



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

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Order Instituting Rulemaking to Continue
Implementation and Administration, and
Consider Further Development, of California
Renewables Portfolio Standard Program.

Rulemaking 18-07-003

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S RESPONSE
TO JOINT MOTION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E),
PACIFIC GAS AND ELECTRIC COMPANY (U 39-E) AND SAN DIEGO GAS &
ELECTRIC COMPANY (U 902-E) TO AMEND SCOPING MEMORANDUM TO
ACCOMMODATE VOLUNTARY ALLOCATION STRUCTURE**

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On behalf of
California Community Choice Association

December 23, 2021

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In accordance with Rule 11.1(e) of the Rules of Practice and Procedure of the California Public Utilities Commission (Commission), the California Community Choice Association¹ (CalCCA) respectfully submits this response to the joint motion of Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company (together, the Joint IOUs), filed December 8, 2021 (Motion). This response is timely filed pursuant to Rule 11.1(e).

¹ California Community Choice Association represents the interests of 23 community choice electricity providers in California: Apple Valley Choice Energy, Baldwin Park Resident Owned Utility District, 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.

I. THE JOINT IOUS’ MOTION REQUESTING EXPANSION OF THE SCOPE TO CONSIDER AND FIND THAT VOLUNTARY ALLOCATIONS UNDER VAMO ARE NOT “RESALES” REQUIRING RECLASSIFICATION OF RECS ALLOCATED TO NON-IOU LSES SHOULD BE GRANTED

The Motion requests the Commission (1) expand the scope of Rulemaking (R.) 18-07-003 to address the Product Content Category (PCC) classification of Renewable Energy Credits (RECs) upon allocation under the Voluntary Allocation and Market Offer (VAMO) process adopted in Decision (D.) 21-05-030,² (2) provide guidance on the PCC classification of certain allocated RECs, and (3) clarify the timing and approval process for Voluntary Allocation pro forma contracts. CalCCA supports the Joint IOUs’ request to amend the Scoping Memorandum in R.18-07-003 on an expedited basis to address the classification of RECs allocated to non-investor-owned utility (IOU) load-serving entity (LSEs) during the VAMO process. CalCCA agrees with the Joint IOUs that voluntary allocations under VAMO are not “re-sales” that would require reclassification of RECs allocated to non-IOU LSEs. The VAMO allocation structure is an inherently different construct than the “re-sales” contemplated by D.11-12-052, and there is no Commission decision requiring RECs allocated under VAMO to be so considered. Departed load customers already pay for the above market costs of the resources in question, which were originally procured on their behalf. As stated in the Motion, “[a]llocation of the RECs under the Voluntary Allocation process simply allows the value of PCC 0 RECs to follow the departed load customers who are already obligated to pay for them.”³

² D.21-05-030 was adopted May 24, 2021 in the Power Charge Indifference Adjustment docket, R.17-06-026.

³ Motion at 5.

II. THE JOINT IOUS' PROPOSALS REGARDING THE TIMING AND APPROVAL OF PRO FORMA CONTRACTS FOR THE VAMO PROCESS ARE BEING ADDRESSED IN COMMENTS ON THE PROPOSED DECISION

Subsequent to the filing of the Motion, Administrative Law Judges Lakhanpal and Sisto issued their Proposed Decision in this proceeding.⁴ The Proposed Decision discusses issues related to the timing and approval of the pro forma contracts to be used in the VAMO allocations and market offers.⁵ As such, CalCCA reserves its comments regarding these topics for its comments on the Proposed Decision.

III. CONCLUSION

CalCCA appreciates the opportunity to submit this response and requests adoption of the recommendations proposed herein.

Respectfully submitted,

/s/ Ann Springgate

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⁴ Proposed *Decision on 2021 Renewables Portfolio Standard Procurement Plans*, R.18-07-003 Dec. 10, 2021 (refd;l/Proposed Decision).

⁵ *Id.*, Conclusion of Law 3 at 78.