



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

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Application of Pacific Gas and Electric Company for
Compliance Review of Utility Owned Generation Operations,
Portfolio Allocation Balancing Account Entries, Energy
Resource Recovery Account Entries, Contract Administration,
Economic Dispatch of Electric Resources, Utility Owned
Generation Fuel Procurement, and Other Activities for the
Record Period January 1 Through December 31, 2021. (U39E)

A.22-02-015
(Filed February 28, 2022)

JOINT STATUS CONFERENCE STATEMENT

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Dated: January 4, 2023

**BEFORE THE PUBLIC UTILITIES COMMISSION
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Application of Pacific Gas and Electric Company for Compliance Review of Utility Owned Generation Operations, Portfolio Allocation Balancing Account Entries, Energy Resource Recovery Account Entries, Contract Administration, Economic Dispatch of Electric Resources, Utility Owned Generation Fuel Procurement, and Other Activities for the Record Period January 1 Through December 31, 2021. (U39E)

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JOINT STATUS CONFERENCE STATEMENT

Pursuant the *Assigned Administrative Law Judge's Ruling Regarding Status Conference and Evidentiary Hearings* dated December 23, 2022 (Ruling), Pacific Gas and Electric Company (PG&E), the Public Advocates Office at the California Public Utilities Commission (Cal Advocates), the California Community Choice Association (CalCCA) and the Alliance for Nuclear Responsibility (A4NR)¹ hereby file this Joint Status Conference Statement in advance of the status conference (STC) scheduled for this proceeding on January 6, 2023.

I. THERE IS NO NEED FOR EVIDENTIARY HEARINGS

The Ruling identifies the purpose of the January 6, 2023 status conference as to ascertain whether, pursuant to Rule 13.8(c), the parties stipulate to the receipt of prepared testimony into evidence without direct or cross examination or other need to convene an evidentiary hearing or, in the alternative, the parties' resources, readiness and needs for the effective remote conduct of the evidentiary hearing, including estimates of time requested for cross-examination and identification of anticipated exhibits.

The active parties to this proceeding – PG&E, Cal Advocates, Alliance for Nuclear Responsibility and CalCCA - met on December 27, 2022 and are in agreement that there are no material issues of fact in dispute, and therefore, evidentiary hearings are not necessary in this proceeding. Rather, the parties agree that it is appropriate to move forward with briefing following the introduction of testimony and other exhibits into the evidentiary record.

¹ Pursuant to Rule 1.8(d), counsel for PG&E certifies that she has been fully authorized by Cal Advocates, the CalCCA and A4NR to submit this joint motion on their behalf.

Since evidentiary hearings are not necessary, the parties propose the following procedural mechanism for submitting testimony and other exhibits into the evidentiary record. On or before January 20, 2023, the parties will submit a joint motion to enter testimony and exhibits into the evidentiary record, which would include the proposed exhibit list with the appropriate exhibit designations. This would allow the parties to reference the proposed exhibit numbers set forth in the exhibit list in their respective briefs as necessary.

The parties expect that they will be able stipulate to the admission of all exhibits. PG&E and A4NR have been unable to resolve a dispute about the appropriateness of redactions in A4NR's public testimony and propose that the issue be addressed in their briefs.

II. RULE 13.9 ISSUES

Rule 13.9(a) states that “no later than 10 calendar days after the submission of rebuttal testimony the parties must meet and confer, in person or via remote participation to consider the following:

- (1) Identifying and, if possible, informally resolving any anticipated motions;
- (2) Identifying the facts and issues in the case that are uncontested and may be the subject of stipulation;
- (3) Identifying the facts and issues in the case that are in dispute;
- (4) Determining whether the contested issues in the case can be narrowed; and,
- (5) Determining whether settlement is possible.

The parties met on December 27, 2022 in preparation for the January 6 status conference and to compile information required to support this Joint Status Conference Statement. A meet and confer session is scheduled for January 4, 2023 to determine whether settlement of any or all issues is possible. The *Assigned Commissioner's Scoping Memo and Ruling* dated August 9, 2022 (Scoping Memo) notes that “the schedule set forth in this Scoping Memo includes a date for the completion of settlement talks.” The date identified in the schedule for completion of settlement talks is January 11, 2023. If possible, based on the meet and confer scheduled on January 4, 2023, the parties will provide a settlement status update to the ALJ at

the January 6, 2023 status conference. Parties will provide additional settlement updates, if applicable, on or before January 11, 2023.

A. Identifying and, if possible, Informally Resolving any Anticipated Motions

At this point, the parties do not anticipate filing any additional joint motions in this proceeding, other than the joint motion to move their testimony and exhibits into the record. Concurrently with the Motion to Enter Evidence into the Record, PG&E will file a Motion to Seal the Evidentiary Record to protect confidential information. A4NR's redacted public testimony will not be included in this Motion.

B. Identifying the Facts and Issues in the Case that are Uncontested and May be the Subject of Stipulation

The following issues identified as within scope of this proceeding in the Scoping Memo are uncontested and/or subject to stipulation²:

2. Whether PG&E achieved least cost dispatch of its energy resources and economically-triggered demand response programs pursuant to SOC 4.
4. Whether PG&E's greenhouse gas compliance instrument procurement complied with its Bundled Procurement Plan.
5. Whether PG&E administered resource adequacy procurement and sales consistent with its Bundled Procurement Plan.
6. Whether the costs incurred and recorded in the following accounts are reasonable and in compliance with applicable tariffs and Commission directives:
 - a. Green Tariff Shared Renewables Memorandum Account;
 - b. Green Tariff Shared Renewables Balancing Account;
 - c. Disadvantaged Communities - Single Family Solar Affordable Homes Balancing Account;
 - d. Disadvantaged Communities - Green Tariff Balancing Account;
 - e. Community Solar Green Tariff Balancing Account; and
 - f. Centralized Local Procurement Sub-Account of the New System Generation Balancing Account.
7. Whether there are any safety considerations raised by this Application.

² The numbers used are the numbers assigned to these issues in the Scoping Memo.

The following issue was not addressed by any party to this proceeding, because doing so requires a Commission decision adopting a methodology for calculating the revenue requirement equal to the unrealized volumetric sales and unrealized revenue resulting from Public Safety Power Shutoff events in the consolidated Phase 2 of the 2019 ERRA proceedings for each of the investor-owned utilities, A.20-02-009, A. 20-04-002, A.20-06-001.

8. What is the revenue requirement equal to the estimated unrealized volumetric sales and unrealized revenue resulting from the Public Safety Power Shutoff events in 2021 that PG&E must forgo in accordance with Decision 21-06-014? What is the appropriate methodology for calculating PG&E's unrealized volumetric sales and unrealized revenues resulting from 2021 PSPS events?

C. Identifying the Facts and Issues in the Case that are in Dispute

The issues identified in the Scoping Memo that remain in dispute and that will be the subject of the parties' briefing are:

1. Whether PG&E, during the record period, prudently administered and managed, in compliance with all applicable rules, regulations and Commission decisions, including but not limited to Standard of Conduct No. 4 (SOC 4), the following:
 - a. Utility Owned Generation facilities;
 - b. Qualifying Facilities (QF) Contracts; and
 - c. Non-QF Contracts.
3. Whether the entries recorded in the Electric Resource Recovery Account (ERRA) and the Portfolio Allocation Balancing Account (PABA) are reasonable, appropriate, accurate, and in compliance with Commission decisions.

An additional disputed issue, which was not identified in the Scoping Memo, is:

Whether information identified as protected material provided by PG&E to A4NR in response to discovery requests subject to the terms of a non-disclosure agreement is appropriately treated as confidential information.

D. Determining whether the Contested Issues in the Case can be Narrowed

Issue #1 identified in section C can be narrowed based on the testimony of A4N4 and Cal Advocates to:

1. Whether PG&E prudently administered and managed Diablo Canyon Power Plant in the context of six forced outages at Unit 2?
2. Whether PG&E prudently administered the Vantage Wind Energy Center power purchase agreement?

Issue #3 identified in section C can be narrowed based on the testimony of the Joint

CCAs to:

3. Whether PG&E correctly transferred costs from PABA to the Green Tariff Shared Renewables (GTSR) Balancing Account to properly account for use of an interim resource pool to serve GTSR customers?
4. Whether PG&E's proposed approach to presenting its rationale for the vintage assignment of newly approved utility owned generation (UOG) is reasonable?

E. Determining whether Settlement is Possible

The parties met on January 4, 2023 to discuss potential settlement of disputed issues.

Issues 1 and 2 remain in dispute as characterized in Section D. PG&E and CalCCA feel there is potential for compromise or stipulation on issues 3 and 4. We will provide an update on ongoing settlement discussions at the January 6 STC.

III. CONCLUSION

This concludes the parties' Joint STC statement. The parties appreciate the Commission's time and effort in resolving this proceeding in an efficient manner.

Respectfully submitted by the Joint Parties,

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Dated: January 4, 2023