Rincon Band of Luiseño Indians

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VIA ELECTRONIC MAIL ONLY

July 15, 2025

Commissioner Darcie L. Houck
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3214
Email: Darcie.Houck@cpuc.ca.gov

RE: FOLLOW UP CORRESPONDENCE CONCERNING (1) THE INAPPLICABLITY OF PREVAILING WAGE REQUIREMENTS IN INDIAN COUNTRY, AND (2) CPUC DEADLINE INTERPRETATION OF CERTAIN DEADLINES WITH RESPECT TO PUB. UTIL. CODE §769.2

Dear Commissioner Houck:

On behalf of the Rincon Band of Luiseno Indians (the "Band"), I am writing as a follow up to the Band's May 9, 2025 correspondence regarding the inapplicability of prevailing wage requirements to projects in Indian Country, as well as note an additional issue with the California Public Utility Commission's ("CPUC") interpretation of certain deadlines with respect Pub. Util. Code §769.2. *See* Encl. 1.

As you are aware, the prevailing-wage certification requirements of California AB 2143 and Pub. Util. Code §769.2 are not required for SDG&E to enter NEM interconnection agreements for the Rincon Band's solar microgrid projects, or any tribal projects in Indian Country, because California laws apply only to matters under the jurisdiction of the State of California. The Rincon Band is a federally-recognized Indian tribe, and its solar microgrid projects serve tribal buildings located on the Rincon Reservation. As a matter of Federal law, the United States has exclusive, plenary authority over Indian affairs and there is no federal statute or common law that would authorize the application of AB 2143 and Pub. Util. Code §769.2 to tribally-owned property (microgrid projects) on the Rincon Reservation. In accordance with its sovereign authority to establish and enforce Tribal laws on its lands, the Rincon Band determined that Pub. Util. Code §769.2 is inapplicable and that prevailing-wage labor shall not be required for any solar and storage projects being developed on the Rincon Reservation.

In follow up to our May 9 correspondence to you and SDG&E, we reached out to SDG&E regarding potential steps to help ensure that Pub. Util. Code §769.2 does not inappropriately apply to projects in Indian country. SDG&E noted that on March 11, 2025, the CPUC sent a letter to the IOUs, which set forth interconnection modifications and prevailing wage reporting obligations. Importantly, the March 11 letter seeks to address the exemptions from Pub. Util. Code §769.2, stating:

(g) The IOUs should also include a field that will capture any exemptions from PUC 769.2 that would require a manual review or coordination with the Commission and/or its consultant, **such as any Tribal land exemption, or exemptions for projects materially completed before 2024.**

(emphasis added). *See* Encl. 2 (p. 2).

Before SDG&E could incorporate our input, in response to the March 11, 2025 correspondence, SDG&E submitted Advice Letter 4670-E on June 11, 2025, which includes a response to item (g). *See* Encl. 3. SDG&E Advice Letter makes changes to the attestation form that customers must complete along with their interconnection application filings. Unfortunately, SDG&E's attestation form has two significant legal errors. Because of this, Rincon filed a protest letter on July 1, 2025 in response to the Advice Letter. *See* Encl. 4. In our July 1 protest letter, we requested the following changes to SDG&E's response to item (g):

5. Should this project be considered for review for an exemption from PU Code Section 769.2 either (a) because the project ~~was materially completed~~ *interconnection application was submitted*, on or before December 31, 2023, or (b) the project is located on Tribal Land and ~~is currently under review~~ *written notice has been provided to the* Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor.

Improper Statement regarding Grandfathered Projects

Unfortunately, it appears that the CPUC March 11 letter misstated the trigger for grandfathering projects under Pub. Util. Code §769.2. Decision 23-11-068, the CPUC order addressing Pub. Util. Code §769.2, makes clear that projects that file an interconnection application before 2024 are not governed by Pub. Util. Code §769.2, stating:

> The Commission agrees that the statute is clear and concludes that Pub. Util. Code §769.2 is only applicable to projects with an interconnection application date (as determined above) after December 31, 2023.

Decision 23-11-068, p. 175.

Thus, as is made clear by the Commission guidance, the proper reference in this clause is to the date the interconnection application is submitted, not when the project is complete.

Improper Statement regarding Exemption of Projects on Tribal Lands

Decision 23-11-068 makes clear that it is not intended to impose conditions on Tribal Governments that are inconsistent with their sovereignty and their jurisdiction over their lands, stating:

> This decision does not intend to impose conditions on Tribal Governments that are inconsistent with Tribal sovereignty and jurisdiction on California Indian Lands. Consistent with the Commission's Tribal Consultation Policy, contractors and investor-owned utilities that have implementation questions with respect to renewable energy projects on Indian Lands should contact the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor. Commission staff should work to timely resolve these issues.

Decision 23-11-068, p. 196.

To meet the requirements of the above statement and respect Tribal sovereignty and tribal jurisdiction over their lands, the CPUC and utilities must exempt Tribal projects on Tribal lands from the requirements of Pub. Util. Code §769.2. Also, the above CPUC directive does not state that Tribal projects need to be under review by the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor to be exempt. It simply offers these CPUC officials as resources to contractors and utilities that have questions. Accordingly, no reference to these administrators is merited in the SDG&E Advice Letter. Moreover, neither a Tribe nor its contractors know whether a project is being reviewed by these officials. The Tribe's, or its contractors', knowledge is limited to whether the Tribe, or the contractor, has provided notice to the CPUC officials. So, if any reference to the CPUC officials is included in the attestation form, it should be limited to a statement that the officials have been notified.

In accordance with our May 9 letter, we wanted to keep you updated on these developments and will be reaching out for a meeting with among legal counsel and principals from CPUC and SDG&E to discuss how we can most effectively work together to promptly resolve these issues. To that end, we are copying SDG&E on this correspondence. We appreciate your continued attention to this important matter and respectfully request your support in ensuring that the CPU's implementation of Pub. Util. Code §769.2 respects tribal sovereignty and accurately reflects the law.

Please do not hesitate to contact us should you have any questions or wish to discuss further.

RINCON BAND OF LUISEÑO INDIANS

Steve Stallings
Tribal Chairman

Enclosures:

Encl. 1: May 9, 2025, Band Letter to CPUC RE: Inapplicability of §769.2 to Interconnection for NEM Projects in Indian Country
Encl. 2: March 11, 2025, CPUC Executive Director Letter RE: Interconnection Application Modification
Encl. 3: June 11, 2025, SDGE RE: Advice Letter 4670-E
Encl. 4: July 1, 2025, Band Letter to CPUC Energy Division RE: Protest of SDGE Advise Letter 4670-E

ec: Chairman Robert Smith, Pala Band of Mission Indians (rsmith@palatribe.com)
Shasta Gaughen, Environmental Department Director and Tribal Historic Preservation Officer, Pala Band of Mission Indians (sgaughen@palatribe.com)
Kraig Akers, Senior Account Manager, SDG&E (KAkers@sdge.com)
Jennifer Summers, Director, Customer Project Management, SDG&E (JSummers@sdge.com)
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Kim Murakawa, Senior Real Estate Counsel, SDG&E (KMurakawa@sdge.com)
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Rincon Band of Luiseño Indians

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VIA ELECTRONIC MAIL ONLY
c/o Amanda Singh Birmingham Amanda.Singh@cpuc.ca.gov

May 9, 2025

Commissioner Darcie L. Houck
California Public Utilities Commission

RE: INAPPLICABILITY OF §769.2 TO INTERCONNECTION FOR NEM PROJECTS IN INDIAN COUNTRY

Dear Commissioner Houck:

I am contacting you to request that the California Public Utilities Commission ("CPUC") act to resolve a significant tribal sovereignty issue with respect to the Rincon Band of Luiseño Indians' ("Rincon Band") solar microgrid projects – and other solar energy and storage projects seeking net-energy metering (NEM) interconnection agreements with California IOUs that serve Indian Country.

In particular, Elite Electric Inc., contractor to the Rincon Band, informed us that SDG&E's interconnection application system flagged two current Rincon Band applications for integrated solar generation and battery energy storage systems (specifically, at 1313 14 Acres Lane (IA # 497871) and 33485 Valley Center Road (IA # 497837)) as being subject to California Prevailing-Wage / SURGE requirements. (Elite indicated the system similarly flagged for Prevailing-Wage / SURGE requirements a project owned by the Pala Band of Mission Indians, whose representatives are copied on this letter). The purpose of this letter is to elevate the Rincon Band's concerns about this issue and request expedited action by the CPUC to resolve it.

The prevailing-wage certification requirements of California AB 2143 and Public Utilities Code § 769.2 are not required for SDG&E to enter NEM interconnection agreements for the above referenced Rincon Band projects – or any tribal projects in Indian Country – because California laws apply only to matters under the jurisdiction of the State of California. The Rincon Band is a federally-recognized Indian tribe, and its solar microgrid projects serve tribal buildings located on the Rincon Reservation. As a matter of Federal law, the United States has exclusive, plenary authority over Indian affairs and there is no federal statute or common law that would authorize the application of AB 2143 and Pub. Util. § 769.2 to tribally-owned property (microgrid projects) on the Rincon Reservation. This limitation on state regulatory authority stems from the U.S. Constitution treaty, property, supremacy and taxation clauses and a myriad of U.S. Supreme Court and lower court cases on foundational federal Indian law principles (See *Worcester v. Georgia*, 31 U.S. 515, 555 (1832) (holding that tribes have exclusive and plenary authority over their territory subject only to limitations imposed by federal laws; *Alaska v. Native Village of Venetie*, 522 U.S. 520, 527 n. 1 (1998) ("Generally speaking, primary jurisdiction over land that is Indian country rests with the Federal Government and the Indian tribe inhabiting it, not with the States."); *Bryan v. Itasca County*, 426 U.S. 373 (1976) (PL 280 did not subject Indian tribes or their territory to the application of state civil laws that are regulatory in nature because it would conflict with the characteristics of sovereign Indian tribes). In *Cabazon v. California*, 480 U.S. 202, 208 (1987) the Supreme Court affirmed the analysis in *Bryan* ("We recognized that a grant to States of general civil regulatory power over Indian reservations would result in the destruction of tribal institutions and values"; *Santa Rosa Band v. Kings County*, 532 F.2d 655 (9th Cir. 1975) (holding local civil laws do not confer jurisdiction to regulate Indian use of Indian trust lands); https://www.bia.gov/frequently-asked-questions.) The Bureau of Indian Affairs notes "[b]ecause the Constitution vested the Legislative Branch with plenary power over Indian Affairs, states have no authority over tribal governments unless expressly authorized by Congress…. Furthermore, federally recognized tribes possess both the right and the authority to regulate activities on their lands independently from state government control. They can enact and enforce stricter or more lenient laws and regulations than those of the surrounding or neighboring state(s) wherein they are located."

In accordance with its sovereign authority to establish and enforce Tribal laws on its lands, the Rincon Band determined that California § 769.2 is inapplicable and that prevailing-wage labor shall not be required for any solar and storage projects being developed on the Rincon Reservation. Accordingly, § 769.2 prevailing-wage requirements have no effect on SDG&E's ability to enter a NEM interconnection agreement with respect to any Tribal projects in Indian Country. Indeed, in CPUC Decision 23-11-068 implementing § 769.2, the CPUC specifically stated that it did "not intend to impose conditions on Tribal Governments that are inconsistent with Tribal sovereignty and jurisdiction on California Indian Lands." (Decision at 196.)[1] Therefore, the process for entering interconnection agreements with the IOU should avoid imposing Prevailing-Wage / SURGE requirements on Rincon Band projects – or any other projects on California Indian reservations without the express consent of the relevant Tribal government.

During our discussions about this issue with SDG&E so far, staff members have indicated that the prevailing-wage / SURGE verification process is a requirement imposed by the CPUC, and, therefore, outside of SDG&E's authority to resolve. SDG&E staff advised us to ask our

[1] The Rincon Band joined nineteen other Tribal governments in submitting the letter to CPUC on October 30, 2023 that the Commission referenced in its Decision.

contractor to raise the issue with CPUC and seek appropriate exemptions through the SURGE system. In response, Rincon Band contractor Elite Electric contacted CPUC (via email to info@CPUCSURGE.org, per the SURGE website's frequently asked questions resource) to confirm the Rincon Band and Pala projects are exempt from prevailing-wage / SURGE requirements. SURGE responded by informing Elite that SURGE cannot address this issue and that it would refer the matter to the CPUC. Accordingly, the Rincon Band is reaching out concurrently to the CPUC and SDG&E to address this important tribal sovereignty issue.

We are asking SDG&E to join our intervention with CPUC in hopes of ensuring both the IOU and the CPUC have full understanding of the impacts of this issue and the need for a timely solution to prevent project delays and further violations of Tribal sovereignty and jurisdiction. Specifically, to the degree SDG&E's interconnection process exposes NEM projects on Tribal lands to risks of delays and complications involving California § 769.2 compliance, the interconnection application process effectively violates the sovereign authority of the Rincon Band – and other Tribes seeking NEM interconnection for renewable energy projects. As a result, the interconnection process also conflicts with CPUC Decision 23-11-068, by imposing conditions on Tribal governments that infringe on tribal sovereignty and jurisdiction. It is especially important to resolve application of § 769.2 soon given the critical importance of receiving permission to operate the Rincon Band microgrids before the end of 2025 to meet federal tax credit requirements that make the projects feasible from a financial perspective.

The Rincon Band seeks a systemic correction to the SURGE system, to prevent further imposition of any § 769.2 requirements for interconnecting Rincon Band projects, or any other Tribal NEM projects in Indian Country. Ideally, the CPUC will immediately inform SURGE that any NEM interconnection application involving a Tribal renewable energy or storage project in Indian Country is categorically exempt from the requirements of § 769.2, unless and until the relevant Tribal government expressly consents to its application. The projects should never be flagged for imposition of any § 769.2 requirements, and the contractor's filing status with SURGE should have no bearing on tribal projects located in Indian Country. To the degree tribal projects have been flagged, such flags should be immediately removed to prevent any further impediment to SDG&E's NEM interconnection application and interconnection agreement processes. At a minimum, we ask that CPUC direct SURGE to promptly exempt from all SURGE requirements from any NEM interconnection application for which the contractor has provided SURGE with documentation substantiating that a tribal project is located within Indian country, and was exempted from § 769.2 requirements by the jurisdictional Tribe, as Elite has done for the Rincon Band and Pala projects.

We appreciate the CPUC's attention to this matter, and respectfully request expedited treatment to prevent CPUC's § 769.2 implementation processes from further violating Tribes' sovereignty. This issue is critical for the Rincon Band and all Tribes served by California IOUs, as they continue implementing clean energy projects for the benefit of their reservations and members and therefore submit interconnection applications after § 769.2 took effect on December 31, 2023.

Separately, the Rincon Band team will follow up to coordinate a meeting among legal counsel and principals from CPUC and SDG&E to discuss how we can most effectively work together to promptly resolve these issues. Thank you for your consideration. Kindly confirm receipt via email, and communicate any guidance or questions to Denise Turner-Walsh, Attorney General ((760) 297-2680 / dwalsh@rincon-nsn.gov).

Sincerely yours,

RINCON BAND OF LUISEÑO INDIANS

Joseph Linton
Tribal Vice Chairman

Copies to:

Chairman Robert Smith, Pala Band of Mission Indians, rsmith@palatribe.com
Shasta Gaughen, Environmental Department Director and Tribal Historic Preservation Officer, Pala Band of Mission Indians. sgaughen@palatribe.com
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STATE OF CALIFORNIA GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298

March 11, 2025

To Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company, and parties of Rulemaking (R.)20-08-020:

Subject:
Update to Interconnection Interface to Include Fields for Department of Industrial Relations Project Registration Number and Public Works Contractor Registration Number for Projects Applicable to Public Utilities Code 769.2

Assembly Bill (AB) 2143 (2022, Carrillo) added Public Utilities Code (PUC) Section 769.2. Section 769.2 requires, among other things, that contractors performing work on certain renewable energy generation facilities or associated battery storage seeking to access the customer generation tariffs pursuant to PUC 2827 and 2827.1, pay their workers and apprentices prevailing wages and comply with the Labor Code for public works. In Decision (D.) 23-11-068 (Decision), the California Public Utilities Commission (Commission) outlined coordination processes between the Commission; the Department of Industrial Relations (Department); and Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company (collectively, the electric investor-owned utilities or IOUs), in the implementation of PUC 769.2. The Department's involvement and collaboration with the Commission and IOUs was and continues to be necessary to ensure contractor compliance with prevailing wage and public works requirements set forth in PUC 769.2. The Decision directed the Department and IOUs to exchange information to aid in the implementation and enforcement of PUC 769.2. The Decision further recognized that these processes may need additional refinement as the statute was operationalized.

After discussions with the Department and the IOUs, Energy Division has learned that the IOUs' interconnection application portals require modest modification for projects subject to prevailing wage requirements under PUC 769.2. These updates shall include mandatory fields to collect the following information from AB 2143/PUC 769.2 eligible applicants:

1) Department of Industrial Relations Project Registration number
2) Public Works Contractor Registration number
3) Estimated construction start date

In implementing fields (1) and (2), the IOUs should ensure the following:

a) Only projects that are subject to PUC 769.2 will need to fill out these fields. IOUs can, for example, require these fields only after an applicant completes the Prevailing Wage Checklist and determines the project's eligibility. [1]
b) These fields are mandatory for qualifying projects, and an interconnection applicant should not be able to proceed with their application without completing them.

[1] Decision (D.)23-11-068. Section 3.6.6. A(i) Pub. Util. Code 769.2 Checklist, page 191.

c) It must be clear to applicants how contractors may obtain and input the Department of Industrial Relations Project Registration number and the Public Works Contractor Registration number. This may be done, for example, via a pop-up window, or in additional text that directs the applicant to the Department's relevant webpages for Project Registration and Public Works Contractor Registration. The IOUs should work with the Department as necessary to include the most appropriate links to the Department's website.
d) A clear explanation of a) the requirement for contractors to submit payroll records to the Department in accordance with Labor Code 1771.4 and b) the distinction between payroll record submittals to the Department and submittals to the Commission's Solar-Utilities Reporting and Education (SURGE) initiative, along with a link to the SURGE website at https://cpucsurge.org/, should also be included.
e) The fields will require the correct number of characters corresponding to each number type.
f) The IOUs should also coordinate with the Department to ensure any exemptions from public works contractor registration or project registration with the Department—for example, exemptions for projects that cost under $25,000, or maintenance work that costs under $15,000 per Labor Code sections 1725.5(f) and 1773.3(j)—can be selected by the contractor, and are clear and accurate, while clarifying that payroll record submittals to the Commission are still required.
g) The IOUs should also include a field that will capture any exemptions from PUC 769.2 that would require a manual review or coordination with the Commission and/or its consultant, such as any Tribal land exemption, or exemptions for projects materially completed before 2024.

The estimated construction start date, field (3), should be collected to ensure the Department and the Commission's consultant are not flagging projects for failure to submit payroll records when work on the project has yet to begin. In implementing this field, the IOUs should ensure the following:

a) The field should be non-binding and be able to be updated by the applicant at a later date. The field should be accompanied by an explanation that it is non-binding, and can be updated after the application is submitted should the applicant expect notable changes in the start date.
b) The field should include a simple, uniform definition of "construction start date" across the three IOUs' interconnection application portals. This definition might, for example, reference the Internal Revenue Service's definition of "beginning of construction" for renewable energy facilities contained in IRS Notice 2013-29.

As determined in D.23-11-068, beginning January 1, 2025, contractors who have been determined to have willful wage violations will be unable to be a named contractor on an application to interconnect facilities seeking to utilize tariffs pursuant to PUC 2827 and 2827.1. It is therefore important to alert contractors at an early stage in the interconnection process of their responsibilities of complying with the requirements of constructing a public works project. Consistent with statute, awarding bodies are expected to have their projects registered with the Department and contractors are expected to register with the Department's Public Works Contractor Registration system prior to the construction and interconnection of the renewable electricity generation facility. Requiring the Department's project registration number and public works contractor registration number during the interconnection process will help ensure that any applicable project or contractor has registered with the Department, and that the contractor is aware of the Department's involvement in prevailing wage compliance. Requiring these two numbers also allows the IOUs and the Department to align their respective data collection in identifying non-compliant contractors and projects.

Pursuant to the authority provided by Ordering Paragraph 6 of Resolution E-5301,[2] I am sending this letter to refine the IOUs' interconnection processes to serve contractors and all parties involved in implementing PUC 769.2.

I am confident that Energy Division staff will continue to work with the IOUs and the Department's Labor Commissioner's Office on the efficient implementation of this important compliance requirement. It is my expectation that the IOUs will effectuate the interconnection changes to occur within 90 days of the issuance of this letter.

For questions regarding this letter, please contact Amber Murakami-Fester in the CPUC's Energy Division at amber.murakami-fester@cpuc.ca.gov.

Sincerely,

Leuwam Tesfai

Leuwam Tesfai
Deputy Executive Director for Energy and Climate Policy/
Director, Energy Division
California Public Utilities Commission

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[2] Resolution E-5301 Ordering Paragraph 6: "The Director of the Energy Division, or their designee, is granted authority to make changes to the utilities' respective interconnection portals and interface."

Clay Faber – Director
Regulatory Affairs
8330 Century Park Court
San Diego, CA 92123
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June 11, 2025

ADVICE LETTER 4670-E
(U902-E)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SUBJECT: SUBMITTAL OF MODIFICATIONS TO THE PREVAILING WAGE CHECKLIST AND ASSOCIATED INTERCONNECTION FORMS PURSUANT TO DEPUTY EXECUTIVE DIRECTOR LETTER REGARDING INTERCONNECTION APPLICATION MODIFICATIONS

PURPOSE

Pursuant to the Letter from the California Public Utilities Commission (Commission) Deputy Executive Director for Energy and Climate Policy, Leuwam Tesfai, received March 11, 2025, "Subject: Update to Interconnection Interface to Include Fields for Department of Industrial Relations Project Registration Number and Public Works Contractor Registration Number for Projects Applicable to Public Utilities Code 769.2" (Letter), San Diego Gas & Electric Company (SDG&E) hereby submit this Tier 2 Advice Letter (AL) to seek approval of required modifications to the Prevailing Wage Checklist and associated interconnection forms.

BACKGROUND

On September 29, 2022, California Governor Newsom approved Assembly Bill (AB) 2143, adding Public Utilities Code (PU Code) Section 769.2, which requires contractors performing work on certain renewable energy generation facilities or associated battery storage seeking to access the customer generation tariffs pursuant to PU Code 2827 and 2827.1 to pay their workers and apprentices prevailing wages and comply with the Labor Code for public works. PU Code 769.2 also assigns the Commission responsibility for collecting certified payroll records for projects subject to the statute and retention of those records as public records for five years.

On November 16, 2023, the Commission adopted Decision (D.)23-11-068 and established the required changes to the IOU tariffs to enact Assembly Bill (AB) 2143 as codified in PU Code Section 769.2 to establish Prevailing Wage. As directed by D.23-11-068, SCE, PG&E and SDG&E developed a uniform Prevailing Wage checklist.

On November 30, 2023, the Commission adopted Resolution E-5301 (Resolution) approving the Joint IOU's Net Billing Tariffs with modifications. This Resolution included Ordering Paragraph (OP) 6 which authorized the Director of the Energy Division or their designee to make changes to the utilities' respective interconnection portals and interface.

On March 11, 2025, the Joint IOUs received the Letter citing OP 6 of the Resolution as the authority for these changes.

The purpose of this AL is to address the requested changes outlined in the Deputy Executive Director Letter.

DISCUSSION

The Letter outlines several new requirements that, though described as "modest modifications" to the interconnection portals, impact the processes and the CPUC approved Prevailing Wage Checklist, including the interconnection forms with the Prevailing Wage Checklist incorporated into them.

For reference, the entirety of the proposed revised Prevailing Wage Checklist is provided below. Additions necessitated by the Letter are reflected in underline for added text and strikethrough of removed text.

As illustrated by the underlined text below, the Letter necessitates several additions to the Prevailing Wage Checklist. While the strikethrough eliminates text, it essentially relocates and rephrases the existing text to provide clarity for the Applicant/ Customer. Each of these additions are outlined below in the order of appearance within the Prevailing Wage Checklist, with clarifications of source and other considerations.

SDGE

Prevailing Wage Checklist

Pursuant to CPUC Decision 23-11-068, the following information must be provided. If the answer to all the following questions is "no," your contractor must comply with California Public Utilities (PU) Code 769.2.

Beginning January 1, 2025, contractors who have been found in violation of the prevailing wage rule in PU Code Section 769.2 will not be permitted to apply to interconnect facilities utilizing tariffs established pursuant to PU Code sections 2827 or 2827.1.

Additionally, consistent with the Commission's Tribal Consultation Policy, contractors and investor-owned utilities that have implementation questions with respect to Renewable Electrical Generating Facilities (REGF) on Indian Lands should contact the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor.

By selecting 'No' to each of the questions below, the project is deemed a public works project and is subject to the prevailing wage provisions pursuant to PU Code 769.2.

1. Is this a residential Generation Facility with a maximum capacity of 15 kW or less of electricity?	❑ Yes	❑ No
2. Is this a single-family home?	❑ Yes	❑ No
3. Is this a public works project (as defined in Section 1720 of the Labor Code) that is subject to Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the Labor Code, independent of Assembly Bill 2143?	❑ Yes	❑ No
4. Does this Generating Facility serve only a modular home, a modular home community, or multiunit housing that has two or fewer stories?	❑ Yes	❑ No
~~5. Applicant certifies and confirms to SDG&E that past required submittals of payroll records are up to date, pursuant to CPUC Decision 23-11-068. The contractor's submission of payroll records is a condition to access tariffs developed pursuant to PU Code Section 2827 and 2827.1 for a customer REGF subject to PU Code Section 769.2.~~ ~~Note: If your answer is "no," the applicant cannot move forward with the application process.~~	~~❑ Yes~~	~~❑ No~~
5. Should this project be considered for review for an exemption from PU Code Section 769.2 because either (a) the project was materially completed on or before December 31, 2023, or (b) the project is located on Tribal Land and is currently under review with the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor. Note: By selecting 'Yes', you will be subject to verification and approval by the California Public Utilities Commission's SURGE team. Additionally, you are required to send any supporting documents directly to SURGE via email to: info@cpucsurge.org. Should the SURGE team determine that an exemption is not justified, this project will be subject to the provisions under PU Code 769.2. Note that the Customer still must sign the Prevailing Wage Disclosure form at the time of application even if "yes" is checked.	❑ Yes	❑ No

❑ Applicant certifies and confirms to SDG&E that past required submittals of payroll records are up to date, pursuant to CPUC Decision 23-11-068. The contractor's submission of payroll records is a condition to access tariffs developed pursuant to PU Code Section 2827 and 2827.1 for a customer REGF subject to PU Code Section 769.2.

- Contractor is required to submit payroll records to the CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/
- This submittal is independent of, and **in addition to**, the requirements for submittals of payroll records to the Department of Industrial Relations (DIR) in accordance with Labor Code 1771.4.

Additional Information
(Required for all Public Works projects)

Please provide the following:

1) Estimated Construction Start Date*: MM/DD/YYYY

*The Estimated Construction Start Date is the first date by which physical work is expected to begin on the project site. The Estimated Construction Start Date is non-binding.

❑ Please mark here if this project should be considered exempt from obtaining the DIR Project Registration number and the Public Works Contractor number pursuant to Labor Code section 1725.5 (f) or Labor Code Section 1773.3 (j). For more information regarding these exemptions, see the "Contractors and Contractor Registration" section of the Public Works Frequently Asked Questions.

Note: This project is still subject to Public Utilities Code 769.2 and required to provide payroll records to CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/.https://cpucsurge.org/.

2) Department of Industrial Relations (DIR) Project Registration Number*:

*Pursuant to Labor Code 1771.4 Public Works Projects are required to obtain a project registration number in advance of receiving bids for the project. Please visit Public Works for more information on how to obtain a Project Registration Number from the DIR. Applicants can find their Project Registration Number at Find Public Works Projects. As of June 2025, the Project Registration number should be 11 digits and look like YYYY#######. Example: "20251234567".

3) Public Works Contractor Registration Number*:

*Pursuant to Labor Code 1725.5 Contractors are required to Register with the DIR as a Public Works Contractor in order to bid on Public Works Projects. Please visit Public Works for more information on how to obtain a Public Works Contractor Registration Number from the DIR. Applicants can find their Public Works Contractor Registration Number at Find Public Works Contractorshttps://services.dir.ca.gov/gsp?id=dir_projects&table=x_cdoi2_csm_portal_project. As of June 2025, the Public Works Contractor Registration Number should be 10 digits in the following format PRJ#######.

End of Prevailing Wage Checklist

The Letter on page 2:

> g) The IOUs should also include a field that will capture any exemptions from PUC 769.2 that would require a manual review or coordination with the Commission and/or its consultant, such as any Tribal land exemption, or exemptions for projects materially completed before 2024.

To meet the directive above, SDG&E proposes Question 5 in the Prevailing Wage Checklist regarding potential exemptions requiring review.

5. Should this project be considered for review for an exemption from PU Code Section 769.2 because either (a) the project was materially completed on or before December 31, 2023, or (b) the project is located on Tribal Land and is currently under review with the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor. Note: By selecting 'Yes', you will be subject to verification and approval by the California Public Utilities Commission's SURGE team. Additionally, you are required to send any supporting documents directly to SURGE via email to: info@cpucsurge.org. Should the SURGE team determine that an exemption is not justified, this project will be subject to the provisions under PU Code 769.2. Note that the Customer still must sign the prevailing Wage Disclosure form at the time of application even if "yes" is checked.	❑ Yes	❑ No

SDG&E notes that this question, when answered "yes," will not allow the applicant/customer to provide additional key information however, a note that SURGE will review the project for exemption from PU Code 769.2 has been added in addition to a notation directing applicants to send any supporting documentation directly to the SURGE team via email. SDG&E believes that this change would reduce follow-up efforts to verify exclusions and obtain necessary documentation.

The Letter on page 2, item d) states:

> d) A clear explanation of a) the requirement for contractors to submit payroll records to the Department in accordance with Labor Code 1771.4 and b) the distinction between payroll record submittals to the Department and submittals to the Commission's Solar-Utilities Reporting and Education (SURGE) initiative, along with a link to the SURGE website at https://cpucsurge.org/, should also be included.

SDG&E proposes the following checkbox/attestation as a required field for the Applicant:

> ❑ Applicant certifies and confirms to SDG&E that past required submittals of payroll records are up to date, pursuant to CPUC Decision 23-11-068. The contractor's submission of payroll records is a condition to access tariffs developed pursuant to PU Code Section 2827 and 2827.1 for a customer REGF subject to PU Code Section 769.2.
>
> - Contractor is required to submit payroll records to the CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/
>
> - This submittal is independent of, and **in addition to**, the requirements for submittals of payroll records to the Department of Industrial Relations (DIR) in accordance with Labor Code 1771.4.

The Letter requires collection of additional information, starting on page 1:

> After discussions with the Department and the IOUs, Energy Division has learned that the IOUs' interconnection application portals require modest modification for projects subject to prevailing wage requirements under PUC 769.2. These updates shall include mandatory fields to collect the following information from AB 2143/PUC 769.2 eligible applicants:
>
> 1) Department of Industrial Relations Project Registration number
> 2) Public Works Contractor Registration number
> 3) Estimated construction start date

The Letter further requires on page 2:

The estimated construction start date, field (3), should be collected to ensure the Department and the Commission's consultant are not flagging projects for failure to submit payroll records when work on the project has yet to begin. In implementing this field, the IOUs should ensure the following:

a) The field should be non-binding and be able to be updated by the applicant at a later date. The field should be accompanied by an explanation that it is non-binding, and can be updated after the application is submitted should the applicant expect notable changes in the start date.
b) The field should include a simple, uniform definition of "construction start date" across the three IOUs' interconnection application portals. This definition might, for example, reference the Internal Revenue Service's definition of "beginning of construction" for renewable energy facilities contained in IRS Notice 2013-29.

SDG&E proposes the following to be included in the Prevailing Wage Checklist:

1) Estimated Construction Start Date*: MM/DD/YYYY
*The Estimated Construction Start Date is the first date by which physical work is expected to begin on the project site. The Estimated Construction Start Date is non-binding.

The direction in the Letter to allow the applicant to update the estimated construction start date at a later date poses major problems for the SDG&E. SDG&E cannot implement the Field 3(a) requirement (to enable modification of the construction start date) as the IOU portals are not susceptible to nonbinding fields that can be updated by the applicant after submittal.

Additionally, SDG&E is concerned that allowing the applicant to alter the construction start date could enable inappropriate avoidance of the timely submission of payroll records to SURGE in accordance with PU Code 769.2.

As directed by the Letter, on April 2, 2025, the SDG&E (along with SCE and PG&E) met with the Department of Industrial Relations (DIR) to discuss several items, including the definition of the Construction Start Date. The DIR confirmed that they employ no such definition. However, due to its legal significance related to a contractor's obligation to submit payroll records and pay prevailing wages, the IOUs believe it is inappropriate to unilaterally develop such a definition. Any definition should be informed by the DIR's interpretation of PUC Section 769.2. The Joint IOUs submit the above language for consideration but submit that it should not be relied upon by applicants to determine whether they have satisfied their legal obligations.

The Letter on Page 2:

> f) The IOUs should also coordinate with the Department to ensure any exemptions from public works contractor registration or project registration with the Department—for example, exemptions for projects that cost under $25,000, or maintenance work that costs under $15,000 per Labor Code sections 1725.5(f) and 1773.3(j)—can be selected by the contractor, and are clear and accurate, while clarifying that payroll record submittals to the Commission are still required.

The Joint IOUs propose the following:

> ❑ Please mark here if this project should be considered exempt from obtaining the DIR Project Registration number and the Public Works Contractor number pursuant to Labor Code section 1725.5 (f) or Labor Code Section 1773.3 (j). For more information regarding these exemptions, see the "Contractors and Contractor Registration" section of the Public Works Frequently Asked Questions.
>
> Note: This project is still subject to Public Utilities Code 769.2 and required to provide payroll records to CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/.https://cpucsurge.org/.

As discussed previously, the Joint IOUs conferred with the DIR and confirmed that these are the only exceptions.

The functionality and placement of this question is intentional. It has required the Applicant/Customer to complete all the critical fields, notwithstanding the final two required fields described below. Projects that are exempt from Public Works Contractor number or the DIR Project Registration Number—addressed below—need not complete these fields and instead will proceed with the Interconnection Request. As noted, Applicants exempt from Public Works Contractor and DIR Project registration number requirements are not exempt from the payroll records submission requirement pursuant to PU Code 769.2.

The remaining items in the Letter are related to the introduction of two new fields, the DIR Project Registration number and the Public Works Contractor Registration number and are listed below:

After discussions with the Department and the IOUs, Energy Division has learned that the IOUs' interconnection application portals require modest modification for projects subject to prevailing wage requirements under PUC 769.2. These updates shall include mandatory fields to collect the following information from AB 2143/PUC 769.2 eligible applicants:

1) Department of Industrial Relations Project Registration number
2) Public Works Contractor Registration number
3) Estimated construction start date

In implementing fields (1) and (2), the IOUs should ensure the following:

a) Only projects that are subject to PUC 769.2 will need to fill out these fields. IOUs can, for example, require these fields only after an applicant completes the Prevailing Wage Checklist and determines the project's eligibility.[1]
b) These fields are mandatory for qualifying projects, and an interconnection applicant should not be able to proceed with their application without completing them.

c) It must be clear to applicants how contractors may obtain and input the Department of Industrial Relations Project Registration number and the Public Works Contractor Registration number. This may be done, for example, via a pop-up window, or in additional text that directs the applicant to the Department's relevant webpages for Project Registration and Public Works Contractor Registration. The IOUs should work with the Department as necessary to include the most appropriate links to the Department's website.

e) The fields will require the correct number of characters corresponding to each number type.

The Joint IOUs submit the following:

2) Department of Industrial Relations (DIR) Project Registration Number*:
*Pursuant to Labor Code 1771.4 Public Works Projects are required to obtain a project registration number in advance of receiving bids for the project. Please visit Public Works for more information on how to obtain a Project Registration Number from the DIR. Applicants can find their Project Registration Number at Find Public Works Projects. As of June 2025, the Project Registration number should be 11 digits and look like YYYY#######. Example: "20251234567".

3) Public Works Contractor Registration Number*:
*Pursuant to Labor Code 1725.5 Contractors are required to Register with the DIR as a Public Works Contractor in order to bid on Public Works Projects. Please visit Public Works for more information on how to obtain a Public Works Contractor Registration Number from the DIR. Applicants can find their Public Works Contractor Registration Number at Find Public Works Contractorshttps://services.dir.ca.gov/gsp?id=dir_projects&table=x_cdoi2_csm_portal_project. As of June 2025, the Public Works Contractor Registration Number should be <u>10 digits in the following format PRJ#######.</u>

The IOUs note that the Letter requires the inclusion of these registration numbers for an interconnection application to proceed, however, no Commission Decision or Resolution authorizes the IOUs to pause processing an interconnection application that is missing these numbers.

Finally, the IOUs learned, in consultation with the DIR, that the number of characters in these registration numbers can increase over time. To accommodate this growth, the Joint IOUs will not place a character limit in the registration number fields but instead propose providing information about how these numbers should appear to help Applicants/Customers input the information correctly.

Since these changes necessitate portal changes which require IT development, it will take SDG&E up to 3 months from the date of approval of this advice letter to implement.

PROPOSED MODIFICATIONS TO APPLICABLE TARIFFS

SDG&E has added the above detailed modifications to the forms listed below which can be found in their entirety in Attachment A:

1) Form 142-02782: *Prevailing Wage Checklist*

2) Form 142-02773: *Interconnection Application for Customers with Solar and/or Wind Electric Generating Facilities Greater than 30 Kilowatts and for Customers Installing Energy Storage*

3) Form 142-02778: *Net Billing Tariff Application and Interconnection Agreement for Customers with Solar and/or Wind Only Electric Generating Facilities Greater than 30 up to 1000*

4) Form 142-05203: *Generating Facility Interconnection Application*

EFFECTIVE DATE

SDG&E believes this submittal is subject to Energy Division disposition and should be classified as Tier 2 (effective after staff approval) pursuant to GO 96-B. SDG&E respectfully requests that this submittal be approved effective July 11, 2025 which is 30 days from the date of this submittal.

PROTEST

Anyone may protest this Advice Letter to the Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact and should be submitted expeditiously. The protest must be submitted electronically and must be received no later than July 1, 2025, which is 20 days of the date of this Advice Letter was submitted with the Commission. There is no restriction on who may submit a protest.

The protest should be sent via e-mail to the attention of the Energy Division at EDTariffUnit@cpuc.ca.gov. A copy of the protest should also be sent via e-mail to the address shown below on the same date it is delivered to the Commission.

Attn: Greg Anderson
Regulatory Tariff Manager
E-mail: GAnderson@sdge.com & SDGETariffs@sdge.com

NOTICE

A copy of this submittal has been served on the utilities and interested parties shown on the attached list, including interested parties in R.20-08-020, by providing them a copy electronically.

Address changes should be directed to SDG&E Tariffs by email to SDGETariffs@sdge.com.

/s/ Clay Faber

CLAY FABER
Director – Regulatory Affairs

California Public Utilities Commission

ADVICE LETTER SUMMARY

ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: San Diego Gas & Electric (U902)

Utility type:
- [x] ELC
- [ ] GAS
- [ ] WATER
- [ ] PLC
- [ ] HEAT

Contact Person: Joff Morales
Phone #: 858-650-4098
E-mail: JMorales@sdge.com
E-mail Disposition Notice to: SDGETariffs@sdge.com

EXPLANATION OF UTILITY TYPE
ELC = Electric GAS = Gas WATER = Water
PLC = Pipeline HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 4670-E

Tier Designation: 2

Subject of AL: Submittal of Modifications to the Prevailing Wage Checklist and Associated Interconnection Forms Pursuant to Deputy Executive Director Letter Regarding Interconnection Application Modifications

Keywords (choose from CPUC listing): Compliance

AL Type: [ ] Monthly [ ] Quarterly [ ] Annual [ ] One-Time [x] Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:
D.23-11-068

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: N/A

Summarize differences between the AL and the prior withdrawn or rejected AL: N/A

Confidential treatment requested? [ ] Yes [x] No

If yes, specification of confidential information: N/A
Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required? [ ] Yes [x] No

Requested effective date: 7/11/25

No. of tariff sheets: 6

Estimated system annual revenue effect (%):

Estimated system average rate effect (%):

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: See Attachment A

Service affected and changes proposed[1]: N/A

Pending advice letters that revise the same tariff sheets: N/A

[1] Discuss in AL if more space is needed.

Clear Form

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division Attention: Tariff Unit Email: EDTariffUnit@cpuc.ca.gov	Name: Greg Anderson Title: Utility Name: San Diego Gas & Electric Address: 8330 Century Park Court, CP32C City: San Diego State: California Zip: 92123 Telephone (xxx) xxx-xxxx: Facsimile (xxx) xxx-xxxx: Email: GAnderson@sdge.com
	Name: Title: Utility Name: Address: City: State: California Zip: Telephone (xxx) xxx-xxxx: Facsimile (xxx) xxx-xxxx: Email:

Clear Form

General Order No. 96-B
ADVICE LETTER SUBMITTAL MAILING LIST

Public Utilities Commission
CA. Public Avocates (CalPA)
R. Pocta
F. Oh
P. Cunningham
C. Li
M. Halperin
Energy Division
M. Ghadessi
M. Salinas
L. Tan
R. Ciupagea
Tariff Unit
CA Energy Commission
B. Penning
B. Helft
Advantage Energy
C. Farrell
Alcantar & Kahl LLP
M. Cade
K. Harteloo
AT&T
Regulatory
Barkovich & Yap, Inc.
B. Barkovich
Biofuels Energy, LLC
K. Frisbie
Braun & Blaising, P.C.
S. Blaising
D. Griffiths
Buchalter
K. Cameron
M. Alcantar
CalCCA
Regulatory
CA Dept. of General Services
H. Nanjo
California Energy Markets
General
California Farm Bureau Federation
K. Mills
California Wind Energy
N. Rader
Cameron-Daniel, P.C.
General
City of Poway
Poway City Hall
City of San Diego
L. Azar
J. Cha
D. Heard
F. Ortlieb
H. Werner
M. Rahman

Clean Energy Renewable Fuels, LLC
P. DeVille
Clean Power Research
T. Schmid
G. Novotny
Commercial Energy
J. Martin
regulatory@commercialenergy.net
Davis Wright Tremaine LLP
J. Pau
Del Mar Fair
S. Walls
Douglass & Liddell
D. Douglass
Ellison Schneider Harris & Donlan LLP
C. Kappel
Energy Policy Initiatives Center (USD)
S. Anders
Energy Regulatory Solutions Consultants
L. Medina
Energy Strategies, Inc.
K. Campbell
EQ Research
General
Goodin, MacBride, Squeri, & Day LLP
B. Cragg
J. Squeri
Green Charge
K. Lucas
Hanna and Morton LLP
N. Pedersen
JBS Energy
J. Nahigian
Keyes & Fox, LLP
B. Elder
Manatt, Phelps & Phillips LLP
D. Huard
McKenna, Long & Aldridge LLP
J. Leslie
Morrison & Foerster LLP
P. Hanschen
MRW & Associates LLC
General
NLine Energy
M. Swindle
Stoel Rives LLP
S. Hilton, L. McKenna
M. O'Brien, regulatory@stoel.com

NRG Energy
D. Fellman
Pacific Gas & Electric Co.
M. Lawson
M. Huffman
Tariff Unit
RTO Advisors
S. Mara
SCD Energy Solutions
P. Muller
SD Community Power
L. Fernandez
L. Utouh
Shute, Mihaly & Weinberger LLP
O. Armi
Solar Turbines
C. Frank
SPURR
M. Rochman
Southern California Edison Co.
K. Gansecki
TerraVerde Renewable Partners LLC
F. Lee
TURN
M. Hawiger
UCAN
D. Kelly
US Dept. of the Navy
K. Davoodi
US General Services Administration
D. Bogni
Valley Center Municipal Water Distr
G. Broomell
Western Manufactured Housing Communities Association
S. Dey
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AKanzler@anaheim.net
Sue Walls
E. Janssen

Service List
R.20-08-020

ATTACHMENT A
Advice No. 4670-E

Cal. P.U.C. Sheet No.	Title of Sheet	Cancelling Cal. P.U.C. Sheet No.
Revised	SAMPLE FORM, FORM 142-02773, Sheet 1	Revised 63027-E
Revised	SAMPLE FORMS, FORM 142-02778, Sheet 1	Revised 63030-E
Revised	SAMPLE FORMS, FORM 142-02782, Sheet 1	Revised 62789-E
Revised	SAMPLE FORMS, FORM 142-05203, Sheet 1	Revised 63036-E
Revised	TABLE OF CONTENTS, Sheet 1	Revised 63172-E
Revised	TABLE OF CONTENTS, Sheet 13	Revised 62997-E

SAMPLE FORM

Sheet 1

FORM 142-02773

Interconnection Application for Customers with
Solar and/or Wind Electric Generating Facilities Greater than 30 Kilowatts
and for Customers Installing Energy Storage Paired with Such Generating Facilities

(06/25) T, P

(See Attached Form)

Net Energy Metering

Interconnection Application for Customers with Solar and/or Wind Electric Generating Facilities Greater than 30 Kilowatts and for Customers Installing Energy Storage Paired with Such Generating Facilities

Application Identification (APP ID) Number_____________________(for SDG&E use only)

Part I – Identifying the Generating Facility's Location and Responsible Parties

A. Applicability and Purpose:

This NET ENERGY METERING APPLICATION FOR INTERCONNECTION FOR CUSTOMERS WITH SOLAR AND/OR WIND ELECTRIC GENERATING FACILITIES GREATER THAN 30 KILOWATTS ("Application") applies to customers requesting service under electric rate schedules NEM, NEM-ST, NEM-V, NEM-V-ST, VNM-A, VNM-A-ST, or VNEM-SOMAH.

The purpose of this Application is to begin the process for Customers requesting to interconnect with SDG&E's Distribution System, subject to the provisions of this Application, the Interconnection Agreement for Net Energy Metering or Virtual Net Energy Metering ("Agreement") and SDG&E's Electric Rule 21 and rate schedules NEM, NEM-ST, NEM-V, NEM-V-ST, VNM-A, VNM-A-ST, or *VNEM-SOMAH*. Customer is electing to interconnect and operate its solar and/or wind electricity generating facility in parallel with SDG&E's Distribution System primarily to offset part or all of the Customer's own electrical requirements. Customer shall comply at all times with the Agreement as well as with all applicable laws, tariffs, and requirements of the California Public Utilities Commission ("CPUC").

NEM Generating Facilities with a capacity greater than 1 MW interconnecting to SDG&E's Transmission System (CAISO Controlled Grid) are required to apply to the CAISO for interconnection pursuant to CPUC Decision 22-07-001. NEM Generating Facilities with a capacity of greater than 1 MW interconnecting to SDG&E's Transmission System are required to complete and submit this NEM Generating Facility Interconnection Application (Form 142- 02773) to SDG&E for the purpose of determining NEM eligibility; however, there is no fee applicable to its submittal and SDG&E's review and determination of NEM eligibility.

Customers who participate in Direct Access and Community Choice Aggregation must contact their Energy Service Provider directly regarding their NEM program.

B. Description of Service

This Application is being filed for (Please select only one):

☐ *Physical Changes to an Interconnected Generating Facility* – request for modification of an existing interconnection agreement due to modifications (e.g., adding photovoltaic ('PV") panels or changing inverters/turbines) of existing Generating Facility that is taking service under Schedules NEM, NEM-ST, NEM-V, NEM-V-ST, VNM-A. VNM-A-ST, or VNEM-SOMAH, and operating under an existing interconnection agreement and has previously received permission to operate from SDG&E.
  - If changing inverters, please also complete the Generating Facility Material Modification Notification Worksheet Form 117-2300.

☐ *An Existing NEM-ST Generating Facility that will be* ***Paired with New Energy Device that does not exceed 10 Kilowatts*** – a request for interconnection of an energy storage device that will be paired with a NEM-ST

Generating Facility that is operating under an existing interconnection agreement and has previously received permission to operate from SDG&E.

Please note that the following energy storage devices require the use of a different application:
- Devices operating as a stand-alone system, i.e., not paired with an NEM-ST Generating Facility.

For a stand-alone energy storage device, please use Form 142-05203 or its successor form.

Virtual Net Energy Metering Generating Facility under Schedule NEM-V-ST.

- ☐ *An Existing Virtual Net Energy Metering Generating Facility under Schedule NEM-V-ST that will be* ***Paired with an Energy Storage Device.***
- ☐ *An Existing Virtual Net Energy Metering Generating Facility under Schedule NEM-V-ST that will be* ***Paired with an Energy Storage Device AND Operating in Isolation*** *in accordance with Special Condition 11 of this Schedule.*
- ☐ *An Existing Paired Virtual Net Energy Metering Generating Facility under Schedule NEM-V-ST that will be* ***Operating in Isolation*** *in accordance with Special Condition 11 of this Schedule.*

Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST.

- ☐ *A New Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST.* If checked, please also complete the required Solar Generation Credit Allocation Request Form 142-027868.
- ☐ *A New Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST that will be* ***Paired with an Energy Storage Device.*** If checked, please also complete the required Solar Generation Credit Allocation Request Form 142-027868.
- ☐ *A New Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST that will be* ***Paired with an Energy Storage Device AND Operating in Isolation*** *in accordance with Special Condition 12 of this Schedule.* If checked, please also complete the required Solar Generation Credit Allocation Request Form 142-027868.
- ☐ *An Existing Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST that will be* ***Paired with an Energy Storage Device.***
- ☐ *An Existing Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST that will be* ***Paired with an Energy Storage Device AND Operating in Isolation*** *in accordance with Special Condition 12 of this Schedule.*
- ☐ *An Existing Paired Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST that will be* ***Operating in Isolation*** *in accordance with Special Condition 12 of this Schedule.*

Virtual Net Energy Metering Generating Facility under Schedule VNEM-SOMAH.

- ☐ *A New Virtual Net Energy Metering Generating Facility under Schedule VNEM-SOMAH.* If checked, please also complete the required Solar Generation Credit Allocation Request Form 142-02768.
- ☐ *A New Virtual Net Energy Metering Generating Facility under Schedule VNEM-SOMAH that will be* ***Paired with an Energy Storage Device.*** If checked, please also complete the required Solar Generation Credit Allocation Request Form 142-02768.
- ☐ *A New Virtual Net Energy Metering Generating Facility under Schedule VNEM-SOMAH that will be* ***Paired with an Energy Storage Device AND Operating in Isolation*** *in accordance with Special Condition 11 of this Schedule.* If checked, please also complete the required Solar Generation Credit Allocation Request Form 142-027868.
- ☐ *An Existing Virtual Net Energy Metering Generating Facility under Schedule VNEM-SOMAH that will be* ***Paired with an Energy Storage Device.***

- ☐ *An Existing Virtual Net Energy Metering Generating Facility under Schedule VNEM-SOMAH that will be **Operating in Isolation** in accordance with Special Condition 11 of this Schedule.*

- ☐ *An Existing Virtual Net Energy Metering Generating Facility under Schedule VNEM-SOMAH that will be **Paired with an Energy Storage Device AND Operating in Isolation** in accordance with Special Condition 12 of this Schedule.*

NEM-ST Aggregation – Defined under Special Condition 7 of Schedule NEM-ST

- ☐ *An Existing NEM-ST Generating Facility requesting Aggregation service.* If checked, please also complete the required Net Energy Metering (NEM) Aggregation Form 142-02769.

- ☐ *An Existing NEM-ST Aggregation Generating Facility under Schedule NEM-ST that will be **Paired with an Energy Storage Device.***

C. Estimated Versus Actual Cost Responsibility

If actual costs for (1) detailed interconnection studies, and/or (2) interconnection Facilities and distribution system modifications exceed the original estimated amounts, Applicant will be responsible for costs above the estimated amounts, and SDG&E will refund the difference.

D. Cost Envelope Option Election for Upgrades

Please indicate below if Customer elects to participate in the Cost Envelope Option pursuant to Rule 21 Section F.7 for the costs associated with any applicable Interconnection Facilities and/or Distribution Upgrades (check below):

- ☐ Yes
- ☐ No

If “Yes” is selected, Customer must provide all of the following additional information as part of this Application:

1. Final location of the Point of Common Coupling [*provide a description of the physical location of the Point of Common Coupling and indicate on the site drawing provided under 5 below*].
2. Final location of the Point of Interconnection [*provide a description of the physical location of the Point of Interconnection and indicate on the site drawing provided under 5 below*].
3. Confirmation of service voltage.
4. Confirmation that technical data provided in the Application is accurate, including equipment type and manufacturer.
5. A site drawing on a scale of 1:30 or less, which shows the final location of the Point of Common Coupling, Point of Interconnection, and final location and routing of conductors and equipment between the Point of Common Coupling and Point of Interconnection.
6. Identification of any constraints or limitations related to the siting or routing of conductors and equipment between the Point of Common Coupling and the Point of Interconnection [*provide a description of the constraints/limitations and indicate their location on the site drawing provided under 5 above*].

E. Customer Generating Facility Information - Where will the Generating Facility be installed?

Name shown on SDG&E service account (Must match **Customer Name** on SDG&E bill)		Account Number	Meter Number
Street Address			
City		State	Zip
Mailing Address			
City	State	Zip	County
Primary Phone Number	Alternate Phone Number	Fax	**Mandatory Email**

F. Contractor Information (Must be completed even if Contractor is not listed as an authorized contact).

Contractor	Company Name	
Contact Name(s), If Applicable		
Mailing Address		
City	State	Zip
Business Phone	Fax	**Mandatory Email**

Contractors State License Board (CSLB) license number ______________. If the applicant is a contractor submitting this application on behalf of an existing residential single-family-home customer, a CSLB license is required.

Home Improvement Salesperson (HIS) registration number ____________________. If there is a HIS registration number associated with this application and this application is being submitted on behalf of an existing residential single-family-home customer, applicant is required to provide the HIS registration number associated with this application.

☐ Contractor is authorized to act on behalf of Customer with respect to this agreement and SDG&E is authorized by Customer to release confidential information to Contractor.

By checking the box above, Customer authorizes SDG&E to release information to the contact(s) named above regarding Customer's usage and billing information, Generating Facility location, size and operational characteristics as requested during the course of this interconnection process. SDG&E is authorized to share information with the identified recipients for a period of **three years** from the effective date of the Agreement. Contact(s) are also authorized to request rate changes and metering arrangements which may result in charges to Customer. Should Customer wish to select a different authorization period, Customer may utilize the "Authorization to Receive Customer Information or Act on a Customer's Behalf," which may be found at: https://www.sdge.com/more-information/our-company/customer-privacy/loa

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This Agreement is applicable only to the Generating Facility described below and installed at the above location. The Generating Facility may not be relocated or connected to SDG&E's system at any other location without SDG&E's express written consent.

Customer shall be responsible for the design, installation, operation, and maintenance of the Generating Facility and shall obtain and maintain any required governmental authorizations and/or permits.

G. Prevailing Wage Checklist

Pursuant to CPUC Decision 23-11-068, the following information must be provided. If the answer to all the following questions is "no," your contractor must comply with California Public Utilities Code 769.2.

Beginning January 1, 2025, contractors who have been found in violation of the prevailing wage rule in PU Code Section 769.2 will not be permitted to apply to interconnect facilities utilizing tariffs established pursuant to PU Code sections 2827 or 2827.1.

Additionally, consistent with the Commission's Tribal Consultation Policy, contractors and investor-owned utilities that have implementation questions with respect to Renewable Electrical Generating Facilities (REGFs) on Indian Lands should contact the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor.

By selecting 'No' to each of the questions below, the project is deemed a public works project and is subject to the prevailing wage provisions pursuant to PU Code 769.2.

1. Is this a residential Generation Facility with a maximum capacity of 15 kW or less of electricity?	❑ Yes	❑ No
2. Is this a single-family home?	❑ Yes	❑ No
3. Is this a public works project (as defined in Section 1720 of the Labor Code) that is subject to Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the Labor Code, independent of Assembly Bill 2143?	❑ Yes	❑ No
4. Does this Generating Facility serve only a modular home, a modular home community, or multiunit housing that has two or fewer stories?	❑ Yes	❑ No
5. Should this project be considered for review for an exemption from PU Code Section 769.2 because either (a) the project was materially completed on or before December 31, 2023, or (b) the project is located on Tribal Land and is currently under review with the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor. Note: By selecting 'Yes', you will be subject to verification and approval by the California Public Utilities Commission's SURGE team. Additionally, you are required to send any supporting documents directly to SURGE via email to: info@cpucsurge.org. Should the SURGE team determine that an exemption is not justified, this project will be subject to the provisions under PU Code 769.2. Note that the Customer still must sign the Prevailing Wage Disclosure form at the time of application even if "yes" is checked.	❑ Yes	❑ No

❑ Applicant certifies and confirms to SDG&E that past required submittals of payroll records are up to date, pursuant to CPUC Decision 23-11-068. The contractor's submission of payroll records is a condition to access tariffs developed pursuant to PU Code Section 2827 and 2827.1 for a customer REGF subject to PU Code Section 769.2.

- Contractor is required to submit payroll records to the CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/

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- This submittal is independent of, and **in addition to**, the requirements for submittals of payroll records to the Department of Industrial Relations (DIR) in accordance with Labor Code 1771.4.

Additional Information
(Required for all Public Works projects)

Please provide the following:

1) Estimated Construction Start Date*: MM/DD/YYYY

*The Estimated Construction Start Date is the first date by which physical work is expected to begin on the project site. The Estimated Construction Start Date is non-binding.

❑ Please mark here if this project should be considered exempt from obtaining the DIR Project Registration number and the Public Works Contractor number pursuant to Labor Code section 1725.5 (f) or Labor Code Section 1773.3 (j). For more information regarding these exemptions, see the "Contractors and Contractor Registration" section of the Public Works Frequently Asked Questions.

Note: This project is still subject to Public Utilities Code 769.2 and required to provide payroll records to CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/.https://cpucsurge.org/.

2) Department of Industrial Relations (DIR) Project Registration Number*:

*Pursuant to Labor Code 1771.4 Public Works Projects are required to obtain a project registration number in advance of receiving bids for the project. Please visit Public Works for more information on how to obtain a Project Registration Number from the DIR. Applicants can find their Project Registration Number at Find Public Works Projects. As of June 2025, the Project Registration number should be 11 digits and look like YYYY#######. Example: "20251234567".

3) Public Works Contractor Registration Number*:

*Pursuant to Labor Code 1725.5 Contractors are required to Register with the DIR as a Public Works Contractor in order to bid on Public Works Projects. Please visit Public Works for more information on how to obtain a Public Works Contractor Registration Number from the DIR. Applicants can find their Public Works Contractor Registration Number at Find Public Works Contractorshttps://services.dir.ca.gov/gsp?id=dir_projects&table=x_cdoi2_csm_portal_project. As of June 2025, the Public Works Contractor Registration Number should be 10 digits in the following format PRJ#######.

Part II – Requirements for Interconnection

IN SUBMITTING THIS DOCUMENT, I THE CUSTOMER, UNDERSTAND AND AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

Permission to Operate
Customers must not operate their Generating Facility in parallel with SDG&E's Distribution System until they receive written authorization for Parallel Operation from SDG&E. Unauthorized Parallel Operation could result in injury to persons and/or damage to equipment and/or property for which the Customer may be liable.

Safe Operation of your Generating Facility
Notwithstanding any other provision of the Agreement, if at any time SDG&E determines that either (a) the Customer's Generating Facility, or its operation, may endanger SDG&E personnel, or (b) the continued operation of the Customer's Generating Facility may endanger the safe and reliable operation of SDG&E's electrical system, SDG&E shall have the right to disconnect the Generating Facility from SDG&E's system. Customer's Generating Facility shall remain disconnected until such time as SDG&E is satisfied that the unsafe condition(s) have been corrected.

Meter Access
Your SDG&E electric meter must be installed in a safe, SDG&E-accessible location and remain unobstructed. SDG&E's

ability to access the meter must be maintained at all times for purposes, including, but not limited to, meter reading, system maintenance, and system emergencies. Any animals owned by the Customer, including pet dogs, should not have access to these areas to avoid hindering SDG&E service personnel from completing their work.

Document and Fee Requirements
Other Documents and/or Fees *may* be required and there may be requirements for interconnection in addition to those listed below**,** depending on the specifics of the proposed Generating Facility. Other approvals and/or other agreements may be needed for special SDG&E programs or regulatory agency requirements.

Stale Applications
If this **Application** is still pending **two years from its date of submittal** and Customer has not met all of the requirements, SDG&E will close this **Application** and Customer will be required to submit a new application.

A. Interconnection Package

Specific documents are needed to ensure safe and reliable operation of SDG&E's Distribution System and to confirm that Customer's interconnection has been performed in accordance with SDG&E's tariffs. **To ensure prompt attention and authorization of your project, SDG&E would like to be in receipt of your completed package at least two (2) weeks <u>prior to the date that SDG&E receives the city or county electrical inspection release</u>.**

Required Documents for New Applicants:

1. Two (2) completed copies of the applicable **Agreement**, if mailed and one (1) copy if submitted electronically.

   For Schedule NEM-ST: The Customer must download and print two (2) copies of the most current SDG&E Form 142-02760 from the following link: https://tariff.sdge.com/tm2/pdf/tariffs/ELEC_ELEC-SF_142-02760.pdf

   For Schedule NEM-V-ST or VNM-A-ST: The Customer must download and print two (2) copies of the most current SDG&E form 142-02760.5 from the following link: https://tariff.sdge.com/tm2/pdf/tariffs/ELEC_ELEC-SF_142-02760_5.pdf

   The Customer shall fill out both applicable forms completely, <u>**sign**</u> and <u>**submit electronically**</u> if available, or sign and mail both copies including any attachments to SDG&E at the address noted in Part IV (F), "Notices" herein. ***Please note***: the Customer name (as identified in Part I, Section C) **must be the same name** as on the SDG&E bill. In the Agreement, Customer will confirm their otherwise-applicable rate schedule (OAS), establishing how Customer's monthly usage or net generation will be charged/credited. Customer-initiated rate changes are governed in accordance with SDG&E's Electric Rule 12.

2. A **single-line diagram** showing Customer's actual installation of his/her Generating Facility (required in Appendix A of the Agreement). The diagram must include the electrical rating and operating voltages of the significant electrical components such as the service panel, the disconnect switch (if required), inverters, all wind and/or PV generators, circuit breakers and other protective devices of the Generating Facility, the general location of the Customer's loads relative to the Generating Facility, and the interconnection with SDG&E's Distribution System. The diagram must include the following information:

a. A description and location of the visible, lockable **AC disconnect switch**.

   SDG&E *requires* that a Customer installing an inverter-based generator install an AC disconnect switch to facilitate maintenance of the Customer's equipment (i.e. inverter, PV arrays, etc.) without the need for interrupting electric service to the Customer. The AC disconnect switch allows SDG&E to isolate the Customer's Generating Facility from SDG&E's Distribution System without having to interrupt electric service to the Customer's business or residence.

   SDG&E's AC disconnect requirement for Distributed Energy Resources (Distributed Generation) applies to:

   - Inverter-based interconnections having a transformer-rated meter (i.e., all meter panels or switchboards employing the use of potential and current transformers).
   - Non-inverter-based generators, including rotating or machine-based generators – regardless of the service meter configuration is transformer-rated or self-contained.

b. A description of the specific inverter(s) used to control the interconnection between SDG&E and the Generating

Facility, including rating, brand name, and model number. CEC-AC inverters that meets all applicable safety and performance standards[1] will pass the requirements for Simplified Interconnection/Initial Review pursuant to SDG&E's Electric Rule 21. Non- certified units will require further study and may involve additional costs.

c. A complete description of the **generating equipment that the Customer plans to install**. If the Generating Facility includes PV panels, the description must include the manufacturer name, model number, number of panels, and the nameplate rating. If the Generating Facility includes a wind turbine, the description must include the manufacturer name, model number, number of turbines, and the nameplate rating. Only CEC-AC inverters that meet all applicable safety and performance standards (see footnote below) and certified wind-turbine generators without separate inverters will pass the requirements for Simplified Interconnection/Initial Review.

d. A description of how the power output from the inverter is connected to the **main service panel via a branch breaker.** The ampere rating of this branch breaker and the main service panel breaker must be compatible with the output rating of the Generating Facility. The output rating is computed based on the total nameplate rating of the inverter.

e. If applicable, a complete description of energy storage devices, including, but not limited to, the battery manufacturer, battery model number, the inverter model number, nameplate rating in kilowatts, CEC-AC rating, quantity, output voltage and phase.

3. The final approval by the city or county electrical inspector is required before SDG&E can conduct their field inspection. The **Jurisdictional inspector must notify SDG&E's New Service Department directly**. The Customer Generation Department <u>cannot accept copies of an electrical permit</u>.

4. If this application is being submitted for an existing residential single-family-home customer, the following requirements are applicable:

Pursuant to California Public Utilities Commission (CPUC) Decisions D.18-09-044 and D.20-02-011, interconnection applicants submitting net energy metering interconnection applications on behalf of existing residential single-family-home customers after September 29, 2019 are required to submit all of the following with the application:

- The customer-initialed and customer-signed pages of the California Solar Consumer Protection Guide, as required in the Guide including all applicable customer attestations
- A completed version of the Contractors State License Board (CSLB) Solar Energy System Disclosure Document
- The executed contract for the installation of the solar system
- Audit trail document if the California Solar Consumer Protection Guide has been signed electronically
    - The audit trail document must contain all of the following:
        - The date and time when a link to the information packet was e-mailed to the customer;
        - For each instance in which the information packet was opened:
            - The date and time when the information packet was accessed; and
            - The Internet Protocol (IP) address that was used to access the information packet.
        - The date and time when the customer signed the information packet electronically;
        - The customer's preexisting email address, to which the solar provider must send a copy of the signed information packet; and
        - The date and time when a copy of the initialed and signed document was emailed to the customer.

In the event the electronic signature software you use does not contain all of the required information you must include an addendum that includes the missing elements.

Compliance with the consumer protection requirements is subject to audit by the CPUC and the CSLB. SDG&E encourages you to visit the CPUC's California Solar Consumer Protection Guide website at www.cpuc.ca.gov/solarguide to ensure that you fully understand and comply with the CPUC's consumer protection

[1] Safety and Performance standards are established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Commission regarding safety and reliability (i.e., SDG&E's Electric Rule 21). This includes, but is not limited to, criteria listed in Sections L.2-L.4 and Section L.7 of Electric Rule 21.

requirements.

Residential single-family-home applicants with an installation contract signed on or before September 29, 2019, are required to submit only the signed installation contract.

These documents are subject to periodic review by either the utility, the CPUC, or the CSLB.

Part III – General Facility and Rate Information

A. What is your current Electric Rate Schedule?

Historical and current electricity rates information may be found at: http://sdge.com/rates-regulations/current-and-effective-tariffs/current-and-effective-tariffs. Depending on Customer's rate schedule and metering arrangement, an installation fee and/or reprogramming fee may be required to provide Net Energy Metering. SDG&E rates and rate design, including the rates and rate design reflected in this Tariff, are subject to change from time to time. Customers should take this into consideration when making any long-term decisions based on rate structures that are currently in place.

B. Is there electric vehicle charging on site at the above service address?

☐ Yes

If yes, please indicate how many electric vehicles: ___________

☐ No

C. Are there any other generators connected on this account?

☐ Yes

If yes, specify what kind of generator ____

☐ No

D. Are there any possible meter access issues?

☐ Yes

If yes, check all that apply:

☐ Locked gate ☐ Meter located inside of facility/residence

☐ Unrestrained animal at meter or AC disconnect switch location

☐ Other (Please explain) _______________

☐ No

E. Are you participating in a Demand Response program?

☐ Yes

If yes, what program are you on? ________________

☐ No

For more information on SDG&E's Demand Response programs see: https:/ /www.sdge.com/businesses/savings-center/energy-management-programs/demand-response

.

F. **Are you participating in the Single Family Affordable Solar Housing (SASH) program?**

- ☐ Yes
- ☐ No

G. **If the Generating Facility is inverter based, which requires compliance with SDG&E's Rule 21 Section Hh., please proceed with the following question?**

Will the Generating Facility be operated as a Microgrid System?

- ☐ Yes
  If yes, please refer to SDG&E's Rule 21, Section Hh.1.h, for additional Microgrid Operational Requirements information.
- ☐ No

Part IV – Description of the Generating Facilities *Use additional sheets, if necessary.*

A. Limited Generation Profile

Is the Generating Facility a Limited Generation Profile participant (LGP Facility)?

- ☐ Yes
- ☐ No

If "Yes" is selected, Applicant must provide the following:

1. Select the proposed PCS make/model: (select from Utility's UL3141 PEL PCS approved list)

   If equipment is not listed in Distribution Provider's list of certified PCS, provide the following:
   - Upload UL3141 certificates of compliance from the NRTL identifying that the proposed PCS has been certified under UL3141 with PEL.
2. Upload a complete Limited Generation Profile Template (csv file with 288 Values):
3. Select the proposed LGP Configuration that applies to the LGP facility:
   - ☐ 24 Hourly
   - ☐ Block
   - ☐ 18-23 Fixed
4. Indicate the PCS's controlled nameplate capacity (as provided in the NRTL testing reports):

   ____________________(in kW)
5. Indicate the PCS's maximum Steady State percentage (as provided in the NRTL testing reports): _______________(%)

B. AC Disconnect Switch: (see Part II, Section A.2.a above for policy on disconnect switches)

List the AC disconnect switch that will be used at this Generating Facility (Enter "N/A" if not applicable).

Disconnect Switch Manufacturer	Disconnect Switch Model Number	Disconnect Switch Rating (amps)

.

C. Inverters Interconnected with SDG&E:
List all the inverters that will be interconnected to SDG&E.

Customers with non-Certified inverters or Customers whose aggregate Generating Facility capacity exceeds 15% of the peak load on the distribution line section, as described in Electric Rule 21, require a **Supplemental Review** which may entail a study, additional equipment, fees, and/or other requirements.

No.	Inverter Manufacturer	Inverter Model Number	Inverter Nameplate Rating[2] kW (per unit)	Inverter CEC-AC Rating kW (per unit)	Quantity of Inverters	Inverter Output Voltage	Single or Three phase?
1							
2							

D. PV Generator Equipment:

Please provide the PV panel information requested below. If the panels are not all identical modules, list the total capacity connected to each inverter you listed above. (Please attach additional sheets if more space is needed).

No.	PV Panel Manufacturer	PV Panel Model	PV Panel Nameplate Rating[3] kW (per unit)	PV Panel CEC-AC Rating kW (per unit)	Quantity of PV Panels	Total Capacity[4] (kW)	Inverter number from (B) above (1 or 2)
1							
2							

D.1 What is the system output (DC – watts)? (________________________)

D.2. What is the system output (AC – watts)? (________________________)

D.3. PV Panel Mounting (Please choose one):

☐ Rooftop, and ☐ Tilt (i.e., roof pitched) or ☐ Flat (i.e., roof flat)
☐ Ground
☐ Mixed

D.4. PV Panel Tracking Type (Please choose one):

☐ Fixed ☐ Single-axis ☐ Dual-axis ☐ Mixed
If Fixed, provide: Tilt (____________________) and Azimuth (______________________)

E. Wind Turbine Equipment:
Please provide the wind turbine information requested below. If there is more than one wind turbine of the same type,

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2 The inverter rating equals the nameplate rating, in kW. If there is more than one inverter of one type being installed, the inverter rating equals the nameplate rating of one unit of the model being installed.

3 The inverter rating equals the nameplate rating, in kW. If there are more than one inverter of one type being installed, the inverter rating equals the nameplate rating of one unit of the model being installed.

4 The total capacity is the PV panel (or wind turbine) rating times the quantity.

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list the total capacity connected to each inverter you listed in B) above. Indicate NONE if the inverter is incorporated in the wind turbine and no inverter is required.

No.	Wind Turbine Manufacturer	Wind Turbine Model	Wind Turbine Nameplate Rating[5] kW (per unit)	Wind Turbine CEC-AC Rating (kW) per unit	Quantity of Wind Turbines	Total Capacity (kW)	Turbine Output Voltage	Single or Three Phase	Inverter number from (B) above (1 or 2)
1									
2									

F. Energy Storage:
Please provide the energy storage information requested below.

If the energy storage device(s) is connected to a separate inverter which is not connected to any other generator, provide information about the inverter in the table below:

No.	Inverter Manufacturer	Inverter Model Number	Inverter Nameplate Rating kW (per unit)	Inverter CEC-AC Rating kW (per unit)	Quantity of Inverters	Inverter Output Voltage	Single or Three phase?

5 For all generation equipment ratings, please use the nameplate rating found on the equipment or in the equipment specifications.

.

1							
2							

Is the inverter for your energy storage device UL listed? (yes/no)__________________

No.	Battery Manufacturer	Battery Model Number	Quantity of individual batteries	Capacity (amp-hours) of individual battery	Total Capacity of battery system (kWh)	Battery Chemistry	Three phase or single phase	Rating (kW) of inverter
1								
2								

G. Service Panel Short Circuit Interrupting Rating:
What is the short circuit interrupting rating (SCIR) rating of the service panel connected to this generating facility? _________________

H. System Output Monitoring:

☐ Yes ☐ No

If Yes, is the system output monitor reporting system sent to an ☐ outside entity, or only to ☐ the Customer (select one)

If to an outside entity, state the name: (____)

I. Inverter-based Generating Facilities are required to be compliant with the requirements of Section Hh. of SDG&E's Electric Rule 21, including configuration of protective settings in accordance with the specifications therein. Verification of compliance with such requirements shall be provided by the Customer upon request by SDG&E in accordance with SDG&E's Electric Rule 21.

☐ I certify that all inverters that will be or have been installed on the project described herein meet the applicable requirements, including the activation of the required smart inverter functionality, set forth in SDG&E's Electric Rule 21, Section Hh. (Please note: This box must be checked in order for SDG&E to accept your application)

J. Notices - Mailing Instructions and Assistance:

If you prefer to mail the completed application package, please mail it directly to our NEM department at:

SDG&E'S P.O. BOX ADDRESS
San Diego Gas and Electric Company
Attention: Customer Generation
Mail Code CP52F
P.O. Box 129831
San Diego, California 92123

SDG&E'S STREET ADDRESS
San Diego Gas and Electric Company
Attention: Customer Generation
Mail Code CP52F
8316 Century Park Ct
San Diego, California 92123

K. Internet Application Forms:

If this Application has been completed on SDG&E's website, with the attachments, it may be automatically submitted via that system. Copies or forms requiring a signature, attachments and any applicable fees described in Part II must be mailed to SDG&E at the address noted above, in Part IV, Section H, Notices, or submitted via an electronic process, if available.

L. Interconnection Fees:

Except for customers participating in the SASH program, all customers are required to pay a nonrefundable interconnection fee. For customers whose systems are sized up to, and including, 1 MW, the fee is $132. For customers whose systems are sized above 1MW, the fee is $800.00.

If you mail the application package to the address above, **DO NOT SEND PAYMENT** for the interconnection fee. After SDG&E receives your application and verifies completeness, an invoice for the interconnection fee will be sent to you at the address provided in the Contractor Information section or the Customer Generating Facility Information section above.

M. Indemnity and Liability.

Each party as indemnitor shall defend, hold harmless, and indemnify the other party and the directors, officers, employees, and agents of the other party against and from any and all loss, liability, damages, claim, cost, charge, demand, or expense (including any direct, indirect or consequential loss, liability, damages, claim, cost charge, demand, or expense, including retained or in-house attorneys' fees) for injury or death to persons, including employees of either party, and damage to property, including property of either party, arising out of or in connection with (a) the engineering, design, construction, maintenance, repair, operation, supervision, inspection, testing, protection or ownership of the indemnitor's facility , or (b) the making of replacements, additions betterments to or reconstruction of the indemnitor' facilities. This indemnity shall apply notwithstanding the active or passive negligence of the indemnitee. However, neither party shall be indemnified hereunder for its loss, liability, damage, claim, cost, charge, damage, or expense resulting from its sole negligence or willful misconduct. The indemnitor shall, on the other party's request, defend any suit asserting a claim covered by this indemnity and shall pay for all costs, including reasonable attorney fees, which may be incurred by the other party in enforcing this indemnity.

N. Governing Law

This Agreement shall be interpreted, governed, and construed under the laws of the State of California as if executed and to be performed wholly within the State of California.

O. Term of Agreement

This Agreement shall become effective as of the date of SDG&E's issuance of the Permission to Operate Letter after receipt of all applicable fees, required documents, and this completed Agreement. This Agreement shall continue in full force and effect until terminated by either Party providing 30-days prior written notice to the other Party, or when a new Customer takes service with SDG&E operating this approved generating facility. This new Customer will be interconnected subject to the terms and conditions as set forth in Schedule NEM.

P. Governing Authority

This Agreement shall at all times be subject to such changes or modification by the Public Utilities Commission of the State of California as said Commission may, from time to time, direct in the exercise of its jurisdiction.

Customer understands and agrees that it must not operate its Generating Facility in parallel with SDG&E's Distribution System until Customer receives written authorization for Parallel Operation from SDG&E.

- ☐ CUSTOMER ACKNOWLEDGES THAT IT HAS READ THIS APPLICATION IN ITS ENTIRETY AND AGREES WITH THE REQUIREMNTS SET FORTH HEREIN.

- ☐ CUSTOMER UNDERSTANDS THAT TO COMPLETE THE INTERCONNECTION APPLICATION PROCESS IT MUST EITHER SUBMIT ELECTRONICALLY, OR DOWNLOAD, PRINT AND MAIL TWO (2) COPIES OF THIS AGREEMENT.

1) For customer applying for service under Schedule NEM-ST or NEM-V-ST: A signed version of Interconnection Agreement Form 142-02760 located at this link: https://tariff.sdge.com/tm2/pdf/tariffs/ELEC_ELEC-SF_142-02760.pdf

"or"

2) For customers applying for service under Schedule VNM-A-ST: A signed version of Interconnection Agreement Form 142-02760.5 located at this link: https://tariff.sdge.com/tm2/pdf/tariffs/ELEC_ELEC-SF_142-02760_5.pdf

As a condition of interconnection, pursuant to CPUC Decisions D14-11-001 and D.21-06-026, SDG&E is required to provide certain data to the CPUC, its contractors, the California Department of Consumer Affairs Contractors State License Board, and the California Department of Financial Protection & Innovation including, but not limited to, confidential customer information. Customer authorizes SDG&E to release any and all information contained in this application for interconnection to the entities identified above without further notification or consent.

Furthermore, Customer authorizes SDG&E to release information regarding Customer's Generating Facility, including location, size, and operational characteristics to the CEC, as requested from time to time pursuant to the CEC's rules and regulations.

Customer Name (Please Print): ____

Customer Name (Signature): ______________________________Date:__________

Title: __________________________

A copy of this signed Agreement should be retained with the "Permission to Operate" letter to confirm Interconnection approval.

Appendix A to Form 142-02773

As Applicable, All of the Following Information is Required for all Applications:

1. Please indicate which sector best represents the Customer:

   - ☐ Commercial
   - ☐ Educational
   - ☐ Industrial
   - ☐ Military
   - ☐ Non-profit
   - ☐ Other government (non-military)
   - ☐ Residential

2. Please check the appropriate boxes below and continue with this application:

   - ☐ I am also participating in a California rebate program and understand that I will have to apply for a California rebate program separately. If participating in a California rebate program, please complete 2(a) and 2(b).

     a. Please state the rebate program: (____)

     b. Please state the amount of the rebate: (______________________________)

   - ☐ I am not participating in any California rebate program.

3. I certify that a warranty of at least 10 years has been provided on all equipment and its installation:

   - ☐ Yes
   - ☐ No

4. Please state the ownership type of the NEM Generating Facility (Third Party or Customer):

<u>Third Party Owned</u>.

If Third Party owned, please complete 3(a), 3(b), and 3(c):

a. Claimed Federal Investment Tax Credit (ITC) cost basis: (____)

b. Please provide the Developer's name at the time of sale:

(____)

c. Please provide the third-party contract type:

- ☐ Power Purchase Agreement (PPA)
- ☐ Lease
- ☐ Pre-paid Lease
- ☐ Other: (_______)

<u>Customer Owned</u>.

d. Was the project paid for with cash?

- ☐ Yes
- ☐ No

<u>Please complete this application in its entirety</u>

e. What is the sale price? (____)

f. Is the NEM Generating Facility financed under the Property Assessed Clean Energy (PACE) program?

☐ Yes – Please specify the Pace Program Administrator: (_________)

☐ No

g. If the NEM Generating Facility was financed, through means other than the PACE program, including a lease, please specify the name and address of financing entity:

____
____
____
____
____

APPENDIX B

(If Applicable)

ADDITIONAL TERMS AND CONDITIONS FOR

LIMITED GENERATION PROFILE FACILITIES

(Applicable only to LGP Facilities)

1. LGP Facility Configuration

1.1 Circuit Name / Feeder ID: ______________________________.

1.2 Node ID / Line Section ID: ______________________________.

1.3 Make/Model of Certified PCS System: ______________________________.

2. Power Control System Requirements for An LGP Facility

The following are minimum requirements for limited export systems that use a certified power control systems (PCS) with a response time (as defined in UL 3141) of no more than two seconds to maintain a level of export that is capped at the approved Limited Generation Profile (LGP) value at the Point of Common Coupling (PCC) with the utility.

2.1 Use a PCS that is certified to the UL 3141 certification standard with integrated schedule. The Nationally Recognized Testing Lab (NRTL) evaluation must have determined that the PCS conforms to the export limiting functionality in accordance with the relevant UL published standard.

2.2 Use a PCS that is certified with a response time (as defined in UL 3141) of two seconds or less as provided in the PCS's specification data sheets.

2.3 The PCS must reduce export at the PCC to the approved export limit, or less, within two seconds of exceeding the approved export limit. A PCS that is certified with a response time (as defined in UL 3141) of two seconds or less, and a time to reach steady state of ten seconds or less, meets this requirement.

2.4 Set the PCS to not exceed the maximum allowed level of export at the PCC specified in the Limited Generation Profile (LGP) attached herein to the Generator Interconnection Agreement (see Section 5, below).

2.5 Use only UL 1741-listed grid-support Non-Islanding inverters as approved by this tariff.

2.6 Maintain voltage fluctuations at the limits specified in Electric Rule 2.

3. Telemetry Requirements for An LGP Facility

An LGP Facility without Automated Metering Infrastructure (AMI) must provide telemetry to the distribution operations control center designated by Distribution Provider, where the telemetry monitors power flows at the Generating Facility's PCC.

3.1 For an LGP Facility with generator nameplate under 1 MW, Automated Metering Infrastructure (AMI) data will be used to monitor export at the PCC. If AMI is not available, telemetry monitoring export at the PCC will be required at the Producer's expense.

3.2 For an LGP Facility project with generator nameplate greater than or equal to 1 MW, telemetry is required. If telemetry is monitoring only the generator output, Distribution Provider has the ability to use AMI data, if available, to monitor export at the PCC. If AMI is not available, or Customer opts out, telemetry at the PCC will be required at the Producer's expense.

4. Operation and Performance of An LGP Facility
Distribution Provider will monitor compliance of the LGP Facility with the LGP values (the format of which is shown in Section 5 below) provided as follows:

4.1 If at any time during the operation of the LGP Facility, Distribution Provider identifies that exports at the PCC exceed the agreed upon LGP values, but such exports do not immediately cause a safety and/or reliability concern, Customer will be notified by Distribution Provider. Customer will then be required to take remedial action within 15 Business Days of notification to conform to the agreed LGP values. If remedial action is not taken within 15 Business Days from the date of being notified, the Permission To Operate (PTO) will be revoked in accordance with the Customer's Generator Interconnection Agreement and the Generating Facility must be disconnected such that it does not operate in parallel with the grid. Distribution Provider reserves the right to confirm that the Generating Facility is not operating in parallel with the grid and may provide procedures to ensure the Generating Facility is not reconnected, without Distribution Provider’s prior approval and in a manner that would allow parallel operation with the grid.

4.2 If at any time during the operation of the LGP Facility, Distribution Provider identifies that exports at the PCC exceed agreed upon LGP values, and such exports impose an immediate safety and reliability concern, Distribution Provider will take immediate action to prevent the Generating Facility from operating in parallel with the grid. Such action may include disconnecting the Customer from the grid at the PCC. Distribution Provider will provide notice of the action taken and Customer will then be required to take remedial action. Customer will be required to demonstrate at Distribution Provider’s sole discretion, that remedial actions have been taken within 15 Business Days from notice or cessation of parallel operation with the grid, to ensure that the LGP Facility can resume parallel operation with the grid and operate within the LGP values. If remedial action is not demonstrated within 15 Business Days from the date of the notification or cessation of parallel operation with the grid, the PTO will be revoked in accordance with the Customer's Generator Interconnection Agreement and the Generating Facility must continue not to Operate in parallel with the grid. Distribution Provider reserves the right to confirm that the Generating Facility is not operating in parallel with the grid and may provide procedures to ensure the Generating Facility is not reconnected, without Distribution Provider’s prior approval and in a manner that would allow parallel operation with the grid.

4.3 Upon revocation of the PTO of the LGP Facility as a result of Customer’s failure to take remedial action, per sections 4.1 and 4.2 above, the LGP Facility will remain indefinitely prohibited from operating in parallel with the grid without Distribution Provider imposing additional requirements. Customer may submit a new Interconnection Request for the Generating Facility under any applicable CPUC or FERC tariff.

5. IOU-Approved LGP Values (based on the Customer's Selected LGP Configuration):

(See Separately Attached Spreadsheet)

SAMPLE FORMS

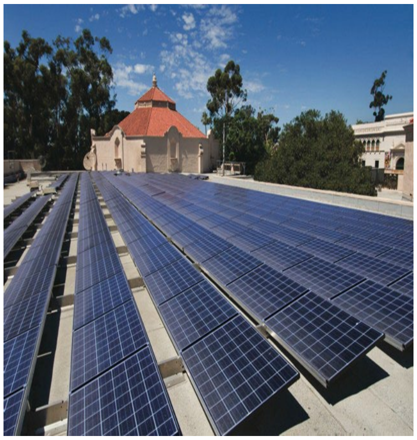
FORM 142-02778

NET BILLING TARIFF

INTERCONNECTION APPLICATION FOR CUSTOMERS WITH SOLAR AND/OR WIND ELECTRIC GENERATING FACILITIES GREATER THAN 30 KILOWATTS AND FOR CUSTOMERS INSTALLING ENERGY STORAGE PAIRED WITH SUCH GENERATING FACILITIES T, P

(06/25)

(See Attached)



Net Billing Tariff

Interconnection Application for Customers with Solar and/or Wind Electric Generating Facilities Greater than 30 Kilowatts and for Customers Installing Energy Storage Paired with Such Generating Facilities

Application Identification (APP ID) Number____________________ (for SDG&E use only)

Part I – Identifying the Generating Facility's Location and Responsible Parties

A. Applicability and Purpose:

This NET BILLING TARIFF APPLICATION FOR INTERCONNECTION FOR CUSTOMERS WITH SOLAR AND/OR WIND ELECTRIC GENERATING FACILITIES GREATER THAN 30 KILOWATTS ("Application") applies to customers requesting service under electric rate schedules NBT.

The purpose of this Application is to begin the process for Customers requesting to interconnect with SDG&E's Distribution System, subject to the provisions of this Application, the Interconnection Agreement for Net Billing Tariff ("Agreement") and SDG&E's Electric Rule 21 and rate schedules NBT. Customer is electing to interconnect and operate its solar and/or wind electricity generating facility in parallel with SDG&E's Distribution System primarily to offset part or all of the Customer's own electrical requirements. Customer shall comply at all times with the Agreement as well as with all applicable laws, tariffs, and requirements of the California Public Utilities Commission ("CPUC").

Customers who participate in Direct Access and Community Choice Aggregation must contact their Energy Service Provider directly regarding their NBT program.

B. Description of Service

This Application is being filed for (Please select only one):

⑦ *A New NBT Generating Facility* – request for interconnection at an **existing** service

⑦ *A New NBT Generating Facility* – request for interconnection in conjunction with a **new** service

An **Application for Service** must be completed. Additional fees may be required if a service or line extension is required under the provisions of SDG&E's Electric Rules 15 and 16. Please contact SDG&E at 1-800-411-7343.

⑦ *Physical Changes to an Interconnected NBT Generating Facility* – request for modification of an existing interconnection agreement due to modifications (e.g., adding photovoltaic ('PV") panels or changing inverters/turbines) of existing NBT Generating Facility that is operating under an existing interconnection agreement and has previously received permission to operate from SDG&E.

⑦ *A New NBT Generating Facility that will be **Paired with an Energy Storage Device** that does not exceed **30 Kilowatts*** - request for interconnection at an existing service for both an NBT Generating Facility that will be paired with energy storage no greater than 30 kW.

Note that the following energy storage devices require the use of a different application:

- Devices with a capacity greater than 150% of the NBT generator's maximum output capacity,
- Devices operating as a stand-alone system, i.e., not paired with an NBT Generating Facility.

For a stand-alone energy storage device not exporting for resale, please use Form 142-05203 or its successor form.

⑦ *An Existing NBT Generating Facility that will be* ***Paired with New Energy Device that does not exceed 30 Kilowatts*** – a request for interconnection of an energy storage device that will be paired with a NBT Generating Facility that is operating under an existing interconnection agreement and has previously received permission to operate from SDG&E.

- For a stand-alone energy storage device, please use Form 142-05203 or its successor form.

Virtual Net Energy Metering Generating Facility under Schedule NBT-V

⑦ *A New Virtual Net Billing Tariff Generating Facility under Schedule NBT-V.* If checked, please also complete the required NBT-V Generation Credit Allocation Form 142-02784.

⑦ *A New Virtual Net Billing Tariff Generating Facility under Schedule NBT-V that will be* ***Paired with an Energy Storage Device.*** If checked, please also complete the required NBT-V Generation Credit Allocation Form 142-02784.

⑦ *A New Virtual Net Billing Tariff Generating Facility under Schedule NBT-V that will be* ***Paired with an Energy Storage Device and Operating Isolation*** *in accordance with Special Condition 11 of this Schedule.* If checked, please also complete the required NBT-V Generation Credit Allocation Form 142-02784.

⑦ *An Existing Virtual Net Billing Tariff Generating Facility under Schedule NBT-V that will be* ***Paired with an Energy Storage Device.***

⑦ *An Existing Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST that will be* ***Paired with an Energy Storage Device AND Operating in Isolation*** *in accordance with Special Condition 11 of this Schedule.*

⑦ *An Existing Paired Virtual Net Energy Metering Generating Facility under Schedule VNM-A-ST that will be* ***Operating in Isolation*** *in accordance with Special Condition 11 of this Schedule.*

NBT Aggregation – Defined under Special Condition 12 of Schedule NBT

⑦ *A New NBT Aggregation* Generating Facility. If checked, please also complete the required NBT Aggregation Form 142-02785.

⑦ *A New NBT Aggregation* Generating Facility *that will be* ***Paired with an Energy Storage Device.*** If checked, please also complete the required NBT Aggregation Form 142-02785.

⑦ *An Existing NBT Aggregation that will be* ***Paired with an Energy Storage Device.***

C. Estimated Versus Actual Cost Responsibility

If actual costs for (1) detailed interconnection studies, and/or (2) interconnection Facilities and distribution system modifications exceed the original estimated amounts, Applicant will be responsible for costs above the estimated amounts, and SDG&E will refund the difference.

D. Cost Envelope Option Election for Upgrades

Please indicate below if Customer elects to participate in the Cost Envelope Option pursuant to Rule 21 Section F.7 for the costs associated with any applicable Interconnection Facilities and/or Distribution Upgrades (check below):

⑦ Yes
⑦ No

If "Yes" is selected, Customer must provide all of the following additional information as part of this Application:

1. Final location of the Point of Common Coupling: [*provide a description of the physical location of the Point of Common Coupling and indicate on the site drawing provided under 5 below*]
2. Final location of the Point of Interconnection: [*provide a description of the physical location of the Point of Interconnection and indicate on the site drawing provided under 5 below*]
3. Confirmation of service voltage
4. Confirmation that technical data provided in the Application is accurate, including equipment type and manufacturer:
5. A site drawing on a scale of 1:30 or less, which shows the final location of the Point of Common Coupling, Point

of Interconnection, and final location and routing of conductors and equipment between the Point of Common Coupling and Point of Interconnection

6. Identification of any constraints or limitations related to the siting or routing of conductors and equipment between the Point of Common Coupling and the Point of Interconnection: [*provide a description of the constraints/limitations and indicate their location on the site drawing provided under 5 above*]

E. Customer Generating Facility Information - Where will the Generating Facility be installed?

Name shown on SDG&E service account (Must match **Customer Name** on SDG&E bill)	Account Number	Meter Number	
Street Address			
City	State	Zip	
Mailing Address			
City	State	Zip	County
Primary Phone Number	Alternate Phone Number	Fax	**Mandatory E-mail**

F. Contractor Information (Must be completed even if Contractor is not listed as an authorized contact).

Contractor	Company Name	
Contact Name(s), If Applicable		
Mailing Address		
City	State	Zip
Business Phone	Fax	**Mandatory E-mail**

Please complete this application in its entirety

Contractors State License Board (CSLB) license number______________________If the applicant is a Contractor submitting this application on behalf of an existing residential single-family-home customer, a CSLB license is required. Home Improvement Salesperson (HIS) registration number___________________________If there is a HIS registration number associated with this application and this application is being submitted on behalf of an existing residential single-family-home customer applicant is required to provide the HIS registration number associated with this application.

⑦ Contractor is authorized to act on behalf of Customer with respect to this agreement and SDG&E is authorized by Customer to release confidential Customer information to Contractor.

By checking the box above, Customer authorizes SDG&E to release information to the contact(s) named above regarding Customer's usage and billing information, Generating Facility location, size and operational characteristics as requested during the course of this interconnection process. SDG&E is authorized to share information with the identified recipients for a period of **three years** from the effective date of the Agreement. Contact(s) are also authorized to request rate changes and metering arrangements which may result in charges to Customer. Should Customer wish to select a different authorization period, Customer may utilize the "Authorization to Receive Customer Information or Act on a Customer's Behalf," which may be found at: https://www.sdge.com/more-information/our-company/customer-privacy/loa

The Agreement is applicable only to the Generating Facility described below and installed at the above location. The Generating Facility may not be relocated or connected to SDG&E's system at any other location without SDG&E's express written consent.

Customer shall be responsible for the design, installation, operation, and maintenance of the Generating Facility and shall obtain and maintain any required governmental authorizations and/or permits.

G. Prevailing Wage Checklist

Pursuant to CPUC Decision 23-11-068, the following information must be provided. If the answer to all the following questions is "no," your contractor must comply with California Public Utilities Code 769.2.

Beginning January 1, 2025, contractors who have been found in violation of the prevailing wage rule in PU Code Section 769.2 will not be permitted to apply to interconnect facilities utilizing tariffs established pursuant to PU Code sections 2827 or 2827.1.

Additionally, consistent with the Commission's Tribal Consultation Policy, contractors and investor-owned utilities that have implementation questions with respect to Renewable Electrical Generating Facilities (REGFs) on Indian Lands should contact the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor.

By selecting 'No' to each of the questions below, the project is deemed a public works project and is subject to the prevailing wage provisions pursuant to PU Code 769.2.

1. Is this a residential Generation Facility with a maximum capacity of 15 kW or less of electricity?	⑧ Yes	⑧ No
2. Is this a single-family home?	⑧ Yes	⑧ No
3. Is this a public works project (as defined in Section 1720 of the Labor Code) that is subject to Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the Labor Code, independent of Assembly Bill 2143?	⑧ Yes	⑧ No
4. Does this Generating Facility serve only a modular home, a modular home community, or multiunit housing that has two or fewer stories?	⑧ Yes	⑧ No
5. Should this project be considered for review for an exemption from PU Code Section 769.2 because either (a) the project was materially completed on or before December 31, 2023, or (b) the project is located on Tribal Land and is currently under review with the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor.	⑧ Yes	⑧ No

Note: By selecting 'Yes', you will be subject to verification and approval by the California Public Utilities Commission's SURGE team. Additionally, you are required to send any supporting documents directly to SURGE via email to: info@cpucsurge.org. Should the SURGE team determine that an exemption is not justified, this project will be subject to the provisions under PU Code 769.2. Note that the Customer still must sign the Prevailing Wage Disclosure form at the time of application even if "yes" is checked.		

⑧ Applicant certifies and confirms to SDG&E that past required submittals of payroll records are up to date, pursuant to CPUC Decision 23-11-068. The contractor's submission of payroll records is a condition to access tariffs developed pursuant to PU Code Section 2827 and 2827.1 for a customer REGF subject to PU Code Section 769.2.

- Contractor is required to submit payroll records to the CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/
- This submittal is independent of, and **in addition to**, the requirements for submittals of payroll records to the Department of Industrial Relations (DIR) in accordance with Labor Code 1771.4.

Additional Information
(Required for all Public Works projects)

Please provide the following:

1) Estimated Construction Start Date*: MM/DD/YYYY

*The Estimated Construction Start Date is the first date by which physical work is expected to begin on the project site. The Estimated Construction Start Date is non-binding.

⑧ Please mark here if this project should be considered exempt from obtaining the DIR Project Registration number and the Public Works Contractor number pursuant to Labor Code section 1725.5 (f) or Labor Code Section 1773.3 (j). For more information regarding these exemptions, see the "Contractors and Contractor Registration" section of the Public Works Frequently Asked Questions.

Note: This project is still subject to Public Utilities Code 769.2 and required to provide payroll records to CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/.https://cpucsurge.org/.

2) Department of Industrial Relations (DIR) Project Registration Number*:

*Pursuant to Labor Code 1771.4 Public Works Projects are required to obtain a project registration number in advance of receiving bids for the project. Please visit Public Works for more information on how to obtain a Project Registration Number from the DIR. Applicants can find their Project Registration Number at Find Public Works Projects. As of June 2025, the Project Registration number should be 11 digits and look like YYYY#######. Example: "20251234567".

3) Public Works Contractor Registration Number*:

*Pursuant to Labor Code 1725.5 Contractors are required to Register with the DIR as a Public Works Contractor in order to bid on Public Works Projects. Please visit Public Works for more information on how to obtain a Public Works Contractor Registration Number from the DIR. Applicants can find their Public Works Contractor Registration Number at Find Public Works Contractorshttps://services.dir.ca.gov/gsp?id=dir_projects&table=x_cdoi2_csm_portal_project. As of June 2025, the Public Works Contractor Registration Number should be 10 digits in the following format PRJ#######.

Part II – Requirements for Interconnection

IN SUBMITTING THIS DOCUMENT, I THE CUSTOMER, UNDERSTAND AND AGREE TO THE FOLLOWING TERMS

Please complete this application in its entirety

AND CONDITIONS:

Permission to Operate
Customers must not operate their Generating Facility in parallel with SDG&E's Distribution Systemuntil they receive written authorization for Parallel Operation from SDG&E. Unauthorized Parallel Operation could result in injury to persons and/or damage to equipment and/or property for which the Customer may be liable.

Safe Operation of your Generating Facility
Notwithstanding any other provision of the Agreement, if at any time SDG&E determines that either (a) the Customer's Generating Facility, or its operation, may endanger SDG&E personnel, or (b) the continued operation of the Customer's Generating Facility may endanger the safe and reliable operation of SDG&E's electrical system, SDG&E shall have the right to disconnect the Generating Facility from SDG&E's system. Customer's Generating Facility shall remain disconnected until such time as SDG&E is satisfied that the unsafe condition(s) have been corrected.

Meter Access

Your SDG&E electric meter must be installed in a safe, SDG&E-accessible location and remain unobstructed. SDG&E's ability to access the meter must be maintained at all times for purposes, including, but not limited to, meter reading, system maintenance, and system emergencies. Any animals owned by the Customer, including pet dogs, should not have access to these areas to avoid hindering SDG&E service personnel from completing their work.

Document and Fee Requirements
Other Documents and/or Fees *may* be required and there may be requirements for interconnection in addition to those listed below**,** depending on the specifics of the proposed Generating Facility. Other approvals and/or other agreements may be needed for special SDG&E programs or regulatory agency requirements.

Stale Applications
If this **Application** is still pending **two years from its date of submittal** and Customer has not met all of the requirements, SDG&E will close this **Application** and Customer will be required to submit a new application.

A. Interconnection Package

Specific documents are needed to ensure safe and reliable operation of SDG&E's Distribution System and to confirm that Customer's interconnection has been performed in accordance with SDG&E's tariffs. **To ensure prompt attention and authorization of your project, SDG&E would like to be in receipt of your completed package at least two (2) weeks prior to the date that SDG&E receives the city or county electrical inspection release.**

Required Documents for New Applicants:

1. Two (2) completed copies of the applicable **Agreement**, if mailed or one (1) copy if submitted electronically.

   For Schedule NBT: The Customer must download SDG&E form 142-02779 from the following link: https://tariff.sdge.com/tm2/pdf/tariffs/ELEC_ELEC-SF_142-02779.pdf

   The Customer shall fill out both the applicable form(s) completely, **sign** and **submit electronically** if available, or sign and mail both copies, including any attachments, to SDG&E at the address noted in Part IV (F), "Notices" herein. ***Please note***: the Customer name (as identified in Part I, Section C) **must be the same name** as on the SDG&E bill. In the Agreement, Customer will confirm their otherwise-applicable rate schedule (OAS), establishing how Customer's monthly usage or net generation will be charged/credited. Customer-initiated rate changes are governed in accordance with SDG&E's Electric Rule 12.

2. A **single-line diagram** showing Customer's actual installation of his/her Generating Facility (required in Appendix A of the Agreement). The diagram must include the electrical rating and operating voltages of the significant electrical components such as the service panel, the disconnect switch (if required), inverters, all wind and/or PV generators, circuit breakers and other protective devices of the Generating Facility, the general location of the Customer's loads relative to the Generating Facility, and the interconnection with SDG&E's Distribution System. The diagram must include the following information:

   a. A description and location of the visible, lockable **AC disconnect switch**.

      SDG&E *requires* that a Customer installing an inverter-based generator install an AC disconnect switch to facilitate maintenance of the Customer's equipment (i.e. inverter, PV arrays, etc.) without the need for interrupting electric service to the Customer. The AC disconnect switch allows SDG&E to isolate the Customer's Generating Facility from SDG&E's Distribution System without having to interrupt electric service to the Customer's business or residence.

SDG&E's AC disconnect requirement for Distributed Energy Resources (Distributed Generation) applies to:

- Inverter-based interconnections having a transformer-rated meter (i.e., all meter panels or switchboards employing the use of potential and current transformers).
- Non-inverter-based generators, including rotating or machine-based generators – regardless of if the service meter configuration is transformer-rated or self-contained.

b. A description of the specific inverter(s) used to control the interconnection between SDG&E and the Generating Facility, including rating, brand name, and model number. CEC-AC inverters that meets all applicable safety and performance standards[1] will pass the requirements for Simplified Interconnection/Initial Review pursuant to SDG&E's Electric Rule 21. Non- certified units will require further study and may involve additional costs.

c. A complete description of the **generating equipment that the Customer plans to install**. If the Generating Facility includes PV panels, the description must include the manufacturer name, model number, number of panels, and the nameplate rating. If the Generating Facility includes a wind turbine, the description must include the manufacturer name, model number, number of turbines, and the nameplate rating. Only CEC-AC inverters that meet all applicable safety and performance standards (see footnote below) and certified wind-turbine generators without separate inverters will pass the requirements for Simplified Interconnection/Initial Review.

d. A description of how the power output from the inverter is connected to the **main service panel via a branch breaker.** The ampere rating of this branch breaker and the main service panel breaker must be compatible with the output rating of the Generating Facility. The output rating is computed based on the total nameplate rating of the inverter.

e. If applicable, a complete description of energy storage devices, including, but not limited to, the battery manufacturer, battery model number, the inverter model number, nameplate rating in kilowatts, CEC-AC rating, quantity, output voltage and phase.

3. The final approval by the city or county electrical inspector is required before SDG&E can conduct their field inspection. The **Jurisdictional inspector must notify SDG&E's New Service Department directly**. The Net Metering Team <u>cannot accept copies of an electrical permit</u>.

4. If this application is being submitted for an existing residential single-family-home customer, the following requirements are applicable:

   Pursuant to California Public Utilities Commission (CPUC) Decisions D.18-09-044 and D.20-02-011, interconnection applicants submitting NBT interconnection applications on behalf of existing residential single-family-home customers after September 29, 2019, are required to submit all the following with the application:

   - The customer-initialed and customer-signed pages of the California Solar Consumer Protection Guide, as required in the Guide including all applicable customer attestations
   - A completed version of the Contractors State License Board (CSLB) Solar Energy System Disclosure Document
   - The executed contract for the installation of the solar system
   - Audit trail document if the California Solar Consumer Protection Guide has been signedelectronically
     - The audit trail document must contain all the following:
       - The date and time when a link to the information packet was e-mailed to thecustomer;
       - For each instance in which the information packet was opened:
         - The date and time when the information packet was accessed; and
         - The Internet Protocol (IP) address that was used to access the informationpacket.
       - The date and time when the customer signed the information packet electronically;
       - The customer's preexisting email address, to which the solar provider must send

[1] Safety and Performance standards are established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Commission regarding safety and reliability (i.e., SDG&E's Electric Rule 21). This includes, but is not limited to, criteria listed in Sections L.2-L.4 and Section L.7 of Electric Rule 21.

a copy of the signed information packet; and

- ⊡ The date and time when a copy of the initialed and signed document was emailed tothe customer.

In the event the electronic signature software you use does not contain all of the required information you must include an addendum that includes the missing elements.

Compliance with the consumer protection requirements is subject to audit by the CPUC and the CSLB. SDG&E encourages you to visit the CPUC's California Solar Consumer Protection Guide website at www.cpuc.ca.gov/solarguide to ensure that you fully understand and comply with the CPUC's consumer protection requirements.

Residential single-family-home applicants with an installation contract signed on or before September 29, 2019, are required to submit only the signed installation contract.

These documents are subject to periodic review by either the utility, the CPUC, or the CSLB.

Part III – General Facility and Rate Information

A. What is your current Electric Rate Schedule?

Historical and current electricity rates information may be found at: http://sdge.com/rates-regulations/current-and- effective-tariffs/current-and-effective-tariffs. Depending on Customer's rate schedule and metering arrangement, an installation fee and/or reprogramming fee may be required to provide NBT services. SDG&E rates and rate design, including the rates and rate design reflected in this Tariff, are subject to change from time to time. Customers should take this into consideration when making any long-term decisions based on rate structures that are currently in place.

B. Is there electric vehicle charging on site at the above service address?

⑦ Yes

If yes, please indicate how many electric vehicles:________________

⑦ No

C. Are there any other generators connected on this account?

⑦ Yes

If yes, specify what kind of generator____

⑦ No

D. Are there any possible meter access issues?

⑦ Yes

If yes, check all that apply:

⑧ Locked gate

⑧ Unrestrained animal at meter or AC disconnect switch location

⑧ Meter located inside of facility/residence

⑧ Other (Please explain)________________________________

____

⑦ No

E. Are you participating in a Demand Response program?

⑦ Yes

If yes, what program are you on? ________________

⑦ No

Please complete this application in its entirety

For more information on SDG&E's Demand Response programs see:
http://www.sdge.com/aboutus/longterm/longtermDemandResponse.shtml

F. **Are you participating in the Single Family Affordable Solar Housing (SASH) program?**

⑦ Yes

⑦ No

G. **If the Generating Facility is inverter based, which requires compliance with SDG&E's Rule 21 Section Hh., please proceed with the following question?**

Will the Generating Facility be operated as a Microgrid System?

⑦ Yes
If yes, please refer to SDG&E's Rule 21, Section Hh.1.h, for additional Microgrid Operational Requirements information.

⑦ No

Part IV – Description of the Generating Facilities ***Use additional sheets, if necessary.***

A. Limited Generation Profile
Is the Generating Facility a Limited Generation Profile participant (LGP Facility)?

☐ Yes
☐ No

If "Yes" is selected, Applicant must provide the following:

1. Select the proposed PCS make/model: (select from Utility's UL3141 PEL PCS approved list)

   If equipment is not listed in Distribution Provider's list of certified PCS, provide the following:
   - Upload UL3141 certificates of compliance from the NRTL identifying that the proposed PCS has been certified under UL3141 with PEL.
2. Upload a complete Limited Generation Profile Template (csv file with 288 Values):

3. Select the proposed LGP Configuration that applies to the LGP facility:

   ☐ 24 Hourly

   ☐ Block

   ☐ 18-23 Fixed

4. Indicate the PCS's controlled nameplate capacity (as provided in the NRTL testing reports):

   ____________________(in kW)

5. Indicate the PCS's maximum Steady State percentage (as provided in the NRTL testing reports): _______________(%)

B. AC Disconnect Switch: (see Part II, Section A.2.a above for policy on disconnect switches)
List the AC disconnect switch that will be used at this Generating Facility (Enter "N/A" if not applicable).

Disconnect Switch Manufacturer	Disconnect Switch Model Number	Disconnect Switch Rating (amps)

C. Inverters Interconnected with SDG&E:
List all the inverters that will be interconnected to SDG&E.

Customers with non-Certified inverters or Customers whose aggregate Generating Facility capacity exceeds 15% of the peak load on the distribution line section, as described in Electric Rule 21, require a **Supplemental Review** which may entail a study, additional equipment, fees, and/or other requirements.

No.	Inverter Manufacturer	Inverter Model Number	Inverter Nameplate Rating[2] kW (per unit)	Inverter CEC-AC Rating kW (per unit)	Quantity of Inverters	Inverter Output Voltage	Single or Three phase?
1							
2							

2 The inverter rating equals the nameplate rating, in kW. If there is more than one inverter of one type being installed, the inverter rating equals the nameplate rating of one unit of the model being installed.

D. PV Generator Equipment:

Please provide the PV panel information requested below. If the panels are not all identical modules, list the total capacity connected to each inverter you listed above. (Please attach additional sheets if more space is needed).

No.	PV Panel Manufacturer	PV Panel Model	PV Panel Nameplate Rating[3] kW (per unit)	PV Panel CEC-AC Rating kW (per unit)	Quantity of PV Panels	Total Capacity[4] (kW)	Inverter number from (B) above (1 or 2)
1							
2							

D.1. What is the system output (DC – watts)? (________________________)

D.2. What is the system output (AC – watts)? (________________________)

D.3. PV Panel Mounting (Please choose one):

⑦ Rooftop, and ⑦ Tilt (i.e., roof pitched) or ⑦ Flat (i.e., roof flat)
⑦ Ground
⑦ Mixed

D.4. PV Panel Tracking Type (Please choose one):

Fixed ⑦ Single-axis ⑦ Dual-axis ⑦ Mixed
If Fixed, provide: Tilt (____________________) and Azimuth (______________________)

E. Wind Turbine Equipment:

Please provide the wind turbine information requested below. If there is more than one wind turbine of the same type, list the total capacity connected to each inverter you listed in B) above. Indicate NONE if the inverter is incorporated in the wind turbine and no inverter is required.

No.	Wind Turbine Manufacturer	Wind Turbine Model	Wind Turbine Nameplate Rating[5] kW (per unit)	Wind Turbine CEC-AC Rating (kW) per unit	Quantity of Wind Turbines	Total Capacity (kW)	Turbine Output Voltage	Single or Three Phase	Inverter number from (B) above (1 or 2)
1									
2									

F. Energy Storage:

Please provide the energy storage information requested below.

If the energy storage device(s) is connected to a separate inverter which is not connected to any other generator, provide information about the inverter in the table below:

No.	Inverter Manufacturer	Inverter Model Number	Inverter Nameplate Rating[5] kW	Inverter CEC-AC Rating kW	Quantity of Inverters	Inverter Output Voltage	Single or Three phase?

3 The total capacity is the PV panel (or wind turbine) rating times the quantity.
4 For all generation equipment ratings, please use the nameplate rating found on the equipment or in the equipment specifications.

5 The inverter rating equals the nameplate rating, in kW. If there is more than one inverter of one type being installed, the inverter rating equals the nameplate rating of one unit of the model being installed.

			(per unit)	(per unit)			
1							
2							

Is the inverter for your energy storage device UL listed? (yes/no)__________________

No.	Battery Manufacturer	Battery Model Number	Quantity of individual batteries	Capacity (amp-hours) of individual battery	Total Capacity of battery system (kWh)	Battery Chemistry	Three phase or single phase	Rating (kW) of inverter
1								
2								

G. Service Panel Short Circuit Interrupting Rating:
What is the short circuit interrupting rating (SCIR) rating of the service panel connected to this generating facility?
____

H. System Output Monitoring:

⑦ Yes ⑦ No

If Yes, is the system output monitor reporting system sent to an ⑦ outside entity, or only to ⑦ the Customer (select one)

If to an outside entity, state the name: (____)

I. Inverter-based Generating Facilities are required to be compliant with the requirements of Section Hh. of SDG&E's Electric Rule 21, including configuration of protective settings in accordance with the specifications therein. Verification of compliance with such requirements shall be provided by the Customer upon request by SDG&E in accordance with SDG&E's Electric Rule 21.

☐ I certify that all inverters that will be or have been installed on the project described herein meet the applicable requirements, including the activation of the required smart inverter functionality, set forth in SDG&E's Electric Rule 21, Section Hh. (Please note: This box must be checked in order for SDG&E to accept your application)

J. NBT Oversized Generating Facility Attestation
(Please Attest to Only One Section Below)

NBT Generating Facility Size Attestation for Existing Service
The Generating Facility should be sized such that the total annual output in kWh is primarily used to offset the customer's own annual electrical requirements. For a customer with an SDG&E account that has 12 or more months of billing history, the most recent 12 months usage is used to determine the estimated size of the Generating Facility. Should the customer elect to oversize their Generating Facility (as compared to the 12-month usage history), the following attestation is required when seeking service under the NBT Schedule:

By Checking the following boxes, the Applicant attests that:

⑦ The Generating Facility is oversized to meet expected increased future customer's electrical usage (i.e., increased usage resulting from an electric vehicle or other electrical appliances to support electrification).

⑦ The Generating Facility's estimated annual production in kWh is no larger than 150 percent of the customer's most recent 12 months of total usage.

⑦ The customer expects to increase their electrical usage to correspond with the size of my Generating Facility within the next year (12 months after receiving Permission to Operate (PTO)).

- ⑦ The Customer understands that any overgeneration registered during their relevant period will be subject to the Net Surplus Compensation as applicable to the Billing Tariff.

- ⑦ The Customer understands that SDG&E reserves the right to further validate that their Generating Facility is sized in accordance with the Net Billing Tariff (NBT).

OR

NBT Generating Facility Size Attestation for New service, Customers with Less than 12-Month of Usage History, or Customers who Recently Increased Usage
The Generating Facility should be sized such that the total annual output in kWh is primarily used to offset the customer's own annual electrical requirements. For a new customer, or a customer with less than 12 months of billing history, the following attestation is required when seeking service under the NBT Schedule:

By Checking the following boxes, the Applicant attests that:

- ⑦ The Generating Facility is sized to meet customer's recently increased usage or their expected future electrical usage.
- ⑦ The Customer expects their expected electrical usage to correspond with the size of the Generating Facility within the next year (12 months after receiving Permission to Operate (PTO)).
- ⑦ The Customer understands that any overgeneration registered during their relevant period will be subject to the Net Surplus Compensation as applicable to the Net Billing Tariff.
- ⑦ The Customer understands that SDG&E reserves the right to further validate that their Generating Facility is sized in accordance with the NBT.

K. Notices - Mailing Instructions and Assistance:

If you prefer to mail the completed application package, please mail it directly to our Customer Generation department at:

SDG&E'S STREET ADDRESS
San Diego Gas and Electric Company
Attention: Customer Generation
Mail Code CP52F
8316 Century Park Ct
San Diego, California 92123

L. Internet Application Forms:

If this Application has been completed on SDG&E's website, with the attachments, it may be automatically submitted via that system. Copies or forms requiring a signature, attachments and any applicable fees described in Part II must be mailed to SDG&E at the address noted above, in Part IV, Section H, Notices, or submitted via an electronic process, if available.

M. Interconnection Fees:

Except for customers participating in the SASH program, all customers are required to pay a nonrefundable interconnection fee. For customers whose systems are sized up to, and including, 1 MW, the fee is $132. For customers whose systems are sized above 1MW, the fee is $800.00.

If you mail the application package to the address above, **DO NOT SEND PAYMENT** for the interconnection fee. After SDG&E receives your application and verifies completeness, an invoice for the interconnection fee will be sent to you at the address provided in the Contractor Information section or the Customer Generating Facility Information section above.

Customer understands and agrees that it must not operate its Generating Facility in parallel with SDG&E's Distribution System until Customer receives written authorization for Parallel Operation from SDG&E.

⑧ CUSTOMER ACKNOWLEDGES THAT IT HAS READ THIS APPLICATION IN ITS ENTIRETY AND AGREES WITH THE REQUIREMNTS SET FORTH HEREIN.

⑧ CUSTOMER UNDERSTANDS THAT TO COMPLETE THE INTERCONNECTION APPLICATION PROCESSIT MUST EITHER SUBMIT ELECTRONICALLY, OR DOWNLOAD, PRINT AND MAIL TWO (2) COPIES OF THE AGREEMENT NOTED IN SECTION A OF THIS AGREEMENT.

As a condition of interconnection, pursuant to CPUC Decisions D14-11-001 and D.21-06-026, SDG&E is required to provide certain data to the CPUC, its contractors, the California Department of Consumer Affairs Contractors State License Board, and the California Department of Financial Protection & Innovation including, but not limited to, confidential customer information. Customer authorizes SDG&E to release any and all information contained in this application for interconnection to the entities identified above without further notification or consent.

Furthermore, Customer authorizes SDG&E to release information regarding Customer's Generating Facility, including location, size, and operational characteristics to the CEC, as requested from time to time pursuant to the CEC's rules and regulations.

Customer Name (Please Print): ______________________________

Customer Name (Signature): ______________________________ Date:______________

Title: ______________________________

A copy of this signed Agreement should be retained with the "Permission to Operate" letter to confirm Interconnection approval.

Appendix A to Form 142-02778
As Applicable, All of the Following Information is Required for all Applications

1. Please indicate which sector best represents the Customer:

   ⑦ Commercial
   ⑦ Educational
   ⑦ Industrial
   ⑦ Military
   ⑦ Non-profit
   ⑦ Other government (non-military)
   ⑦ Residential

2. Please check the appropriate boxes below and continue with this application:

   ⑦ I am also participating in a California rebate program, and understand that I will have to apply for a California rebate program separately. If participating in a California rebate program, please complete 2(a) and 2(b).

   a. Please state the rebate program: (____)

   b. Please state the amount of the rebate: (______________________________)

   ⑦ I am not participating in any California rebate program.

3. I certify that a warranty of at least 10 years has been provided on all equipment and itsinstallation:

   ⑦ Yes
   ⑦ No

4. Please state the ownership type of the NBT Generating Facility (Third Party or Customer):

Third Party Owned.

If Third Party owned, please complete 3(a), 3(b), and 3(c):

a. Claimed Federal Investment Tax Credit (ITC) cost basis: (____)

b. Please provide the Developer's name at the time of sale:

(____)

c. Please provide the third-party contract type:

   ⑦ Power Purchase Agreement (PPA)
   ⑦ Lease
   ⑦ Pre-paid Lease
   ⑦ Other: (____)

Customer Owned.

d. Was the project paid for with cash?

   ⑦ Yes

   ⑦ No

e. What is the sale price? (_______________________________________)

f. Is the NBT Generating Facility financed under the Property Assessed Clean Energy (PACE) program?

⑦ Yes – Please specify the Pace Program Administrator: (__________)

⑦ No

g. If the NEM Generating Facility was financed, through means other than the PACE program, including a lease, please specify the name and address of financing entity:

____
____
____
____
____

APPENDIX B

(If Applicable)

ADDITIONAL TERMS AND CONDITIONS FOR

LIMITED GENERATION PROFILE FACILITIES

(Applicable only to LGP Facilities)

1. LGP Facility Configuration

1.1 Circuit Name / Feeder ID: ______________________________.

1.2 Node ID / Line Section ID: ______________________________.

1.3 Make/Model of Certified PCS System: ______________________________.

2. Power Control System Requirements for An LGP Facility

The following are minimum requirements for limited export systems that use a certified power control systems (PCS) with a response time (as defined in UL 3141) of no more than two seconds to maintain a level of export that is capped at the approved Limited Generation Profile (LGP) value at the Point of Common Coupling (PCC) with the utility.

2.1 Use a PCS that is certified to the UL 3141 certification standard with integrated schedule. The Nationally Recognized Testing Lab (NRTL) evaluation must have determined that the PCS conforms to the export limiting functionality in accordance with the relevant UL published standard.

2.2 Use a PCS that is certified with a response time (as defined in UL 3141) of two seconds or less as provided in the PCS's specification data sheets.

2.3 The PCS must reduce export at the PCC to the approved export limit, or less, within two seconds of exceeding the approved export limit. A PCS that is certified with a response time (as defined in UL 3141) of two seconds or less, and a time to reach steady state of ten seconds or less, meets this requirement.

2.4 Set the PCS to not exceed the maximum allowed level of export at the PCC specified in the Limited Generation Profile (LGP) attached herein to the Generator Interconnection Agreement (see Section 5, below).

2.5 Use only UL 1741-listed grid-support Non-Islanding inverters as approved by this tariff.

2.6 Maintain voltage fluctuations at the limits specified in Electric Rule 2.

3. Telemetry Requirements for An LGP Facility

An LGP Facility without Automated Metering Infrastructure (AMI) must provide telemetry to the distribution operations control center designated by Distribution Provider, where the telemetry monitors power flows at the Generating Facility's PCC.

3.1 For an LGP Facility with generator nameplate under 1 MW, Automated Metering Infrastructure (AMI) data will be used to monitor export at the PCC. If AMI is not available, telemetry monitoring export at the PCC will be required at the Producer's expense.

3.2 For an LGP Facility project with generator nameplate greater than or equal to 1 MW, telemetry is required. If telemetry is monitoring only the generator output, Distribution Provider has the ability to use AMI data, if available, to monitor export at the PCC. If AMI is not available, or Customer opts out, telemetry at the PCC will be required at the Producer's expense.

4. Operation and Performance of An LGP Facility

Distribution Provider will monitor compliance of the LGP Facility with the LGP values (the format of which is shown in Section 5 below) provided as follows:

4.1 If at any time during the operation of the LGP Facility, Distribution Provider identifies that exports at the PCC exceed the agreed upon LGP values, but such exports do not immediately cause a safety and/or reliability concern, Customer will be notified by Distribution Provider. Customer will then be required to take remedial action within 15 Business Days of notification to conform to the agreed LGP values. If remedial action is not taken within 15 Business Days from the date of being notified, the Permission To Operate (PTO) will be revoked in accordance with the Customer's Generator Interconnection Agreement and the Generating Facility must be disconnected such that it does not operate in parallel with the grid. Distribution Provider reserves the right to confirm that the Generating Facility is not operating in parallel with the grid and may provide procedures to ensure the Generating Facility is not reconnected, without Distribution Provider's prior approval and in a manner that would allow parallel operation with the grid.

4.2 If at any time during the operation of the LGP Facility, Distribution Provider identifies that exports at the PCC exceed agreed upon LGP values, and such exports impose an immediate safety and reliability concern, Distribution Provider will take immediate action to prevent the Generating Facility from operating in parallel with the grid. Such action may include disconnecting the Customer from the grid at the PCC. Distribution Provider will provide notice of the action taken and Customer will then be required to take remedial action. Customer will be required to demonstrate at Distribution Provider's sole discretion, that remedial actions have been taken within 15 Business Days from notice or cessation of parallel operation with the grid, to ensure that the LGP Facility can resume parallel operation with the grid and operate within the LGP values. If remedial action is not demonstrated within 15 Business Days from the date of the notification or cessation of parallel operation with the grid, the PTO will be revoked in accordance with the Customer's Generator Interconnection Agreement and the Generating Facility must continue not to Operate in parallel with the grid. Distribution Provider reserves the right to confirm that the Generating Facility is not operating in parallel with the grid and may provide procedures to ensure the Generating Facility is not reconnected, without Distribution Provider's prior approval and in a manner that would allow parallel operation with the grid.

4.3 Upon revocation of the PTO of the LGP Facility as a result of Customer's failure to take remedial action, per sections 4.1 and 4.2 above, the LGP Facility will remain indefinitely prohibited from operating in parallel with the grid without Distribution Provider imposing additional requirements. Customer may submit a new Interconnection Request for the Generating Facility under any applicable CPUC or FERC tariff.

5. IOU-Approved LGP Values (based on the Customer's Selected LGP Configuration):

(See Separately Attached Spreadsheet)

San Diego Gas & Electric Company
San Diego, California

Revised Cal. P.U.C. Sheet No. 63179-E

Canceling Revised Cal. P.U.C. Sheet No. 62789-E

SAMPLE FORMS

Sheet 1

FORM 142-02782

PREVAILING WAGE CHECKLIST N

(06/25) N

(See Attached) N

Prevailing Wage Checklist

Pursuant to CPUC Decision 23-11-068, the following information must be provided. If the answer to all the following questions is “no,” your contractor must comply with California Public Utilities (PU) Code 769.2.

Beginning January 1, 2025, contractors who have been found in violation of the prevailing wage rule in PU Code Section 769.2 will not be permitted to apply to interconnect facilities utilizing tariffs established pursuant to PU Code sections 2827 or 2827.1.

Additionally, consistent with the Commission’s Tribal Consultation Policy, contractors and investor-owned utilities that have implementation questions with respect to Renewable Electrical Generating Facilities (REGF) on Indian Lands should contact the Commission’s Deputy Executive Director of Energy and Climate Policy or the Commission’s Office of the Tribal Advisor.

By selecting ‘No’ to each of the questions below, the project is deemed a public works project and is subject to the prevailing wage provisions pursuant to PU Code 769.2.

1. Is this a residential Generation Facility with a maximum capacity of 15 kW or less of electricity?	⑧ Yes	⑧ No
2. Is this a single-family home?	⑧ Yes	⑧ No
3. Is this a public works project (as defined in Section 1720 of the Labor Code) that is subject to Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the Labor Code, independent of Assembly Bill 2143?	⑧ Yes	⑧ No
4. Does this Generating Facility serve only a modular home, a modular home community, or multiunit housing that has two or fewer stories?	⑧ Yes	⑧ No
5. Should this project be considered for review for an exemption from PU Code Section 769.2 because either (a) the project was materially completed on or before December 31, 2023, or (b) the project is located on Tribal Land and is currently under review with the Commission’s Deputy Executive Director of Energy and Climate Policy or the Commission’s Office of the Tribal Advisor. Note: By selecting ‘Yes’, you will be subject to verification and approval by the California Public Utilities Commission’s SURGE team. Additionally, you are required to send any supporting documents directly to SURGE via email to: info@cpucsurge.org. Should the SURGE team determine that an exemption is not justified, this project will be subject to the provisions under PU Code 769.2. Note that the Customer still must sign the Prevailing Wage Disclosure form at the time of application even if “yes” is checked.	⑧ Yes	⑧ No

⑧ Applicant certifies and confirms to SDG&E that past required submittals of payroll records are up to date, pursuant to CPUC Decision 23-11-068. The contractor's submission of payroll records is a condition to access tariffs developed pursuant to PU Code Section 2827 and 2827.1 for a customer REGF subject to PU Code Section 769.2.

- Contractor is required to submit payroll records to the CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/

- This submittal is independent of, and **in addition to**, the requirements for submittals of payroll records to the Department of Industrial Relations (DIR) in accordance with Labor Code 1771.4.

Additional Information
(Required for all Public Works projects)

Please provide the following:

1) Estimated Construction Start Date*: MM/DD/YYYY

*The Estimated Construction Start Date is the first date by which physical work is expected to begin on the project site. The Estimated Construction Start Date is non-binding.

⑧ Please mark here if this project should be considered exempt from obtaining the DIR Project Registration number and the Public Works Contractor number pursuant to Labor Code section 1725.5 (f) or Labor Code Section 1773.3 (j). For more information regarding these exemptions, see the "Contractors and Contractor Registration" section of the Public Works Frequently Asked Questions.

Note: This project is still subject to Public Utilities Code 769.2 and required to provide payroll records to CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/.https://cpucsurge.org/.

2) Department of Industrial Relations (DIR) Project Registration Number*:

*Pursuant to Labor Code 1771.4 Public Works Projects are required to obtain a project registration number in advance of receiving bids for the project. Please visit Public Works for more information on how to obtain a Project Registration Number from the DIR. Applicants can find their Project Registration Number at Find Public Works Projects. As of June 2025, the Project Registration number should be 11 digits and look like YYYY#######. Example: "20251234567".

3) Public Works Contractor Registration Number*:

*Pursuant to Labor Code 1725.5 Contractors are required to Register with the DIR as a Public Works Contractor in order to bid on Public Works Projects. Please visit Public Works for more information on how to obtain a Public Works Contractor Registration Number from the DIR. Applicants can find their Public Works Contractor Registration Number at Find Public Works

Contractorshttps://services.dir.ca.gov/gsp?id=dir_projects&table=x_cdoi2_csm_portal_project. As of June 2025, the Public Works Contractor Registration Number should be 10 digits in the following format PRJ#######.

SAMPLE FORMS

FORM 142-05203

GENERATING FACILITY
INTERCONNECTION APPLICATION

(06/25) T, P

(See Attached)

GENERATING FACILITY INTERCONNECTION APPLICATION

Part 1 – Introduction and Overview

A. Applicability: This Generating Facility Interconnection Application (Application) is used to request the interconnection of a Generating Facility to San Diego Gas and Electric Company's ("SDG&E") Distribution System (over which the California Public Utilities Commission (CPUC) has jurisdiction). Refer to SDG&E's Rule 21 to determine the specific requirements for interconnecting a Generating Facility. Capitalized terms used in this Application, and not otherwise defined herein, shall have the same meanings as defined in SDG&E's Rule 21 and Rule 1.

Except as noted in the next paragraph, this Application may be used for any Generating Facility to be operated by, or for, a Customer and/or Producer to serve part or all of its electric energy requirements that would otherwise be provided by SDG&E, including "distributed generation", "cogeneration," emergency, backup, and standby generation, Net Energy Metering (NEM) Generating Facilities 30 kW or Greater, and Net Billing Tariff (NBT) for Generating Facilities 30 kW or Greater. While Customers operating Generating Facilities isolated from SDG&E's Distribution System are not obligated to enter into an Interconnection Agreement with SDG&E, parts of this Application will need to be completed to satisfy SDG&E's notice requirements for operating an isolated Generating Facility as required by the California Health and Safety Code Section 119085(b).

This Application may not be used to apply for interconnecting Generating Facilities used to participate in transactions where all, or a portion of, the electrical output of the Generating Facility is scheduled with the California Independent System Operator. Such transactions are subject to the jurisdiction of the Federal Energy Regulatory Commission (FERC) and require a different application available from SDG&E.

This Application is not applicable for incentives and/or rebates offered by the Energy Resources Conservation and Development Commission (CEC) or the CPUC. Please contact those agencies directly or on their respective websites (www.energy.ca.gov and www.cpuc.ca.gov).

B. Guidelines and Steps for Interconnection: This Application must be completed and sent to SDG&E along with the additional information indicated in Part 1, Section C below to initiate SDG&E's interconnection review of the proposed Generating Facility. A nonrefundable Interconnection Request (IR) fee of $800 (payable by check or money order to San Diego Gas and Electric Company, unless otherwise specified by SDG&E) is required for all Applications except those Applications for isolated Generating Facilities, Solar and Net Energy Metering Generating Facilities under Schedules NEM, NEM-V and NMA-A. For Applicants that intend to receive service under Schedules NEM-ST, NEM-V-ST, VNM-A-ST, NBT, or NBT-V an IR fee of $132 is required for all applicants with facilities equal to or less than 1MW, except for Single-family Affordable Solar Homes (SASH) Program customers. An IR fee of $800.00 is required for facilities larger than 1MW. The $800 Interconnection Request fee must be submitted separately from the Application. The check or money order must be submitted with SDG&E's "Customer Payment Remittance" (CPR) form. A copy of the CPR form may be requested by contacting **Customer Generation** at (858) 636-5581 or email: DGInquiries@semprautilities.com . Supplemental Review and/or Detailed Study fees may be required for large capacity and/or more complex Generating Facility Interconnections; see SDG&E's Rule 21, Sections E and F.

This document is only an application. Upon acceptance, SDG&E will prepare an Interconnection Agreement for execution by the "Producer," the party that will be responsible for the Generating Facility. Except for Notification-Only Process submittals, SDG&E may also require an inspection and testing of the Generating Facility and any related Interconnection Facilities prior to giving the Producer written authorization to operate in parallel. **Unauthorized Parallel Operation may be dangerous and may result in injury to persons and/or may cause damage to equipment and/or property for which a Producer/Customer may be liable!**

Please note, other approvals may need to be acquired, and/or other agreements may need to be formed with SDG&E or regulatory agencies, such as the Air Quality Management Districts and local governmental building and planning commissions prior to operating a Generating Facility. SDG&E's authorization to operate in parallel does not satisfy the need for an Applicant to acquire such other approvals.

C. Required Documents: Each of the following documents **must be submitted** with this form. Drawings must conform to accepted engineering standards and must be legible. 11"x17" drawings are preferred.

1. A **Single-line drawing** showing the electrical relationship and descriptions of the significant electrical components such as the primary switchgear, secondary switchboard, protective relays, transformers, generators, circuit breakers, with operating voltages, capacities, and protective functions of the Generating Facility, the Customer's loads, and the interconnection with SDG&E's Distribution System. Please show the location of all required net generation electric output meters and the A.C. manually operated disconnect devices on the single line drawing.

2. **Site plans and diagrams** showing the physical relationship of the significant electrical components of the Generating Facility such as generators, transformers, primary switchgear/secondary switchboard, and control panels, the Customer's loads and the interconnection with SDG&E's Distribution System. Please show the location of all required net generation electric output meters and the A.C. manually operated disconnect devices on the site plans.

3. If an **AC Disconnect** is required, photos of the manual, visibly open, and lockable open AC Disconnect Switch, showing visible contact separation in the open position must be provided.

4. If **the point of interconnection is on the utility side of the main circuit breaker,** switchgear, switchboard, or main panel cut-sheets/shop drawings detailing the bussing, any modifications, clearances, and proposed point of interconnection must be provided. The proposal must include a signed PE stamp and modifications must be certified by the manufacturer or a qualified third party. Customers requesting disconnect/reconnect services are responsible for applicable charges. In addition, please provide before and after pictures of the point of interconnection. **Line-side taps are strictly prohibited under the Notification-Only Process.**

SDGE

GENERATING FACILITY INTERCONNECTION APPLICATION

Part 1 Cont'd – Introduction and Overview

5. If the project requires a **net generation output meter**, meter socket cut-sheets of the net generation output meter socket must be provided.
6. If **transformers** are used to interconnect the Generating Facility with SDG&E's Distribution System, please provide transformer nameplate information (voltages, capacity, winding arrangements, connections, impedance, et cetera).
7. If a **transfer switch** or scheme is used to interconnect the Generating Facility with SDG&E Distribution System, please provide component descriptions, capacity ratings, and a technical description of how the transfer scheme is intended to operate.
8. If **protective relays** are used to control the interconnection, provide protection diagrams or elementary drawings showing relay wiring and connections, proposed relay settings, and a description of how the protection scheme is intended to function.
9. If costs for customer requested **disconnect/reconnect service** are required, the utility will base these costs on several factors, such as: secondary or primary service, electrical service panel size (amps) and number of phases; overhead or underground connection; size of crew needed to perform the requested service and the time of day service is requested. The cost billed to the customer for requested disconnect/reconnect service can range as high as $5,500 or higher and will be based on the actual costs incurred for the specific situation at the time the service is provided. SDG&E will inform the owner about what reasonable disconnect/reconnect procedure charges may be expected at the time of the interconnection in accordance with internal Project Management Policies and Procedures for prearranged customer- requested outages.

D. **Application Instructions:** Complete this application and enter this information into SDG&E's web-based form. (SDG&E strongly recommends preparing all information and materials before starting the online application.) The online web- based form can be found at: https://www.sdge.com/more-information/customer-generation/electric-rule-21

E. Questions concerning SDG&E Online Application process can be directed to the Customer Generation Section at DGInquiries@semprautilities.com

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Mailing Instructions, Assistance:

San Diego Gas & Electric
Customer Generation
8316 Century Park Court, CP52F
San Diego, CA 92123-1582

Note: For solar and wind Net Energy Metering (NEM) or Net Billing Tariff (NBT) projects, please refer to the following SDG&E web site: www.sdge.com/solar

Selecting the Study Process

Please check one:

- ☐ **Notification-Only Process – (For use by Pre-approved Contractors Only)**
- ☐ **Fast Track Process**
- ☐ **Detailed Study**
  - **Will be either an Independent Study Process, Distribution Group Study Process or Transmission Cluster Study Process, dependent upon the Electrical Independence Test.**

SDGE

GENERATING FACILITY INTERCONNECTION APPLICATION

Part 2 – Identifying the Generating Facility's Location and Responsible Parties

Project Name:	*Date Received:*	*Generating Facility ID:*	*Application Expiration Date (Refer to Part 2, Section E)*

(For SDG&E Use Only)

A. Customer Electric Account Information (Behind which meter and to which electric Service Account will the Generating Facility be interconnected for parallel operation with SDG&E?)

Name shown on SDG&E Service Account	Electric Account Number	Meter Number

NOTE: Customer Electric account must match the customer's utility bill account information.

Meter Location Street Address	City	State	Zip

A.1 Customer Electric Account Contact Information (Who is the customer contact for progress updates and/or additional information?)

Contact Person	Company Name

Phone	Fax	E-mail

Mailing Address	City	State	Zip

B. Project Contact Information (Who is the project contact for this Generating Facility?)

Project Contact Person (Optional)	Company Name

Phone	Fax	E-mail

Mailing Address	City	State	Zip

SDGE

GENERATING FACILITY INTERCONNECTION APPLICATION

Part 2 Cont'd – Identifying the Generating Facility's Location and Responsible Parties

B.1 Will the Generating Facility be owned by a (third) party other than the name appearing on the SDG&E service account in A. above (please check)?___Yes_______No

B.2 Will any portion of the Generating Facility operate in a Combined Heat and Power mode such that it meets the requirements for Cogeneration as defined in Section 216.6 of the California Public Utilities Code?______Yes_______No

B.3 Will the Generating Facility qualify as an eligible Net Energy Metering or Net Billing Tariff Renewable Electrical Generation Facility as defined in Sections 2827, 2827.1 or 2827.10 of the California Public Utilities Code?______Yes_______No

B.4 What is the estimated annual energy production of the Generating Facility?_______kWh

B.5 Applicant has, or will be, seeking a Contract Demand charge suspension as a Low Variability Microgrid Standby Customer:______Yes_______No

C.1. Customer - Generation Facility Interconnection Agreement ("GFIA") (applicable where the customer is the signatory on the GFIA) or Customer Generation Agreement ("CGA") Information (applicable where a 3rd party is the signatory on the GFIA; see also Section C.2below)

Please identify the party who will sign and execute the GFIA or CGA, as applicable.

Person Executing the GFIA/CGA	Title of Person Executing GFIA/CGA
Name of Legal Entity to be entered in the Signatures Section of the GFIA/CGA	Type of Entity (e.g., a Delaware Corporation; a California Municipality)

C.2. 3rd Party Owner/Producer – GFIA Information (If applicable)

Please identify the 3rd party who will sign and execute the GFIA.

Person Executing the GFIA	Title of Person Executing GFIA
Name of Legal Entity to be entered in the Signatures Section of the GFIA	Type of Entity (e.g., a Delaware Corporation; a California Municipality)

C.3 Contractual Notice Recipients – Contact Information

Customer

Contact Person	Company Name (if applicable)

Phone	Fax (if applicable)	Email (required)

Mailing Address	City	State	Zip Code

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GENERATING FACILITY INTERCONNECTION APPLICATION

Part 2 Cont'd – Identifying the Generating Facility's Location and Responsible Parties

3rd Party Owner/Producer (if applicable)

Contact Person	Company Name (if applicable)

Phone	Fax (if applicable)	Email (required)

Mailing Address	City	State	Zip Code

D. **Operating Date** (What date is this Generating Facility expected to begin operation?)

E. **Expiration Date*** (The date the status of this Application is changed to "withdrawn" by SDG&E) Not applicable to Notification-Only submittals

*** The information submitted in this Application will remain active and valid for a period of 12 months from the date the Application was accepted by SDG&E as a "completed" Application. If the project has not received written authorization to operate in parallel, or that reasonable proof the project is going forward has not been submitted to SDG&E by that time, the Application will be considered "withdrawn". Any Interconnection Request, Supplemental Review or Detailed Study fees paid to SDG&E for corresponding reviews/studies completed by SDG&E will be forfeited. Not applicable to Notification-Only submittals**

F. Estimated Versus Actual Cost Responsibility – Not applicable to Notification-Only submittals
If actual costs for (1) detailed interconnection studies, and/or (2) interconnection Facilities and distribution system modifications exceed the original estimated amounts, Applicant will be responsible for costs above the estimated amounts, and SDG&E will refund the difference.

G. Cost Envelope Option Election for Upgrades – Not applicable to Notification-Only submittals
Please indicate below if Customer elects to participate in the Cost Envelope Option pursuant to Rule 21 Section F.7 for the costs associated with any applicable Interconnection Facilities and/or Distribution Upgrades (check below):

- ☐ Yes
- ☐ No

If "Yes" is selected, Customer must provide all of the following additional information as part of this Application:

1. Final location of the Point of Common Coupling: [*provide a description of the physical location of the Point of Common Coupling and indicate on the site drawing provided under 5 below*]

2. Final location of the Point of Interconnection: [*provide a description of the physical location of the Point of Interconnection and indicate on the site drawing provided under 5 below*]

3. Confirmation of service voltage

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GENERATING FACILITY INTERCONNECTION APPLICATION

Part 2 Cont'd – Identifying the Generating Facility's Location and Responsible Parties

4. Confirmation that technical data provided in the Application is accurate, including equipment type and manufacturer:

5. A site drawing on a scale of 1:30 or less, which shows the final location of the Point of Common Coupling, Point of Interconnection, and final location and routing of conductors and equipment between the Point of Common Coupling and Point of Interconnection:

6. Identification of any constraints or limitations related to the siting or routing of conductors and equipment between the Point of Common Coupling and the Point of Interconnection: [*provide a description of the constraints/limitations and indicate their location on the site drawing provided under 5 above*]

Part 3 - Describing the Generating Facility and Host Customer's Electrical Facilities

A. (MP&I)	Indicate the operating mode of the Generating Facility	operating mode options: __1_2 _3 (Choose one)

Instructions and Notes

Choose from the following operating mode options:

1. **Parallel Operation:** The Generating Facility will interconnect and operate "in parallel" with SDG&E's Distribution System for more than one (1) second.
2. **Momentary Parallel Operation (MP):** The Generating Facility will interconnect and operate on a "momentary parallel" basis with SDG&E's Distribution System for a duration of one (1) second or less through transfer switches or operating schemes specifically designed and engineered for such operation.
3. **Isolated Operation (I):** The Generating Facility will be "isolated" and prevented from becoming interconnected with SDG&E's Distribution System through a transfer switch or operating scheme specifically designed and engineered for such operation.

If the answer is operating mode option 1, "parallel operation," please supply all of the information requested for the Generating Facility. Be sure to supply adequate information including diagrams and written descriptions regarding the protective relays that will be used to detect faults or abnormal operating conditions on SDG&E's Distribution System.

If the answer is operating mode option 2, "momentary parallel operation," only questions A, E and F of this Part 3 and questions A, B, E, F, J,M,N,O and T of Part 4 need be answered. Be sure, however, to supply adequate information including diagrams and written descriptions regarding the switching device or scheme that will be used to limit the parallel operation period to one second or less. Please also describe the back up or protective device and controls that will trip the Generating Facility should the transfer switch or scheme not complete the transfer in one second or less.

If the answer is operating mode option 3, "Isolated Operation," only questions A, E, and F of this Part 3 and questions A, B, F, and T of Part 4 need be answered. Be sure, however, to supply adequate information including diagrams and written descriptions regarding the isolating switching device or scheme that will be used to prevent the Generating Facility from operating in parallel with SDG&E's Distribution System.

A.1 Microgrid Operating Systems

Instructions and Notes

If Operating mode 1, "Parallel Operation," is selected in Part 3.A and the Generating Facility is inverter based, which requires compliance with Rule 21 Section Hh., please proceed to complete the following question:

Please indicate if the Generating Facility will be operated as a Microgrid System? ☐ Yes ☐ No

If "Yes" is selected, please refer to SDG&E's Rule 21, Section Hh.1.h., for additional Microgrid Operation Requirement information.

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GENERATING FACILITY INTERCONNECTION APPLICATION

B. Parallel Operation Applications Only	If the Answer to Section A above was operating mode option 1, please indicate the type of agreement that is being requested with this Application. If operating mode option 2 or 3 was selected, please skip to questions E and F. If agreement options 2, 3, 5, 7, 8, 9, 10 or 11 to this Section B are chosen, please provide an estimate of the maximum kW the Generating Facility is expected to export to SDG&E's Distribution System. If SDG&E determines that the amount of power to be exported is significant in relation to the capacity available on its Distribution System, it may request additional information, including time of delivery or seasonal kW/kWh estimates.	agreement options: __1 __2 __3 __4 __5 __6 __7 __8 __9 __10 __11 (Choose all that apply) ____________ Maximum kW

Instructions and Notes

Sample agreements are available from SDG&E for review. Choose from the following thirteen (13) agreement options:

Customer Owned Generating Facility (not NEM/NBT eligible)

1. **A Generating Facility Interconnection Agreement (Form 142-05202)** that provides for parallel operation of the Generating Facility but does not provide for exporting power to SDG&E's Distribution System.
2. **A Generating Facility Interconnection Agreement (Inadvertent Export) (Form 142-0544)** that provides for parallel operation of the Generating Facility, and the occasional, inadvertent, non-compensated, export of power to SDG&E's Distribution System
3. **A Generating Facility Interconnection Agreement (Continuous Export) (Form 142-0545)** that provides for parallel operation of the Generating Facility, and continuous export of power to SDG&E's Distribution System.
4. **A Generating Facility Interconnection Agreement (Form 142-0543)** that provides for parallel operation of the third party owned Generating Facility but does not provide for exporting power to SDG&E's Distribution System.
5. **A Generating Facility Interconnection Inadvertent Export Agreement (Form 142-0542)** that provides for parallel operation of the third party owned Generating Facility and the occasional, inadvertent, non-compensated, export of power to SDG&E's Distribution System for one second or less.
6. **A Customer Generation Agreement (Form 142-0541)** that defines the relationship between the Customer whose name appears on SDG&E's electric service account (this agreement must be executed in addition to 5 and 6).

Net Energy Metering or Net Billing Tariff Generating Facility

If Applicant intends to operate the Generating Facility under one of SDG&E's Net Energy Metering or Net Billing tariffs, following a bi-directional metering installation, the meter and disconnect switch must be installed in a location acceptable to SDG&E. Access to the meter and disconnect switch located on Applicant's premises must be in accordance with SDG&E Electric Rule 16, Section A 11.

7. **A Net Energy Metering Agreement (Form 142-02760)** that provides for parallel operation of a qualifying solar and/or wind Generating Facility, and exporting power to SDG&E's Distribution System under the terms of SDG&E's Net Energy Metering tariffs. This option is available only to Renewable Electrical Generating Facilities, as defined in SDG&E's Net Energy Metering tariffs. **(CLOSED TO NEW PROJECTS AS OF 04/14/23)**
8. **A Net Energy Metering Agreement: Fuel Cell (Form 142-02762**) that provides for parallel operation of a qualifying fuel cell Generating Facility with a capacity of not more than 1,000 kW and exporting power to SDG&E's Distribution System for credit under the terms of SDG&E's Net Energy Metering tariffs. This option is available only to eligible Generating Facilities as defined in SDG&E's Net Energy Metering tariffs. **(CLOSED TO NEW PROJECT AS OF 12/31/23)**

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GENERATING FACILITY INTERCONNECTION APPLICATION

9. **A Net Billing Tariff Agreement (Form 142-02779)** that provides for parallel operation of a qualifying solar and/or wind Generating Facility, and exporting power to SDG&E's Distribution System under the terms of SDG&E's Net Billing Tariff. This option is available only to Renewable Electrical Generating Facilities, as defined in SDG&E's Net Billing Tariff. **Note: Note: NBT Oversized Generating Facility Attestation may be required, and Prevailing Wage requirements may be applicable. Please see both sections below.**

10. **A Net Energy Metering or Net Billing Tariff Agreement: Multiple Tariff (Form 117-2160)** that provides for parallel operation of a Generating Facility that consists of generators 1) eligible for service under applicable NEM/NBT tariffs exporting power to SDG&E's Distribution System under the terms of SDG&E's NEM or NBT tariffs and 2) generators not eligible to receive the same tariff treatment under a NEM/NBT tariff. All Generating Facility Generators are electrically connected behind the same Point of Common Coupling. This option is available only to Renewable Electrical Generating Facilities, as defined in SDG&E's NEM, NBT and other applicable tariffs. **Note: NBT Oversized Generating Facility Attestation may be required, and Prevailing Wage requirements may be applicable. Please see both sections below.**

11. **Other. Please describe:**____

<u>NBT Generating Facility Size Attestation for Existing Service</u>
The Generating Facility should be sized such that the total annual output in kWh is primarily used to offset the customer's own annual electrical requirements. For a customer with an SDGE account that has 12 or more months of billing history, the most recent 12 months usage is used to determine the estimated size of the Generating Facility. Should the customer elect to oversize their Generating Facility (as compared to the 12-month usage history), the following attestation is required when seeking service under the NBT Schedule:

By Checking the following boxes, the Applicant attests that:

- ☐ The Generating Facility is oversized to meet expected increased future customer's electrical usage (i.e., increased usage resulting from an electric vehicle or other electrical appliances to support electrification).
- ☐ The Generating Facility's estimated annual production in kWh is no larger than 150 percent of the customer's most recent 12 months of total usage.
- ☐ The customer expects to increase their electrical usage to correspond with the size of my Generating Facility within the next year (12 months after receiving Permission to Operate (PTO)).
- ☐ The Customer understands that any overgeneration registered during their relevant period will be subject to the Net Surplus Compensation as applicable to the Billing Tariff.
- ☐ The Customer understands that SDG&E reserves the right to further validate that their Generating Facility is sized in accordance with the Net Billing Tariff (NBT).

OR

NBT Generating Facility Size Attestation for New service, Customers with Less than 12-Month of Usage History, or Customers who Recently Increased Usage
The Generating Facility should be sized such that the total annual output in kWh is primarily used to offset the customer's own annual electrical requirements. For a new customer, or a customer with less than 12 months of billing history, the following attestation is required when seeking service under the NBT Schedule:

By Checking the following boxes, the Applicant attests that:

- ☐ The Generating Facility is sized to meet customer's recently increased usage or their expected future electrical usage.
- ☐ The Customer expects their expected electrical usage to correspond with the size of the Generating Facility within the next year (12 months after receiving Permission to Operate (PTO)).
- ☐ The Customer understands that any overgeneration registered during their relevant period will be subject to the Net Surplus Compensation as applicable to the Net Billing Tariff.
- ☐ The Customer understands that SDG&E reserves the right to further validate that their Generating Facility is sized in accordance with the Net Billing Tariff (NBT).

<u>Prevailing Wage Checklist</u>

Pursuant to CPUC Decision 23-11-068, the following information must be provided. If the answer to all the following questions is "no," your contractor must comply with California Public Utilities Code 769.2.

Beginning January 1, 2025, contractors who have been found in violation of the prevailing wage rule in PU Code Section 769.2 will not be permitted to apply to interconnect facilities utilizing tariffs established pursuant to PU Code Sections 2827 or 2827.1.

Additionally, consistent with the Commission's Tribal Consultation Policy, contractors and investor-owned utilities that have implementation questions with respect to Renewable Electrical Generating Facilities (REGFs) on Indian Lands should contact the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor.

By selecting 'No' to each of the questions below, the project is deemed a public works project and is subject to the prevailing wage provisions pursuant to PU Code 769.2.

GENERATING FACILITY INTERCONNECTION APPLICATION

Prevailing Wage Checklist (Cont'd)

1. Is this a residential Generation Facility with a maximum capacity of 15 kW or less of electricity?	⑧ Yes	⑧ No
2. Is this a single-family home?	⑧ Yes	⑧ No
3. Is this a public works project (as defined in Section 1720 of the Labor Code) that is subject to Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the Labor Code, independent of Assembly Bill 2143?	⑧ Yes	⑧ No
4. Does this Generating Facility serve only a modular home, a modular home community, or multiunit housing that has two or fewer stories?	⑧ Yes	⑧ No
5. Should this project be considered for review for an exemption from PU Code Section 769.2 because either (a) the project was materially completed on or before December 31, 2023, or (b) the project is located on Tribal Land and is currently under review with the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor. Note: By selecting 'Yes', you will be subject to verification and approval by the California Public Utilities Commission's SURGE team. Additionally, you are required to send any supporting documents directly to SURGE via email to: info@cpucsurge.org. Should the SURGE team determine that an exemption is not justified, this project will be subject to the provisions under PU Code 769.2. Note that the Customer still must sign the Prevailing Wage Disclosure form at the time of application even if "yes" is checked.	⑧ Yes	⑧ No

⑧ Applicant certifies and confirms to SDG&E that past required submittals of payroll records are up to date, pursuant to CPUC Decision 23-11-068. The contractor's submission of payroll records is a condition to access tariffs developed pursuant to PU Code Section 2827 and 2827.1 for a customer REGF subject to PU Code Section 769.2.

- Contractor is required to submit payroll records to the CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit: https://cpucsurge.org/
- This submittal is independent of, and **in addition to**, the requirements for submittals of payroll records to the Department of Industrial Relations (DIR) in accordance with Labor Code 1771.4.

Additional Information
(Required for all Public Works projects)

Please provide the following:

1) Estimated Construction Start Date*: MM/DD/YYYY

*The Estimated Construction Start Date is the first date by which physical work is expected to begin on the project site. The Estimated Construction Start Date is non-binding.

⑧ Please mark here if this project should be considered exempt from obtaining the DIR Project Registration number and the Public Works Contractor number pursuant to Labor Code section 1725.5 (f) or Labor Code Section 1773.3 (j). For more information regarding these exemptions, see the "Contractors and Contractor Registration" section of the Public Works Frequently Asked Questions.

Note: This project is still subject to Public Utilities Code 769.2 and required to provide payroll records to CPUC's Solar Utilities Reporting Guidance and Education (SURGE) initiative. For more details please visit:

GENERATING FACILITY INTERCONNECTION APPLICATION

https://cpucsurge.org/.https://cpucsurge.org/.

2) Department of Industrial Relations (DIR) Project Registration Number*:

*Pursuant to Labor Code 1771.4 Public Works Projects are required to obtain a project registration number in advance of receiving bids for the project. Please visit Public Works for more information on how to obtain a Project Registration Number from the DIR. Applicants can find their Project Registration Number at Find Public Works Projects. As of June 2025, the Project Registration number should be 11 digits and look like YYYY#######. Example: "20251234567".

3) Public Works Contractor Registration Number*:

*Pursuant to Labor Code 1725.5 Contractors are required to Register with the DIR as a Public Works Contractor in order to bid on Public Works Projects. Please visit Public Works for more information on how to obtain a Public Works Contractor Registration Number from the DIR. Applicants can find their Public Works Contractor Registration Number at Find Public Works Contractorshttps://services.dir.ca.gov/gsp?id=dir_projects&table=x_cdoi2_csm_portal_project. As of June 2025, the Public Works Contractor Registration Number should be 10 digits in the following format PRJ#######.

(Please Attest to Only One Section Below)

C. *Parallel Operation Applications Only*	If the answer to Section B above was agreement option 1 or 5, or 3 or 6, please indicate the protection option that will be used to prevent energy from being exported to SDG&E's Distribution System. If the answer to Section B above was agreement option 1 or 5	Protection Option: —1_2_3_4 __5 _6 (Choose one)

	and the answer to the question above is protection option 3 or 4, please indicate if expedited processing pursuant to Section N of Rule 21 is requested (*currently applicable to non-export inverter-based energy storage generating facilities only*).	Yes___No____N/A____
	If protection option 3 to this Section C is selected, please provide the continuous current rating of the host Customer facility's service entrance equipment (service panel rating):	____________ Amps
	If protection option 4 to this Section C is selected, please provide the minimum load of the host Customer facility:	____________ kW

Instructions and Notes – The Notification-Only Process requires the use of an Underwriter Laboratories-certified power control system equipped with an open loop response time of two seconds or less that is set to a non-export mode. Applicants using the Notification-Only Process are not required to complete this section.

Refer to SDG&E's Rule 21, Section G.1.i for additional information as to how to answer this question. If the Generating Facility will never export power to SDG&E's Distribution System, a simpler, lower cost, protection scheme may be used to control the interface between the Generating Facility and SDG&E's Distribution System. Choose from the following four protection options:

1. A reverse-power protection device will be installed to measure any export of power and trip the Generating Facility or open an intertie breaker to isolate the Generating Facility if limits are exceeded.
2. An under-power protection device will be installed to measure the inflow of power and trip or reduce the output of the Generating Facility if limits are not maintained.
3. The Generating Facility Interconnection Facility equipment has been certified as Non-Islanding and the incidental export of power will be limited by the design of the interconnection. If this option is to be used, the continuous ampere rating of the service entrance equipment (service panel rating) that is used by the host Customer facility must be stated in the space provided above.
4. The Gross Nameplate Rating of the Generating Facility will not exceed 50% of the host Customer facility's minimum

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GENERATING FACILITY INTERCONNECTION APPLICATION

electrical load. If this option is to be used, the minimum load of the host Customer facility must be stated in the space provided above.

5. The Generating Facility utilizes only UL-1741 or UL-1741 SA-listed grid support (non-islanding) inverters and meets other minimum requirements as described in Section Mm of Rule 21 to ensure conditional (inadvertent) export of electric power from the Generation Facility to Distribution Provider's Distribution or Transmission System that is limited in size, duration and cumulative impact.

Note: With the approval of SDG&E, a Producer that wishes to retain the option to export power from a Generating Facility to SDG&E's Distribution System may use a different protection scheme that provides for the detection of faults and other abnormal operating conditions.

Part 3 Cont'd - Describing the Generating Facility and Host Customer's Electrical Facilities

D. *Parallel Operation Applications Only*	What is the maximum 3-phase fault current that will be contributed by the Generating Facility to a 3-phase fault at the Point of Common Coupling (PCC)? (If the Generating Facility is single phase in design, please provide the contribution for a line-to-line fault.) Please indicate the short circuit interrupting rating of the host Customer facility's service panel:	__________ Amps __________ Amps

Instructions and Notes

Refer to SDG&E's Rule 21 Sections H.4.a. and G.1.f for significance and additional information. To determine this value, any transformers and/or significant lengths of interconnecting conductor used between each of the Generators (if there are more than one) that make up the Generating Facility and the PCC must be taken into account. The details, impedance, and arrangement of such transformers and interconnecting conductors should be shown on the single-line diagram that is provided. Consult an electrical engineer or the equipment supplier if assistance is needed in answering this question.

GENERATING FACILITY INTERCONNECTION APPLICATION

It is expected that most Applicants will want to reserve the flexibility to operate any or all of their Generators in parallel. If the design of the proposed Generating Facility limits the amount of generation that may be interconnected at any time to SDG&E's Distribution System, please describe the assumptions used in calculating the maximum fault current contribution value.

E. (MP&I)	Please indicate how this Generating Facility will be operated.	__1 __2 __3 __4 __5 __6 __7 (Please choose all options that may apply.)

Instructions and Notes

Choose from the following operation options:

1. **Combined Heat and Power or Cogeneration** – Where the operation of the Generating Facility will produce thermal energy for a process other than generating electricity.
2. **Peak Shaving/Demand Management** – Where the Generating Facility will be operated primarily to reduce electrical demands of the host Customer facility during SDG&E's "peak pricing periods".
3. **Primary Power Source** – Where the Generating Facility will be used as the primary source of electric power and power supplied by SDG&E to the host Customer's loads will be required for supplemental, standby, or backup power purposes only.
4. **Standby / Emergency / Backup** – Where the Generating Facility will normally be operated only when SDG&E's electric service is not available.
5. **Net Energy Metering (Closed to New Projects as of 4/14/23)**– Where the Generating Facility qualifies and receives service under one of SDG&E's Net Energy Metering tariffs.
6. **Net Billing Tariff** – Where the Generating Facility qualifies and receives service under SDG&E's Net Billing Tariff.
7. **Multiple Tariff** – Generating Facilities that have a combination of generator(s) eligible for service under one or more of SDG&E's NEM tariffs or SDG&E's NBT, and/or generator(s) eligible to receive service under other, non-NEM/NBT eligible SDG&E tariffs. Check one of the options listed in Part 4.
8. **Other. Please describe: ______________________________**

F. (MP&I)	Please indicate if Qualifying Facility Status will be obtained from the FERC for this Generating Facility.	__Yes __No

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GENERATING FACILITY INTERCONNECTION APPLICATION

Part 3 Cont'd - Describing the Generating Facility and Host Customer's Electrical Facilities

Instructions and Notes

Parties operating Generating Facilities complying with all of the requirements for qualification as either a small power production facility or cogeneration facility pursuant to the regulations of the FERC (18 Code of Federal Regulations Part 292, Section 292.203 et seq.) implementing the Public Utility Regulatory Policies Act of 1978 (16 U.S.C.A. Section 796, et seq.), or any successor requirements for "Qualifying Facilities," may seek certification from FERC to have the Generating Facility designated as a Qualifying Facility or "QF." In summary, QF's are Generating Facilities using renewable or alternative fuels as a primary energy source or facilities that utilize the thermal energy given off by the generation process for some other useful purpose. QF's enjoy certain rights and privileges not available to non-QF Generating Facilities.

QF status is not required to interconnect and operate in parallel with SDG&E's Distribution System.

G.	Please indicate if Generating Facility will meet the annual Efficiency and Operating Standards of PUC Code 216.6 (Applicable to Cogeneration Only)	__Yes __No __N/A

H.	**Limited Generation Profile** Is the Generating Facility a Limited Generation Profile participant (LGP Facility)? ☐ Yes ☐ No If "Yes" is selected, Applicant must provide the following: 1. Select the proposed PCS make/model: (select from Utility's UL3141 PEL PCS approved list) If equipment is not listed in Distribution Provider's list of certified PCS provide the following: Upload UL3141 certificates of compliance from the NRTL identifying that the proposed PCS has been certified under UL3141 with PEL: 2. Upload a complete Limited Generation Profile Template (csv file with 288 Values): _______________ 3. Select the proposed LGP Configuration that applies to the LGP Facility: ☐ 24 Hourly ☐ Block ☐ 18-23 Fixed 4. Indicate the PCS's controlled nameplate capacity (as provided in the NRTL testing reports): __________________ (in kW) 5. Indicate the PCS's Maximum Steady State percentage (as provided in the NRTL testing reports): __________ %

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GENERATING FACILITY INTERCONNECTION APPLICATION

Part 4 – Describe each of the Generators (See Instructions.) Use additional sheets, if necessary.

- ☐ New facility installing non-NBT generator(s) and NBT generators at the same time.
- ☐ Existing facility with non-NEM/non-NBT generator(s) and planning to add NBT generator(s). Please provide data for the table below.
- ☐ Existing facility with NEM generator(s) and planning to add non-NBT generator(s). Please provide data for the table below.
- ☐ Existing facility with NBT generator(s) and planning to add non-NBT generator(s). Please provide data for the table below.
- ☐ Existing facility with NEM and non-NEM generator(s) and planning to add NBT generator(s). Please provide data for the table below.
- ☐ Existing facility with non-NEM/non-NBT generator(s) and planning to add non-NEM/non-NBT generator(s). Please provide data for the table below.
- ☐ A new stand-alone non-export energy storage system.
- ☐ A new non-export Generating Facility consisting of an energy storage system and a solar system.
- ☐ A new energy storage system added to an existing Generating Facility where the total Generating Facility capacity is non-export.

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GENERATING FACILITY INTERCONNECTION APPLICATION

PART 4 Cont'd – Describe each of the Generators (See Intsructions). Use Additional Sheets, If Necessary.						
Instructions	**Generator Information**	**Existing Generator Type**	**Existing Generator Type**	**New Generator Type**	**New Generator Type**	**Totals For All Generators**
#	Please indicate the number of each "type" of Generator being installed:					
	(See instructions)					
A (MP&I)	Gen/Inverter Manufacturer					
B (MP&I)	Generator/Inverter Model					
C	Gen/Inverter Software Version					
D	Is the Generator Certified	__Yes __No	__Yes __No	__Yes __No	__Yes __No	
E (MP)	Generator Design (Choose One)	__ Synchronous __ Induction __ Inverter	__ Synchronous __ Induction __ Inverter	__ Synchronous __ Induction __ Inverter	__ Synchronous __ Induction __ Inverter	
E.1	If the Generator Type is an Inverter, is the Inverter Certified as a Smart Inverter in accordance with Rule 21 Section Hh by a Nationally Recognized Testing Laboratory (NRTL)?	__Yes __No	__Yes __No	__Yes __No		
F (MP&I)	Gross Nameplate Rating (kVA)					
G	Gross Nameplate Rating (kW)					
H	Net Nameplate Rating (kW)					
I		Max kWH Capacity:	Max kWH Capacity:	Max kWH Capacity:	Max kWH Capacity:	
		Rated kW Charge:	Rated kW Charge:	Rated kW Charge:	Rated kW Charge:	
	Energy Storage Electrical Source Function (in addition, please complete section H for further description regarding operations)	Rated kW Discharge: ________ List (if any) Device Used to Limit Discharge (inverter/ Power Control/etc.): ________	Rated kW Discharge: ________ List (if any) Device Used to Limit Discharge (inverter/ Power Control/etc.): ________	Rated kW Discharge: ________ List (if any) Device Used to Limit Discharge (inverter/ Power Control/etc.): ________	Rated kW Discharge: ________ List (if any) Device Used to Limit Discharge (inverter/ Power Control/etc.): ________	

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GENERATING FACILITY INTERCONNECTION APPLICATION

PART 4 Cont'd – Describe each of the Generators (See Intsructions). Use Additional Sheets, If Necessary.					
Instr.	**Generator Information**	**Existing Generator Type**	**Existing Generator Type**	**New Generator Type**	**New Generator Type**
J (MP)	Operating Voltage (Volts or kV)				
K	Power Factor Rating (%)	Min._________ Max. ________		Min.________ Max. _______	Min.________ Max. _______
L	PF Adjustment Range (%)				
M(MP)	Wiring Configuration (Choose One)	__Single-Phase __Three-Phase		__Single-Phase __Three-Phase	__Single-Phase __Three-Phase
N (MP)	3-Phase Winding Configuration (Choose One)	__3 Wire Delta __3 Wire Wye __4 Wire Wye	__3 Wire Delta __3 Wire Wye __4 Wire Wye	__3 Wire Delta __3 Wire Wye __4 Wire Wye	__3 Wire Delta __3 Wire Wye __4 Wire Wye
O (MP)	Neutral Grounding System Used (Choose One)	__Ungrounded __Solidly Grounded __Ground Resistor ________ Ohms	__Ungrounded __Solidly Grounded __Ground Resistor ________ Ohms	__Ungrounded __Solidly Grounded __Ground Resistor ________ Ohms	__Ungrounded __Solidly Grounded __Ground Resistor ________ Ohms
P	*For Synchronous Generators Only:* Synchronous Reactance: Transient Reactance: Subtransient Reactance:	_______ (Xd %) _______(X'd %) _______(X"d %)	_______ (Xd %) _______(X'd %) _______(X"d %)	_______ (Xd %) _______(X'd %) _______(X"d %)	_______ (Xd %) _______(X'd %) _______(X"d %)
Q	*For Induction Generators Only:* Locked Rotor Current: *OR* Stator Resistance: Stator Leakage Reactance: Rotor Resistance: Rotor Leakage Reactance:	__________ (Amps) __________(%) __________(%) __________(%) __________(%)	__________ (Amps) __________(%) __________(%) __________(%) __________(%)	__________ (Amps) __________(%) __________(%) __________(%) __________(%)	__________ (Amps) __________(%) __________(%) __________(%) __________(%)
R	Short Circuit Current Produced by Generator:	__________ (Amps)	__________ (Amps)	__________ (Amps)	__________ (Amps)
S	*For Generators that are Started as a "Motor" Only* 1. In-Rush Current:				

SDGE

GENERATING FACILITY INTERCONNECTION APPLICATION

Part 4 Cont'd – Describe each of the Generators (See Instructions.) Use additional sheets, if necessary.

	2. Host Customer's Service Entrance Panel (Main Panel) Continuous Current	________ (Amps) ________ (Amps)	________ (Amps) ________ (Amps)	________ (Amps) ________ (Amps)	________ (Amps) ________ (Amps)
	Rating:				

SDGE
A Sempra Energy utility

GENERATING FACILITY INTERCONNECTION APPLICATION

Part 4 Cont'd – Describe each of the Generators (See Instructions.) Use additional sheets, if necessary.

Instructions	Generator Information	Existing Generator Type	Existing Generator Type	New Generator Type	New Generator Type
T (MP&I)	(Circle One)	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16
U	AC Disconnect	Manufacturer Model# Rating (amps)	Manufacturer Model# Rating (amps)	Manufacturer Model# Rating (amps)	Manufacturer Model# Rating (amps)
V	Photovoltaic (PV) Panel	Manufacturer Model# Nameplate Rating (kW/unit) CEC Rating (kW/unit) Quantity of Panels Total Capacity (kW)	Manufacturer Model# Nameplate Rating (kW/unit) CEC Rating (kW/unit) Quantity of Panels Total Capacity (kW)	Manufacturer Model# Nameplate Rating (kW/unit) CEC Rating (kW/unit) Quantity of Panels Total Capacity (kW)	Manufacturer Model# Nameplate Rating (kW/unit) CEC Rating (kW/unit) Quantity of Panels Total Capacity (kW)
W	Energy Storage (ES) System	Manufacturer Model# Quantity of Units	Manufacturer Model# Quantity of Units	Manufacturer Model# Quantity of Units	Manufacturer Model# Quantity of Units
X	Lineside Tap	__Yes __No	__Yes __No	__Yes __No	

Instructions for Part 4 – Describing the Generators

#	Generation Information	Instructions and Comments
#	Please indicate the number of each "type" of Generator being installed:	Please provide the following information for each Generator "type". Be sure all Generators classified as one "type" are identical in all respects. If only one type of Generator is to be used, only one column needs to be completed. Please be sure the information in the "Totals" column is correct and reflects the total number of Generator units to be installed.
A	Generator/Inverter Manufacturer	Enter the brand name of the Generator.
B	Generator/Inverter Model	Enter the model name or number assigned by the manufacturer of the Generator.
C	Generator/Inverter Software Version	If this Generator's control and or protective functions are dependent on a "software" program supplied by the manufacturer of the equipment, please provide the version or release number for the software that will be used.
D	Is the Generator Certified by a Nationally Recognized Testing Laboratory (NRTL) according to Rule 21?	Answer "Yes" only if the Generator manufacturer can or has provided certification data. See SDG&E's Rule 21, Section L for additional information regarding Generator certification.
E	Generator Design	Please indicate the design of each Generator. Designate "Inverter" anytime an inverter is used as the interface between the Generator and the electric system regardless of the primary power production/storage device used.
E.1	If the Generator Type is an Inverter, is the Inverter Certified as a Smart Inverter in accordance with Rule 21 Section Hh by a Nationally Recognized Testing Laboratory (NRTL)?	Answer "Yes" only if the inverter manufacturer can or has provided certification data. See SDG&E's Rule 21, Section Hh for Smart Inverter requirements, and Section L for additional information regarding Generator certification.
F	Gross Nameplate Rating (kVA)	This is the capacity value normally supplied by the manufacturer and stamped on the Generator's "nameplate". This value is not required where the manufacturer provides only a "kW" rating. However, where both kVA and kW values are available, please indicate both.
G	Gross Nameplate Rating (kW)	This is the capacity value normally supplied by the manufacturer and stamped on the Generator's "nameplate". This value is not required where the manufacturer provides only a "kVA" rating. However, where both kVA and kW values are available, please indicate both.

Instructions for Part 4 Cont'd – Describing the Generators

	Generation Information	Instructions and Comments
H	Net Nameplate Rating (kW)	This capacity value is determined by subtracting the "auxiliary" or "station service" loads used to operate the Generator or Generating Facility. Applicants are not required to supply this value but, if it is not supplied, applicable standby charges may be based on the higher "gross" values.
I	Energy Storage	This is the storage capacity (kWH) and charge and discharge capacity (kW) of the energy storage device. Typically the charge and discharge capacity (kW) is equal to the kW rating of the inverter.
J	Operating Voltage	This value should be the voltage rating designated by the manufacturer and used in this Generating Facility. Please indicate phase-to-phase voltages for 3-phase installations. See SDG&E's Rule 21, Section H.2.b. for additional information.
K	Power Factor Rating	This value should be the nominal power factor rating designated by the manufacturer for the Generator. See SDG&E's Rule 21, Section H.2.i. for additional information.
L	PF Adjustment Range	Where the power factor of the Generator is adjustable, please indicate the maximum and minimum operating values. See SDG&E's Rule 21, Section H.2.i.
M	Wiring Configuration	Please indicate whether the Generator is a single-phase or three-phase device. See SDG&E's Rule 21, Section H.3.
N	3-Phase Winding Configuration	For three-phase generating units, please indicate the configuration of the Generator's windings or inverter systems.
O	Neutral Grounding	Wye connected generating units are often grounded – either through a resistor or directly, depending upon the nature of the electrical system to which the Generator is connected. If the grounding method used at this facility is not listed, please attach additional descriptive information.
P	For Synchronous Generators Only:	If the Generator is of a "synchronous" design, please provide the synchronous reactance, transient reactance, and subtransient reactance values supplied by the manufacturer. This information is necessary to determine the short circuit contribution of the Generator and as data in load flow and short circuit computer models of SDG&E's Distribution System. If the Generator's Gross Nameplate Capacity is 10 MW or greater, SDG&E may request additional data to better model the nature and behavior of the Generator with relation to its Distribution System.
Q	For Induction Generators Only:	If the Generator is of an "induction" design, please provide the "locked rotor current" value supplied by the manufacturer. If this value is not available, the stator resistance, stator leakage reactance, rotor resistance, rotor leakage reactance values supplied by the manufacturer may be used to determine the locked rotor current. If the Generator's Gross Nameplate Capacity is 10 MW or greater, SDG&E may request additional data to better model the nature and behavior of the Generator with relation to its Distribution System.

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GENERATING FACILITY INTERCONNECTION APPLICATION

Instructions for Part 4 Cont'd – Describing the Generators

	Generation Information	Instructions and Comments
R	Short Circuit Current Produced by Generator	Please indicate the current each Generator can supply to a three-phase fault across its output terminals. For single phase Generators, please supply the phase-to-phase fault current.
S	*For Generators that are Started as a "Motor" Only:* In-Rush Current Host Customer's Service Entrance Panel (Main Panel) Continuous Current Rating	This information is needed only for Generators that are started by "motoring" the generator. See SDG&E's Rule 21, Sections G.1.c and L.3.d for significance and additional information. If this question was answered in Part 3, question C of this Application, it need not be answered here.
T	Prime Mover Type	Please indicate the type and fuel used as the "prime mover" or source of energy for the Generator. 1 = Internal Combustion Engine – Natural Gas 2 = Internal Combustion Engine – Diesel Fueled 3 = Internal Combustion Engine - Other Fuel 4 = Microturbine– Natural Gas 5 = Microturbine – Other Fuel 6 = Combustion Turbine Natural Gas 7 = Combustion Turbine - Other Fuel 8 = Steam Turbine 9 = Photovoltaic Panels 10 = Solar-thermal engine 11 = Fuel Cell– Natural Gas 12 = Fuel Cell– Other Fuel 13 = Hydroelectric Turbine 14 = Wind Turbine 15 = Energy Storage 16 = Other please describe: ________________________________
U	AC Disconnect	For systems requiring an AC Disconnect only, please include the requested information about the AC Disconnect.
V	Photovoltaic (PV) Panel	For PV systems only, please include requested information about the PV panels.
W	Energy Storage (ES) System	Provide the manufacturer name, model number, and quantity of units.
X	Lineside Tap	SDG&E has special requirements for a lineside tap. Contact SDG&E at:DGInquiries@semprautilities.com

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GENERATING FACILITY INTERCONNECTION APPLICATION

Part 5. Information Required for Energy Storage (if applicable)

Energy Storage System Operations

Describe the intended use of the storage device (Example of this can be peak shaving, export to grid, load shifting, etc. The intended use may be taken into account in the study process.):

Energy Storage Charging Function:

Rated Charge Demand (Load):__________________kW

Estimated annual Net Energy Usage* of the ESD: _____________kWh

*Net Energy Usage = (kWh input, including charging, storage device auxiliary loads, and losses) – (kWh output, including discharging)

Will the distribution grid be used to charge the storage device (yes/no): _________.

If no: Provide technical description of control systems including:

Source of energy for charging:____

Mechanism to prevent charging from the Distribution System:__________________________________

____

If yes: Will charging the storage system from the grid increase the host facility's current peak load demand (yes/no):___________

- **Yes:** Provide the amount of added peak demand in (kW):___kW
- **No:** Provide technical description of charger control systems including charging periods, source of energy (if applicable), and/ or mechanism to prevent increasing the host facility's peak load demand:

____

____

Generating Facility:

Including all generation sources such as PV, storage, and other technologies, provide the following information:

Will the generating facility export power to the grid (yes/no) :_________.

If yes, specify Generating Facility's maximum coincident export to the grid:___________kW

If all generation sources are not simultaneously exporting to the grid, provide technical description of the controls systems for this function that prevent simultaneous export:

____.

TABLE OF CONTENTS

Sheet 1

The following sheets contain all the effective rates and rules affecting rates, service and information relating thereto, in effect on the date indicated herein.

(Continued)

TABLE OF CONTENTS

SAMPLE FORMS

(Continued)

Rincon Band of Luiseño Indians

One Government Center Lane | Valley Center | CA 92082
(760) 749-1051 | Fax: (760) 749-8901 | rincon-nsn.gov

VIA ELECTRONIC MAIL ONLY
EDTariffUnit@cpuc.ca.gov

July 1, 2025

CPUC Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

RE: PROTEST OF SAN DIEGO GAS AND ELECTRIC COMPANY ADVICE LETTER 4670-E (U902-E) SUBMITTAL OF MODIFICATIONS TO THE PREVAILING WAGE CHECKLIST AND ASSOCIATED INTERCONNECTION FORMS PURSUANT TO DEPUTY EXECUTIVE DIRECTOR LETTER REGARDING INTERCONNECTION APPLICATION MODIFICATIONS

The Rincon Band of Luiseño Indians (the "Tribe") protests and proposes modifications to elements of "Submittal of Modifications to the Prevailing Wage Checklist and Associated Interconnection Forms Pursuant to Deputy Executive Director Letter Regarding Interconnection Application Modifications" by San Diego Gas and Electric Company (SDG&E)'s Advice Letter 4670-E (AL).

SDG&E's AL was submitted in response to an expansive request from the California Public Utilities Commission (CPUC) that included, among other things, changes to the attestation form that customers must complete along with their interconnection application filings[1]. SDG&E's attestation form has legal errors and problematic language that could result in projects improperly being ineligible for net-energy metering (NEM) interconnection or being seriously delayed.

The Tribe proposes the following modifications to p.5 of SDG&E's AL:

5. Should this project be considered for review for an exemption from PU Code Section 769.2 either (a) because the project ~~was materially completed~~

[1] CPUC correspondence to Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company, and parties of Rulemaking (R.)20-08-020, from Leuwam Tesfai Deputy Executive Director for Energy and Climate Policy/ Director, Energy Division. "Subject: Update to Interconnection Interface to Include Fields for Department of Industrial Relations Project Registration Number and Public Works Contractor Registration Number for Projects Applicable to Public Utilities Code 769.2," March 11, 2025.

> *interconnection application was submitted* on or before December 31, 2023, or (b) the project is located on Tribal Land and ~~is currently under review~~ *written notice has been provided to the* Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor.

These changes are needed to properly follow relevant CPUC directives. With respect to the deletion of "was materially completed" and replacement with "interconnection application was submitted," Decision 23-11-068, a CPUC order addressing PU Code Section 769.2, states:

> Because customers will be negatively affected by contractor noncompliance, the Commission finds that it has a role in contractors' compliance with Pub. Util. Code §769.2 – and should, therefore, know whether the statute applies to a given Generation Facility. **Because the interconnection application submission is the first point of contact between the customer and Utility, the Commission finds that this is the appropriate starting point to determine applicability of the statute.** Accordingly, the Commission should include a step during the interconnection application process to determine whether a Generation Facility must comply with Pub. Util. Code §769.2.
>
> **The Commission agrees that the statute is clear and concludes that Pub. Util. Code §769.2 is only applicable to projects with an interconnection application date (as determined above) after December 31, 2023.** While the Commission agrees that fair notice was provided to contractors upon enactment, that notice was based on language stating the statute would be applicable to all eligible projects beginning after December 31, 2023. While this means the statute is generally not applicable to NEM 1.0 and NEM 2.0 tariffs, the Commission agrees with Utilities, finding that any customer-generator submitting an interconnection application for an upgrade to increase the size of the system or to pair an energy storage device, including those taking service under the NEM 1.0 and NEM 2.0 tariffs, after December 31, 2023 will be considered a new project required to comply with Pub. Util. Code §769.2.

Decision 23-11-068, pp. 173-176 (bolding added). As is made clear by the Commission guidance, the proper reference in this clause is to the date the interconnection application is submitted, not when the project is complete.

With respect to the deletion of "is currently under review" and replacement with "written notice has been provided to," Decision 23-11-068 makes clear that the decision is not intended to impose conditions on Tribal Governments that are inconsistent with their sovereignty and their jurisdiction over their lands, stating:

> This decision does not intend to impose conditions on Tribal Governments that are inconsistent with Tribal sovereignty and jurisdiction on California Indian Lands. Consistent with the Commission's Tribal Consultation Policy, contractors and investor-owned utilities that have implementation questions with respect to

> renewable energy projects on Indian Lands should contact the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor. Commission staff should work to timely resolve these issues.

Decision 23-11-068, p. 196.

To meet the requirements of the above statement and respect Tribal sovereignty and tribal jurisdiction over their lands, the CPUC and utilities must exempt Tribal projects on Tribal lands from the requirements of PU Code Section 769.2. Also, the above CPUC directive does not state that Tribal projects need to be under review by the Commission's Deputy Executive Director of Energy and Climate Policy or the Commission's Office of the Tribal Advisor to be exempt. It simply offers these CPUC officials as resources to contractors and utilities that have questions. Accordingly, no reference to these administrators is merited in the SDG&E AL. Moreover, neither a Tribe nor its contractors know whether a project is being reviewed by these officials. The Tribe's, or its contractors', knowledge is limited to whether the Tribe, or the contractor, has provided notice to the CPUC officials. So, if any reference to the CPUC officials is included in the attestation form, it should be limited to a statement that the officials have been notified.

SDG&E's inclusion of unmerited clauses in the AL is contrary to Decision 23-11-068 and creates unneeded uncertainty regarding exempt projects. The Tribe therefore urges the Commission to expeditiously modify the AL in accordance with the above.

Sincerely yours,

RINCON BAND OF LUISEÑO INDIANS

Joseph Linton
Tribal Vice Chairman

Copy via email to:

Denise Turner Walsh, Attorney General, Rincon Band of Luiseño Indians, dwalsh@rincon-nsn.gov

Greg Anderson, Regulatory Tariff Manager, SDG&E, GAnderson@sdge.com and SDGETariffs@sdge.com

DATE: October 10, 2023
TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas
CC: Kenneth Holbrook
FROM: Rincon Band of Luiseño Indians, Barona Band of Mission Indians, Cahuilla Band of Mission Indians, Campo Band of Mission Indians, Chemehuevi Indian Tribe, Ewiiaapaayp Band of Kumeyaay Indians, Iipay Nation of Santa Ysabel, Jamul Indian Village, La Jolla Band of Luiseño Indians, La Posta Band of Diegueño Mission Indians, Los Coyotes Band of Cahuilla and Cupeno Indians, Manzanita Band of Kumeyaay Nation, Mesa Grande Band of Diegueño Mission Indians, Morongo Band of Mission Indians, Pala Band of Mission Indians, San Manuel Band of Mission Indians, San Pasqual Band of Diegueño Mission Indians, Santa Rosa Band of Cahuilla Indians, Soboba Band of Luiseño Indians, Viejas Band of Kumeyaay Indians

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

CPUC Commissioners,

Our Tribal Governments recently became aware of potential AB 2143 and Public Utilities Code §769.2 implementation requirements within the Proposed Decision of ALJ HYMES dated August 2, 2023 addressing "Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering" under Rulemaking 20-08-020. Upon reviewing the Proposed Decision, our Tribal Governments have determined that clarifications are needed to ensure that the implementation of AB 2143 and Public Utilities Code §769.2 do not infringe upon the inherent sovereignty and jurisdiction of federally-recognized Indian Tribes for renewable energy projects located in Indian country as that term is defined by 25 U.S.C. § 1151. Our Tribal Governments respectfully request that the Commission consider modifying this Proposed Decision as described below, in accordance with the Tribal Consultation Policy of the California Public Utilities Commission and its important Policy Goals, including for the Commission to:

- Recognize and respect tribal sovereignty
- Encourage and facilitate tribal government participation in CPUC proceedings
- Give meaningful consideration to tribal interests on issues within the CPUC's jurisdiction
- Encourage and facilitate tribal government participation in CPUC- approved utility programs
- Encourage investments by tribal governments and tribal members in onsite renewable energy generation, energy efficiency; low carbon transportation and energy storage.

CLARIFICATION REQUESTED REGARDING IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

Our Tribal Governments became aware of AB 2143 and Public Utilities Code §769.2 requirements in the process of developing renewable electrical generation facilities on Indian lands. Under AB 2143, the California Legislature is imposing prevailing wage requirements on the construction of renewable electric generation facilities that receive service from a California Public Utility by automatically deeming these public works projects for purposes of Article 2 of Chapter 1 of Part 7 of Division 2 of the Labor Code. As a matter of Federal law and policy, the State of California, including the California Public Utilities Commission and California Department of Labor, do not have civil regulatory jurisdiction over public works projects located within California Indian Country.[1] While it is not necessary for AB 2143 and Public Utilities Code §769.2 to include language specifying the situations where California lacks jurisdiction, contractors and IOUs are expressing uncertainty regarding whether Public Utilities Code §769.2 is supposed to be implemented for renewable electrical generation facilities constructed in Indian Country to the potential significant detriment of Indian tribes, tribal sovereignty, and the right to self-government. Therefore, we are requesting that CPUC consider adding the language underlined below to the Proposed Decision to respect our sovereignty and clarify jurisdictional limitations of AB 2143 and Public Utilities Code §769.2 with respect to renewable electrical generation facilities constructed in Indian Country.

<u>3.6.7. Facilities on Tribal Lands</u>

<u>AB 2143 and Pub. Util. Code §769.2 do not address renewable electrical generation facilities constructed in California Indian Country. The State of California does not have civil regulatory jurisdiction over construction activities occurring on Indian Lands. Therefore, the requirements of AB 2143 and Pub. Util. Code §769.2 shall not be implemented for renewable electrical generation facilities constructed within California Indian Country.</u>

Findings of Fact

<u>241. The CPUC does not have the authority under AB 2143 or Public Utilities Code Section (Pub. Util. Code §) 769.2 to deem a project a public works project or require prevailing wages for construction activities occurring within California Indian Country.</u>

Conclusions of Law

<u>89. The requirements of AB 2143 and Public Utilities Code Section (Pub. Util. Code §) 769.2 do not apply to renewable electrical generation facilities constructed within California Indian Country.</u>

[1] *See* Santa Rosa Band of Indians v. Kings County, 532 F.2d 655 (Ninth Cir. 1976).

Sincerely,

NAME: [illegible]

TITLE: [illegible]

TRIBE: [illegible]

Sincerely,

Raymond Welch
Chairman
Barona Band of Mission Indians

Sincerely,

Daniel Salgado (Oct 4, 2023 15:53 PDT)

Daniel Salgado Sr.
Chairman
Cahuilla Band of Indians

Sincerely,

��

Vice-Chairwoman
Campo Band of Mission Indians

Sincerely,

Glenn Lodge

Glenn Lodge
Chairman
Chemehuevi Indian Tribe

Sincerely,

Wendy Schlater (Oct 10, 2023 10:39 PDT)

NAME: Wendy Schlater

TITLE: Chairwoman

TRIBE: La Jolla Band of Luiseno Indians

Signature: Wendy Schlater (Oct 10, 2023 10:39 PDT)

Email: wendy.schlater@lajolla-nsn.gov

Sincerely,

Jacqulyn Flores
Tribal Secretary/Treasurer
La Pasta Band of Mission Indians

Sincerely,

Jesse Morales

Jesse Morales
Vice-Chairman
Mesa Grande Band of Mission Indians

Sincerely,

Robert Smith, Chairman
Pala Band of Mission Indians

Sincerely,

Lovina Redner,
Tribal Chair
Santa Rosa Band of Cahuilla Indians

Sincerely,

John A. Christman
Chairman Tribal Council
Viejas Band of Kumeyaay Indians

Ewiiaapaayp Tribal Office
Ewiiaapaayp Band of Kumeyaay Indians
4054 Willows Road
Alpine, CA 91901
TEL: (619) 368-4382
FAX: (619) 445-9126
E-mail: ceo@ebki-nsn.gov

October 6, 2023

Commissioner Busching Reynolds
Commissioner Shiroma
Commissioner Houck
Commissioner Reynolds
Commissioner Douglas

cc: Kenneth Holbrook

re: Implementation of Public Utilities Code CODE §769.2 with Respect to California Indian Country

CPUC Commissioners,

The Ewiiaapaayp Band of Kumeyaay Indians (EBKI or Tribe), a federally recognized Indian Tribe, recently became aware of potential AB 2143 and Public Utilities Code §769.2 implementation requirements within the Proposed Decision of ALJ HYMES dated August 2, 2023, addressing "Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering", under Rulemaking 20-08-020. Upon reviewing the Proposed Decision, EBKI requests clarifications we believe are needed to ensure that the implementation of AB 2143 and Public Utilities Code §769.2 do not infringe upon the inherent sovereignty and jurisdiction of federally-recognized Indian Tribes for renewable energy projects located in Indian Country[1]. EBKI respectfully requests that the Commission consider modifying this Proposed Decision, as described below, in accordance with the Tribal Consultation Policy of the California Public Utilities Commission and its important Policy Goals, including the Commission's intent to:

Recognize and respect tribal sovereignty
Encourage and facilitate tribal government participation in CPUC proceedings
Give meaningful consideration to tribal interests on issues within the CPUC's jurisdiction
Encourage and facilitate tribal government participation in CPUC- approved utility programs
Encourage investments by tribal governments and tribal members in onsite renewable energy generation, energy efficiency; low carbon transportation and energy storage.

EBKI became aware of AB 2143 and Public Utilities Code §769.2 requirements during our process in developing renewable electrical generation facilities on Indian lands. Under AB 2143, the California Legislature is imposing prevailing wage requirements on the construction of renewable electric generation facilities that receive service from a California Public Utility by

[1] 25 U.S.C. § 1151

automatically deeming these to be public works projects for purposes of Article 2 of Chapter 1 of Part 7 of Division 2 of the Labor Code. As a matter of Federal Indian law and policy, the State of California, including the California Public Utilities Commission and the California Department of Labor, do not possess civil regulatory jurisdiction over public works projects located within California Indian Country.[2] While it is not necessary for AB 2143 and Public Utilities Code §769.2 to include language specifying the situations where California lacks jurisdiction, contractors and IOUs are expressing uncertainty about whether Public Utilities Code §769.2 is intended to be implemented for renewable electrical generation facilities constructed in Indian Country, which if applied would cause significant, adverse impact upon EBKI and other Indian tribes. Therefore, EBKI requests the CPUC consider adding the language underlined below to the Proposed Decision to resolve the potential adverse implications by clarifying the jurisdictional limitations of AB 2143 and Public Utilities Code §769.2 with respect to renewable electrical generation facilities constructed in Indian Country.

> **3.6.7. Facilities on Tribal Lands**
>
> AB 2143 and Pub. Util. Code §769.2 do not address renewable electrical generation facilities constructed in California Indian Country. The State of California does not have civil regulatory jurisdiction over construction activities occurring on Indian Lands. Therefore, the requirements of AB 2143 and Pub. Util. Code §769.2 shall not be implemented for renewable electrical generation facilities constructed within California Indian Country.
>
> **Findings of Fact**
>
> 241. The CPUC does not have the authority under AB 2143 or Public Utilities Code Section (Pub. Util. Code §) 769.2 to deem a project a public works project or require prevailing wages for construction activities occurring within California Indian Country.
>
> **Conclusions of Law**
>
> 89. The requirements of AB 2143 and Public Utilities Code Section (Pub. Util. Code §) 769.2 do not apply to renewable electrical generation facilities constructed within California Indian Country.

Should you have any questions or concerns, please contact the Tribe's Chief Executive Officer, Mr. Will Micklin, by telephone at (619) 368-4382, or by email at ceo@ebki-nsn.gov. Thank you.

Sincerely,

Robert Pinto, Sr.
Tribal Chairman
Ewiiaapaayp Band of Kumeyaay Indians

[2] *See* Santa Rosa Band of Indians v. Kings County, 532 F.2d 655 (Ninth Cir. 1976).

October 9, 2023

TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas

CC: Kenneth Holbrook

FROM: Jamul Indian Village of California

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

CPUC Commisioners,

Our Tribal Governments recently became aware of potential AB 2143 and Public Utilities Code §769.2 implementation requirements within the Proposed Decision of ALJ HYMES dated August 2, 2023 addressing "Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering" under Rulemaking 20-08-020. Upon reviewing the Proposed Decision, our Tribal Governments have determined that clarifications are needed to ensure that the implementation of AB 2143 and Public Utilities Code §769.2 do not infringe upon the inherent sovereignty and jurisdiction of federally-recognized Indian Tribes for renewable energy projects located in Indian country as that term is defined by 25 U.S.C. § 1151. Our Tribal Governments respectfully request that the Commission consider modifying this Proposed Decision as described below, in accordance with the Tribal Consultation Policy of the California Public Utilities Commission and its important Policy Goals, including for the Commission to:

- Recognize and respect tribal sovereignty
- Encourage and facilitate tribal government participation in CPUC proceedings
- Give meaningful consideration to tribal interests on issues within the CPUC's jurisdiction
- Encourage and facilitate tribal government participation in CPUC- approved utility programs
- Encourage investments by tribal governments and tribal members in onsite renewable energy generation, energy efficiency; low carbon transportation and energy storage.

CLARIFICATION REQUESTED REGARDING IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

Our Tribal Governments became aware of AB 2143 and Public Utilities Code §769.2 requirements in the process of developing renewable electrical generation facilities on Indian lands.

Under AB 2143, the California Legislature is imposing prevailing wage requirements on the construction of renewable electric generation facilities that receive service from a California Public Utility by automatically deeming these public works projects for purposes of Article 2 of Chapter 1 of Part 7 of Division 2 of the Labor Code.

EMAIL info@jamulindianvillage.com
TEL 619.669.4785
FAX 619.669.4817
ADDR P. O. Box 612
Jamul, CA 91935

As a matter of Federal law and policy, the State of California, including the California Public Utilities Commission and California Department of Labor, do not have civil regulatory jurisdiction over public works projects located within California Indian Country.[1] While it is not necessary for AB 2143 and Public Utilities Code §769.2 to include language specifying the situations where California lacks jurisdiction, contractors and IOUs are expressing uncertainty regarding whether Public Utilities Code §769.2 is supposed to be implemented for renewable electrical generation facilities constructed in Indian Country to the potential significant detriment of Indian tribes, tribal sovereignty, and the right to self-government. Therefore, we are requesting that CPUC consider adding the language underlined below to the Proposed Decision to respect our sovereignty and clarify jurisdictional limitations of AB 2143 and Public Utilities Code §769.2 with respect to renewable electrical generation facilities constructed in Indian Country.

3.6.7. Facilities on Tribal Lands

AB 2143 and Pub. Util. Code §769.2 do not address renewable electrical generation facilities constructed in California Indian Country. The State of California does not have civil regulatory jurisdiction over construction activities occurring on Indian Lands. Therefore, the requirements of AB 2143 and Pub. Util. Code §769.2 shall not be implemented for renewable electrical generation facilities constructed within California Indian Country.

Findings of Fact

241. The CPUC does not have the authority under AB 2143 or Public Utilities Code Section (Pub. Util. Code §) 769.2 to deem a project a public works project or require prevailing wages for construction activities occurring within California Indian Country.

Conclusions of Law

89. The requirements of AB 2143 and Public Utilities Code Section (Pub. Util. Code §) 769.2 do not apply to renewable electrical generation facilities constructed within California Indian Country.

Sincerely,

Erica M. Pinto
Chairwoman
Jamul Indian Village of California

[1] See *Santa Rosa Band of Indians v. Kings County*, 532 F.2d 655 (Ninth Cir. 1976).

LOS COYOTES BAND OF CAHUILLA & CUPENO INDIANS
P.O. BOX 189
WARNER SPRINGS, CA 92086
OFFICE: 760-782-0711
FAX: 760-782-2701
Administration@loscoyotesband.org

DATE: October 4, 2023

TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas
CC: Kenneth Holbrook
FROM: Los Coyotes Band of Cahuilla & Cupei'io Indians

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

CPUC Commissioners,

Our Tribal Governments recently became aware of potential AB 2143 and Public Utilities Code §769.2 implementation requirements within the Proposed Decision of AU HYMES dated August 2, 2023 addressing "Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering" under Rulemaking 20-08-020. Upon reviewing the Proposed Decision, our Tribal Governments have determined that clarifications are needed to ensure that the implementation of AB 2143 and Public Utilities Code §769.2 do not infringe upon the inherent sovereignty and jurisdiction of federally-recognized Indian Tribes for renewable energy projects located in Indian country as that term is defined by 25 U.S.C. § 1151. Our Tribal Governments respectfully request that the Commission consider modifying this Proposed Decision as described below, in accordance with the Tribal Consultation Policy of the California Public Utilities Commission and its important Policy Goals, including for the Commission to:

- Recognize and respect tribal sovereignty
- Encourage and facilitate tribal government participation in CPUC proceedings
- Give meaningful consideration to tribal interests on issues within the CPUC's jurisdiction
- Encourage and facilitate tribal government participation in CPUC- approved utility programs
- Encourage investments by tribal governments and tribal members in onsite renewable energy generation, energy efficiency, low carbon transportation and energy storage.

CLARIFICATION REQUESTED REGARDING IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

Our Tribal Governments became aware of AB 2143 and Public Utilities Code §769.2 requirements in the process of developing renewable electrical generation facilities on Indian lands. Under AB 2143, the California Legislature is imposing prevailing wage requirements on the construction of renewable electric generation facilities that receive service from a California Public Utility by automatically deeming these public works projects for purposes of Article 2 of Chapter 1 of Part 7 of Division 2 of the Labor Code. As a matter of Federal law and policy, the State of California, including the California Public Utilities

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Administration@los.coyotesband.org

Commission and California Department of Labor, do not have civil regulatory jurisdiction over public works projects located within California Indian Country.[1] While it is not necessary for AB 2143 and Public Utilities Code §769.2 to include language specifying the situations where California lacks jurisdiction, contractors and IOUs are expressing uncertainty regarding whether Public Utilities Code §769.2 is supposed to be implemented for renewable electrical generation facilities constructed in Indian Country to the potential significant detriment of Indian tribes, tribal sovereignty, and the right to self-government. Therefore, we are requesting that CPUC consider adding the language underlined below to the Proposed Decision to respect our sovereignty and clarify jurisdictional limitations of AB 2143 and Public Utilities Code §769.2 with respect to renewable electrical generation facilities constructed in Indian Country.

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Findings of Fact

241. The CPUC does not have the authority under AB 2143 or Public Utilities Code Section (Pub. Util. Code§) 769.2 to deem a project a public works project or require prevailing wages for construction activities occurring within California Indian Country.

Conclusions of Law

89. The requirements of AB 2143 and Public Utilities Code Section (Pub. Util. Code §} 769.2 do not apply to renewable electrical generation facilities constructed within California Indian Country.

Sincerely,

Ray Chapparosa
Chairman, Los Coyotes Tribal Government

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[1] *See* Santa Rosa Band of Indians v. Kings County, 532 F.2d 655 (Ninth Cir. 1976).

Manianita Band oi the Kumeyaay Nation

DATE: October 10, 2023
TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas
CC: Kenneth Holbrook
FROM: Rincon Band of Luiseno Indians, Manzanita Band of the Kumeyaay Nation

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

CPUC Commissioners,

Our Tribal Governments recently became aware of potential AB 2143 and Public Utilities Code §769.2 implementation requirements within the Proposed Decision of AU HYMES dated August 2, 2023, addressing "Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering" under Rulemaking 20-08-020. Upon reviewing the Proposed Decision, our Tribal Governments have determined that clarifications are needed to ensure that the implementation of AB 2143 and Public Utilities Code §769.2 do not infringe upon the inherent sovereignty and jurisdiction of federally recognized Indian Tribes for renewable energy projects located in Indian country as that term is defined by 25 U.S.C. § 1151. Our Tribal Governments respectfully request that the Commission consider modifying this Proposed Decision as described below, in accordance with the Tribal Consultation Policy of the California Public Utilities Commission and its important Policy Goals, including for the Commission to:

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Findings of Fact

241. The CPUC does not have the authority under AB 2143 or Public Utilities Code Section (Pub. Util. Code§) 769.2 to deem a project a public works project or require prevailing wages for construction activities occurring within California Indian Country.

Conclusions of Law

89. The requirements of AB 2143 and Public Utilities Code Section (Pub. Util. Code§) 769.2 do not apply to renewable electrical generation facilities constructed within California Indian Country.

Sincerely,

Angela Elliott Santos

Angela Elliott Santos, Tribal Chairwoman
Manzanita Band of the Kumeyaay Nation

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[1] *See* Santa Rosa Band of Indians v. Kings County, 532 F.2d 655 (Ninth Cir. 1976).

DATE:Octoberl0,2023
TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas
CC: Kenneth Holbrook
FROM: Morongo Band Of Mission Indians,

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

CPUC Commissioners,

Our Tribal Governments recently became aware of potential AB 2143 and Public Utilities Code §769.2 implementation requirements within the Proposed Decision of AU HYMES dated August 2, 2023 addressing "Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering" under Rulemaking 20-08-020. Upon reviewing the Proposed Decision, our Tribal Governments have determined that clarifications are needed to ensure that the implementation of AB 2143 and Public Utilities Code §769.2 do not infringe upon the inherent sovereignty and jurisdiction of federally-recognized Indian Tribes for renewable energy projects located in Indian country as that term is defined by 25 U.S.C. § 1151. Our Tribal Governments respectfully request that the Commission consider modifying this Proposed Decision as described below, in accordance with the Tribal Consultation Policy of the California Public Utilities Commission and its important Policy Goals, including for the Commission to:

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<u>3.6.7. Facilities on Tribal Lands</u>

<u>AB 2143 and Pub. Util. Code §769.2 do not address renewable electrical generation facilities constructed in California Indian Country. The State of California does not have civil regulatory jurisdiction over construction activities occurring on Indian Lands. Therefore, the requirements of AB 2143 and Pub. Util. Code §769.2 shall not be implemented for renewable electrical generation facilities constructed within California Indian Country.</u>

Findings of Fact

<u>241. The CPUC does not have the authority under AB 2143 or Public Utilities Code Section (Pub. Util. Code§) 769.2 to deem a project a public works project or require prevailing wages for construction activities occurring within California Indian Country.</u>

Conclusions of Law

<u>89. The requirements of AB 2143 and Public Utilities Code Section (Pub. Util. Code§) 769.2 do not apply to renewable electrical generation facilities constructed within California Indian Country.</u>

[1] *See* Santa Rosa Band of Indians v. Kings County, 532 F.2d 655 (Ninth Cir. 1976).

Sincerely,

DocuSigned by:

1630DAF0E4B7436...

Charles Martin
Chairman
Morongo Band Of Mission Indians

San Manuel Band of Mission Indians

October 6, 2023

TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas
CC: Kenneth Holbrook
FROM: San Manuel Band of Mission Indians

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

CPUC Commissioners,

Our Tribal Governments recently became aware of potential AB 2143 and Public Utilities Code §769.2 implementation requirements within the Proposed Decision of ALJ HYMES dated August 2, 2023 addressing "Order Instituting Rulemaking to Revisit Net Energy Metering Tariffs Pursuant to Decision 16-01-044, and to Address Other Issues Related to Net Energy Metering" under Rulemaking 20-08-020. Upon reviewing the Proposed Decision, our Tribal Governments have determined that clarifications are needed to ensure that the implementation of AB 2143 and Public Utilities Code §769.2 do not infringe upon the inherent sovereignty and jurisdiction of federally-recognized Indian Tribes for renewable energy projects located in Indian country as that term is defined by 25 U.S.C. § 1151. Our Tribal Governments respectfully request that the Commission consider modifying this Proposed Decision as described below, in accordance with the Tribal Consultation Policy of the California Public Utilities Commission and its important Policy Goals, including for the Commission to:

- Recognize and respect tribal sovereignty
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26569 Community Center Drive • Highland, CA 92346
Office: (909) 864-8933 • FAX: (909) 864-3370

located within California Indian Country.[1] While it is not necessary for AB 2143 and Public Utilities Code §769.2 to include language specifying the situations where California lacks jurisdiction, contractors and IOUs are expressing uncertainty regarding whether Public Utilities Code §769.2 is supposed to be implemented for renewable electrical generation facilities constructed in Indian Country to the potential significant detriment of Indian tribes, tribal sovereignty, and the right to self-government. Therefore, we are requesting that CPUC consider adding the language underlined below to the Proposed Decision to respect our sovereignty and clarify jurisdictional limitations of AB 2143 and Public Utilities Code §769.2 with respect to renewable electrical generation facilities constructed in Indian Country.

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Conclusions of Law

89. The requirements of AB 2143 and Public Utilities Code Section (Pub. Util. Code §) 769.2 do not apply to renewable electrical generation facilities constructed within California Indian Country.

Sincerely,

Lynn R. Valbuena

Lynn R. Valbuena
Chairwoman
San Manuel Band of Mission Indians

[1] *See* Santa Rosa Band of Indians v. Kings County, 532 F.2d 655 (Ninth Cir. 1976).

JPAJ[

SAN PASQUAL BAND OF i ISSION INDIANS

SAN PASQUAL RESERVATION

TRIBAL COUNCIL

Stephen W. Cope
Tribal Chairman

Victoria Diaz
Vice Chair

Jenny Alto
Secretary-Treasurer

Roberta Cameron
Councilmember

Joyce L. Stein
Councilmember

DATE: October 10, 2023
TO: Commissioner Buschlng Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas
CC: Kenneth Holbrook
FROM: San Pasqual Band of Mission Indians

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN **COUNTRY**

CPUC Commissioners,

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P.O. Box 365 • 16400KUMEYAAYWAY.VALLEYCENTER.CA92082
PHONE 760-749-3200 • FAX 760-749-3876 • WWW.SANPASQUALBANDOFMISSIONINDIANS.ORG

Public Utilities Commission and California Department of Labor, do not have civil regulatory jurisdiction over public works projects located within California Indian Count:ry.[1] While it is not necessary for AB 2143 and Public Utilities Code §769.2 to include language specifying the situations where California lacks jurisdiction, contractors and IOUs are expressing uncertainty regarding whether Public Utilities Code §769.2 is supposed to be implemented for renewable electrical generation facilities constructed in Indian Country to the potential significant detriment of Indian tribes, tribal sovereignty, and the right to self-goven:unent. Therefore, we are requesting that CPUC consider adding the language underlined below to the Proposed Decision to respect our sovereignty and clarify jurisdictional limitations of AB 2143 and Public Utilities Code §769.2 with respect to renewable electrical generation facilities constructed in Indian Count:ry.

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Conclusions of Law

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Sincerely,

Tribal Chairman
San Pasqual Band of Mission Indians

[1] *See* Santa Rosa Band of Indians v. Kings County, 532 F.2d 655 (Ninth Cir. 1976).

P.O. Box 365 • 16400 KUMEYAAY WAY, VALLEY CENTER, CA 92082
PHONE 760-749-3200 • FAX 760~749-3876 • WWW.SANPASQUALBANDOFMISSIONINDIANS.ORG

DATE: 10/6/23
TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynolds, Commissioner Douglas
CC: Kenneth Holbrook
FROM: Rincon Band of Luiseiio Indians, lipay Nation of Santa Ysabel

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

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Conclusions of Law

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Sincerely,

Kevin Osuna
Chairman
Iipay Nation of Santa Ysabel

[1] *See* Santa Rosa Band of Indians *v.* Kings County, 532 F.2d 655 (Ninth Cir. 1976).

SOBOBA BAND OF LUISENO INDIANS

EXECUTIVE OFFICES OF THE TRIBAL COUNCIL

SOBOBA BAND OF LUISENO INDIANS
EST. IUN£ I'/. 1883

Chairman
Isaiah Vivanco

Vice-Chainvoman
Geneva Mojado

Secretary
Monica Herrera

Treasurer
Daniel Valdez

Sergeant at Arms
Michael Bentiste

Executive Assistant
the Tribal Council
Dione Kitchen

TribalExecutive Officer
Steven Estrada

DATE: 10/04/2023
TO: Commissioner Busching Reynolds, Commissioner Shiroma, Commissioner Houck, Commissioner Reynold , Commissioner Douglas
CC: Kenneth Holbrook
FROM: Soboba Band of Luisefio Indians

SUBJECT: IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

CPUC Commissioners,

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23906 Soboba Rd.
San Jacinto, CA92583

Mailing Address
P.O.Box487
San Jacinto,CA92581

CLARIFICATION REQUESTED REGARDING IMPLEMENTATION OF PUBLIC UTILITIES CODE §769.2 WITH RESPECT TO CALIFORNIA INDIAN COUNTRY

Our Tribal Governments became aware of AB 2143 and Public Utilities Code §769.2

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Conclusions of Law

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Sincerely,

Isaiah Vivanco
Tribal Chairman

MORONGO BAND OF MISSION INDIANS
A SOVEREIGN NATION

June 9, 2026

The Honorable Darcie L. Houck
Commissioner
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

Re: Rulemaking 19-01-011; Request for Morongo Indian Reservation Exemption from D.23-12-037 Electric Line Extension Subsidy Elimination for Mixed-Fuel New Residential Construction and Essential Community-Serving Facilities

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Dear Commissioner Houck:

The Morongo Band of Mission Indians ("Morongo" or the "Tribe"), a federally recognized sovereign Indian Tribe, respectfully submits this letter for consideration in the Commission's ongoing Building Decarbonization Rulemaking ("R.") R.19-01-011. Morongo requests that the California Public Utilities Commission ("Commission") adopt a narrow exemption from the electric line extension subsidy elimination adopted in Decision ("D.") 23-12-037, as modified by D.25-06-034, for new mixed-fuel construction located on the Morongo Indian Reservation ("Reservation") and for other similarly impacted Indian Tribes in California.

At minimum, Morongo requests that the Commission preserve electric line extension allowances, refunds, and discounts under Southern California Edison Company's ("SCE") Electric Tariff Rules 15 and 16 for new residential dwellings located within the exterior boundaries of the Morongo Indian Reservation where Morongo certifies that the project serves a Morongo Tribal Member, Reservation resident, Tribal housing program, or other Reservation household certified by the Tribe. This relief should apply prospectively and, to the extent available, to pending applications that have not yet been energized.

Morongo also requests, either as part of the same modification or through a focused Phase 4 process, that the Commission consider comparable treatment for Tribally certified essential community-serving facilities and small Tribal Member-owned businesses located on the Reservation. Such relief can be limited to facilities that Morongo certifies as serving Reservation residents or supporting essential Tribal governmental, public safety, emergency management, health, elder, education, cultural, housing, water, wastewater, or other community-facing functions.

This request is narrow, administrable, and consistent with the Commission's building decarbonization objectives. It does not seek to disturb the statewide policy direction of R.19-01-011. This request aims to avoid an unintended and disproportionate burden on individual Tribal families and essential Reservation-serving facilities under land tenure, infrastructure, reliability, and cultural conditions that are not comparable to ordinary off-Reservation development.

I. The Commission's mixed-fuel line extension policy should be refined to avoid unintended harm to Tribal housing on the Morongo Indian Reservation.

In D.23-12-037, the Commission eliminated electric line extension allowances, the 10-year refundable payment option, and the 50 percent discount option under Electric Tariff Rules 15 and 16 for mixed-fuel new construction, effective July 1, 2024.[i] The Commission defined mixed-fuel new construction as building projects that use gas and/or propane in addition to electricity.[i] The Commission also required mixed-fuel new construction projects to pay final actual electric line extension costs, rather than only estimated costs, effective January 1, 2025.[iii]

Morongo understands and respects the Commission's rationale. The Commission's stated purpose was to advance California's building de-carbonization policy framework, reduce greenhouse gas emissions associated with energy use in buildings, and send an economic signal away from new mixed-fuel construction and toward all-electric construction.[i] The Commission also preserved electric line extension subsidies for all-electric new construction, reasoning that such subsidies can encourage zero-emission building design until building codes and market conditions change.[v]

That policy may operate as intended for ordinary statewide development, particularly where developers can choose among greenfield subdivisions, all-electric designs, and urban or suburban parcels with developed distribution infrastructure. It does not operate the same way on the Morongo Indian Reservation. On the Reservation, the loss of the electric line extension allowance will not induce a meaningful shift to all-electric construction. It will instead make individual Tribal housing more expensive and, in some cases, infeasible.

This is not a generalized objection to de-carbonization. Morongo supports California's clean energy transition. The Tribe has materially contributed to that transition, including by enabling the construction and operation of major electric transmission infrastructure across Tribal lands which supports delivery of clean electricity into Southern California. Morongo's request is instead directed to a specific implementation problem: the Commission's mixed-fuel subsidy sunset falls with unusual severity on Tribal land where the ordinary market assumptions underlying the rule do not apply.

II. The Morongo Indian Reservation presents unique land, infrastructure, reliability, and cultural conditions.

The Morongo Indian Reservation is located on approximately 40,000 acres in the San Gorgonio Pass near Banning, California. It was established by presidential executive order in 1876 and is home to more than 1,000 citizens of the Tribe, Tribal descendants, and other Native community members. Morongo residents are historically low-income customers of public utilities. The Reservation is an environmental and social justice ("ESJ") community under the Commission's Environmental and Social Justice Action Plan, which includes "All Tribal lands" within the ESJ community definition, and it is also a disadvantaged community under California Environmental Protection Agency/Office of Environmental Health Hazard Assessment's SB 535 designation framework.[vi]

For Tribal families, building a home or business on the Reservation is an exercise of Tribal self-determination, family continuity, cultural preservation, and connection to homeland. Many Tribal community members build homes on the Reservation as they start families and remain connected to the Tribe, community, ceremonies, language, kinship networks, and governmental services. The Reservation's development pattern is also unlike an ordinary subdivision. The federal allotment system created by the General Allotment Act of 1887 divided Tribal lands into allotted parcels and, through subsequent inheritance, caused many parcels to become fractionated among numerous heirs. Fractionation has long constrained the use, consolidation, financing, and development of Indian Country. Those conditions remain relevant today. They limit where Morongo community members can practically build homes and make it difficult or impossible to plan efficient subdivision-like residential development across many areas of the Reservation.

As a result, new Morongo homes are often built piecemeal on the limited parcels available to the Tribal citizen or their family rather than as part of a larger plan with coordinated utility infrastructure. Tribal housing programs may also develop homes for Reservation residents under constraints that differ fundamentally from ordinary merchant development. Many parcels suitable for housing are far from existing electric distribution infrastructure. The Reservation's distribution system is less developed than the systems serving many off-Reservation communities. The cost of extending electric service to an individual home can therefore be exceptionally high. In one current example, a Morongo Tribal Member faces an electric line extension cost of approximately $80,000 without a subsidy or allowance.

The Reservation also experiences frequent and prolonged climate-related public safety power shutoffs and wind-related reliability concerns due to its location in the San Gorgonio Pass. For many Tribal families, maintaining non-electric end uses can be a practical resilience measure and is not a preference for higher-emission development. A rule that assumes all-electric construction is always the feasible alternative does not account for these reliability conditions.

III. The policy premise of D.23-12-037 does not hold on the Morongo Indian Reservation.

D.23-12-037 addressed statewide electric line extension policy at a broad level. The Commission found that eliminating subsidies for mixed-fuel new construction would discourage mixed-fuel construction and encourage builders to evaluate all-electric construction.[vii] In the ordinary development context, that policy may influence builder behavior. But on the Reservation, the ordinary applicant is a Tribal family or Tribal program trying to build one home or business.

The Commission also found in D.23-12-037 that "line-extension allowances and services of new home builders are typically not utilized by low-income customers."[viii] Morongo presents an atypical case that warrants a tailored exception to that statewide assumption. Morongo residents are historically low-income utility customers, and Tribal community members do utilize line extension allowances when building homes on the Reservation. The elimination of the allowance therefore imposes a direct and material burden on a Tribal ESJ community.

Nor does the loss of the allowance create a realistic de-carbonization benefit in this context. All-electric construction on the Reservation is significantly more expensive than mixed-fuel construction, particularly for piecemeal homes located far from distribution infrastructure and subject to reliability concerns. The subsidy elimination will not make all-electric construction affordable for Morongo families. It will simply increase the cost of housing, delay construction, and deepen the infrastructure disparity between the Reservation and surrounding non-Reservation communities.

That outcome is inconsistent with the Commission's ESJ commitments. The Commission's ESJ Action Plan recognizes that Commission decisions can perpetuate or reduce existing disparities and calls for equity-centered decision-making, access to essential services, clean energy benefits, and avoidance of undue burdens on lower-income communities.[i] The Commission's Tribal Consultation Policy likewise recognizes the importance of Tribal participation and meaningful consideration of Tribal interests including where Commission-regulated utility decisions affect affordability, reliability, and availability of services to Tribal Members.[x]

IV. Essential Reservation-serving uses require mixed-fuel uses.

The same underlying Reservation conditions previously detailed may affect essential community-serving facilities. Tribal governments must provide services that off-Reservation residents and businesses often receive from cities, counties, special districts, or private providers supported by dense infrastructure. On the Reservation, public safety, emergency management, health, education, elder services, cultural facilities, housing support, water and wastewater facilities, and Tribal businesses may require new or extended electric service in areas where distribution infrastructure is limited. These uses support governmental, community, cultural, and essential services for Reservation residents.

For that reason, Morongo requests that the Commission consider comparable treatment for such essential Reservation-serving facilities. These facilities include projects located within the exterior boundaries of the Morongo Indian Reservation that primarily serve Reservation residents or support essential Tribal governmental, public safety, emergency management, health, elder, education, cultural, housing, water, wastewater, or other community-facing functions.

V. The current Phase 4 record provides an appropriate procedural basis for Commission action.

R.19-01-011 remains open. D.25-06-034 resolved Phase 4 Track A but did not close the proceeding.[xi] The July 1, 2024 Phase 4 Scoping Memo identified, as relevant to Phase 4, the need to consider potential ESJ impacts and how best to incorporate the Commission's ESJ Action Plan into building de-carbonization policy. It also contemplated continued consideration of policy frameworks, programs, rules, and rates to accomplish building de-carbonization.[xii]

The Commission's more recent Phase 4 record development further confirms that Tribal barriers are squarely within the current rulemaking. The March 20, 2026 Assigned Commissioner's and Assigned Administrative Law Judge's ruling asks parties to describe "particular aspects of Tribal, local, or regional communities within California" that affect their ability to pursue building de-carbonization programs and funding opportunities, and asks how programs should be structured to remove barriers to participation for Tribal, local, or regional communities.[xiii] It also asks about equitable access in communities with limited gas service, propane or wood-burning use, poor-performing electrical circuits, and the need for affordable and culturally appropriate opportunities.[xiv]

Morongo's request responds directly to those issues. It identifies a particular barrier encountered across California Indian Country created by the interaction of federal Indian land tenure, limited Reservation distribution infrastructure, high line extension costs, reliance on mixed-fuel construction for affordability and resilience, and the absence of realistic all-electric alternatives for individual homes and certain essential Reservation-serving facilities. The Reservation-specific facts presented here support a finding that the effect of the mixed-fuel subsidy sunset on Reservation development is severe, disproportionate, and not offset by the intended behavioral effect of shifting applicants to all-electric construction.

VI. Morongo's proposed exemption is administrable and advances equitable de-carbonization.

This exemption is administrable because it relies on existing tariff mechanisms rather than requiring the Commission to create a new statewide program or balancing account. SCE would simply apply the pre-existing line extension subsidy or allowance framework to a certified and narrow category of Reservation projects and potentially essential Reservation-serving facilities. Morongo can certify eligible applicants or properties, thereby minimizing utility burden and avoiding disputes over residential status, land status, or project purpose.

Equitable de-carbonization must account for actual community conditions. A uniform rule can be sound as a general matter and still produce inequitable results when applied to Tribal lands with materially different land tenure, infrastructure, and reliability conditions. The Commission's ESJ Action Plan and Tribal Consultation Policy exist for precisely this reason. They ensure that policies adopted for broad public purposes do not inadvertently impose disproportionate costs on communities that historically face infrastructure and affordability burdens.

Morongo is not asking the Commission to abandon de-carbonization but instead to implement de-carbonization in a way that does not penalize Tribal community members for building homes on their own Reservation. The requested exemption would preserve essential electric infrastructure support for individual Reservation homes and specific facilities while leaving the Commission's general mixed-fuel policy intact. Tribal public safety, healthcare, elder, cultural, water, wastewater, or essential government facilities serving Reservation residents are not the type of developments whose behavior the mixed-fuel subsidy elimination was designed to discipline. Those facilities serve community resilience and important governmental functions. A narrow, certified exemption for those facilities would support the Commission's equity, affordability, and access goals.

The Commission should also consider the cultural dimension. Housing on the Reservation supports Tribal governance, family continuity, and cultural survival. A policy that makes Reservation housing more burdensome has consequences beyond ordinary housing economics. It affects the ability of Tribal community members to live on their homeland and participate fully in Tribal community life. Those impacts warrant serious weight in an ESJ framework.

VII. Requested action

Morongo respectfully requests that the Commission

A. Place this letter in the record of R.19-01-011;

B. Recognize that the Morongo Indian Reservation and other Tribal lands across the state present unique Tribal, ESJ, land tenure, infrastructure, affordability, cultural, and reliability conditions that were not fully addressed in D.23-12-037;

C. Modify D.23-12-037, as modified by D.25-06-034, to preserve electric line extension allowances, refunds, and discounts under applicable SCE Electric Tariff Rules for new construction on the Morongo Indian Reservation and other Tribal land including residential, essential Tribal community-serving facilities, and Tribal Member businesses;

D. Direct SCE to administer the exemption through Tribal certification and report usage through existing R.19-01-011 reporting requirements; and

E. If the Commission determines that further process is necessary, open a focused Phase 4 track, ruling, workshop, or comment process to consider a Tribal lands exemption for new construction on Indian Reservations, with Morongo's requested exemption as the minimum immediate relief.

Morongo appreciates the Commission's leadership on building de-carbonization and its attention to the equity and Tribal sovereignty implications of that work. The Tribe stands ready to work with your office, SCE, and other interested parties to develop administrable language that preserves the Commission's climate objectives while avoiding disproportionate impacts to the Morongo Indian Reservation and its community members.

Respectfully submitted,

Sam Cohen
Chief Legal and Government Affairs Officer
Morongo Band of Mission Indians

[i] D.23-12-037, Decision Eliminating Electric Line Extension Subsidies for Mixed-Fuel New Construction and Setting Reporting Requirements, R.19-01-011, at 2–3, Ordering Paragraph 2 (Dec. 14, 2023; issued Dec. 21, 2023).
[ii] Id. at 2, 18 & n.61; D.25-06-034, Phase 4 Track A Decision Establishing New Electric Service Line Upsizing Rules, Modifying Electric Line Extension Rules and Reporting Requirements, and Implementing Assembly Bill 157, R.19-01-011, at 62–63, Ordering Paragraph 30 (June 20, 2025) (clarifying application of the "mixed-fuel" definition and treatment of propane).
[iii] D.23-12-037 at 2–3, 24–31, Ordering Paragraph 3.
[iv] Id. at 18–21.
[v] Id. at 20–21.
[vi] CPUC, Environmental & Social Justice Action Plan, Version 2.0, at 2 & n.3 (Apr. 7, 2022); 18 U.S.C. § 1151(a); CalEPA, Final Designation of Disadvantaged Communities Pursuant to Senate Bill 535 (May 2022).
[vii] D.23-12-037 at 19–21.
[viii] Id., Finding of Fact 13.
[ix] CPUC, Environmental & Social Justice Action Plan, Version 2.0, at 4, 9.
[x] CPUC Tribal Consultation Policy.
[xi] D.25-06-034 at 3.
[xii] Assigned Commissioner's Amended Scoping Memo and Ruling, R.19-01-011, at 4–5, 8–13 (July 1, 2024).
[xiii] Assigned Commissioner's and Assigned Administrative Law Judge's Ruling Seeking Information on Building Decarbonization and Entering Pilot Programs Draft Reports into the Record, Appendix A, Question 9, R.19-01-011 (Mar. 20, 2026).
[xiv] Id., Appendix A, Question 11.

Tribal Consultation on Microgrid Incentive Program
Date: October 1, 2025

Location: Brundin Room, Blue Lake Casino Resort, Blue Lake, CA

Attended by:

- Yurok Tribe: Sophia Lay
- Hoopa Valley Public Utilities District: Linnea Jackson
- Blue Lake Rancheria: Matthew Marshall
- California Public Utilities Commission (CPUC): Commissioner Darcie Houck, Commissioner Matthew Baker, Assistant Chief Administrative Law Judge (ACALJ) Anthony Colbert, ALJ Valerie Kao, Caleb Jones, Erica Petrofsky, Sarah Meyerhoff, Michael Rosauer, Taaru Chawla, Messay Betru
- California Energy Commission (CEC): Commissioner Noemí Gallardo, Sierra Graves, James Qaqundah
- Schatz Energy Research Center: Peter Alstone, Maia Cheli

Summary:

This joint consultation served as a means for the CPUC and representatives of Blue Lake Rancheria, Yurok Tribe, and Hoopa Valley Public Utilities District, to discuss and address issues related to the CPUC's Microgrid Incentive Program (MIP), with support and input from the Schatz Energy Research Center.

The above-mentioned representatives of tribes and the Schatz Energy Research Center:

- Noted issues with the structure of the MIP agreements including a requirement that tribes waive their sovereign immunity. These issues are exacerbated by the lengthy process through which the CPUC approves these agreements, which may encumber tribes and other participants who seek to negotiate contract terms with utilities based on their unique needs.
- Discussed efforts at the CEC to consult with tribal grantees on developing a standard waiver of sovereign immunity as well as a templatized grant agreement.
- Shared that the MIP's requirement that projects include 24 hours of backup power generation may create a barrier for other tribes to participate.
- Brainstormed options for filling a funding gap for the Tribal Energy Resilience and Sovereignty (TERAS) project that was created by the Department of Energy's recent claw-back of funds for the Grid Resilience and Innovation Program (GRIP). These options included (but were not limited to):
    - establishing partnerships with universities and trade schools to support workforce development and to provide ongoing technical assistance
    - seeking resource adequacy revenues for generation assets, and
    - seeking additional funding from the CPUC.

- Emphasized the importance of the CPUC Tribal Advisor in helping tribes navigate CPUC dockets to identify and participate in opportunities to advocate for their interest, including commenting on advice letters and building a record across relevant proceedings.
- Reiterated the need to connect tribal applicants and participants of the MIP program with technical assistance to apply for and execute MIP grants and expressed interest in joining any regional or statewide networks to share their learnings from the MIP.

Tribal Consultation on Tribal Consultation Policy and Tribal Land Transfer Policy
Date: October 1, 2025

Location: Brundin Room, Blue Lake Casino Resort, Blue Lake, CA

Attended by:

- Yurok Tribe: Michael Harder
- Hoopa Valley PUD: Linnea Jackson
- Blue Lake Rancheria: Matthew Marshall
- CPUC: Commissioner Darcie Houck, Commissioner Matthew Baker (California Public Utilities Commission (CPUC)), Commissioner Matthew Baker (CPUC), ALJ Valerie Kao, Caleb Jones, Erica Petrofsky, Michael Rosauer, Sarah Meyerhoff

Summary:

This joint consultation served as a means for the CPUC and representatives of Blue Lake Rancheria, Yurok Tribe and Hoopa Valley Public Utilities District to discuss the CPUC's draft updates to its Tribal Consultation Policy (TCP) and its Tribal Land Transfer Policy (TLTP). The tribal representatives asked questions about and provided feedback on these policies, as well as the CPUC's Tribal Advisor position, which is currently vacant.

The above-mentioned tribal representatives:

- Expressed appreciation for the work that went into updating the TCP, and its use of the California Natural Resource Agency's tribal consultation approach as a model.
- Laid out longstanding issues related to rights-of-way access with CPUC-regulated entities and requested clarity on how to escalate these issues within the CPUC.
- Raised concern that the parcel valuation process included within the TLPT may be biased, even if conducted by a state registered appraiser as directed by the TLTP.
- Provided feedback that tribes' territories exceed and/or do not align with reservation boundaries, and that tribes' mappings of their territories should take precedence over other mappings within the TLTP.
- Requested additional resources and training on how to use the CPUC's e-file system to submit comments and filings in this rulemaking and other proceedings.
- Emphasized the importance of providing compensation for tribes to participate in proceedings, including through intervenor compensation, given that standalone funding to support tribal participation was cut from recent state budgets.
- Emphasized the importance of appointing a Tribal Advisor who has experience working with and understands the nuances of tribal governments.
- Discussed the relative merits of structuring Tribal Advisor role to be advisory (in which scenario the Tribal Advisor would be able to connect tribes with Commission staff and information) or advocacy-based (in which scenario the Advisor would not have access to staff or information but

would be able to advise on litigation strategy), with the understanding that a single Tribal Advisor cannot serve in both capacities.

Tribal Engage Regarding CPUC Tribal Consultation Policy following Tribal Energy & Climate Collaborative eXchange Symposium

2026-02-19 at Pala Casino Spa Resort

- Rob Roy, La Jolla Band of Luiseño Indians:
  - Thank you for being here and dismissing some of the myths associated with the Ivory Tower of the CPUC. Thank you for in-person consultations, because this is the Tribal way of communicating. Government-to-government sometimes feels/sounds adversarial, and I want to thank you for dispelling those myths, to meet eye-to-eye.
- Southern California Edison:
  - The history of relationships between state/Tribes/utilities has not always been positive. At Edison, we recognize some of the Tribe's capacity barriers. We can't always act on every request from the PUC if they conflict with other obligations. But the intent and the spirit of what we're trying to do is here and now.
  - We have three Tribal Advisors for each of three regions, and I want the next person in my position to continue to work with Tribes in good faith.
  - We need to energize homes, especially Tribal homes. Families are looking to us to do our part. Edison is listening and we're here.
  - I'll take this back to the folks above me and use things like the Tribal Leaders Energy Summit, May 18-20 at Viejas this year, to bring us all back together in a good way annually.
- Elizbeth Perez, NESCO:
  - We've worked with a lot of Tribes and all three utilities. Thank you to CPUC and CEC – you've come a long way. Thank you I want to thank the CPUC and CEC – you've come a long way. Having these consultations and one-on-ones really matters. Thank you to Pala for putting this together.
  - In the last administration, there were a lot of grants and funding opportunities available, but it took a long time for that funding to get to us. And thank you to SCE, PG&E – you guys rock. You came out to Sequoia, by Porterville, and you sat with us and brought the personnel to get it done. But not everyone is always like that. Millions of dollars of funding are at risk, because we're at the mercy of these utilities to get the ball rolling. It's not on our part, it's on the utilities for permitting and all of that. That communication needs to be there. Even if it's virtual, we understand we can't always come in person, but we're talking about Tribes that don't always have the economic means.

- Steven Moss, Regulatory Consultant at M Cubed:
  - We all appreciate the work of the Commissioners at CPUC and CEC.
  - Tribes are forever, and good personnel at the Commissions or the utilities aren't. A lot of the comments are about institutionalizing solutions whenever the Commissions hit roadblocks. The experience is that when there's a good Tribal Advisor, good things get done on behalf of Tribes, and when you don't, things don't get done. What will the Commissions do to implement permanent policies to ensure that Tribes are treated right even when the personnel here today are not the ones implementing the policies?
- Councilmember Vasquez, Pechanga Band of Indians:
  - We appreciate these Consultations, but how many Tribes are here? There's 109 of us. We all need the opportunity to provide input, so I hope you will be getting all of the Tribes missing from this room. More dialogue and more outreach is needed.
  - I applaud everyone who's here and everyone who's participating. Thank you and let the dialogue continue.
- Will Micklin, Ewiiaapaayp Band of Kumeyaay Indians:
  - I want to thank you for championing the relationship between the State and Tribes. Commissioner, you're making a tremendous difference. Ewiiaapaayp is in San Diego County and the San Diego General Plan Map didn't even have Tribes on their General Plan map. The difference is because of what people do and the actions people take and leadership people assume. Thank you for that leadership.
  - We wanted to underline the importance of our government-to-government relationship. States and Tribes are both sovereigns, and it's important to understand that that relationship is not a DEI or racial preference relationship – it's a government-to-government relationship of sovereigns.
  - We need to fashion a method for ex-parte communications where we can talk formally and informally, at a staff level. It's very difficult when our federal or state partners insist that Chairpeople be at every meeting. It's always a privilege when Chairpeople can attend, but understand that their delegates are experts sent here on full authority to act.
  - Finding a way to employ Tribes' sovereign status to conduct effective communication to avoid problems before they reach litigation or appeal is incredibly important. It's important not to treat Tribes like local governments.
  - Because we are often representing low-income and disadvantaged Tribal members, it's important to make processes for energization and dividing meters across multi-household parcels more accessible. We had an

electrification project for our community recently that required over $300,000 in expenses before the project was accepted and fully defined. These are costs that are a burden for Tribal governments, let alone individual Tribal members.
    - In state/federal appropriations there's often an assumption that communities are electrified and fully connected to the grid. That is substantially not true for Tribal communities.
    - The CASF funds, including Tribal Technical Assistance, are really a lifeline. If not for CASF funding, there would be broadband/electrification projects that Tribes in our area would not have been able to get access to. This is a real need that is not being recognized by Congress.
    - We have northern, central, southern CTCAs and a statewide CTCA. They can be helpful in reaching Tribes, especially in rural/remote/off-grid locations.
    - Tribes have supported the California economy through our land, much of which has become used for hydropower. We have made our substantial and meaningful contribution to the state of California. Thank you for making an effort.
- Peter Allen, retired CPUC ALJ:
    - Will there be further opportunities to provide formal notes in the record? Or just through consultations?
- Josh Simmons, TECC-X:
    - Thank you to everyone in attendance, and thank you to Commissioner Houck for your efforts here.
    - I want to highlight the importance of a fully-staffed and empowered Office of the Tribal Advisor. I would standup CEC as a model. Their Tribal Advisor is easily reachable and accessible, with team members. That's what I want to see at the CPUC.
    - CPUC's scope is very broad. We need a robust and redundant team. I don't know if CEC's Tribal Advisor is appointed by the governor? It doesn't need to be just a single person… I appreciate the staff you have, but their limited resources and availability is a vulnerability that must be addressed above all else. The Tribal Advisor needs to be empowered and resourced to work across Divisions and Commissioners. I don't know if this needs to wait for the TCP to be adopted, but I'd like to know what Tribes can do to advocate for this as well. We need to build a more resilient Tribal Advisor's Office.
- Breann Nuuhiwa, Legal Counsel for Pechanga Band:
    - I want to thank you for your engagement with Tribes. One thing I want to raise as a practical roadblock is that a meeting like this is not a formal

consultation. For the Tribe to take a formal position on a state policy, ~25 people have to review it and the Tribal Council has to hear about it.
  - An informal meeting like this with SMEs and attorneys can be the start of a process leading to formal consultation. We're concerned that just this initial engagement will be considered consultation by the State, and then we'll end up with a transmission line on our land or something else we never truly consulted on. As we build these consultation policies, please keep in mind the internal processes of Tribal governments.
- Catherine Zingg, Tribal Policy Director for Tribal Energy Alternatives:
  - We focus on increasing Tribal representation across Commissions across the country, and we have several offices supporting Tribal solar installation.
  - Tribal governments are sovereign with a distinct status; they are not interest-based participants. Even with the current TCP in place, when a Tribe seeks to participate, they are expected to fit into existing categories such as party, which were designed for private utilities and advocacy groups.
  - We recommend that the CPUC create a Tribal sovereign government status. Tribes should not need to file motions to intervene – federal recognition would establish that eligibility. It would also hit on the meaningful principle of the Tribal Consultation Policy where government-to-government consultation is automatically including service on Tribes and notice would occur earlier not after decisions are already shaped, operationalizing the Commission's early/often/meaningful principle.

Tribal Engage Regarding CPUC Tribal Land Transfer Policy, following Tribal Energy & Climate Collaborative eXchange Symposium

2026-02-19 at Pala Casino Spa Resort

- Aaron Thomas at SCE:
  - What role does the NAHC play in this?
  - Is it the intent that a Tribe can potentially solicit sale of IOU land, or just that a Tribe could purchase land if the IOU is interested in selling, as in 1.0?
- Peter Allen, TECC:
  - Comments point out that a lot of utility-owned land is not subject to 851. Right now, the TLTP is limited to potential sales under 851. Any land the utilities do not determine to be used/useful would not be subject to 851, and the telecoms are not subject to 851.
  - Telecoms like T-Mobile and Sprint and Verizon are direct successors to real-estate owned by Southern Pacific, acquired under questionable circumstances in the 19th century. The telecoms should be included under the TLTP even if they are not subject to 851.
  - Telecoms are only not subject to 851 due to Commission Decision, not statute.
  - Pipeline corporations are also not subject to TLTP, but I have seen pipeline corporations file 851 sales… why are pipeline corporations exempt from TLTP if they're not exempt from 851?
  - I'd also like to highlight a point in our formal comments. IOUs need to provide relevant information so we'll know what the past use of that land was, and it's also important to protect the privacy of certain cultural knowledge of relevance to specific areas. That information may be private to the group itself, so we'd advise protecting the privacy of the Tribe purchasing.
- Vanessa, SDG&E:
  - I'm concerned as a Tribal member about mapping ancestral territories. This gives the IOU the role that the NAHC should have and assumes the IOU has the role of dispute resolution among Tribes.

<u>Summary of Tribal Input from Roundtable Discussions</u>

Paskenta Band of Nomlaki Indians

April 14, 2026 at Rolling Hills Casino Resort

Commissioner Darcie L. Houck presented slides summarizing proposed revisions to the Tribal Consultation Policy and Tribal Land Transfer Policy of the California Public Utilities Commission (CPUC). The CPUC welcomes written comments and encourages Tribes to provide comments on the policies, and proposed decision that will be issued later this year.

The Commissioner stated that notes from the Roundtable would be provided to Tribal representatives for review and approval. Tribal representatives should review the notes for accuracy and provide any edits/comments back to the CPUC for finalizing and docketing into the proceeding record. If there is any information the Tribes does not want included in the record we ask that the Tribal representative let the CPUC know to ensure the accuracy of the notes and that any comments not included for public review be excluded from the docketed document.

Representatives and members of the Paskenta Band of Nomlaki Indians (Tribe) provided the following feedback.

Tribal Consultation Policy

- Tt is important for agencies to understand the region, and to understand the differences between Tribes, especially different needs between the northern/central/southern California Tribes.
- State agencies should consider population size, availability of economic resources, and priorities of individual tribes.
- In reviewing the latest updates of the Tribal Consultation Policy, it appears CPUC has considered the challenges that frequent consultation imposes. It is good to combine efforts of agencies, such as how the CPUC and CEC are doing with the Regional Roundtables.
- Agencies should keep in mind that not all Tribes have the capacity to be as actively engaged as Paskenta is. It is also important to have multiple points of contact with Tribes and to give them ample opportunities to engage in these types of policy changes.

Tribal Land Transfer Policy

- Questions from Tribe:
    - Have there been any successful land transfers in the past? What were the challenges and obstacles?

        - CPUC Response: No land transfers have occurred under the policy to date. History: land given from a utility to a conservancy without a tribe getting an opportunity to acquire land. Avoiding this in the future was part of the impetus. However, current policy has proven difficult to use which is why CPUC is seeking revisions to make the process easier.
    - Does transfer policy go both ways (e.g. eminent domain)?
        - CPUC Response: No, other processes apply to eminent domain.
    - Does this include outreach to whole ancestral area under the TLTP?
        - CPUC Response: Yes, it is based on self-reporting and there could be some overlapping territories among tribes.
    - How is CPUC setting this policy up to outlast future changes in administration or personnel? Paskenta appreciates current involvement and ongoing efforts, and doesn't want to see setbacks from political changes.
        - CPUC Response: Internal changes ongoing and policy aims to institutionalize changes beyond individual political officials and staff. Part of this is building out Tribal Advisor's Office and Tribal Division Liaisons within the Commission.
    - The Diablo Canyon Power Plant is being kept open longer than expected. What discussions happened on that project?
        - CPUC Response: We will need to follow up internally to find the right subject matter experts – CPUC shares Tribal Advisor Office email address as good first point of contact.

- Comments from Tribe:
    - It is helpful to put things in writing for accountability purposes.
    - May be helpful to give advanced notice about future anticipated decommissioning of projects (e.g. railroads being torn out) not just land that has already been decommissioned.
    - On the commissioning side, the IOUs need to go through application process with CPUC and CAISO also has a list of future transmission projects planned.

Additional Consultation with CPUC Commissioner Houck

In continued conversation with Commissioner Houck, representatives of the Paskenta Band of Nomlaki Indians provided the following input:

- Technical assistance is extremely important for Tribes. If there isn't a carve-out for Tribal communities, many Tribes end up competing for dollars directly against private developers. It's incredibly discouraging to see developers receive grants ahead of Tribal communities that we know are in dire need of support.

- More CPUC programs should have specific allocations for Tribal communities or Tribal governments specifically, so that small Tribal governments aren't competing with industry.
- The CPUC's scoring criteria for grant programs could also be reassessed – do the scorers have training in assessing the real need of communities?
- Not all Tribes have the technical skills on hand to apply for infrastructure grants. Tribal-specific grants for technical assistance would help address this issue. Something like Local Agency Technical Assistance program or the Tribal Technical Assistance programs, but for poles or energy, would be very helpful.
- As Tribes stand up their own utilities, there are often questions from the existing utilities about who they answer to. If the CPUC could officially notify utilities that state authority does not apply on Tribal land, that would help a lot.
- Greater Tribal energy sovereignty would be yet another source of Tribal strength.
- Energy independence would mean being able to develop new industries and ensure that households always have power.
- CPUC should institutionalize the priorities and efforts of this particular Commission into the future.
- CPUC should ensure there is enough funding for Tribal projects.
- Sustainability could be the starting point for developing dedicated funding for Tribal energy sovereignty.
- Tribes are often major centers for rural economic development. The investment in our rural communities, the investment in infrastructure, and the provision of healthcare in rural areas is often coming from Tribes. The role of Tribes is absolutely essential. If the state is going to address infrastructure needs in rural parts of the state, it has to include the Tribes.
- The Tribes are the solution for bringing reliable and affordable energy and communications to rural California.
- The Tribe asks Commissioner Houck to provide information regarding the interconnection process and asks for additional information.
    - Commissioner summarizes series of statewide ROW workshops, and a summary of ongoing work with PG&E, SCE, SDG&E, and Tribes statewide.
    - Commissioner Houck is interested in a future Rights of Way Workshop focused on energization applications and the delays that occur, and perhaps a workshop on how many upgrades for poor performing circuits in rural areas that

disproportionately impact Tribal communities are not included in the distribution planning upgrades or GRC proposals.

- Commissioner Houck provides summary of ongoing efforts to incorporate Tribal service and infrastructure needs into proceedings, and relevant work regarding building electrification, transportation electrification, and equity issues in the CPUC's High DER proceeding (Rulemaking R.21-06-017).

Summary of Tribal Input from Regional Roundtable Discussions

Susanville Indian Rancheria

April 15, 2026 at Diamond Mountain Casino & Hotel

Caleb Jones, Advisor to Commissioner Houck, presented slides summarizing the proposed revisions to the Tribal Consultation Policy and Tribal Land Transfer Policy of the California Public Utilities Commission (CPUC).

The CPUC welcomes written comments and encourages Tribes to provide comments on the policies, and proposed decision that will be issued later this year.

The notes from the Roundtable will be provided to Tribal representatives for review and approval. Tribal representatives should review the notes for accuracy and provide any edits/comments back to the CPUC for finalizing and docketing notes into the proceeding record. If there is any information the Tribes do not want to include in the record, we ask that the Tribal representative let the CPUC know to ensure the accuracy of the notes and that any comments not intended for public review be excluded from the docketed document.

Representatives and members of Susanville Indian Rancheria (Tribe) provided the following feedback:

Tribal Consultation Policy

- The CPUC's Tribal Consultation Policy should acknowledge Indigenous Traditional Ecological Knowledge (ITEK), which is increasingly the term in use, recognizing cross-border nature of ITEK. Knowledge can be shared and utilized across borders, and it is important to support pan-Indigenous networks.
- The CPUC should have minimum standards for early engagement around projects. There should be clarity on the following: What is the process for receiving comments? How is information going to be used? What is the timeline for how information will be used (e.g., check-ins and surveys)?
- For consultation to be meaningful, CPUC must include Tribes early enough in the process to make a change or a difference in policy.
- When agencies have limitations, they should be clear with tribes on what those are. Understanding the limitations that agencies face in incorporating tribal input and clear documentation of that input is helpful. If tribal input is not incorporated into the final policy, follow-up to let tribes know why it was not.
- CPUC should identify how it collected tribal input and document how it was implemented.

- CPUC should report out annually on the effectiveness of consultation – collaboration between agencies and Tribes to share information; CPUC and Tribes should communicate about what has worked and what has not. It is important for Tribes to have feedback mechanisms after decision-making, as well as input during decision-making. For example, CPUC should create and send planning documents laying out phases, timelines for goals, or something else to allow Tribes to track progress and whether the goals are being met. Timelines can be flexible.
- CPUC should recognize that reviewing dense reports can be difficult and unhelpful for Tribes; executive summaries are more helpful; share the top-level points and goals/objectives at a level of detail appropriate for decision-makers.
- The CPUC should create a Tribal Advisory Council and establish formal agreements with Tribes who are willing to participate in the Advisory Council.
- Reconciliation implies the importance of gathering and communicating; it is important for Tribes to be heard and for changes to be made from Tribal input, and it's important for Tribes to see results from the conversations they have with agencies.
- It would be helpful if agencies could provide Tribes with a better understanding of the limitations that agencies face in incorporating Tribal input. Sometimes agency leadership supports a tribal position, but staff does not implement what tribes understood to be the leadership policy directives, or there is no follow-through. When this happens, it would be helpful to inform Tribes about where and why the disconnect is occurring, or who we need to speak with if they are not speaking with the right people.
- Conversations are good, but there needs to be action associated with conversations.
- It is always helpful to have Tribal members included in decision-making processes affecting Tribes.
- Agency definitions of cultural resources may not be the same as Tribal definitions of cultural resources. It is important for agencies and agency staff to make efforts to understand and incorporate Tribal definitions and understandings of cultural resources when making decisions and developing programs and processes.
- Tribes are all different and communication preferences will vary from Tribe to Tribe, so it is best to customize outreach to the Tribe.

Tribal Land Transfer Policy

- Appreciate the intent of the proposal for the Tribal Land Transfer Policy (TLTP), and that Land Back is important. However, this policy may not go far enough to be effective.
- Does the policy only apply to surplus land, and how is it determined whether a parcel of land is surplus. Can Tribes be involved in that process?
- If Tribes need to out-bid local governments and corporations to get their land back, it's almost never going to happen.

  - CPUC responds, acknowledges the concern, and shares an example of a utility donating land to a conservancy, which was part of the impetus for the TLTP.
- Several questions remain about the implementation of TLTP: Does the Tribe need to be able to afford to buy the land outright? Could the Tribe ask the utility to place a cultural easement on the land, benefiting the Tribe, before the utility sells it?

Summary of Tribal Input from Regional Roundtable Discussions

Tuolumne Band of Me-Wuk Indians

May 4, 2026 at Black Oak Casino Resort

Caleb Jones, Advisor to Commissioner Houck, presented slides summarizing the proposed revisions to the Tribal Consultation Policy and Tribal Land Transfer Policy of the California Public Utilities Commission (CPUC).

The CPUC welcomes written comments and encourages Tribes to provide comments on the policies, and proposed decision that will be issued later this year.

The notes from the Roundtable will be provided to Tribal representatives for review and approval. Tribal representatives should review the notes for accuracy and provide any edits/comments back to the CPUC for finalizing and docketing notes into the proceeding record. If there is any information the Tribes do not want to include in the record, we ask that the Tribal representative let the CPUC know to ensure the accuracy of the notes and that any comments not intended for public review be excluded from the docketed document.

Representatives of the Tuolumne Band of Me-Wuk Indians (Tribe) provided the following feedback.

Tribal Consultation Policy

- I is important to have longer time periods for consultation, longer than the current CEQA process.
- Consultations on preservation are important; what are the limits on ancestral lands, and what is the definition– what the government considers or what the Tribe knows to be their land?
- It is important to have tribal monitors helping to make decisions any time dirt is touched (e.g., any work affecting trees, landscape, culturally significant plants, and more). Early contact with Tribes will avoid delays and future issues. Gathering places, burial sites, culturally significant areas need to be addressed and respected.
- Recommendations regarding communication:
- Having multiple methods of contact for agency representatives is important. It is important to find ways to remove communication roadblocks among subcontractors or utilities.
- The flow of information to Tribes needs to be improved; information is lost in multiple levels, (e.g., between decisionmakers and staff, between agencies and contractors, or between policymaking and implementation).

    - It would be helpful to be more explicit when a process begins. Front-loading information before process begins helps. Contact the Tribe before projects are in the works; make sure they are in the loop at all steps along the way.
- Having direct contact with Commissioners/Commissions is important and helpful. How do the CPUC and CEC decide what constitutes need for an action to be noticed to a Tribe? It is important to let Tribes understand the process.
- There must be communication when there is a positive hit on sacred lands (as recorded at the California Native American Heritage Commission).
- It is important for the Tribe to be able to indicate ancestral land boundaries to agencies.
- Recommendations regarding notifications:
- Notifications should let other Tribes understand and know what is happening; Tribes can help support outreach to other Tribes. If ancestral lands border other Tribes, then it is good to keep communication lines open for Tribe-to-tribe notifications.
- It is important for agencies to provide as much information as possible; let individual Tribes determine if they want to receive less notice/updates. Better to over communicate. Putting in a newsletter is not always enough. Some tribes want formal letter notification.
- Having set policies helps build trust, especially with staff changes
- It is important to acknowledge non-federally recognized Tribes and their culturally significant lands; they should have the same type of outreach and communication as federally-recognized Tribes.
  - In response, CPUC and CEC both clarify that their Tribal Consultation Policies are to consult with all California Tribes listed on the Native American Heritage List, regardless of federal recognition status.
- Agree that it is important to stay committed to principle of, "Early, Often, Meaningful" consultation.
- Grouping notices is helpful; structure information in a chronological order – what is coming up first and what is needed from Tribe.
- Agencies summarize their own outreach processes -- newsletters, emails, calls, Native American Heritage Commission (federal and non-federally recognized Tribes). CPUC acknowledges staffing challenges.
- Once a project is real (funds allocated, public notification, etc), outreach to Tribes needs to happen.
- Requests that agencies increase and retain staff to help support Tribal programs, so that staff does not need to relearn what the Tribe's priorities are.
- Agree that developing relationships is important, that staff turnover is a challenge, and that it's important to check in periodically to keep contact info current.
- Agencies should hold annual summits to maintain contacts and cultivate relationships.

- Some tribes have a list to send updates to when they have an election. Agencies should ensure they are on those update lists.

Tribal Land Transfer Policy

- Recommend that the history of the land should be included with information given by CPUC and IOUs.
- Agency should provide information in addition to the information provided by an IOU under the Tribal Land Transfer Policy (TLTP) when a property is going to be disposed of. CPUC should require IOUs to provide additional information regarding property being disposed of, i.e., when IOUs share available parcels of land, they need to show maps, aerial photos, GPS coordinates, size, description, appraised value and previous use, environmental reports.
    - Recommend that water and mineral rights tied to property need to be acknowledged and should be included in notice.
- If land is on Tribal, ancestral land, why not give a Tribe Right of First Refusal instead of Right of First Offer?
- Should provide a 90-day opportunity to prepare an offer. This would be better than 60 days.
- Agencies need to understand the timelines different Tribes operate under. Tuolumne needs approval from its leadership, and sometimes meetings don't happen frequently, and extra time is needed to review documents and other info, and to get approval.
- Agencies need to remember the importance of data sovereignty when Tribe shares data with agencies or third parties.
- There can be some challenges transferring land into trust if land has been gifted. If a Tribe is going to transfer land into trust, process sometimes gets held up with title issues. Can the TLTP do anything to alleviate hold-ups at the Bureau of Indian Affairs (BIA) when land is gifted to a Tribe, and help make the title recognizable to title companies?
    - As an example where land that had been transferred to the Tribe by Congress was not accepted by the county government due to issues regarding survey of the land.

Summary of Tribal Input from Regional Roundtable Discussions

Bishop Paiute Tribe

May 6, 2026 at Bishop Paiute Tribal Offices

Caleb Jones, Advisor to Commissioner Houck, presented slides summarizing the proposed revisions to the Tribal Consultation Policy and Tribal Land Transfer Policy of the California Public Utilities Commission (CPUC).

The notes from the Roundtable will be provided to Tribal representatives for review and approval. Tribal representatives should review the notes for accuracy and provide any edits/comments back to the CPUC for finalizing and docketing notes into the proceeding record. If there is any information the Tribes do not want to include in the record, we ask that the Tribal representative let the CPUC know to ensure the accuracy of the notes and that any comments not intended for public review be excluded from the docketed document.

Representatives of the Bishop Paiute Tribe (Tribe) provided the following feedback.

Tribal Consultation Policy

- The Tribe receives a large number of AB 52 and SB 18 government consultation requests, and it is not possible to respond to all of them. We hope agencies can understand the limitations and will not take lack of response on one issue as a sign that we do not want to receive notice on that issue going forward or on other issues.
- The Tribe appreciates receiving notices even if they cannot respond to everything.
- The Tribe appreciates agency commitments to Tribal energy sovereignty, Tribal government partnerships, and respecting/protecting the cultural integrity of Tribal projects. Welcomes opportunities to communicate effectively, and important to have an opportunity for administrative review before public review.
- However, Tribes need more support for technical advisors and staff.
- One of the Tribe's primary concerns is how to finance projects and infrastructure. There is a need to reacquire land to support and benefit the community.
- The Tribe wants to develop enough housing to provide an opportunity for all members who want to be able to return home, and to enhance workforce development programs.
- The Tribe expresses the importance of maintaining cultural traditions.
- Appreciates continuing opportunity to engage and have panel discussions with agencies and organizations.

- The Tribe expresses the importance of protecting and respecting data sovereignty when sharing data with state agencies or third parties.
- The Tribe asks how CEC and CPUC consult with Tribes. Question: Do state agencies only consult with federally recognized Tribes?
    - Response: CEC and CPUC respond. Both confirm that their policies are to consult with all California Tribes on the list maintained by the Native American Heritage Commission (NAHC), regardless of federal recognition status.
- The Tribe requests that agencies not define CA Native American Tribes based on the California NAHC list.
- The Tribe recommends striking through any language that references the NAHC List, as list could change and leave tribes without ability to consult with agencies.
- The Tribe recommends moving from a simple notification process to early drafting or early co-development of state policies; the state should bring Tribes into the early stages of processes and discussions.

Tribal Land Transfer Policy (TLTP)

- Shares history of forced relocation to secure water sources for the development of Los Angeles, and states that they are interested in acquiring nearby ancestral territory that is today owned by the Los Angeles Department of Water and Power (LADWP). Question: Would LADWP lands be subject to the TLTP?
    - CPUC Response: The TLTP only applies to investor-owned utilities (IOUs) not municipal utilities like LADWP, because the CPUC only regulates IOUs. Therefore, the CPUC's TLTP does not apply to LADWP.
    - The CPUC should consider whether it can expand the application of TLTP to include lands owned by publicly owned utilities such as LADWP.
- It is helpful to add a map of utility holdings on Tribal lands.
- CPUC should provide measured and sharable actionable results quarterly or annually. CPUC should convene meetings where CPUC and utilities report back to Tribes on progress under TLTP.
- The map should depict land ownership, past and present; the Tribal Land Transfer Policy should take into account the Unratified Treaties and the map should display the historical lands of Tribes.

- How are the ancestral territories being returned? How does utility determine which lands are deemed surplus? Tribes should have a say in this process. Tribal voices need to be involved in the process to identify lands that are sacred or culturally significant, and to help mitigate disturbances to current Tribal members by utilities; lands should be considered for transfer to Tribes that may or may not be economically valuable, not just surplus lands.
- There should be case studies researched with academic partners to determine how land ownership has changed.
- Respect Tribal and cultural significance; take a harder look at utility owned land with Tribal significance – not just surplus. Need Tribal access/consideration. They should also be able to purchase economically viable lands that are culturally significant for the tribe, not just those that are deemed surplus.
- The Commission should clarify on the TLTP map which lands are subject to the Tribal Land Transfer Policy, which lands are potentially available to Tribes, and the process by which Tribes may acquire lands.
- There needs to be something beyond consultation and land transfer policies to effectively protect Tribal lands.
- The Tribal Land Transfer Policy should not just consider land rights, but should also include subterranean and air rights. Mineral rights should be included in notices.
- Recommend including more Tribal input on the policy; the policy as written is too passive. Suggests including more of a tribal claims approach.
- The CPUC support technical assistance for Tribes in the form of a workshop on negotiating with utilities regarding land transfers, contracts, and easements, among other topics; workshop could also address how to institutionalize negotiations going forward.

Summary of Tribal Input from Regional Roundtable Discussions

Santa Ynez Band of Chumash Indians

May 11, 2026 at Santa Ynez Museum and Cultural Center

Caleb Jones, Advisor to Commissioner Houck, presented slides summarizing the proposed revisions to the Tribal Consultation Policy and Tribal Land Transfer Policy of the California Public Utilities Commission (CPUC).

The notes from the Roundtable will be provided to Tribal representatives for review and approval. Tribal representatives should review the notes for accuracy and provide any edits/comments back to the CPUC for finalizing and docketing notes into the proceeding record. If there is any information the Tribes do not want to include in the record, we ask that the Tribal representative let the CPUC know to ensure the accuracy of the notes and that any comments not intended for public review be excluded from the docketed document.

Representatives and members of the Santa Ynez Band of Chumash Indians (Tribe) provided the following feedback.

Tribal Consultation Policy

- It is helpful for agencies to clarify dynamics between state agencies such as CPUC and CEC, which is not always well understood. The jurisdiction of each differs and small details may matter.
  - Both agencies provided a summary of their roles and responsibilities.
- The following recommendations on how agencies should engage are provided:
  - Emailed letters do not always get responses; it can be difficult to identify who to forward emails to or who has time to respond. Closed-door meetings in person are important. Surveys are also an option. Having multiple modes is generally helpful. Phone calls are good too. Visuals can help.
  - For consultation on new grant programs, webinars where questions can be asked and follow up options for questions is a very helpful format. Please provide points of contact after webinars.
  - Having insight into where California is going is important for the broader planning is important. A big picture understanding is critical and the more information agencies can provide, the better off everyone will be.
  - Third-party engagement needs buy-in from the tribe.
  - Having well-informed tribal members is important as the work is constantly changing.

- Concerns with state-hired developers and consultants. Developers and consultants wear two hats and are often hired by the State for certain types of outreach. Sometimes agencies like the CPUC will list a consultant as a valid contact. Third-party engagement can be tricky, but listing legitimate contractors of agencies on a public website is helpful to distinguish contractors from scammers.
- Information for engaging with Santa Ynez Chumash Band.
  - There are differences between Tribal Council meetings and other types of engagement; there's a variety of useful avenues, but it is important to know how to engage different parts of different tribal governments.
- Tribal decisions require lots of inter-department coordination including coordination with the tribal council, who need to approve engagement. Visits to the Tribe's Business Committee require vetting and approval.
  - It is valuable to have engagement directly from the agencies to the Business Committee, rather than 3rd party engagement.
  - It is often helpful to get in front of the Business Committee and schedule time. Learn what process the Business Committee wants to use, (e.g., email the Chairman's assistant, and then follow that process). It is often good practice to copy the Council as well.
  - Tribe's Business Committee has a very top-down informational flow
  - Business Committee wears multiple hats: casino, tribal etc., and is the boots on the ground but decision-making must start at the top.
  - The Business Committee needs an understanding of policies or points of contact to talk through policies
  - Tribe recommends utilizing an organizational chart to determine who to pull in so that information is not siloed.
  - Determine a method to pull in all the relevant entities and backups. This would prevent the relevant people being notified at the last minute.
  - Perhaps mention outreach suggestions, such as which groups may be important to forward the information on to.
  - But you also need to balance being respectful, and that each tribe operates differently.
  - Ask how information should flow from the outset
  - Contacting more people is usually better, but information flow can get stuck
  - It is helpful to schedule around big events that many Tribes will need to attend
  - It is always best to have food available if you're inviting tribal members.

Tribal Land Transfer Policy

- Have there been any successful land transfers in the past? What were the challenges and obstacles.
    - CPUC staff state that no land transfers have occurred under the Tribal Land Transfer Policy (TLTP) yet and provides the historical context for the creation of the policy.Current policy has been difficult to use, which is why the CPUC is seeking revisions to make the process easier.
- Does transfer policy go both ways, e.g. eminent domain? Is there any risk that it would in the future? To be clear, it should not.
    - CPUC staff explains that the purpose of the Tribal Land Transfer Policy is to facilitate the transfer of Tribes' ancestral land currently owned by utilities back to Tribes. The TLTP does not enable anyone to take land from Tribes.
- Are utilities required to conduct outreach based on a Tribe's entire ancestral territory under the TLTP?
    - CPUC explains that the answer is yes. Necessary outreach is based on self-reporting even if this results in overlapping claims.
- How is CPUC setting this policy up to outlast future changes in administration or personnel? Tribe appreciates current involvement and ongoing efforts, and doesn't want to see setbacks from political changes.
    - CPUC explains that internal efforts, such as having the Governor's Office appoint a Tribal Advisor for the agency, are ongoing. The policy aims to institutionalize changes beyond individual appointed or elected officials. Part of this is building out Tribal Advisor's Office and Tribal Division Liaisons.
- Tribe states it is helpful to put things in writing for accountability purposes.
- It may be helpful to give advance notice about future anticipated decommissioning of certain projects. (e.g. railroads being torn out, not just land that has already been decommissioned).
- On the decommissioning side, IOUs need to go through application process with CPUC, and CAISO also has a list of future electric transmission projects planned.
- Diablo Canyon decommissioning timeline is being pushed back: what discussions are happening in that context?
    - CPUC will need to follow up internally to find the right subject matter experts – CPUC shares Tribal Advisor office email address as good first point of contact.

Summary of Tribal Input from Regional Roundtable Discussions

Agua Caliente and Torres Martinez Desert Cahuilla Indians

May 12, 2026 at Morongo Casino, Resort, & Spa

Caleb Jones, Advisor to Commissioner Houck, presented slides summarizing the proposed revisions to the Tribal Consultation Policy and Tribal Land Transfer Policy of the California Public Utilities Commission.

The notes from the Roundtable will be provided to Tribal representatives for review and approval. Tribal representatives should review the notes for accuracy and provide any edits/comments back to the CPUC for finalizing and docketing notes into the proceeding record. If there is any information the Tribes do not want to include in the record, we ask that the Tribal representative let the CPUC know to ensure the accuracy of the notes and that any comments not intended for public review be excluded from the docketed document.

Energy managers at the Agua Caliente and Torres Martinez Desert Cahuilla Indians provided the following feedback.

Tribal Consultation Policy

- Is there room to adjust policies around grant programs considering unexpected barriers? How can we improve communication between tribes and agencies, when the understanding of the issue is not there?
- Agencies need to consult early on to avoid programs being scrapped due to obstacles.
- Agencies should err on the side of being over-inclusive when providing notice and information to tribes, and allow the tribes to determine which projects have tribal impacts. Not communicating with Tribes about projects generally results in poor communication and a breakdown of trust between tribes and agencies.
- It is better to over communicate than under communicate, so everyone knows what is going on; let Tribes decide what affects them instead of guessing what affects them and what does not.
- Sometimes Tribal Council members change and the new members may not be as aware of the issues. It is important for the state to continue to know the new council members.
- It is important for agencies to communicate directly with Tribal Council regarding programs to ensure clarity on policies rather than sending a general letter to a Native American Heritage Commission list contact, where information may not be understood or lost. When Tribal Council members change, information may need to be provided again to get new Tribal Council members up to speed.

Tribal Land Transfer Policy

- It is critical to make sure Tribes are aware of this policy.
- In addition to publishing and periodically sharing the interactive map online, it would be helpful to provide maps to Tribes, so they know who owns which land.
- Being aware that the policy exists allows Tribes to plan for possibilities to regain ancestral land.
- A large amount of pre-work is necessary ahead of land becoming available, so the Tribes are aware of the policy and what lands may become available, so that they can prepare internally.

(END ATTACHMENT 1)