

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



FILED

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

Rulemaking 21-06-017 09/08/26
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**MOTION OF CLEAN COALITION FOR LEAVE TO FILE LIMITED REPLY
TO RESPONSES TO MOTION TO COMPEL**

/s/ BEN SCHWARTZ

Ben Schwartz
Policy Director
Clean Coalition
1800 Garden Street
Santa Barbara, CA 93101
Phone: 626-232-7573
ben@clean-coalition.org

September 8, 2026

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I. INTRODUCTION

Pursuant to Rule 11.1(f) of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), Clean Coalition respectfully submits this Motion for Leave to File Limited Reply to Responses to Motion to Compel (“Motion for Leave”).

On August 19, 2026, Clean Coalition filed the Motion of Clean Coalition to Compel Further Responses from Southern California Edison Company (“SCE”) to Data Request CC-SCE-DRPEP-01, Questions 6 and 7 (“Motion to Compel”). The Motion to Compel requests that the Commission direct SCE to produce hourly, machine-readable 8760 load data for the Goleta-area facilities identified in the request, subject to reasonable protections if necessary. Clean Coalition’s Motion explains that the requested data is relevant to Track 1 ICA transparency and independently relevant to Track 2 issues concerning distributed energy resource (“DER”) orchestration, open access, DSO data-access requirements, and the ability of non-utility stakeholders to evaluate location-specific grid needs.

On August 31, 2026, SCE filed an opposition to the Motion to Compel. Pacific Gas and Electric Company (“PG&E”) and San Diego Gas & Electric Company (“SDG&E”) also filed a response opposing the Motion. Responses in support of the Motion were filed by the Joint Supporting Parties¹ and Small Business Utility Advocates (“SBUA”).

Clean Coalition timely requested Administrative Law Judge (“ALJ”) permission by email on September 1, 2026, to file a limited reply pursuant to Rule 11.1(f), and subsequently forwarded a corrected request on September 2, 2026, to ensure that the correct proceeding number and assigned ALJs were identified. Because the period for filing a reply under Rule 11.1(f) is running, and because Clean Coalition has not yet received a ruling on its email request, Clean

¹ The Joint Supporting Parties are comprised of California Solar & Storage Association (“CALSSA”), Center for Biological Diversity (“CBD”), Utility Consumers’ Action Network (“UCAN”), and 350 Bay Area.

Coalition files this Motion for Leave to preserve the procedural posture and provide the ALJs and parties with the proposed limited reply.

Clean Coalition requests leave to file the proposed limited reply attached as Attachment A. The proposed reply is limited to seven pages and addresses only matters raised in the responses to the Motion to Compel, including the IOUs' characterization of the Motion as an effort to modify proceeding scope or prejudge broader data-access issues, the asserted adequacy of 576-profile data, burden and precedent arguments, Track 2 timing, arguments based on Rulemaking ("R.") 22-11-013, and the relevance of the supporting responses filed by the Joint Supporting Parties and SBUA.

In the alternative, Clean Coalition requests permission to file a reply subject to any page limit, deadline, or scope limitation the ALJs deem appropriate.

II. RULE 11.1(f) PERMITS A MOVING PARTY TO REPLY WITH ALJ PERMISSION

Rule 11.1(f) provides that "[w]ith the permission of the Administrative Law Judge, the moving party may reply to responses to the motion." The rule further provides that a written reply must be filed and served within 10 days after the last day for filing responses unless the ALJ sets a different date, and that the reply must state in its opening paragraph that the ALJ authorized the filing and how and when the authorization was given.

Clean Coalition does not contend that it has an automatic right to file a reply. Rather, Clean Coalition seeks ALJ permission consistent with Rule 11.1(f). Clean Coalition also respectfully requests that, if the ALJs prefer a different page limit, deadline, or scope limitation, the ALJs authorize filing subject to those conditions.

III. GOOD CAUSE EXISTS FOR A LIMITED REPLY

Good cause exists to permit a limited reply because the responses opposing the Motion to Compel raise arguments and factual characterizations that warrant a focused response. The proposed reply will assist the Commission in resolving the Motion to Compel by addressing the applicable discovery standard, the distinction between discoverability and routine publication requirements, the adequacy of 576-profile data as a substitute for hourly 8760 data, the claimed

burden and precedent concerns, and the IOUs' arguments concerning Track 2 timing and R. 22-11-013.

A limited reply is particularly appropriate because the IOU responses do not merely oppose production on the basis of the specific discovery record between Clean Coalition and SCE. They also characterize the Motion to Compel as an attempt to modify the scope of this proceeding, impose new proceeding-wide data obligations, and prejudge data-access issues in another proceeding. For example, PG&E and SDG&E state that a ruling granting the Motion could establish expectations applicable to all large IOUs, while also stating that they do not purport to speak for SCE regarding the specific facilities or particulars of SCE's response to Clean Coalition's data request.² SCE similarly argues that granting the Motion would modify Commission-approved frameworks, processes, and timelines through discovery.³

A reply would assist the Commission by explaining why those arguments do not rebut the narrower Rule 10.1 showing made in the Motion to Compel. Clean Coalition's proposed reply will not reargue the Motion to Compel in full. It will address the specific arguments raised in the responses and explain why they do not justify withholding relevant, bounded discovery subject to reasonable protections.

The supporting responses further underscore why a limited reply would assist the Commission. The Joint Supporting Parties explain that location- and time-specific data is necessary for meaningful Track 2 participation and that a 576-hour representative profile is not equivalent to a full hourly dataset because it cannot show full continuity of local load conditions across days, weeks, and seasons.⁴ SBUA separately addresses the legal relevance issue, explaining that Rule 10.1 does not require a standing order or precedent before relevant discovery may be obtained and that broad intervenor participation exists to provide different perspectives and approaches to the Commission.⁵

Allowing a limited reply will therefore provide the ALJs with a complete and focused record on the arguments raised by the responses without unduly expanding motion practice.

IV. REQUESTED RELIEF

² R. 21-06-017 PG&E and SDG&E Response to Clean Coalition's Motion to Compel Discovery, at pp. 2-3.

³ R. 21-06-017 SCE's Opposition to Clean Coalition's Motion to Compel Discovery, at p. 8.

⁴ R. 21-06-017 Response of Joint Supporting Parties in Support of Clean Coalition Motion to Compel, at p. 2.

⁵ R. 21-06-017 SBUA's Response to Clean Coalition Motion to Compel Discovery, at p. 3.

Clean Coalition respectfully requests that the ALJs grant this Motion for Leave and authorize Clean Coalition to file the proposed limited reply attached as Attachment A, which is limited to seven numbered pages of argument and addresses only matters raised in the responses to the Motion to Compel. In the alternative, Clean Coalition requests permission to file a reply subject to any page limit, deadline, or scope limitation the ALJs deem appropriate.

V. CONCLUSION

For the reasons stated above, Clean Coalition respectfully requests that the ALJs grant this Motion for Leave to File Limited Reply to Responses to Motion to Compel and accept the proposed limited reply attached as Attachment A, or authorize Clean Coalition to file a reply subject to any conditions the ALJs deem appropriate.

Respectfully submitted,

/s/ BEN SCHWARTZ
Ben Schwartz
Policy Director
Clean Coalition
1800 Garden Street
Santa Barbara, CA 93101
Phone: 626-232-7573
ben@clean-coalition.org

Dated: September 8, 2026

ATTACHMENT A

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**[PROPOSED] CLEAN COALITION LIMITED REPLY TO
RESPONSES TO MOTION TO COMPEL**

I. INTRODUCTION

Pursuant to Rule 11.1(f) of the Rules of Practice and Procedure of the California Public Utilities Commission (“the Commission”), Clean Coalition submits this proposed Limited Reply to the Responses to Clean Coalition’s Motion to Compel Further Responses from Southern California Edison Company to Data Request CC-SCE-DRPEP-01, Questions 6 and 7. Clean Coalition submits this proposed reply as Attachment A to its Motion for Leave to File Limited Reply. If the Motion for Leave is granted, Clean Coalition will revise this opening paragraph to state the date and manner of ALJ authorization, as required by Rule 11.1(f), or otherwise file the reply in the form directed by the ALJs.

The investor-owned utility (“IOU”) responses oppose a broader data-access precedent that Clean Coalition’s Motion does not request. The Motion seeks bounded discovery from SCE regarding hourly, machine-readable 8760 load data for specified Goleta-area facilities, subject to reasonable protections if necessary. The responses do not rebut the Motion’s central showing:

- **The requested data is relevant to existing Track 1 and Track 2 issues:** Discovery is not limited to data the Commission has already required utilities to publish, and the IOUs’ reliance on existing reporting frameworks does not defeat relevance under Rule 10.1.
- **576 representative profiles are not an adequate substitute for hourly 8760 data:** Representative profiles may be useful for some purposes, but they do not preserve the temporal sequence needed to evaluate the timing, duration, frequency, persistence, and clustering of local load conditions.
- **SCE’s reference to “generic 8760 profiles” does not cure the problem:** SCE does not identify what those profiles are, whether they were offered in a usable machine-readable form, whether they correspond to the Goleta-area facilities at issue, or how generic data

could support either Track 1 review of corrected DRPEP/ICA load-profile information or Track 2 location-specific DER orchestration analysis.

- **The IOUs provide no specific or quantified burden showing:** PG&E and SDG&E raise proceeding-wide burden concerns while expressly declining to speak for SCE regarding the specific facilities or particulars of SCE's response, and SCE does not quantify the burden of producing the narrowed dataset.
- **The IOUs provide no specific confidentiality showing:** Generalized references to confidentiality, privacy, or data-governance concerns do not justify categorical withholding where Clean Coalition requested aggregated facility-level data and acknowledged that reasonable protections may be appropriate.

The Commission can grant the Motion to Compel without establishing a statewide data-publication mandate, prejudging Track 2 implementation, or deciding broader data-access issues in R. 22-11-013. The responses attempt to turn a bounded discovery dispute into a broader policy question, but they do not rebut Clean Coalition's showing that the requested 8760 data is relevant, that asserted substitutes are inadequate, and that SCE has not made the specific burden or confidentiality showing required to withhold the data.

II. LIMITED REPLY

A. The IOUs Apply the Wrong Discovery Standard

The IOU responses repeatedly conflate discovery with routine publication requirements. The question is not whether the Commission has already ordered SCE or the other IOUs to publish 8760 load data in this proceeding. Discovery is not limited to information that a utility is already required to publish; otherwise, discovery would add nothing beyond existing reporting obligations. Rule 10.1 asks whether the requested information is relevant to the subject matter of the proceeding or reasonably calculated to lead to admissible evidence, unless the burden, expense, or intrusiveness of production clearly outweighs the likely value of the discovery.

The IOUs' contrary framing would improperly narrow discovery to information the Commission has already required utilities to publish. PG&E and SDG&E argue that the Commission's scoping rulings do not "require or contemplate" production of 8760 data,¹ while SCE argues that the requested granularity is outside any existing Commission-approved data-

¹ R. 21-06-017 PG&E & SDG&E Response to Clean Coalition's Motion to Compel Discovery, at p. 3.

sharing framework.² But those arguments do not answer the relevant discovery question. A party need not show that the Commission has already required a category of information to be reported in order to obtain it through discovery. The purpose of discovery is to allow parties to develop the record on issues already within the proceeding's scope.

SCE's "unprecedented" argument underscores the same error. SCE does not establish that 8760 facility-level load data is categorically prohibited from production, incapable of being produced, or irrelevant to the issues in this proceeding. Instead, SCE states only that the requested granularity is "unprecedented in the High DER proceeding" and outside an existing Commission-approved data-sharing framework.³ Novelty within a proceeding is not a Rule 10.1 objection, and the absence of a preexisting publication framework does not establish irrelevance, undue burden, or undue intrusiveness.

SBUA's response correctly identifies this flaw.⁴ Rule 10.1 does not require a "standing order" or prior precedent before relevant discovery may be obtained, and broad intervenor participation exists so that parties may bring different perspectives and analytical approaches to the Commission's record. The IOUs' position would invert that principle by allowing utilities to withhold relevant data whenever the requested analysis has not already been approved through a utility-controlled or Commission-directed reporting process.

SCE's reliance on prior reports, workshops, and advice-letter processes does not cure the problem. Those processes may show that the Commission has required certain ICA reporting and remediation activities, but they do not show that targeted discovery is unavailable when a party seeks relevant information after a specific data-quality issue has been disclosed. Nor does a party's participation, or lack thereof, waive its ability to pursue discovery concerning later-disclosed issues or Track 2 questions that remain under consideration.

SCE's suggestion that Clean Coalition should use "established procedural mechanisms" also fails. Clean Coalition did exactly that by working through the discovery process. The IOUs' repeated references to existing reporting frameworks, prior workshops, and the absence of a standing 8760 publication requirement therefore do not defeat relevance under Rule 10.1.

² R. 21-06-017 SCE's Opposition to Clean Coalition's Motion to Compel Discovery, at p. 3.

³ *Ibid.*, at p. 3.

⁴ R. 21-06-017 SBUA's Response to Clean Coalition Motion to Compel Discovery, at p. 2.

Clean Coalition is not seeking to impose a new routine publication requirement, amend the scoping memo, or require a Commission-wide data-sharing framework through discovery. It seeks bounded production from SCE for specified Goleta-area facilities after SCE disclosed a DRPEP/ICA load-profile data-quality issue and while Track 2 is considering DER orchestration, open access, and data-access questions. That limited request falls within Rule 10.1 regardless of whether the Commission has previously required routine publication of the same data.

B. The Motion Does Not Modify Track 1 or Prejudge Track 2

The IOUs' ripeness argument would make discovery available only after the Commission has already decided the issues the discovery would inform. SCE's own formulation confirms why the discovery is timely: if "it is not yet clear what actions will be required by Track 2 or what data would be necessary to support such activities,"⁵ then the record is still being developed on precisely those issues. That uncertainty is not a basis to deny discovery; it is a reason relevant discovery should be available before the Commission resolves Track 2. Waiting until after a Track 2 framework is adopted would improperly limit the record to utility assertions about what data is necessary, rather than allowing parties to test those assertions before the Commission decides the framework.

Nor does the Motion seek to modify Track 1 or prejudge Track 2. The Motion seeks targeted discovery related to SCE's corrected DRPEP/ICA load-profile information and to existing Track 2 questions concerning DER orchestration, open access, and data access. SCE's reliance on authority concerning attempts to amend a scoping memo through discovery is therefore misplaced.⁶ Clean Coalition is not using discovery to add a new issue or challenge a scoping determination; it seeks data relevant to issues already scoped in this proceeding.

C. 576 Data and Generic Profiles Are Not Adequate Substitutes

Clean Coalition does not contend that 576 representative profiles have no value. Rather, the issue is whether they are an adequate substitute for the requested hourly, location-specific 8760 data.⁷ The IOUs' prior use of 576-profile data shows only that this level of granularity has been

⁵ R. 21-06-017 SCE's Opposition to Clean Coalition's Motion to Compel Discovery, at p. 7.

⁶ *Ibid.*, at p. 4 (quoting ALJ ruling denying motion to compel where "[t]he scoping memo did not allow parties to second guess or challenge" the established scope of the proceeding via discovery).

⁷ See SCE Opposition at p. 5; PG&E & SDG&E Response at p. 4.

used for existing reporting;⁸ it does not establish that 576 profiles can answer the timing, duration, frequency, persistence, and clustering questions raised by the Motion. Representative profiles do not preserve the actual hourly sequence needed to evaluate the timing, duration, frequency, persistence, and clustering of local load conditions.⁹ The Joint Supporting Parties make the same point: 576-hour profiles may be useful for some purposes, but they compress the year and cannot show full continuity across days, weeks, and seasons.¹⁰

SCE's reference to "generic 8760 profiles"¹¹ does not cure the defect. SCE does not identify what those profiles are, whether they were offered in machine-readable form, whether they correspond to the Goleta-area facilities at issue, or how generic profiles would allow parties to evaluate corrected DRPEP/ICA load-profile information or location-specific DER orchestration issues. A generic 8760 profile is not a substitute for the location-specific 8760 data requested.

D. The IOUs' Burden, Precedent, R. 22-11-013, and Confidentiality Arguments Do Not Justify Withholding

The IOUs' remaining objections fail because they treat the potential broader significance of the requested data as a reason to deny discovery. That is not the Rule 10.1 standard. Discovery may be relevant precisely because it informs broader issues within the proceeding. The question is whether the requested production is relevant and whether SCE has shown that burden, expense, or intrusiveness clearly outweighs its likely value.

PG&E and SDG&E's burden arguments illustrate the problem. They raise broad concerns about proceeding-wide implications while expressly declining to speak for SCE regarding the specific facilities or particulars of SCE's response to Clean Coalition's data request.¹² Nor do they quantify what burden, if any, a comparable request would impose on PG&E or SDG&E. Their concern that a ruling could influence future discovery requests is not a concrete showing that SCE cannot produce the bounded dataset requested here. The burden inquiry should be tied

⁸ R. 21-06-017 PG&E & SDG&E Response to Clean Coalition's Motion to Compel Discovery, at p. 4.

⁹ R. 21-06-017 Clean Coalition Motion to Compel, at p. 22. ("Clean Coalition seeks the data to evaluate when and where local grid needs arise, how long they persist, how often they recur, and whether DERs or flexible loads could address those needs through orchestration, dispatch, or targeted program design. A non-hourly profile may be useful for some planning or screening purposes, but it cannot show the same sequence of actual hourly conditions.")

¹⁰ R. 21-06-017 Response of Joint Supporting Parties in Support of Clean Coalition Motion to Compel, at p. 2. ("By design, a representative profile compresses the year into selected or representative hours and therefore cannot show the full continuity of local load conditions across days, weeks, and seasons.")

¹¹ R. 21-06-017 SCE's Opposition to Clean Coalition's Motion to Compel Discovery, at p. 3.

¹² R. 21-06-017 PG&E & SDG&E Response to Clean Coalition's Motion to Compel Discovery, at p. 3.

to the requested production, not speculative future requests or generalized utility opposition to more granular data access. SCE also does not reconcile any burden claim with the discovery record showing the data had already been assembled internally before SCE decided not to provide it.¹³

Nor does Clean Coalition's narrowing of the request concede that the original request was improper.¹⁴ Clean Coalition narrowed the request in good faith to reduce burden and attempt to resolve the dispute. SCE's refusal to provide even the narrowed Goleta/Vegas/Wasp dataset confirms that the dispute is not simply about the number of facilities, but about SCE's categorical position against providing hourly, location-specific data in this proceeding.

PG&E and SDG&E's "narrowed sample" argument presents a false choice.¹⁵ A bounded dataset is not irrelevant merely because it does not resolve every statewide data-access question, and it is not unduly burdensome merely because future parties may seek different discovery. Discovery need not answer every proceeding-wide question to be relevant or reasonably calculated to lead to admissible evidence. Here, a bounded dataset can make Track 2 issues concrete without requiring the Commission to resolve every broader data-access question now.

The IOUs' reliance on R. 22-11-013¹⁶ confirms that they are opposing the potential broader significance of Clean Coalition's request, not rebutting the narrowed discovery showing made here. Clean Coalition did not rely on R. 22-11-013 as the basis for its Motion. The Motion is grounded in R. 21-06-017, including SCE's DRPEP/ICA load-profile data-quality issue, Track 1 ICA transparency, and Track 2 DER orchestration, open-access, and data-access questions. The fact that the requested data may also be relevant to broader data-access policy debates does not make it improper discovery in this proceeding.

The IOUs' precedent concern is likewise not a burden showing.¹⁷ If the Commission grants the Motion, it would be deciding that Clean Coalition made the required showing for a bounded discovery request in this proceeding. That ruling may provide useful guidance for future

¹³ R. 21-06-017 Clean Coalition Motion to Compel, at p. 2; pp. 8-9; fn. 26; pp. 20-21; App. C, at pp. C-12-C-13.

¹⁴ R. 21-06-017 PG&E & SDG&E Response to Clean Coalition's Motion to Compel Discovery, at p. 4. ("Clean Coalition narrowed its original request... likely indicating that Clean Coalition recognized the extent of the data requested and the burden it would place on SCE to produce.")

¹⁵ *Ibid.*, at pp. 5-6.

¹⁶ *Ibid.*, at pp. 7-8.

¹⁷ R. 21-06-017 SCE's Opposition to Clean Coalition's Motion to Compel Discovery, at p. 3.

discovery disputes, but potential guidance is not prejudice and does not justify withholding otherwise discoverable information.

The confidentiality objections are similarly unsupported. Generalized references to confidentiality, privacy, or data governance do not justify categorical withholding where Clean Coalition seeks aggregated facility-level data and has acknowledged that reasonable protections may be appropriate. The responses do not identify which specific facilities, hours, or fields supposedly raise confidentiality concerns; do not explain why ordinary protections such as aggregation, anonymization, masking, use limitations, nondisclosure obligations, or partial production would be inadequate;¹⁸ and do not address Clean Coalition's showing that 15/15 concerns must be applied through a specific and consistent analysis rather than asserted as a categorical bar. At most, confidentiality concerns support tailored protective measures, not denial of relevant discovery.

III. CONCLUSION

For the foregoing reasons, Clean Coalition respectfully requests that the Commission grant the Motion to Compel and direct SCE to produce the requested hourly, machine-readable 8760 load data for the identified Goleta-area facilities, subject to reasonable protections if necessary. The responses do not show that the requested data is outside the scope of this proceeding, that asserted substitutes are adequate, or that burden, confidentiality, precedent, or broader data-access policy concerns justify withholding relevant discovery.

/s/ BEN SCHWARTZ
Ben Schwartz
Policy Director
Clean Coalition
1800 Garden Street
Santa Barbara, CA 93101
Phone: 626-232-7573
ben@clean-coalition.org

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¹⁸ R. 21-06-017 Response of Joint Supporting Parties in Support of Clean Coalition Motion to Compel, at p. 4. ("However, generalized confidentiality or governance concerns should not be treated as a basis for withholding an entire relevant dataset. If SCE believes that a specific facility, interval, field, or portion of the requested data requires protection, it should identify the specific concern and explain why reasonable protective measures are insufficient.")