BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

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Application of Pioneer Community Energy for Compliance Review of its Administration of the Bioenergy Market Adjusting Tariff Program for the Period September 1, 2025 through September 1, 2026	A.26-09-XXX (Filed September 1, 2026)

APPLICATION OF PIONEER COMMUNITY ENERGY FOR COMPLIANCE REVIEW OF ITS ADMINISTRATION OF THE BIOENERGY MARKET ADJUSTING TARIFF PROGRAM FOR THE PERIOD SEPTEMBER 1, 2025 THROUGH SEPTEMBER 1, 2026

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September 1, 2026

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I. DESCRIPTION OF APPLICATION AND SUMMARY OF REQUEST

In compliance with Decision (D.) 23-11-084, and pursuant to Rule 2.1 of the Rules of Practice and Procedure of the California Public Utilities Commission (CPUC or Commission), Pioneer Community Energy[1] (Pioneer) submits this application for compliance review of Pioneer's administration of the Bioenergy Market Adjusting Tariff (BioMAT) program.[2] This application sets forth Pioneer's BioMAT-related operations for September 1, 2025 through September 1, 2026 (Record Period). Concurrent with the filing of this application, Pioneer is serving supporting prepared testimony on Commission staff members and interested parties, preliminarily designated as Exhibit PIO-01. Pioneer requests that the Commission find that, during the Record Period, Pioneer's administration of the BioMAT program, including the implementation of policies, practices, and procedures described herein, complied with the

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1 Pioneer, launched in 2018, is a joint powers authority serving as the Community Choice Aggregator (CCA) for approximately 170,000 customer accounts in Placer and El Dorado counties, Auburn, Colfax, Grass Valley, Lincoln, Loomis, Nevada City, Placerville, and Rocklin. Pioneer plans to expand its service to the Counties of Colusa, Nevada, Sutter, Butte, Tuolumne and Glenn, the Cities of Colusa, Williams, Yuba City, Live Oak, Willows, Oroville, Chico, Sonora and Orland and the Town of Paradise in 2027.

2 All subsequent references to rules are to the Commission's Rules of Practice and Procedure.

Commission's prudent contract manager standard and is otherwise in compliance with Commission decisions.

II. BACKGROUND

The BioMAT program is a feed-in tariff program for small bioenergy renewable generators, originally created by Senate Bill (SB) 1122 and implemented by the Commission in 2014 by the issuance of D.14-12-081.[3] The BioMAT program, as defined in Public Utilities Code Section 399.20, offers up to 250 megawatts (MW) to eligible projects through a fixed-price standard Power Purchase Agreement (PPA).[4] The 250 MW program capacity is allocated among the Investor-Owned Utilities (IOUs) and is further distributed among three fuel resource categories:

- 110 MW of Category 1 Projects, sourced from biogas wastewater treatment, municipal organic waste diversion, food processing, and codigestion;
- 90 MW of Category 2 Projects, sourced from dairy and other agricultural bioenergy; and
- 50 MW of Category 3 Projects, sourced from byproducts of sustainable forest management.

Since the issuance of D.14-12-081, the BioMAT program has undergone several modifications. For example, in D.20-08-043, the Commission amended the BioMAT tariff and contract rules and prescribed BioMAT cost allocation and recovery requirements. The Commission also authorized IOU BioMAT procurement cost allocation through a non-bypassable charge (NBC) applicable to all customers in each IOU's service territory, including CCA customers, through the Public Purpose Program (PPP) rate.[5] The decision also extended the BioMAT program end date to December 31, 2025.[6]

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3 *See* SB 1122 (Rubio), Stats. 2012, Ch. 612 (Sept. 27, 2012) (amending Pub. Util Code § 399.20).

4 All subsequent statutory references are to the Public Utilities Code, unless otherwise noted.

5 *See* D.20-08-043 at 15.

6 *See* D.20-08-043 at 60; Conclusion of Law (COL) 1.

While the BioMAT program was originally limited to the IOUs, Assembly Bill (AB) 843 (2021) authorized CCAs to submit eligible bioenergy projects for cost recovery pursuant to the BioMAT program if open capacity exists within the 250 MW limit.[7] Per AB 843, the electricity purchased from a bioenergy facility is to count toward both the CCA's Renewables Portfolio Standards (RPS) procurement requirements, and the bioenergy procurements requirements of the IOU whose service territory encompasses the CCA. The physical generating capacity of the facility will also count towards the CCA's resource adequacy (RA) requirements.

The Commission implemented AB 843 in D.23-11-084. Among other things, the Commission revised the BioMAT program to integrate the IOUs and CCAs into a common web-based procurement platform, incorporating a third-party administrator to assist with independent management of the program queue, and allowing each participating IOU or CCA access to NBCs to offset certain BioMAT procurement charges. On January 29, 2024, Pioneer, together with Orange County Power Authority (OCPA), Central Coast Community Energy (3CE), and Redwood Coast Energy Authority (RCEA) (collectively, Participating CCAs), opted to participate in the BioMAT program by submitting a joint Tier 2 advice letter (AL) in accordance with D.23-11-084 seeking approval of standard BioMAT CCA program documentation. The Participating CCAs received approval of their Tier 2 ALs and standard program documentation from the CPUC's Energy Division on April 29, 2024.

Since approval of the standard CCA program documentation, each Participating CCA has worked with the BioMAT program third-party administrator, Accion, to develop CCA BioMAT websites similar to the IOU BioMAT websites where applicants can submit Program Participation Requests (PPRs) pursuant to Ordering Paragraph (OP) 3 of D.23-11-084. D.23-11-084 also set

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7 AB 843 (Aguiar), Stats. 2021, Ch. 234 (Sept. 21, 2021) (amending Pub. Util Code § 399.20).

various compliance filings for CCAs participating in the BioMAT program, including the annual filing of Tier 3 ALs to seek Commission approval of eligible BioMAT-forecasted revenue requirements and the filing of annual applications to establish CCA compliance with the Commission's prudent manager standard. The purpose of Pioneer's application and supporting testimony is to meet the latter of these requirements.

Specifically, OP 17 of D.23-11-084 orders each CCA that elects to participate in the BioMAT program to annually file an application to establish CCA compliance with the Commission's prudent manager standard. On August 23, 2024, the Participating CCAs jointly submitted a request for extension of time to file an application to establish compliance with the prudent manager standard as ordered in OP 17 of D.23-11-084. As explained in the Participating CCAs' request, the Participating CCAs had yet to enter into a PPA under the BioMAT program to which the prudent manager standard would apply. In the interest of conserving Commission and party resources, the Participating CCAs thus requested that the deadline for filing the initial BioMAT compliance application be extended from September 1, 2024, to the earlier of six months from the execution of a Participating CCA's first BioMAT PPA or the next annual deadline set by OP 17, which would be September 1, 2025. On August 30, 2024, CPUC Executive Director Peterson granted the joint request of the Participating CCAs (Extension Letter). On July 9, 2025, Pioneer, RCEA, and OCPA (Joint CCAs) submitted a second extension request on similar grounds, as none of the Joint CCAs had yet to execute a BioMAT PPA. The Joint CCAs requested that the deadline for filing their initial BioMAT compliance application be extended from September 1, 2025 to six months from the execution of a Joint CCAs' first BioMAT PPA or September 1, 2026. On July 25, 2025, CPUC Executive Director Peterson granted the extension request of the Joint CCAs (Final Extension).

III. STANDARD OF REVIEW AND BIOMAT PROGRAM REQUIREMENTS

As part of AB 843, the Legislature stated that "[t]he commission has ongoing review authority over any contracts of community choice aggregators submitted pursuant to this section consistent with its review of the contracts of electrical corporations entered into pursuant to this section."[8] In furtherance of this code section, the Commission directed that each CCA that "elects to participate in Bioenergy Market Adjusting Tariff program shall file an application to establish CCA compliance with the California Public Utilities Commission's prudent manager standard."[9]

The Commission's "prudent management standard" is most commonly applied and reviewed in connection with the IOUs' Energy Resource Recovery Account (ERRA) compliance applications. This review process has been described as follows:

> As part of the ERRA compliance reviews, the Commission also considers whether the utility has prudently administered its contracts and generation resources and dispatched energy in a least cost manner in accordance with [Standard of Conduct (SOC)]. SOC 4 provides: "The utilities shall prudently administer all contracts and generation resources and dispatch the energy in a least-cost manner."[10]

The Commission recently restated this standard as follows: "The Commission reviews ERRA applications under a reasonable manager standard, whereby it evaluates [the IOUs'] actions based on whether they 'comport with what a reasonable manager of sufficient education, training, experience, and skills using the tools and knowledge at his or her disposal would do when faced with a need to make a decision and act.'"[11] Importantly, the Commission has repeatedly stated that

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8 Pub. Util Code § 399.20 (f)(5)(K).

9 D.23-11-084 at 69; OP 17.

10 D.21-07-013 at 9 (citing D.02-10-062 at 4 (COL 11) and referencing D.15-05-006 at 16-17 (OPs 1 and 3).)

11 D.25-06-007 at 8-9 (citing D.11-10-002 at 11). *See also* D.16-04-006 at 12 ("'prudent' management is the same as the 'reasonable' manager standard").

the prudent manager standard does not require the "optimum" practice, "but rather encompasses a spectrum of possible practices, methods, or acts consistent with the utility system needs, the interest of the ratepayers and the requirements of governmental agencies of competent jurisdiction."[12] In this regard, the Commission has adopted the view that "the prudent manager standard is not a standard of perfection."[13] Rather, as the Commission has stated, "a decision may be found to be reasonable and prudent if the utility shows that its decision making process was sound, that its managers considered a range of possible options in light of information that was or should have been available to them, and that its managers decided on a course of action that fell within the bounds of reasonableness, even if it turns out not to have led to the best possible outcome."[14] As particularly relevant to matters involving BioMAT PPAs, "[t]he greater the level of money, risk and uncertainty involved in a decision, the greater the care the utility must take in reaching that decision."[15] Finally, in proving the prudent manager standard, the applicant has the burden of proof, and the applicant satisfies its burden based on a preponderance of the evidence.[16]

In addition to satisfying the prudent manager standard, each CCA filing a compliance application under the BioMAT program is required "to demonstrate compliance with BioMAT requirements...."[17] To accomplish this, the CCA is expected to present an evidentiary record that allows the Commission to "evaluate CCA compliance with a variety of BioMAT program elements, including but not limited to satisfaction of BioMAT tariff requirements, adherence to [California

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12 D.24-12-075 at 19-20 (citing D.02-08-064 at 6 [referencing D.87-06-021] and also D.24-05-037 at 10-11).

13 D.24-12-075 at 19 (referencing D.02-08-064 at 6 and D.14-06-007 at 31, 36).

14 D.05-08-037 at 10-11 (citing D.89-02-074).

15 D.02-08-064 at 7 (citing D.90-09-088).

16 *See* D.25-06-007 at 9 (citing D.16-04-006 at 11).

17 D.23-11-084 at 62; COL 11.

Independent System Operator (CAISO)] market dispatch rules per SOC 4, operation of balancing accounts, and administration of BioMAT rate schedules…"[18]

IV. SUMMARY OF ACTIVITY

During the Record Period, Pioneer received six BioMAT PPR submissions electronically through the BioMAT web portal that Pioneer deemed complete and eligible for participation in the BioMAT program. Table 1 below shows the six BioMAT PPRs Pioneer received and their respective submission dates, along with the project's applicant and location. In summary, Pioneer received six BioMAT PPRs between the dates of October 29, 2025 and December 23, 2025, from two developers, West Biofuels (WBF) and Phoenix Energy (Phoenix).

Table 1: BioMAT PPR Submission Dates

PPR #	Applicant	City	PPR Submission Date
223-01	Phoenix Energy	Arnold	October 29, 2025
221-01	West Biofuels	Grass Valley	November 26, 2025
221-02	West Biofuels	Marysville	December 12, 2025
221-03	West Biofuels	Mariposa	November 20, 2025
221-05	West Biofuels	Quincy	December 12, 2025
221-06	West Biofuels	Biggs	December 23, 2025

Per the standard CCA BioMAT tariff, and as described further within Pioneer's supporting testimony, Pioneer reviewed the eligibility of the applicant and followed the process outlined within the standard CCA BioMAT program documentation, ultimately deeming that the PPR satisfied the requirements of the BioMAT tariff and program eligibility criteria. Upon this determination, the applicant was assigned a program position by the BioMAT program third-party administrator, Accion.

[18] D.23-11-084 at 52.

During Program Period 60, which opened December 1, 2025, Accion administered a pricing mechanism to establish a statewide price for the four statewide pricing categories per the BioMAT tariff. Pioneer received notice that the applicant for PPR 221-03, WBF, had accepted the applicable contract price. During Program Period 61, which opened January 1, 2026, Accion again administered a pricing mechanism to establish a statewide price for the four statewide pricing categories per the BioMAT tariff. Pioneer received notices that the applicant for PPRs 221-01, 221-02, 221-05, 221-06, WBF, and the applicant for PPR 223-01, Phoenix, had accepted the applicable contracted price. Following these notices, Pioneer worked with Accion and the applicants to follow the subscription process described within the CCA BioMAT tariff, summarized as follows:

- In accordance with D.23-11-084, CCA BioMAT programs in Pacific Gas and Electric Company's (PG&E) service territory will be utilizing PG&E's available allocation for the fuel resource category in each program period.[19]
- Pioneer will review applications submitted to its BioMAT program and determine which applications meet the eligibility criteria.
- Once Pioneer has deemed the applications complete, the BioMAT program third-party administrator will identify the applicant(s) next in line for PPA award based on price acceptance and BioMAT queue number order until the available allocation for the fuel resource category is met or deemed fully subscribed in each program period.
- Pioneer will provide written notice to applicants that are awarded a BioMAT PPA within 10 business days following the deadline for applicants to accept or reject the contract price.

[19] Pioneer operates its CCA program within PG&E's service territory.

- Upon notification of PPA award, Pioneer will review the PPR within 20 business days and will notify the applicant of any deficiencies.
- If no deficiencies remain, Pioneer will notify the applicant.
- Pioneer will offer an executable PPA to the applicant within 20 business days of notice that no deficiencies remain.
- Applicants that are awarded a BioMAT PPA for a program period must submit an executed BioMAT PPA to Pioneer within 20 business days of receiving an executable BioMAT PPA from Pioneer.

As described further within the supporting testimony accompanying this application, this process resulted in Pioneer executing six BioMAT PPAs during the Record Period. Table 2 below shows the dates in which the six BioMAT PPAs were executed.

Table 2: BioMAT PPA Execution Dates

PPR #	**Applicant**	**City**	**PPR Execution Date**
221-03	West Biofuels	Mariposa	February 13, 2026
221-01	West Biofuels	Grass Valley	May 13, 2026
221-02	West Biofuels	Marysville	May 13, 2026
221-05	West Biofuels	Quincy	May 13, 2026
221-06	West Biofuels	Biggs	May 13, 2026
223-01	Phoenix Energy	Arnold	May 13, 2026

Consistent with D.23-11-084 and the Final Extension, Pioneer files this application to establish compliance with the Commission's prudent manager standard in Pioneer's implementation of policies, practices, and procedures to manage its PPAs executed through the BioMAT program.

V. REQUESTED RELIEF

In this application and supporting testimony, Pioneer explains why the Commission should find that: (1) Pioneer complied with the requirements set by the Commission in D.23-11-084 in implementing the BioMAT program during the Record Period; (2) Pioneer complied with the CCA BioMAT tariff during the Record Period; and (3) Pioneer's administration of its BioMAT PPAs during the Record Period complies with the Commission's prudent manager standard. As Pioneer has only recently executed its BioMAT PPAs and the resources underlying the BioMAT PPAs have yet to reach commercial operations, Pioneer has limited information to report. However, Pioneer will report on these issues in next year's compliance application.

VI. SUMMARY OF TESTIMONY

Per D.23-11-084, compliance applications and supporting testimony should describe CCA compliance with the prudent manager standard, in addition to compliance with BioMAT tariffs, CAISO market dispatch rules per SOC 4, operation of balancing accounts, and administration of BioMAT rate schedules. Pioneer's supporting testimony consists of six sections addressing these components:

- Section I provides an introduction to the testimony and an overview of its purpose.
- Section II provides a discussion of Pioneer's implementation of the BioMAT program and compliance with the requirements set by D.23-11-084.
- Section III describes Pioneer's compliance with the CCA BioMAT tariff.
- Section IV discusses Pioneer's prudent management of its BioMAT PPAs during the Record Period.
- Section V describes Pioneer's plans for its BioMAT balancing account operation and addresses PG&E's BioMAT NBC schedule.

- Section VI provides a conclusion and request for the relief sought herein.

VII. STATUTORY AND PROCEDURAL REQUIREMENTS

A. Authority

Pioneer makes this application pursuant to D.23-11-084. Rule 2.1 requires that all applications: (1) clearly and concisely state the authorization or relief sought; (2) cite the statutory or other authority under which that relief is sought; and (3) be verified by the applicant. The relief being sought is summarized in Section V, above, and is further described in Pioneer's supporting testimony. This application has been verified by a Pioneer officer as provided in Rules 1.11 and 2.1. The remainder of Rule 2.1 and Rules 2.2 sets forth further requirements addressed separately below.

B. Legal Name and Correspondence

Rule 2.1(a) requires all applications to state the exact legal name of each applicant and the location of principal place of business, and if an applicant is a corporation, trust, association, or other organized group, the State under the laws of which such applicant was created or organized.

The full legal name of the applicant herein is Pioneer Community Energy. Pioneer's principal place of business is Rocklin, California. Pioneer's address is 2510 Warren Dr Suite B, Rocklin, CA 95677. Pioneer is organized as a joint powers authority (JPA) formed under the laws of California.

Rule 2.1(b) requires all applications to state the name, title, address, telephone number, facsimile transmission number, and e-mail address of the person to whom correspondence or communications regarding the application are to be addressed. Pioneer consents to email service of all notices, orders, and other correspondence and communications relating to this application. Correspondence or communications regarding this application should be addressed to:

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C. Proposed Category of Proceeding

Rule 2.1(c) requires that all applications shall state "the proposed category for the proceeding, the need for hearing, the issues to be considered, and a proposed schedule." The Commission should categorize this application as a "ratesetting" proceeding under Rule 7.1(e)(2) because it does not clearly fit into any of the categories as defined by Rules 1.3(a), 1.3(b), 1.3(f), and 1.3(g). While Pioneer's application does not ask the Commission to set or investigate rates and therefore does not meet the definition of a "ratesetting proceeding" in Rule 1.3(g), the Commission should nevertheless categorize this application as a "ratesetting proceeding" and conduct the proceeding under the rules applicable to the ratesetting category because, per Rule 7.1(e)(2), the Commission has the authority to do so where a proceeding does not clearly fit into any of the categories as defined in Rules 1.3(a), (b), (f) and (g).

D. Need for Hearings

Pioneer does not believe the approval of this application will require hearings. Pioneer has provided supporting testimony to provide the Commission with a sufficient evidentiary record upon which to grant the relief requested on an ex parte basis.

E. Issues to be Considered

The primary consideration of this application is whether Pioneer's administration of the BioMAT program during the Record Period, including the implementation of policies, practices, and procedures described herein, complied with the Commission's BioMAT program requirements and the Commission's prudent manager standard.

F. Proposed Schedule

Pioneer proposes the following schedule for the consideration of its application.

Application filed	September 1, 2026
Protests/Responses due	October 2, 2026
Reply to Protests	October 13, 2026
Pre-Hearing Conference	November 24, 2026
Opening Intervenor Testimony (if any)	January 12, 2026
Concurrent Rebuttal Testimony (if any)	March 6, 2026
Evidentiary Hearings (if needed)	April 15, 2026
Opening Briefs (if needed)	June 1, 2026
Reply Briefs (if needed)	June 15, 2026
Proposed Decision	July 2027
Final Decision	July 2027

This schedule would satisfy the Commission's requirement that ratesetting proceedings be resolved within 18 months or less and is responsive to feedback provided by CPUC staff that it would be ideal for a final decision to be issued before the next annual September 1 compliance filing deadline to avoid overlap.

G. Articles of Incorporation

Pioneer is a CCA operating as a JPA established and operating under Government Code Section 6500 *et. Seq* and Public Utilities Code Section 331.1(b). Pioneer submitted its initial Implementation Plan to the Commission on July 31, 2017. That initial Implementation Plan was certified by the Commission on October 31, 2017, and Pioneer successfully launched the program on February 1, 2018, to its initial member agencies. Pioneer has subsequently expanded service to other member agencies, most recently initiating service to include the Cities of Chico, Live Oak, Orland, Oroville, Sonora, Yuba City, and Willows, the Town of Paradise and unincorporated

Counties of Butte, Glenn, Nevada, Sutter, and Tuolumne County of Colusa and the Cities of Colusa and Williams, with service planned to begin after October 1, 2027, pursuant to Addendum No. 3 to the Implementation Plan, certified by the Commission on June 9, 2025 and Addendum No. 4 to the Implementation Plan, certified by the Commission on March 5, 2026. A copy of Pioneer's current Amended JPA, last amended on December 18, 2025, is available on Pioneer's website.[20]

VIII. SERVICE

Pursuant to D.23-11-084, Pioneer has served this application and supporting testimony on the service list of the most current Renewables Portfolio Standard proceeding, R.24-01-017.[21]

IX. CONCLUSION

Pioneer has included herein the information required to support its application, and will provide orally or in writing any other information the Commission finds necessary to act on the application. Pioneer respectfully requests that the Commission review and approve this application in its totality according to the schedule proposed above.

Dated: September 1, 2026

Respectfully submitted,

/s/ Jonathan Hart

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20 Pioneer Community Energy Joint Powers Agreement, effective September 9, 2015, as further amended by Amendment No. 8 dated December 18, 2025, available at Amended and Restated Joint Powers Agreement

21 *See* D.23-11-084 at 53.

ATTACHMENT A

PIONEER VERIFICATION

Verification

Pursuant to Rule 2.1 and 1.11 of the California Public Utilities Commission's Rules of Practice and Procedure, Pioneer Community Energy provides this Verification. I am an officer of the reporting organization herein and am authorized to make this verification on its behalf. The statements in the forgoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters, I believe them to be true. I declare under the penalty of perjury that the foregoing is true and correct.

Executed on September 1, 2026, at Rocklin, California.

Respectfully submitted,

/s/ Sam Kang

Sam Kang
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