



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

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Order Instituting Rulemaking to Advance
Demand Flexibility Through Electric Rates.

R.22-07-005

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S REPLY
COMMENTS ON TRACK B WORKING GROUP REPORT**

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TABLE OF CONTENTS

I.	THE JOINT IOUS’ RECOMMENDATION TO HIRE A NEUTRAL THIRD-PARTY EXPERT TO EXAMINE AND REPORT ON PG&E DATA ACCESS ISSUES SHOULD BE ADOPTED	2
A.	PG&E’s Assertion That CCAs Failed to Respond Regarding ShareMyData Issues is in Error	2
B.	The Commission Should Adopt PG&E’s Recommendation to Hire a Neutral Third-Party Expert	3
II.	CAL ADVOCATES’ RECOMMENDATION THAT THE COMMISSION REQUIRE A STAKEHOLDER PROCESS TO ESTABLISH REQUIREMENTS REGARDING THE PRICE MACHINE ADMINISTRATOR SHOULD BE ADOPTED	4
III.	CONCLUSION.....	4

SUMMARY OF RECOMMENDATIONS

- The California Public Utilities Commission (Commission) should adopt the recommendation of Pacific Gas and Electric Company (PG&E) through the Joint investor-owned utilities' Opening Comments to hire a neutral independent consultant to identify the obstacles and issues faced by community choice aggregators in obtaining timely hourly interval data from PG&E's ShareMyData platform; and
- The Commission should adopt the recommendation of The Public Advocates Office at the California Public Utilities Commission to convene a stakeholder process to address specifications regarding the price machine and price machine administrator

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California Community Choice Association¹ (CalCCA) submits these reply comments in response to party Opening Comments on the *California Public Utilities Commission Demand Flexibility OIR Track B Working Group Report*² (Report), dated October 11, 2023.³ The Opening Comments were filed in response to the *Assigned Commissioner's Phase 1 Scoping Memo and Ruling*⁴ (Scoping Memo), dated November 2, 2022, and *Email Ruling Modifying Deadlines for Working Group Proposal and Comments*,⁵ dated September 29, 2023.

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 R.22-07-005, *Track B Working Group Report and Notice of Availability, Attachment A* (Oct. 11, 2023) (hereinafter referred to as the Report):

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M520/K541/520541672.PDF>.

³ All references herein to party Opening Comments are to the Opening Comments filed in this Rulemaking (R.) 22-07-005, on or about November 13, 2023.

⁴ R.22-07-005, *Assigned Commissioner's Phase 1 Scoping Memo and Ruling* (Nov. 2, 2022): <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M498/K072/498072273.PDF>.

⁵ R.22-07-005, *Email Ruling Modifying Deadlines for Working Group Proposal and Comments* (Sept. 29, 2023): <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M520/K520/520520661.PDF>.

I. THE JOINT IOUS' RECOMMENDATION TO HIRE A NEUTRAL THIRD-PARTY EXPERT TO EXAMINE AND REPORT ON PG&E DATA ACCESS ISSUES SHOULD BE ADOPTED

As noted in CalCCA's Comments cited in the Report and in CalCCA's Opening Comments, the community choice aggregators (CCAs) do not agree with Pacific Gas and Electric Company's (PG&E's) characterization of the issues related to access to timely interval data through PG&E's ShareMyData (SMD) system as "isolated."⁶ CalCCA recommended in Opening Comments that the California Public Utilities Commission (Commission) order a working group be formed to address the SMD issues. PG&E's recommendation in Opening Comments that a neutral consultant be retained to address the SMD issues is a reasonable alternative to efficiently identify and resolve the problems. As an initial matter, however, CalCCA responds below to an incorrect assertion in its Opening Comments regarding CCA responses to PG&E communications regarding SMD.

A. PG&E's Assertion That CCAs Failed to Respond Regarding ShareMyData Issues is in Error

The Joint investor-owned utilities' (Joint IOUs') assertion in Opening Comments that CCAs failed to respond to two recent emails from PG&E's SMD support team to clarify and solve open issues is in error, as confirmed by PG&E in emails with CalCCA.⁷ The Joint IOUs state in response to concerns of stakeholders regarding PG&E's inability to provide timely interval data that:

Recently, PG&E's ShareMyData support team reached out to CCAs on August 10, 2023 and again on October 10, 2023 to clarify and help solve open issues. Unfortunately, PG&E was not able to elicit any responses in those two instances.⁸

⁶ See Report, at 182-183, 234-235, and 248; see also CalCCA Opening Comments, at 19-21.

⁷ See Joint IOU Opening Comments, at 23.

⁸ *Ibid.*

Based on the Joint IOUs' representation in Opening Comments, CalCCA followed up by email on November 16, 2023 with PG&E's counsel regarding the CCA recipients of the emails. The CCAs were unaware of the emails and concerned about PG&E's representation of a lack of a response. PG&E's counsel responded that upon further investigation within PG&E, emails from PG&E were responded to by representatives for Calpine Energy Services (Calpine), the billing agent of several of the CCAs. Calpine did respond to the emails through their main PG&E liaison for CCAs (and the Calpine response was forwarded by email to the ShareMyData team). Therefore, the representation that CCAs did not respond to PG&E regarding SMD issues is incorrect. As a matter of fact, the CCAs are very concerned about and responsive to PG&E regarding the SMD issues.

B. The Commission Should Adopt PG&E's Recommendation to Hire a Neutral Third-Party Expert

Given the impasse of the parties on identifying and solving the SMD issues, CalCCA agrees with PG&E's proposal to hire a neutral third-party expert to examine the problem from both the CCAs' and PG&E's perspective.⁹ The report produced by the consultant identifying the SMD issues that need to be addressed should be provided to the Commission with recommendations of how to overcome these issues. As the SMD system is available to all customers and any improvements will benefit all customers, costs for the consultant should be paid by PG&E through distribution rates (i.e., collected from both unbundled and bundled customers). In addition, even while the neutral consultant works with the parties to identify and

⁹ *Ibid* ("To facilitate better communication, PG&E proposes – with agreement of CCAs and external stakeholders – to hire a neutral third-party expert to examine the problem from both the CCAs and PG&E perspective. This consultant would produce a report that summarizes the challenges faced by CCAs in terms of data access with PG&E and would provide a clear picture of what the issues are that need to be addressed").

solve the SMD issues, the CCAs and PG&E should continue to work to resolve individual SMD issues as they occur (to the extent possible).

II. CAL ADVOCATES' RECOMMENDATION THAT THE COMMISSION REQUIRE A STAKEHOLDER PROCESS TO ESTABLISH REQUIREMENTS REGARDING THE PRICE MACHINE ADMINISTRATOR SHOULD BE ADOPTED

The Commission should adopt the recommendation of The Public Advocates Office at the California Public Utilities Commission (Cal Advocates) to establish a stakeholder process regarding the Price Machine.¹⁰ As noted in Cal Advocates' Opening Comments, the Staff Report on the Price Machine noted that the Price Machine Administrator (PMA) can be elected by the Commission or determined through a stakeholder process.¹¹ CalCCA agrees with Cal Advocates that given the novelty of the price machine, stakeholders should have the opportunity to weigh in on the identity of the PMA, and the scope, parameters, deliverables, timeline, and fixed and recurring costs of the price machine.

III. CONCLUSION

For all the foregoing reasons, CalCCA respectfully requests consideration of the reply comments herein.

Respectfully submitted,



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¹⁰ Cal Advocates' Opening Comments, at 6.

¹¹ *Id.*, at 6 (citing the Report, at 213).