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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Review,
Revise, and Consider Alternatives to the
Power Charge Indifference Adjustment.

R.17-06-026
(Filed June 29, 2017)

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S COMMENTS
ON THE PROPOSED DECISION RESOLVING PHASE 2 ISSUES RELATED TO
ENERGY RESOURCES RECOVERY ACCOUNT PROCEEDINGS**

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January 6, 2022

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The California Community Choice Association (CalCCA)¹ submits these comments pursuant to Rule 14.3 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure on the proposed *Decision Resolving Phase 2 Issues Related to Energy Resources Recovery Account Proceedings* (Proposed Decision or PD), mailed on December 17, 2021.

I. INTRODUCTION

But for one issue discussed below, CalCCA fully supports the Proposed Decision and thanks the Commission for its careful consideration of the impact on the Energy Resource Recovery Account (ERRA) cases of matters decided in this proceeding. CalCCA and its members look forward to working with the investor-owned utilities (IOUs) to implement the PD’s orders smoothly and expeditiously. We also look forward to the Commission’s

¹ California Community Choice Association represents the interests of 22 community choice electricity providers in California: Apple Valley Choice Energy, Central Coast Community Energy, Clean Energy Alliance, Clean Power Alliance, CleanPowerSF, Desert Community Energy, East Bay Community Energy, Lancaster Choice Energy, Marin Clean Energy, Peninsula Clean Energy, Pico Rivera Innovative Municipal Energy, Pioneer Community Energy, Pomona Choice Energy, Rancho Mirage Energy Authority, Redwood Coast Energy Authority, San Diego Community Power, San Jacinto Power, San José Clean Energy, Santa Barbara Clean Energy, Silicon Valley Clean Energy, Sonoma Clean Power, and Valley Clean Energy.

consideration and decision regarding the remaining Power Charge Indifference Adjustment (PCIA) components.

However, as currently written, one issue could defeat the purpose of the proposed changes. The PD should direct that each ERRA proceeding's schedule require the IOUs to provide their updated prepared testimony no later than 14 days following the issuance of the market price benchmarks (MPB) on October 1st. In addition, an apparent typographical error should be corrected to clarify that Southern California Edison Company's (SCE's) data disclosure requirements do not require modification at this time.

II. FACTUAL, LEGAL, AND TECHNICAL ERRORS AND CLARIFICATIONS

A. The IOUs Should be Directed to Provide Updated Testimony No Later than 14 Days After the MPB Date

As the PD describes, the purpose of the staff proposal moving the MPB date (MPB Date) from November to October 1 was “to enable the Commission to direct utilities in the ERRA forecast proceedings to provide updated prepared testimony in October (an October Update) rather than in November.”² Although it adopts the staff proposal for the MPB Date, the PD lacks explicit direction regarding the *deadline* for the important October Update. The current practice in the ERRA forecast proceedings is for the MPB to be released on November 1, and for the IOU Updates to be filed shortly thereafter. To give parties adequate time to evaluate the IOUs' calculation and prepare to set rates accordingly, the PD should explicitly direct the IOUs to file their October Update within 14 days of the October 1st MPB Date.

² PD at 6.

It is clear the PD intends to leave scheduling of the ERRA proceedings to each individual ERRA forecast proceeding's Assigned Commissioner and ALJ.³ However, a direction setting the parameters for the October Update does not unduly restrict their discretion. An outside deadline for the October Update is similar to the deadline for filing ERRA forecast applications the PD considered and ordered.⁴ Establishing the outside date for the October Update in this proceeding leaves discretion with the Assigned Commissioner and ALJ in each ERRA proceeding to consider utility-specific and fact-specific circumstances, while still guaranteeing parties the benefit of the change to the MPB Date established in the PD.

B. The PD Should Clarify that No Changes are Required to SCE's ERRA Data Disclosure Requirements

As the PD indicates, parties agree that SCE's and PG&E's ERRA/PABA data requirements are substantially the same.⁵ While the PD states "there is no reason to modify PG&E's ERRA data disclosure requirements,"⁶ the PD fails to mention SCE in this context. The PD should clarify that SCE's ERRA data disclosure requirements also do not require modification at this time.

³ *Id.* at 12 ("The Commission will not establish ERRA forecast proceeding schedules in this decision. As noted in the ALJ ruling on May 20, 2021, the assigned Commissioner and assigned ALJ in each ERRA forecast proceeding are responsible for setting the schedule for the proceeding.").

⁴ *Id.* at 4 and Ordering Paragraph 3 at 27.

⁵ *Id.* at 16.

⁶ *Id.* at 17.

III. CONCLUSION

CalCCA appreciates the opportunity to submit these comments and requests adoption of the recommendations proposed herein. For all the foregoing reasons, the Commission should modify the Proposed Decision as provided in Attachment A.

Respectfully submitted,

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ATTACHMENT A

PROPOSED CHANGES TO FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDERING PARAGRAPHS

FINDINGS OF FACT

no changes

CONCLUSIONS OF LAW

no changes

ORDERING PARAGRAPHS

1. The California Public Utilities Commission will release the Market Price Benchmarks for the Power Charge Indifference Adjustment by October 1st each year or the first business day thereafter if October 1st is on a Saturday or Sunday. The utilities will be required in each ERRA proceeding to file their prepared testimony within 14 days of the release of the Market Price Benchmarks.