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Decision 26-07-043 July 16, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Central Coast Community Energy for Compliance Review of its Administration of the Bioenergy Market Adjusting Tariff Program for the Period September 1, 2024 through September 1, 2025.	Application 25-08-015

DECISION APPROVING THE APPLICATION OF CENTRAL COAST COMMUNITY ENERGY FOR COMPLIANCE REVIEW OF ITS ADMINISTRATION OF THE BIOENERGY MARKET ADJUSTING TARIFF PROGRAM FOR THE PERIOD SEPTEMBER 1, 2024 THROUGH SEPTEMBER 1, 2025

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Summary

This decision approves the Central Coast Community Energy's administration of the Bioenergy Market Adjusting Tariff program for operations conducted between September 1, 2024 through September 1, 2025.[1] This proceeding is closed.

1. Factual Background

1.1. The BioMAT Program

The Bioenergy Market Adjusting Tariff (BioMAT) program is a feed-in tariff program for small bioenergy renewable generators, originally created by Senate Bill (SB) 1122 and implemented by the Commission in 2014 by the issuance of Decision (D.)14-12-081.[2] The BioMAT program, as defined in Public Utilities Code Section (Section) 399.20, offers up to 250 megawatts (MW) to eligible projects through a fixed-price standard Power Purchase Agreement (PPA). Section 399.20 further provides that the 250 MW program capacity is allocated among the Investor-Owned Utilities (IOUs) and is further distributed among three fuel resource categories:

1. 110 MW of Category 1 Projects, sourced from biogas wastewater treatment, municipal organic waste diversion, food processing, and codigestion;

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[1] Application of Central Coast Community Energy for Compliance Review of Its Administration of the Bioenergy Market Adjusting Tariff Program for the Period September 1, 2024 Through September 1, 2025, August 29, 2025, (Application) at 1.

[2] *See* SB 1122 (Rubio), Stats. 2012, Ch. 612 (Sept. 27, 2012) (amending Pub. Util Code § 399.20).

2. 90 MW of Category 2 Projects, sourced from dairy and other agricultural bioenergy; and
3. 50 MW of Category 3 Projects, sourced from byproducts of sustainable forest management.

Since the issuance of D.14-12-081, the BioMAT program has undergone several modifications. For example, in D.20-08-043, the Commission amended the BioMAT tariff and contract rules and prescribed BioMAT cost allocation and recovery requirements. The Commission also authorized IOU BioMAT procurement cost allocation through a non-bypassable charge (NBC) applicable to all customers in each IOU's service territory, including Community Choice Aggregator (CCA) customers, through the Public Purpose Program (PPP) rate.[3] The decision also extended the BioMAT program end date to December 31, 2025.[4]

Assembly Bill (AB) 843 (Aguiar), Stats. 2021, Chapter 234 was chaptered on September 21, 2021 and was codified through amendments to Section 399.20. The bill authorized CCAs to submit eligible bioenergy contracts for cost recovery pursuant to the BioMAT program. Under AB 843, CCAs were permitted to submit contracts if unsubscribed capacity existed within the 250 MW BioMAT program capacity target. In addition, AB 843 required that every kilowatt-hour (kWh) of electricity purchased from a CCA bioenergy contracted project count towards the CCA's Renewables Portfolio Standard (RPS) procurement requirements and the procurement requirements of the electrical corporation

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[3] *See* D.20-08-043 at 15.

[4] *See* D.20-08-043 at 60; Conclusion of Law (COL) 1.

where a CCA provides service. Likewise, the physical generating capacity of a CCA contracted BioMAT project would count towards the CCA's resource adequacy (RA) requirements. On October 22, 2023, the Commission issued Rulemaking (R.) 22-10-010 to implement provisions of AB 843 and authorize CCAs to participate in the BioMAT program.[5]

As part of AB 843, the Legislature stated that "[t]he commission has ongoing review authority over any contracts of community choice aggregators submitted pursuant to this section consistent with its review of the contracts of electrical corporations entered into pursuant to this section."[6]

Under the authority that AB 843 granted the Commission, the Commission ordered that CCAs who wish to participate in the BioMAT program follow a number of requirements. Some of the key requirements are provided here. First, the Commission has ordered: "Each (CCA) that elects to participate in Bioenergy Market Adjusting Tariff program shall file an application, to establish CCA compliance with the California Public Utilities Commission's prudent manager standard for each calendar year, by September 1, 2024 and annually by September 1st thereafter."[7]

Second, in addition to satisfying the prudent manager standard, each CCA filing a compliance application under the BioMAT program is required "to demonstrate compliance with BioMAT requirements...."[8] To accomplish this, the

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[5] D.23-11-084 at 11.

[6] Pub. Util Code § 399.20 (f)(5)(K).

[7] D.23-11-084 at 69. Ordering Paragraph (OP) 17.

[8] D.23-11-084 at 62; COL 11.

CCA is expected to present an evidentiary record that allows the Commission to "evaluate CCA compliance with a variety of BioMAT program elements, including but not limited to satisfaction of BioMAT tariff requirements…."[9]

Third, the Commission has ordered CCAs that initially elect to participate in the BioMAT program develop BioMAT standard program documents including but not limited to program tariffs, power purchase agreements, program participation request forms, and non-bypassable charge rate schedules.[10]

Fourth, the Commission ordered that each CCA that elects to participate in the BioMAT program shall submit a Tier 3 Advice Letter that seeks Commission approval of eligible BioMAT forecasted revenue requirements recorded in CCA balancing accounts that reflect BioMAT program net costs.[11]

Fifth, the Commission ordered that CCAs shall submit a Joint CCA BioMAT Implementation Tier 2 Advice Letter to request Commission approval of standard CCA BioMAT program documentation, including tariffs, a power purchase agreement, program participation request forms, BioMAT program website and portal development contracts, independent third-party contracts, initial balancing account statements, and non-bypassable charge rate schedules within 60 days of the effective date of D.23-11-084.[12] The Commission also ordered that CCAs that elect to participate in the CCA BioMAT program after

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[9] D.23-11-084 at 52.

[10] D.23-11-084 at 62, OP 2.

[11] D.23-11-084 at 66, OP 12.

[12] D.23-11-084, OP 6.

60 days of the effective date of D.23-11-084 "shall submit a CCA BioMAT Implementation Tier 2 advice with standard program documentation as required, and any needed independent third-party or vendor contract modifications, in the Joint CCA BioMAT Implementation Tier 2 Advice Letter."[13]

1.2. 3CE's Participation in the BioMAT Program

In compliance with D.23-11-084 OP 12, Central Coast Community Energy (3CE) had its Advice Letter (AL) 37-E served on the service list of R.22-10-010.[14] On June 20, 2024, the Commission approved Advice Letter 37-E of 3CE, and several other CCAs' Advice Letters.[15] The resolution noted that 3CE and certain other CCA's forecast and sought zero BioMAT program costs for 2024 and 2025.[16]

On January 29, 2024, in accordance with D.23-11-084, Ordering Paragraph 6, 3CE, together with Orange County Power Authority, Pioneer Community Energy, and Redwood Coast Energy Authority (collectively, "Participating CCAs"), opted to participate in the BioMAT program by submitting a joint Tier 2 Advice Letter,[17] seeking approval of standard BioMAT CCA program documentation.[18] Also pursuant to D.23-11-084, on March 13, 2024, 3CE and

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[13] D.23-11-084 at 64, OP 6.

[14] Resolution E-5322, June 20, 2024, at 3.

[15] Resolution E-5322, June 20, 2024, at 1.

[16] Resolution E-5322, June 20, 2024, at 1-2.

[17] Although this was a Joint Advice Letter, each CCA had its own Advice Letter number identified. 3CE's Advice Letter number was "3CE Advice Letter 36-E".

[18] Ex.3CE-02 Attachment H, Central Coast Community Energy Advice Letter 36-E, January 29, 2024 at H-1.

several other CCAs submitted a BioMAT Tier 2 Advice Letter[19] that modified the original January 29, 2024 Tier 2 Advice Letter.[20]

On April 29, 2024, the Commission's Energy Division issued a letter approving the Joint CCA Advice Letters, including CCA Advice Letters 36-E, and 36-E-A, as consistent with D.23-11-084 OP 6, effective March 18, 2024.[21]

In addition to filing the Advice Letters in compliance with D.23-11-084's applicable ordering paragraphs, 3CE participated in the BioMAT program through a number of other steps.

According to 3CE, California Community Choice Association (CalCCA), representing the Participating CCAs, and the IOUs selected Accion LLC, which was also 3CE's independent third-party administrator, to perform the website and TPA services. CalCCA and the IOUs negotiated two Statements of Work (SOW) for Accion to provide required services by OP 3: (1) a SOW for program website and portal development services; and (2) a SOW for third party administration of the BioMAT program, both of which were included in the Joint Advice Letter.[22] 3CE Advice Letter 37-E shows that "The CCA-Accion Agreement incorporates two SOWs negotiated by the CCAs, IOUs, and Accion regarding both the website and TPA services that Accion will provide for the

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[19] Although this was a Joint AL, each CCA had its own AL number identified. 3CE's Advice Letter number was "3CE Advice Letter 36-E-A".

[20] Ex.3CE-02 Attachment I, March 13, 2024 at I-1.

[21] Ex. 3CE-02 Attachment J, Disposition Letter Approving Central Coast Community Energy Advice Letter 36-E/36-E-A, April 29, 2024 at J-2.

[22] Ex. 3CE-01E at 6-7.

BioMAT program.[23] D.23-11-084, Ordering Paragraph 3 provided instructions related to this.

3CE also entered into several agreements with Accion LLC. The first was for the provision of project pricing and contract award determination. The second was for confirmation of creation of a BioMAT website and development of a CCA Load Serving Entity Portal. D.23-11-084 OP 5 provided instructions related to this.

3CE's tariff is extensive, and it provided documentation to show that it took a number of steps to show compliance with it. 3CE reviewed Tracy Renewable Energy's (TRE) PPR related to whether it satisfied the 15 eligibility requirements specified in Section D of the BioMAT tariff.[24] These requirements are identified in D.23-11-084, Conclusion of Law 11. However, there are a few outstanding applicable tariff requirements that 3CE's partner, TRE, has not yet been able to meet. 3CE has informed the Commission that as of the time it provided supplemental testimony, its contracting partner, TRE, has not yet received valid certification from the Federal Energy Regulatory Commission, nor received final certification from the California Energy Commission during the Record Year.

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[23] Ex. 3CE-02 Attachment K, Central Coast Community Energy Tier 3 Advice Letter No.37-E; Request for Approval of Bioenergy Market Adjusting Tariff (BioMAT) Program 2024 and 2025 Forecasted Revenue Requirements Pursuant to D.23-11-084, February 1, 2024 at K-6.

[24] Ex.3CE-01E at 11.

1.3. The TRE Contract

Project Applicants submit program participation requests (PPRs) through a project portal for IOUs and/or CCAs to review them and determine project eligibility, and place eligible projects in separate or merged IOU and CCA project queues.[25] On January 29, 2025, 3CE received its first PPR from TRE for a BioMAT project in Tracy, California. As a fuel source for energy, 3CE's project will use 100% feedstock, composed mainly of walnut shell and a small amount of almond shell, sourced from the waste and byproducts of agricultural drying and shelling/mixing.[26] 3CE reviewed the eligibility of the TRE PPR, applied a process identified in standard CCA BioMAT program documents, and then deemed TRE's PPR satisfied the requirements of the BioMAT tariff and program eligibility criteria. Upon this determination, TRE was assigned a program position by Accion LLC.[27, 28]

3CE took several steps to ensure its contracting partner, TRE, followed the contract. Such steps included storing PPAs, tracking contract milestones and deadlines, reviewing documentation, and ensuring that the TRE continued to meet eligibility criteria and terms of the BioMAT PPA.

2. Procedural Background

3CE filed the *Application of Central Coast Community Energy for Compliance Review of its Administration of the Bioenergy Market Adjusting Tariff Program for the*

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[25] D.23-11-084 at 25, FN 49.

[26] Ex. 3CE-01E at 16.

[27] Application at 7.

[28] The process was made per D.23-11-084, OP 2.

Period September 1, 2024 through September 1, 2025 (Application) on August 29, 2025, pursuant to the requirements of D.23-11-084, OP 17. On October 2, 2025, Pacific Gas and Electric Company (PG&E) filed a response to the Application, and 3CE replied to PG&E's response on October 13, 2025. The Administrative Law Judge (ALJ) held a prehearing conference on November 19, 2025. Southern California Edison Company (SCE) attended the Prehearing Conference, but did not request party status at that time. The ALJ issued a ruling on November 25, 2025 regarding whether SCE sought party status. SCE filed a motion for party status on December 3, 2025. On December 5, 2025, the Assigned Commissioner's Scoping Memo and Ruling (Scoping Memo) issued. On December 16, 2025, 3CE requested to extend certain due dates of the Scoping Memo, and the ALJ granted 3CE's request by ruling on December 18, 2025. In compliance with the ALJ's December 18, 2025 ruling, 3CE served supplemental testimony on January 20, 2026. The December 18, 2025 ruling made intervenor testimony due on February 10, 2026, and no intervenor testimony was served by that date. On February 19, 2026, 3CE filed a motion to admit exhibits into the record and to modify the schedule. 3CE's motion stated that because no party had filed to protest or submitted intervenor testimony in opposition to the Application, the Application was uncontested.[29] No responses to 3CE's February 19, 2026 Motion were filed. On March 19, 2026, the ALJ issued a ruling granting 3CE's motion to admit exhibits and to modify the schedule. At 3CE's request, the March 19, 2026 ruling marked and admitted 3CE's testimony into the record, cancelled

[29] Motion of Central Coast Community Energy to Admit Exhibits into the Record and to Modify the Schedule, February 19, 2026, at 2.

evidentiary hearings, and eliminated the requirement for briefs.[30] The March 19, 2026 ruling also closed the evidentiary record.[31]

2.1. Submission Date

This matter was submitted on May 20, 2026, upon the filing of the Administrative Law Judge's Ruling Granting *the Motion of 3CE to Admit Exhibits into the Record and to Modify the Schedule*.

3. Jurisdiction

AB 843 authorized the Commission to allow CCAs to participate in the BioMAT program,[32] with program requirements for CCAs set out in D.23-11-084.[33] 3CE is a CCA operating in California, who requests Commission approval for the operation of its BioMAT program pursuant to D.23-11-084. Therefore, the Commission has jurisdiction to review and approve 3CE's BioMAT program operations pursuant to AB 843 and D.23-11-084.

4. Issues Before the Commission

The issues in the proceeding are:

1. Whether 3CE's administration of the BioMAT program during the Record Period, including the implementation of policies, practices, and procedures described in the Application and supporting testimony, complied with the Commission's BioMAT program requirements and the Commission's prudent manager standard, including, but

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[30] Ruling Granting Motion of Central Coast Community Energy to Admit Exhibits into the Record and to Modify the Schedule, March 19, 2026, at 3.

[31] Ruling Granting Motion of Central Coast Community Energy to Admit Exhibits into the Record and to Modify the Schedule, March 19, 2026, at 4.

[32] Pub. Util Code § 399.20 (f)(5)(K).

[33] *See* eg. D.23-11-084, Ordering Paragraphs 2-6.

not limited to, Standard of Conduct 4 from Commission D.05-01-054.

2. If 3CE has not followed the Commission's prudent manager standard, what adjustments, if any, should be made to account for imprudently managed or administered resources?[34]

3. What are the impacts on environmental and social justice communities, and to what extent does 3CE's BioMAT program implementation impact the achievement of any of the nine goals of the Commission's Environmental and Social Justice Action Plan?

Because the Commission finds that 3CE met Commission's BioMAT program requirement and met the prudent manager standard in this application, issue 2 is moot and will not be discussed further. Similarly, no ESJ issues were identified and therefore issue 3 will not be discussed in this decision.

5. 3CE's Administration of the BioMAT Program During the Record Period: Compliance with the Commission's BioMAT Requirements

First, we address whether 3CE's administration of the BioMAT program during the Record Period, including the implementation of policies, practices, and procedures described in the Application and supporting testimony, complied with the Commission's BioMAT program requirements. D.23-11-084 provides BioMAT program requirements that apply to CCAs that file compliance applications under the BioMAT program, and also provides that CCA

[34] The Scoping Memo has a typo, and inadvertently says "SCE" instead of 3CE in this question. Given that 3CE's compliance with the prudent manager standard is raised in question 1, the fact that this is a 3CE application, and the rest of the context of the scoping memo, the Commission assumes that parties understood this was a typo.

applications under the BioMAT program must comply with the Commission's prudent management standard.[35] 3CE requests a Commission finding that 3CE complied with the requirements set by the Commission in D.23-11-084 in implementing the BioMAT program during the Record Period.[36] The Commission grants 3CE's request. As discussed in the subheadings below, 3CE has complied with each of these BioMAT program requirements during the Record Period.[37]

Each CCA that files a compliance application under the BioMAT program is required "to demonstrate compliance with BioMAT requirements…"[38] To evaluate CCA compliance with a variety of BioMAT program elements, including but not limited to: (1) satisfaction of BioMAT tariff requirements, (2) adherence to California Independent System Operator (CAISO) market dispatch rules per SOC 4, (3) operation of balancing accounts, and (4) administration of BioMAT rate schedules. [39]

5.1. Satisfaction of BioMAT Program Document Development and Tariff Requirements

D.23-11-084 Ordering Paragraph (OP) 2 instructed that: CCAs that initially elect to participate in the BioMAT program are directed to develop BioMAT

[35] D.23-11-084 at 62; COL 11. *See also*, D.23-11-084 at 53.

[36] Ex. 3CE-01E at 28.

[37] *See* Ex. 3CE-01E at 3-4. 3CE notes that D.23-11-084 Ordering Paragraphs 2, 3, 5, and 6 laid the groundwork for the implementation of 3CE's BioMAT program. This section discusses that 3CE's actions are consistent with each of these ordering paragraphs.

[38] D.23-11-084 at 62, COL 11.

[39] D.23-11-084 at 52.

standard program documents including but not limited to program tariffs, Power Purchase Agreements (PPAs), program participation request (PPR) forms, and Non-Bypassable Charge (NBC) rate schedules.

The Commission finds that, in compliance with this ordering paragraph, 3CE developed program tariffs, a PPA, and BioMAT PPRs. Also, as discussed below, in this case, it is not necessary for 3CE to maintain separate NBC rate schedules. Further, as discussed below, 3CE made extensive efforts to follow the applicable tariffs it developed.

5.2. Provision of a Standard PPA and PPR

On behalf of 3CE and other participating CCA's, on January 29, 2024, the California Community Choice Association (CalCCA) filed a Joint Advice Letter.[40] That Joint Advice Letter shows a standard pro forma CCA PPA, which made minor changes to PG&E's BioMAT PPA to apply to CCAs.[41] That Joint Advice Letter also shows the participating CCA's provided a CCA PPR that was based on existing PG&E forms.[42]

5.3. Compliance with BioMAT Tariff

The tariff requirements that apply to BioMAT are extensive, and provided in the Joint CCAs Advice Letter that includes 3CE Advice Letter 36-E, and included in its materials.[43] Compliance with the tariffs is discussed here.

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[40] Ex. 3CE-01E at 5; *See also* Ex. 3CE-02 Appendix H at H-1 (3CE Advice Letter 36-E).

[41] Ex. 3CE-01E at 6.

[42] Ex. 3CE-01E at 6.

[43] Ex. 3CE-02 Attachment H at H-24. [Appendix A to Joint CCAs BioEnergy Market Adjusting Tariff (BioMAT) Implementation Tier 2 Advice Letter Pursuant to D.23-11-084)]

As an initial matter, 3CE Advice Letter 36-E includes a statement of work for the third-party administration of the BioMAT program. That shows its contractor will provide third party administration services that, at a minimum, comply with the BioMAT tariffs.[44] This shows 3CE's contractor is tasked with meeting the BioMAT tariffs.

The tariff provides as follows: The Applicant will submit a PPR for a Project to the IOU or CCA in whose territory the Project is located, and execution of a BioMAT PPA will result in the Contract Capacity of that Project being attributed to the Contract Capacity target for the IOU in whose service territory the Project is located, subject to Section G.4 of the tariff's schedule. Category 2 (Dairy) and Category 2 (Other Agriculture) are maintained in the same Category 2 queue. However, an Applicant with a Category 2 Project must indicate in its PPR whether its Project is (i) Category 2 (Dairy), or (ii) Category 2 (Other Agriculture), for the purposes of establishing a contract price as set forth in Section H of the tariff's schedule and establishing that project's fuel resource requirements as set forth in the BioMAT PPA and Section D.13 of the tariff schedule.[45] To be eligible for CCAs BioMAT program and obtain a position in the applicable fuel resource category queue, an Applicant must submit a complete PPR to CCA.[46] The Applicant must submit the PPR form to CCA in a manner and form specified by CCA.[47] In compliance with this tariff requirement, 3CE has

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[44] Ex. 3CE-02 Attachment H at H-339.

[45] Ex. 3CE-02 Attachment H at H-24, Section E,1.

[46] Ex. 3CE-02 Attachment H at H-24, Section E.2.

[47] Ex. 3CE-02 Attachment H at H-24, Section E.2.c.

provided a copy of the PPR that the Applicant, TRE, submitted to it.[48] Also based upon confidential evidence provided by 3CE, this PPR is adequate to meet this tariff requirement.

The tariff also requires a PPR Fee, and states specifically that "Applicant must pay to CCA a non-refundable application fee as part of each PPR submission calculated as follows: $2 per kilowatt (kW) multiplied by the Project's Contract Capacity."[49] In satisfaction of this tariff requirement, on February 12, 2025, 3CE received payment from TRE for the non-refundable application fee of $6,000.[50]

The tariff also requires supporting documentation in the form of an interconnection study or interconnection agreement, that must be submitted to the CCA in a timely fashion.[51] In compliance with this requirement, TRE provided an executed Rule 21 agreement with PG&E for interconnection to PG&E's distribution system.[52]

The tariff requires a completed cover sheet for the BioMAT PPA, including (but not limited to) a description of the project, a facility drawing, a single line diagram and a site map clearly outlining the border of the project site for which

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[48] Ex. 3CE-02 at 4, referencing Attachment A, Program Participation Request, 218-01.

[49] Ex. 3CE-02 Attachment H at H-24, Section E.2.a; Ex. 3CE-01 at 22-23.

[49] Ex. 3CE-02 Attachment H at H-24, Section E.2.a.

[50] Ex. 3CE-01 at 22.

[51] Ex. 3CE-02 Attachment H at H-25 - H-26, Section E.2.d.

[52] Ex. 3CE-01 at 13.

site control exists.[53] 3CE provided adequate information to show compliance with this requirement, including a BioMAT PPA it executed with TRE, and including a site map with the project boundary.[54]

The BioMAT tariff also requires that within twenty (20) business days of receiving a PPR, the CCA, in its sole discretion, will confirm whether the Applicant's PPR is deemed complete and satisfies the eligibility criteria. Applicants will be assigned a program position (BioMAT Queue Number) by the Third-Party Administrator once the PPR is deemed complete by the CCA. If the PPR is deemed complete, the BioMAT Queue Number assignment provided by the Third-Party Administrator will be based on the date and time that the PPR was received by CCA.[55] According to the tariff, the CCA, in its sole discretion, may permit the Applicant to cure minor deficiencies, as determined by the CCA, by re-submitting the PPR (or a subset thereof) within ten (10) business days of notice from CCA of the deficiency.[56] The tariff also provides: "Upon notification of PPA award, CCA will review the PPR within twenty (20) business days and will notify the Applicant of any deficiencies. The Applicant must cure the deficiencies and resubmit the PPR within ten (10) business days of notice from CCA of the deficiency. CCA will review the PPR within ten (10) business days of receipt of the resubmitted PPR. If no deficiencies remain, CCA will notify the Applicant. CCA will offer an executable PPA to the Applicant within twenty (20)

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[53] Ex. 3CE-02, Attachment H, at H-25-H-26, Section E.2.d.

[54] Ex. 3CE-02 at 11, referencing Attachment E at E-104 and E-105.

[55] Ex. 3CE-02 Attachment H at H-26, Section E.2.e.

[56] Ex. 3CE-02 Attachment H at H-27, Section E.2.g.

business days of notice that no deficiencies remain."[57] According to the tariff, "Applicants that are awarded a BioMAT PPA for a Period must submit an executed BioMAT PPA to CCA within twenty (20) business days of receiving an executable BioMAT PPA from CCA."[58]

In compliance with the tariff, 3CE reviewed TRE's application, and identified a minor deficiency with TPE's PPR in that TRE inadvertently uploaded an incorrect file instead of providing an organization chart required by the BioMAT tariff.[59] Pursuant to the tariff, 3CE notified TRE of the deficiency on February 25, 2025. TRE then uploaded an updated organization chart on March 3, 2025, within the allowed 10 business days to cure.[60] On March 11, 2025, within 20 days of the date the PPR was re-submitted, 3CE confirmed the PPR was deemed complete.[61] 3CE messaged Accion LLC on April 25, 2025 to confirm no deficiencies.[62] On May 8, 2025, 3CE shared an executable PPA with TRE via upload to 3CE's web portal.[63] On June 5, 2025, TRE returned an executed PPA to 3CE.[64] June 5, 2025 is 20 business days after May 8, 2025. 3CE's process of notifying TRE of the deficiency, allowing for the deficiency to be cured, deeming

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[57] Ex. 3CE-02 Attachment H at H-34-H-35, Section I.4.

[58] Ex. 3CE-02 Attachment H at H-35, Section I.6.

[59] Ex. 3CE-01 at 16-17.

[60] Ex. 3CE-01 at 17.

[61] Ex. 3CE-01 at 17.

[62] Ex. 3CE-01 at 18.

[63] Ex. 3CE-01 at 18.

[64] Ex. 3CE-01 at 18.

the application complete, offering an executable PPA to TRE, and receiving an executed PPA from TRE all timely comply with these tariff requirements.

The tariff also requires that a website contain specific BioMAT information. First, regarding capacity, the tariff requires of CCA's as follows:

On the Effective Date of BioMAT and by the first business day of each Period, the following capacity information will be posted on CCA's website and/or online platform, or as otherwise determine by the Third-Party Administrator in BioMAT:

a. Available Allocation for each Fuel Resource Category
b. Total remaining Program Capacity
c. Total remaining capacity in each Fuel Resource Category[65]

Second, the tariff requires that within ten (10) business days of the execution of the BioMAT PPA by both the Applicant and CCA, CCA shall provide on its website information regarding the executed BioMAT PPA as required by the CPUC.[66]

Accion LLC is required to provide BioMAT Website services that, at a minimum, implements the Decision and complies with the BioMAT Tariffs and meets all requirements as specified in the statement of work.[67] The scope of services identifies that D.23-11-084 directs the CCAs to "develop distinct CCA BioMAT websites and portals on the Accion BioMAT platform". D.23-11-084

[65] Ex. 3CE-02 Attachment H at H-30, Section G.2.

[66] Ex. 3CE-02 Attachment H at H-35, Section I.8.

[67] Ex. 3CE-02 Attachment H at H-30-31, Section H.

requires a Central BioMAT Website that will allow BioMAT program participants to access both IOU and CCA BioMAT websites and portals.[68] For purposes of this decision, this language shall be deemed sufficient to show compliance with this tariff requirement. However, as part of 3CE's reporting in the next record period, 3CE shall report to the Commission if Accion's website is not in compliance with any part of the BioMAT tariff, and 3CE shall also identify the fixes that will be taken to correct Accion's website and when such fixes will occur.

Contract Prices will be adjusted by the payment allocation factors included in the BioMAT PPA in accordance with the terms of the BioMAT PPA. The payment allocation factors are based on time-of-delivery periods and whether the Project is an energy-only facility or has full capacity deliverability Status. The BioMAT PPA provides further detail regarding monthly payment calculations and the Payment Allocation Factors.[69] The payment allocation factors meet this requirement.

According to the tariff, "The Project may not have an existing PPA or other contract for energy and/or capacity deliveries to CCA, or any other counterparty, from the same Project at the time of execution of the BioMAT PPA or, if allowed per the terms of the existing contract, the Seller must provide documentation demonstrating that the existing contract will be terminated on a date certain that is within the COD [commercial operation date] timing allowed in the BioMAT

[68] Ex. 3CE-02 Attachment H at H-327.

[69] Ex. 3CE-02 Attachment H at H-31, Section H.5.

PPA prior to the execution of the BioMAT PPA."[70] As discussed in the Section that discusses eligibility criteria of this decision, 3CE's documentation is adequate to show compliance with D.23-11-084's requirement that prevents the same project from occupying two spaces in the BioMAT queue.

The tariff provides that the BioMAT PPA will be completed by the CCA for execution by the Applicant and shall include the information submitted in the PPR, which includes, but is not limited to, the information listed below:

- Seller Name: Must be a legal entity
- Project Name
- Facility Street Address (or nearest intersection) (or coordinates if no intersection or street address)
- Type of Facility: Category 1, 2, or 3
- Fuel Resource Category (including proportions if using multiple fuel sources within the selected Fuel Source Category)
- Interconnection Queue Position
- Interconnection Point
- Service Voltage
- Delivery Point
- Expected COD: No later than thirty-six (36) months from execution date of the BioMAT PPA, or within thirty-six (36) months of the Interconnection Study Completion Date for Category 3 Projects that do not have an Active Interconnection Study at the time the BioMAT PPA is executed, as described in Section D.6(b).

[70] Ex. 3CE-02 Attachment H at H-35, Section I.7.

- Contract Capacity
- Nameplate Capacity
- Delivery Term: 10, 15, or 20 years
- Transaction: Full Buy/Sell or Excess Sale
- Contract Quantity: Provide estimates in MWh/year, net of Station Use and Site Host Load for each year of the Delivery Term.[71]

The PPR is a confidentially marked document that includes each of the pieces of information that this tariff provision requires. The one exception is the expected COD. On February 1, 2024, 3CE noted in an Advice Letter 37-E that the BioMAT program was in the very early stages and no PPAs had yet been signed.[72] Therefore, the issuance of this decision is still within the 36-month execution date of a BioMAT PPA, and it is too early to determine whether this part of the tariff has been followed.

The tariff also requires as follows: "Projects must be electrically independent and separately metered. Metering requirements are described in the BioMAT PPA."[73] The PPA is a confidential document, but describes the metering requirements as required by this tariff provision.

Section D of the tariff provides eligibility criteria for Applicants in the investor-owned utilities' service areas. Section D also requires the CCA to

[71] Ex. 3CE-02 Attachment H at H-35 to H-36, Section J.

[72] Ex. 3CE-02 Attachment K at K-6.

[73] Ex. 3CE-02 Attachment H at H-36, Section K.

review applications submitted to its BioMAT program and determine which applications meet the eligibility criteria.[74]

As shown here, 3CE reviewed the PPR TRE submitted 3CE could not review TRE's satisfaction of certain parts of section D because TRE was dependent upon external agencies' processes that had not yet completed at the time of 3CE's application. However, 3CE's review is adequate for purposes of granting its request.[75] 3CE's 15 requirements are as follows:

1. Because 3CE spans the service of both Pacific Gas & Electric Company (PG&E) and Southern California Edison (SCE), a project must be physically located within PG&E's or SCE's electric service territory and must be interconnected to PG&E's or SCE's electric distribution system or an existing transmission line. TRE is physically located in PG&E's service territory and is interconnected to PG&E's electric distribution system. TRE provided the Commission with an executed Rule 21 interconnection agreement with PG&E within its PPR to demonstrate compliance with this requirement.[76] The Commission finds this document adequate to show compliance with this requirement.
2. The Project must be an Eligible Renewable Energy Resource as defined in Section 399.12. Per the milestones submitted in TRE's PPR, TRE has filed a Pre-Certification application with the California Energy Commission (CEC) and expects receipt of CEC Pre-Certification by November 21, 2025, and final CEC Certification in March 2027. 3CE says it will monitor TRE's progress towards these project

[74] Ex. 3CE-02 Attachment H at H-34, Section I.3.

[75] Ex. 3CE-01E at 11.

[76] Ex. 3CE-01E at 11.

milestones. 3CE has provided the Pre-Certification application that TRE has filed with the CEC.[77] 3CE has clarified that the final certification from the CEC is not anticipated until March 2027.[78] 3CE has also clarified that TRE is the recipient of the final certification from the CEC, not 3CE.[79] The scoping memo requires 3CE to serve the final CEC certification within seven days of receipt.[80] 3CE requests leniency in the seven-day timeline to the extent there is a delay outside of 3CE's control in TRE transmitting the final CEC certification to 3CE. The Commission agrees with the need for this leniency and grants the request. 3CE shall provide this certification to the Commission's Energy Division with due diligence, and by the upcoming record year, upon learning of final CEC certification. If CEC does not provide the final certification by the next record year, 3CE shall inform Energy Division of this and explain the facts as to why the certification has not yet been issued.

3. The Project must be a Qualifying Facility (QF) as defined by the Federal Energy Regulatory Commission (FERC). TRE's PPR indicates that TRE is on track for status as a Qualifying Facility and anticipates receipt of a FERC docket number assigned to the seller's filing of FERC Form 556 by March 31, 2026.[81] 3CE understands that the project obtains QF status through self-certification.[82] The scoping memo requires that "Within seven days of receipt of FERC

[77] Ex. 3CE-02 at 6.

[78] Ex. 3CE-01E at 11.

[79] Ex.3CE-02 at 6.

[80] Assigned Commissioner's Scoping Memo, December 5, 2025, at 7.

[81] Ex. 3CE-01E at 12.

[82] Ex. 3CE-02 at 8.

documentation that demonstrates the Project is a Qualifying Facility as defined by the FERC, serve it on the service list, and state that such documentation has been received."[83] 3CE notes that if there are no protests to TRE's FERC filing, no further FERC action is required for self-certification to become effective.[84] 3CE represents that TRE anticipates receipt of a FERC docket number of FERC Form 556 by March 31, 2026. 3CE shall report the updated status of the FERC certification to the Commission's Energy Division with due diligence, and by the next record year, upon learning whether the project is a QF as defined by FERC.

4. The contract capacity for the project cannot exceed three MW.[85] 3CE provided documentation to show that the contract capacity for 3CE's PPA with TRE is three MW.[86] This document is adequate to show TRE has met this criterion.

5. The nameplate capacity for the project cannot exceed five MW. TRE's nameplate capacity is five MW.[87] TRE has met this criterion.

6. Regarding an interconnection study and whether a project is strategically located, an applicant can satisfy this requirement by making use of an existing interconnection agreement to the extent permitted by applicable IOU tariff or CAISO's tariff. The applicant's interconnection study must have an active interconnection queue number in the applicable IOU's public wholesale distribution queue of the public CAISO interconnection queue to be eligible to

[83] Scoping Memo at 8.

[84] Ex. 3CE-02 at 8, citing 18 Code of Federal Regulations 292.207(a)(3).

[85] Ex. 3CE-01E at 12.

[86] Ex. 3CE-02 at 9.

[87] Ex. 3CE-01E at 12.

participate and remain in the BioMAT queue, with certain inapplicable exceptions.[88] TRE provided an executed Rule 21 agreement with PG&E for interconnection to PG&E's distribution system. 3CE represents that this interconnection agreement contains TRE's queue number and affirmatively supports the project's ability to interconnect within 36 months of the execution of the BioMAT PPA.[89] 3CE has executed its first BioMAT PPA with TRE.[90] 3CE also provided its existing Rule 21 interconnection agreement with PG&E, with reference to its queue number, and timelines to support TRE's ability to interconnect within 36 months of execution of the PPA.[91] This documentation is adequate to show that TRE's executed Rule 21 agreement with PG&E for interconnection to its distribution system meets the interconnection study criterion.

7. Regarding site control, the applicant must provide an attestation that it has 100% site control for the project through one of several means, such as a lease.[92] TRE attested it has 100% site control through a lease.[93] 3CE provided the attestation within its PPR, attesting that "there is 100 percent site control for the Project through a lease."[94] 3CE also provided a copy of the lease.[95] This

[88] Ex. 3CE-01E at 12.

[89] Ex. 3CE-01E at 12.

[90] Ex. 3CE-01E at 27.

[91] Ex. 3CE-01 at 13.

[92] Ex. 3CE-01E at 13.

[93] Ex. 3CE-01E at 13.

[94] Ex. 3CE-02 at 11.

[95] Ex. 3CE-02 at 11, referencing Attachment A1.

documentation is sufficient to show that TRE has validly attested it has 100% site control of the project.

8. Regarding developer experience, the applicant must provide an attestation that at least one member of its development team has either completed development of, or begun construction of at least one other project of similar technology and capacity. 3CE noted that within the PPR, TRE attested it satisfies this criterion.[96] 3CE provided TRE's attestation as well.[97] This documentation is adequate to show that TRE has shown enough developer experience.

9. Regarding daisy chaining, the applicant must provide an attestation that only the exporting project the applicant is developing, owns or controls is on any single or contiguous pieces of property. Alternatively, if applicant cannot meet this condition, the total aggregated installed contract capacity of the projects cannot exceed three MW. 3CE represented that TRE attested it satisfied this criterion.[98] 3CE also provided documentation that showed TRE's attestation.[99] This documentation is sufficient to show TRE has met the criterion to avoid daisy chaining.

10. Regarding other incentives, a project that previously received incentives under the Self-Generation Incentive Program (SGIP) is ineligible for BioMAT if the incentives were received within 10 years or less from the date that the applicant submits a PPR for BioMAT for that project. A project Applicant must make certain attestations to show the project is not ineligible because of receipt of this SGIP incentives.[100] 3CE represented that TRE attested it satisfied

[96] Ex. 3CE-01E at 13.

[97] Ex. 3CE-02 at 12, referencing Attachment A, at A-4.

[98] Ex. 3CE-01E at 13.

[99] Ex. 3CE-02 at 12-13, referencing Attachment A, at A-4.

[100] Ex. 3CE-01E at 14.

this criterion.[101] 3CE also provided TRE's attestation.[102] This documentation is sufficient to show that TRE's project is not ineligible due to receipt of untimely SGIP incentives.

11. Regarding Net Energy Metering, "An applicant that is a net energy metering (NEM) customer can only participate in BioMAT if the applicant terminates its participation in the NEM program for the project prior to the BioMAT PPA's execution date."[103] According to 3CE, within the PPR, TRE attested that it satisfies this criterion by indicating it is not currently delivering under NEM.[104] 3CE also showed TRE's attestation, in which TRE answered that the facility in question is not currently delivering under NEM.[105] This documentation shows that TRE's project is not part of the NEM program prior to the BioMAT PPA's execution date.

12. Regarding Renewable Market Adjusting Tariff (ReMAT), an applicant may not submit a PPR or maintain a position in the queue for the same project in both the ReMAT program and the BioMAT program. According to 3CE, because the TRE project has a nameplate capacity of five MW, it exceeds the ReMAT program eligibility criteria.[106] The Commission has considered this approach and accepts the point as valid.

13. Regarding fuel resource requirements, TRE is a Category 2 (Other Agriculture) project.[107] Projects within this category

[101] Ex. 3CE-01E at 14.

[102] Ex. 3CE-02 at 13-14, referencing Attachment A, at A-4.

[103] Ex. 3CE-01E at 14.

[104] Ex. 3CE-02 at 14.

[105] Ex. 3CE-02 at 14, referencing Attachment A, at A-11.

[106] Ex. 3CE-01E at 15.

[107] Ex. 3CE-01E at 15.

are required to use at least 80% of eligible fuel under this category on an annual basis.[108] 3CE represented that in its PPR submission, TRE attested that the project will use 100% feedstock that conforms to the Category 2 definition as a fuel source and meets all fuel resources requirements in the BioMAT tariff and PPA.[109] 3CE also provided TRE's attestation to meeting the fuel resource requirement.[110] 3CE's documentation shows TRE's project category meets the eligible fuel requirement.

14. Regarding commercial operations, the project must have commenced commercial operations on or after June 1, 2013, based on the definition of "commercial operations date" in the CEC's Renewables Portfolio Standard Eligibility Guidebook.[111] 3CE represented that TRE's PPR indicates an estimated commercial operations date of February 26, 2027.[112] 3CE also provided documentation that showed expected commercial operations are anticipated to start on February 26, 2027.[113] 3CE's documentation shows TRE starts commercial operations after the required date of June 1, 2013.

15. Regarding the project application, an applicant may only submit one PPR per project to BioMAT and may not submit a PPR or maintain a position in the queue for the same project in multiple BioMAT programs.[114] D.23-11-084 required that BioMAT applicants cannot submit multiple applications to each participating CCA or IOU for the same

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108 Ex. 3CE-01E at 15.

109 Ex. 3CE-01E at 16.

110 Ex. 3CE-02 at 15, referencing Attachment A2.

111 Ex. 3CE-01E at 16.

112 Ex. 3CE-01E at 16.

113 Ex. 3CE-02 at 15-16, referencing Attachment A, at A-9 through A-10.

114 Ex. 3CE-01E at 16.

> project to prevent the same project from occupying two spaces in the BioMAT queue.[115] Per the BioMAT tariff timeline, 3CE says it reviewed a re-submitted PPR and confirmed that PPR was deemed complete, and continued to meet the eligibility requirement criteria within the BioMAT tariff.[116] 3CE says this prompted an automated notification to be sent out to the BioMAT Applicant and internal 3CE staff members.[117] 3CE provided a copy of that notification.[118] This documentation is adequate to show compliance with D.23-11-084's requirement that prevents the same project from occupying two spaces in the BioMAT queue. The re-submitted PPR was not occupying a second space in the BioMAT queue, but rather a re-submittal to correct a minor error in the originally submitted PPR.

5.4. No Need for Separate NBC Rate Schedules

With regards to administration of NBC rate schedules, 3CE states that the participating CCAs are not charging customers for the BioMAT program costs, and therefore will not have an NBC rate schedule. Because the Commission authorized IOUs to recover CCA BioMAT costs through existing NBC's in the IOUs' respective PPP surcharges, Participating CCAs, such as 3CE, do not charge their customers directly and therefore do not maintain separate NBC rate schedules.[119] In this case, it is not necessary for 3CE to maintain separate NBC rate schedules.

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[115] D.23-11-084 at 61, Conclusion of Law 7. *See also* Ex. 3CE-01E, at 16.

[116] Ex. 3CE-01E at 17.

[117] Ex. 3CE-02 at 16.

[118] Ex. 3CE-02 at 16, referencing Attachment F, Email Notification of PPR-218-01 Status Change.

[119] Ex. 3CE-01E at 27.

5.5. Satisfaction of Requirements to Solicit Contract Terms, Develop BioMAT Websites and Portals, and Provide Access to a Central BioMAT Webpage

D.23-11-084 OP 3 ordered CCAs that elect to participate in the BioMAT program will be represented by the CalCCA to consult with SCE, SDG&E (collectively, the IOUs), and the third-party administrator, Accion LLC, to solicit contract terms and to develop individual CCA BioMAT websites and portals on the Accion LLC BioMAT platform as well as a central BioMAT Accion LLC webpage. IOU and CCA BioMAT Accion LLC webpages shall provide CCA BioMAT participants with access to a central BioMAT Accion webpage. Each participating CCA shall solicit contract terms with Accion LLC within 60 days after the effective date of this decision. Each participating CCA shall also contract directly with Accion LLC to develop their webpages.

According to 3CE, CalCCA, representing the Participating CCAs, and the IOUs selected Accion LLC to perform the website and TPA services. CalCCA and the IOUs negotiated two Statements of Work ("SOW") for Accion LLC to provide required services by OP 3: 1) a SOW for program website and portal development services; and 2) a SOW for third party administration of the BioMAT program, both of which were included in the Joint Adice Letter.[120] 3CE Advice Letter 37-E shows that "The CCA-Accion Agreement incorporates two Statements of Work (SOWs) negotiated by the CCAs, IOUs, and Accion

[120] Ex. 3CE-01E at 6-7.

regarding both the website and TPA services that Accion will provide for the BioMAT program.[121]

3CE's statements and documentation are adequate to show that it solicited contract terms, developed BioMAT websites and portals, provided access to a central BioMAT webpage, and consulted with the IOUs and third-party administrator in compliance with D.23-11-084 OP 3.

5.6. Satisfaction of Requirements to Administer BioMAT Project Pricing and Contract Award Determination, and Integrate Such Services on Individual Webpages

D.23-11-084 OP 5 provided CCAs that elect to participate in the BioMAT program shall be represented by CalCCA to consult with the Joint IOUs to solicit contract terms to hire an independent third party that shall administer the BioMAT project pricing and the contract award determination process within 60 days of the effective date of this decision. Each participating CCA shall also contract directly with the third-party administrator to support integration of such services with their individual webpages. The pricing and contract award determination process shall include management of merged fuel category procurement project queues, and tracking of PPA awards and executions. Vendor costs associated with the provision of these services are eligible for recovery against IOU-managed Public Purpose Program (PPP") charges.

3CE entered into an agreement with Accion LLC, entitled, Bioenergy Market Adjusting Tariff Program Website, Portal Development, and Third-Party

[121] Ex. 3CE-02 Attachment K at K-6.

Administration Agreement.[122] This agreement recognized D.23-11-084 required "the CCAs and IOU's to hire an independent third-party administrator (TPA) for the BioMAT project pricing and contract award determination process…".[123] The agreement also recognized that D.23-11-084 required "the CCAs participating in the BioMAT program to contract directly with the TPA to support integration of their individual webpages."[124] The agreement showed Accion LLC agreed to provide tasks shown in a "Website Statement of Work", and also provide tasks in a "TPA Statement of Work".[125]

The Website Statement of Work has a project name of BioMAT Program Website and Portal Development Services, dated January 26, 2024, with contractor name "Accion Group, LLC", and Load Serving Entities (LSE) name "Central Coast Community Energy", dated January 26, 2024.[126] The Website Statement of Work includes deliverables such as a central BioMAT website and development of CCA LSE portals.[127] As part of the Central BioMAT Website, Accion LLC plans to build things such as separate document folders for the documents unique to each participating LSE, such as the LSE's BioMAT

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[122] Ex. 3CE-02 Attachment G, Bioenergy Market Adjusting Tariff Program Website, Portal Development, and Third-Party Administration Agreement Between Central Coast Community Energy and Accion Group LLC at G-1.

[123] Ex. 3CE-02 Attachment G at G-1.

[124] Ex. 3CE-02 Attachment G at G-1.

[125] Ex. 3CE-02 Attachment G at G-2.

[126] Ex. 3CE-02 Attachment G at G-10.

[127] Ex. 3CE-02 Attachment G at G-16-17.

Tariffs.[128] The development of individual CCA LSE portals includes firewalls between each LSE portal.[129]

Pursuant to D.23-11-084 and the approved SOW between 3CE and Accion LLC for third party administration TPA of the BioMAT program, Accion LLC is responsible for managing multiple elements of the BioMAT program.[130] This SOW for Accion provides several deliverables for Accion, including "Monthly confirmation of PPA winners," and "Monthly determination, confirmation, and posting of prices".[131] "Monthly confirmation of PPA winners" includes a description that says Accion LLC will "[c]onfirm and communicate to LSE PAs the PPA winners for the LSEs in each IOU service area based on queue numbers, monthly."[132] "Monthly determination, confirmation and posting of prices includes a description that says Accion will "[d]etermine, confirm, and post on a monthly basis the BioMAT prices for the Program Periods.[133]

The TPA Statement of Work also notes that D.23-11-084 provides for "management of fuel category project procurement queues".[134] As a deliverable, the TPA Statement of Work also identifies queue management, and provides the following description: "Per the BioMAT Tariffs, upon an LSE deeming the PPR

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[128] Ex. 3CE-02 Attachment G at G-16-17.

[129] Ex. 3CE-02 Attachment G at G-17.

[130] Ex. 3CE-01E at 21.

[131] Ex. 3CE-02 Attachment H at H-343.

[132] Ex. 3CE-02 Attachment H at H-343.

[133] Ex. 3CE-02 Attachment H at H-343.

[134] Ex. 3CE-02 Attachment H at H-343.

complete, merge applicant's queue number with the applicable IOU's and CCA's Fuel Resource Category queue numbers."[135]

3CE's documentation is sufficient to show it administered BioMAT project pricing and contract award determination, and integrated such services on an individual webpage in compliance with D.23-11-084 OP 5.

5.7. Satisfaction of Requirement to Request Approval of Standard CCA BioMAT Program Documentation

D.23-11-084 OP 6 ordered in part that CCAs shall submit a Joint CCA BioMAT Implementation Tier 2 Advice Letter to request Commission approval of standard CCA BioMAT program documentation including tariffs, a PPA, PPR forms, BioMAT program website and portal development contracts, independent third-party contracts, initial balancing account statements, and NBC rate schedules within 60 days of the effective date of this decision. CCAs shall include a redline version of the CCAs' proposed tariffs that compares them with the IOUs' tariffs (as proposed to be modified by the IOUs to implement this decision).

The record contains a Joint Advice Letter that CalCCA submitted on behalf of 3CE and includes 3CE Advice Letter 36-E in compliance with OP 6. That Joint Advice letter requested approval of: 1) the standard program documentation required by D.23-11-084 to allow CCA participation in the BioMAT program; and 2) certain costs of Accion LLC, the website and TPA provider. CalCCA provided

[135] Ex. 3CE-02 Attachment H at H-342.

certain Appendices in support.[136] The record also contains a Disposition Letter from the Commission's Energy Division that, in pertinent part, approves 3CE's Advice Letter 36-E/36-E-A. In that disposition letter, Energy Division found: "The Joint Advice Letter also contains all of the required documents required by Ordering Paragraph 6." Energy Division staff determined that the Joint CCA's Advice Letters, which included the one required of 3CE, were consistent with D.23-11-084 OP 6.[137] 3CE has provided adequate documentation to show that the Joint CCA's have requested approval of standard CCA program documentation in compliance with D.23-11-084 OP 6.

6. Compliance with the Commission's Prudent Manager Standard During the Record Period

Each CCA that files a compliance application under the BioMAT program is required to demonstrate compliance with the Commission's prudent management standard.[138] To that end, 3CE has requested that the Commission find that 3CE's administration of its BioMAT PPA during the Record Period complies with the Commission's prudent manager standard and other applicable requirements.[139] 3CE's request is granted.

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[136] Ex.3CE-02 Attachment H at H-5.

[137] Ex. 3CE-02 Attachment J, Commission Energy Division Correspondence Entitled, "Central Coast Community Energy 36-E/E-A; Orange County Power Authority 06-E/E-A; Pioneer Community Energy 15-E/E-A; and Redwood Coast Energy Authority 18-E/E-A relating to Joint CCAs' Bioenergy Market Adjusting Tariff (BioMAT) Implementation Tier 2 Advice Letter Pursuant to D.23-11-084, dated April 29, 2024 at J-2.

[138] D.23-11-084 at 62; Conclusion of Law (COL) 11. *See also*, D.23-11-084 at 53.

[139] Application at 9; Ex. 3CE-01E at 28.

TRE returned a signed Bioenergy Market Adjusting Tariff Power Purchase Agreement to 3CE on June 5, 2025.[140] 3CE signed that document on July 2, 2025.[141] 3CE represents that prior to PPA execution, it accessed TRE's PPR during the Record Period, including review of the following supporting documentation: 1) Table of Major Components; 2) Facility Layout Drawing; 3) Site Map; 4) Single Line Diagram; 5) Fuel Resource Attestation, 6) Milestones, 7) Legal Description of the Site; 8) Most Recent Interconnection Documentation; 9) Site Control Documentation; 10) Production Profile; 11) Ownership Documentation; 12) GIS Map; and 13) Ownership Organizational Chart.[142]

The record also shows 3CE takes several steps to ensure TRE will follow the terms of the contract between the two parties. As a matter of practice, 3CE stores PPA's, tracks contract milestones and deadlines, reviews documentation, and ensures that the PPA counterparty continues to meet eligibility criteria and terms of the BioMAT PPA.[143]

The record also shows 3CE has taken steps related to the PPA it executed with TRE. 3CE has engaged in ongoing communication with TRE to ensure TRE is aware of ongoing requirements set by the PPA.[144] 3CE also represents it will take future steps to ensure TRE meets future contract milestones. 3CE testifies it will engage in quarterly meetings with TRE to monitor TRE's progress toward

[140] Ex. 3CE-01E at 19.

[141] Ex. 3CE-01E at 21.

[142] Ex. 3CE-01 at 22.

[143] Ex. 3CE-01E at 23.

[144] Ex. 3CE-01E at 25.

the remaining milestones and adherence to the PPA requirements. In future applications to the Commission related to this one, 3CE represents it will report on its ongoing review of its BioMAT project's milestones. Once the BioMAT project has achieved a Commercial Online Date, 3CE says that its scheduling coordinator will be responsible for scheduling the project in the CAISO market. 3CE also represents it will include information related to the dispatch of its project in future applications, where applicable.[145]

During the record period, 3CE has complied with the CCA BioMAT tariff, and administered its BioMAT PPA in compliance with the Commission's prudent manager standard. 3CE's documentation estimates that the project will not begin commercial operations until February 26, 2027.[146] As the project is still in the planning stages, the application does not yet provide a significant amount of information related to prudency.

7. Summary of Public Comment

Rule 1.18 allows any member of the public to submit written comment in any Commission proceeding using the "Public Comment" tab of the online Docket Card for that proceeding on the Commission's website. Rule 1.18(a) requires that all written public comment submitted prior to the submission of the proceeding are part of the administrative record of the proceeding. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

[145] Ex. 3CE-01E at 25.

[146] Ex. 3CE-01E at 16.

As of the date of submission, the public comments tab on the docket card showed no public comments.

8. Conclusion

For the reasons discussed above, the Commission grants each of 3CE's requests and finds that: (1) 3CE complied with the requirements set by the Commission in D.23-11-084 in implementing the BioMAT program during the Record Period; (2) 3CE complied with the CCA BioMAT tariff during the Record Period; and (3) 3CE's administration of its BioMAT PPA during the Record Period complies with the Commission's prudent manager standard.[147]

9. Procedural Matters

This decision affirms all rulings made by the ALJ and assigned Commissioner in this proceeding. All motions not ruled on are deemed denied.

10. Comments on the Proposed Decision

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Pub. Util. Code and Rule 14.6(c)(2), the otherwise applicable 30-day period for public review and comment is waived.

11. Assignment of Proceeding

Christine Harada is the assigned Commissioner and Darryl Gruen is the assigned ALJ in this proceeding.

[147] Application at 9.

Findings of Fact

1. D.23-11-084 provides BioMAT program requirements that apply to Community Choice Aggregators that file compliance applications under the BioMAT program.
2. Pursuant to D.23-11-084, Community Choice Aggregators under the BioMAT program must comply with the Commission's prudent management standard.
3. 3CE's documentation estimates that the project will not begin commercial operations until February 26, 2027.
4. As the project is still in the planning stages, the application does not yet provide a significant amount of information related to prudency.
5. D.23-11-084 OPs 2, 3, 5, and 6 laid the groundwork for the implementation of 3CE's BioMAT program.
6. D.23-11-084 OP 2 instructed that: CCAs that initially elect to participate in the BioMAT program are directed to develop BioMAT standard program documents including but not limited to program tariffs, PPAs, PPR forms, and NBC rate schedules.
7. Central Coast Community Energy entered into a BioMAT PPA with TRE in 2025, consistent with D.23-11-084, OP 2.
8. 3CE has a PPR from TRE, consistent with D.23-11-084, OP 2.
9. The BioMAT program has a program tariff, consistent with D.23-11-084 OP 2.
10. During the record period, 3CE and TRE followed the requirements of the BioMAT program tariff.

11. The BioMAT tariff provides eligibility criteria, and 3CE has reviewed TRE's application to determine it met all eligibility criteria that can be met to date.

12. TRE cannot yet meet several eligibility criteria, including a final CEC Certification and a FERC self-certification that automatically becomes effective if there are no protests to TRE's FERC filing that includes that self-certification.

13. Participating CCAs, such as 3CE, do not charge their customers directly and therefore do not maintain separate NBC rate schedules.

14. D.23-11-084 OP 3 ordered that: 1) CCAs that elect to participate in the BioMAT program will be represented by the CalCCA to consult with PG&E, SCE, SDG&E, and the third-party administrator, Accion, to solicit contract terms and to develop individual CCA BioMAT websites and portals on the Accion BioMAT platform as well as a central BioMAT Accion webpage; 2) IOU and CCA BioMAT Accion webpages shall provide CCA BioMAT participants with access to a central BioMAT Accion webpage; 3) Each participating CCA shall solicit contract terms with Accion within 60 days after the effective date of D.23-11-084; and 4) Each participating CCA shall also contract directly with Accion to develop their webpages.

15. CalCCA, representing the participating CCAs, and the IOUs selected Accion to perform the website and portal development services, and the BioMAT program third party administration services, as required by D.23-11-084, Ordering Paragraph 3.

16. D.23-11-084 OP 5 provided: 1) CCAs that elect to participate in the BioMAT program shall be represented by CalCCA to consult with the Joint IOUs

to solicit contract terms to hire an independent third party that shall administer the BioMAT project pricing and the contract award determination process within 60 days of the effective date of this decision;
2) Each participating CCA shall also contract directly with the third-party administrator to support integration of such services with their individual webpages; 3) The pricing and contract award determination process shall include management of merged fuel category procurement project queues, and tracking of PPA awards and executions; and 4) Vendor costs associated with the provision of these services are eligible for recovery against IOU-managed Public Purpose Program charges.

17. Consistent with D.23-11-084 OP 5, 3CE entered into an agreement with Accion, which recognized D.23-11-084 required "the CCAs and IOU's to hire an independent third-party administrator TPA for the BioMAT project pricing and contract award determination process…".

18. Consistent with D.23-11-084 OP 5, 3CE entered into an agreement with Accion to determine pricing and contract award determinations of merged fuel category procurement project queues.

19. Consistent with D.23-11-084, OP 5, 3CE entered into an agreement with Accion as a third-party administrator to support integration of CCAs' individual webpages.

20. D.23-11-084 OP 6 ordered in part that CCAs shall submit a Joint CCA BioMAT Implementation Tier 2 Advice Letter to request Commission approval of standard CCA BioMAT program documentation including tariffs, a PPA, PPR forms, BioMAT program website and portal development contracts, independent

third-party contracts, initial balancing account statements, and NBC rate schedules within 60 days of the effective date of this decision. CCAs shall include a redline version of the CCAs' proposed tariffs that compares them with the IOUs' tariffs (as proposed to be modified by the IOUs to implement this decision).

21. On January 29, 2024, CalCCA submitted a Joint Advice Letter on behalf of 3CE, including 3CE Advice Letter 36-E, that requested approval of the standard program documentation required by D.23-11-084 to allow CCA participation in the BioMAT program.

22. On April 29, 2024, the Commission's Energy Division approved the Joint Advice Letters, including 3CE Advice Letter 36-E, and determined that these Joint Advice Letters were consistent with D.23-11-084, Ordering Paragraph 6.

23. D.23-11-084, OP 12 ordered that each CCA that elects to participate in the BioMAT program shall submit a Tier 3 Advice Letter that seeks Commission approval of eligible BioMAT forecasted revenue requirements recorded in CCA balancing accounts that reflect BioMAT program net costs.

24. Consistent with D.23-11-084, OP 12, on June 20, 2024, the Commission issued a resolution that approved 3CE's Advice Letter 37-E, and approved 3CE's forecast of zero BioMAT program costs for 2024 and 2025.

25. As a matter of practice, 3CE stores PPA's, tracks contract milestones and deadlines, reviews documentation, and ensures that the PPA counterparty continues to meet eligibility criteria and terms of the BioMAT PPA.

26. As a matter of practice, 3CE stores PPAs, tracks contract milestones, reviews documentation, and ensures that the PPA counterparty continues to meet eligibility criteria and terms of the BioMAT PPA.

27. 3CE has engaged in ongoing communications with TRE to ensure TRE is aware of ongoing requirements set by the PPA.

28. 3CE represents it will engage in quarterly meetings with TRE to monitor TRE's progress toward the remaining PPA milestones and adherence toward the PPA requirements.

29. 3CE represents in future applications related to the instant one, it will report on its ongoing review of its BioMAT project's milestones.

Conclusions of Law

1. 3CE's administration of the BioMAT program, during the Record Period, including implementation of policies, practices, and procedures described in the Application and supporting testimony, complied with the Commission's program requirements, as provided in D.23-11-084.

2. 3CE's administration of the BioMAT program during the record period complied with the Commission's prudent manager standard.

3. 3CE complied with D.23-11-084 OP 2 during the record period because it developed BioMAT standard program documents, including program tariffs, a Power Purchase Agreement, and BioMAT PPRs during the record period.

4. It is not necessary for 3CE to maintain separate NBC rate schedules in order to comply with D.23-11-084 OP 2.

5. 3CE complied with D.23-11-084 OP 3 during the record period because it solicited contract terms, developed BioMAT websites and portals, provided

access to a central BioMAT webpage, and appropriately consulted with the IOUs and a third-party administrator.

6. 3CE complied with D.23-11-084 OP 5 during the record period because it consulted with the Joint IOUs to solicit contract terms to hire an independent third party that administered BioMAT project pricing and contract award determination, and supported integration of such services on an individual webpage during the record period.

7. 3CE complied with the requirements set by the Commission in D.23-11-084 in implementing the BioMAT program during the Record Period.

8. 3CE reasonably administered and complied with the CCA BioMAT tariff during the Record Period.

9. 3CE's contract administration of its BioMAT PPA during the record period complied with the Commission's prudent manager standard.

10. Because the Commission should find that 3CE has complied with the prudent manager standard during the Record Period in this application, the scoping memo question regarding whether 3CE imprudently managed or administered resources should be moot.

11. 3CE's Application should be approved and its requested relief should be granted.

12. 3CE should report the updated status of the FERC certification to the Commission's Energy Division with due diligence, and by the next record year, upon learning whether the project is a Qualifying Facility as defined by FERC.

13. 3CE should provide the CECs final certification of the project as a qualifying facility to the Commission's Energy Division with due diligence, and by the next record year.

14. If CEC does not provide the final certification by the next record year, 3CE should inform the Commission's Energy Division of this and explain the facts as to why the certification has not yet been issued.

15. As part of its reporting in the next record period, 3CE should report to the Commission if Accion's website is not in compliance with any part of the BioMAT tariff.

16. If Accion's website is not in compliance with any part of the BioMAT tariff, 3CE's reporting in the next record period should identify the fixes that will be taken to correct Accion's website and when such fixes will occur.

17. All rulings made by the ALJ and assigned Commissioner in this proceeding should be affirmed.

18. All motions not ruled on to date should be denied.

19. This proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. Central Coast Community Energy's (3CE's) application is approved because 3CE complied with the Community Choice Aggregator Bioenergy Market Adjusting Tariff requirements and met the Commission's prudent manager standard during the Record Period of September 1, 2024 through September 1, 2025.

2. All rulings made by the Administrative Law Judge and assigned Commissioner in this proceeding are affirmed.
3. All motions not ruled on to date are denied.
4. Application 25-08-015 is closed.

This order is effective today.

Dated July 16, 2026, at San Francisco, California.

JOHN REYNOLDS
President
DARCIE L. HOUCK
KAREN DOUGLAS
MATTHEW BAKER
CHRISTINE HARADA
Commissioners