

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



December 8, 2020

File No.: R.03-10-003

Evelyn Kahl
General Counsel
California Community Choice Association
One Concord Center
2300 Clayton Road, Suite 1150
Concord, CA 94520

**RE: Request for Extension of Time to Comply with Posting Requirement in
Resolution E-5059**

Dear Ms. Kahl:

In your letter dated December 2, 2020, the California Community Choice Association (CalCCA) requested an extension of time for the Community Choice Aggregators (CCAs) to comply with Ordering Paragraph (OP) 11 of Resolution E-5059. OP 11 of Resolution E-5059 states that CCAs must “post a financial security instrument within sixty days of this resolution.” CCAs request a 45-day extension to the December 8, 2020 deadline to post its financial security requirements (FSR) instrument, as ordered in Resolution E-5059.

As you stated in your letter, Resolution E-5059 directed that “[t]he formation process of an FSR instrument should provide all parties the opportunity to reach mutually agreeable terms, including those related to the specific condition under which the FSR is activated.” As such, posting of the FSR instrument requires involvement and agreement among three parties: investor-owned utilities (IOUs), CCAs and issuing banks.

Your letter stated that while the CCAs and IOUs have been working diligently to negotiate and reach mutually agreeable terms, the IOUs and CCAs have had disagreements, including on certain matters impacting when the FSR may be activated. Certain of these matters were presented to the Commission through CalCCA’s protest earlier this week of the IOUs’ compliance advice letters.

Since posting of an FSR instrument is not solely within the control of a CCA, Resolution E-5059 permitted CCAs to submit unexecuted FSR instruments in order to meet the December 8, 2020 deadline. However, submission of a fully executed FSR instrument is a preferable outcome. For good cause shown, your request for a 45-day extension in order to allow time for the CCAs to reach agreement with IOUs on the terms of the FSR instruments is granted.

Pursuant to Rule 16.6 of the Commission’s Rules of Practice and Procedure, the CalCCA must promptly inform parties to Rulemaking 03-10-003 that the Commission’s Acting

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Executive Director has granted this extension of time to comply with OP 11 of Resolution E-5059 requiring the CCAs to post an FSR instrument by January 22, 2021.

Sincerely,

A handwritten signature in black ink that reads "Rachel Peterson". The signature is written in a cursive, flowing style.

Rachel Peterson
Acting Executive Director