

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



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Order Instituting Rulemaking to Implement
Assembly Bill 843 – the Bioenergy Market
Adjusting Tariff Program.

R.22-10-010

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION’S COMMENTS ON
PROPOSED DECISION IMPLEMENTING ASSEMBLY BILL 843 - SETTING RULES
TO ENABLE COMMUNITY CHOICE AGGREGATORS TO PARTICIPATE IN THE
BIOENERGY MARKET ADJUSTING TARIFF PROGRAM**

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SUMMARY OF RECOMMENDATIONS

California Community Choice Association (CalCCA) recommends that the California Public Utilities Commission (Commission) adopt the Proposed Decision, with the following clarifications and modifications:

- ✓ Clarify that an individual community choice aggregator's (CCA's) participation in the Bioenergy Market Adjusting Tariff (BioMAT) program begins when a CCA files a Tier 1 Advice Letter incorporating the program documents already approved by Energy Division;
- ✓ Clarify the Tier 3 Advice Letter and Rule 2 Application filing requirements for a CCA that files its Tier 1 Advice Letter to participate in BioMAT after February 1 of any year, including:
 - 1) If Energy Division fails to approve the standard program documents submitted in the Tier 2 Advice Letter prior to February 1, 2024, no CCA can be required to file its Tier 3 Advice Letter seeking approval of forecasted costs by February 1, 2024;
 - 2) If a CCA files its Tier 1 Advice Letter to join BioMAT between February 1 and September 1 of any year, the CCA should be permitted to submit supplemental testimony 14 days prior to October 1 of that year to have its estimated costs incorporated into the investor-owned utility's (IOU) October Update; and
 - 3) A CCA's Rule 2 Application to establish compliance with the Commission's prudent manager standard should be required to be filed on September 1 of year following the CCA's Tier 1 Advice Letter filing for the CCA joining the BioMAT program;
- ✓ Reject the requirement that CCAs "request" the IOUs include their BioMAT cost estimates in their October update if the Commission fails to approve a CCA's Tier 3 Advice Letter filing 14 days prior to the IOU's October Update; instead, the Commission should require the IOUs to include the CCA's cost estimates in the October Update;
- ✓ Clarify the contracting processes and framework for the Accion Group and the third-party administrator to ensure CCAs have contract parity with Accion for the webpage contract and with the third-party administrator;
- ✓ Require the IOUs update their program documents, including their BioMAT Tariffs, within 30 days of the final Decision; and
- ✓ Adopt CalCCA's proposed timeline incorporating its recommendations for the BioMAT processes.

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BIOENERGY MARKET ADJUSTING TARIFF PROGRAM**

California Community Choice Association¹ (CalCCA) submits these comments, pursuant to Rule 14.3 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure, on the *Proposed Decision Implementing Assembly Bill 843 - Setting Rules to Enable Community Choice Aggregators to Participate in the Bioenergy Market Adjusting Tariff Program*² (Proposed Decision or PD), mailed October 10, 2023.

I. INTRODUCTION

The PD is a culmination of advocacy by community choice aggregators (CCAs) for participation in the Bioenergy Market Adjusting Tariff (BioMAT) program, as authorized in 2021

¹ California Community Choice Association represents the interests of 24 community choice electricity providers in California: Apple Valley Choice Energy, Ava Community Energy, Central Coast Community Energy, Clean Energy Alliance, Clean Power Alliance, CleanPowerSF, Desert Community Energy, Energy For Palmdale’s Independent Choice, Lancaster Energy, Marin Clean Energy, Orange County Power Authority, 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.

² Rulemaking (R.) 22-10-010, *Proposed Decision Implementing Assembly Bill 843 - Setting Rules To Enable Community Choice Aggregators To Participate in the Bioenergy Market Adjusting Tariff Program* (Oct. 10, 2023):

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M520/K541/520541653.PDF>.

by Assembly Bill (AB) 843.³ CalCCA appreciates the Commission’s thoughtful exploration of methodologies and mechanics to incorporate CCAs into the already established program. The PD generally succeeds in its effort “to adopt CCA BioMAT rules that create an efficient, fair, and competitively neutral process for BioMAT participants to execute BioMAT PPAs.”⁴

The PD strikes a reasonable balance between stakeholder positions on capacity allocation, queue management, BioMAT cost recovery, and process. CalCCA supports most of the PD’s findings, including:

- ✓ The PD’s rejection of the investor-owned utility’s (IOU) capacity allocation proposal; instead, the PD adopts CalCCA’s proposal that all available BioMAT capacity is available for contracting either by the IOUs or CCAs, and should all be managed in the same queue;
- ✓ The role of the Accion Group (Accion) in maintaining the Accion website platform on behalf of the IOUs and CCAs, the design of which will maintain user firewalls and confidentiality between the load-serving entities’ (LSEs’) procurement processes;
- ✓ The role of the independent third-party administrator to integrate IOU and CCA BioMAT program administration tasks, including: (a) managing BioMAT contract offer processes, including the BioMAT project queues; (2) tracking and reporting power purchase agreement (PPA) executions; (3) tracking statewide BioMAT market pricing; and (4) maintaining up-to-date feedstock megawatt allocation amounts;
- ✓ CCA BioMAT cost recovery (including PPA, Accion, and third-party administrator costs) through the IOUs’ non-bypassable charge (NBC), the public purpose program (PPP) charge;
- ✓ The requirement that CCAs purchase Renewables Portfolio Standard (RPS) and Resource Adequacy (RA) attributes based on market-price benchmarks established by the Commission; and
- ✓ CCA filings, including through Tier 3 Advice Letters and Rule 2 Applications, to ensure cost effectiveness and prudent contract management.⁵

³ Assembly Bill 843 (Aguiar), Stats. 2021, Ch. 234 (Sept. 21, 2021) (amending Pub. Util. Code § 399.20).

⁴ Proposed Decision at 31.

⁵ CalCCA provides recommended changes to the Findings of Fact, Conclusions of Law, and Ordering Paragraphs in Appendix A attached hereto. Note that CalCCA did recommend moving proposed Finding of Fact 7 (“GO 96-B Energy Industry Rule 5 does not explicitly prevent CCAs from filing advice

CalCCA's comments herein seek to further clarify and streamline the BioMAT process to ensure CCAs can expeditiously be incorporated into the program. With the sunset of the program on December 31, 2025, quickly approaching, nimble rules must be adopted while maintaining appropriate cost and contract management oversight to protect ratepayers. In addition, confidentiality with respect to IOU and CCA contracting practices must be maintained. In light of these considerations and as incorporated in the timeline set forth in Table 1 below, CalCCA recommends that the Commission:

- ✓ Clarify that an individual CCA's participation in the BioMAT program begins when a CCA files a Tier 1 Advice Letter incorporating the program documents already approved by Energy Division;
- ✓ Clarify the Tier 3 Advice Letter and Rule 2 Application filing requirements for a CCA that files its Tier 1 Advice Letter to participate in BioMAT after February 1 of any year, including:
 - 1) If Energy Division fails to approve the standard program documents submitted in the Tier 2 Advice Letter prior to February 1, 2024, no CCA can be required to file its Tier 3 Advice Letter seeking approval of forecasted costs by February 1, 2024;
 - 2) If a CCA files its Tier 1 Advice Letter to join BioMAT between February 1 and September 1 of any year, the CCA should be permitted to submit supplemental testimony 14 days prior to October 1 of that year to have its estimated costs incorporated into the IOU's October update; and
 - 3) A CCA's Rule 2 Application to establish compliance with the prudent manager standard should be required to be filed on September 1 of year following the CCA's Tier 1 Advice Letter filing for the CCA joining the BioMAT program;
- ✓ Reject the requirement that CCAs "request" that the IOUs include their BioMAT cost estimates in their October Update if the Commission fails to approve a CCA's Tier 3 Advice Letter filing 14 days prior to the IOU's October Update; instead, the

letters. GO 96-B, Energy Industry Rule 9 provides a regulatory process for load-serving entities, including CCAs, to submit compliance filings") to Conclusion of Law 10 describing the advice letter process for CCA approval of BioMAT program documents and recovery of BioMAT costs. The nature of Finding of Fact 7 is not factual, but rather legal, and therefore should be listed as a Conclusion of Law rather than a Finding of Fact.

Commission should require the IOUs to include the CCA's cost estimates in the October Updates;

- ✓ Clarify the contracting processes and framework for the Accion Group and the third-party administrator to ensure CCAs have contract parity with Accion for the webpage contract and with the third-party administrator;
- ✓ Require the IOUs update their program documents, including their BioMAT Tariffs, within 30 days of the final Decision; and
- ✓ Adopt CalCCA's proposed timeline incorporating its recommendations for the BioMAT process.

II. THE COMMISSION SHOULD CLARIFY THAT A CCA'S PARTICIPATION IN BIOMAT BEGINS UPON THE FILING OF A CCA TIER 1 ADVICE LETTER INCORPORATING THE ALREADY APPROVED PROGRAM DOCUMENTS

The Commission should clarify that an individual CCA's participation in BioMAT can begin upon a Tier 1 Advice Letter adopting the already approved standard program documents (once approved by Energy Division through the joint CCA Tier 2 Advice Letter Filing⁶) for incorporating CCAs into the BioMAT program. The PD correctly finds that CCAs should not be required to provide notification of their "intent" to participate in the BioMAT program, or to begin participation in BioMAT at any particular time, as CCA participation in the program is voluntary pursuant to AB 843.⁷ The PD, however, concludes that "CCA participation in BioMAT will be revealed when project applicant Program Participation Requests (PPR) are submitted to IOUs and/or CCAs for project eligibility review."⁸

Instead, CalCCA recommends that a CCAs' participation will become effective upon a CCA's filing a Tier 1 Advice Letter adopting the Commission-approved standard program documents for that CCA. CalCCA also recommends that within 30 days of the CCA's Tier 1

⁶ As noted in Appendix A attached hereto, CalCCA has provided an edit to Conclusion of Law 5 to note that the advice letter to be submitted to seek approval for the CCA BioMAT standard program documents will be submitted by the joint CCAs, and will be one Tier 2 Advice Letter.

⁷ See Proposed Decision at 13.

⁸ *Id.* at 14.

Advice Letter filing, the Commission require the following: (1) the CCA signs the Accion and independent third-party administrator contracts; (2) Accion establishes the individual CCA's webpage on the Accion BioMAT platform; and (3) the CCA manually administers its BioMAT tariff in concert with Accion and the third-party administrator until the automated systems adopted under those contracts are established.

III. THE COMMISSION SHOULD CLARIFY THE CCA TIER 3 ADVICE LETTER AND RULE 2 APPLICATION PROCESSES

The Commission should clarify the CCA Tier 3 Advice Letter and Rule 2 Application processes, which are complicated not only by CCAs being able to join the BioMAT program at any time, but also by the Commission's timeline for approving the CCA Tier 3 Advice Letters. As noted in the Proposed Decision, a participating CCA will file a Tier 3 Advice Letter on or before February 1, 2024, and annually thereafter, seeking approval of eligible BioMAT forecasted revenue requirements recorded in CCA balancing accounts, subject to true-up.⁹ In addition, a CCA will file a Rule 2 Application on September 1, 2024, and annually thereafter, to establish the CCA's compliance with the Commission's prudent manager standard.¹⁰

A. The Timing of the CCA Tier 3 Advice Letter and Rule 2 Application Requirements Should be Clarified in the Event of a CCA Joining the BioMAT Program After February 1

The Commission should clarify the filing requirements for a CCA that files its Tier 1 Advice Letter to participate in BioMAT after February 1 of any year (assuming Energy Division has approved the standard program documents in the Tier 2 Advice Letter). If Energy Division does not approve the standard program documents submitted in the Tier 2 Advice Letter prior to February 1, 2024, no CCA can be required to file its Tier 3 Advice Letter on February 1, 2024.

⁹ *Id.*, Ordering Paragraph (O¶) 9, at 61.

¹⁰ *Id.*, O¶ 12, at 62.

In addition, if a CCA files its Tier 1 Advice Letter to join the BioMAT program between February 1 and September 1 of any year (including 2024), the CCA should be allowed to file supplemental testimony 14 days prior to October 1 of that year to have its estimated costs incorporated into the IOU's October update. In addition, a CCA's Rule 2 Application to establish compliance with the prudent manager standard should be required to be filed on September 1 in the year following the CCA's Tier 1 Advice Letter filing joining the BioMAT program.

B. The PD's Requirement that CCAs "Request" Inclusion of their Cost Estimates in the IOU's October Update in the Event the Commission Fails to Act on the CCA's Tier 3 Advice Letter Should be Rejected

The PD specifies that if the Commission does not approve pending Tier 3 Advice Letters by 14 days prior to the IOU's October Update in the IOU's Energy Resource Recovery Account (ERRA) Forecast proceeding, the CCA must "serve supplemental testimony in ERRA forecast proceedings that requests that the relevant IOU incorporate an estimate of forecasted CCA BioMAT costs into its forecasted revenue requirements, subject to true up to the amount approved in the AL process."¹¹ The PD describes this process as a "safeguard for Commission review and approval of eligible CCA BioMAT costs in IOU ERRA proceedings."¹² In addition, the PD states that "[t]his will also assist participating CCAs to ensure that forecasted eligible BioMAT costs are ultimately included and accounted for within the ERRA proceedings."¹³ The Commission should reject this additional requirement placed on CCAs participating in the BioMAT program to "request" that the IOU's include the estimates. Instead, if the Commission fails to address the CCA Tier 3 Advice Letters by the time of the October update, the CCAs' forecasted costs should be automatically incorporated into the IOU's forecasted revenue

¹¹ *Id.*, O¶ 10, at 61 (emphasis added).

¹² *Id.*, O¶ 10, at 61-62.

¹³ *Id.*, O¶ 10, at 62.

requirements. While the CCA can submit the Tier 3 Advice Letter and workpapers into the ERRA Forecast proceeding if the Commission hasn't acted, the IOU should not have discretion to include or not include the forecasted costs.

IV. THE COMMISSION SHOULD CLARIFY THE CONTRACTING PROCESSES AND FRAMEWORK FOR ACCION AND THE THIRD-PARTY ADMINISTRATOR

The Commission should clarify the contracting process and framework for Accion and the third-party administrator. Currently, the PD requires CCAs and IOUs “to solicit contract terms” to develop the Accion platform to incorporate CCAs into the BioMAT program.¹⁴ While no timeframe is provided for contracting between Accion and the CCAs/IOUs, the PD does require that “the central BioMAT Accion webpage must be completed within 90 days of the effective date of this decision.”¹⁵ In addition, “individual CCA BioMAT Accion webpages must be completed within 90 days of a CCA’s election to participate in the BioMAT program.”¹⁶ Finally, the PD requires CCAs to consult with the IOUs to “solicit contract terms to hire an independent third party that shall administer the BioMAT pricing and the contract offer process” (including the “management of merged project queues, and power purchase agreement executions and awards”).¹⁷

CalCCA recommends the IOUs be required to originally enter into the contracts with Accion for the webpages, and the third-party administrator, with terms jointly negotiated by the IOUs and joint CCAs, and with terms allowing CCAs to become parties to both contracts within 30 days of a CCAs’ Tier 1 Advice Letter filing adopting the Commission approved program documents. In other words, both contracts should provide for participating CCAs to have

¹⁴ *Id.*, O¶ 2, at 58.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Id.*, O¶ 4, at 59.

contract parity (along with the IOUs) with both Accion for the webpage and the third-party administrator. Given CCAs are subject to the prudent contract administrator standard for their BioMAT PPAs, any participating CCA should have a direct contractual relationship with especially the third-party administrator, who will be administering the contracts on behalf of the CCA. Therefore, for both the Accion webpage and third-party administrator contracts, the joint CCAs should be involved in the negotiation of those contracts, which can be originally entered into by the IOUs but should contain terms to allow new participating CCAs to become parties to the contracts within 30 days of their Tier 1 Advice Letter filings adopting the Commission-approved program documents.

CalCCA also recommends that timelines and a framework be added to the PD for the contracting requirements to ensure timely establishment of the systems and third-party administrator arrangements for CCA participation in BioMAT. Table 1 below provides CalCCA's proposed overall timeline, which includes requirements for: (1) Accion contract terms to be solicited by the CCAs and IOUs within 30 days of the final Decision; (2) Accion contract to be entered into by IOUs within 60 days of the final Decision, with the ability for CCAs to become parties within 30 days of a CCA's Tier 1 Advice Letter filing joining BioMAT; (3) the central Accion webpage (with dropdowns for each participating IOU/CCA) to be created within 60 of the final Decision; (4) a standard framework created by Accion within 60 days of the final Decision for individual CCA webpages on the Accion BioMAT platform; (5) Accion individual CCA webpages to be developed within 30 days of a CCA Tier 1 Advice Letter filing electing to participate in BioMAT; (6) solicitation by CCAs and IOUs of contractual terms for the independent third party administrator within 30 days of the final Decision; and (7) contract for independent third party administrator negotiated by CCAs and IOUs signed by IOUs within 60

days of final Decision, with contract terms allowing CCAs to become parties to the contract within 30 days of the Tier 1 filing.

V. THE COMMISSION SHOULD REQUIRE IOU BIOMAT TARIFF CHANGES TO INCORPORATE CCAS INTO THE BIOMAT PROGRAM

Given the multitude of changes to the BioMAT processes in the PD both for CCAs and IOUs, the Commission should require the IOUs to propose any necessary changes to their program documents on the same timeline as the requirements for CCAs to submit their program documents. Specifically, the Commission should require the IOUs to submit any necessary changes to their program documents, including their BioMAT tariffs, within 30 days of the final Decision.

VI. THE PROPOSED DECISION’S PROPOSED TIMELINE AND REQUIREMENTS FOR CCA INCORPORATION INTO THE BIOMAT PROGRAM SHOULD BE ADOPTED, WITH MODIFICATIONS

The following modifications and additions to the timeline proposed in the PD will ensure timely and effective incorporation of CCAs into the BioMAT program. CalCCA’s proposed modified timeline is depicted in Table 1, below.

Table 1: Timeline for Incorporation of CCAs into BioMAT Program

Event	Description	PD Proposed Date	CalCCA Proposed Date
Joint CCA Tier 2 Advice Letter	With pro forma program documents and standard templates	Within 30 days of FD	Within 30 days of FD
IOU Tier 2 Advice Letters	With changes to program documents	None	Within 30 days of FD
CCAs and IOUs solicit Accion contract terms		Within 90 days of FD	Within 30 days of FD
CCAs and IOUs issue solicitation for independent third-party administrator		No date proposed	Within 30 days of FD
IOUs sign new Accion contract, with terms allowing CCAs to become parties upon Tier 1 Advice Letter filing joining BioMAT			Within 60 days of FD

Event	Description	PD Proposed Date	CalCCA Proposed Date
Accion develop central webpage for BioMAT program	With dropdowns for participating IOUs/CCAs	Within 90 days of FD	Within 60 days of FD
Accion develops standard framework for individual CCA webpages on Accion BioMAT platform		None	Within 60 days of FD
IOUs sign new independent third-party contract, with terms allowing CCAs to become parties upon Tier 1 Advice Letter filing joining BioMAT		None	Within 60 days of FD
CCA Tier 1 Advice Letter to join BioMAT program	Adopting Energy Division approved program documents and standard templates		Any time after Energy Division approval of Tier 2 pro forma program documents and standard templates
CCA executes contract with Accion		None	Within 30 days of Tier 1 Advice Letter filing
Accion individual website for CCA based on standard framework		None	Within 30 days of Tier 1 Advice Letter filing
CCA executes contract with independent third-party administrator		None	Within 30 days of Tier 1 Advice Letter filing
CCA begins transacting under BioMAT		None	Upon Tier 1 Advice Letter filing (manual transacting until webpage/automated systems established)
CCA Tier 3 Advice Letter	Seeking approval of net BioMAT program costs/cost forecast; report on contracts executed during prior year	Feb. 1 (and annually thereafter)	No change, except if CCA submits Tier 1 Advice Letter between Feb. 1 and Oct. 1 of any year, the BioMAT program costs/cost forecasts can be submitted in supplemental testimony 14 days prior to the IOUs' October update, for that year only
CCA Rule 2 Applications	CCA individual Applications to establish compliance	Sept. 1 (and annually thereafter)	Sept. 1 (and annually thereafter) in the year following the CCA's

Event	Description	PD Proposed Date	CalCCA Proposed Date
	with prudent manager standard		Tier 1 Advice Letter filing joining the BioMAT program
IOU ERRA October Updates	To include Commission-approved CCA BioMAT costs or CCA forecasted costs	Oct. 1 (each year)	Oct. 1 (each year)
CCA submit invoices to respective IOUs for payment of BioMAT costs		Jan. 1, 2025 (and quarterly thereafter)	First Jan. 1 after CCA submits forecasted costs to IOU in prior year either on Feb. 1, or through supplemental testimony prior to October update

VII. CONCLUSION

CalCCA appreciates the opportunity to submit these comments and requests adoption of the recommendations proposed herein.

Respectfully submitted,



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 CALIFORNIA COMMUNITY CHOICE
 ASSOCIATION

October 30, 2023

**ATTACHMENT A
TO
CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S COMMENTS ON
PROPOSED DECISION IMPLEMENTING ASSEMBLY BILL 843 - SETTING RULES
TO ENABLE COMMUNITY CHOICE AGGREGATORS TO PARTICIPATE IN THE
BIOENERGY MARKET ADJUSTING TARIFF PROGRAM**

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

FINDINGS OF FACT

~~7. GO 96-B Energy Industry Rule 5 does not explicitly prevent CCAs from filing advice letters. GO 96-B, Energy Industry Rule 9 provides a regulatory process for load-serving entities, including CCAs, to submit compliance filings.~~

CONCLUSIONS OF LAW

2. To the extent necessary and feasible, the Commission should adopt CCA BioMAT requirements that are ~~applicable~~ similar to IOUs to streamline the BioMAT program.
5. Joint CCAs should submit a Tier 2 advice letters with the Commission's Energy Division to seek approval of templates for standard BioMAT tariffs, PPAs, NBC rate schedules, PPRs, and balancing accounts.
6. An independent third party should administer BioMAT pricing and contracting because CCA or IOU project applicant legal names and project locations ~~would~~ could be revealed and compromise confidentiality.
8. CCA net BioMAT costs, including PPA costs and RA and RPS attribute costs, should be collected from customers through NBCs in IOU PPP surcharges.
9. CCA BioMAT RA and RPS attributes ~~prices~~ prices should be based on Commission-determined market price benchmarks used in the IOUs' NBC methodology.
10. GO 96-B Energy Industry Rule 5 does not explicitly prevent CCAs from filing advice

letters. GO-96-B, Energy Industry Rule 9 provides a regulatory process for load-serving entities, including CCAs, to submit compliance filings. CCAs should be authorized to submit advice letters to seek Commission approval of BioMAT program documents and recovery of BioMAT costs. CCAs should not be authorized to recover BioMAT administrative costs, other than those required of Accion and any independent third party vendor, through IOUs' PPPAMs.

ORDERING PARAGRAPHS

1. Community Choice Aggregators (CCAs) that elect to participate in the Bioenergy Market Adjusting Tariff (BioMAT) program will submit a joint CCA Tier 2 Advice Letter to the California Public Utilities Commission's (Commission's) Energy Division seeking Commission approval of standard BioMAT program documents including but not limited to a program tariffs, standard power purchase agreement, program participation request forms, non-bypassable charge rate schedules, and balancing accounts within 30 days of the effective date of this decision. After approval by Energy Division of the standard BioMAT program documents submitted by the joint CCAs through the Tier 2 Advice Letter, an individual CCA seeking to participate in the BioMAT program shall file a Tier 1 Advice Letter with the Commission adopting the approved standard BioMAT program documents. Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company (collectively, the IOUs) shall each submit a joint Tier 2 Advice Letter within 30 days of the effective date of this decision to propose changes to their BioMAT program documents to effectuate the changes set forth in this decision.
2. Community Choice Aggregators (CCAs) that elect to participate in the Bioenergy Market Adjusting Tariff (BioMAT) program will collectively consult with Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company (collectively, the IOUs), and Accion to solicit contract terms within 30 days of the effective date of this Decision that will require the IOUs to sign the contract with Accion, with terms allowing CCA

to join the contract within 30 days of a CCA's filing of a Tier 1 Advice Letter joining the BioMAT program. The IOUs shall sign the Accion contract with Accion within 60 days of the effective date of the decision. and to Individual CCAs that have filed their Tier 1 Advice Letter to participate in the BioMAT program must sign the Accion contract with 30 days of their Tier 1 Advice Letter filing. The Accion contract shall require Accion to develop individual CCA BioMAT websites and portals on the Accion BioMAT platform as well as a central BioMAT Accion webpage within 60 days of the effective date of this decision. The Accion contract shall require Accion to develop a standard framework for individual CCA BioMAT webpages on the Accion BioMAT platform, within 60 days of the effective date of this decision. Within 30 days of an individual CCA's Tier 1 Advice Letter filing, Accion must develop the CCA's Accion website. IOU and CCA BioMAT Accion webpages shall provide CCA BioMAT participants with access to a central BioMAT Accion webpage. The central BioMAT Accion webpage must be completed within 90 days of the effective date of this decision. Individual CCA BioMAT Accion webpages must be completed within 90 days of a CCA's election to participate in the BioMAT program. Vendor costs associated with the provision of these services are eligible for recovery against IOU-managed PPPAMs.

4. Community Choice Aggregators (CCAs) that elect to participate in the Bioenergy Market Adjusting Tariff (BioMAT) program shall collectively consult with Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to jointly solicit and negotiate contract terms within 30 days of the effective date of this decision to hire an independent third party that shall administer the BioMAT project pricing and the contract offer process. The contract terms with the independent third party will require the IOUs to sign the contract with the independent third party, with terms allowing CCAs to join the contract

within 30 days of a CCA's Tier 1 Advice Letter joining the BioMAT program. The IOUs shall sign the contract with the independent third party within 60 days of the effective date of the decision. Individual CCAs that have filed their Tier 1 Advice Letter to participate in the BioMAT program must sign the independent third party contract with 30 days of their Tier 1 Advice Letter filing. The pricing and contract offer process shall include management of merged project queues, and power purchase agreement executions and awards. Vendor costs associated with the provision of these services are eligible for recovery against IOU-managed PPPAMs

8. Each Community Choice Aggregator's (CCAs) BioMAT program costs will be recovered from customers through Pacific Gas and Electric Company, Southern California Edison Company, or San Diego Gas & Electric Company (collectively, the IOUs) non-bypassable charges (NBCs) included in each respective IOU's Public Purpose Program (PPP) surcharges. IOU PPP surcharges will be recorded in the IOUs' PPP Adjustment Mechanism (PPAM) balancing accounts.

Independent third-party costs, including the costs of Accion and the independent third-party administrator, will be shared equally between all IOUs and CCAs participating in BioMAT and shall be collected from customers in NBCs, included in the IOUs' PPP surcharges, and recorded in the IOUs' PPAM balancing accounts.

9. Each Community Choice Aggregator (CCA) that elects to participate in the Bioenergy Market Adjusting Tariff (BioMAT) program shall submit Tier 3 Advice Letter (AL) that seeks California Public Utilities Commission (Commission) approval of eligible BioMAT forecasted revenue requirements recorded in CCA balancing accounts that reflect BioMAT program net costs, including power purchase agreement costs on or before February 1, 2024 and annually thereafter. The Tier 3 ALs shall also include a report on BioMAT power purchase agreements executed during each quarter of the prior year. After Commission approval of the Tier 3 ALs, Pacific Gas

and Electric Company, Southern California Edison Company, or San Diego Gas & Electric Company shall include Commission-approved CCA BioMAT costs in the October Update to their Energy Resource Recovery Account forecast applications which will be utilized by the Commission to issue final decision(s) in these proceedings. If a CCA files its Tier 1 Advice Letter between February 1 and September 1 of any year, the CCAs' forecasted revenue requirements can be submitted in supplemental testimony 14 days prior to the October 1 IOU filing of its October Update in the ERRA Forecast proceeding (in lieu of the February 1 filing and for that year only).

10. If the California Public Utilities Commission (Commission) does not approve pending Tier 3 Advice Letters (ALs) by 14 days prior to the October Update filing date set in the annual Energy Resource Recovery Account (ERRA) forecast proceedings for Pacific Gas and Electric Company, Southern California Edison Company, or San Diego Gas & Electric Company (collectively, the IOUs), Community Choice Aggregators (CCAs) that participate in the Bioenergy Market Adjusting Tariff (BioMAT) program are directed to serve supplemental testimony in ERRA forecast proceedings ~~that requests that~~ and the relevant IOU will be required to incorporate an the CCA's estimate of forecasted CCA BioMAT costs into its forecasted revenue requirements, subject to true up to the amount approved in the AL process. This contingency will provide a safeguard for Commission review and approval of eligible CCA BioMAT costs in IOU ERRA proceedings. This will also assist participating CCAs to ensure that forecasted eligible BioMAT costs are ultimately included and accounted for within the ERRA proceedings.

12. Each Community Choice Aggregator (CCA) that elects to participate in the Bioenergy Market Adjusting Tariff program shall file an application, to establish CCA compliance with the California Public Utilities Commission's prudent manager standard for each calendar year, by

September 1 in the year following the CCA's Tier 1 Advice Letter filing ,2024 and annually by
~~September 1st~~ thereafter.