



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

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Order Instituting Rulemaking Regarding Policies,
Procedures and Rules for the California Solar Initiative,
the Self-Generation Incentive Program and Other
Distributed Generation Issues.

Rulemaking 12-11-005

**JOINT PETITION FOR MODIFICATION OF
DECISION 15-06-002 CONCERNING SELF-GENERATION INCENTIVE
PROGRAM REQUIREMENTS**

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April 8th, 2025

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Introduction

The Southern California Tribal Chairmen's Association (SCTCA) and Local Government Sustainable Energy Coalition (LGSEC) submit this *Joint Petition for Modification of Decision 15-06-002 Concerning Self-Generation Incentive Program Requirements*. SCTCA and LGSEC propose to modify Decision 15-06-002 to provide Self-Generation Incentive Program (SGIP) projects otherwise in good standing with up to four additional, six-month extensions beyond the three presently authorized, after which no further extensions would be permitted. This approach would not change the program closeout date.

All non-residential equity and equity-resilience projects would be eligible for this relief, which would be applied retroactively beginning March 31, 2025. By virtue of qualifying for the Equity or Equity Resilience budget, these projects are known to serve disadvantaged communities (DAC) that face inequities and challenges not encountered by other applicants and communities. The California Public Utilities Commission (CPUC) has a strong commitment to equity, as evidenced by its Environmental and Social Justice Action Plan, its consistent integration of equity considerations into proceedings, and by SGIP itself.

This respite is necessary due to a cascading set of circumstances outside of SGIP Applicants' control, which have acted to delay or stall project progress, including supply chain

challenges, some of which are caused by the lingering impacts of the COVID-19 pandemic; financial market and funding uncertainties; and interconnection issues, which have in part been catalyzed by state electrification policies of the kind the SGIP program is intended to support. A comprehensive description of circumstances that give rise to the need for a modified extension policy is detailed below.

SGIP supports the development of critical projects for Tribes and disadvantaged communities. SGIP projects in the pipeline include those designed to bolster resiliency at critical community facilities, in some cases associated with wildfire management efforts; to address reliability challenges caused by Public Safety Power Shutoffs (PSPS) and unplanned distribution outages; to improve affordability; and to bolster Tribal energy sovereignty and independence. Tribes and local governments have made significant good-faith investments in SGIP-supported projects, the loss of which would prompt severe adverse consequences.

Millions of dollars in U.S. Department of Energy solar microgrid grants are dependent upon SGIP-funded battery energy storage system installations. Tribes, local governments, and other DAC-serving entities have invested in SGIP projects precisely because of the need to safeguard public health, local economies, and the environment. Failure of these projects solely due to the inability to meet existing deadlines would result in significant setbacks and losses, which could be prevented by the modest actions identified in this Petition. Stated differently, in an extremely difficult economic and political environment, the CPUC has the opportunity to shed a ray of light on Tribal and local government SGIP projects with a modest administrative change that would result in no additional costs.

A review of the SGIP Weekly Statewide Report indicates that difficulties meeting SGIP timeline requirements are ubiquitous among Equity and Equity Resilience projects. Table 1 below summarizes total data for submitted SGIP Equity and Equity Resilience Project Requests for Reservations (RRF) since 2020, when the Equity and Equity Resilience Budgets were approved under D. 19-09-027, gathered from the SGIP Weekly Statewide Report – 02/10/2025.¹ Notably, approximately 21% of all SGIP Equity and Equity Resilience rebate reservations that were secured between 2020 and 2022 are still active but have a high likelihood of being at-risk

¹ Weekly Statewide Reports can be found at: <https://www.selfgenca.com/home/resources/>.

due to timeline issues, with 49% of the total reservations made within this timeframe having been cancelled and 30% having been completed.²

Table 1. Summary of SGIP RRF data for Equity and Equity Resilience rebate reservations between 2020 and 2024, taken from the SGIP Weekly Statewide Report – 02/10/2025. The subtotaled cells highlighted yellow represent SGIP projects with a higher likelihood of being at-risk due to timeline challenges.

RRFs for SGIP Non-Residential Equity/Equity Resilience Projects	Total SGIP Project RRFs	Total kWh for All Project RRFs	Total Incentives for All Project RRFs	# of Projects Canceled	% of Projects Canceled	# of Projects Completed	% Completed	# of Projects Still Active	% of Projects Still Active	Remaining kWh for Active Projects	Remaining Incentives for Active Projects
2020 Submitted RRFs	584	564,353	\$432,884,360	282	48.29%	202	34.59%	100	17.12%	80,134	\$59,329,951
2021 Submitted RRFs	211	226,180	\$168,975,376	93	44.08%	57	27.01%	61	28.91%	45,092	\$31,664,041
2022 Submitted RRFs	156	221,539	\$151,855,493	90	57.69%	23	14.74%	43	27.56%	71,650	\$47,600,756
2020-2022 Submitted RRFs SUBTOTAL	951	1,012,072	\$753,715,229	465	48.90%	282	29.65%	204	21.45%	196,876	\$138,594,748
2023 Submitted RRFs	86	152,621	\$100,128,461	48	55.81%	1	1.16%	37	43.02%	68,751	\$46,680,642
2024 Submitted RRFs	55	121,038	\$66,481,257	21	38.18%	1	1.82%	33	60.00%	68,909	\$38,780,135
2020-2024 Submitted RRFs TOTAL	1092	1,285,731	\$920,324,947	534	48.90%	284	26.01%	274	25.09%	334,536	\$224,055,525

The proposed extension policy modification generally reflects the additional time the program currently makes available to SGIP reservation holders located in a territory that has available SGIP funds, who can cancel and successfully re-apply for an SGIP rebate. Currently, a government entity has 18 months to complete an SGIP project plus three six-month extensions, totaling 36 months.³ A government entity reservation holder that cancels and re-applies in 2025 due to timeline issues could receive up to 72 months to finish its project. The proposal to permit four additional extensions would provide up to 60 months to complete a project, allowing

² “Active” for purposes of this analysis includes all SGIP reservations that have not been cancelled or reached Performance Based Incentive (PBI) payment status. Active reservations include those with a Fully Qualified State of: RRF Reserved, RRF Technical Review, RRF Equipment Review, RRF Suspended, RRF Reserved, RRF Confirmed, PPM Review, PPM Technical Review, PPM Suspended, PPM Confirmed, ICF Review, ICF Technical Review, ICF Suspended, ICF Inspection, and ICF Pending Payment. Project deemed complete are those with a Fully Qualified State of: Payment PBI in Process and Payment Completed.

³ Not including the automatic one-year COVID extension/stay on cancellations granted to all SGIP reservation holders under D.21-03-009. Canceling and reapplying is an imperfect process to address timing challenges, triggering the need for more work by applicants and PAs, and inducing additional project risks. Still, it has been used effectively in cases where funds are geographically available, pointing to the need to even the playing field between regions with varying resources and illustrating how inadequate the existing extension policy is in the face of today’s realities.

reasonable time for equity-qualified reservation holders to navigate a variety of challenging circumstances. This approach would level the playing field across all Program Administrators' (PA) territories, regardless of remaining available budgets, while reducing administrative time and expense for both PAs and communities having to manage cancellations and reapplications.

Parties Have Strong Interest in Success of SGIP Program and Projects

The Southern California Tribal Chairmen's Association (SCTCA) is a multi-service nonprofit corporation established in 1972 on behalf of a consortium of 25 federally recognized Indian Tribes in Southern California, which encompasses 23% of all federally recognized Tribes in California. SCTCA's primary mission is to serve the health, welfare, safety, education, cultural, economic and employment needs of its Tribal members and descendants. A board of directors comprised of tribal chairpersons from each of its member Tribes governs SCTCA. SCTCA's Tribal Energy & Climate Collaborative (TECC) was formed 2023 to advance the clean energy, climate change, and related economic and workforce priorities of SCTCA Tribes.

Local Government Sustainable Energy Coalition (LGSEC) represents 17 cities and 23 counties, jurisdictions that govern almost three-quarters of the state's population, and close to two-thirds of California's electricity demands. LGSEC members serve as administrators, designers and lead implementors of a host of programs that advance community choice aggregation (CCA), energy efficiency, demand response, building decarbonization, transportation electrification, and other energy supply, demand, and management programs. Likewise, LGSEC members rely on SGIP as an essential element in implementing distributed generation projects in the service of achieving equity, resiliency, and Climate Action Plan goals. LGSEC is also broadly interested in supporting Tribal aspirations to strengthen and protect their communities.

SCTCA and LGSEC gathered letters of support for this Petition that reflect a sample of at-risk projects from the dataset of all potential at-risk SGIP projects summarized in Table 1. Twenty-three (23) letters of support are attached to this Petition in Appendix A, submitted by a variety of SGIP Equity and Equity Resilience project hosts across the State. These letters describe the unforeseeable and cascading series of timeline challenges each site host has faced in completing their SGIP projects, and the importance to their communities of preserving SGIP rebates.

Table 2 below summarizes the 48 SGIP projects addressed within these letters.⁴ This sample represents 18.3 megawatt-hours (MWh) of energy storage, with approximately \$14 million in SGIP incentives at-risk of cancellation if the Commission does not expeditiously authorize additional extensions. CPUC inaction would trigger financial hardship, loss of institutional faith, and forgone resiliency capacity for these hosts and their critical facilities that serve disadvantaged communities. Included on this list are five SCTCA Tribes – La Jolla, Manzanita, Pala, Rincon, and San Pasqual – which have 22 at-risk projects totaling 8.5 MWh of energy storage for \$6.1 million in SGIP incentives.

Table 2. Summary of facilities, reserved energy storage kWh, reserved SGIP rebate amounts, and SGIP reservation expiration details for each site host that provided a letter of support for this Petition for Modification

Site Host (# of projects)	Type of Facility(ies)	Current Rebate Reservation Expiration Date	Reserved SGIP kWh	Reserved SGIP Rebate Amount
Ampla Health (1)	Medical Center	4/14/25	53	\$51,797
California Retirement Homes, Inc. (1)	Residential Elder Care Facility	6/16/25	66	\$66,000
City of Arcata (2)	City Hall, Community Center	4/4/25 (3),* 7/5/25 (3)*	313	\$298,820
City of Irvine (1)	Civic Center, Public Safety HQ	Canceled, reapplied	3,917	\$2,495,087
City of Santa Monica (1)	Public Works Facilities	11/28/25 (1)*	1,606	\$1,365,100
Community Mutual Water Company (1)	Water Utility Services	6/8/2025	764	\$683,500
Fallbrook Food Pantry (2)	Charity Food Pantry	12/24/25 (4), 12/24/25 (4)	105	\$101,105
Free Clinic of Simi Valley (1)	Health Care Services	5/3/2025 (5)	254	\$244,516
La Jolla Band of Luiseno Indians (4)	Domestic Water Systems, Fuel, Groceries, and Essentials, Emergency Public Shelter, and Essential Government Facilities	7/30/25, 12/24/25, 8/31/2025, 7/7/2025	285	\$280,545
Laguna Food Pantry (1)	Charity Food Pantry	4/27/25	185	\$184,800
Lake Casitas Park Store (1)	Groceries and Essentials	2/10/25**: 5 th extension request for developer	66	\$63,300

⁴ This is a significant sample of SGIP projects representing approximately 18% of the 274 total active nonresidential SGIP Equity and Equity Resilience projects as of February 10, 2025 summarized in Table 1.

		<i>bankruptcy denied, reapplying</i>		
Lundy Mutual Water Company (1)	Water Utility Services	10/13/25	127	\$124,017
Mammoth Lakes Fire Department (1)	Fire Protection and Emergency Response	10/14/24	254	\$248,034
Manzanita Band of the Kumeyaay Nation (2)	Essential Community Facilities	7/12/25, 8/28/25	53	\$52,378
Open Door Community Health Centers (1)	Health Care Services	8/27/25	696	\$628,000
Pala Band of Mission Indians (9)	Emergency Operations Center, Tribal Law Enforcement, Wastewater Treatment Facilities, Public Communications, Emergency Public Sheltering, Fire Protection and Emergency Response	6/30/25, 6/30/25 7/6/25, 7/6/25, 7/6/25, 8/20/25, 7/13/25*, 5/17/25*, 7/6/25	2,365	\$2,111,020
Planned Parenthood California Central Coast (7)	Health Care Services	7/15/25, 7/15/25, 7/15/25, 7/15/25, 7/15/25, 7/15/25, 6/18/25*	509	\$466,392
Republic Services of Sonoma County, Inc. (1)	Wastewater Management Systems	4/15/2025	509	\$464,000
Rincon Band of Luiseno Indians (5)	Emergency Operations Center, Tribal Law Enforcement, Domestic Water Pumping, Emergency Public Sheltering, Cooling Center, Fire Protection and Emergency Response	7/21/25, 7/8/25, 6/28/25, 6/28/25, 12/1/25	5,747	\$3,607,151
San Pasqual Band of Mission Indians (2)	Domestic Water Systems, Essential Government Facilities	9/3/25, 9/7/25	79	\$78,197
Sanel Valley Market, Inc. (1)	Groceries and Essentials	3/11/25	66	\$66,000
Sisar Mutual Water Company (1)	Domestic Water Utility Services	5/18/25	215	\$221,000
St. Mary Gas & Mini Mart Inc. (1)	Groceries, Fuel, and Essentials	6/16/25	79	\$79,200
TOTAL			18,312	\$13,979,960

*Indicates that the applicable project may be eligible for additional extensions.

**A request for a fifth extension for 90 days due to developer bankruptcy was denied. Site host is in the process of reapplying in SCE territory, which has remaining SGIP Equity Resilience Budget funds.

Proposed Modification to Extension Rules

SCTCA and LGSEC request that the California Public Utilities Commission modify Decision (D.) 15-06-002 to stay cancellation of nonresidential projects past existing extension deadlines to provide relief to customers affected by circumstances that are largely outside their control. Pursuant to the requirements set forth in Rule 16.4 of the Commission's Rules of Practice and Procedure, SCTCA and LGSEC were unable to file this Petition within one year of the effective date of D.15-06-002 because the associations and their members were largely unaware of and could not have predicted the myriad of hurdles that have emerged related to SGIP project completion. These include:

- Complexity of standing up microgrids. As presently acknowledged by Pacific Gas and Electric Company (PG&E), a microgrid "...involves deep technical and contractual collaboration with the utility and can take 3-5 years or more to develop."⁵
- Supply chains remain difficult to navigate, with extended hard-to-predict lead times, chronic price inflation, and material shortages. Recently, an abrupt change in electricity demand heightened stress on supply chains for key equipment, already struggling to fulfill ballooning demand. Transformers have emerged as a significant bottleneck to distributed generation supply chains as demand outpaces available supply, with only 20% of American demand being met by domestic sources.⁶ Demand for nickel has increased because it is used in electric vehicle battery production, with the construction industry and stainless-steel manufacturers competing with EV producers for the same supply.⁷ Switchgear is commonly taking a year or more to obtain following the issuance of a final purchase order. Prices for copper, a key ingredient in distribution cables and batteries, have skyrocketed.⁸ And although the Commission and State Legislature have taken action to resolve energization delays, interconnection applications, studies, and approvals can take more time than expected.⁹

⁵ [Community Microgrids](#)

⁶ [The challenge of growing electricity demand in the US and the shortage of critical electrical equipment | Wood Mackenzie](#)

⁷ [Supply chain headaches persist 4 years into pandemic | Construction Dive](#)

⁸ [Copper prices surge to record high amid tariff anxiety | CNN Business](#)

⁹ [Noting a Mountain of Delays, California Lawmakers Advance Bills Designed to Speed Grid Connections - Inside Climate News](#)

- Trump Administration actions have created uncertainty, delays, and cost increases, related to expenditure and staff changes as well as implementation of tariffs that impact important SGIP project materials.¹⁰ The present trade war is expected to drive up the costs of nearly every component of clean-energy products in the United States, from the steel in wind turbines to the batteries in electric vehicles.¹¹
- The bankruptcy of developers (*e.g.*, Swell Services, Sunpower) has caused numerous challenges and delays extending beyond six months, as site hosts have worked to engage new contractors, negotiate deployment contracts and purchase agreements, and update deployment plans to address changed conditions.

Native Tribes have limited capacity to participate in protracted contract negotiations with developers on complex and new types of projects. Engaging in SGIP tends to be a learning process for Tribes, local governments, and other DAC-serving entities. Likewise, Tribal lands have unique building and permit requirements, as well as the potential need to negotiate U.S. Bureau of Indian Affairs rights-of-way approvals for necessary utility infrastructure. No standard approach exists for navigating regulations that emerge from independent Tribal sovereignty.

While SGIP projects may have already received allowable extensions, the factors identified above were unknown at the time D.15-06-002 was adopted, in part because most DAC-serving entities, local governments, and Tribes had never previously engaged in SGIP-type projects. As a result, additional time is frequently necessary to complete projects in which DAC-serving entities, Tribes, and local governments have already invested significant resources.

Failure to expeditiously act on extending deadlines would impose significant financial losses on Tribes and local governments; delay or derail development of resiliency capacity as wildfire threats and the frequency of PSPS outages are increasing; and prevent progress in achieving the equity and environmental goals that SGIP was created to promote. It would also diminish Tribal and local government trust in CPUC-sponsored programs, potentially making it more difficult for energy regulators to catalyze future needed investments.

¹⁰ [Trump Tariffs on Steel and Aluminum May Raise U.S. Manufacturing Costs - The New York Times](#)

¹¹ [How Tariffs Could Upend the Transition to Cleaner Energy - The New York Times](#)

SCTCA and LGSEC propose a “stay” on project cancellation, so long as the customer provides verifiable information that demonstrates the project is generally being pursued in good faith. Due to the present uncertain environment, SCTCA and LGSEC recommend that the Commission quickly approve such a stay on cancellation of projects for up to four more six-month extensions, with no further extensions granted after December 31, 2028.

Specifically, SCTCA and LGSEC request the following addition to Ordering Paragraph 3 of D.15-06-002:

Projects that require additional time to complete installation may be granted a stay on cancellation up to four times for an additional six-month period for each extension, if verifiable information is provided that demonstrates the project is generally progressing in a timely manner. No further stays should be provided after December 31, 2028.

To implement this change, SCTCA and LGSEC request that the Commission direct the SGIP Program Administrations (PA) to propose modifications to the SGIP Handbook via submittal of a Tier 1 Advice Letter.

Petition Timely Filed

Rule 16.4(d) of the Commission’s Rules requires petitions for modification to be filed and served within one year of the effective date of the decision proposed to be modified. If a petition for modification is filed more than one year after the effective date of the decision proposed to be modified, the petition must explain why the petition could not have been presented within one year of the effective date of the decision. Furthermore, Rule 16.4(e) requires a non-party petitioner to explain why the petitioner did not participate in the proceeding earlier and how the petitioner is affected by the decision. Rule 16.4(b) requires allegations of new or changed facts to be supported by a declaration or affidavit.

As discussed in the Joint Petition, SCTCA and LGSEC could not have filed their Joint Petition within one year of the effective date of D.15-06-002 because the circumstances presently causing SGIP project delays were not known and could not have been predicted at that time. Similarly, at the time of proceedings leading up to D.15-06-002, SCTCA and LGSEC had no way of knowing about the unique present-day problems now facing SGIP projects.

This Joint Petition alleges new facts. While the Commission may be familiar with some of the new circumstances, a declaration is attached.

Conclusion

The SGIP Equity/Equity Resilience Budget was created to “...provide resiliency for customers and critical facilities that are more likely to experience wildfires and PSPS events, and most in need of financial assistance.” The program reflects “...the CPUC’s continuing commitment to assist vulnerable customers...” It would be contrary and damaging to SGIP objectives and the Commission’s intent for “equity” projects to be cancelled solely because additional time is required to complete installation as a result of unpredictable exogenous issues. The requested relief is straightforward, will materially assist SGIP customers struggling with unanticipated challenges, and does not harm other investor-owned utility customers.

Dated: April 8, 2025

Respectfully Submitted,

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