



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

FILED

07/31/26

03:20 PM

R2106017

Order Instituting Rulemaking to Modernize the
Electric Grid for a High Distributed Energy
Resources Future.

Rulemaking 21-06-017
(Filed June 24, 2021)

**CENTER FOR BIOLOGICAL DIVERSITY
REPLY COMMENTS
ON ASSIGNED COMMISSIONER'S AND ADMINISTRATIVE LAW JUDGE'S
RULING ISSUING QUESTIONS ON THE DISTRIBUTED ENERGY RESOURCES
ORCHESTRATION WORKSHOP REPORTS**

ROGER LIN
LORENZO KRISTOV
HOWARD CRYSTAL
CENTER FOR BIOLOGICAL DIVERSITY
2100 Franklin Street, St. #375
Oakland, CA 94612
Telephone: (510) 844-7100
rlin@biologicaldiversity.org
LKristov@omsoft.com
hcrystal@biologicaldiversity.org

July 31, 2026

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

Order Instituting Rulemaking to Modernize the
Electric Grid for a High Distributed Energy
Resources Future.

Rulemaking 21-06-017
(Filed June 24, 2021)

**CENTER FOR BIOLOGICAL DIVERSITY
REPLY COMMENTS
ON ASSIGNED COMMISSIONER’S AND ADMINISTRATIVE LAW JUDGE’S
RULING ISSUING QUESTIONS ON THE DISTRIBUTED ENERGY RESOURCES
ORCHESTRATION WORKSHOP REPORTS**

Pursuant to Assigned Commissioner Houck and Administrative Law Judge Chang’s July 9, 2026 Ruling Issuing Questions on the Distributed Energy Resources (“DER”) Orchestration Workshop Reports (“Ruling”), the Center for Biological Diversity (“Center”) provides the following reply comments.

I. The Commission Should Authorize Additional Working Groups.

The Center supports the call, by many parties, for additional working groups to develop collaborative solutions to several as-yet unresolved issues that are critical to successful DER orchestration and transmission-distribution coordination.¹ These issues need to be addressed—through an open stakeholder workshop process—before the Commission authorizes the IOUs to submit applications or any other form of proposals to perform DER orchestration.

The Commission should either extend the current Track 2 into 2027 or create a subsequent phase of this proceeding or successor proceeding centered around stakeholder

¹ See Opening Comments of Advanced Energy United at 6-7; UCAN Opening Comments at 2, 15-16; Clean Coalition Opening Comments at 19-21; CalSSA Opening Comments at 6-7.

working groups to resolve these crucial issues. As Clean Coalition observes, “... foundational questions concerning market governance, valuation, interoperability, data access, utility readiness, and the roles of CCAs and third-party providers remain unresolved.”² In particular, the working groups must address CalCCA’s recommendation to specify “additional guiding principles to address governance issues and ensure a fair and competitive market, including:

- Nondiscriminatory market access, operations, and dispatch;
- Independent monitoring and oversight of the DSO and market functions;
- Optimization of existing distribution grid capacity before authorization of capital investments;
- Competitive neutrality of the DSO and marketplace operator;
- Fair compensation for flexibility services; and
- Timely access to accurate customer usage, DER, integration capacity analysis, and grid data.”³

In addition, the Center agrees with the need to address the critical unresolved issues identified by UCAN,⁴ and Clean Coalition.⁵

II. The Commission Should Develop a Market Platform Based on an Open-Access Non-Discriminatory Framework.

The Center also concurs with the recommendations of several parties to develop a market platform, based on an open-access non-discriminatory framework, for participating DERs to transact flexibility, energy and grid services.⁶

² Clean Coalition Opening Comments at 1.

³ CalCCA Opening comments at 4.

⁴ See UCAN Opening Comments at 5.

⁵ See Clean Coalition Opening Comments at 3.

⁶ See Opening Comments of Advanced Energy United at 2; UCAN Opening Comments at 6-8, 12; CalCCA Opening Comments at 9.

III. The Commission Should Clarify and Expand on the Meaning of Open-Access.

The Center emphasizes the need identified by several parties to clarify and expand on the meaning of “open access” as a prerequisite for achieving the objectives of this proceeding. As Clean Coalition notes, “Open access must mean more than allowing aggregators to participate in an IOU-designed program.”⁷ To this end, the Center highlights Advanced Energy United’s six-part working definition of open access based on FERC and Commission precedent:

1. non-discrimination,
2. comparability (no utility self-preference),
3. third-party access to grid infrastructure,
4. tariff-based standardized terms,
5. support for competition, and
6. transparent and timely data and processes.⁸

IV. Conclusion.

For the foregoing reasons, the Center respectfully requests that the Commission adopt the recommendations in our opening and reply comments.

Dated: July 31, 2026

Respectfully submitted,

_____/s/_____
ROGER LIN
LORENZO KRISTOV
HOWARD CRYSTAL
CENTER FOR BIOLOGICAL DIVERSITY
2100 Franklin Street, St. #375
Oakland, CA 94612
Telephone: (510) 844-7100

⁷ Clean Coalition Opening Comments at 4.

⁸ See Opening Comments of Advanced Energy United at 2-3.

