



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

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Application of Southern California Edison Company (U338E) for a Commission Finding that its Procurement-Related and Other Operations for the Record Period January 1 Through December 31, 2022 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account and Other Regulatory Accounts; and for Recovery of \$51.442 Million Recorded in Five Accounts.

A.23-04-003

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

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May 31, 2024

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OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U338E) for a Commission Finding that its Procurement-Related and Other Operations for the Record Period January 1 Through December 31, 2022 Complied with its Adopted Procurement Plan; for Verification of its Entries in the Energy Resource Recovery Account and Other Regulatory Accounts; and for Recovery of \$51.442 Million Recorded in Five Accounts.

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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,¹ California Community Choice Association² (CalCCA) hereby gives notice of the ex parte communication in which the participants discussed Southern California Edison Company's (SCE) 2022 Energy Resource Recovery Account (ERRA) compliance case.

DATE AND TIME: Tuesday, May 28, 2024 11:00 AM-11:30 AM

LOCATION: Webex

WHO INITIATED THE COMMUNICATION: Eric Little, CalCCA

¹ *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>.

² 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.

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 CPUC PERSONS PRESENT: Maria Sotero, Advisor to Commissioner John Reynolds; and David Zizmor, Esq., Public Utilities Regulatory Analyst, Energy Division.

DESCRIPTION OF COMMUNICATION: CalCCA asked that the California Public Utilities Commission (Commission) either disallow cost recovery or have all customers (not just community choice aggregator (CCA) customers) pay for an error in which SCE double-charged the franchise fees to CCA customers' bills. In addition, CalCCA asked that the Commission follow precedent set in a prior Pacific Gas and Electric Company (PG&E) ERRA compliance case and disallow SCE's cost recovery of penalties issued by the California Independent System Operator Corporation.

WRITTEN MATERIALS PROVIDED: CalCCA Recommendations in SCE's 2022 ERRA Compliance Case (copy attached).

Respectfully submitted,



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

May 31, 2024

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

CALCCA RECOMMENDATIONS IN SCE'S 2022 ERRR COMPLIANCE CASE

ATTACHMENT

CalCCA Recommendations in SCE's 2022 ERRRA Compliance Case

Eric Little, Director of Regulatory Affairs

Willie Calvin, Regulatory Case Manager

SCE Should Refund Customers It Overcharged for Franchise Fees in 2022

- SCE overcharged departed customers \$1.65 M for franchise fees in 2022
- The overcharge was due to SCE error in calculating franchise fees from departed customers
- SoCal CCAs discovered the error in SCE's 2023 ERRA Forecast
- SCE's claim that its tariff required the overcharging of franchise fees is not supported by evidence. The tariff did not explicitly require overcharging departed customers
- The Commission can order SCE to provide the refund through a disallowance or by sharing the cost among all ratepayers

SCE Should Not Pass CAISO Penalties on to Customers

- CAISO assessed penalties to SCE as the scheduling coordinator of its utility-owned resources
- SCE recorded the penalties as charges to the ERRA and PABA
- PG&E agreed not to pass on CAISO penalties to customers in its 2020 ERRA Compliance case committed to no longer charging such penalties to customers in the future
- Commission adopted this approach in D.22-04-041
- The Commission should hold SCE to the same standard
- SCE should reverse its entries to the ERRA and PABA related to these penalties