



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

FILED

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R2005003

Order Instituting Rulemaking to Continue
Electric Integrated Resource Planning and
Related Procurement Processes.

R.20-05-003

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S
NOTICE OF EX PARTE COMMUNICATIONS**

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September 16, 2026

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Pursuant to Rule 8.4(a) of the California Public Utilities Commission Rules of Practice and Procedure,¹ California Community Choice Association² (CalCCA) hereby gives notice of two separate ex parte communications in which the participants discussed the California Public Utilities Commission's (Commission) proposed Reliable and Clean Power Procurement Program (RCPPP). CalCCA explained that the Commission's most recently proposed RCPMP framework, which would establish prescriptive new resource requirements based on the Preferred System Plan (PSP), will likely deter the achievement of the state's reliability and clean energy goals in an affordable manner.

¹ *State of California Public Utilities Commission, Rules of Practice and Procedure, California Code of Regulations Title 20, Division 1, Chapter 1* (May 2021), <https://webproda.cpuc.ca.gov/-/media/cpuc-website/divisions/administrative-law-judge-division/documents/rules-of-practice-and-procedure-may-2021.pdf>, as amended by *Resolution ALJ-485* (June 11, 2026), <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M609/K277/609277261.PDF>.

² California Community Choice Association represents the interests of 24 community choice electricity providers in California: Apple Valley Choice Energy, Ava Community Energy, Central Coast Community Energy, Clean Energy Alliance, Clean Power Alliance of Southern California, CleanPowerSF, Desert Community Energy, Energy For Palmdale's Independent Choice, Lancaster Energy, Marin Clean Energy, Orange County Power Authority, Pico Rivera Innovative Municipal Energy, Pioneer Community Energy, Pomona Choice Energy, Rancho Mirage Energy Authority, Redwood Coast Energy Authority, San Diego Community Power, San Jacinto Power, San José Clean Energy, Santa Barbara Clean Energy, Silicon Valley Clean Energy, Sonoma Clean Power, Valley Clean Energy, and WestLight Energy.

DATES AND TIMES OF EACH COMMUNICATION:

- Offices of Commissioners Karen Douglas and Darcie L. Houck:
Friday, September 11, 2026, 3:00 PM-3:30 PM; and
- Office of Commissioner Christine Harada:
Friday, September 11, 2026, 4:00 PM-4:30 PM.

LOCATION OF EACH COMMUNICATION: Webex.

WHO INITIATED EACH COMMUNICATION: Leanne Bober, CalCCA.

NAMES AND TITLES OF NON-CPUC PERSONS PRESENT AT EACH COMMUNICATION:

Participants for CalCCA included Eric Little, Director of Market Design; Lauren Carr, Deputy Director of Regulatory Affairs; and Andrew Mills, Director of Data Analytics.

NAMES AND TITLES OF CPUC PERSONS PRESENT AT EACH COMMUNICATION:

- Offices of Commissioner Karen Douglas and Commissioner Darcie L. Houck:
Julian Buchwalter, Advisor to Commissioner Douglas; and
Victor Smith, Deputy Chief of Staff and Erica Petrofsky, Advisor to Commissioner Houck; and
- Office of Commissioner Christine Harada:
Adam Buchholz, Advisor to Commissioner Harada.

DESCRIPTION OF EACH COMMUNICATION:

CalCCA expressed support for transitioning to a programmatic approach to procurement and described the three options the Commission has put forward for consideration. CalCCA explained that it favors an RCPMP that establishes procurement requirements based on total system need of new and existing resources and ensures load-serving entities (LSE) meet adequate portions of their energy sales with non-emitting resources through a Clean Energy Standard. CalCCA expressed concern, however, with proposals that establish procurement requirements based on the portion of total system need that must be met with new resources only. In particular, CalCCA explained that the Commission's most recently proposed option is

the most concerning given prescriptive procurement requirements based on the PSP could severely disrupt the market and introduce significant affordability challenges.

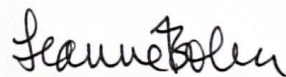
CalCCA also provided analysis of the resource portfolios in the Commission's RESOLVE model demonstrating that multiple portfolios can achieve reliability and clean energy goals, and the most cost-effective portfolio is highly dependent on the model inputs and assumptions. CalCCA stated that LSEs should have the flexibility to develop portfolios that meet reliability and clean energy needs in the most affordable manner, rather than being locked into a portfolio that may not be the most affordable.

Participants then discussed current Integrated Resource Plan (IRP) proceeding activities that demonstrate the challenges with this approach, including the challenges meeting the prescriptive procurement requirements ordered in Decision (D.) 26-02-057³ and the volatility of the most recent Transmission Planning Process (TPP) portfolios. CalCCA concluded by describing necessary modifications for an affordable and reliable RCPMP.

WRITTEN MATERIALS PROVIDED AT EACH COMMUNICATION:

RELIABLE AND CLEAN POWER PROCUREMENT PROGRAM (RCPMP), dated September 11, 2026.

Respectfully submitted,



Leanne Bober,
Director of Regulatory Affairs and Deputy
General Counsel
CALIFORNIA COMMUNITY CHOICE
ASSOCIATION

September 16, 2026

³ D.26-02-057, *Decision Requiring 2029-2032 Electric Resource Procurement and Transmitting Portfolios for 2026-2027 Transmission Planning Process*, R.25-06-019 (Feb. 26, 2026), <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M601/K777/601777006.PDF>.

**ATTACHMENT
TO
CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S
NOTICE OF EX PARTE COMMUNICATIONS**

RELIABLE AND CLEAN POWER PROCUREMENT PROGRAM (RCPPP)
September 11, 2026

Reliable and Clean Power Procurement Program (RCPPP)

September 11, 2026

Objective of RCPPP: Programmatic Approach to Procurement Rather than Ad Hoc Orders

CPUC has put forward three options:

Option 1

LSEs procure **new and existing** resources to meet total reliability need (like a multi-year RA framework)

Clean Energy Standard (CES) akin to RPS ensures adequate portion of energy sales comes from non-emitting resources

↑
CalCCA's Preferred Option

Option 2

LSEs procure their load ratio share of **new** resources to meet portion of reliability need that must come from new resources

Assigns GHG emissions mass-based caps that LSE portfolios must achieve

Option 3

LSEs procure their load ratio share of new resources in the Preferred System Plan (PSP) (on a resource/attribute specific basis)

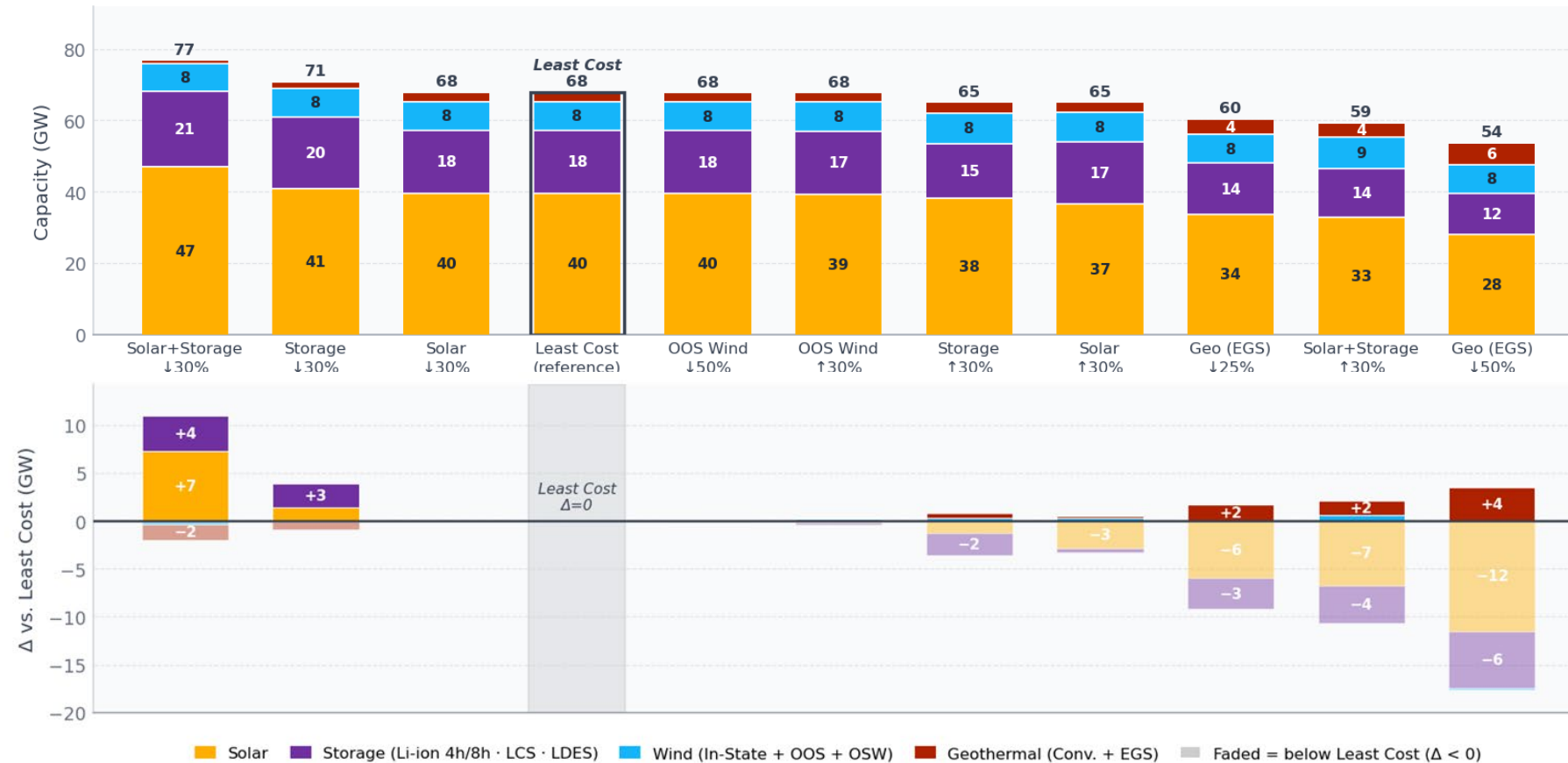
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Most Recently Proposed Option

Summary of Recommendations: Reject Prescriptive New Resource Requirements and Focus Requirements on Total System Need

- Option 3 should be rejected because it risks distorting the market, creating supplier market power, and raising customer costs
 - Option 3 creates binding procurement requirements based on uncertain assumptions about resource cost and availability, load growth, and transmission availability that will likely not materialize exactly as modeled
- The Commission should revisit new + existing resource procurement proposals (Option 1 + CES) that better align reliability and policy procurement needs with an efficient and affordable procurement environment
- If the Commission dismisses new + existing proposals, Option 2 + CES should be adopted with significant modifications to ensure a new resource procurement proposal achieves reliability and clean energy objectives in an affordable manner

Analysis of Option 3: The Least Cost Portfolio Varies Significantly Based on Price Uncertainty

RESOLVE-Selected 2032 Portfolios that Meet Reliability and Clean Energy Goals Under Different Price Assumptions



Current Examples Demonstrate the Main Problems with Option 3

Feasibility of Recent Procurement Order

- D.26-02-057 ordered 6,000 MW of procurement for 2029-2032
 - 1,500 MW must come from long-duration energy storage or geothermal
 - Only 62 MW of geothermal in the current queue
 - If not already in the queue, a resource is likely unable to meet 2032 deadline

2027-2028 Transmission Planning Portfolio Development

- CPUC's initial modeled portfolio would have required a solar build rate that is "high and likely unrealistic," requiring modifications to the modeled inputs and assumptions
- CPUC's recommended portfolio results in less offshore wind, out-of-state wind, conventional geothermal, and location constrained 12-hr storage than the previously transmitted portfolio

Takeaways:

- ***Modeled results may not be feasible or affordable to procure in the market given supply constraints, available transmission, interconnection timelines, etc.***
- ***Resource or narrowly-defined attribute specific obligations could introduce opportunities for supplier market power.***
- ***Prescriptive requirements based on modeled portfolios may result in stranded costs.***

Necessary Elements of an Affordable and Reliable RCPPP

- If new resource framework is adopted (Option 2 or 3):
 - Establish technology neutral procurement requirements using SOD accounting (not marginal ELCC);
 - Confirm that excess LSE procurement is eligible to satisfy future RCPPP requirements; and
 - Assess penalties only for COD deficiencies to avoid duplicative penalties.
- For any RCPPP framework:
 - Remove procurement buffers to avoid unnecessary and costly over-procurement;
 - Allocate needs for data center load through a separate, milestone-based process;
 - Allocate needs based on each LSEs' load ratio share in the compliance year;
 - Provide LSEs w/ indicative allocations beyond 5-years to support long-term procurement & planning;
 - Provide need allocations confidentially to protect market-sensitive information;
 - Ensure RCPPP products/obligations are transactable to allow cost-effective portfolio management;
 - Align RCPPP reporting & compliance obligations with realistic procurement timelines; and
 - Adopt a "good faith efforts" standard.