

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



**FILED**

Application of Pacific Gas and Electric Company (U 39 E) for Review of the Disadvantaged Communities – Green Tariff, Community Solar Green Tariff and Green Tariff Shared Renewables Programs.

Application 22-05-022  
(Filed May 31, 2022)

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Application 22-05-023  
Application 22-05-024

**COMMENTS OF DIMENSION ENERGY, LLC ON THE PROPOSED DECISION  
IMPLEMENTING CALIFORNIA SHARED RENEWABLES PORTFOLIO**

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In accordance with the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), the Dimension Energy, LLC (“Dimension Energy”) hereby submits these opening comments on the *Proposed Decision Implementing California Shared Renewables Portfolio* (“Proposed Decision” or “PD”), issued by Administrative Law Judge Valerie Kao on April 7, 2026.

**I. INTRODUCTION.**

In order to best frame the viability of this Proposed Decision (“PD”), Dimension Energy believes that a Community Renewable Energy Program (“CREP”) must satisfy two conditions to yield a viable outcome: savings to subscribers and sufficient revenue for the project. Typically, community solar projects achieve this when a subscriber receives a bill credit for the energy produced and the project charges a subscription fee based on the credit the customer receives. The CREP program adopted in Decision (“D.”) 24-05-065 chose to separate these objectives into two parts: (1) a payment structure to the developer of the renewable project and (2) a bill credit

mechanism, where the benefiting customers will have their bills reduced based on the value of the renewable energy that is produced at the associated project.

The PD allows developers to participate in an already existing but nonfunctional tariff and thus, in theory, addresses the first part of a CREP. However, the PD does not resolve a number of unaddressed issues regarding how the credit mechanism will function. Since the PD leaves a number of critical program issues unresolved, it does not fully implement a CREP that is compliant with statute.

Additionally, in D.24-05-065 the Commission envisioned significant portions of customer benefits coming from outside funding sources, such as the federal Solar For All Program, which is now gone. While this PD acknowledges that there is no access to additional funding, it does not clarify how a program would work without these funds.

Dimension Energy is surprised at the PD's lack of clarity on how it will result in a functioning community solar program since the Commission has spent extensive time to develop a record on how to provide bill credits to benefiting customers. As the summary of the PD notes, this rulemaking has involved significant stakeholder engagement and a voluminous record, even prior to the approval of D.24-05-065. The Commission also stated in D.24-05-065 that the SCE proposal that was the basis of the CREP proposal was incomplete and the Commission did not have time to fully develop and additional record development time was needed.<sup>1</sup> After the issuance of D.24-05-065, the ALJ issued an additional ruling posing specific questions on how bill credits could be issued to customers while using Renewable Market Adjusting Tariff ("ReMAT") as the underlying tariff. Again multiple parties provided recommendations.

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<sup>1</sup> D.24-05-065, Finding of Fact 48.

By not directly addressing many of the implementation issues that were raised in D.24-05-065, and thoroughly discussed in the record, the PD fails to comply with the provisions of the statute.

## **II. THE PROPOSED DECISION DOES NOT COMPLY WITH STATUTE.**

The summary of the PD states that “[t]his decision adopts a process to implement the customer community renewable energy tariff adopted by Decision (D.) 24-05-065.” However, taken as a whole, the PD does not actually point to or adopt a process to implement D.24-05-065. Instead it leaves many of the questions that need to be answered after the approval of D.24-05-065 unresolved.

Public Utility Code Section 769.3 (c)(2) requires any program adopted by the Commission to “ensure at least 51 percent of the programs’ capacity serves low-income customers.” D.24-05-065 specifically stated that a participating project shall have a minimum of 51 percent of subscriptions ascribed to low-income customers and provides that each utility and participating CCA shall use its Arrearage Management Program enrollment criteria and create an auto enrollment program for low-income households.<sup>2</sup> Additionally, D.25-05-065 provided that a minimum of 20 percent of the revenue a project received shall be dedicated to the bill credit for low-income households. While the PD set a minimum bill credit for low-income customers, it did not set a specific credit and it noted that “the record of this proceeding does not contain adequate details on a specific percentage credit [and] A future ruling in this proceeding will allow for additional record development.”<sup>3</sup>

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<sup>2</sup> D.24-05-065, pg. 118-119 and Ordering Paragraph 1.

<sup>3</sup> D.24-05-065, pg. 119.

On June 5, 2024, the Administrative Law Judge (“ALJ”) issued a ruling seeking response to specific questions regarding implementation of D.24-05-065.<sup>4</sup> The ruling asked two questions relating to the size of the bill credits for low-income and non-low income customers. Multiple parties provided responses to these questions in both opening comments and reply comments.

D.24-05-065 and the June 5, 2024 ALJ ruling indicated that this is an issue that needs to be addressed before a program can be implemented and parties have provided ample comments to develop the record on this issue. However, the PD does not provide any additional clarity on how the bill credit for low-income customers should be set. While D.24-05-065 has made the blanket statement that the CREP has to ensure 51 percent of the bill credits benefit low-income customers, it does not actually comply with Public Utility Code Section 769.3 (c)(2). For this reason, Dimension Energy maintains that the Commission needs to provide clarity on how the credit is calculated before there can be assurances that the 51 percent of the program's capacity serves low-income customers.

Public Utility Code Section 769.3 (c)(3) requires that a program adopted by the Commission should minimize the impacts to non-participating customers by prohibiting the program’s costs from being paid by non-participating customers in excess of the avoided costs. In D.24-05-065, the Commission found that the Net Value Billing Tariff (“NVBT”) proposed by the Coalition for Community Solar Access (“CCSA”) did not meet this requirement. In testimony, CCSA and other parties provided sufficient evidence to dispute this finding.<sup>5</sup> While Dimension Energy continues to dispute this finding, we find it unnecessary to further litigate this issue in these

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<sup>4</sup> [Administrative Law Judges Ruling Directing Responses to Questions Regarding Implementation of Decision 24-05-065.](#)

<sup>5</sup> See e.g., Exhibit CCSA-001 (Smithwood) at pg. 34, Table 2; Exhibit TURN-1 (Dowdell/Anning) at pg. 17; Exhibit CA-03 (Ahlstedt) at pg. 1-33.

comments since the overall structure of the new CREP proposed in the PD does not comply with the statutory requirements.

Public Utility Code Section 769.3 (c)(5) requires that the program adopted by the Commission “[p]rovide bill credits to subscribers based on the avoided costs of the program’s facilities.” As discussed above, relating to the low-income requirements, in D.24-05-065 the Commission found that “the record of this proceeding does not contain adequate details on a specific percentage credit [and] A future ruling in this proceeding will allow for additional record development,”<sup>6</sup> and in the June 5, 2024, ruling the ALJ addressed the lack of a record by asking for additional information on how to set the bill credits. This PD does not address the issue of bill credits and leaves the issue unresolved. Without resolving how a bill credit will be set, the Commission cannot determine that the bill credit will be based on the avoided costs.

Finally, Public Utility Code Section 769.3 (c)(6) requires that any program adopted by the Commission “[p]rioritize the maximum use of state and federal incentives and accelerate implementation of the program to ensure that time- or quantity-limited federal incentives can be obtained for the benefit of subscribers.” Unfortunately, at this time, this requirement appears to be moot since both the state and federal incentives that were anticipated in D.24-05-065 are no longer available. However, as the PD notes, the Commission and the State of California are currently litigating the decision by the federal government to terminate the Solar For All funds. If this litigation is successful and federal funds become available, this PD still does not make a provision for how to maximize the use of these funds if the courts reverse the federal government’s decisions.

### **III. USE OF ADVICE LETTERS TO RESOLVE THE ABOVE ISSUE.**

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<sup>6</sup> D.24-05-065, pg. 119.

The PD requires that, within 60 days after the issue date of this final decision, Pacific Gas and Electric (“PG&E”), Southern California Edison (“SCE”), and San Diego Gas and Electric (“SDG&E”) shall each submit a Tier 2 advice letter outlining the details of their proposed customer Community Renewable Energy tariff. A Tier 2 advice letter is subject to Energy Division disposition and would not require further review by the Commissioners. General Order 96-B Energy Industry Rule 5 lists a number of matters that are appropriate for a Tier 1, a Tier 2, or a Tier 3 advice letter. Collectively, the unresolved issues above do not fall under any of the categories listed as appropriate for any tier of advice letter.

The three provisions in GO 96-B that most closely resemble the facts of this PD are Energy Division Rules 5.1(1), 5.2(7), and 5.3(2):

- Under Energy Division Rule 5.1(1), matters appropriate for a Tier 1 advice letter include “A tariff change in compliance with specific requirements of a statute or Commission order where the wording of the change follows directly from the statute or Commission order.”<sup>7</sup>
- Under Energy Division Rule 5.2(7), matters appropriate for a Tier 2 advice letter include “An advice letter otherwise appropriate to Tier 1 but for which the Utility submitting the advice letter requests review and disposition under Tier 2.”
- Under Energy Division Rules 5.3(2), matters appropriate for a Tier 3 advice letter include “A tariff change in compliance with a statute or Commission order where the wording of the change does not follow directly from the statute or Commission order.”

These sections do allow for the use of the advice letter process for matters in compliance with a Commission order. But, any advice letter filed by the utility in compliance with this PD will not follow the wording of a Commission order since the directives from the PD do not provide

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<sup>7</sup> GO 96-B Energy Industry Rule 5.1(1) and 5.3(2).

sufficient specificity to follow the wording of the order. So, at a minimum, the advice letter should be a Tier 3 advice letter.

However, under the broader principles of the GO-96(B), Dimension Energy maintains that the unresolved matters in this PD are not appropriate for any level of advice letter and need to be further considered in a formal proceeding. The opening sentence of General Rule 5.1, which details the “matters appropriate to advice letters,” states the advice letter process provides “a quick and simplified review of the types of utility requests *that are expected neither to be controversial nor to raise important policy questions*” (emphasis added). Moreover, General Rule 5.2(1) requires a utility to file an application when the utility “otherwise seeks relief that the Commission can grant only after holding an evidentiary hearing, or by decision rendered in a formal proceeding.” Many of the unresolved issues from this PD are controversial, raise important questions and would benefit from the type of record development a formal proceeding—if not a hearing—affords the Commission. This is made evident by the fact that D.24-05-065 specifically noted that there was not sufficient record development and the issue would be further developed in future phases of the proceeding as it relates to complying with 769.3(c)(2), 769.3(c)(3),<sup>8</sup> and 769.3(c)(6).<sup>9</sup>

#### **IV. REMAT IS NOT VIABLE.**

Even if the Commission finds that this PD complies with the statutory requirements for a CREP, the proposed program will not result in development of new solar plus storage facilities or benefits to low-income customers.

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<sup>8</sup> D.24-05-065, pg. 119.

<sup>9</sup> D.24-05-065, pg. 120 and Finding of Fact 48.

In response to the April 1, 2025, *Administrative Law Judge’s Ruling Seeking Comment On Community Renewable Energy And Modified Green Tariff Programs*, multiple parties raised the concern that the current ReMAT was not a functional tariff and needed modifications if it were to be used as an underlying tariff for the Community Renewable Energy Program.

In Dimension Energy’s comments in reply to the ruling, we detailed a number of issues that made using ReMAT impractical but that could be addressed while still assuring utility ratepayers were not paying more than the avoided costs while federal tax credits and federal grants were available<sup>10</sup>. While some of these changes to ReMAT may be out of scope of this proceeding, this does not justify adopting an unmodified and unworkable ReMAT program that does not comply with the statutory mandates.

Specifically, Dimension Energy raised three key issues in its comments that needed to be changed to make the ReMAT functional. First, the project size cap should be increased from 3 MWs to 5 MWs. Second, the Statewide program cap is already set at 750 MWs and even if all the remaining MW were moved to the As-Available Peaking category only 193.3 MWs are remaining in the program.<sup>11</sup> The third, and likely most critical issue, is that the current ReMAT tariff will not promote solar plus storage projects that would be capable of dispatching at net peak or following wholesale market price signals to provide energy when it is most valuable to the grid. While the ReMAT program currently has three categories that promote different technology types, none of these categories encourage the development of solar plus storage projects. Even though the PD

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<sup>10</sup> See [“Comments of Dimension Energy, LLC on Administrative Law Judge’s Ruling Seeking Comment on Community Renewable Energy and Modified Green Tariff Program”](#), April 28, 2025.

<sup>11</sup> PG&E has 102.7 MW of ReMAT capacity as of April 1, 2026. Data from [https://pge.accionpower.com/\\_pgeReMAT/home.asp](https://pge.accionpower.com/_pgeReMAT/home.asp)  
SCE has 69.7 MW of ReMAT capacity as of January 1, 2026. Data from “Re-MAT Available Allocation Calculation and 10-Day Report 1-1-2026.pdf” at [https://sceReMAT.accionpower.com/\\_sceReMAT/documents.asp?Col=DateDown](https://sceReMAT.accionpower.com/_sceReMAT/documents.asp?Col=DateDown)  
SDG&E has 20.9 MW of ReMAT capacity as of May 23, 2024. Data from [https://sdgeReMAT.accionpower.com/\\_sdgeReMAT/home.asp](https://sdgeReMAT.accionpower.com/_sdgeReMAT/home.asp)

discusses the use of different ReMAT products and perhaps time-of-delivery factors to encourage storage, the As-Available Peaking category uses an all-day peak that does not meet current grid needs and the IOUs do currently use TOD factors that shape dispatch. Instead, using ReMAT will result in more standalone solar projects that will contribute to overgeneration challenges the CAISO faces. In recognition of this issue, Dimension Energy specifically proposed a new product category and recommended that:

“The CREP tariff should be based on the ReMAT tariff with modifications to include time of delivery (“TOD”) periods and differentials that reflect net peak, compensate for the value that the energy storage has for meeting net peak, have project and program caps that meet the CREP needs and federal project size maximums, and create a streamlined administrative process for inclusion of these hybrid projects.”<sup>12</sup>

The PD, by not adopting the changes recommended by Dimension Energy (when federal tax credits and grant funds were still available), will create a program that will have no participation. Even if there were participation, it would be based on standalone solar projects that California does not need due to market saturation, which will lead to increased overgeneration challenges.

## **V. CONCLUSION.**

Dimension Energy appreciates the opportunity to provide these comments on the Proposed Decision.

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<sup>12</sup> See [“Comments of Dimension Renewable Energy on Administrative Law Judges Ruling directing responses to questions regarding implementation of Decision 24-05-065,”](#) July 11, 2024, pg. 8.

Respectfully submitted,

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