

Decision 24-07-035

July 11, 2024

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Revisit
Net Energy Metering Tariffs Pursuant to
Decision 16-01-044, and to Address Other
Issues Related to Net Energy Metering.

Rulemaking 20-08-020

ORDER DENYING STAY OF DECISION 23-11-068

On November 11, 2023, we issued Decision (D.) 23-11-068 (Decision). Relevant here, the Decision modifies the existing net energy metering fuel cell (NEMFC) tariff to impose the California Air Resources Board’s greenhouse gas emissions reductions standards for net energy metering fuel cell resources and declines to adopt a new NEMFC tariff. (Decision at 133-134, 166-170.)

Bloom filed a motion to stay the implementation of the Decision’s determinations on NEMFC-related issues on December 22, 2023. (*Bloom Motion for Stay of Specific Provision of Decision 23-11-068* (Dec. 22, 2023).) Bloom also filed a concurrent application for rehearing, which we address in a separate order (D.24-07-036).¹

We have carefully considered all the arguments presented in Bloom’s motion. On balance, Bloom has failed to demonstrate that a stay is warranted, especially considering that Bloom has not shown that it is likely to succeed on the merits, as explained in D.24-07-036. Accordingly, we deny Bloom’s motion.

¹ D.24-07-036 also addresses five other rehearing applications filed by the California Solar and Storage Association jointly with Solar Energy Industries Association (SEIA), the Agriculture Energy Consumers Association jointly with the California Farm Bureau Federation, Ivy Energy, the Small Business Utility Advocates, and SEIA individually.

THEREFORE, IT IS ORDERED that:

1. Bloom's motion to stay D.23-11-068 is denied.
2. This proceeding, Rulemaking 20-08-020, is closed.

This order is effective today.

Dated July 11, 2024, at San Francisco, California.

ALICE REYNOLDS
President
DARCIE L. HOUCK
JOHN REYNOLDS
KAREN DOUGLAS
Commissioners

Commissioner Matt Baker recused himself from this agenda item and was not part of the quorum in its consideration.