



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

**FILED**

06/05/24

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A2302018

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, 2022

A.23-02-018

U 39 E

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S  
NOTICE OF EX PARTE COMMUNICATION**

Evelyn Kahl,  
General Counsel and Director of Policy  
Eric Little,  
Director of Regulatory Affairs

CALIFORNIA COMMUNITY CHOICE  
ASSOCIATION  
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June 5, 2024

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

Application of Pacific Gas and Electric Company  
for Compliance Review of Utility Owned  
Generation Operations, Portfolio Allocation  
Balancing Account Entries, Energy Resource  
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**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S  
NOTICE OF EX PARTE COMMUNICATION**

Pursuant to Rule 8.4(a) of the California Public Utilities Commission Rules of Practice and Procedure,<sup>1</sup> California Community Choice Association<sup>2</sup> (CalCCA) hereby gives notice of the ex parte communication in which the participants discussed Pacific Gas and Electric Company's 2022 Energy Resource Recovery Account<sup>3</sup> (PG&E ERRA Compliance).

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<sup>1</sup> *State of California Public Utilities Commission, Rules of Practice and Procedure, California Code of Regulations Title 20, Division 1, Chapter 1* (May 2021): <https://webproda.cpuc.ca.gov/-/media/cpuc-website/divisions/administrative-law-judge-division/documents/rules-of-practice-and-procedure-may-2021.pdf>.

<sup>2</sup> 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.

<sup>3</sup> *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, 2022, U 39 E*, Application (A.) 23-02-018 (Feb. 28, 2023): <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=ALL&DocID=502981754>.

**DATE AND TIME:** Friday, May 31, 2024 9:30 AM-10:00 AM

**LOCATION:** Webex

**WHO INITIATED THE COMMUNICATION:** Eric Little, CalCCA

**NAMES AND TITLES OF NON-CPUC PERSONS PRESENT:** Eric Little, CalCCA - Director of Regulatory Affairs; and Willie Calvin, CalCCA – Regulatory Case Manager.

**NAMES AND TITLES OF CALIFORNIA PUBLIC UTILITIES COMMISSION**

**(COMMISSION) PERSONS PRESENT:** Maria Sotero, Advisor to Commissioner John Reynolds; Dina Mackin, Supervisor, Energy Division; Theresa Buckley, Staff Attorney; Jonathan Wardrip, Public Utilities Regulatory Analyst, Energy Division; Jamie Rose Gannon, Energy Division; Antonio P. Carrejo, Staff Attorney; Pete Skala, Director, Energy Division; and David Zizmor, Public Utilities Regulatory Analyst, Energy Division.

**DESCRIPTION OF COMMUNICATION:** CalCCA explained that in order to evaluate the efficacy of the Commission ordered “effective Planning Reserve Margin” established by the Commission in Decision (D.) 21-03-056,<sup>4</sup> Pacific Gas and Electric Company (PG&E) must provide additional information in their PG&E ERRRA Compliance and the Commission must consider this item to be within the scope of review. CalCCA explained that neither Appendix S of PG&E’s Bundled Procurement Plan nor AL 6306-E<sup>56</sup> demonstrate, without actual data on PG&E’s excess RA position and sales, that PG&E has met the requirements of D.21-03-056. D.21-03-056 required the investor-owned utilities (IOU) to “mak[e] reasonable attempts to sell

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<sup>4</sup> *Decision Directing Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to Take Actions to Prepare for Potential Extreme Weather In the Summers of 2021 and 2022*, R.20-11-003 (Mar. 25, 2021):

<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M373/K745/373745051.PDF>.

<sup>5</sup> *Pacific Gas and Electric Company Advice 6306-E* (Aug.23, 2021) (AL 6306-E): [https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC\\_6306-E.pdf](https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC_6306-E.pdf).

<sup>6</sup> *See also Pacific Gas and Electric Company Advice 6306-E -A* (Apr. 18, 2022): [https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC\\_6306-E-A.pdf](https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC_6306-E-A.pdf).

this excess capacity to other LSEs to meet their 15% PRM requirements.” Without understanding how Appendix S and the material in AL 6306-E were followed, it is impossible to determine if PG&E executed “reasonable attempts to sell this excess capacity to other LSEs”. CalCCA asked that the issues described be placed in scope of the PG&E ERRA Compliance. CalCCA discussed that not only was a review of what occurred in 2022 necessary to determine if PG&E’s actions complied with D.21-03-056 but is also needed to determine if process changes are necessary since IOU procurement in compliance with D.21-03-056 will continue through 2024 and 2025.

**WRITTEN MATERIALS PROVIDED:** None

Respectfully submitted,

A handwritten signature in blue ink that reads "Evelyn Kahl". The signature is written in a cursive, flowing style.

Evelyn Kahl,  
General Counsel and Director of Policy  
CALIFORNIA COMMUNITY CHOICE  
ASSOCIATION

June 5, 2024