

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



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A. 24-12-009
(Filed December 20, 2024)

Application of Pacific Gas and Electric
Company (U 39 M) on Behalf of the California
Market Transformation Administrator (U-1399-
E) for the Approval of the Initial Tranche of
Statewide Energy Efficiency Market
Transformation Initiatives.

**OPENING COMMENTS OF CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE
ON PROPOSED DECISION AND ALTERNATE PROPOSED DECISION**

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*On Behalf of the California
Environmental Justice Alliance*

Dated: October 13, 2025

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SUMMARY OF RECOMMENDATIONS

- The California Public Utilities Commission (“Commission”) should adopt the Proposed Decision (“PD”) with the following minor revisions:
 - Revise the sentence on page 37 that states the Commission does “not need to choose sides in the indoor air quality debate” to acknowledge that indoor air quality benefits of electric and induction cooking as compared to gas have been repeatedly recognized by the Commission and California agencies, and that they are a non-energy benefit of the Induction Cooking Market Transformation Initiative (“MTI”) that weighs in favor of the MTI’s adoption, or
 - Revise the PD to remove the sentence on page 37 referenced above.
 - Revise the Findings of Fact and Conclusions of Law as described in Appendix A.
- The Commission should reject the Alternate Proposed Decision (“APD”). If the Commission chooses to adopt the APD, it should be revised to allow for CalMTA to resubmit the Induction Cooking MTI via a Tier 2 Advice Letter rather than a full application and direct CalMTA to provide a clearer demonstration of a targeted focus on 120V products, including development of models designed to meet the needs of Environmental and Social Justice (“ESJ”) communities.

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**OPENING COMMENTS OF CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE
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Pursuant to Rule 14.3 of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure, the California Environmental Justice Alliance (“CEJA”) respectfully submits these opening comments on the Proposed Decision of ALJ Julie Fitch (“PD”) and the Alternate Proposed Decision of Commissioner Baker (“APD”).¹

I. INTRODUCTION

The California Market Transformation Administrator’s (“CalMTA”) Room Heat Pump (“RHP”) and Induction Cooking Market Transformation Initiatives (“MTIs”) are critical, cost-effective programs to advance equitable decarbonization consistent with California’s climate, public health, and equity objectives. Without these market transformation efforts, energy efficiency and non-ratepayer decarbonization programs will lack the affordable 120V technologies needed to achieve their goals. Moreover, for households in Environmental and Social Justice (“ESJ”) Communities,² both RHPs and 120V induction ranges are instrumental in

¹ Proposed Decision of ALJ Julie Fitch (Sep. 23, 2025) (“PD”), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M581/K151/581151908.PDF>; Alternate Proposed Decision of Commissioner Baker (Sep. 23, 2024) (“APD”), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M581/K301/581301683.PDF>.

² The Commission defines ESJ Communities as “predominantly communities of color or low-income communities that are underrepresented in the policy setting or decision-making process, subject to a disproportionate impact from one or more environmental hazards, and are likely to experience disparate implementation of environmental regulations and socioeconomic investments in their communities,” and more specifically including Disadvantaged Communities (“DACs”), which are census tracts scoring in the top 25% of CalEnviroScreen or scoring in the highest 5% of CalEnviroScreen’s Pollution Burden but not

reducing health-harming air pollution by decreasing exposure to ambient air pollution through filtration and by eliminating a major source of indoor air pollution from gas stoves. Advancing 120V products for space heating and cooling and induction cooking will also provide substantial benefits in terms of avoided panel and grid upgrades to accommodate the widespread electrification necessary under California’s policy objectives. Accordingly, CEJA is deeply concerned with the APD’s rejection of the Induction Cooking MTI and urges the Commission to adopt the PD, which would approve both the RHP and Induction Cooking MTIs.

The APD commits both factual and legal error in denying the Induction Cooking MTI. The APD rejects the Induction Cooking MTI based on the following erroneous conclusions:

- (1) the MTI is overly broad, when in fact there is a clear focus on development of affordable 120V induction models;
- (2) other programs, and specifically the California Energy Commission’s (“CEC”) Building Initiative for Low-Emissions Development (“BUILD”) Program, are already promoting the same technologies, when BUILD focuses on *new* construction that is already wired for 240V stoves;
- (3) CalMTA’s saturation estimates for induction cooking understated deployment and an alternative dataset should be used, when in fact the dataset referred to in the APD does not exist and in any event, uncontroverted evidence in the record highlights the lack of affordable 120V cooking equipment, which is not obviated by any data set relied on in this proceeding; and
- (4) imposition of a new cost-effectiveness threshold for the MTIs’ break-even Total Resource Cost (“TRC”) year is warranted, when this is not the applicable legal standard.³

By misconstruing the focus of the Induction Cooking MTI and ignoring facts in the record

receiving an overall CalEnviroScreen score; all Tribal lands; low-income households (defined as having household income below 80% of the area median income (“AMI”)); and low-income census tracts. CPUC, *Environmental and Social Justice Action Plan Version 2.0*, at 2 (Apr. 7, 2022) (“ESJ Action Plan”), <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/news-and-outreach/documents/news-office/key-issues/esj/esj-action-plan-v2jw.pdf>.

³ APD at 39–40; D.19-12-021, *Decision Regarding Frameworks for Energy Efficiency Regional Energy Networks and Market Transformation*, at 69–70 (Dec. 12, 2019) (“D.19-12-021”), <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M321/K507/321507615.PDF> (choosing not to impose an up-front cost-effectiveness threshold for individual MTIs and requiring only that “each MTI brought forward by the MTA to estimate its costs and benefits, using the TRC and PAC tests.”).

related to the cost-effectiveness and ESJ benefits of the MTI, the APD improperly rejects a program that is uniquely positioned to remove barriers to ESJ households' access to efficient, zero-emissions cooking equipment.

Without targeted market transformation for 120V induction cooktops and ranges as envisioned in the MTI, millions of Californians will continue to face insurmountable barriers to adoption of induction cooking equipment, stymieing progress toward ensuring all Californians access the benefits of healthier homes and leaving households in ESJ Communities behind in the transition off the gas system. The development of affordable 120V induction stoves is not addressed by other electrification programs. Indeed, CalMTA's MTI is critical to maximizing the reach and success of programs like the Equitable Building Decarbonization Program by developing affordable plug-in models that will substantially reduce electrification costs. Accordingly, the PD is correct to approve both initial MTIs, and CEJA respectfully urges the Commission to adopt it—rather than the APD—with minor revisions to acknowledge the well-established indoor air quality benefits of these technologies. If the APD is adopted, it should be revised to either approve the Induction Cooking MTI or at a minimum, allow CalMTA to request subsequent approval through a Tier 2 Advice Letter that provides a clearer demonstration of a targeted focus on 120V products, including development of models designed to meet the needs of ESJ communities.

Additionally, both the PD and the APD fail to acknowledge the significant air quality benefits of the Induction Cooking MTI. The PD's statement that the Commission need not "choose sides in the indoor air quality debate" is a troubling false equivalency that would be a significant and unjustified step back from settled factual and legal positions of the Commission regarding the indoor air quality benefits of electric cooking equipment. The APD omits discussion of indoor air quality benefits of the Induction Cooking MTI entirely. Accordingly, whichever decision the Commission adopts should be revised to take into account these significant benefits and their alignment with state policy and the Commission's ESJ Action Plan.

II. DISCUSSION

A. The APD Commits Factual and Legal Error in Denying the Induction Cooking MTI.

1. The APD's Rejection of the Induction Cooking MTI Ignores its Primary Focus on the Development of Affordable 120V Induction Stoves.

The APD misconstrues the Induction Cooking MTI by failing to account for the MTI's focus on 120V, battery-equipped induction cooking equipment and deployment in ESJ Communities. The APD justifies its rejection of the Induction Cooking MTI by characterizing the program as "covering all 120V, 240V, or 120V battery-equipped induction and ENERGY STAR-certified radiant cooktops and ranges that are permanently installed" rather than "focusing on a limited set of technologies [that] may provide better value to ratepayers."⁴ While some of the strategic interventions of the MTI will also benefit 240V products, the MTI's product development interventions do, in fact, focus on a limited set of technologies: affordable, accessible, right-sized induction equipment that can plug into 120V outlets and fit in the smaller appliance cutouts present in most multifamily housing, as well as other housing types common in ESJ Communities (e.g., mobile homes; smaller, older single-family homes, etc.).⁵ Indeed, the APD confusingly states that "[t]he barriers to Induction Cooktops MTI outweigh the benefits," but the only barrier it identifies is a barrier to "240V induction adoption" of "electrical capacity and required electric panel upgrades."⁶ The APD errs by failing to recognize that the Induction Cooking MTI is specifically designed to address that barrier by advancing the development and affordability of 120V, battery-equipped induction cooktops and ranges.⁷ The focus on 120V, battery-equipped induction products is plainly evident throughout the MTI Plan.⁸

⁴ APD at 38.

⁵ See Ex. CEJA-01, Prepared Testimony of Kjellen Belcher on Behalf of California Environmental Justice Alliance on the Application of the California Market Transformation Administrator for Approval of the Initial Tranche of Statewide Energy Efficiency Market Transformation Initiatives, at 2:10–3:2; 6:21–25, (June 4, 2025) ("Belcher Direct"), <https://docs.cpuc.ca.gov/PublishedDocs/SupDoc/A2412009/8166/567537544.pdf>.

⁶ APD at 38.

⁷ Application, Appendix 2, Induction Cooking MTI Plan & Appendices, at 14 (Dec. 20, 2024) ("Induction Cooking MTI Plan"), <https://pgera.azurewebsites.net/Regulation/ValidateDocAccess?docID=813994> (explaining that the MTI "has a particular focus on the availability of affordable induction products that are well-suited to serving ESJ communities and products that fit with California's current electrical infrastructure of primarily 120V outlets in kitchens.").

⁸ See, e.g., Induction Cooking MTI Plan at 9 (explaining CalMTA's "vision" for the MTI, which

While the MTI Plan also includes broader strategic interventions, such as supporting “advancement of electrification-enabling rate structures” that will work to “mitigate the bill impacts of moving from gas to electric cooking,” these types of more general interventions necessarily apply to a broader set of electric cooking equipment.⁹ This strategic intervention would not make sense if framed as advancement of electrification rates specific to households with 120V induction cooking equipment. It is appropriate for CalMTA to consider the benefits to 240V induction and ENERGY STAR-certified radiant electric products as part of the MTI for this, and other interventions like “marketing and education campaigns on the benefits of induction cooking in partnership with aligned organizations,” because these activities would also benefit those products. However, it is an error to reject the MTI because it includes broader interventions that would also uplift adoption of 240V induction and other electric cooking models.

This is particularly true because the product-specific interventions in the MTI are clearly targeted at 120V products and affordable access in ESJ Communities.¹⁰ For example, the number one strategic intervention for Phase III of the MTI is: “Influence manufacturer development of affordable, 120V battery-equipped cooktops and ranges that fill the product availability gap for CA electrical infrastructure and multifamily market needs.”¹¹ 120V induction products suitable for multifamily residences are an appropriate focus for the MTI’s manufacturer challenge intervention because they directly address the barriers to equitable

“requires addressing the electrical infrastructure challenges posed by the dominant 120V circuitry found in most kitchens”); *id.* at 10 (“For most homes, accommodating affordable induction range models currently on the market would require an electrical upgrade from the standard 120V to 240V. . . . Therefore, the most important product improvement for this MTI is development of more affordable 120V ranges with batteries to achieve both high cooking performance and offset energy use away from costly peak timeframes.”); *id.* at 10 (identifying “[i]nfluence manufacturer development of affordable, 120V battery-equipped cooktops and ranges that fill the product availability gap for CA electrical infrastructure and multifamily market needs” as the first Phase III strategic intervention); *id.* at 13 (the MTI “has a particular focus on the availability of affordable induction products that are well-suited to serving ESJ communities and products that fit with California’s current electrical infrastructure of primarily 120V outlets in kitchens.”).

⁹ *Id.* at 21; *see also id.* at 20 (listing Strategic Intervention #2: “Support advancement of codes, policies, standards, and practices that increase consumer preference for electric cooking and reduce costs associated with installing electric cooking”), 23–24 (listing Strategic Intervention #5: “Build consumer acceptance and awareness through marketing and education campaigns on the benefits of induction cooking in partnership with aligned organizations”).

¹⁰ *Id.* at 10.

¹¹ *Id.* at 10, 18.

deployment of induction cooking equipment, and they would result in products that are not readily available on the market, unlike 240V induction ranges. Moreover, the manufacturer challenge will support the targeting of CalMTA's other strategic interventions. For example, Strategic Intervention #8 would target retailers in ESJ communities for midstream stocking incentives.¹² CalMTA notes that "[c]urrently, most retailers position induction as a premium product beyond the reach of many ESJ communities," but the MTI would "influence retailer product selection, stocking, and sales practices towards more affordable induction product."¹³ The affordable induction products that would meet ESJ communities' needs would be the 120V models compatible with multifamily housing developed pursuant to Strategic Intervention #1. The APD errs by failing to acknowledge planned interventions' specific focus on development of affordable 120V induction models and writing off the MTI due to its inclusion of educational and other interventions that would also necessarily further adoption of other types of induction cooking.

While CEJA recommends adoption of the PD over the APD, if the Commission chooses to adopt the APD, it should do so with a revision that would allow CalMTA to resubmit the Induction Cooking MTI through a Tier 2 Advice Letter that limits interventions that would broadly advance the electric cooking market rather than through another application. Revisions through a Tier 2 Advice Letter would make more efficient use of the extensive work CalMTA has already done to develop this MTI and importantly, avoid multi-year delays in development of critically needed affordable 120V induction stoves were CalMTA to be required to submit an entirely new application for Commission approval.

2. The BUILD Program Will Not Bring Affordable 120V Induction Stoves to the Market.

The APD also errs in suggesting that the CEC's BUILD program obviates the need for the MTI because it "actively promote[s] all-electric technologies, including Induction Cooktops, especially in new low-income and multi-family housing."¹⁴ The BUILD Program is targeted at developers of new affordable housing and provides technical assistance and financial incentives based on avoided greenhouse gas emissions and inclusion of particular technologies in the

¹² *Id.* at 27–28.

¹³ *Id.* at 28.

¹⁴ APD at 39, 69, Finding of Fact #22.

building design.¹⁵ The BUILD Program is not about developing new technologies, but rather, encourages deployment of existing technologies into new construction projects. Moreover, because new residential construction already requires 240V wiring in kitchens,¹⁶ it is not a program designed to meet the urgent need to develop affordable 120V induction stoves for use in existing buildings. The APD’s failure to distinguish these categorically distinct programs from each other constitutes factual error.

3. The APD Commits Factual Error by Misrepresenting Disputes Regarding Data Sources and Overstating the Difference in Resulting MTI Cost-Effectiveness.

The APD contains significant factual errors with regard to the dispute about CalMTA’s data sources for market saturation of electric and induction cooking equipment. As an initial matter, the APD repeatedly refers to “2023 [Residential Applicant Saturation Study (“RASS”)] data” in error.¹⁷ There is no 2023 RASS. The 2023 data that Cal Advocates argued should have formed a basis for CalMTA’s cost-effectiveness calculations is 2023 electric sales and revenue data from the U.S. Energy Information Administration (“EIA”), which Cal Advocates relies upon for its argument that cost allocation between investor-owned utilities should be adjusted.¹⁸ Separately, Cal Advocates argues that the older, 2019 RASS data is preferable to the EIA’s 2020 Residential Energy Consumption Survey (“RECS”) data regarding saturation of electric cooktops, because Cal Advocates believes its sampling methodology is more precise for California-specific purposes, and it reflects slightly higher saturation estimates, which Cal Advocates asserts would result in higher baseline values and thus lower measured or expected benefits from the MTI.¹⁹ As the APD correctly acknowledges, CalMTA defended its use of

¹⁵ See Induction Cooking MTI Plan: Appendix D, at 23, Table 7 (citing CEC Docket No. 20-DECARB-01, Building Initiative for Low-Emissions Development (BUILD) Program Guidelines, First Edition (Feb. 2022), <https://efiling.energy.ca.gov/GetDocument.aspx?tn=242189&DocumentContentId=75680>).

¹⁶ See CEC, *2022 Building Energy Efficiency Standards Summary*, at 3, 8 (Aug. 2021), https://www.energy.ca.gov/sites/default/files/2021-08/CEC_2022_EnergyCodeUpdateSummary_ADA.pdf (noting updates to 2022 Building Code include 240V electric readiness requirements).

¹⁷ APD at 39–41.

¹⁸ Ex. CA-01, Public Prepared Testimony on the Application for the Initial Tranche of Statewide Energy Efficiency Market Transformation Initiatives: Witness Omar Gutierrez Tapia, at 4-2 (June 4, 2025), <https://docs.cpuc.ca.gov/PublishedDocs/SupDoc/A2412009/8169/567540366.pdf>.

¹⁹ *Id.* at 4-3–4-7.

2020 RECS data and performed its own independent corroboration of the data.²⁰ Crucially, the APD finds that “[b]oth parties provide reasonable arguments supporting the use of their preferred data source. Both data sources are highly regarded. There is no superior or authoritative source to determine which is correct, or more correct. We accept CalMTA’s data in this Application.”²¹ Inexplicably, despite accepting CalMTA’s data and making no finding that CalMTA failed to meet its evidentiary burden, the APD still rejects the Induction Cooking MTI based in part on the assertion that the imaginary “2023 RASS data show higher electric cooking equipment saturation than the 2020 RECS data used by CalMTA . . . which means that using 2023 RASS data would lower the measured and expected benefits” of the MTI.²² The APD errs both in characterizing 2019 RASS data as 2023 data, and by forming a conclusion about the cost-effectiveness of the MTI that it elsewhere finds is not supported by its “acceptance” of CalMTA’s data.

Further, regardless of which data set is relied upon or what the APD refers to the data set as, Cal Advocates’ concern about overstating baselines is inapplicable to the 120V products that would be developed pursuant to this MTI. Record evidence shows that 120V, battery-equipped ranges are extremely nascent products that are not easily accessed and currently carry excessive prices due to their scarcity.²³ Neither the RASS nor the RECS estimates of electric versus gas cooktop saturation have any bearing on the saturation of 120V induction cooktops or ranges specifically. Indeed, in all likelihood most or all of the homes that currently have gas cooktops would face a wiring barrier and potentially a panel or service capacity barrier to adoption of 240V electric technologies, so the idea that the market will organically transform toward induction cooking absent a targeted intervention that results in development of affordable, 120V products is not supported by the saturation data cited by Cal Advocates. Accordingly, the APD’s adoption of concerns about baseline saturation expressed by Cal Advocates is in error.

4. The APD Commits Legal Error by Imposing a New Cost-Effectiveness Standard on the Induction Cooking MTI Without Notice.

The APD commits legal error by citing the Induction Cooking MTI’s TRC break-even

²⁰ APD at 41.

²¹ *Id.*

²² *Id.* at 39.

²³ Ex. CEJA-01, Belcher Direct at 15:18–21, n. 70 (explaining that “120V ranges in the market thus far are limited to 30-inch, extremely expensive models like the 30-inch Charlie stove by Copper,” and noting that at the time of the testimony’s writing, Charlie stoves cost between \$5,999 and \$6,899 each).

year as a key reason for its rejection.²⁴ In D.19-12-021, the Commission rejected party arguments for cost-effectiveness thresholds for individual MTIs, finding that it would be a “more stringent approach” for MTIs than is applied to utilities’ energy efficiency programs, which would not be prudent.²⁵ The Commission found that “cost-effectiveness should be applied at a portfolio level for market transformation” if at all, and required that MTIs be presented by CalMTA with cost-benefit analyses and TRC and Program Administrator Cost (“PAC”) values, but imposed no up-front cost-effectiveness threshold for project approval.²⁶ While D.19-12-021 stated that cost-effectiveness scores would be considered as “one of many factors associated with the likelihood of success of the proposed MTIs,” two of the four reasons the APD rejects the Induction Cooking MTI are attributable to cost-effectiveness concerns despite the MTI’s fulfillment of the requirements of D.19-12-021.²⁷ Moreover, the APD sets a new requirement by stating that if CalMTA seeks to resubmit the MTI for approval, “it shall reduce the TRC break-even period and bring in higher cost-effectiveness value for ratepayers.”²⁸ The imposition of this new cost-effectiveness requirement is both inappropriate and unsupported. The threshold is undefined, inconsistent with D.19-12-021, and is not supported by any record evidence. In D.19-12-021, the Commission acknowledged that it might be appropriate “at some point” to develop cost-effectiveness requirements for market transformation, but stated such effort would be examined in “this rulemaking [(R.13-11-005)], or a subsequent one.”²⁹ The instant proceeding is not a rulemaking. Indeed, imposition of a new break-even year requirement or total TRC threshold for individual MTIs was not even a scoped issue in this proceeding.³⁰ Thus, the APD commits legal error by imposing a cost-effectiveness threshold that was not noticed or approved by D.19-12-021.

²⁴ APD at 39.

²⁵ D.19-12-021 at 69.

²⁶ *Id.* at 69–70.

²⁷ *Id.* at 70; APD at 38–39.

²⁸ APD at 40.

²⁹ D.19-12-021 at 70.

³⁰ Assigned Commissioner’s Scoping Memo and Ruling, at 2–3 (Mar. 25, 2025), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M560/K138/560138216.PDF>. While Scoping Question #6 asks whether the proposed MTIs are cost-effective, this scoping question was reasonably assumed by parties to be interpreted as an inquiry—as envisioned by D.19-12-021—into cost-effectiveness as a factor to generally consider, among many others, rather than an invitation to impose new cost-effectiveness thresholds or break-even year requirements on the MTIs without notice.

B. The APD and PD Commit Factual and Legal Error by Failing to Acknowledge Record Evidence of Indoor Air Quality Benefits of the MTI and Failing to Align its Findings with the ESJ Action Plan.

Outside of their summaries of party positions, the PD and APD fail to acknowledge the indoor air quality benefits of the Induction Cooking MTI. The APD makes no mention of the MTI's air quality benefits at all, and the PD goes so far as to state that the Commission does "not need to choose sides in the indoor air quality debate" regarding the Induction Cooking MTI because the PD would approve it already based on other benefits.³¹ The PD's erroneous characterization of the indoor air quality impacts of burning gas inside homes as a legitimate "debate" and the APD's total omission constitute factual and legal error by omitting substantial benefits from their assessments of the MTI, failing to acknowledge the Commission's and other California agencies' findings regarding indoor air quality impacts of gas cooking, and abandoning the goals of the ESJ Action Plan. Rather than step back from the Commission's findings and commitments, whichever decision is adopted should be revised to acknowledge the indoor air quality and health benefits of switching from gas to electric cooking.

Both the APD and the PD commit factual error by failing to acknowledge record evidence on the air quality and public health benefits that would result from development of induction cooking equipment that can be installed in existing housing in ESJ Communities, which are currently largely dependent on gas.³² As CEJA pointed out in testimony and briefing, these factual findings are echoed repeatedly not only in scientific literature, but in the findings of the Commission and its sister agencies, the California Air Resources Board ("CARB") and the CEC.³³ Even Southern California Gas Company's ("SoCalGas") cited studies in the record of this proceeding acknowledge that gas stoves emit NOx, a health-harming air pollutant, due to the combustion of methane fuel, "at levels that can detrimentally impact indoor air quality," and that

³¹ PD at 37.

³² Ex. CEJA-01, Belcher Direct at 17:15–19:12, 20:15–21:2; Ex. CEJA-02, Prepared Testimony of Brianda Castro on Behalf of California Environmental Justice Alliance on the Application of the California Market Transformation Administrator for Approval of the Initial Tranche of Statewide Energy Efficiency Market Transformation Initiatives, at 7:8–8:10 (June 4, 2025) ("Castro Direct"), <https://docs.cpuc.ca.gov/PublishedDocs/SupDoc/A2412009/8166/567955404.pdf>.

³³ California Environmental Justice Alliance Opening Brief, at 13–16 (July 25, 2025), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M574/K218/574218682.PDF>; California Environmental Justice Alliance Reply Brief, at 13–15 (Aug. 8, 2025) ("CEJA Reply Brief"), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M575/K538/575538106.PDF>.

electric cooking equipment does not result in NOx emissions.³⁴ Suggesting there is a “side” to “choose” backtracks from those clear findings based solely on SoCalGas’ mischaracterizations of the scientific literature. Further, SoCalGas’ position relies upon the presence of sufficient ventilation to remove the pollutants, not a genuine scientific stance that would suggest the pollutants do not exist, do not result from methane combustion, or are not harmful to humans.³⁵ The Commission has repeatedly found—and CEJA has demonstrated in the record of this proceeding—that households in ESJ Communities often have inadequate kitchen ventilation, smaller home sizes that mean kitchen pollutants can reach other parts of the home easily, and poor ambient air quality, reducing effectiveness of opening windows for ventilating kitchen emissions.³⁶ Thus, the PD and APD’s failure to consider these material facts regarding ESJ benefits of the Induction Cooking MTI constitutes factual error.

The APD’s omission of the issue and the PD’s comment that the Commission does not need to “choose a side” also constitute legal error. In addition to factual findings, numerous state agencies—including the Commission—have repeatedly set policy objectives and made commitments toward improving indoor air quality in ESJ Communities, including by electrification of gas end use equipment. For example, in one of the resolutions referenced above, CARB directed its staff to “[s]upport the development of rules and/or best practices . . . to reduce NOx and other harmful appliance emissions, and promote electrification” of appliances such as “stoves, ovens, furnaces, and space and water heaters.”³⁷ In the most recent energy

³⁴ See CEJA Reply Brief at 13–15, n. 58 (citing SoCalGas’ cited studies).

³⁵ See, e.g., Opening Brief of Southern California Gas Company (U 904 G), at 7, 9 (July 25, 2025), <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M574/K337/574337445.PDF>.

³⁶ R.20-01-007, 2024 Joint Agency Staff Paper: Progress Towards a Gas Transition, A White Paper Supporting the CPUC’s Long-Term Gas Planning Rulemaking R.20-01-007, at 17 (Feb. 22, 2024) <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M525/K660/525660391.PDF> (“Lower-income communities and communities of color are likely the most burdened by indoor air pollution from gas stoves because of factors such as inadequate ventilation above cookstoves and smaller living space in multi-family buildings.”); D.22-09-026, *Phase III Decision Eliminating Gas Line Extension Allowances, Ten-Year Refundable Payment Option, and Fifty Percent Discount Payment Option Under Gas Line Extension Rules*, at 28 (Sept. 20, 2022), <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M496/K987/496987290.PDF> (finding that eliminating gas line extension allowances will result in “improved health conditions for customers via improved indoor and outdoor air quality, with particularly reduced health risks from the reduction of high GHG emitting appliances inside a home,” and noting that “[l]ow-income customers are most likely to face these health risks given they often have less effective stove ventilation systems.”); Ex. CEJA-02, Castro Direct at 4:17–21; Ex. CEJA-01, Belcher Direct at 17:23–26.

³⁷ CARB, Res. 20-32, at 3 (Nov. 19, 2020), <https://ww2.arb.ca.gov/sites/default/files/barcu/board/res/2020/res20-32.pdf>.

efficiency portfolio application proceeding, the Commission expressly rejected an argument from SoCalGas that indoor air quality “should not be included in non-energy benefits because ‘there is no scientific basis for concluding that the type of fuel service meaningfully impacts [indoor air quality] in terms of health.’”³⁸ Instead, the Commission stated: “We agree with [Natural Resources Defense Council (“NRDC”)] that [indoor air quality] should remain as a potential non-energy benefit,” citing an NRDC filing that explained: “the science is quite clear that indoor air quality (IAQ) (a) is important for health, (b) that fuel source impacts IAQ, and (c) that IAQ is therefore an appropriate metric for [non-energy benefits]. Claims to the contrary are inconsistent with the body of evidence on IAQ and health.”³⁹ Goal 2 of the Commission’s ESJ Action Plan is to “increase investment in clean energy resources to benefit ESJ communities, especially to improve local air quality and public health.”⁴⁰ Accordingly, the APD’s conclusion that the “barriers to Induction Cooktops MTI outweigh the benefits” without acknowledgment or discussion of the air quality benefits of the MTI, as well as the PD’s statement that it need not “choose a side” on the issue, both constitute legal error.

The Commission should adopt the PD with a revision to acknowledge the indoor air quality benefits of the Induction Cooking MTI, rather than departing from a well-established Commission position to cast doubt on those benefits while approving the MTI on other grounds. At a minimum, the PD should be revised to remove that sentence. Should the Commission choose to adopt the APD, it should also be subject to revisions taking into account the air quality benefits and alignment with the ESJ Action Plan of the Induction Cooking MTI.

III. CONCLUSION

For the reasons set forth above and in CEJA’s Opening Brief, CEJA respectfully requests that the Commission adopt the Proposed Decision of ALJ Julie Fitch with the minor revisions set forth above and in Appendix A.

³⁸ D.23-06-055, *Decision Authorizing Energy Efficiency Portfolios for 2024–2027 and Business Plans for 2024–2031*, at 107–108 (July 3, 2023),

<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M512/K907/512907396.PDF>.

³⁹ *Id.* (citing A.22-02-005, Natural Resources Defense Council (NRDC) Reply Comments on the Commission’s Proposed Decision Authorizing Energy Efficiency Portfolios for 2024–2027 and Business Plans for 2024–2031, at 3–4 (June 22, 2023),

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M512/K139/512139891.PDF>).

⁴⁰ ESJ Action Plan at 5.

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***On Behalf of the California
Environmental Justice Alliance***

APPENDIX A

Suggested Revisions to Findings of Fact and Conclusions of Law in ALJ Fitch's PD

Findings of Fact

New FOF: Environmental and Social Justice communities face significant barriers to adoption of 240V electric technologies, such as central and mini-split heat pumps and the types of induction cooktops and ranges currently common in the market.

New FOF: 120V technologies for cooking and for space heating and cooling do not require wiring, panel, or electrical service upgrades.

New FOF: Availability of affordable 120V products for cooking and space heating and cooling reduces barriers to electrification for households in Environmental and Social Justice communities and disadvantaged communities.

New FOF: Environmental and Social Justice communities and disadvantaged communities bear disproportionate air pollution burdens.

New FOF: Replacing gas appliances with electric or induction appliances provides a non-energy benefit of improved indoor air quality.

APPENDIX B

Suggested Revisions to Findings of Fact and Conclusions of Law in APD if Adopted in Lieu of the ALJ's PD

Findings of Fact

FOF #18: The Room Heat Pump, with its ~~shorter~~ TRC break-even year of 2035, is a ~~more~~ financially sound ~~and a less risky investment compared to the Induction Cooktop's break-even year of 2042.~~

FOF #20: The proposed Induction Cooktop MTI ~~is too vast because it includes~~ will benefit a wide range of permanently installed products, from standard 120V and 240V induction units to battery-equipped models, with a focus on 120V battery-equipped models.

New FOF: Households without existing 240V circuitry, wiring, and outlet placement for cooking equipment face barriers to adoption of 240V electric or induction cooktops and ranges.

New FOF: Households in ESJ communities face disproportionate barriers to adoption of 240V electric or induction cooktops and ranges, including landlord/tenant split incentives and financial and structural barriers related to physical installation of the required electrical service.

New FOF: Many residences in ESJ communities, such as multifamily housing units and mobile homes, have smaller kitchen sizes and require 24-inch wide cooking equipment rather than 30-inch models.

New FOF: 120V battery-equipped induction cooktops and ranges are currently nascent technologies and have limited or no availability, are not available in 24-inch widths, and have very high prices.

New FOF: The Induction Cooking MTI will develop 24-inch, 120V battery-equipped induction cooktops and ranges, making induction cooking accessible to households that cannot

accommodate 240V cooking equipment.

~~FOF #22: The CEC's BUILD program already promotes induction cooktops in low income and multi-family housing offering a direct consumer rebate.~~

FOF #25: The ~~2023~~ 2019 RASS data used by Cal Advocates ~~relies on more recent data and~~ shows higher existing electric cooking equipment saturation compared to the 2020 RECS data used by CalMTA in its forecast.

Conclusions of Law

New COL after COL 14: The Induction Cooking MTI proposed by CalMTA has the potential to help ease the transition to electrification among ESJ communities and disadvantaged communities, in order to help California meet its long-term (2045) environmental goals, and should be resubmitted via a Tier 2 advice letter to demonstrate more clearly its focus on 120V models, including those designed to meet the needs of ESJ communities.

Ordering Paragraphs

New OP after OP #9: CalMTA may file a Tier 2 advice letter at any time to resubmit its Induction Cooking MTI with a clearer demonstration of its targeted focus on 120V products, including those designed to meet the needs of ESJ communities.