

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ENERGY DIVISION

RESOLUTION E-5246

March 16, 2023

R E S O L U T I O N

Resolution E-5246. Pursuant to Decision 18-06-027, Approving with Modifications San Diego Community Power's Tariffs to Implement the Disadvantaged Communities Green Tariff and Community Solar Green Tariff Programs.

PROPOSED OUTCOME:

- Approves, with modifications, San Diego Community Power's (SDCP's) Advice Letter (AL) 10-E to create Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT) rates in compliance with Decision (D.) 18-06-027.

SAFETY CONSIDERATIONS:

- There are no expected safety implications associated with approval of this Resolution.

ESTIMATED COST:

- The full costs to implement the DAC-GT and CSGT programs have yet to be determined. The impact on rates cannot be estimated at this time as these programs will be funded through greenhouse gas allowance proceeds and/or public purpose program funds.

By SDCP AL 10-E filed on October 12, 2022.

SUMMARY

This Resolution approves, with modification, San Diego Community Power's (SDCP's) Advice Letter (AL) 10-E to create tariffs to implement the Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT) programs. The

California Public Utilities Commission (CPUC) requires SDCP to modify its DAC-GT and CSGT tariffs pursuant to the direction and clarifications provided in this Resolution.

BACKGROUND

The Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT) programs provide 100 percent clean energy at a 20 percent total bill discount to residential customers who reside in Disadvantaged Communities (DACs), as defined by Decision (D.) 18-06-027 *Alternate Decision Adopting Alternatives to Promote Solar Distributed Generation in Disadvantaged Communities* (Net Energy Metering DAC Decision or NEM DAC Decision).¹ The DAC-GT program is only available to residential DAC customers who are eligible for either the California Alternate Rates for Energy (CARE) program or the Family Electric Rate Assistance (FERA) program.² The CSGT program is available to both income-qualified and non-income-qualified residential DAC customers. Before any non-income-qualified customers are able to participate, 50 percent of a CSGT project's capacity must be subscribed to CARE or FERA eligible customers.³ In addition, community sponsors may be eligible to subscribe up to 25 percent of a CSGT project's capacity.

The NEM DAC Decision authorized Community Choice Aggregators (CCAs) to develop and implement their own DAC-GT and CSGT programs. The Decision further outlined that CCAs may access greenhouse gas (GHG) allowance revenues and public purpose program (PPP) funds to support these programs, by submitting a Tier 3 advice letter (AL) demonstrating how their DAC-GT and CSGT programs will abide by all rules and requirements for the programs.

To align program capacity allocation with the proportion of residential DAC customers served by CCAs, Resolution E-4999, issued June 3, 2019, allocated capacity to existing CCAs based on the proportional share of residential customers in DACs that each CCA serves.⁴ However, at the time there were no active CCAs in SDG&E's service area. As a result, SDG&E was allocated all 18 MW of its share of DAC-GT program capacity and all 5 MW of its share of CSGT program capacity.

¹ D.18-06-027 at 74.

² *Id.* at 51.

³ D.18-06-027 at COL 23-25.

⁴ Resolution E-4999 at 13.

Resolution E-4999 also directed that a workshop be held to address CCA implementation questions that were raised in the advice letter process. A DAC-GT and CSGT Program Implementation Workshop for CCAs was held in September 2019 and determined that a working group should be convened to further discuss program-related customer billing issues. On October 15, 2019, Energy Division staff facilitated the first customer billing working group meeting among the IOUs and various CCAs at which it was agreed that these issues would be resolved through the CCAs' AL process and future working group meetings.

SDCP is a joint powers authority that was founded by the cities of San Diego, Encinitas, La Mesa, Chula Vista, and Imperial Beach on October 1, 2019. On March 9, 2020, the CPUC certified SDCP as a CCA and SDCP began serving customer load in SDG&E's service area in March 2021. A March 2021 data request from Energy Division to SDG&E showed that SDCP was estimated to serve 80% of the total 53,628 active residential customers in DACs within SDG&E's service area over the following 12 months. Based upon the methodology adopted in Resolution E-4999, SDCP calculated its allocation of DAC-GT and CSGT program capacity and on September 29, 2021, SDCP submitted AL 4-E seeking an allocation request for 14.39 MW of DAC-GT program capacity and 4 MW of CSGT program capacity from SDG&E. At that time, SDG&E had yet to procure any of its allocated capacity for either program and on October 18, 2021 submitted to the service list a signed letter of support for SDCP's request. The CPUC's Energy Division approved SDCP's request for allocation transfer via a disposition letter on October 29, 2021 pending future submission of a tier 3 AL including an implementation and marketing plan.⁵

On July 23, 2020, the CPUC issued D.20-07-008, the Decision Implementing Automatic Enrollment of Disadvantaged Communities Green Tariff. D.20-07-008 directed PG&E to automatically enroll a targeted population of customers in the DAC-GT program. The target population were customers who: 1) were identified as having a high risk of disconnection and 2) met the existing parameters of DAC-GT program eligibility.

Resolution E-5124, issued on April 16, 2021, further allowed participating CCAs to auto-enroll customers as long as 1) auto-enrolled customers meet the eligibility requirements of the DAC-GT program and 2) the criteria are in alignment with the spirit of D.20-07-008 and target eligible DAC-GT customers at high risk of disconnection.

⁵ D.18-06-027 at 104-105, OP 17.

The CPUC relied upon CalEPA's 2017 DAC designation (based on CalEnviroScreen or CES 3.0) when establishing eligibility rules for the DAC-GT and CSGT programs in the NEM DAC Decision.⁶ In May 2022, CalEPA updated its DAC designations as part of CES version 4.0. Resolution E-5212 modified DAC-GT and CSGT program eligibility to include the updated version of CES 4.0.

On September 23, 2021, and November 18, 2021, the SDCP Board of Directors voted to authorize the County of San Diego and the City of National City, respectively, as new members of SDCP. Due to the CES update from 3.0 to 4.0 that occurred in May 2022, the number of eligible DACs within SDCP's territory has been reduced below the capacity allocation requested in SDCP's AL 4-E. However, as National City includes several DACs that were not included in AL 4-E at the time that AL filing, additional capacity allocation is needed to serve those customers.⁷

On October 12, 2022, SDCP filed AL 10-E to update its capacity allocation request, inclusive of National City's addition to SDCP, and submit its DAC-GT and CSGT implementation and marketing plans and forecasted budget for CPUC approval.

NOTICE

Notice of SDCP 10-E was made by publication in the CPUC's Daily Calendar. SDCP states that copies of its AL were mailed and distributed in accordance with Section 4 of General Order 96-B.

RESPONSES

San Diego Gas & Electric Company (SDG&E) filed a timely response to SDCP's AL on November 1, 2022.⁸ On November 8, 2022, SDCP filed a timely reply to SDG&E's response.

SDG&E's Response to SDCP's AL

⁶ CalEnviroScreen (CES) is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. The Office of Environmental Health Hazard Assessment, on behalf of the California Environmental Protection Agency (CalEPA) develops and updates the CalEnviroScreen tool pursuant to Public Resource Code § 71090.

⁷ SDCP AL 10-E at 5.

⁸ SDCP inadvertently submitted its DAC-GT and CSGT Implementation AL as "SDCP 5-E" before correcting the advice letter number to "SDCP 10-E." All references to SDCP 5-E in SDG&E's Response have been updated to "10-E".

SDG&E filed a timely response to SDCP's AL On November 1, 2022. In SDG&E's response, the utility stated that it largely supports SDCP's request for procurement capacity as a future program administrator of the Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT) programs. Specifically, SDG&E supports the transfer of an updated 15.78 MW of DAC-GT program capacity and an updated total of 4.38 MW of CSGT program capacity. It states that these allocations are in alignment with the latest available estimates of eligible customers that will transition from SDG&E service to SDCP service.

SDG&E also provides comments and clarifications regarding details of SDCP's Implementation Plan, included in AL 10-E. It states that as Program Administrator (PA), SDCP must meet the same program requirements as laid out in D.18-06-027 for IOUs such as supporting documentation, tariffs, cost recovery, and timing of funds transfer.

SDG&E notes that SDCP's AL states that supporting budget workpapers will be provided to the Evaluation, Measurement, and Verification (EM&V) contractors only "if available."⁹ SDG&E argues that the CPUC should direct SDCP to maintain records of all activity and spending in case of audit as any regulated investor-owned utility (IOU) is required to do. SDG&E posits that this ensures that all program spending is being evaluated fairly and in a comparable manner.

Second, SDG&E contends that SDCP's DAC-GT and CSGT tariffs do not contain the same elements included by all IOUs, such as back billing for months in which a customer is no longer CARE or FERA enrolled in order to protect ratepayers. Thirdly, SDG&E states that the cost recovery process for CCA programs should be consistent with D.18-06-027 and notes that SDCP does not have authority to directly recover costs for these programs. Lastly, SDG&E disputes SDCP's request that SDG&E include its request to transfer program funds in its November 2022 ERRAs application. Citing Resolution E-4999, SDG&E contends that SDCP must follow the annual February 1 administration budget AL submission process and that it can only include such a funding request in a future ERRAs application once the CPUC has approved SDCP's budget forecast.

⁹ SDCP AL 10-E, Appendix B at 18.

SDCP's Reply to SDG&E's Response

SDCP filed a timely reply to SDG&E's response on November 8, 2022. SDCP states that many of the points raised by SDG&E have previously been decided by the CPUC through the implementation of CCA DAC-GT and CSGT programs in Pacific Gas & Electric Company's (PG&E's) and Southern California Edison Company's (SCE's) service territories.

SDCP notes that its AL does not substantially differ from previously approved CCA DAC-GT and CSGT implementation ALs in regards to providing supporting documentation or in regards to specific tariff language.¹⁰ SDCP argues that it should be provided the same consideration as previous CCAs implementing these programs and that the CPUC should remain consistent with prior program approvals and decisions.

Regarding cost recovery, SDCP clarifies that its request for SDG&E to set aside funds in 2023 based on the budgets proposed in AL 10-E is consistent with past CPUC practice in Resolution E-5124, which approved CCA DAC-GT and CSGT programs in PG&E's territory, and D.20-12-038, which directed PG&E to set aside funds for Marin Clean Energy's and East Bay Community Energy's DAC-GT and CSGT programs subject to disposition of pending advice letter requests.

SDCP refutes SDG&E's funds transfer argument and states that its request for quarterly funds transfers is consistent with previous CPUC direction and that its request should be approved by the CPUC. Further, SDCP states that it has attached budgets for Program Years 2023 and 2024 to its AL which contain all necessary information that would be included in a February 1, 2023 budget AL consistent with Resolution E-5124 and E-5130 approving prior CCA DAC-GT and CSGT programs in PG&E's and SCE's territories. SDCP further clarifies that it will file a February 1 annual budget AL beginning in 2024 for Program Year 2025.

DISCUSSION

The discussion section is arranged in two parts. The first section addresses issues identified in SDG&E's reply to SDCP's AL, while the second addresses aspects of SDCP's proposed program implementation that warrant clarification.

¹⁰ See PCE AL 11-E at 20, LCE AL 13-E at 12, PRIME AL 8-E at 12, SJP AL 6-E at 12.

Disposition of SDG&E's Response

Supporting Documentation and Tariffs

While SDCP states that it will provide supporting budget workpapers to the Evaluation, Measurement, and Verification (EM&V) contractors only "if available" and that this is consistent with prior CPUC-approved CCA DAC-GT and CSGT implementation plans, CCAs must operate the DAC-GT and CSGT programs in accordance with best practice. All Program Administrators should ensure that data collection and financial accounting is transparent and accessible by the CPUC. Participation in the administration of these programs is voluntary and both CCAs and IOUs should follow the same rules as any other program administrator whether it be for accounting, reporting, or other program documentation.

In regard to SDG&E's concern over SDCP not including the same elements included by all IOUs, such as back billing for months in which a customer is no longer CARE- or FERA-enrolled in order to protect ratepayers, we find that SDCP has provided sufficient detail in its DAC-GT tariff consistent with other CCA tariffs. For example, SDCP states that "Customers who, after enrollment into the DAC-GT program become ineligible for CARE or FERA, will also be unenrolled from the DAC-GT program."¹¹

Should this mitigation plan, or other tariff language be found insufficient, the CPUC may request that SDCP or other CCAs update their DAC-GT and CSGT tariffs in the future.

Cost Recovery and Timing of Funds Transfer

SDG&E's dispute of SDCP's request to set aside funding is moot. The CPUC has already directed SDG&E to set aside funding for SDCP's budget request in D.22-12-042, which approved SDG&E's 2023 ERRRA Forecast. D.22-12-042 directed SDG&E to set aside a total of \$0.631 million in 2023 for its Program Year 2023 DAC-GT and CSGT programs (\$0.336 million and \$0.295 million, respectively) subject to disposition of pending funding requests.¹²

¹¹ SDCP AL 10-E at 6 and 8.

¹² D.22-12-042 at 32, *Decision Approving San Diego Gas & Electric Company's 2023 Electric Procurement Revenue Requirement Forecasts, 2023 Electric Sales Forecast, and Greenhouse Gas Related Forecasts*.

SDG&E and SDCP shall take the following procedural steps regarding ERRAs compliance and cost recovery, consistent with the process approved in Resolution E-5124 for all CCAs participating in the DAC-GT and CSGT programs:

1. SDG&E will include SDCP's PY 2024 budget estimate in its 2024 ERRA Forecast filing.
2. Beginning with the PY 2025 budget to be submitted in 2024, should the CPUC approve SDCP's Annual Budget Advice Letter, SDG&E will then include the total budget estimate for the upcoming program year in the ERRA Forecast filing in early June of the next year.
3. If SDG&E receives approval of its ERRA Forecast from the CPUC, SDG&E will record SDCP's approved budgets in the DAC-GT and or CSGT subaccount and set aside the total requested SDCP budgets in a subaccount for SDCP's DAC-GT and/or CSGT balancing accounts.
4. SDG&E will then remit program funds to the SDCP in four quarterly installments (by January 1, April 1, July 1, and October 1 of each year). If the ERRA Forecast is not approved by January 1 of a given program year, SDG&E will transfer all past due funds to SDCP within no more than thirty days of issuance of ERRA Forecast approval.
5. Once received, SDCP will track the program funds and costs in separate accounts (i.e., one account for DAC-GT program funds and/or a separate account for CSGT program funds). These accounts will record all generation cost deltas, customer bill discounts, and program expenses and will be the basis for recording actual expenditures in the Annual Budget Advice Letters.

Clarification of CCAs' Program Implementation

Program Funding

Decision 18-06-027 specified that greenhouse gas (GHG) auction proceeds are the primary funding source for the DAC-GT and CSGT programs, supplemented by public purpose program (PPP) funds as needed. The California Air Resources Board ("CARB") Cap-and-Trade regulations prohibit the use of GHG auction proceeds for programs to subsidize or discount volumetric rates.¹³ SDCP states in its AL that it will fund its

¹³ Barclays Official California Code of Regulations Title 17 Division. Air Resources Chapter 1 Air Resources Board Subchapter 10 Climate Change Article 5 California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms Sub article 9 Direct Allocations of California GHG Allowances (Refs & Annos) 17 CCR §95892 § 95892. Allocation to Electrical Distribution Utilities for Protection of Electricity Ratepayers.

program solely with PPP funds due to the Cap-and-Trade regulation. We clarify here that only the DAC-GT and CSGT above-market energy budget line item can be funded with GHG allowance proceeds. All other line items for the customer 20 percent discount, program administration, and marketing, outreach, and education should be funded through PPP funds.

DAC-GT Customer Enrollment

SDCP states that “[a] participating customer can remain on the DAC-GT tariff for up to 20 years from the time of enrollment or the duration of the project’s term, whichever concludes first.”¹⁴ We clarify that participating customers can remain on the DAC-GT tariff for up to 20 years from the time of enrollment *irrespective* of the duration of a specific project’s term. To date, this 20-year eligibility term for DAC-GT has been applied consistently across Program Administrators.

Budget

SDCP states that “Program Administrators must submit annual program budget forecasts via a Tier 1 Advice Letter by February 1st of each year for the following PY.¹⁵ Resolution E-5125 approved with modification PG&E’s and SCE’s requests to adjust administrative and marketing budget caps for the DAC-GT and/or CSGT programs. We clarify that this Resolution also required that Program Administrators submit their annual budget ALs as Tier 2 ALs instead of Tier 1 ALs to allow for great opportunity for stakeholder review and additional oversight.¹⁶ The Resolution also required that DAC-GT and/or CSGT PAs submit in their AL an accompanying rationale for above-cap program administration and marketing, education and outreach spending.¹⁷

Program Capacity Transfers

SDG&E has agreed to SDCP’s request to transfer additional DAC-GT and CSGT program capacity by responding to AL 10-E with a signed letter of support. The updated figures below include SDCP’s recent expansion to National City, approved in

¹⁴SDCP AL 10-E, Appendix B, at 7 and Appendix C at 6.

¹⁵ *Id.*, Appendix B, at 16.

¹⁶ Resolution E-5125 at 11, OP 3.

¹⁷ *Id.* at 11, OP 2.

November 2021.¹⁸ The CPUC hereby approves the jointly requested capacity transfers. The updated total capacity allocations in SDG&E’s service territory, are detailed in Table 1:

Table 1: Updated IOU/CCA Program Capacity Allocation in SDG&E’s Service Territory

SDG&E or CCA:	Estimated Residential DAC Customers Served by Entity (Adjusted for National City)	Percent of Residential DAC Customers in SDG&E’s Service Territory	DAC-GT Allocation (MW)	CSGT Allocation (MW)
SDG&E	8,592	12.33%	2.22	0.62
San Diego Community Power	61,061	87.67%	15.78	4.38
Total SDG&E DAC Residential Customers	69,653	100%	18	5

Auto-Enrollment

SDCP proposes automatically enrolling eligible DAC-GT customers. While neither D.18-06-027 nor Resolution E-4999 direct CCAs to implement automatic enrollment of eligible customers under the DAC-GT program, D.20-07-008, *Decision Implementing Automatic Enrollment of DAC-GT*, implemented auto-enrollment of certain customer groups eligible for DAC-GT enrollment by PG&E. Automatic enrollment means that eligible customers are automatically subscribed to the DAC-GT tariff by a Program Administrator based on certain criteria until the program capacity allocation in MWs is reached. Decision 20-07-008 outlined the rationale for pursuing and accelerating automatic enrollment including fulfilling the objectives of the Commission’s Environmental and Social Justice Action Plan and mitigating the economic effects of the COVID-19 pandemic and the statewide stay-at-home orders. Effectively, automatic enrollment lowers barriers to access for customers such as transaction costs, or non-monetized costs, including the time investment to learn about the technology and application process.¹⁹ Eligible customers are enrolled automatically in the DAC-GT

¹⁸ SDCP AL 10-E, Appendix A, at 4 states that SDCP is requesting an additional 1.39 MW DAC-GT and 0.38 MW CSGT capacity from SDG&E (to account for SDCP’s share of National City residential customers in DACs) in addition to the capacity transfer approved in SDCP AL 4-E.

¹⁹ California Energy Commission, Low Income Barriers Study Part A at 50.

tariff by the Program Administrator (IOU or CCA) based on certain criteria approved by the CPUC. Customers are then notified of their enrollment in the program and given the option to opt-out.

SDCP has proposed enrolling any eligible residential customers that live in one of the top 10% DACs of CalEnviroScreen 4.0 and who are currently enrolled in CARE or FERA until customer subscriptions reach SDCP's DAC-GT capacity cap. SDCP proposes prioritizing customers who have had payments made to their accounts. If there is not enough program capacity to auto-enroll all customers in a given category under the DAC-GT program, SDCP states that customers from the respective category will be randomly selected for program enrollment and all remaining customers will be placed on a waitlist.

While SDCP proposes prioritizing eligible customers who have had payments made to their accounts, it does not specify in its AL whether these customer categories have also received late payment or discontinuance notices. We clarify here that SDCP must auto-enroll customers who have received past due or discontinuation notices and authorize SDCP's auto-enrollment proposal based on Resolution E-5124's criteria that 1) the customers who are auto-enrolled meet the eligibility requirements of the DAC-GT program and 2) the criteria are in alignment with the spirit of D.20-07-008 and target eligible DAC-GT customers at high risk of disconnection.

Application of the 20% Discount & Working Group Meetings

SDCP states in its AL that "billing costs are estimated on the scenario that SDCP will be calculating the full bill discount for customers based on generation and delivery OAT [Otherwise Applicable Tariff], subject to change based on agreement with SDG&E." SDCP also notes that it "is currently working with SDG&E to coordinate the best approach to applying the bill discount and plans to file a supplemental advice letter once that approach has been agreed upon." We clarify here that if there is any disagreement over issues such as costs, billing, data sharing, or application of the 20% discount between IOUs and participating CCAs, the CCA may utilize the Advice Letter process or request that the issue be discussed during a Billing Working Group meeting, facilitated by Energy Division staff.

Solicitation Frequency & Review

Resolution E-4999 OP 8 required, within 60 days of issuance of the resolution, the IOUs to submit Tier 2 ALs with their solicitation documents for their first DAC-GT and CSGT Request for Offers (RFOs). Additionally, that resolution specified “each utility shall issue its RFO within 60 days of the CPUC’s approval of its solicitation documents.”²⁰

Resolution E-5102, E-5124, and E-5130, which approved various CCA DAC-GT and CSGT tariffs, applied similar solicitation requirements to those outlined in Resolution E-4999.

To maintain consistency across the growing number of CCA-administered programs, participating CCAs:

- May hold solicitations once a year or as needed.²¹
- Shall submit a Tier 2 Advice Letter with their solicitation documents for their first DAC-GT and CSGT RFOs within 60 days of issuance of the resolution approving their implementation AL. A CCA shall issue its first RFO within 60 days of the Commission’s approval of its solicitation documents.
- Shall submit a Tier 2 AL with all executed Power Purchase Agreements for approval no later than 180 days following notification of selected bidders.

COMMENTS

Public Utilities Code section 311(g)(1) provides that this resolution must be served on all parties and subject to at least 30 days public review. Please note that comments are due 20 days from the mailing date of this resolution. Section 311(g)(2) provides that this 30-day review period and 20-day comment period may be reduced or waived upon the stipulation of all parties in the proceeding.

The 30-day review and 20-day comment period for the draft of this resolution was neither waived nor reduced.

²⁰ Resolution E-4999 at OP 8.

²¹ D.18-06-027 at 86 required the IOUs to hold solicitations twice a year. Given that participating CCAs have comparatively smaller capacity allocation, it reasonable to CCAs to issue DAC-GT and CSGT RFOs once a year or as needed.

Comments were timely filed on March 2, 2023 by San Diego Community Power (SDCP).

Clarification of 2024 Annual Budget Advice Letter

SDCP's comments on the draft resolution request that the CPUC clarify the procedural steps listed that San Diego Gas and Electric Company (SDG&E) and SDCP take regarding ERRA compliance and cost recovery. Specifically, SDCP requests that the resolution language be clarified to provide that SDCP does not have an obligation to submit an Annual Budget Advice Letter for the 2024 program year (PY) as SDCP AL10- E had already included the necessary information that would be included in a 2023 and 2024 PY budget advice letter. Therefore, SDCP suggests that it will begin submission of Annual Budget Advice Letters beginning in 2024 for PY 2025. We find SDCP's request reasonable and in alignment with previous resolutions approving participating Community Choice Aggregator DAC-GT and CSGT programs. The resolution is modified accordingly.

Clarification of Specific Advice Letter Review

SDCP's comments on the draft resolution recommend that the resolution be revised to clarify that the SDCP may utilize any advice letter rather than the "Annual Budget Advice letter process" as a means by which disagreements over billing issues may be mediated and addressed by Energy Division. We find this request reasonable and in accordance with General Order 96-B. The resolution is modified accordingly.

Correction of Minor Error

SDCP points out a typographical error and requests that the CPUC make a correction. The resolution is modified accordingly.

FINDINGS AND CONCLUSIONS

1. On June 22, 2018, pursuant to AB 327, the CPUC adopted Decision (D.)18-06-027 (NEM DAC Decision), creating the DAC Green Tariff (DAC-GT) program, and the Community Solar Green Tariff program (CSGT), which provide residential customers in DACs increased access to renewable generation.
2. The NEM DAC Decision authorized community choice aggregators (CCAs) to develop and implement their own DAC-GT and CSGT programs, and authorized them to access greenhouse gas (GHG) allowance revenues and public purpose

program funds to support these programs, if each CCA submits a Tier 3 AL demonstrating how their DAC-GT and CSGT programs will abide by all rules and requirements for the programs established in the NEM DAC Decision.

3. The NEM DAC Decision required CCAs to file Tier 3 Advice Letters (ALs) to create a DAC-GT tariff and a CSGT tariff.
4. On June 3, 2019 the CPUC issued Resolution E-4999 which approved with modification, PG&E, SCE and SDG&E's tariffs to implement their DAC-GT and CSGT Programs.
5. Resolution E-4999, issued June 3, 2019, allocated capacity to CCAs based on the proportional share of residential customers in DACs that each CCA serves and set out this allocation in Table 1 and Table 2 of that Resolution.
6. On July 23, 2020, D.20-07-008 directed PG&E to automatically enroll eligible DAC-GT customers at high risk of disconnection.
7. To satisfy the requirements in the NEM DAC Decision, SDCP filed AL 10-E on October 12, 2022.
8. On November 1, 2022, SDG&E submitted a timely response to SDCP AL 10-E which agreed to SDCP's updated capacity transfer request and outlined SDG&E's remaining concerns with SDCP's implementation plan.
9. On November 8, 2022, SDCP submitted a reply to SDG&E's response addressing SDG&E's concerns.
10. On December 19, 2022, D.22-12-042 directed SDG&E to set aside SDCP's 2023 funding request subject to disposition of SDCP's AL in this resolution.
11. It is reasonable for SDG&E to include SDCP's PY 2024 budget estimates in its 2024 ERRRA Forecast filing, record SDCP's approved budgets in SDG&E's DAC-GT and/or CSGT balancing accounts, and for SDG&E to then transfer program funds to SDCP in quarterly installments.
12. It is reasonable for participating CCAs to automatically enroll eligible DAC-GT customers as long as their enrollment criteria are in alignment with the spirit of D.20-07-008 and target customers at high risk of disconnection.

THEREFORE IT IS ORDERED THAT:

1. San Diego Community Power's (SDCP's) Advice Letter (AL) 10-E is approved with the modifications set forth below and otherwise specified herein. SDCP shall submit a supplemental compliance Advice Letter within 30 days of the issuance of this Resolution with revised Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT) tariffs that reflect the changes to the tariffs directed below:

- a. SDCP shall update its DAC-GT and CSGT tariffs to clarify that the above-market energy budget line item should be funded with greenhouse gas allowance proceeds and the customer 20 percent discount, program administration, and marketing, outreach, and education line items should be funded with public purpose program funds.
 - b. SDCP shall update its DAC-GT tariff to allow customers to remain on the DAC-GT tariff for up to 20 years from the time of enrollment.
2. San Diego Gas and Electric Company (SDG&E) shall include San Diego Community Power's (SDCP's) estimated budget for Program Year 2024 in its 2024 Energy Resources Recovery Account (ERRA) Forecast Filing. Once SDG&E receives approval from the Commission of its ERRA Forecast, SDG&E will record SDCP's approved budgets in the Disadvantaged Communities Green Tariff and Community Solar Green Tariff balancing accounts and transfer program funds in quarterly installments.
3. San Diego Community Power (SDCP) shall submit a Tier 2 Advice Letter with their solicitation documents for their first Disadvantaged Communities Green Tariff and Community Solar Green Tariff Request for Offers (RFO) within 60 days of issuance of this Resolution. SDCP shall issue its first RFO within 60 days of the Commission's approval of its solicitation documents.
4. San Diego Community Power shall submit all executed Power Purchase Agreements via a Tier 2 Advice Letter for approval no later than 180 days following notification of selected bidders. If additional time is needed, the director of Energy Division, or his/her/their designee, is authorized to adjust this schedule as necessary.
5. San Diego Community Power shall submit any request for above-cap program administration and marketing, education, and outreach spending with an accompanying rationale for why the exceedance is warranted in their Annual Budget Advice Letters (AL) due each February.
6. To allow for additional review and oversight, San Diego Community Power Disadvantaged Communities Green Tariff and Community Solar Green Tariff Annual Budget Advice Letters shall be submitted as Tier 2 rather than Tier 1 advice letters.

This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on March 16, 2023; the following Commissioners voting favorably thereon:

/s/ RACHEL PETERSON

Rachel Peterson
Executive Director

ALICE REYNOLDS

President

GENEVIEVE SHIROMA

DARCIE HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

Commissioners