

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



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Application of Southern California Edison  
Company (U 338-E) For Approval of Its 2024  
ERRA Forecast Proceeding Revenue Requirement

A.23-06-001

**JOINT REPORT**

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Pursuant to the July 7, 2023 *Administrative Law Judge’s Ruling Setting Remote Prehearing Conference (“Ruling”)* of Honorable Administrative Law Judge O’Rourke, Southern California Edison Company (“SCE”), on behalf of itself and California Community Choice Association (“CalCCA”), Direct Access Customer Coalition (“DACC”), and the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) (collectively, the “Parties”) hereby submits this Joint Report.<sup>1</sup>

**I. RESPONSE TO RULING**

On July 14, 2023, the Parties held a meet and confer to discuss the following topics:

1. A list of proposed issues that parties agree to include within scope;
2. A list of issues that parties disagree on whether to include within scope;
3. Proposed procedural schedule;
4. Appropriate category for this proceeding
5. A list and description of other matters parties wish to address at the prehearing conference.

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<sup>1</sup> Per Rule 1.8(d) of the Commission’s Rules of Practice and Procedure, representatives of Cal Advocates, CalCCA, and DACC authorized SCE to file this Joint Report on their behalf.

Parties held a follow-up meet and confer discussion on July 18, 2023. The results of the meet and confers are reported below.

**A. Parties Largely Agree on the Scoping Items**

Parties discussed the lists of scoping items recommended by Cal Advocates<sup>2</sup> and CalCCA.<sup>3</sup> While parties were amendable to either version, SCE and DACC stated a slight preference for the CalCCA list. However, SCE conditioned its slight preference on the addition of Item Number 7 from Cal Advocates' list (below) to the CalCCA list:

7. Whether a separate rulemaking proceeding, as opposed to SCE's ERRA Forecast Application, is the appropriate venue to resolve the potential inconsistent use of banked renewable energy credits (RECs) for renewable portfolio standard (RPS) compliance across the electric IOU ERRA Forecast proceedings. [ ]<sup>4</sup> <sup>5</sup>

CalCCA suggested that a new list of sub-issues could be created under its proposed Issue 6<sup>6</sup> to account for PCIA-related issues that the Assigned Commissioner or Administrative Law Judge determines should be called out specifically in the Scoping Ruling.

**B. Parties Disagree on Whether Scoping Item 7 from Cal Advocates' List Should be Included**

Parties were unable to agree on whether Item 7 from Cal Advocates' list (above) should be included in the scope of this proceeding. Parties' positions are:

- SCE and Cal Advocates advocate that Item 7 is appropriate for inclusion in scope.

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<sup>2</sup> See Cal Advocates Protest, pp. 2-3.

<sup>3</sup> See CalCCA Protest, pp 8-9.

<sup>4</sup> Cal Advocates Protest, p. 3 (footnotes omitted).

<sup>5</sup> Cal Advocates' Protest contained an explanatory footnote in its Scoping Issue 7 that would be absent from a Scoping Memo. Therefore, at Cal Advocates' suggestion, this language is slightly modified from the version in its Protest to more precisely capture the issue it intended to convey absent the context contained in the explanatory footnote.

<sup>6</sup> See CalCCA Protest, p. 8.

- CalCCA: CalCCA believes the question of whether an issue is in scope should be addressed in a Scoping Ruling and not in a decision. Cal Advocates’ suggested Scoping Item 7 is more properly characterized as the purpose of the Scoping Ruling – to determine the issues that can be addressed in this proceeding – than as a *per se* scoping item. After all, if the answer to the proposed Scoping Item is “no” – which CalCCA strongly believes it should be – and the Commission determines the issue should be addressed in this case, and it makes that determination in its November 30, 2023, decision resolving the case, neither the Commission nor parties would be able to address the issue in time for January 1, 2024 implementation of PCIA rates.
- DACC: DACC agrees with CalCCA that Item 7 should be addressed in a Scoping Ruling rather than a decision. Consideration should also be given to whether or not there is a need for statewide consistency in the treatment of banked RECs. If statewide consistency is desirable, then it would be incumbent upon the Commission to determine a suitable procedural home for such an analysis. However, DACC is willing to address the issue in the current SCE ERRA proceeding given the absence of an alternatively suitable proceeding.

**C. Parties Agree on a Modified Proposed Schedule**

Parties discussed the proposed schedules of SCE and CalCCA and had a round of email exchanges on potential alternatives. Consequently, the Parties agree on the following modified schedule starting from the Prehearing Conference. Parties agree to stipulate to a shortened comment period on the Proposed Decision under Rule 14.6(b)<sup>7</sup> to facilitate the schedule.

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<sup>7</sup> See Commission’s Rules of Practice and Procedure, Rule 14.6(b), stating “The Commission may reduce or waive the period for public review and comment on proposed decisions and their alternates, where all the parties so stipulate . . . .”

Milestone	Joint Proposed
Pre-Hearing Conference	July 21, 2023
SCE's Supplemental Testimony per D.23-06-006	August 15, 2023
Cal Advocates and Intervenor Testimony	August 28, 2023
Rebuttal Testimony	September 12, 2023
Rule 13.9 Meet and Confer	September 14, 2023
Joint Case Management Statement filed by SCE	September 15, 2023
Evidentiary Hearings (if needed)	September 21, 22
SCE October Update Testimony	October 13, 2023
Comments on October Update / Concurrent Opening Briefs	October 30, 2023
Concurrent Reply Briefs	November 3, 2023
Proposed Decision	November 10, 2023
Comments on Proposed Decision	November 20, 2023
Replies to Comments on Proposed Decision	November 27, 2023
Final Decision	November 30, 2023

**D. Parties Agree on the Categorization**

Parties agree this proceeding should be categorized as Ratesetting.

**E. Other Matters**

Parties also discussed the following issues:

1. Hearings: Parties agree that it is appropriate to have a placeholder in the schedule in case hearings are needed, and they will meet and confer after Rebuttal Testimony to determine whether there are material facts in dispute that require hearings, and to file a Joint Case Management Statement thereafter addressing this issue.

2. Discovery and other procedural issues: Parties discussed CalCCA’s proposal to shorten response times for data requests<sup>8</sup> and SCE’s concerns therewith.<sup>9</sup> CalCCA and DACC indicated that turnaround times for data requests propounded after Rebuttal and the October Update are most important, and SCE agreed to use best efforts to turn data requests responses within the same timeframes as SCE accomplished in its 2023 ERRA Forecast proceeding.<sup>10</sup> SCE also agreed:
- a. Because the nondisclosure agreement (NDA) between SCE and CalCCA is now executed, SCE can provide CalCCA the confidential workpapers concurrently with the service of supplemental testimony, including its October Update.
  - b. SCE will provide a redline of its October Update along with service of its updated testimony to enable parties to easily identify the changes made in SCE’s October Update.
3. Confidentiality: CalCCA and SCE agreed to meet and confer separately on the redaction issue raised in CalCCA’s protest<sup>11</sup> and SCE’s Reply<sup>12</sup> to work in good faith to try to resolve the issue. CalCCA initiated the meet and confer process on June 26, 2023, more than a week before its protest was due; however, the parties were unable to find a time to meet the week of the July 4<sup>th</sup> holiday.

## **II. CONCLUSION**

Parties appreciate the opportunity to submit this Joint Report.

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<sup>8</sup> See CalCCA’s Protest, p. 11.

<sup>9</sup> See SCE’s Reply to Protest, filed July 17, 2023, Section II. B.

<sup>10</sup> See *id.*, p. 6.

<sup>11</sup> See CalCCA’s Protest, Section II.B.

<sup>12</sup> See SCE’s Reply, Section II.D.

Respectfully submitted on behalf of the Parties,

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*/s/ Janet S. Combs*

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