

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



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Order Instituting Rulemaking to Update and Reform Energy Resource Recovery Account and Power Charge Indifference Adjustment Policies and Processes.

R.25-02-005

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S OPENING COMMENTS
ON ADMINISTRATIVE LAW JUDGE'S RULING AUTHORIZING PARTIES TO
FILE COMMENTS ON ISSUES TO ADDRESS IN TRACK 3**

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On behalf of
CALIFORNIA COMMUNITY CHOICE
ASSOCIATION

March 27, 2026

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SUMMARY OF RECOMMENDATIONS¹

CalCCA recommends that the Commission:

- Adopt a broad scope for Track 3, including all scoping items originally identified in the OIR, as well as additional items to allow a thorough review that addresses PCIA and ERRA structural, methodological, and implementation issues;
- Establish a Phase 1 of Track 3, to first resolve data access and confidentiality issues prior to commencing a Phase 2 focused on substantive party proposals;
- Adopt a data access protocol consistent with the protocol established in R.17-06-026, requiring the scope and term of data set forth in CalCCA's Data Matrix, attached hereto as Attachment A; and
- Provide a minimum of six months following data production for analysis and proposal development by all parties in Track 3, Phase 2.

¹ Acronyms used herein are defined in the body of this document.

**BEFORE THE PUBLIC UTILITIES COMMISSION
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ON ADMINISTRATIVE LAW JUDGE’S RULING AUTHORIZING PARTIES TO
FILE COMMENTS ON ISSUES TO ADDRESS IN TRACK 3**

California Community Choice Association² (CalCCA) submits these opening comments pursuant to the February 20, 2026, *Administrative Law Judge’s Ruling Authorizing Parties to File Comments on Issues to Address in Track 3*³ (Ruling). The Ruling seeks comments on: (1) issues to be addressed in Track 3; (2) data access/confidentiality impacting stakeholders’ ability to address these issues; and (3) duration of Track 3, highlighting process/timing interdependencies.

I. INTRODUCTION

This proceeding was opened to review the Power Charge Indifference Adjustment (PCIA) and Energy Resource Recovery Account (ERRA) rules and processes to ensure the “fair and equitable division of costs between bundled and departed load customers.”⁴ While Tracks 1

² California Community Choice Association represents the interests of 24 community choice electricity providers in California: Apple Valley Choice Energy, Ava Community Energy, Central Coast Community Energy, Clean Energy Alliance, Clean Power Alliance of Southern California, CleanPowerSF, Desert Community Energy, Energy For Palmdale’s Independent Choice, Lancaster Energy, Marin Clean Energy, Orange County Power Authority, Peninsula Clean Energy, Pico Rivera Innovative Municipal Energy, Pioneer Community Energy, Pomona Choice Energy, Rancho Mirage Energy Authority, Redwood Coast Energy Authority, San Diego Community Power, San Jacinto Power, San José Clean Energy, Santa Barbara Clean Energy, Silicon Valley Clean Energy, Sonoma Clean Power, and Valley Clean Energy.

³ *Administrative Law Judge’s Ruling Authorizing Parties to File Comments on Issues to Address in Track 3*, Rulemaking (R.) 25-02-005 (Feb. 2, 2026).

⁴ *Order Instituting Rulemaking to Update and Reform Energy Resource Recovery Account and Power Charge Indifference Adjustment Policies and Processes*, R.25-02-005 (Feb. 26, 2025) (OIR), at 3.

and 2 examine discrete PCIA issues,⁵ the Ruling states that “Track 3 of this proceeding intends to address the broader set of remaining issues”⁶ related to the PCIA and ERRA frameworks.

The Ruling first seeks feedback on the Track 3 scope. The PCIA has been in place for nearly 25 years, facing critiques at various times by investor-owned utilities (IOUs), community choice aggregators (CCAs), and electric service providers (ESPs) and changing in both composition and design over that period. Periodically, as the Commission did in R.17-06-026,⁷ the PCIA warrants a fulsome review. As noted by President (then Commissioner) Reynolds at the first Prehearing Conference in this case, the Commission “want[s] parties to help [the Commission] rethink the PCIA and come up with the most fair, robust and efficient long-term approach to ensuring indifference.”⁸ President Reynolds added that the Commission “is open to reconsidering some proposals that were set aside when the PCIA was originally developed.”⁹ The Commission should thus ensure the scope of Track 3 facilitates full exploration of PCIA modifications and alternative designs. Rulemaking 17-06-026 offers a useful example. That rulemaking enabled parties to explore a broad range of alternatives, including changes to the scope of cost categories included in the calculation, modified and additional benchmarks, energy and attribute allocations, sunseting, securitization, pre-payment, and other adjustments. The Track 3 scope should be similarly broad, avoiding the piecemeal approach that has been pursued thus far in this rulemaking.

Overall, CalCCA supports the OIR’s proposed scoping items, including:

- Consideration of the need for ERRA-specific **implementation guidance for RA program changes**, including those related to the implementation of the RA Slice of Day framework, as was raised in the 2025 ERRA forecast;
- Consideration of whether changes to the **BPP** directions, processes, and rules are necessary and justified, or whether complementary or replacement guidance for procurement activity review in ERRA compliance cases is necessary. Issues regarding sufficiency of BPPs have been repeatedly raised in individual ERRA proceedings, focusing on questions about whether **IOU management of procurement activities** is reasonable and in compliance with Commission rules;

⁵ Track 1 addressed the Resource Adequacy (RA) market price benchmark, concluding with Decision (D.) 25-06-049. Track 2 is currently considering Pre-2019 banked Renewable Energy Credit (REC) valuation.

⁶ Ruling, at 1.

⁷ *Order Instituting Rulemaking to Review, Revise, And Consider Alternatives To The Power Charge Indifference Adjustment*, R.17-06-026 (July 10, 2017).

⁸ R.25-02-005, *Prehearing Conference Transcript*, R.25-02-005 (Apr. 7, 2025), at 5, lines 19-24.

⁹ *Ibid.*

- Consideration of improved **PCIA and ERRA mechanisms** to reduce rate volatility, possibly including adjustments to trigger mechanisms and processes. The Commission also intends to consider whether rules to improve utility forecasting should be created, including possible incentive mechanisms;
- Consideration of additional guidance for **vintaging** PCIA resources, especially with respect to changes to or investments in utility owned resources.

To ensure a comprehensive analysis of PCIA-related issues, CalCCA also recommends the Commission add the following scoping items to Track 3:

- Revisiting the PCIA **GHG-free methodology** to ensure it is valued in the PCIA portfolio; and
- Consideration of **structural changes to the PCIA**, revisiting alternatives explored in previous PCIA proceedings as well as new proposals, including but not limited to:
 - Changes to the **cost categories** included in the calculation;
 - Modified or additional **benchmarks**;
 - Energy and attribute **allocations**;
 - **Sunsetting** the PCIA to allow IOUs unencumbered access to the PCIA portfolios in an environment of growing load and to protect all customers from the volatility created by annual debits and credits of PCIA revenues;
 - **Securitization**;
 - **Pre-payment**;
 - Increasing tools available to LSEs serving departing load to **better predict future changes** in the PCIA; and
 - Other proposals intended to **ensure indifference and reduce, restructure, or remove the continuing obligations of unbundled customers to pay the PCIA**.

The Ruling also seeks feedback on whether and when access by all stakeholders to data underlying the PCIA are necessary. In anticipation of this question even before this Ruling was issued, beginning in December 2025 CalCCA met with Energy Division and corresponded with the IOUs regarding the need for such data. Based on the experience in R.17-06-026, and the approximately six months it took to resolve the data issues before any substantive work could begin on the PCIA framework, CalCCA sought to clarify the data needs early in the hopes of facilitating the data exchange. Indeed, the Commission recognized the “inherent asymmetry” in data access in R.17-06-026 between the IOUs, who hold most of the data and are able to analyze PCIA proposals at any time, and the CCAs whose customers also pay the PCIA but for whom access to the data is very limited:

[T]he IOUs possess the greatest amount of data, [and] preventing sharing *creates an asymmetry in our administrative process that favors the utilities*. . . . Although some of the requested data may not ultimately lead to useful recommendation, the goal at this stage of the proceeding . . . is to ensure that parties have access to data necessary to develop and test proposals for ensuring indifference.¹⁰

The same situation applies in the instant case. In addition, the Commission's Energy Division collects important data to formulate the market price benchmarks (MPBs), which are needed for analysis in this case in a manner that balances confidentiality and comprehensive record development.

CalCCA attempted to schedule a Meet and Confer with the IOUs and other parties to discuss data needs beginning in January 2026. The IOUs, however, sought to delay any discussion regarding data access until after Track 2 testimony was complete and the Track 3 scope schedule was more clearly defined. In addition, CalCCA has repeatedly sought from Energy Division the underlying data regarding the Track 1 RA MPB Staff Report, but those data were never provided.¹¹ Without both the IOU and Energy Division data, the CCAs are unable to meaningfully and equitably participate in Track 3.

Given this asymmetry in data access, CalCCA requests that the Commission resolve the data access and confidentiality issues first in a Phase 1 of Track 3, prior to considering substantive Track 3 proposals in a Phase 2. In Phase 1, the Commission should adopt a data access protocol similar to that adopted in R.17-06-026, incorporating an agreed set of data kept in a data room only accessible to approved reviewing representatives. A specialized Non-Disclosure Agreement (NDA), already agreed to in the 2017 case, can be used to ensure compliance with the data access protocol. In addition, this data access protocol should require the scope and term of data recommended by CalCCA in the CalCCA Data Matrix, attached hereto as Attachment A. Parties should be given six months from the receipt of data in Phase 1 to develop and analyze proposals in Phase 2.

¹⁰ *Assigned Commissioner and Assigned Administrative Law Judge Ruling Confirming Scoping Memo Issues and Modifying Schedule*, R.17-06-026 (Nov. 22, 2017), at 17.

¹¹ CalCCA asked for the data at least eight times through email and in meetings with Energy Division staff, with Energy Division responding several times that the data is confidential and/or will not be provided.

In summary, CalCCA recommends that the Commission:

- Adopt a broad scope for Track 3, including all scoping items originally identified in the OIR, as well as additional items to allow a thorough review that addresses PCIA and ERRA structural, methodological, and implementation issues;
- Establish a Phase 1 of Track 3, to first resolve data access and confidentiality issues prior to commencing a Phase 2 focused on substantive party proposals;
- Adopt a data access protocol consistent with the protocol established in R.17-06-026, requiring the scope and term of data set forth in CalCCA’s Data Matrix; and
- Provide a minimum of six months following data production for analysis and proposal development by all parties in Track 3, Phase 2.

II. TRACK 3 SHOULD BE BROADLY SCOPED TO ACCOMPLISH THE OIR’S OBJECTIVE OF UPDATING AND REFORMING THE PCIA AND ERRA FRAMEWORKS

The Commission should adopt a broad Track 3 scope to fulfill the OIR’s objectives of considering updates and reforms to the PCIA and ERRA frameworks. The OIR states that utility ERRA proceedings are “intended to function as an individual electric IOU’s annual forecast and accounting review, not as a forum for evaluating and setting policy.”¹² However, the OIR states that “a range of policy issues” have recently arisen in ERRA cases, with “[a] substantial subset of these questions relat[ing] to our mechanism for ensuring customer indifference to retail load departure, the [PCIA].”¹³ The OIR notes the complexity of the PCIA, as well as “(1) changes in regulatory frameworks that underpin the main elements of the PCIA, in concert with changes to overall market and resource conditions; and (2) the consistent occurrence of issues in individual ratemaking cases that are better addressed in a rulemaking.”¹⁴ After considering the discrete RA MPB and Pre-2019 Banked REC issues in Tracks 1 and 2, Track 3 is intended to address the broader OIR issues. CalCCA continues to support the OIR scoping items, as well as additional scoping items to address overall structural changes to the PCIA to ensure indifference, while seeking to reduce, restructure, or remove the continuing obligation of unbundled customers to pay the PCIA.

A. Principles of CCA Autonomy and Independence Should be Considered in Conjunction with the OIR Objectives

The OIR states that the objectives of this proceeding are the following:

¹² OIR, at 10.

¹³ *Id.*, at 11.

¹⁴ *Id.*, at 13-14.

- To consider and identify reasonable **improvements to existing ERRA and PCIA rules, mechanisms, and processes** to ensure best practices in utility forecasting and other procurement plan activities;
- To identify ways to **mitigate and respond to rate volatility**, whether resulting from market conditions or ratemaking constructs;
- To best ensure **indifference** among bundled and departed customers; and
- To provide policy guidance to ensure that **individual utility forecast ratemaking proceedings** function as efficiently and consistently as possible.¹⁵

While these overarching themes, including mitigating and responding to rate volatility and ensuring indifference for all customers are high priorities for the CCAs, the Commission and parties should take these concepts one step further and consider how to fairly decouple the cost obligations of unbundled customers from their prior generation provider (the IOUs). CCAs do not intend to leave the IOUs holding the bag for overpriced resources purchased on departing load’s behalf, as the IOUs have previously stated.¹⁶ As noted in the OIR, however, the continuing PCIA obligation frequently results in drawn out litigation to determine whether bundled or unbundled customers are overpaying for resources and thus statutory indifference is not achieved. As noted at the February 20, 2025, meeting adopting the OIR, President (then Commissioner) Reynolds said that while specific “in the weeds rule changes and ERRA and PCIA” are necessary, this proceeding should be a “forward-looking big picture policy making venue” especially in light of load growth and a PCIA “built on the concept of load departures leading to unneeded procurement that remains with the utility.” An important consideration in Track 3, then, is how CCA autonomy and independence can be advanced to reduce, restructure, or remove the continuing obligation of unbundled customers to pay the PCIA, while ensuring fairness and indifference to the IOUs and bundled customers. The Track 3 scope should be designed with these objectives in mind, as set forth below.

¹⁵ *Id.*, at 3, 16.

¹⁶ *See, e.g., Joint Reply Comments of Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company on the Order Instituting Rulemaking to Update and Reform Energy Resource Recovery Account and Power Charge Indifference Adjustment Policies and Processes*, R.25-02-005 (Apr. 2, 2025), at 6 (“The fact that CalCCA is proposing to sunset the PCIA . . . is further evidence that their underlying intention here appears to be achieving a result where certain customers avoid paying for ongoing costs of resources procured on their behalf.”).

B. Proposed Track 3 Scoping Issues

CalCCA supports the OIR's identified scoping items, which should be considered in Track 3:

- Review of **Track One revisions to MPBs**, which should include review of the impacts of the Track One decision on PCIA rates implemented in 2026;
- Consideration of the need for ERRA-specific **implementation guidance for RA program changes**, including those related to the implementation of the RA Slice of Day framework, as was raised in the 2025 ERRA forecast;
- Consideration of whether changes to the **BPP** directions, processes, and rules are necessary and justified, or whether complementary or replacement guidance for procurement activity review in ERRA compliance cases is necessary. Issues regarding sufficiency of BPPs have been repeatedly raised in individual ERRA proceedings, focusing on questions about whether **IOU management of procurement activities** is reasonable and in compliance with Commission rules;
- Consideration of improved **PCIA and ERRA mechanisms** to reduce rate volatility, possibly including adjustments to trigger mechanisms and processes. The Commission also intends to consider whether rules to improve utility forecasting should be created, including possible incentive mechanisms;
- Consideration of additional guidance for **vintaging** PCIA resources, especially with respect to changes to or investments in utility owned resources.¹⁷

CalCCA further recommends that the following be incorporated into the Track 3 scope:

- Revisiting the PCIA **GHG-free methodology** to ensure it is valued in the PCIA portfolio; and
- Consideration of **structural changes to the PCIA**, revisiting alternatives explored in previous PCIA proceedings as well as new proposals, including but not limited to:
 - Changes to the **cost categories** included in the calculation;
 - Modified or additional **benchmarks**;
 - Energy and attribute **allocations**;
 - **Sunsetting** the PCIA to allow IOUs unencumbered access to the PCIA portfolios in an environment of growing load and to protect all customers from the volatility created by annual debits and credits of PCIA revenues;
 - **Securitization**;

¹⁷ OIR, at 23-24. CalCCA notes that cases involving vintaging issues are currently pending before the Commission. *See, e.g., Application of Pacific Gas and Electric Company to Recover Helms Uprate Costs*, A.23-12-014 (Dec. 20, 2023); *see also Application of San Diego Gas & Electric Company for Approval of Palomar Decarbonization Demonstration Project*, A.25-12-009 (Dec. 16, 2025). The Commission should resolve those cases now under existing vintaging rules despite potential consideration of vintaging guidance in the future in this case.

- **Pre-payment;**
- Increasing tools available to LSEs serving departing load to **better predict future changes** in the PCIA; and
- Other proposals intended to **ensure indifference and reduce, restructure, or remove the continuing obligations of unbundled customers to pay the PCIA.**

Each of these issues requires an evaluation of PCIA portfolio composition, forecasting assumptions, and valuation methodologies. As a result, meaningful participation on these topics depends on access to comprehensive and granular data, as discussed below.

III. LSES WHOSE CUSTOMERS PAY THE PCIA REQUIRE ACCESS TO PCIA-RELATED IOU AND CPUC DATA TO ENABLE EQUAL AND MEANINGFUL ENGAGEMENT IN TRACK 3

As noted above, CalCCA supports a broad scope for this proceeding, requiring a robust review and analysis to address fundamental issues surrounding the PCIA and ERRAs frameworks. However, data used in the calculation of PCIA inputs, processes, and mechanisms, including the establishment of the MPBs and the processes for determining the ongoing costs and values of the IOUs' PCIA-eligible resource portfolios, are held by the IOUs and the CPUC. For the purposes of the annual ERRAs cases, CCAs have generally only received data from the forecast-year. Other data, particularly those data necessary to develop multi-year forecasts of PCIA costs and values and to evaluate the impacts of proposed modifications, have not been made available to CCAs.¹⁸ The IOUs have stated in annual ERRAs Forecast cases and in R.17-06-026 that requested granular information exceeding routinely provided information is either

¹⁸ While the Commission provided an option to address this lack of data access for PCIA forecasting purposes in D.22-07-008, the requirements placed on CCA receipt and use of these data were highly restrictive and effectively unworkable. See D.22-07-008, *Decision Resolving Phase 2 Issues Related to Data Access and Voluntary Allocations in Market Price Benchmark Calculations*, R.17-06-026 (July 19, 2022) (placing multiple restrictions on CCA requests for data, including requiring CCA reviewing representations to provide any disclosures provided to their CCA clients and prepared based on the received information with the Commission and IOUs themselves, and limiting how often reviewing representatives could share the data with their CCA clients).

irrelevant to the proceeding¹⁹ and/or confidential or “market sensitive.”²⁰ In this PCIA proceeding, CCAs have also not been successful in obtaining data underlying the Commission’s own analysis forming the basis for the Staff Report in Track 1.²¹

The Commission is required to base its decisions on fact and evidence, necessitating a fully developed administrative record to substantiate all material findings.²² The Commission is further required to render its decisions based on the law and on the evidence in the record, relying on evidentiary support rather than speculation on unsupported assumptions.²³ To satisfy this legal standard, parties must have meaningful access to data that is reasonably necessary to analyze, verify, and if appropriate, challenge proposals, assumptions and methodologies offered for Commission consideration.

CalCCA anticipates that the IOUs (and potentially other stakeholders) will raise confidentiality concerns in this case with respect to needed data underlying PCIA forecasts and valuation methodologies. CalCCA also expects the IOUs to raise concerns similar to those raised in R.17-06-026 regarding the relevance of data CalCCA believes is necessary for evaluating substantive proposals. For example, CalCCA anticipates needing data covering both a limited

¹⁹ For example, in response to a CalCCA discovery request in the SCE ERRA Forecast case, R.25-05-008, in which CalCCA requested that SCE “Please explain if SCE’s proposed formula for calculating the effective contribution of RA capacity from storage resources is used when SCE submits RA compliance showings to the CPUC for the 2024 slice of day test period,” SCE responded with the following:

SCE objects to this question on the basis that the historical 2024 slice-of-day test period is outside the scope of this proceeding and is neither relevant to the subject matter of this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

Southern California Edison – 2026 ERRA Forecast Data Request Set CalCCA-SCE 002 (Response Date: June 17, 2025).

²⁰ See, e.g., *Joint Response of Pacific Gas and Electric Company (U 39E), Southern California Edison Company (U 338E), and San Diego Gas & Electric Company (U 902E) to Administrative Law Judge’s Ruling Requesting Comments on PCIA Forecasting Data Access*, R.17-06-026 (Dec. 9, 2021), at 3 (arguing against permitting a “reviewing representative to use confidential, market sensitive IOU procurement data or other market sensitive materials for rate forecasting”).

²¹ See *supra*, n. 11; see also *California Community Choice Association Application for Rehearing of Decision 25-06-049*, R.25-02-005 (July 28 2025), at 34 (“Several Parties, including CalCCA, requested data from Energy Division supporting its conclusions in the Staff Report throughout this process (citation omitted). Despite numerous requests, no data has been received demonstrating how the factors identified in the Decision lead to a lack of indifference. Parties could not verify the Energy Division’s conclusions independently. Parties were also unable to model future impacts of the Decision’s changes based on the actual data reviewed by Energy Division.”).

²² See Public Utilities Code § 1757.

²³ *Ibid.*

historical period and a significant time period into the future for use in evaluating forecasting techniques and methodologies and to establish and verify resource valuations. These data are directly relevant and critical to the issues that will likely be considered in Track 3. Given these data needs, CalCCA sets forth below its proposal for a data access protocol to allow fair access to the required data.

IV. A DATA ACCESS PROTOCOL MODELED AFTER THE PROTOCOL ADOPTED IN THE 2017 CASE SHOULD BE ADOPTED IN A PHASE 1 OF TRACK 3 PRIOR TO SUBSTANTIVE TRACK 3 PROPOSALS BEING CONSIDERED IN PHASE 2

CalCCA requests the Commission follow the approach taken in R.17-06-026 and address data access issues in an initial Phase 1 prior to addressing substantive Track 3 proposals in a Phase 2 at least six months after data is received by all parties. Parties should only be expected to evaluate and/or propose alternatives after they have received sufficient data with which to analyze these alternatives and their impacts. The Commission should adopt a data access protocol similar to the protocol used R.17-06-026 and incorporate the data set forth in CalCCA's proposed Data Matrix, attached hereto as Attachment A. Doing so will avoid foreseeable delays in the proceeding's schedule and ensure that all stakeholders have access to the same information as proposals are developed and analyzed in Phase 2 of Track 3.

A. Broad Access to IOU Data Was Required Through a Data Access Protocol in R.17-06-026 After Significant Delays

From the beginning of R.17-06-026, CalCCA expressed concern that parties would need significantly greater access to IOU data than previously provided to participate meaningfully and effectively.²⁴ As CalCCA noted at the time, “[f]or CCAs to effectively participate in this proceeding and address key non-bypassable charge issues, CCA legal and regulatory staff must have access to IOU procurement and portfolio management information that they are currently barred from reviewing.”²⁵ The Assigned Commissioner's Scoping Memo similarly identified access to necessary data as a threshold issue and emphasized the importance of enabling parties to review the existing methodology and contribute to potential alternatives.²⁶ Despite this directive, progress on the substantive issues in the proceeding was delayed for several months

²⁴ *Prehearing Conference Statement of the California Community Choice Association*, R.17-06-026 (Aug. 24, 2017), at 4.

²⁵ *Ibid.*

²⁶ *See Scoping Memo and Ruling of Assigned Commissioner*, R.17-06-026 (Sept. 25, 2017) (Sept. 2017 PCIA Scoping Memo), at 21.

while parties disputed the extent of non-IOU access to IOU portfolio and contract data.²⁷ As described below, the Commission ultimately ordered the IOUs to provide access to previously withheld data covering a broader period of time than the IOUs asserted was necessary.²⁸

From the OIR to the resolution of data access, six months passed without the ability of parties to delve into substantive analysis of proposals for the case. The Commission initially directed parties to engage in a “meet and confer” process to resolve data access issues²⁹ and required a “Joint Report” by October 16, 2017.³⁰ However, that process did not result in consensus.³¹ The IOUs disagreed with other stakeholders regarding the appropriate level of granularity and the time periods for requested data, asserting that certain requests were unduly burdensome and/or irrelevant.³²

Following review of the Joint Report, the Assigned Commissioner and Administrative Law Judge (ALJ) directed the parties in November 2017 to continue to meet and confer regarding data access.³³ They noted that the lack of consensus represented “a serious departure” from the Scoping Memo³⁴ and emphasized the importance of addressing data asymmetry among the IOUs and CCAs.³⁵ The Assigned Commissioner and ALJ also rejected the IOU proposals to limit the time period for data production, directing that pre-2014 data be provided.³⁶ They then ordered a continuation of the meet and confer process to resolve the remaining open issues.³⁷

²⁷ The Commission’s original schedule for the entire proceeding had to be revised due to these disputes. In fact, as the parties began developing substantive proposals, they raised concerns that delays in obtaining data had impaired their ability to meet the original schedule. *See Amended Scoping Memo and Ruling of Assigned Commissioner*, R.17-06-026 (Mar. 2, 2018), at 4. The Assigned Commissioner agreed, and noted somewhat ironically that the IOUs objected to an extension of the proceeding schedule, notwithstanding that the IOUs themselves caused the delay in data access. *Ibid.* Finally, in March of 2018 the Assigned Commissioner revised the schedule, emphasizing the need to balance timely resolution with thorough review and due process. *Id.*, at 5, 7.

²⁸ *Assigned Commissioner and Assigned Administrative Law Judge Ruling Granting Relief Sought in December 8, 2017 Supplemental Joint Report on Data Issues*, R.17-06-026 (Dec. 20, 2017), at 4-5.

²⁹ *Amended Scoping Memo and Ruling of Assigned Commissioner*, R.17-06-026 (Mar. 2, 2018), at 22.

³⁰ *Id.*, at 23.

³¹ *See San Diego Gas & Electric Company (U 902 E) Submission of Joint Report on Results of Meet and Confer Regarding Data Issues*, R.17-06-026 (Oct. 23, 2017), Appendices F and H.

³² *Ibid.*

³³ *Assigned Commissioner and Assigned Administrative Law Judge Ruling Confirming Scoping Memo Issues and Modifying Schedule*, R.17-06-026 (Nov. 22, 2017), at 5-6.

³⁴ *Id.*, at 6.

³⁵ *Id.*, at 17.

³⁶ *Id.*, at 12.

³⁷ *Id.*, at 2.

Finally, a “Supplemental Joint Report” among the parties on December 8, 2017 set forth a consensus data access framework, including agreed-upon data categories, confidentiality protections, and a Modified NDA governing access.³⁸ The Commission approved this framework shortly thereafter.³⁹ The Commission ordered the parties to make available a defined set of data categories, including specified time periods, and approved the proceeding-specific NDA.⁴⁰

CalCCA has recently sought to avoid this back and forth in this case by meeting with parties and Energy Division but, to date, as described above, those efforts have not been successful. Thus, to address any asymmetry in data access, and to avoid unnecessary delays, CalCCA requests that the Commission resolve data access issues in a Phase 1 of this proceeding, prior to consideration of substantive Track 3 issues in a Phase 2. Early resolution will provide stakeholders with the time and information necessary to participate fully in the substantive phase.

B. A Track 3 Data Access Protocol Modeled on the 2017 Data Access Protocol and Incorporating CalCCA’s Data Matrix Should be Adopted

The Commission should adopt a data access protocol consistent with the approach approved in R.17-06-026, requiring the disclosure of the data set forth in CalCCA’s Data Matrix. First, the data access protocol should include the components adopted in the 2017 case including a Modified NDA, defined data categories, and a structured data-sharing process to ensure that parties can effectively review the current PCIA methodology and contribute to the development of potential alternatives. This data-sharing process includes:

- A secure data-sharing repository (“data room”);
- Access limited to Reviewing Representatives operating under a Commission-approved NDA; and
- Tiered confidentiality treatment (public, Modified NDA, Model NDA), consistent with the framework previously approved by the Commission.⁴¹

The Commission already determined that this framework appropriately balances confidentiality concerns with the need for transparency and analytical rigor.⁴²

³⁸ *San Diego Gas & Electric Company (U 902 E) Submission of Supplemental Joint Report on Results of Meet and Confer Regarding Data Issues*, R.17-06-026 (Dec. 8, 2017).

³⁹ *Assigned Commissioner and Assigned Administrative Law Judge Ruling Granting Relief Sought in December 8, 2017 Supplemental Joint Report on Data Issues*, R.17-06-026 (Dec. 20, 2017), at 4-5.

⁴⁰ *Ibid.*

⁴¹ *Id.*, at 2, 4-5.

⁴² *Id.*, at 4-5.

Second, the Commission should adopt CalCCA's Data Matrix which identifies specific data categories and relevant timeframes (generally 2019–2025 historical data and 2026–2045 projections). This Data Matrix is informed by, but appropriately expands upon, the data categories adopted in R.17-06-026 to reflect the broad scope of Track 3. Overall, the categories of data necessary to support the broad Track 3 scope include data:

- Identifying resources in the PCIA-eligible portfolios;
- Necessary to create PCIA forecasts;
- Necessary to evaluate PCIA alternatives;
- Used to establish the Market Price Benchmarks; and
- Necessary to establish valuations for each resource and attribute type.

The data specified in the CalCCA Data Matrix form the foundational inputs required to understand portfolio composition, forecast costs, assess market value, and evaluate the reasonableness of proposed changes.⁴³ The purpose is to enable independent analysis and development of proposals, rather than reliance on an IOU's or Energy Division's characterizations of the data. Providing a common evidentiary foundation supports fairness and competitive neutrality and allows rigorous testing of assumptions.

C. The Track 3 Schedule Should Be Phased to First Address Data Access Issues and to Allow Six Months from the Receipt of All Data for Track 3 Proposal Development and Analysis

Given the delays in R.17-06-026 discussed above, early adoption of CalCCA's proposed framework is necessary to avoid similar schedule disruptions in this proceeding. The Commission should therefore establish a phased procedural sequence that prioritizes resolution of data access issues in Phase 1 before initiating proposal development in Phase 2. Given data access is a prerequisite to meaningful analysis, CalCCA recommends that parties be afforded no less than six months from the date the requested data are made available to review and understand the data, conduct substantive analysis, and develop informed proposals. Indeed, the IOUs have continuous access to the underlying data, while non-IOU parties must first obtain, process, and analyze that information before they can engage in the substantive issues in this

⁴³ For example, the IOUs have stated in response to the OIR and in Track 2 Testimony that changes to the RPS MPB are necessary. To engage meaningfully on this issue, access to data underlying the calculation of the RPS MPB (and any proposed revision to the RPS MPB) would be necessary, none of which is currently available to non-IOU parties.

proceeding. Providing adequate time following data receipt is therefore necessary to mitigate this imbalance and ensure that all parties can participate on an equal footing.

Finally, the Commission should recognize that additional data needs may arise as parties develop and respond to proposals. To minimize the risk of further disputes and delays of the type experienced in R.17-06-026, the Commission should allow for targeted expansion of the Data Matrix where justified or ensure at the outset that the approved Data Matrix is sufficiently comprehensive to minimize the need for additional data production.

V. CALCCA'S RESPONSES TO QUESTIONS REGARDING TRACK 3 SCOPING ISSUES

- 1. What issues should be addressed in Track 3 of this proceeding? If you have views on how these issues should be prioritized, also provide that input.**

See Section II., above. CalCCA requests that the Commission prioritize consideration of overall structural changes to the PCIA framework to ensure indifference.

- 2. There may be data confidentiality and/or data access issues that affect how issues can or should be addressed by the parties. What data confidentiality issues are likely to arise in Track 3? How should the scope and schedule of Track 3 address these issues?**

See Sections III. and IV., above.

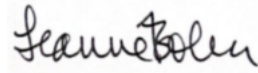
- 3. How long do you expect Track 3 will take to complete? What process/timing interdependencies may there be?**

CalCCA expects Track 3, Phase 1 regarding data confidentiality issues to take several months. After receipt of data, parties need at least six months for proposal development and analysis. Given the scope, and likely conflicting positions among parties and need for record development, CalCCA estimates that Track 3 will take at least one year, and possibly two years to complete. As set forth in Sections III. and IV., the primary interdependency in Track 3 is the need for data access prior to (and not parallel with) proposal development and analysis.

VI. CONCLUSION

For all the foregoing reasons, CalCCA respectfully requests consideration of the comments herein and looks forward to an ongoing dialogue with the Commission and stakeholders.

Respectfully submitted,

A handwritten signature in black ink that reads "Leanne Bober". The signature is written in a cursive style and is positioned above the typed name.

Leanne Bober,
Director of Regulatory Affairs and Deputy
General Counsel

CALIFORNIA COMMUNITY CHOICE
ASSOCIATION

March 27, 2026

**ATTACHMENT A
TO
CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S OPENING COMMENTS ON
ADMINISTRATIVE LAW JUDGE'S RULING AUTHORIZING PARTIES TO FILE
COMMENTS ON ISSUES TO ADDRESS IN TRACK 3**

CALCCA DATA MATRIX

ATTACHMENT A - CALCCA DATA MATRIX

R.25-02-005 - NEWGEN PCIA Analysis - DATA NEEDS as of 3/27/26

Why	
1	Identifying PCIA Resource Portfolios
2	PCIA Forecasting
3	PCIA Alternatives
4	Market Price Benchmarks
5	Valuation

Category	Data Needed	Data Format	Historical Time Period	Forecast Time Period	Why
Power Purchase Agreements	Energy only purchase contracts	Monthly costs and volumes; see Contract Data Template	2019 - 2025	2026 - 2045	1, 2, 3, 4
	RA purchase contracts	Monthly costs and volumes, identify underlying resource technology; see Contract Data Template	2019 - 2025	2026 - 2045	1, 2, 3, 4
	REC purchase contracts	Monthly costs and volumes; see Contract Data Template	2019 - 2025	2026 - 2045	1, 2, 3, 4
	Bundled attribute purchase contracts	Monthly costs and volumes; see Contract Data Template	2019 - 2025	2026 - 2045	1, 2, 3, 4
Utility Owned Generation	Utility owned generation assets	Monthly costs and volumes; see UOG Data Template	2019 - 2025	2026 - 2045	1, 2, 3
	Net book value	Current net book value and annual depreciation expense by resource	2019 - 2025	2026 - 2045	1, 2, 3
	Capital additions	Annual plant in service additions by resource	2019 - 2025	2026 - 2045	1, 2, 3
	Relicensing capital additions	Annual plant in service additions by resource	2019 - 2025	2026 - 2045	1, 2, 3
	Cost of capital/revenue requirement conversion factor	Annual WACC and revenue requirement conversion factor for capital additions	2019 - 2025	2026 - 2045	1, 2, 3
Depreciation study	Most recent depreciation study, with detail by plant			1, 2, 3	
VAMO	Executed VAMO sales - Voluntary Allocation	Monthly revenue and volumes	2019 - 2025	2026 - 2045	1, 2, 3
	Executed VAMO sales - Market Offer	Monthly revenue and volumes	2019 - 2025	2026 - 2045	1, 2, 3
	VAMO allocations	Annual allocation of RPS resources, % and MWh, between bundled and departing load	2019 - 2025	2026 - 2045	1, 2, 3
Other Market Transactions	Executed RA sales	Monthly revenue and volumes, identify underlying resource technology	2019 - 2025	2026 - 2045	1, 2, 3
	Forecasted RA sales	Monthly revenue and volumes, identify underlying resource technology	2019 - 2025	2026 - 2045	1, 2, 3
	Executed non-VAMO RPS sales	Monthly revenue and volumes	2019 - 2025	2026 - 2045	1, 2, 3
	Forecasted non-VAMO RPS sales	Monthly revenue and volumes	2019 - 2025	2026 - 2045	1, 2, 3
	Other sales to third parties	Identify product(s) sold with monthly revenue and volumes	2019 - 2025	2026 - 2045	1, 2, 3
Miscellaneous PCIA costs	Collateral and fuel carrying costs	Annual expenses by PCIA vintage	2019 - 2025	2026 - 2045	2, 3
	Gas transportation costs	Annual expenses by PCIA vintage	2019 - 2025	2026 - 2045	2, 3
	Administrative costs (Energy Procurement Management)	Annual expenses by PCIA vintage	2019 - 2025	2026 - 2045	2, 3
	Other costs/revenue	Annual costs recovered through the PCIA; e.g. hydro sales, pension, etc.	2019 - 2025	2026 - 2045	2, 3
Load/Sales	Bundled load and demand forecast	Monthly energy and coincident peak demand by customer class	2019 - 2025	2026 - 2045	2, 3
	CCA load and demand forecast	Monthly energy and coincident peak demand by customer class	2019 - 2025	2026 - 2045	2, 3
	DA load and demand forecast (subject to PCIA)	Monthly energy and coincident peak demand by customer class	2019 - 2025	2026 - 2045	2, 3
	PCIA billing determinants	Annual sales by customer class by vintage used to determine PCIA rates	2019 - 2025	2026 - 2045	2, 3
Market Prices	NP15/SP15 market price forecast	Monthly forward on-peak and off-peak price curves		2026 - 2045	2, 3, 4
	System RA market price forecast	Monthly forward price curve as of [DATE], including premiums, discounts, or other distinguishing factors for different resource technologies		2026 - 2045	2, 3, 4
	Local RA market price forecast	Monthly forward price curve as of [DATE], including premiums, discounts, or other distinguishing factors for different resource technologies		2026 - 2045	2, 3, 4
	Flex RA market price forecast	Monthly forward price curve as of [DATE], including premiums, discounts, or other distinguishing factors for different resource technologies		2026 - 2045	2, 3, 4
	PCC1 REC market price forecast	Monthly forward price curve		2026 - 2045	2, 3, 4
	PCC2 REC market price forecast	Monthly forward price curve		2026 - 2045	2, 3, 4
	PCC3 REC market price forecast	Monthly forward price curve		2026 - 2045	2, 3, 4
	GHG-Free market price forecast	Monthly forward price curve		2026 - 2045	2, 3, 4
	Energy Index portfolio weight	Portfolio weighting applied to average energy price forecast		2026 - 2045	2, 3, 4
Procurement Plans	Bundled Procurement Plan				1, 2, 3, 4
	RPS Procurement Plan				1, 2, 3, 4
	RPS position	Annual RPS position detail (RPS compliance requirement, RPS generation, banked RECs used, remaining net long/short position)	2019 - 2025	2026 - 2045	1, 2, 3, 4
	Retained RPS	Monthly RPS MWh retained from PCIA resource portfolio for bundled customer compliance	2019 - 2025	2026 - 2045	1, 2, 3, 4
	Excess RPS sales	Monthly percent of excess RPS position sold to third parties	2019 - 2025	2026 - 2045	1, 2, 3, 4
	RA position	Monthly RA position detail (available RA, outages, constraints, reserves, sales, RA compliance requirement)	2019 - 2025	2026 - 2045	1, 2, 3, 4
	Retained RA (monthly)	Monthly RA MW retained from PCIA resource portfolio (by resource) for bundled customer compliance	2019 - 2024		1, 2, 3, 4
	Retained RA (hourly)	Monthly and hourly RA MW retained from PCIA resource portfolio (by resource) for bundled customer compliance	2025	2026 - 2045	1, 2, 3, 4
	Excess RA sales	Monthly percent of excess RA position sold to third parties	2019 - 2025	2026 - 2045	1, 2, 3, 4
Resource Valuation	Mark to market calculation	Net market value calculation (with workpapers) of each PCIA-eligible resource calculated as of [DATE]		2026 - 2045	3, 5
Other	Past ERRRA Forecast PCIA templates	Final indifference amount and PCIA rate workpapers from past ERRRA Forecast proceedings, including resource specific details	2019 - 2025	2026	2
	Revenue Fee and Uncollectible Factor		2019 - 2025	2026	2
	GRC generation revenue allocation factors		2019 - 2025	2026	2
Market Price Benchmarks	Historical RPS MPB calculation	Anonymized transaction data and calculation of RPS MPBs	2019 - 2025		3, 4
	Historical RA MPB calculation	Anonymized transaction data and calculation of RA MPBs	2019 - 2025		3, 4
	Historical GHG-Free MPB calculation	Anonymized transaction data and calculation of GHG-Free MPBs	2024 - 2025		3, 4
Monthly PABA and ERRRA Reports	PABA balancing account	Detailed monthly PABA accounting by line item	2019 - 2025		1, 3
	PABA underlying volumes	Volumetric information underlying monthly PABA accounting, format as provided in ERRRA proceeding master data requests	2019 - 2025		1, 3
	ERRRA balancing account	Detailed monthly ERRRA accounting by line item	2019 - 2025		1, 3

CONTRACT DATA TEMPLATE

Item	Notes
Confirm ID / Log Number	
CAISO Resource ID	
Contract/Resource Name	
Solicitation	
CPUC Authorization	
ERRA Resource Category	
Contract Type	QF, CHP, RPS, RA Sale, REC sale, etc
Product(s)	Energy, REC, RA, etc.
Purchase/Sale	
Resource Technology	For all transactions, including RA purchase and sales, note the underlying resource technology.
Location	
Counterparty	
PCIA Vintage	
Contract Execution Date	
Commercial Operation Date	
Contract Amendment Date(s)	
Contract Expiration Date	
RPS-Eligible	Y/N
VAMO-Eligible	Y/N
GHG-Free Eligible	Y/N
Contract Capacity	MW
RA Classification	System/Local
Local RA Area	
Flex RA Eligible	Y/N
Contract Price for RA	Monthly
Contract Price for REC	Monthly
Contract Price for Energy	Monthly
Energy	Monthly MWh
NQC	Monthly MW
EFC	Monthly MW
PCIA RA	Monthly MW RA used in PCIA calculation; PCIA RA may be different from NQC/EFC based on Commission approved modeling for Slice of Day
Contract Payment	Monthly \$000

UOG DATA TEMPLATE

Item	Notes
ID Number / Log Number	
CAISO Resource ID	
Resource Name	
Solicitation	
CPUC Authorization	
ERRA Resource Category	
Resource Technology	
Location	
PCIA Vintage	
Commercial Operation Date	
Depreciable Life (End Date)	
FERC Licence Term (Hydro)	
RPS-Eligible	Y/N
VAMO-Eligible	Y/N
GHG-Free Eligible	Y/N
Nameplate Capacity	MW
RA Classification	System/Local
Local RA Area	
Flex RA Eligible	Y/N
Energy	Monthly MWh
NQC	Monthly MW
EFC	Monthly MW
PCIA RA	Monthly MW RA used in PCIA calculation; PCIA RA may be different from NQC/EFC based on Commission approved modeling for Slice of Day
Fuel Costs	Monthly \$000
Fixed O&M	Monthly \$000
Variable O&M	Monthly \$000
GHG Costs	Monthly \$000
Grid Management Charge and Other Costs	Monthly \$000
Return on Rate Base	Monthly \$000
Total Revenue Requirement	Monthly \$000