



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

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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

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And Related Matters

Application 22-05-023

Application 22-05-024

**COMMENTS OF THE SOLAR ENERGY INDUSTRIES ASSOCIATION  
AND THE COALITION FOR COMMUNITY SOLAR ACCESS ON  
PROPOSED DECISION IMPLEMENTING CALIFORNIA  
SHARED RENEWABLES PORTFOLIO**

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April 27, 2026

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Pursuant to Rule 14.3 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), the Solar Energy Industries Association (“SEIA”) and the Coalition for Community Solar Access (“CCSA”) comment on the *Proposed Decision Implementing California Shared Renewable Portfolio* issued in the above captioned proceeding on April 7, 2026 (“ Proposed Decision” or “PD”).

**I. INTRODUCTION**

The Proposed Decision purports to implement the Community Renewables Energy Program (“CREP”) initially adopted by the Commission approximately two years ago in Decision 24-05-028. The reality is that the Proposed Decision amounts to the Commission giving up on a program that was intended to provide the benefits of distributed solar and storage to low income Californians.

**II. THE CREP IS AN UNWORKABLE PROGRAM**

Through Decision 24-05-028, the Commission created a community solar program which would utilize existing tariffs – either the ReMAT or the PURPA Standard Offer Contract – as the foundational tariff upon which a subscription model would be layered.<sup>1</sup> In response to record evidence that wholesale tariff compensation such as ReMAT and PURPA avoided costs would not be sufficient to create and grow a community solar program, the Commission devised a non-

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<sup>1</sup> Decision 24-05-028, p.117.

ratepayer-funded adder which would be sourced from certain available state and federal funds.<sup>2</sup> Even with the promised adder, the record showed that the community solar program would not be able to scale to any notable size.<sup>3</sup>

In a ruling issued less than a month after the adoption of Decision 24-05-028, the Commission sought party comment on a number of CREP implementation issues.<sup>4</sup> While several of the issues pertained to the non-ratepayer-funded adder, a number pertained to the basic nuts and bolts of the program. This latter group of issues included (1) what “the revenue share for low-income subscribers [should] be and how should it be calculated”;<sup>5</sup> (2) how the “low-income and non-low-income bill credits should be applied, including bill presentment”<sup>6</sup>; and (3) how customers should enroll in the program (e.g., auto enrollment or another approach).<sup>7</sup>

Now approximately two years since the adoption of D. 24-05-065, the Proposed Decision “implementing” the CREP has been released. In these intervening two years, the outside funds which purportedly would make the program workable have dried up. As stated in the PD “no specific funds from nonparticipating customer sources identified by D.24-05-065 are available.”<sup>8</sup> The PD goes on to state:

Notwithstanding the lack of available funds to incentivize projects and program participation, this decision finalizes implementation details of the Community Renewable Energy tariff.<sup>9</sup>

SEIA and CCSA submit that this representation is completely inaccurate.

First, while noting that there were no outside funds available to add to the revenues received under the wholesale PURPA or ReMAT contracts, the PD does not provide a substitute.

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<sup>2</sup> *Id.*, p. 118.

<sup>3</sup> *See, e.g., Comments of the Solar Energy Industries Association on the Implementation of D. 24-05-065*, A. 22-05-022 ( July 10, 2024), pp. 18-19 and Attachment ( showing that given certain assumptions that at best between 206 MW to 245 MW of projects could be developed under the CREP).

<sup>4</sup> *Administrative Law Judge’s Ruling Directing Responses to Questions Regarding Implementation of Decision 24-05-065*, A. 22-05-022, (June 5, 2024).

<sup>5</sup> *Id.*, Attachment, p. 3

<sup>6</sup> *Id.*, Attachment, p.4

<sup>7</sup> *Id.*, Attachment, p. 8

<sup>8</sup> Proposed Decision, p. 7

<sup>9</sup> *Id.*

To the contrary, it limits the compensation for the developers to the wholesale compensation under the ReMAT – which is currently set at \$67.99/MWh for as-available peaking projects.<sup>10</sup> The level of compensation which is provided under the ReMAT tariff has not been sufficient and will not be sufficient to attract developers.<sup>11</sup> Under the CREP, 20 percent of this insufficient revenue would have to be provided as bill credits to the low income subscribers who must constitute 51% of a project’s subscriptions.<sup>12</sup> This is an unfinanceable economic model. Almost no developers are pursuing ReMAT projects at 100% of the current ReMAT price; no developers will pursue a community solar project whose revenues are at most 90% of the ReMAT price. Stated directly, no developer will participate in the program.

Second, the PD does not resolve several of the implementation issues which were set forth in the June 2024 Ruling, such as the ones referenced above, despite taking substantial comments thereon. Rather the PD leaves all the implementation details to the Tier 2 Advice Letters that the IOUs have been directed to file. In other words, all of the implementation issues which the Commission had stated needed “further record development” have now been left to the IOUs’ discretion to resolve. In sum, the Proposed Decision advances the shell of program, the underlying economics of which are unworkable.

At the time D. 24-05-65 was adopted, Commissioner John Reynolds, in remarks from the dais, noted the importance of the CREP for providing distributed solar to customers who do not have the means to put solar on their roofs. In his remarks, Commissioner Reynolds highlighted a provision of the decision which provides for an evaluation of the CREP against specific metrics for success, including a megawatt baseline expectation. He noted that such an

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<sup>10</sup> See Resolution E-5392. *Annual update to administratively set fixed avoided-cost rates for the Renewable Market Adjusting Tariff (ReMAT) program pursuant to Commission Decision 20-10-005* (June 20, 2025).

<sup>11</sup> Table 1 of Resolution E-5392 shows the declining numbers of executed ReMAT projects by technology type from 2013-2024, with just one solar PV ReMAT contract executed in 2024, when the as-available peaking ReMAT price (\$71.94 per MWh, per Resolution E-5323) was higher than the current ReMAT price set in 2025. SEIA and CCSA also respectfully ask the Commission to take notice of the levelized cost of energy from distributed solar projects used in the Commission’s IRP planning process -- \$77 per MWh in 2025, rising to \$96 per MWh in 2030 due to the expiration of federal tax credits. See Table 60 of the *2024-2026 IRP Inputs & Assumptions*, published February 2026, available at [2025 inputs and assumptions report 20260210.pdf](#).

<sup>12</sup> Decision 25-05-065, Ordering Paragraph 1(b).

evaluation will use the specific metrics to judge whether the program was successful and if not “we [will] need to reconsider options to bring solar to ratepayers who cannot put solar on their own roofs.” While SEIA and CCSA recognize that it would ordinarily be premature for a program evaluation, we submit that it is time to “reconsider options” as the adopted program does not provide a credible pathway forward.

At minimum, SEIA and CCSA submit that the Commission should look to the record underlying this proceeding and ensure that the Proposed Decision adequately reflects that record so as to not put further roadblocks in the way of potential future development of community solar projects.

### **III. THE PROSOPOSED DECISION DOES NOT ADEQUATAELY REFLECT THE UNDERLYING RECORD**

Decision 24-05-065 rejected the use of the Avoided Cost Calculator values for the compensation of exports from community solar projects, based on the determination that such projects would not avoid certain of the costs contained in the ACC value stack- namely transmission, distribution and generation capacity costs. In this regard, the PD makes the following statements regarding conclusions reached in D. 24-05-065:

D.24-05-065 concluded that the Commission is unable to determine whether a project would avoid any transmission or distribution costs, much less what those avoided costs would be. D.24-05-065 also determined that community solar projects do not modify load and, without the ability of utilities and community choice aggregators (CCAs) to claim Resource Adequacy credits, a project could not avoid generation capacity costs.<sup>13</sup>

Looking at these statements in reference to the language of D.24-05-065, SEIA and CCSA would first highlight that with respect to transmission and distribution costs, the Commission’s actual determination was “absent project siting requirements, beyond being in the same service territory” it could not determine if these projects avoided any transmission or distribution, or the level of those costs.<sup>14</sup> In other words, the Commission acknowledged that imposing siting requirements on the projects would allow for a calculation of their avoided transmission and distribution value. D.24-05-065 also states that “the values developed for the [ACC] represent the value provided IF the peak loading reductions can be obtained in the right

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<sup>13</sup> Proposed Decision, p. 10.

<sup>14</sup> Decision 24-05-065, p. 92.

amount, right location, and with the right durability.”<sup>15</sup> This underscores that community solar + storage projects could be sited and operated in a way that provides the peak loading reductions that justify avoided transmission and distribution compensation. Indeed, in her dissent to Decision 24-05-065, Commissioner Houck noted that “the CRE program declines to adopt a locational requirement that might otherwise provide grid benefits and transmission and distribution avoided costs” and opined that in the next phase of the proceeding “the IOUs [should] be required to provide information regarding which circuits would be locations that could benefit from community solar projects and create ratepayer cost savings.”<sup>16</sup>

Second, regarding D. 24-05-065’s conclusion regarding the ability of the proposed solar + storage projects to avoid generation capacity costs, the PD misrepresents the Commission’s prior findings. D. 24-05-065 contains no determination that community solar project do not modify load, nor could it.<sup>17</sup> The record underlying the decision contains no analysis by the Commission regarding the ability of in front of the meter projects paired with storage to modify load and reduce net peak demand. Rather, D. 24-05-065 found that “without the ability of Utilities and CCAs to claim Resource Adequacy credits, proposed NVBT projects could not avoid generation capacity costs.” In other words, the Decision found that it could not provide NVBT projects with avoided generation capacity compensation on the basis of selling RA credits. However, the Decision did not come to any conclusions about providing NVBT projects with avoided generation capacity compensation on the basis of modifying the underlying California Energy Commission’s (CEC) load forecast that is used to set RA demand. Indeed, while D.24-05-065 mentions load modifiers several times when describing party comments, it never substantively discusses the issue or makes any findings or determinations regarding load modifiers. The PD must be modified to remove that inaccurate statement.

Consistent with Commission 24-05-065 the paragraph on page 10 of the Proposed Decision referenced above, must be revised to read:

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<sup>15</sup> *Id.*, p. 93-94

<sup>16</sup> Decision 24-05-065, Concurrence and Dissent of Commissioner Darcie L. Houck, p.5.

<sup>17</sup> Parties to the proceeding made the argument that if the California Energy Commission made a determination that in front of the meter solar + storage projects were load modifies, that would justify receipt of generation capacity values under the Avoided Cost Calculator. See, e.g., D. 24-05-065, p. 76.

D.24-05-065 concluded that absent project siting requirements beyond being in the same service territory the Commission is unable to determine whether a project would avoid any transmission or distribution costs, much less what those avoided costs would be. D.24-05-065 also determined that ~~community solar projects do not modify load and~~, without the ability of utilities and community choice aggregators (CCAs) to claim Resource Adequacy credits, a project could not avoid generation capacity costs.

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Respectfully submitted,

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<sup>18</sup> Pursuant to Rule 1.8, the representative of SEIA has authorization to sign these comments on behalf of the Coalition for Community Solar Access.