is premature, as I
9 said in my testimony, for the reasons listed;
10 specifically, in response to the Center for Biological
11 Diversity's testimony and proposals.

12 Whether or not non-energy benefits are included
13 sometime in the future, I don't have an opinion on that
14 right now. I would say that the ACC, as currently
15 designed, does not support the inclusion of non-energy
16 benefits, because I don't believe that the non-energy
17 benefits, at least the ones that Mr. Lin and Center for
18 Biological Diversity includes in their proposals -- I
19 don't believe those non-energy benefits are costs that
20 utilities avoid, and thus, they should not be included
21 in the Avoided Cost Calculator.

22 But, as I had also said to you, your Honor, the
23 Avoided Cost Calculator can change, and the Commission
24 is free to do whatever the Commission pleases, at the
25 end of the day.

1 So at this point in time, again, I believe it
2 is premature to include these. And in terms of in the
3 future, I -- I just don't know. It's -- it's difficult
4 to say.

5 BY MR. LIN:

6 Q Okay. And the same question, but in regards to
7 cost-effectiveness tests; in your expert opinion, should
8 we include non-energy benefits and social costs in
9 cost-effectiveness tests one day?

10 A My --

11 MR. DUTTA: Same objections.

12 THE WITNESS: My response is today, no, it's
13 premature. And it's --

14 (Crosstalk.)

15 BY MR. LIN:

16 Q So one day, it's premature?

17 A No, that is not what I said, and please let me
18 finish.

19 What I said is, as currently designed, the ACC
20 does not support inclusion of -- of non-energy benefits
21 like those listed, and neither does the
22 cost-effectiveness test.

23 But, you know, presuming the rules of today are
24 still relevant in the future, and have not been updated,
25 then I would say, no, they should not be included in

1 future iterations. If those rules change, then we need
2 to have a reevaluation of what those changes actually
3 mean.

4 Q Okay. And then the last question for me,
5 page 11, line 13, beginning at line 13, the Center for
6 Biological Diversity recommends the Commission commits,
7 in this proceeding, to revising and incorporating other
8 societal costs and non-energy benefits in both
9 cost-effectiveness and ACC once -- and the ACC once
10 determined by the California Energy Commission.

11 A Yes, that is a statement in my testimony.

12 Q Great. And then you follow that statement by
13 saying the Commission should reject that approach,
14 because the Center for Biological Diversity has failed
15 to provide a value for non-energy benefits.

16 MR. DUTTA: Objection. It's not -- incomplete
17 citation.

18 MR. LIN: That would be included in the ACC or
19 cost-effectiveness test.

20 ALJ LAU: Mr. Lin -- why don't you,
21 Mr. Ahlstedt, just read, for the record, page 11 of your
22 rebuttal testimony, sentence starting line 16?

23 THE WITNESS: Of course.

24 The sentence, starting line 16, states:

25 "However, the Commission should reject such an approach,

1 because CBD fails provide --" sorry, there should be a
2 "to" there "-- the value of NEBs that would be included
3 in the ACC or in cost-effectiveness tests."

4 ALJ LAU: Mr. Lin, can you ask your question,
5 based on that sentence?

6 MR. LIN: Yes.

7 Q Just to make it -- is it your -- are you -- I
8 just want to make sure that Mr. Ahlstedt is interpreting
9 the request that we have for the CEC to determine the
10 values of non-energy benefits.

11 Is that clear for -- I'm not -- I'm not sure
12 that's clear from your testimony, Mr. Ahlstedt.

13 MR. DUTTA: Objection. I'm not clear what the
14 question is.

15 ALJ LAU: I agree.

16 Can you clarify what your question is?

17 Because -- because you're stating if Mr. Ahlstedt came
18 to that conclusion based on what -- CBD's interpretation
19 of CEC. Can you -- can you clarify again what -- what
20 you're asking?

21 MR. LIN: Whether it's -- the testimony is the
22 reason for rejecting the approach is provide -- that
23 Mr. Ahlstedt provides is that -- because the Center for
24 Biological Diversity has not provided a value for
25 non-energy benefits. But, I want to make sure it's

1 clear from -- for Mr. Ahlstedt that he understands that
2 we are requesting that the California Energy Commission
3 provide these values.

4 MR. DUTTA: Objection. This is material for a
5 brief. I don't see a question here --

6 ALJ LAU: I agree --

7 MR. DUTTA: -- as far as that legal
8 positioning.

9 ALJ LAU: I agree that's not a clear question.

10 BY MR. LIN:

11 Q Mr. Ahlstedt, are you aware that the California
12 Energy Commission is currently determining values for
13 non-energy benefits?

14 A Based on my reading of the Center for
15 Biological Diversity's testimony where they say such,
16 yes.

17 Q And those non-energy benefits includes local --
18 local air quality?

19 MR. DUTTA: Objection. That's assuming facts
20 not in evidence. And again, we're referring to
21 something that's not before the witness right now, that
22 he didn't talk about in his testimony.

23 ALJ LAU: Sustained. Let's --

24 MR. LIN: Your Honor, he did talk about it in
25 his testimony, citing a -- footnote 46 on line 16 of

1 this page.

2 MR. DUTTA: Again, this is reference made to
3 CBD's testimony. You know, the witness does not --
4 beyond what's been filed with the Commission, the
5 witness has no further knowledge. He's just relying on
6 what CBD's provided.

7 ALJ LAU: Mr. Lin, can you just try to re-ask
8 your question?

9 And then, Mr. Ahlstedt, to your best ability;
10 and, you know, try to even qualify your answer, if you
11 need to.

12 MR. LIN: Okay. I think everyone has and
13 everyone watching has had enough fun with this one, as
14 well. So I just have one last question for
15 Mr. Ahlstedt.

16 Q If the California Energy Commission -- when the
17 California Energy Commission determines values for
18 non-energy benefits, should those be integrated into
19 cost-effectiveness determinations?

20 MR. DUTTA: Objection to the extent it's asking
21 for a legal conclusion. As -- as -- as counsel has
22 mets (sic) and made a point of, this witness is not an
23 attorney.

24 ALJ LAU: It's a little bit beyond his scope.

25 Let's try again, Mr. Lin. I'm sorry.

1 BY MR. LIN:

2 Q When the California Energy Commission
3 determines values for non-energy benefits -- benefits,
4 should the Public Utilities Commission incorporate those
5 values into its cost-effectiveness determinations?

6 A No. As I said in my testimony, there's no
7 requirement to do that.

8 I think what I'm addressing here, your Honor,
9 is the fact that there are no numbers in front of us,
10 there is no methodology in front of us, there are no
11 requirements in front of us for the Commission to
12 include non-energy benefits in cost-effectiveness or in
13 the Avoided Cost Calculator; at least, the ones that
14 Center for Biological Diversity has proposed to include.

15 I -- I think, once the CEC -- presuming what
16 your statement -- what you just said, Mr. Lin, is
17 correct, if they determine these values and make these
18 decisions, that's certainly taking one issue off the
19 list. But, it's ultimately not addressing another
20 fundamental issue, which I present in my rebuttal
21 testimony, that we do not have an estimate of the impact
22 on ratepayers or rates or their bills, which also is
23 fundamental to the discussion of including non-energy
24 benefits within the Avoided Cost Calculator.

25 Q So would you say it's fair that we do not know

1 whether there are any rate impacts today as a result
2 of -- if we were to consider non-energy benefits?

3 MR. DUTTA: Asked and answered.

4 ALJ LAU: Can you just answer counsel's
5 question?

6 THE WITNESS: Yes, your Honor.

7 I think it's a safe assumption that if you
8 include additional costs then rates will go up to
9 accommodate those additional costs. Whether or not
10 there are specific costs for each of the adders that
11 Center for Biological Diversity has proposed, I don't
12 think there are.

13 But, on a very high level, your Honor, if costs
14 rise, they must be recovered somewhere, and in all
15 likelihood, that will come from ratepayers, whether in
16 form of rates or in some other mechanism.

17 MR. LIN: Okay. Thank you for your time. It's
18 been an --

19 THE WITNESS: Thank you.

20 MR. LIN: -- absolute pleasure.

21 ALJ LAU: Hold on. Don't go yet, Mr. Lin.

22 Mr. -- Mr. Dutta, do you have any redirect
23 for --

24 MR. DUTTA: No. I'm not going to attain (sic)
25 anyone further. No -- no redirect.

1 ALJ LAU: Okay. Thank you, Mr. Ahlstedt.
2 Thank you for appearing today. You are now excused
3 from --

4 THE WITNESS: Thank you.

5 ALJ LAU: -- today's and the -- I'm hoping the
6 rest of -- I -- I don't know. You're excused today.
7 Possibly, Mr. Lin did mention that he may call you back,
8 but we do not know.

9 All right. Let us bring forth the next
10 witness, Ms. Desiree Wong. And we will put Mr. Dutta
11 also off stage.

12 Actually, let's go off the record.

13 (Off the record.)

14 ALJ LAU: Let's go back on the record.

15 So what we have before us on stage is
16 Mr. (sic) Desiree Wong and Mr. Paul Sung and a set of
17 wit -- witness attestations for which I circulated
18 previously, and they were attached to my previous
19 ruling.

20 Ms. Wong, can you introduce yourself and the
21 party you're representing?

22 MS. WONG: Sure. Good afternoon, everyone. My
23 name is Desiree Wong, D-e-s-i-r-e-e, last name, W-o-n-g.
24 I'm here on behalf of the Joint Utilities.

25 ALJ LAU: Okay. And when you say, "Joint

1 Utilities," can you --

2 MS. WONG: Sure. I'm here on behalf of PG&E,
3 SCE, and SDG&E.

4 ALJ LAU: Thank you. Ms. Wong, do you see the
5 set of witness attestations that are set on the screen?

6 MS. WONG: Yes, I do.

7 ALJ LAU: Have you had the opportunity to
8 review them, in full?

9 MS. WONG: Yes, I have.

10 ALJ LAU: Do you agree to them?

11 MS. WONG: Yes, I do.

12 ALJ LAU: Thank you.

13 DESIREE WONG,

14 called as a witness by the Joint Utilities,
15 having affirmed, testified as follows:

16 ALJ LAU: Mr. Sung, you may begin direct
17 cross -- direct examination of Ms. Wong.

18 MR. SUNG: Thank you, your Honor.

19 DIRECT EXAMINATION

20 BY MR. SUNG:

21 Q Good afternoon, Ms. Wong.

22 Are you sponsoring written testimony in this
23 proceeding?

24 A Yes, I am.

25 Q Is it correct that you are sponsoring sections

1 B-1, A-1, 2, and 8 of the Joint IOUs' opening testimony
2 labeled Exhibit IOU-1, section B-1 of the Joint IOUs'
3 rebuttal testimony labeled Exhibit IOU-2, and the Joint
4 IOUs' errata testimony labeled Exhibit IOU-3 as
5 identified in the table of contents?

6 A Yes, I am.

7 Q Was this material prepared by you or under your
8 direction?

9 A Yes, it was.

10 Q Do you have any corrections that you'd like to
11 make to your testimony at this time that have not yet
12 been made?

13 A No.

14 Q To the extent that your testimony is factual,
15 do you believe it to be true and correct?

16 A Yes.

17 Q And to the extent your testimony reflects an
18 opinion or judgment, does it reflect your best
19 professional opinion or judgment?

20 A Yes, it does.

21 MR. SUNG: Your Honor, Ms. Wong is available
22 for cross-examination.

23 ALJ LAU: Thank you, Mr. Sung.

24 Let's put forth Ms. Andrea White.

25 (No response.)

1 ALJ LAU: Can we put forth on screen Ms. Andrea
2 White?

3 Ms. White, are you available?

4 MS. WHITE: Yes, I'm here. Unfortunately, I
5 seem to be having connectivity issues. But -- oh, okay.
6 I see you all again. And I'm --

7 ALJ LAU: Ms. White, go ahead. You -- why
8 don't you introduce yourself before you proceed?

9 MS. WHITE: Of course, your Honor.

10 So I'm Andrea White, and I'm representing the
11 Protect Our Communities Foundation, or PCF.

12 CROSS-EXAMINATION

13 BY MS. WHITE:

14 Q Okay. So, Ms. Wong, I would like to direct you
15 to your rebuttal testimony on page 5. Let's see. And
16 lines 11 through 14.

17 A Yes.

18 Q Okay. So here you state the Joint -- the Joint
19 IOUs agree and have always advocated, for the use of the
20 IRP's adopted system plan as the baseline for the ACC
21 because it provides for more consistent treatment across
22 supply- and demand-side resources.

23 So, based on this statement, do you believe
24 consistency should be the most important goal of the
25 Commission when selecting which portfolio to use?

1 A I'm not sure, either way, if it should be the
2 most important goal. I think it is an important goal.

3 Q Okay. So what other goals do you think are
4 important?

5 A I think reasonableness and accuracy are also
6 important.

7 Q Okay. Anything else?

8 A Not anything that I can think of at this
9 moment.

10 Q Okay. Thank you. So then, I would like to
11 turn to page 4 of your rebuttal testimony, lines 31 and
12 32.

13 So you say that SEIA -- well, here, you're
14 referring to how SEIA recommends the least-cost
15 portfolio. Correct?

16 A Yes.

17 Q Okay. So quoting you here, it says that they
18 select this portfolio as an attempt to intentionally
19 select the portfolio that results in the higher
20 greenhouse gas avoided costs.

21 MR. SUNG: Objection; misstates the witness'
22 testimony.

23 ALJ LAU: Ms. White, why don't you let the
24 witness read the sentence into the record?

25 MS. WHITE: Sure.

1 THE WITNESS: Sure. So starting on line 29,
2 "This proposal to deviate, once again, from using an
3 adopted system portfolio in favor of a sensitivity case
4 should be rejected because it appears to be an attempt
5 to intentionally select the portfolio that results in
6 higher GHG avoided costs."

7 BY MS. WHITE:

8 Q Okay. Thank you.

9 So based on this sentence, are you saying
10 that -- are you saying that consistency is more
11 important than reducing greenhouse gas emissions?]

12 A I don't believe that's what this sentence is
13 implying, no. I don't agree with that characterization.

14 Q Okay. What do you think it means?

15 A As you noted in the earlier citation, I believe
16 consistency across the IRP and, you know, DER evaluation
17 is important. And so to the extent there is a view of
18 GHG costs and the resource portfolio needed to meet the
19 state's GHG goals in the IRP, those assumptions should
20 also be used in the ACC.

21 Q Okay. So based on this, in your opinion, is it
22 more important to reduce greenhouse gas emissions or for
23 the portfolios to be consistent?

24 MR. SUNG: Objection. This is going beyond the
25 scope of the witness's testimony.

1 ALJ LAU: I'm going to sustain the objection.
2 Can you -- Counsel, can you kind of just -- I don't
3 know -- reword your question or whatnot?

4 MS. WHITE: I'll just move on to my next
5 quotation.

6 Q Okay. So on page 5 of your rebuttal testimony,
7 lines 14 through 17 -- okay. So here you state, "The
8 Commission should continue its important work in
9 aligning the ACC with the IRP and reject SEIA's
10 result-oriented proposal to use the sensitivity
11 portfolio as the baseline portfolio for the ACC."

12 So I was just wondering if you could clarify
13 what you mean by "result-oriented" here?

14 A Sure. So this section describes the procedural
15 history of portfolios that are used in the IRP and then
16 carried over to the ACC. The -- earlier in the
17 paragraph I describe SEIA's proposal in this case and
18 compared it to SEIA's positions in previous cases where
19 in 2020 they advocated for use of the No New DER
20 scenario, one of the reasons which was avoided GHG costs
21 were higher using that portfolio than they were using
22 the IRP's adopted system portfolio.

23 In the 2022 case when the No New DER scenario
24 was modified, I believe, in the resolution phase of the
25 proceeding, SEIA advocated to use the IRP's adopted

1 system portfolio. So they asked the Commission to
2 deviate from using the No New DER case in '22, again,
3 because, I believe, Energy Division staff had shown
4 graphs that show that the GHG avoided costs were higher
5 using the IRP system portfolio than they were using the
6 No New DER scenario in '22.

7 Now, here in '24, Energy Division staff's
8 proposal is to use the adopted system portfolio in the
9 IRP. However, in the IRP space, they also showed a
10 sensitivity case, the least cost portfolio sensitivity
11 case. And I don't remember where -- in what proceeding,
12 but the avoided costs using the least cost portfolio
13 sensitivity case were higher than the system.

14 And so based on sort of the flip-flopping
15 nature of SEIA's proposals on which portfolio to use,
16 that is what I am proposing that we not do. We not look
17 at what results in a higher avoided GHG cost or a lower
18 GHG avoided cost. I'm just saying we should just use
19 the IRP system portfolio.

20 Q Okay. So -- okay. That's an interesting
21 clarification. So I think based on that, I would -- my
22 next question is, in this particular instance in this
23 proceeding, what -- so you -- you called SEIA result
24 oriented. So, I mean, that sort of implies that there's
25 a result they're trying to get. What result do you

1 think that is in this case?

2 A Just to clarify, I called the proposal result
3 oriented. I did not call SEIA result oriented. And I
4 believe the proposal was to choose the portfolio that
5 resulted in higher avoided GHG costs.

6 Q Okay. Thank you.

7 Okay. So I would now like to turn to -- well,
8 your Honor, if you think it's appropriate, I would like
9 to mark and identify PCF Exhibit 13, which was served on
10 January 12. But since I know that witnesses have had
11 trouble pulling up exhibits, I would just like to read
12 what I'm going to reference.

13 ALJ LAU: Let's go off the record.

14 (Off the record.)

15 ALJ LAU: Let's go back on record.

16 Ms. White, we can try your questions, but since
17 Ms. Wong hasn't had a chance to review the exhibits, you
18 know, she may not be able to, you know, address it
19 fully. And yes, it would prejudice, you know, the joint
20 utilities to have them put on the stand when they
21 haven't had that opportunity to review it. But we will
22 try with these questions to see if Ms. Wong would be
23 amenable to addressing them.

24 MS. WHITE: Okay. Thank you, your Honor.

25 Q So I will try to keep this as simple as

1 possible. So Executive Order --

2 ALJ LAU: Are we back -- are we on the record?

3 (Reporter clarification.)

4 MS. WHITE: Thank you, your Honor.

5 Q So PCF Exhibit 13 is the Executive Order
6 B-55-18. It's a California executive order, and it's to
7 achieve carbon neutrality. And it states that -- well,
8 it orders that California should achieve carbon
9 neutrality as soon as possible and no later than 2045.

10 So my question based on this is if you think
11 the core portfolio or the least cost portfolio is more
12 likely to help achieve carbon neutrality by 2045?

13 MR. SUNG: Your Honor, I would like to object
14 only because this goes beyond the scope of Ms. Wong's
15 testimony. She's not testifying as an IRP witness on
16 the portfolios of PSP. This is really inappropriate and
17 objectionable.

18 MS. WHITE: I would like --

19 ALJ LAU: Go ahead.

20 MS. WHITE: I would like to respond to
21 counsel's objection.

22 So Ms. Wong does -- she -- she -- from my
23 perspective, she compares the least cost and the core
24 portfolio, even if she doesn't -- she -- from my
25 perspective, she compares them. So I think my question

1 is appropriate.

2 ALJ LAU: Ms. Wong, are you even familiar with
3 this executive order that Ms. White is referencing
4 regarding carbon neutrality?

5 THE WITNESS: So I'm not familiar with the
6 executive order itself, but I am familiar with the goal
7 for 2045. And I can speak to -- I can respond to her
8 question.

9 ALJ LAU: Okay.

10 THE WITNESS: So just to clarify, I don't have
11 a position on which portfolio is preferable from an IRP
12 standpoint. That's for the Commission to decide which
13 portfolio is the appropriate portfolio to adopt as its
14 IRP system portfolio. So I just want to clarify that.

15 And both portfolios are designed to meet the
16 state's climate goals. You know, within the modeling,
17 both are designed to meet the same goal. They just have
18 different resources that are selected based on the
19 criteria and the selection process.

20 My general point is the ACC should use the
21 adopted portfolio, whatever that is.

22 BY MS. WHITE:

23 Q So -- okay. So I'm going to -- I'm going to
24 ask one more question, but it's not referring to the
25 executive order. But it is related to this line of

1 questioning.

2 So when considering proposals related to the
3 ACC, do the utilities prioritize alignment between
4 Commission proceedings over reducing carbon emissions?

5 A I don't really agree with the premise of the
6 question. Again, I think -- yeah.

7 Q Could you explain why you don't agree with the
8 premise?

9 A It presumes that we are prioritizing one over
10 the other when just as a simple -- that's not what we're
11 proposing. We're saying -- we're not looking at the
12 results of using one or the other and making a decision
13 based on that. As I said, our proposal is to align it,
14 align the IRP with the ACC. That is -- and that is what
15 we're proposing to do here.

16 Q Okay. Okay. So I'll move on to my next line
17 of questioning.

18 So this refers to the errata that you
19 submitted. So hopefully everyone has that available.
20 So -- and --

21 ALJ LAU: Is that errata to the rebuttal
22 testimony?

23 MS. WHITE: Yes. Yes, your Honor.

24 ALJ LAU: And that's IOU-3?

25 MR. SUNG: Yes, your Honor.

1 MS. WHITE: Thank you, Mr. Sung.

2 Q Okay. So -- my -- my first question refers to
3 page 14 of the errata, lines 6 through 11.

4 A Okay.

5 Q Okay. So here you state, "The cost of the
6 policy-related transmission projects approved in the
7 CAISO's 2022-2023 TPP were appropriately excluded
8 (modeled at zero)" -- and that's in parentheses --
9 "because they are now effectively sunk costs; any
10 resource that can be built using that already-authorized
11 transmission has a marginal transmission cost of zero."

12 So based on this statement, I am wondering if
13 you would agree that transmission projects which have
14 not been built yet can still be canceled?

15 A That's possible.

16 Q Okay. Would you agree that transmission
17 projects have been canceled by CAISO in the past?

18 A Yes, they have.

19 Q Okay. Have you considered whether other
20 projects such as solar plus storage could reduce the
21 need for some transmission projects?

22 A Just generally or approved projects?

23 Q I guess maybe you could answer approved
24 projects first.

25 A Sure. So I don't believe it's likely that

1 solar plus storage projects could eliminate or could
2 result in a cancellation of approved projects. CAISO
3 has indicated that they have modified their processes to
4 reduce the time between when a project is approved and
5 when it's reasonably expected to begin development
6 activities, to reduce that time and reduce or mitigate
7 the need for cancellations. So I don't believe it's
8 likely.

9 Q Okay. Thank you. So then could you answer
10 to -- as to generally whether projects such as solar
11 plus storage could reduce the need for some transmission
12 projects?

13 A So to clarify the scope of my testimony as it
14 relates to transmission costs, I specifically -- I am
15 specifically speaking to the policy-related transmission
16 costs that are needed to basically integrate renewables
17 to meet the state's GHG targets. I'm not the witness to
18 speak to transmission costs generally. So I just want
19 to clarify that.

20 And with respect to your question whether solar
21 plus storage could reduce the need for or avoid
22 transmission costs, I can answer that as it relates to
23 those policy-related transmission costs only. And the
24 answer is to the extent those DERs reduce the loan
25 forecast, reduce the need for additional renewables to

1 meet the GHG targets and thus potentially reduce the
2 need for transmission that would be needed to integrate
3 those renewables, then yes, they could avoid those
4 costs.

5 Q Okay. Thank you.

6 So my next question is referring to your use of
7 the phrase "policy-related," which you just mentioned.
8 So I'm wondering, in your opinion, are -- projects that
9 are installed for policy purposes, could they also be
10 installed for another purpose?

11 A I don't -- I'm not familiar enough with
12 transmission costs to speak to that.

13 Q Okay.

14 A Yeah.

15 Q Okay. That's fine.

16 Okay. So moving on to my next question. So
17 this is on pages 13 to 14 of your errata. And it's
18 lines 26 and line -- through 3. So here you say,
19 "Candidate resources that can leverage existing
20 transmission or transmission already approved by the
21 CAISO are generally selected first by RESOLVE, as no
22 incremental transmission is required for these
23 resources."

24 So I'm wondering, in your opinion, does
25 transmission already approved by the CAISO have no

1 transmission costs?

2 A Within RESOLVE, that's correct. So, again,
3 this is specifically related to the IRP's modeling.
4 That process -- one of the primary inputs or first
5 inputs to that process is from CAISO, something called
6 the transmission capability estimates, where they
7 effectively identify how much capacity is available at
8 each transmission constraint so that RESOLVE knows how
9 much can be built without triggering an upgrade. So
10 those transmission capability estimates, they reflect
11 both existing and approved projects up to a certain time
12 whenever that white paper is published, right? There
13 are obviously some lag issues, but they will include
14 approved projects.

15 And so from a RESOLVE perspective, RESOLVE will
16 not include costs for any -- will not include
17 transmission costs for any resources that can be built
18 based on what the CAISO has identified as available in
19 their transmission capability estimates.

20 Q Okay. Thank you.

21 So next I want to move to a sentence later on
22 page 14. It's on lines 11 through 14. So here you
23 state, "Artificially adding those sunk transmission
24 costs back to the optimization model could result in
25 RESOLVE erroneously selecting other resources that

1 actually require incremental transmission investment not
2 yet approved by the CAISO, which would not be optimal
3 for the system."

4 So I'm wondering based on this sentence whether
5 you would agree that RESOLVE might select those
6 resources not yet approved by the CAISO because this
7 would result in a smaller portfolio cost?

8 A Can you repeat your question, please?

9 Q Yeah. Would you like me to just repeat the
10 question or also repeat the quote?

11 A Just the question, please.

12 Q Just the question. Okay.

13 So my question is would you agree that RESOLVE
14 might select those resources not yet approved by the
15 CAISO because this would result in a smaller portfolio
16 cost?

17 A By "resources not yet approved," are you
18 referring to transmission resources or generation
19 resources?

20 Q Transmission resources.

21 A So I don't think that's -- first, that's
22 certainly not a realistic outcome. I don't -- I don't
23 know if that's even possible. It will --

24 ALJ LAU: Ms. Wong, you cut out there. Can you
25 repeat? Yeah. Sorry. I think you had a --

1 THE WITNESS: Sorry about that.

2 ALJ LAU: Why don't we have -- Jacquelyn, did
3 you -- can you read for the record -- I mean, for
4 Ms. Wong's sake and for the Court's sake, where she cut
5 off?

6 (Record read.)

7 ALJ LAU: Let's go back on the record.

8 Ms. Wong, maybe you can repeat your answer or
9 supplement what was on the record already.

10 THE WITNESS: Sure. So I understand
11 Ms. White's question to be that -- is it possible
12 that -- is it possible that by adding the approved
13 transmission costs back in, if that could potentially
14 result in RESOLVE selecting a different portfolio that
15 does require -- where transmission investments are
16 selected that are not yet approved and that that
17 portfolio could be of lower cost than the existing --
18 than the selected portfolio. Is that right?

19 BY MS. WHITE:

20 Q Yes.

21 A Sorry. So I'd like to amend my original answer
22 in that case, as I've walked through effectively what I
23 understand your question to be.

24 So if you add back the costs of approved
25 projects and then re-optimize, yes, a different

1 portfolio could be selected. And then you're then
2 comparing a brand new portfolio with different -- with
3 potentially different transmission costs identified
4 compared to the ones that have already been approved.
5 Is that -- and could that new portfolio be lower in cost
6 than the approved portfolio?

7 I don't know if that's possible. Certainly
8 that's something CAISO would have considered when they
9 selected and approved their transmission projects. So,
10 you know, I can't say either way. But ultimately CAISO
11 decides which projects move forward, and the IRP just
12 kind of takes that and kind of plans around it.

13 Q Okay. Yes. Thank you for answering my last
14 question. I know it was a bit -- it was a pretty
15 complex question. So I appreciate you answering it.

16 MS. WHITE: So that concludes my -- that
17 concludes my questions, your Honor. Thank you.

18 ALJ LAU: Thank you, Ms. White.

19 Mr. Sung, do you have any redirect for
20 Ms. Wong?

21 MR. SUNG: No redirect, your Honor. Thank you.

22 ALJ LAU: Thank you.

23 Let us put Ms. Armstrong back on the stage.

24 Ms. Armstrong, can you introduce yourself and
25 your party before proceeding with cross-examination of

1 Ms. Wong?

2 MS. ARMSTRONG: Sure. I'm Jeanne Armstrong.

3 I'm here for the Solar Energy Industry Association.

4 CROSS-EXAMINATION

5 BY MS. ARMSTRONG:

6 Q Good afternoon, Ms. Wong. Some of the
7 questions or at least the topic area that I'm going to
8 cover was covered by Ms. White, so hopefully that might
9 truncate this a little bit.

10 So if you could turn to page 13 of your
11 rebuttal, IOU-02 (sic), and here is where you're talking
12 about the policy-related transmission costs and,
13 specifically, your rebuttal to SEIA's proposal to
14 introduce a new transmission adder to the GHG avoided
15 costs in order to account for the costs of certain
16 proposed policy-driven transmission costs that are
17 included at zero cost in RESOLVE modeling for the IRP.

18 Given your testimony in this section starting
19 at page 13, line 17, can I assume that you're
20 knowledgeable about the Commission's IRP modeling and
21 resource planning process?

22 A Yes. I'm the utility's witness on the
23 intersection of that with the ACC.

24 Q Okay. Are you generally familiar with the fact
25 that the RESOLVE model is used in the IRP to identify

1 new -- to identify needed new resources?

2 A Yes. That is what RESOLVE is used for.

3 Q Is that also the basis for the GHG adder
4 component in the ACC?

5 A The RESOLVE modeling -- sorry. Is your
6 question is the RESOLVE modeling the basis for the
7 avoided GHG in the ACC?

8 Q Yes.

9 A Yes.]

10 Q And here we are talking about policy-related
11 transmission. Would you agree that that is a
12 transmission needed to provide access to the new supply
13 side generation and storage resources that the IRP
14 modeling has identified as necessary to meet the State's
15 GHG goals?

16 A Can you repeat that again, please.

17 Q Maybe an easier way to do this is how do you
18 define policy-related transmission?

19 A Sure. So I think I described it generally to
20 Ms. White, which is -- I'm pretty sure it's consistent
21 with what you described -- the needed transmission
22 projects to integrate the renewable resources that the
23 State needs to meets its GHG goals.

24 Q Okay. And if you look at, let's see, line 26
25 on page 13, you state that SEIA correctly observes that

1 the draft PSP does not include the cost for the
2 policy-related transmission projects approved in the
3 CAISO's 2022 to 2023 TPP.

4 Is it true that your rebuttal does not disagree
5 with the details of those projects that were provided in
6 SEIA's testimony?

7 MR. SUNG: Objection. Vague and ambiguous as
8 to "details."

9 BY MS. ARMSTRONG:

10 Q Okay. Specifically in SEIA's testimony, we
11 stated that these projects that are modeled at zero
12 costs are expected to enter into service over the 2028
13 to 2034 time period, and they total approximately
14 \$2.5 billion in costs. Do you agree with those
15 characterizations of the projects we are talking about?

16 A We didn't review in detail the specific
17 projects. I believe you provided a table with the lists
18 of the projects that were modeled as zero costs. I did
19 not review those for accuracy, but I think for purposes
20 of this discussion, would it be okay if we just assumed
21 they're correct and can reserve the right?

22 Q Yeah. If you could take it subject to check?

23 A Sure.

24 Q Okay. And do you know if some of these
25 projects are Southern California Edison projects?

1 A I don't know offhand.

2 Q Isn't it true that the GHG adder and the ACC is
3 based on RESOLVE shadow price to meet the IRP's GHG
4 goal?

5 A That is the current methodology, yes.

6 Q Is it fair to describe this shadow price as the
7 marginal cost of the new supply side resources needed to
8 meet the GHG goal?

9 A I think that's a fair characterization of the
10 shadow price, yes.

11 Q And these new supply side resource costs that
12 go into the GHG adder, do they include not only the cost
13 of the new candidate generation resource, but also the
14 cost of any new policy-related transmission selected by
15 RESOLVE that are required to access the particular
16 resource?

17 A You're referring to the shadow price still; is
18 that right?

19 Q Correct.

20 A So the shadow price is actually difficult to
21 trace in the Commission's models. It's kind of -- you
22 can't tell exactly what's in it, what's not, so I can't
23 say definitively either way.

24 I will note, though, that under the existing
25 methodology, the GHG shadow price that's used in the ACC

1 is a single point in 2035, I believe, under the current
2 ACC. I don't believe there were sig -- sorry. I'm just
3 going to stop there. So it was just one year just to
4 clarify.

5 Q Okay. And if you go to page 14 of the
6 rebuttal, line 11 -- and Ms. White asked you some
7 questions about this -- well, starting at line 9 you
8 state:

9 The cost of the policy-related transmission
10 projects approved in the CAISO's 2022-2023
11 TPP were appropriately excluded (modeled as
12 zero) because they are now effectively sunk
13 costs.

14 Would you agree with me that a sunk cost is a
15 cost that's already been incurred?

16 A That is the general definition, yes.

17 Q Okay. And these zero cost transmission
18 projects that we've been talking about, they have
19 in-service dates from 2028 to 2034; correct?

20 A Again, subject to check, I don't have a reason
21 to doubt that. That's right.

22 Q So would you agree that little or none of these
23 costs for these projects have already been incurred?

24 A That's true, yes -- or subject to check. I
25 don't know the progress of the approved projects but...

1 Q So do you know if any of the IOUs have either
2 filed a Certificate of Public Convenience and Necessity
3 for any of these projects?

4 MR. SUNG: Objection, your Honor. This is
5 going beyond the scope of the witness' testimony.

6 MS. ARMSTRONG: Well, I would like a response.
7 She says these costs are sunk costs. I'm trying to
8 explore the basis of that testimony.

9 MR. SUNG: I believe Ms. Wong has already
10 explained that basis, and also she has testified that
11 she's not familiar with the progress development or the
12 project developments whether, you know, how far they are
13 along in the project development timeline. And if she
14 can't speak to that, your Honor, then it's just calling
15 for speculation nor is that in Ms. Wong's testimony.

16 ALJ LAU: I agree with that, Ms. Armstrong. If
17 you have any questions with regard to that, maybe you
18 can paraphrase.

19 MS. ARMSTRONG: No, I believe that answers my
20 question as to her basis or lack of basis for calling
21 the costs sunk.

22 THE WITNESS: Can I say something very quickly
23 on that point just to clarify? I say "effectively
24 sunk," not that they are sunk. And I explained to
25 Ms. White the process that's used in the IRP's modeling

1 and how they consider both existing and approved
2 projects as existing for purposes of identifying the
3 megawatts that are available at each transmission
4 constraint. So from an IRP modeling standpoint, they
5 are treated the same.

6 BY MS. ARMSTRONG:

7 Q What is the difference between sunk and
8 effectively sunk?

9 A As in they are treated the same in the IRP
10 modeling.

11 Q And I believe you answered this question with
12 Ms. White, but I'll just double-check. With respect to
13 all these transmission-related -- I'm sorry --
14 policy-related transmission projects we've been talking
15 about, is it certain that all these projects will be
16 built?

17 A As I explained to Ms. White, CAISO has
18 indicated that they've shortened their timeline between
19 approval and development, and so I have no reason to
20 believe that they will not proceed as they've been -- as
21 authorized.

22 Q But CAISO has canceled transmission projects in
23 the past; correct?

24 A Yes. And they, in those same transmission
25 plans, indicated that they were changing their process

1 to mitigate the need to cancel projects in the future.

2 Q Correct. I'm assuming the answer is no, but
3 with respect to any of these transmission-related -- I
4 mean policy-related transmission projects, do you know
5 when any of them were approved by the CAISO, how long
6 ago?

7 A The ones that are the subject of SEIA's
8 testimony?

9 Q Correct.

10 A I believe they were approved in the '22 to '23
11 TPP.

12 Q Okay. And is that the TPP where the CAISO
13 indicated that they were tightening their time lines and
14 trying to avoid future cancellations?

15 A So I believe they made those statements shortly
16 after the '17 and '18 TPP.

17 Q Okay. So with respect to your knowledge of the
18 RESOLVE process, are you aware that in RESOLVE, one of
19 the candidate's supply side resources is out-of-state
20 wind on new transmission?

21 A Yes, that's true.

22 Q And are you aware that the current IRP resource
23 plan or the -- I'm sorry -- the new proposed -- the
24 proposed new PSP that was released by the Commission
25 this month includes some of this new resource, this

1 out-of-state wind on new transmission?

2 A So I am not familiar with the specific
3 resources that were selected or the quantity of those,
4 but I do know that the resource costs for out-of-state
5 resources will include any needed transmission to bring
6 them into the ISO, so those would be included in the
7 resource costs.

8 Q Okay. Should those new transmission costs
9 included with respect to the out-of-state wind
10 projects -- should they be modeled in RESOLVE at zero
11 cost?

12 A So they wouldn't be. Out-of-state resources --
13 the transmission costs needed to bring the generation to
14 the ISO border would be reflected in the resource costs,
15 and so it's already reflected. That's not the
16 policy-related transmission costs that we're discussing
17 here. The policy-related transmission costs are going
18 to be the CAISO costs, CAISO transmission. The
19 out-of-state transmission costs are going to be
20 reflected in the resource costs.

21 Q Now, when you say "reflected in the resource
22 costs," do you mean reflected in the cost of the
23 generation facility?

24 A Yeah, so the candidate resource costs that are
25 used in RESOLVE -- (speaker audio fail) -- the cost of

1 building the resource. And for out-of-state resources,
2 they will include any transmission costs that would be
3 necessary to bring that generation into the ISO. That's
4 already reflected in the resource cost.

5 Q I think that's all the questions I have for
6 you, Ms. Wong. Thank you.

7 A Thank you.

8 ALJ LAU: Mr. Sung, do you have any redirect
9 for Ms. Wong?

10 MR. SUNG: No redirect, your Honor.

11 ALJ LAU: All right. Thank you, Ms. Wong. You
12 may now step down. This concludes your
13 cross-examination.

14 We can also bring Ms. Armstrong off the stage,
15 as well as Mr. Sung. What do you know, we're actually
16 on time at 3:20. But I did excuse Mr. Strack already,
17 so I mean if he's available that's fine.

18 What do you think, Mr. Newlander? Would you
19 just request -- or can we bring Mr. Newlander back on
20 stage?

21 MR. NEWLANDER: Your Honor, Mr. Strack is still
22 here, so if we have time, we can start with him.

23 ALJ LAU: Thank you for being so flexible.

24 MR. NEWLANDER: You're welcome.

25 ALJ LAU: Let's break. It's 3:20 right now.

1 Let's break for 15 minutes. We'll resume at 3:35.

2 (Off the record.)

3 ALJ LAU: Let's go back on the record. We are
4 now continuing with cross-examination. We will
5 cross-examine Mr. Reuben Behlihomji.

6 Mr. Behlihomji, can you introduce yourself,
7 spell your last name, and also state the party you're
8 representing.

9 THE WITNESS: Yes, your Honor. My name is
10 Reuben Behlihomji. First name is spelled R-e-u-b-e-n,
11 last name spelled B-e-h-l-i-h-o-m-j-i. I'm sponsoring
12 the Joint IOU witness testimony on distribution costs
13 and the ACC but work for SCE in Rosemead, California.

14 ALJ LAU: When you say "Joint IOUs," can you
15 elaborate what those utilities are.

16 THE WITNESS: Yes, your Honor. Sorry. PG&E,
17 SDG&E, and SCE.

18 ALJ LAU: Thank you. Mr. Behlihomji, do you
19 see the witness attestation on the screen?

20 THE WITNESS: Yes, your Honor, I do.

21 ALJ LAU: Have you had the opportunity to
22 review them in full?

23 THE WITNESS: Yes, your Honor, I have.

24 ALJ LAU: Do you agree to abide by them?

25 THE WITNESS: Yes, your Honor, I do.

1 ALJ LAU: Thank you.

2 Mr. Sung, you may begin your direct
3 examination.

4 REUBEN BEHLIHOMJI,
5 called as a witness by Southern California
6 Edison Company, having attested, testified
7 as follows:

8 DIRECT EXAMINATION

9 BY MR. SUNG:

10 Q Good afternoon, Mr. Behlihomji. Are you
11 sponsoring written testimony in this proceeding?

12 A Yes, Mr. Sung, I am.

13 Q Is it correct that you are sponsoring Section
14 B.1.b.1 and jointly sponsoring Appendix A of the Joint
15 IOU's opening testimony labeled Exhibit IOU-01 and
16 Section B.4 of the Joint IOU's rebuttal testimony
17 labeled Exhibit IOU-02 as identified in the table of
18 contents?

19 A Yes, I am.

20 Q Was this material prepared by you or under your
21 direction?

22 A Yes, it was.

23 Q Do you have any corrections that you'd like to
24 make to your testimony at this time that have not yet
25 been made?

1 A Yeah, I would actually like to draw attention
2 to an error I caught in review of the attachment in
3 opening testimony, Mr. Sung.

4 Q Sure.

5 A And it's Table 5 in Attachment A, page 12.
6 There seems to be a typographical error where we have
7 switched "subtransmission circuit costs" and
8 "distribution circuit costs." Table 3 on page 9 of the
9 attachment shows the same cost correctly, but Table 5
10 seems to have switched those costs.

11 Q Thank you for that clarification,
12 Mr. Behlihomji. Are there any other corrections that
13 you'd like to make to your testimony at this time?

14 A No, Mr. Sung.

15 Q To the extent that your testimony is factual,
16 do you believe it to be true and correct?

17 A Yes, I do.

18 Q And to the extent your testimony reflects an
19 opinion or a judgment, does it reflect your best
20 professional opinion or judgment?

21 A Yes, it does.

22 MR. SUNG: Your Honor, this witness is
23 available for cross-examination.

24 ALJ LAU: Thank you, Mr. Sung.

25 Can we bring forth Ms. White.

1 Ms. White, can you again introduce yourself
2 before you begin cross-examination of Mr. Behlihomji.

3 MS. WHITE: Yes, your Honor. I'm Andrea White,
4 and I represent the Protect Our Communities Foundation.

5 CROSS-EXAMINATION

6 BY MS. WHITE:

7 Q Okay. So, Mr. Behlihomji, am I pronouncing
8 your name correctly?

9 A Yes, you are, Ms. White.

10 Q So my first question is going to reference a
11 phrase that you have on page 26 starting at line 3 of
12 your opening testimony.

13 ALJ LAU: Excuse me, Ms. White, I did not hear
14 that clearly. What page?

15 MS. WHITE: So page 26, line 3, the sentence
16 beginning on line 3.

17 THE WITNESS: I see it.

18 BY MS. WHITE:

19 Q So now I'll begin the quote. So you say:

20 Meanwhile, non-coincident demand-related
21 distribution costs, which should be
22 specified on a dollars per kilowatt-year
23 unit-cost basis in a separate tab of the
24 ACC...

25 And then you have the rest of the sentence, but

1 I would prefer to address that in a future question. So
2 you state in a separate tab of the ACC -- so in your
3 opinion, would having these costs in a separate tab of
4 the ACC exclude these costs from the ACC?

5 A So our opinion is that if those costs were to
6 be included, Ms. White, that they should be included on
7 a program-specific basis or a low-check profile basis
8 and such that a program or a DER can persist in the
9 reduction of a customer's non-coincident peak demand,
10 then the value of that persistence in that reduction
11 should be allowed to that DER program from an avoided
12 cost template.

13 Q Okay. So I would like to ask a related
14 question, and this refers to page A-15 of your
15 attachment.

16 A A-15 you said?

17 Q Yes.

18 A Okay. I'm here now.

19 Q Okay. So it's on A-15 and the last sentence of
20 the first paragraph at the top of the page. So you --
21 well, I guess -- okay. So this statement says:

22 SCE therefore suggests that such costs be
23 excluded from computations included in the
24 ACC.

25 A Uh-huh.

1 Q So do you think this statement is consistent
2 with your opening testimony?

3 A Yes, Ms. White, because I think in large part
4 when we deal with distribution cost recovery, it's
5 mostly reflected as an hourly string of costs that vary
6 by time. And so for us -- as I frame this conversation
7 here, it's more -- these are capacity-related costs.
8 They're not time differentiated.

9 They don't change by hour in so much as they
10 reduce the overall peak demand of a customer, the
11 maximum non-coincident peak demand of the customer, then
12 they should not be put in that hourly string format of
13 the ACC.

14 Q Okay. Next I will turn back to the sentence on
15 page 26 that I was originally asking you about.

16 A Yes, Ms. White.

17 Q Okay. So let's see. So beginning on line 7,
18 you state -- well, I'll just read the whole sentence
19 again.

20 Meanwhile, non-coincident demand-related
21 distribution costs, which should be
22 specified on a dollars per kilowatt-year
23 unit-cost basis in a separate tab of the
24 ACC and applied to the measured kilowatt
25 non-coincident peak demand reduction,

1 should only be considered as an avoided
2 cost if the program-specific proceeding or
3 evaluation determines the DER is effective
4 in reducing participating customers'
5 non-coincident peak demand.

6 So my question related to this is do you
7 believe that this would limit the applicability of
8 non-coincident demand-related distribution costs?

9 A I don't believe it would limit the
10 applicability, Ms. White. I think it refines the
11 application of distribution cost. And I'll posit here
12 for a minute, so give me a second. When we at SCE --
13 you know, we believe in a balanced perspective when it
14 comes to pricing, and we think that a customer's
15 coincident demand and non-coincident demand are of equal
16 measure in the determinance of pricing.

17 And so in so much as we believe in that
18 balance, we think one extreme, which is all of
19 distribution cost recovery through a coincident demand
20 or all of distribution cost recovery through a
21 non-coincident demand, are equally extreme. More often
22 the solution will be somewhere in between.

23 And I think the process of iteratively seeking
24 stakeholder input and having an inclusive process to
25 enhance the analysis and the determinance of price or

1 cost through either the ACC process or, as we do in our
2 GRCs, only lend credence to more appropriately treating
3 distribution costs, not necessarily making judgment
4 calls on avoided or not avoided.

5 The question is how best to treat them in the
6 calculations so that we are effectively doing what I
7 believe would be the most prudent thing for our
8 customers.

9 Q Okay. So related to the question I asked about
10 that sentence, you say that non-coincident
11 demand-related distribution costs should only be
12 considered as an avoided cost if the program-specific
13 proceeding or evaluation determines that DER is
14 effective in reducing participating customers'
15 non-coincident peak demand.

16 So do you think an example of this
17 program-specific type thing would be a behind-the-meter
18 road management system?

19 A I think, yeah. I think a good example I use
20 with my analysts sometimes when I talk to them is
21 changing my light bulbs in the house.

22 Like, let's assume that was the only thing I
23 was using, and I switched from the old light bulbs to
24 the new LED light bulbs. That would result in a -- if
25 that was the only appliance or load behind-the-meter,

1 then that would actually reduce demand on a persistent
2 basis across all months of the year, and that would be
3 one example.

4 So in so much as behind-the-meter resources can
5 leverage technology in a manner that persists in that
6 reduction of demand, then I think that it is a viable
7 option.

8 Q So just to make clear, when we're discussing
9 behind-the-meter load management, that means that this
10 can reduce the peak non-coincident demand; correct?

11 A Correct. Yes. It's essentially a measure of
12 the amount -- the maximum amount of demand that a
13 customer, through their consumption pattern, imposes
14 through, you know, their use of appliances or end-use
15 electricity, be it for commercial use or residential
16 use.

17 Q Okay. So next I want to turn to page 29 of
18 your opening testimony. I don't want to read the whole
19 section, but here you're talking about an example of a
20 50-kilowatt customer that increases their demand for
21 100 kilowatts due to an investment in EV charging.

22 So beginning on line 3 of page 29, you state:

23 Even if that customer only charges in the
24 middle of the night when there appears to
25 be ample capacity on upstream distribution

1 systems, the customer's connection and
2 close-in network must be fortified to
3 handle the 100 kilowatt peak, (i.e., their
4 new non-coincident peak), even if that high
5 peak is rarely reached.]

6 A Correct. This --

7 Q Okay.

8 A Yes. Sorry. Go on.

9 Q Yes. So my question -- yeah.

10 My question is: Have you considered whether
11 adding a behind-the-meter load management system would
12 avoid the need to fortify the local distribution network
13 in such a scenario?

14 A Yeah. Sure, I think -- I think, insomuch as
15 you have a behind-the-meter resource that can limit the
16 100-kW. So, let's say, you have an energy management
17 system that said, "Yeah, your overall system's going to
18 100-kW, but on the non-coincident basis," as we think
19 about -- you know, let's say, I had a -- an algorithm
20 behind the meter that said -- that knew exactly when I
21 was using different appliances, and slotted in the
22 additional load now, as a -- as a pocket, and does not
23 affect the overall demand that I'm imposing on the
24 system; then, yes, that -- that EMS system, or that
25 technology solution, can help with reducing that 100-kW

1 demand.

2 Q Okay. So in your opinion, do you think that
3 customers would be motivated to install a
4 behind-the-meter load management system, because it
5 could avoid an expensive up -- upgrade to their main
6 panel?

7 A I think -- I think whether it's the main panel
8 or it's -- it's the -- so I can't speak for -- because
9 housing stock is like wide and disparate, so I can't
10 speak for --

11 Q Okay.

12 A -- what --

13 (Crosstalk.)

14 THE WITNESS: -- depending on the customer
15 premise, in terms of the main panel upgrades.

16 But, I can say that insomuch as -- insomuch as
17 you have a price, that --

18 BY MS. WHITE:

19 Q Yes.

20 A -- value price, that proposition, then a
21 customer will react to that price.

22 So in that example that you were giving me, if
23 there's a price for an upgrade in the panel, the
24 customer will react to that price. If there's a price
25 for the non-coincident peak demand, the customer will

1 react to the price.

2 And not having a price, I think, is where the
3 concern is, and so that's why, in -- in our discussions,
4 as we think through pricing, that balance between
5 coincidence and non-coincidence and the interaction they
6 have is very important.

7 Q Okay. So do you think it would be reasonable
8 for utilities to facilitate behind-the-meter load
9 management system -- systems to avoid these
10 non-coincident demand-related costs?

11 ALJ LAU: Ms. White, I'm going to just -- I
12 will pause there just -- let's go off the record.

13 (Off the record.)

14 ALJ LAU: Let's go back on record.

15 Ms. White, just to remind the witness and me,
16 what was your question? Can you repeat it, please?

17 MS. WHITE: Yes.

18 Q So my question -- my question, Mr. Behlihomji,
19 is: Do you believe it would be reasonable for utilities
20 to facilitate behind-the-meter load management systems
21 to avoid these non-coincident demand-related costs?

22 A So I'm going to respond with a qualification,
23 Ms. White, if you will allow me.

24 Q Okay.

25 A I think -- I'll speak for SCE here. And I

1 think, at SCE, we encourage all sorts of demand-side
2 management, be it flexible demand or be it through our
3 demand response programs or be it through aggregators.
4 So we -- we are encouraged, excited, we're always
5 engaged in the prospect of customers managing their
6 consumption patterns to manage both coincident as well
7 as non-coincident peak demands.

8 In terms of the actual -- actualizing the
9 facilitation, like I don't know what that means. But, I
10 want you to know that, yes, once you have a price, we
11 are encouraged that we will do it -- everything in --
12 in -- in the realm of possibility to -- to enhance
13 customer engagement, because customers are important for
14 us, how they manage their consumption is important to
15 us, and the -- the effect that our -- our bills can have
16 on them is also important to us; and in -- in -- in
17 essence, facilitating such processes are definitely
18 welcome options for us.

19 Q Okay. Thank you.

20 So I would next like to mark and identify
21 Decision 22-05-002, which was served as a cross exhibit
22 yesterday, and I identified that Mr. Behlihomji could be
23 cross-examined about it, and it's also in the scoping
24 memo.

25 A Can you -- can you give me one minute,

1 Ms. White, while I pull it up, please?

2 Q Yes.

3 ALJ LAU: Let's go off the record.

4 (Off the record.)

5 ALJ LAU: Let's go on the record.

6 We will now mark and identify two new exhibits.

7 Exhibit PCF-15 is titled "Excerpts of CAISO
8 2022 to 2023 Transmission Plan Board Approved," dated
9 May 18, 2023.

10 (Exhibit PCF-15 was marked for
11 identification.)

12 ALJ LAU: Second exhibit is marked and
13 identified as Exhibit PCF-16 titled "D.22-05-002,
14 Decision Adopting Changes to the Avoided Cost
15 Calculator."

16 (Exhibit PCF-16 was marked for
17 identification.)

18 ALJ LAU: Ms. White, you may begin -- you may
19 continue your -- your cross-examination of
20 Mr. Behlihomji.

21 MS. WHITE: Okay. Thank you, your Honor.

22 Q Okay. So my question, Mr. Behlihomji, refers
23 to item number 7 on page 123.

24 Okay. Do you see it?

25 A I'm still scrolling. Sorry, Ms. White.

1 Q Oh, that's okay.

2 ALJ LAU: So --

3 MS. WHITE: It's also page 125 of the PDF.

4 ALJ LAU: So --

5 THE WITNESS: So I'm at page 123, and I see --

6 ALJ LAU: Okay. So Ms. White, this is ordering
7 paragraph 7. Correct?

8 MS. WHITE: Yes. Yes --

9 ALJ LAU: Okay.

10 MS. WHITE: -- ordering paragraph 7, your
11 Honor.

12 Q So the ordering paragraph states: "San Diego
13 Gas & Electric Company (SDG&E) and Southern California
14 Edison Company (SCE) shall work together to develop
15 secondary distribution costs estimates based on the
16 Pacific Gas and Electric Company (PG&E) distribution
17 final line transformer approach approved in Decision
18 21-11-016."

19 So Mr. Behlihomji, it's my understanding that
20 the study attached to the opening testimony is in
21 response to this ordering paragraph. Is that correct?

22 A Yes, Ms. White, it is.

23 Q Okay. So did the study that's attached to the
24 opening testimony calculate SCE's secondary marginal
25 distribution cost when you were preparing this study?

1 A As it pertains to the final line transformer,
2 Ms. White, yes. We -- we did include Table 10 that
3 shows the final line transformer cost per customer.

4 Q Okay. Do you think that covers everything that
5 the order number 7 suggested -- or sorry, ordered that
6 you do?

7 A So I think in -- in -- in the way I'm reading
8 this -- this order -- ordering paragraph, we were -- we
9 were directed to consider, like PG&E does, the --

10 Q Yes.

11 (Crosstalk.)

12 THE WITNESS: It's the (indecipherable) what
13 the distribution final line transformer cost was, which
14 is what we did. I think we --

15 BY MS. WHITE:

16 Q Uh-huh.

17 A You know, as -- as we think about our systems
18 versus PG&E versus SDG&E, from a pricing standpoint, we
19 have different philosophies and costs that we adopt,
20 because our configurations are different, how we record
21 costs are different, the way we treat mass property
22 assets are different.

23 And so, insomuch as the Commission asked us to
24 present what, through our GRCs, is the cost estimate of
25 the distribution final line transformer, and give that

1 element of cost, was to actually be uniquely
2 identifying, we did that in the attachment. So that's
3 how we understood it.

4 It says, okay, PG&E has a way of -- of
5 classifying distribution final line transformer; what
6 would SCE's approach be in class -- in that
7 classification, if they did what PG&E's doing?

8 Q Okay. So it's -- if I could reiterate your
9 position, and you can confirm or clarify, so your
10 position is that you think SCE did satisfy the ordering
11 paragraph, but you did it to the extent that you could,
12 based on SCE's available -- is it data or --

13 A It's -- it's methods and data, yes. It's
14 methods and data.

15 Q Methods. Okay.

16 So based on this, what do you think would allow
17 SCE to be able to copy PG&E's methods?

18 A So I think -- I think it -- I think there --
19 there are two dimensions of thought there.

20 There's a principle -- as a matter of
21 principle, how do we think about it? Are we consistent
22 with PG&E?

23 And then, as a matter of cost disposition, how
24 do we think about it, and is it -- is it relevant, in
25 terms of how PG&E thinks about it. Right?

1 So, I think, from a standpoint how we embrace
2 the differences in concepts, methods and -- and
3 processes across the three IOUs, the way we think about
4 it is like we don't -- we don't necessarily -- and I'll
5 say this candidly, Ms. White. Like we don't see a
6 copy/paste approach to processes and designs or methods,
7 and we are saying that we're okay -- we're okay with
8 where we rest on our processes, methods, and designs,
9 and we're also okay with where PG&E rests in their
10 processes, methods, and designs, insomuch as we're
11 addressing the requirement that the Commission wants to
12 look at these costs, which is, in this case, the
13 distribution final line transformer. We presented that.

14 I think, if you're -- you know, in -- in
15 Phase 2 of the GRCs -- and I'll tell you this: Even
16 in -- in past fixed charge proceedings where I was a
17 witness under ALJ Doherty's questioning, fixed charges,
18 the treatment of final line transformers, the -- the
19 duality and function of the distribution system, is --
20 is a vast topic. And sometimes I -- I describe it as I
21 can peel the wallpapers off the wall, if you actually
22 gave me a chance to sit down and think through and talk
23 through a lot of those conversations.

24 So I think -- I think it would be prudent for
25 us to say, well, we recognize differences, we are okay

1 with those differences, we don't necessarily need to
2 hinge to copy/paste. Inasmuch as SCE can validate that,
3 yes, this is our final line transformer cost, then I
4 think it should be sufficient.

5 And if I'm misunderstanding your question,
6 please -- you know, please correct me.

7 Q No. I think you -- you've understood my
8 question. Yeah. I guess -- well, so would you say that
9 SCE and "S" -- and if you can -- well, I'll just ask
10 about SCE.

11 So would you say that SCE has all of the
12 physical distribution components where they should be
13 able to calculate these secondary distribution costs?

14 A I think -- I think what I -- I'll tell you my
15 past experience, and it's subject to check, because I
16 have to see how things have evolved over time.

17 But, one thing I've realized is PG&E -- so
18 whenever we -- we execute work at a -- at a utility, we
19 have work breakdown structures, and those work breakdown
20 structures enable cost management, resource management,
21 and timeline management.

22 And I think the way PG&E organizes their work
23 breakdown structure is to facilitate the analysis that
24 they are doing. I think we just do it differently. And
25 in the past, when I've tried to go into the system, you

1 know, and -- and start pouring through and trying to
2 understand -- or at least trying to gather the
3 information, I've run into -- into hurdles, in terms of
4 our work breakdown structure. When we think about
5 extending service to customers or providing residential
6 tract development in Southern California in terms of how
7 our -- our utility engages and manages work is slightly
8 different from maybe how PG&E is. So, for them, it
9 might be, hey, they just have to go into their system
10 that -- their work breakdown structure, extract costs;
11 for us, it's -- it's not as simple as that.

12 Q Okay. Yeah. I do think you elaborate this
13 on -- in your study.

14 But, could you explain the -- what some of the
15 challenges are with calculating secondary distribution
16 costs the same way as PG&E?

17 MR. SUNG: Objection, your Honor. I think this
18 is asked and answered in a few different ways.

19 Mr. Behlihomji --

20 MS. WHITE: Okay.

21 MR. SUNG: -- has really given his best effort
22 to -- to answer this fully; but, at this point --

23 MS. WHITE: Okay.

24 MR. SUNG: -- there are no longer any
25 variations left to ask this.

1 MS. WHITE: Yeah. Yeah. I -- I think I can --
2 I -- I have -- I have a more pointed question that I can
3 ask.

4 Q So, Mr. Behlihomji, when you're -- when you are
5 referring to the challenges, do you mean how SCE defines
6 grid-related distribution?

7 I'll -- I'll point to a specific example.
8 Okay. So, for example, in Table 11 --

9 A Are you in the attachment, Ms. White?

10 Q Yes. Sorry. Or table -- Table 6 on page A-13.

11 A I'm there now.

12 Q Okay. So it looks like you classified some
13 costs as grid-related.

14 A Uh-huh.

15 Q But, I remember that PG&E does not classify
16 costs as grid-related. Is that correct?

17 A That may be true, yes.

18 Q So do you think that is part of the challenge
19 of calculating secondary marginal distribution costs?

20 A No. I think -- I think when we think about
21 the -- what we define as grid on the distribution
22 circuits, our --

23 Q Yeah.

24 A Now, you're going to have to, again, allow me
25 to explain this, pause, and ask questions.

1 But, when you think about distribution systems
2 downstream of the distribution substation, what we're
3 really looking at is a radial feed system. And then
4 when you -- when you think about that radial feed system
5 with the hub, let's think about the hub as the
6 substation, and all these radial feeds going out, each
7 feed that goes out, if you -- if you just picture a
8 tree, visualize a tree, the -- each feed that goes out,
9 the trunk of the tree is what we classify as -- the
10 trunk, and maybe the big branches of the tree, is what
11 we classify as what you are seeing as peak-related in
12 that table. And then outside of the main branches and
13 the trunk, you'll see all the small branches that go in
14 where all the leaves are, and the leaves are --

15 (Reporter clarification.)

16 ALJ LAU: We'll go off the record.

17 (Off the record.)

18 (Record read.)

19 ALJ LAU: Let's go back on the record.

20 Mr. Behlihomji, can you continue with your
21 testimony?

22 THE WITNESS: Thank you, your Honor.

23 And so the -- the small branches that come out
24 of the main branches where -- where the leaves are is --
25 is where you see the load pockets, and that's where you

1 see commercial developments, residential tracts,
2 single-family homes, apartments. Think of the leaves as
3 all of those load pockets.

4 And so what we define as grid is that
5 geographic spacial connectivity that comes out of the
6 main branches that drops down into these sub-pockets
7 that actually serves customer end-use load.

8 And in that definition, because of the way we
9 map our system, we map -- and I'll come back to the
10 technical terms. The trunk and the big branches are
11 what we call the backbone, the main line, and then we
12 identify the subordinate branches and then the smaller
13 branches as radials, and then from the radials, we have
14 the actual secondaries; that is, you come down a
15 distribution pole or you come to a transformer, then you
16 have 600-roll wire that actually connects six or five
17 houses. So that's secondaries, is what we define as
18 secondaries, which, more likely than not, is consistent
19 with how PG&E would.

20 We also include the radials, which are the
21 small branches, in our definition of grid. And we don't
22 go necessarily into, hey, go into my FERC accounts,
23 because when you're -- when you're recording mass
24 property, there's -- there's no unique identification
25 like this that -- that this switch is here. Like we

1 know where it is, but there's -- there's no cost, that
2 this switch cost us \$30, right, to install, and it's
3 depreciating. Like there's no real identification. And
4 so we use line miles as the basis of functionalizing
5 when we say, based on our mapping system, how many line
6 miles did we have -- it's the small branches and the --
7 the shoots that have the leaves -- and then how many
8 miles do we have of the main trunk and the big branches,
9 the backbone. And we use that line miles as a way of
10 functionalizing distribution circuit cost recovery
11 between, you know, grid versus peak.

12 So, yes, our -- our definition's a little bit
13 different from PG&E outside of the cost disposition
14 that we have, and then we use a different method,
15 because going through the -- pouring through all those
16 details, almost a -- a full-time job for probably 100
17 peep -- people trying to figure that out, we're trying
18 to figure out easy ways in which you can use reasonable
19 judgment and analysis to arrive at similar conclusions.

20 BY MS. WHITE:

21 Q Okay. Thank you, Mr. Behlihomji.

22 So in this study, has SCE calculated what the
23 ratio is between what you would define as coincident
24 versus non-coincident demand relate -- or demand-based
25 costs?

1 A Yeah. So in -- in Table 6, Ms. White, you will
2 observe that all of the grid components of cost recovery
3 on a -- from a default basis are slated for recovery
4 through non-coincident demand charges, and then all of
5 the peak-related components are slated for time
6 coincident charges. And so if -- and it's not right to
7 simply add it up, but I'll add it up, just for -- for
8 our discussion purposes here.

9 On the subtransmission, you have the circuits
10 at \$16 a kW-year, and you have circuits on the
11 distribution at 80, give or take. That's about 96. And
12 then on the peak, you have 30 on the substations for
13 subtransmission system, what we define as our A-Banks,
14 we have 24.6 for the distribution substations, and then
15 you have 28.5. So, give or take, you're about at
16 90-something.

17 And so you're in -- in -- as a discussion
18 point, without being specific and precise, you're at
19 about a 50/50 split.

20 Q Okay. Okay.

21 A And -- and just -- just so you're aware, also,
22 Ms. White and -- and judge, your Honor -- well, judge,
23 like we're -- in the 2021 GRC, we recognized that -- you
24 know, we presented this proposal of cost disposition in
25 our 2018 GRC, and then in the 2021 GRC, through the

1 process of settlements, we actually received party
2 feedback, and proposed ourselves that we would -- we
3 would initiate working group sessions where we would
4 solicit and proffer stakeholder input, have them come to
5 the table with processes, data, or analytics that they
6 can think through that can refine, more better refine,
7 should they see the need to more better refine, this
8 disposition of costs. So that's ongoing right now.

9 And as a -- as an outcome of the 2021 GRC
10 decision, we actually will be presenting kind of like
11 a -- a path forward, in terms of summary of
12 recommendations on refinement options or, depending on
13 how much data and -- and scope we receive as areas to
14 refine, we might, you know, tranche it out as Phase 1,
15 Phase 2, where we'll finish the first phase in time for
16 our GRC, and then keep doing the -- the -- the
17 subordinate phase after that.

18 But, just wanted to -- you to know that that is
19 a in-flight process where we have all parties -- we've
20 invited all parties, we've -- we've structured a working
21 group, and hopefully, that working group will also help
22 us refine some of this initial disposition that we
23 have -- we have presented in our GRC previously.

24 Q Okay. Mr. Behlihomji, could you just clarify
25 what those working groups are going to be working on?

1 Is it the secondary marginal distribution costs?

2 A It's the -- it's -- it's both the -- the
3 determination of marginal costs. So we are -- we're --
4 we're taking a step back, and just saying, you know,
5 from our standpoint, as we think about the pathway to
6 electrification, we think about decarbonization, and,
7 you know, we've been thinking about things, you know,
8 for the past 100 years a particular way, but now, as we
9 think about the evolving system and we think about our
10 evolving customer base, is there merits to, again,
11 re- -- rejigging sort of the base parameters that go
12 into our determination. So we're starting with that --
13 with that frame, and at least presenting to parties, and
14 then seeking their feedback, in terms of years what we
15 are doing, how -- how we're -- you know, we've -- we've
16 received recommendations or proposals from parties,
17 also, in -- in -- our GRC is the finalist testimony, but
18 gives you a working session type approach as opposed to,
19 you know, filing testimony and replies. It's a more --
20 it's a more, I guess, comprehensive way to -- to test
21 hypotheses and -- and have those discussions.]

22 Q Okay. Thank you. I'm going to move on to my
23 next question.

24 Okay. So this is referring to page A-15, which
25 is an attachment page. And it's on the -- it's the

1 sentence which is the third line from the top. And I
2 will quote it. You say, "Adding such cost to the ACC by
3 allocating to each hour dilutes the importance of more
4 appropriately recovering such costs through fixed
5 charges, has the tendency to promote cost shifts by
6 amplifying the notion that such costs can vary based on
7 volumetric consumption by hour, and more broadly can
8 have the effect of creating distortions in the inference
9 of cost benefit analyses."

10 So to clarify, I want to ask about the first
11 part of the sentence. So in your opinion, would it be
12 more appropriate to recover non-coincident
13 demand-related costs through fixed charges?

14 A I think it depends on how you define fixed
15 charges. If you go with the Commission's previous
16 definition of fixed charges, this slide is -- it
17 includes demand as a variant of fixed charge just like
18 it includes, you know, customer charges, the actual
19 fixed. So I think depending on how you view it -- if
20 you adopt the Commission's frame of definition, then
21 demand would be a fixed charge. And then yes, it would
22 be more appropriate to recover that through a demand
23 construct.

24 Q Okay. So could you clarify how this would be
25 more specific than just a fixed charge generally?

1 A I think for us, you know, we have to be very
2 specific when we talk about fixed charges because
3 there's so many ongoing threads of fix charges. In this
4 right now, I'm specifically referring to the
5 Commission's broad frame of fixed charges that can be
6 both a dollar-per-month basis as well as a
7 dollar-per-kW/month basis, a dollar-per-kW/month being a
8 demand charge. Because I think the Commission is only
9 in favor of calling time coincident demand also a
10 variant of fixed charge, subject to check. But I think
11 it's a broader envelope.

12 Q Okay. So do you think having non-coincident
13 demand-related distribution costs as a fixed charge
14 would send appropriate price signals to customers?

15 A Yes, I do. Because -- in the sense that, as I
16 noted, I think, in my -- one of the questions you were
17 asking me, so much as a resource behind the meter can
18 persist in the reduction of that demand. You can get
19 the benefit of managing that overall demand that you're
20 imposing on a month-to-month basis.

21 Q Okay. And do you think this could include
22 people with electric vehicles?

23 A Sure. I think anyone with technology -- you
24 know, we've seen real world examples where technology
25 actually does come in. I've seen examples. If you

1 drive out there -- I don't live up in San Francisco, but
2 when I drive around there and I see some of these Tesla
3 charging stations, they have these battery banks that
4 they've installed, in essence, that you can see in
5 practice. They're managing demand on the system in a
6 proactive manner that I think adds value to the system's
7 whole, and it's fantastic.

8 Q Okay. I would like to ask one more question.
9 So this refers to a sentence on Attachment A-11.

10 A I'm at A-11, yes.

11 Q Okay. So it's in the section right under
12 Defining Non-Coincident ("Secondary") Distribution
13 Capacity Costs. And it's -- it's roughly in the middle
14 of the paragraph.

15 A Okay. If you read it, it may help me with the
16 first --

17 Q Yes. Yes.

18 A I'll find it.

19 Q What you say is "Rather than framing this
20 report strictly in the context of PG&E's definition of
21 'secondary' costs, a more generalized concept applicable
22 to all three utilities is defining costs as either
23 coincident demand-based or non-coincident demand-based."

24 So in your opinion, does looking at
25 non-coincident demand costs instead of secondary

1 distribution costs satisfy the requirements of
2 D.22-05-002?

3 A I think -- I think it -- I would say it in a
4 step response, if you will allow me, Ms. White, that I
5 think the context of framing distribution costs as
6 coincident versus non-coincident or the recovery of
7 those costs are coincident versus non-coincident demand
8 is one area. It's one dimension of this cube.

9 And then the other dimension of this cube is
10 what do you want to fill into that dimension of
11 coincident versus what do you want to fill into that
12 dimension of non-coincident? And that becomes a
13 principle argument, engineering analysis and evaluation
14 argument, a customer equity discussion. Like, there's a
15 lot of dimensions that lead to a conclusion of how do
16 you want to fill this bucket in a manner that enables
17 customers to actually do the right thing, right?

18 And in rate design, you'll see it as almost a
19 hinge to -- sometimes in the NARUC manual, it's defined
20 as the various curve. And it shows in a class what
21 promotes interclass equity and then what promotes
22 intraclass equity. And in those definitions of
23 interclass versus intraclass, you then bring in the
24 concepts of revenue allocation and rate design.

25 And in those concepts of revenue allocation and

1 rate design, the interaction of coincidence and
2 non-coincidence becomes very important because you're
3 honing in on pricing concepts where -- and there's no --
4 I'll be honest with you. There's no, like, clean and
5 precise answer to this. Really what you're trying to
6 facilitate is an iterative process of price refinement
7 that you get to your end point given what you know is
8 going to happen on the system. There's no two plus two
9 equal four answer, unfortunately. It's just systems are
10 different. They are configured different.

11 For example, PG&E's, you know, population
12 density is very different from our population density
13 and, therefore, their customer composition. They're
14 dealing with a different topography, unfortunately,
15 given the vegetation they have out there. We're dealing
16 with a different topography over here. SDG&E has a
17 completely different population density in terms of how
18 their system is configured.

19 So I think there's a lot of nuance that needs
20 to be appreciated. And then it is in those dimensions
21 that you then decide how do you want to fill those two,
22 coincident versus non-coincident, so you're doing the
23 right thing for your customers.

24 MS. WHITE: Okay. Thank you, Mr. Behlihomji.

25 That concludes my questions, your Honor.

1 ALJ LAU: Mr. Sung, do you have any redirect
2 for Mr. Behlihomji based on Ms. White's cross?

3 MR. SUNG: No redirect, your Honor.

4 ALJ LAU: All right. Mr. Behlihomji, you may
5 be excused from the witness stand or --

6 MR. BEHLIHOMJI: Thank you, your Honor. Thank
7 you.

8 ALJ LAU: -- from the stage.

9 It is now 4:30. I -- let's go off the record
10 first.

11 (Off the record.)

12 ALJ LAU: Let's go back on record.

13 So on the stage we have Mr. Jan Strack.

14 And, Mr. Strack, can you introduce yourself and
15 the organization you're representing? Also spell your
16 last name.

17 MR. STRACK: Jan Strack from San Diego Gas &
18 Electric. My last name is spelled S-t-r-a-c-k.

19 ALJ LAU: Do you see the -- do you see the set
20 of witness attestations that are set forth on the screen
21 which was stipulated earlier and attached to my earlier
22 ruling?

23 MR. STRACK: Yes, I do.

24 ALJ LAU: Have you had the opportunity to
25 review them in full?

1 MR. STRACK: Yes.

2 ALJ LAU: Do you agree to abide by these
3 attestations?

4 MR. STRACK: Yes.

5 ALJ LAU: Thank you.

6 Mr. Newlander, you may begin your direct
7 examination of Mr. Strack.

8 MR. NEWLANDER: Thank you, your Honor.

9 JAN STRACK,

10 called as a witness by San Diego Gas &
11 Electric, having attested, testified as
12 follows:

13 DIRECT EXAMINATION

14 BY MR. NEWLANDER:

15 Q Mr. Strack, do you have the exhibit that has
16 been marked for identification as Exhibit IOU-02, which
17 is the prepared rebuttal testimony of the joint
18 utilities in this proceeding?

19 A Yes.

20 Q Are you sponsoring the portion of that
21 testimony at section B3 as identified in the table of
22 contents, which is entitled Potential Update to Peak
23 Load-Related Avoided Transmission Costs?

24 A Yes.

25 Q Was a portion of the joint rebuttal testimony

1 you're sponsoring prepared by you or under your
2 direction?

3 A Yes.

4 Q Do you have any changes or corrections to make
5 to that material?

6 A No.

7 Q Do you -- do you adopt the reference material
8 as your testimony in this proceeding?

9 A Yes.

10 Q Are effectual statements in your testimony true
11 and correct to the best of your knowledge?

12 A Yes.

13 Q Insofar as statements in your testimony reflect
14 opinion or judgment, do such statements reflect your
15 best professional opinion or judgment?

16 A Yes, they do.

17 MR. NEWLANDER: Your Honor, the witness is
18 available for cross-examination.

19 ALJ LAU: All right. Let's go off the record.

20 (Off the record.)

21 ALJ LAU: Go back on record.

22 Ms. Armstrong, you may begin your cross. But
23 please -- but please introduce yourself before you
24 begin.

25 ///

CROSS-EXAMINATION

1
2 BY MS. ARMSTRONG:

3 Q Yes. I'm Jeanne Armstrong with the Solar
4 Energy Industry Association. And I just have a few
5 questions for you this afternoon.

6 If you could turn to page 25 of Exhibit IOU-02?
7 Particularly, I'm looking at the first two sentences
8 that start at line 4.

9 Do you have that reference?

10 A Yes, I do.

11 Q Okay. So here in this couple sentences
12 starting at line 4, you are discussing a
13 Commission-approved calculation of avoided transmission
14 costs, which used the assumption that 20 percent of
15 PG&E's total in-service transmission investments were
16 capacity related.

17 My question is wasn't this 27 percent
18 assumption based on study that PG&E conducted itself?

19 A Yes. That's my understanding.

20 Q And has SDG&E conducted a similar study?

21 A I believe we have done similar work in the
22 past. I don't remember exactly when. It's been a few
23 years ago that I was involved in this -- a similar type
24 of study.

25 Q And was such a study submitted in the

1 Commission proceeding?

2 A You know what? I don't know the answer to
3 that. I was involved in some of the underlying work,
4 but I don't know how it was -- you know, what the
5 resolution of all that was.

6 Q But would you agree that such a study would
7 provide valuable information for the calculation of
8 avoided transmission costs?

9 A Well, I think -- as my testimony indicates, I
10 think we believe fairly strongly that we need to go
11 project by project when you're evaluating what
12 distribution -- or what transmission costs should be
13 included in the Avoided Cost Calculator.

14 Q So in your opinion, such a study would not be
15 valuable?

16 A That's not what I said. That's not what I
17 said.

18 Q Okay. My question was whether it would be
19 valuable or not.

20 A As I said, if we do it project by project
21 within the proper parameters, I think it could be
22 valuable. And --

23 Q Okay.

24 A -- I think, though, we need to identify what
25 those parameters and methodologies are. And I think

1 that's why we -- the joint utilities are recommending
2 that we see what the avoided T&D study says about
3 methodologies and inputs in approaches for identifying
4 transmission costs for the Avoided Cost Calculator.

5 Q If you could go to page 19 of IOU-02 and, in
6 particular, starting at line 20?

7 Here you're talking about the -- what has been
8 done in the ACC in the past with respect to marginal
9 transmission capacity costs. And you state that a
10 different methodology is used for each of the utilities,
11 which has resulted in significant differences in avoided
12 transmission costs between the utilities. And you go on
13 to state "The results from one major ACC cycle to the
14 next have been highly variable."

15 So it's not your testimony, is it, that avoided
16 transmission costs are zero?

17 A No.

18 Q So it's just the methodologies for calculating
19 these costs that you believe need improvement?

20 A I think we need to take a fresh look at the
21 underlying methodology. I think these results speak to
22 the uncertainty and potentially -- likely, frankly, the
23 inaccuracy of the numbers. And it's time to take a
24 fresh look.

25 Q So looking at your Table 2, you show the

1 variability between 2020 and 2022 with respect to these
2 marginal transmission capacity costs. Since 2022, what
3 has SDG&E done to provide greater clarity on what your
4 marginal avoided transmission costs are?

5 A I don't believe we've conducted any additional
6 work on marginal avoided transmission costs for SDG&E.

7 Q Okay. And are you aware that both PG&E and
8 Southern California Edison have provided calculations of
9 marginal transmission costs in their past GRC Phase 2
10 cases?

11 A I'm not familiar with what they have done in
12 their GRCs.

13 Q Did SDG&E provide a calculation of its marginal
14 transmission costs in its current GRC Phase 2?

15 A I am not aware. I don't know what the answer
16 to that is. I don't know.

17 Q Would you accept, subject to check, that it has
18 not?

19 A I would.

20 Q Are you aware that in Decision 20-04-01 (sic)
21 -- and that's the decision that adopted the 2020 ACC --
22 the Commission directed the use of the marginal
23 transmission costs methodology developed by PG&E in its
24 GRC Phase 2 case?

25 A Can you point me to that -- that reference,

1 please?

2 Q It's not in your testimony. I'm just asking
3 you if you're aware of what was contained in a
4 Commission decision. If you're not aware, you can state
5 that you're not aware.

6 A I think I may be aware, but I just wanted to be
7 sure I knew which decision you're referring to.

8 Q I'm referring to Decision 20-04-010. And that
9 was a decision adopting the 2020 ACC.

10 A I'd have to go back and refresh my memory on
11 that decision. I'm sorry.

12 Q Did SDG&E ever consider proposing a marginal
13 transmission cost methodology in its own GRC Phase 2
14 case?

15 MR. NEWLANDER: Your Honor, objection. This is
16 beyond the scope of the witness's testimony.

17 ALJ LAU: Sustained. I think this is not
18 Mr. Strack's -- I don't know. Correct me if I'm wrong.
19 I don't think he's a GRC Phase 2 witness.

20 MS. ARMSTRONG: Well, he does talk about the
21 calculation of marginal transmission costs. And I'm
22 just trying to see, you know, the extent that SDG&E has
23 done any work to improve the information that's out
24 there on its marginal transmission costs.

25 ALJ LAU: So you can ask that question but not

1 related to the GRC Phase 2 or anything sponsored by it.

2 So, Ms. Armstrong, can you rephrase your question?

3 BY MS. ARMSTRONG:

4 Q In the past few years, has SDG&E done anything
5 to provide the Commission additional information
6 regarding SDG&E's marginal transmission costs?

7 A As I stated earlier, I don't believe we have in
8 the last year or two.

9 MS. ARMSTRONG: Okay. That's all the questions
10 I have.

11 ALJ LAU: Mr. Newlander, do you have any
12 redirect?

13 MR. NEWLANDER: No redirect, your Honor.

14 ALJ LAU: All right. Thank you.

15 Ms. -- Mr. Strack, you are scheduled to appear
16 tomorrow again. So you may be excused now, but we will
17 call you back tomorrow. And when we call you back, we
18 will remind you that you have agreed to abide by the
19 witness attestations that were circulated. All right?
20 Thank you.

21 Let's excuse everyone off the stage. In fact,
22 let's go off record.

23 (Off the record.)

24 ALJ LAU: So let's go back on record.

25 We are concluding today's evidentiary hearing.

1 We'll be in recess until tomorrow, January 25th, at
2 10:00 a.m. Just as a reminder, please, for the
3 panelists, please log in at 9:30 a.m. Thank you.

4 Off the record.

5 (At the hour of 4:51 p.m., this matter
6 having been continued to 10:00 a.m.,
7 Thursday, January 25, 2024, the Commission
8 then adjourned.)]

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