

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



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Application of San Diego Gas & Electric Company (U 902-E) for Approval of: (i) Contract Administration, Least-Cost Dispatch and Power Procurement Activities in 2023, (ii) Costs Related to those Activities Recorded to the Energy Resource Recovery Account, Portfolio Allocation Balancing Account, Power Charge Indifference Adjustment Undercollection Balancing Account, Transition Cost Balancing Account, Local Generating Balancing Account, and Modified Cost Allocation Mechanism Balancing Account in 2023, and (iii) Costs Recorded in Related Regulatory Accounts in 2023.

A.24-06-001
(Filed June 3, 2024)

JOINT REPORT RE MEET AND CONFER (RULE 13.9)

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March 7, 2025

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

Application of San Diego Gas & Electric Company (U 902-E) for Approval of: (i) Contract Administration, Least-Cost Dispatch and Power Procurement Activities in 2023, (ii) Costs Related to those Activities Recorded to the Energy Resource Recovery Account, Portfolio Allocation Balancing Account, Power Charge Indifference Adjustment Undercollection Balancing Account, Transition Cost Balancing Account, Local Generating Balancing Account, and Modified Cost Allocation Mechanism Balancing Account in 2023, and (iii) Costs Recorded in Related Regulatory Accounts in 2023.

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JOINT REPORT RE MEET AND CONFER (RULE 13.9)

Pursuant to Rule 13.9 of the California Public Utilities Commission’s (Commission) Rules of Practice and Procedure (Rules), the Assigned Commissioner’s Scoping Memo and Ruling (dated September 19, 2024), San Diego Gas & Electric Company (SDG&E), the Public Advocates Office at the California Public Utilities Commission (Cal Advocates), San Diego Community Power (SDCP), and Clean Energy Alliance (CEA) (collectively, the Parties) jointly¹ file this report summarizing their meet and confer efforts and list of stipulated and disputed facts.

I. THE PARTIES’ MEET AND CONFER EFFORTS

Rule 13.9(a) states that “no later than 10 calendar days after the submission of rebuttal testimony the parties must meet and confer, in person or via remote participation to consider the following:”

- (1) Identifying and, if possible, informally resolving any anticipated motions;

¹ Pursuant to Rule 1.8(d), counsel for SDG&E certifies that she has been fully authorized by Cal Advocates, SDCP, and CEA to submit this joint motion on their behalf.

- (2) Identifying the facts and issues in the case that are uncontested and may be the subject of stipulation;
- (3) Identifying the facts and issues in the case that are in dispute;
- (4) Determining whether the contested issues in the case can be narrowed; and
- (5) Determining whether settlement is possible.

In addition, the Scoping Memo provides that the “parties must file a joint case management statement indicating whether the parties believe an evidentiary hearing is necessary, providing an update on settlement discussions, identifying any contested material issues of fact, witness lists, and a proposed schedule for cross-examination” by March 7, 2025.²

On February 21, 2025, SDG&E served its prepared rebuttal testimony on the service list in this proceeding. Subsequently, on March 4, 2025, representatives of SDG&E, Cal Advocates, SDCP, and CEA met and conferred to address the issues as required by Rule 13.9 and the Scoping Memo. The Parties hereby summarize the results of their meet and confer efforts below.

A. Identifying and, if possible, Informally Resolving any Anticipated Motions

The Parties do not anticipate filing any additional motions in this proceeding, other than (1) a joint motion to move testimony and exhibits into the record, and (2) corresponding motion(s) to seal the evidentiary record pursuant to Rule 11.4 and/or Rule 11.5.

B. Identifying the Facts and Issues in the Case that are Uncontested and May be the Subject of Stipulation

The following issues have been raised in the course of the proceeding and are uncontested:

² Scoping Memo, p. 5.

- **Scoping Memo Issue #1** – Whether SDG&E’s fuel and purchased power expenses complied with SDG&E’s Commission-approved procurement plan and were recorded accurately.
- **Scoping Memo Issue # 2** –Whether SDG&E administered and managed its own generation resources prudently, to include the management of outages and associated fuel costs, according to Standard of Conduct (SOC) 4.
- **Scoping Memo Issue # 3** - Whether SDG&E administered and managed its Qualifying Facility (“QF”) and non-QF contracts for generation and power purchase agreements in accordance with the contract provisions and otherwise followed Commission guidelines relating to those contracts and amendments according to SOC 4.
- **Scoping Memo Issue # 4** - Whether SDG&E used the most cost-effective mix of energy resources under its control and achieved Least Cost Dispatch of its energy resources according to SOC 4.
- **Scoping Memo Issue # 5** - Whether SDG&E administered its demand response programs to minimize costs to its ratepayers according to SOC 4.
- **Scoping Memo Issue # 7** –Whether SDG&E’s Greenhouse Gas (GHG) Compliance Instrument procurement was consistent with applicable standards and in compliance with SDG&E’s Commission-approved procurement plan.
- **Scoping Memo Issue # 8** – Whether the entries in SDG&E’s Greenhouse Gas Revenue Balancing Account and Greenhouse Gas-related entries in other ERRA sub-accounts are accurate, and SDG&E met its burden of proof regarding its claim for these entries.

- **Scoping Memo Issue # 9** - Whether the Commission should authorize SDG&E to pursue adjustment of the undercollection in SDG&E's New Environmental Regulatory Balancing Account in the Annual Electric Regulatory Account Update filing.
- **Scoping Memo Issue # 10** - Whether the Commission should authorize SDG&E to pursue adjustment of the overcollection in SDG&E's Tree Mortality Non-Bypassable Charge Balancing Account in the Annual Electric Public Purpose Program Account Update filing.

C. Identifying the Facts and Issues in the Case that are in Dispute

The following issues have been raised in the course of the proceeding and remain contested. The issues are identified below pursuant to the Scoping Memo issue they relate to:

For Cal Advocates:

- No contested issues remain.

For SDCP and CEA:

- **Scoping Memo Issue #6** –Whether the entries in the following accounts are correctly stated and in compliance with Commission directives:
 - The Energy Resource Recovery Account (ERRA). Specifically:
 - Whether the Commission's decision in SDG&E's Test Year 2024 General Rate Case only authorizes SDG&E to change its accounting of distribution-related batteries for 2024 and forward, or whether SDG&E can make this change for its 2023 accounting.
- **Scoping Memo Issue # 11** - Whether the Commission should authorize SDG&E to recover the undercollected amounts in its Green Tariff Shared Renewables-related

balancing accounts, and if so, from whom those costs should be recovered.

Specifically:

- Whether SDG&E intentionally set its GTSR rates too low, causing the undercollections, or whether the delay in the online date of SDG&E's second GT resource adequately explain SDG&E's low GTSR rates for 2019 and 2020.
- Whether SDG&E and the CCAs in its service territory are in competition, and whether that competition motivated SDG&E to set its GTSR rates too low to compete with newly forming CCAs.
- Whether the purpose of the GTSR program was to provide IOUs with a comparable offering to CCA renewable products.
- Whether customer departure to CCA service actually caused significant attrition in the GTSR program.
- Whether SDG&E acted reasonably in delaying its incorporation of the undercollected balance into rates.
- Whether SB 43's mandate that no GTSR costs be shifted to nonparticipating ratepayers requires SDG&E to recover the undercollections from former program participants.
- Whether SDG&E can feasibly identify former GTSR program participants.
- If SDG&E can identify former program participants, whether it is reasonable to assign them the undercollected balance.

- If SDG&E cannot identify former participants, and/or it is not reasonable to assign former participants the undercollected balance, whether SDG&E's shareholders should bear the cost of the undercollection.

D. Determining whether the Contested Issues in the Case can be Narrowed

As reflected in a comparison of the issues identified in Sections I.B and I.C above, the Parties have narrowed the number of contested issues.

E. Determining whether Settlement is Possible

The Parties have narrowed the number of contested issues and continue to discuss possible settlement. The Parties will inform the ALJ if any settlement is reached.

II. EVIDENTIARY HEARINGS

Neither SDG&E nor Cal Advocates believe that evidentiary hearings are necessary. At the time of this Joint Report, the Joint CCAs believe that evidentiary hearings may be needed to resolve any potential remaining material issues of fact. However, the Joint CCAs have issued discovery that could eliminate the need for evidentiary hearings. The Parties anticipate completing these discovery efforts next week and will notify Your Honor by Friday, March 14 whether there remains a need for hearings.

Should the Parties agree to waive evidentiary hearings, the Parties will file a joint motion to enter testimony and exhibits into the evidentiary record, which would include the proposed exhibit list with the appropriate exhibit designations, by April 11, 2025, as contemplated by the Scoping Memo. The Parties expect that they will be able stipulate to the admission of most, if not all, the exhibits. This would allow the Parties to reference the proposed exhibits numbers set forth in the exhibit list in their respective briefs due April 18, 2025 as necessary. If the Parties are unable to stipulate to the admission of an exhibit(s), the joint motion will identify the exhibit(s) along with the offering parties' proffer and the objecting parties' position.

III. CONCLUSION

This concludes the Parties' joint report on meet and confer efforts. The Parties appreciate the Commission's time and effort in resolving this proceeding in an efficient manner.

Respectfully submitted,

/s/ Cameron Biscay

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