

Decision 20-05-022 May 7, 2020

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider
Streamlining Interconnection of Distributed Energy
Resources and Improvements to Rule 21.

Rulemaking 17-07-007

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in this proceeding to May 17, 2021.

1. Background

On July 13, 2017, the Commission issued the Order Instituting this Rulemaking to consider streamlining interconnection of distributed energy resources and improvements to electric Rule 21. An October 2, 2017 Scoping Memo of Assigned Commissioner and Administrative Law Judge established six working groups, each with a set of issues, and a schedule for the proceeding. The original schedule anticipated a proposed decision on working groups one and two in the fall of 2018 and a proposed decision on working groups three through six in the summer of 2019.

An Assigned Commissioner's Amended Scoping Memo and Joint Administrative Law Judge Ruling issued on November 16, 2018, reorganized the working groups and revised the schedule such that working groups three through six were combined into two working groups, numbered three and four. Certain issues were assigned to the Interconnection Discussion Forum. The Amended Scoping Memo highlighted that a prior ruling had found the record of

the proceeding indicates greater than expected complexity of the issues, noting that due dates for the proceeding had been extended twice. Hence, the Amended Scoping Memo established a new statutory deadline of the proceeding of May 17, 2020.

Relatedly, an August 23, 2019 Ruling established the scope and schedule for a subgroup on Vehicle-to-Grid Alternating Current issues. Subsequently, a November 27, 2019 ruling directed responses to questions regarding Working Group Three issues, stated that the proposed decisions for Working Groups Two and Working Group Three would be combined, and established February 2020 as the commencement for Working Group Four.

2. An Extension of the Statutory Deadline is Necessary

As further described below, a one-year extension of the statutory deadline until May 17, 2021 is appropriate to allow sufficient time for Working Group Four to complete its work and to develop and issue the proposed decision for public review and comments.

Public Utilities Code (Pub. Util. Code) Section 1701.5(a) provides that the Commission shall resolve the issues raised in the scoping memo of a quasi-legislative proceeding within 18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending the deadline. As stated previously, the current statutory deadline for resolving the issues in this consolidated proceeding is May 17, 2020.

The issues in this proceeding have been and continue to be more technical and complex than originally anticipated. Responses to questions on working groups 2 and 3, and the subgroup are currently being analyzed and a proposed decision resolving these issues is anticipated this spring but not before the current statutory deadline of this proceeding expires. Furthermore, Working

Group Four, which commenced in February 2020, continues on a path of attempting to resolve technical and complex interconnection issues. Given past delays in the schedule we anticipate the final report will be available in six months. Following the filing of the report, staff will hold a workshop, which will be followed by the issuance of a ruling with questions to the parties. A proposed decision will then be issued. Accordingly, the Commission should extend the statutory deadline by one year.

3. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving quasi-legislative proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

4. Assignment of Proceeding

Martha Guzman Aceves is the assigned Commissioner and Kelly A. Hymes is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The current statutory deadline for resolving the issues in this proceeding is May 17, 2020.
2. The issues in this proceeding have been and continue to be more technical and complex than originally anticipated.
3. Responses to questions on working groups 2 and 3, and the subgroup are currently being analyzed and a proposed decision resolving these issues is anticipated this spring but not before the current statutory deadline of this proceeding expires.

4. Working Group Four, which commenced in February 2020, continues to resolve technical and complex interconnection issues.

5. We anticipate the final Working Group Four report will be available in six months.

6. Following the filing of the Working Group Four report, staff will hold a workshop, which will be followed by the issuance of a ruling with questions to the parties; a proposed decision will then be issued.

7. An extension of the statutory deadline to May 17, 2021 is necessary.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline should be extended to May 17, 2021.

IT IS ORDERED that the statutory deadline in this proceeding is extended until May 17, 2021.

This order is effective today.

Dated May 7, 2020, at San Francisco, California.

MARYBEL BATJER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners