BEFORE THE PUBLIC UTILITIES COMMISSION OF

THE STATE OF CALIFORNIA

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Order Instituting Rulemaking to Consider Distributed Energy Resource Program Cost-Effectiveness Issues, Data Access and Use, and Equipment Performance Standards.	Rulemaking 22-11-013 (Filed November 17, 2022)

CENTER FOR ACCESSIBLE TECHNOLOGY'S COMMENTS ON PROPOSED DECISION ADOPTING GUIDING PRINCIPLES FOR THE AVOIDED COST CALCULATOR AND ESTABLISHING A DISTRIBUTIONAL EQUITY ANALYSIS PROCESS

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I. INTRODUCTION

In accordance with Rule 14.3 of the Commission's Rules of Practice and Procedure, Center for Accessible Technology (CforAT) submits these comments on the Proposed Decision Adopting Guiding Principles for the Avoided Cost Calculator and Establishing a Distributional Equity Analysis Process (the Track 3 PD), issued on October 14, 2026. These comments are limited to consideration of the Distribution Equity Analysis (DEA) addressed in the Track 3 PD. CforAT notes that the PD does not adopt equity as a guiding principle for the Avoided Cost Calculator but rather addresses equity through adoption of a DEA "as a companion to existing cost-effectiveness evaluations for distributed energy resources."[1]

II. DISCUSSION

CforAT supports the PD's determination that "a separate equity analysis is needed to complement existing cost effectiveness tests to consider the effects of DERs comprehensively."[2] The PD references the process adopted by the Commission in the pending High DER Proceeding (R.21-06-017) in which the IOUs were directed to develop equity metrics related to identified populations, including customers with medical needs (medical baseline customers) as well as low-income customers and other identified "equity-priority populations."[3] The equity metrics framework was finalized through a joint Tier 3 Advice Letter submitted by the IOUs and a subsequent resolution adopted by the Commission.[4]

CforAT was an active participant in the development of the equity metrics framework, and we specifically worked to ensure that customers with medical needs were recognized as an

[1] Track 3 PD at p. 13.
[2] Track 3 PD at p. 13.
[3] Track 3 PD at pp. 14-15.
[4] Res. E-5480; *see also* discussion in the Track 3 PD at pp. 15-16.

equity-priority population.[5] We supported adoption of that framework and similarly support its use in the development and implementation of a Distribution Equity Analysis.

Similarly, CforAT was an active participant in R.24-05-023 addressing the reliability of California's electrical distribution systems, which concluded with the issuance of D.26-08-007. Here too, CforAT prioritized the importance of collecting data on the impacts of power outages on customers with medical needs.[6] The Track 3 PD looks to the reliability reporting required in D.26-08-007 as additional foundation for its DEA requirements and the development of a new Integrated Equity and Reliability Report.[7] As with the use of the equity metrics framework, CforAT supports the adoption here of the reliability report developed in R.24-05-023.

The Track 3 PD would require synthesis of data developed through use of the equity metrics and information in the IOUs' customer reliability reports.[8] The analysis will be conducted by Energy Division "in consultation with the IOUs and identified equity-priority communities that are located along the IOUs' worst-performing circuits."[9] The PD indicates that the results will be incorporated into an Integrated Equity and Reliability Analysis Report (IERA) and will be presented at a workshop; subsequently comments will be accepted from interested stakeholders.[10]

The PD does not specify whether any revisions will be made in response to the comments submitted, nor does it address the forum in which the workshop will be hosted or the process for

[5] *See* CforAT Comments on Draft Resolution E-5480, served on the service list for R.21-06-017 on September 1, 2026, at pp. 3-4.
[6] *See e.g.*.CforAT Comments on Joint IOU Proposed Customer Reliability Report Template filed on January 9, 2026 in R.24-05-023, at p. 5; CforAT Comments on Proposed Decision Adopting Investor-Owned Utility Customer Reliability Report, filed on July 30, 2026 in R.24-05-023 and D.26-08-007 at p.19 (adopting CforAT's proposed definition of "customers with medical needs."
[7] Track 3 PD at pp.16-17.
[8] Track 3 PD at p. 18.
[9] Track 3 PD at p. 19.
[10] Track 3 PD at pp. 18-19.

accepting stakeholder comments. Without greater detail on these questions, the ability for Energy Division to successfully obtain effective participation from consumer advocates and other interested stakeholders is uncertain. The PD specifically indicates an intention to include a consumer advocate panel in the initial workshop and presumably in subsequent annual workshops.[11] However, the ability of consumer advocate organizations such as CforAT to participate in such ongoing activities rests on whether they take place within open proceedings that will result in Commission action addressing the report. This is because intervenor organizations such as CforAT are dependent on the availability of funding through the Commission's compensation program to be able to represent the interests of their constituencies before the Commission.[12] If the workshops and subsequent comments are not authorized in an open proceeding, or if they do not result in a Commission action (a formal decision or resolution) where the contributions of stakeholder participants and commentors are reflected, there will be no opportunity for advocates or CBO representatives to be compensated for their time and effort in contributing to the IERA Reports, even as Energy Division staff and IOU participants will be paid for their contributions.

CforAT supports the intent and plans for the development and use of IERA Reports, as long as there is a meaningful mechanism that supports the contribution of all interested stakeholders in the process. A mere invitation to participate, without a mechanism to provide appropriate resources to interested parties, will result in a process where important perspectives are not appropriately represented. CforAT respectfully requests that the Commission clarify the

[11] Track 3 PD at pp. 18-19.

[12] In the context of demonstrating eligibility for intervenor compensation, CforAT regularly demonstrates that it would be a substantial hardship to conduct our advocacy but for the availability of the compensation program. Our most recent determination of substantial hardship was issued on June 3, 2026 in R.25-04-010. We have regularly received such findings.

Track 3 PD to provide certainty to consumer advocates and other stakeholders that there will be resources and an opportunity to obtain compensation for participating in the IERA process. The only stated use for the reports, integration into General Rate Case filings,[13] would not provide such an opportunity and thus would not effectively support the ability of intervenors to participate in the report development process.

III. CONCLUSION

CforAT respectfully requests that the Commission move forward with revisions to the PD in keeping with our recommendations above.

Respectfully submitted,

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[13] Track 3 PD at p. 20.