



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

FILED

06/18/24

04:59 PM

R2401018

Order Instituting Rulemaking to Establish
Energization Timelines.

R.24-01-018

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S COMMENTS
ON THE ADMINISTRATIVE LAW JUDGE'S RULING DIRECTING
PARTIES TO RESPOND TO QUESTIONS ON ENERGIZATION ISSUES**

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June 18, 2024

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SUMMARY OF RECOMMENDATIONS

- The California Public Utilities Commissions (Commission) in Phase 1 should focus on identifying, collecting, and analyzing data before setting aggressive timelines and enforcement actions for the energization process. The Commission should establish reasonable targets for the September 30, 2024, statutory deadline.
 - The Commission should establish a web portal for customers to directly submit complaints to the Commission, with a simple, easy-to-understand form for customers to complete.
 - The Commission’s portal should include a dashboard with summary statistics for each step of the energization process for the individual investor-owned utilities (IOU). This dashboard should not be launched until there is enough data to report in Phase 2 of the proceeding.
 - IOU portals should track each step of the energization process, communicate with customers on the status of their energization projects, and serve as a conduit for submitting complaints to the Commission.
 - IOU portals should enable two-way transfer of data with the proposed Commission portal. This will enable up-to-date reporting on IOU progress towards reducing energization timelines as well as enable customers to submit and receive updates on complaints on both the IOU and Commission portals.
 - Customers should be allowed to designate a local agency, such as a community choice aggregator, permitting agency, or community-based organization, to submit complaints on their behalf and track progress on complaint resolution.
 - The Commission should establish tracking and reporting of energization timelines by project type, but not establish different timelines for each type. The Commission should convene quarterly stakeholder working groups during Phase 2 to evaluate data, identify causes for delays, and recommend improvements to the process.
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PARTIES TO RESPOND TO QUESTIONS ON ENERGIZATION ISSUES**

The California Community Choice Association¹ (CalCCA) submits these comments pursuant to the *Administrative Law Judge’s Ruling Directing Parties to Respond to Questions on Energization Issues*² (Ruling), dated June 6, 2024. The Ruling seeks comments to better inform the record for Phase 1 of this proceeding and also requests parties to Rulemaking (R.) 24-01-018 that are not investor-owned utilities (IOU) to provide additional information about timelines.

I. INTRODUCTION

The IOUs should set up portals for customers to track their projects and communicate with IOU staff. Community choice aggregators (CCA) are governed by local government entities, and this allows them to have a direct relationship with the customers and local communities they serve. CCAs have been receiving numerous complaints from their customers, member agencies, and

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 *Administrative Law Judge’s Ruling Directing Parties to Respond to Questions on Energization Issues*, R.24-01-018 (June 6, 2024).

Board members about significant energization delays. CCAs also witness the effects of energization delays through the various programs offered which provide incentives for transportation and building electrification. CCAs have observed that projects under these programs sometimes require extensions for completion of work because projects cannot be completed due to energization delays.³ CCAs are not directly involved in the energization process, and therefore do not currently have access to IOU data on project status. Thus, CCAs are not able to assist their customers in resolving these issues and cannot make formal complaints to the IOU or Commission on their behalf.

Many parties to this proceeding have expressed support for IOU portals, which increase transparency and provide energization project status updates. CalCCA supports requiring the IOUs to set up portals for customers to track their projects and communicate with IOU staff. This will help reduce the number of inquiries CCAs receive from customers regarding project status and redirect them to IOU resources where they access the data. As discussed further in CalCCA's response to Question Six, these portals could provide regular reports to the Commission on the IOUs progress towards reducing energization timelines. Customers should also be allowed to submit complaints to the Commission via the IOU portals.

II. RECOMMENDATIONS

CalCCA offers specific recommendations in response to Question Six that would provide customers with a means for tracking the status of their projects and filing complaints with the Commission. In addition, the Commission should consider other ideas to improve the energization timeline for customers.

³ For example, Silicon Valley Clean Energy's (SVCE) multifamily electric vehicle charging incentive program has received many requests for extensions for the time by which work must be completed because even though the work installing the chargers at multifamily buildings has been completed, the chargers are not able to be energized.

A. Data Collection is Necessary to Inform the Timeline and Corrective Actions

There is not sufficient data on the causes for energization delays for the Commission to be able to set aggressive timelines or enforcement measures by the September 30, 2024, statutory deadline. The focus of Phase 1 should be on collecting and analyzing data to enable the Commission to make an informed decision on timelines and potential penalties at the end of Phase 2. The Commission should set initial soft targets by the September 30, 2024, deadline, and continue working with stakeholders to streamline the process over the next phase of the proceeding.

It is important that data collected and reported accurately reflect the current situation to affect meaningful improvements. The IOUs provided the requested average, mean, and standard deviation for business days for completing energization projects in their responses to questions three and four of the March 21, 2024, ALJ Ruling. The data showed very large differences between the median and mean number of days to complete upstream capacity upgrades and energization projects under certain tariff categories. Having a large difference between the median and mean number of days means that the distribution is not a normal distribution but is skewed potentially significantly. With skewed distributions, the use of the standard deviation is not useful. The Commission should require the IOUs to provide more information about the nature of the distribution either by plotting the full distribution or by providing the first and third quartile, which will be more informative in the case of a skewed distribution. Understanding the nature of the data will aid in the development of potential solutions later in the proceeding.

B. Data Access Can Enable CCAs to Support Resolving Energization Timeline Issues

Because of their relationships to local member agencies, some CCAs may be able to help improve the energization process. For example, working with their member agencies, CCAs may

be able to identify ways to streamline the local permitting process. In its opening comments,⁴ SVCE described its effort to streamline local permitting to support electrification efforts. When SVCE reached out to PG&E to discuss challenges and delays the IOU may be encountering with these agencies in their territory, SVCE staff were told that there were no outstanding issues to discuss at the time.⁵ Although CCA assistance was not accepted in this situation, SVCE's efforts demonstrate the value some CCAs may be able to provide in reducing energization timelines if given greater visibility into the IOU processes.⁶

CalCCA is not providing responses to Questions One through Five because member agencies are not directly involved in developing projects and do not track this data. CalCCA provides a detailed response to Question Six with recommendations for a process for customers to submit complaints to the Commission.

III. CALCCA'S RESPONSES TO THE ALJ'S RULING

1. Please provide the time necessary for different energization steps for project(s) related to your industry using the five steps described below.

a. Customer Initiation/Intake (energy service upgrade or new service line application filing and IOU acceptance)

CalCCA has no response.

b. Engineering & Design (IOU review of project and proposal for completion)

CalCCA has no response.

⁴ *Opening Comments of Silicon Valley Clean Energy on Order Instituting Rulemaking to Establish Energization Timelines*, R.24-01-018 (Feb. 20, 2024) (SVCE Comments) at 5-6.

⁵ *Id.* at 6.

⁶ Some CCAs require Board approval to take action on matters related to local land use issues.

- c. **Dependencies (fulfillment of local jurisdictional requirements, permitting, customer response to IOU's requests)**

CalCCA has no response.

- d. **Site Readiness (evaluation of work necessary to complete the engineering design and customer availability for work to begin)**

CalCCA has no response.

- e. **Construction (length of time necessary for IOU and/or contractors to complete construction of the project.**

CalCCA has no response.

- 2. **Please provide the time necessary for different upstream capacity project(s) related to your industry using the three project types defined below. Identify which steps have required incremental time from the IOU involved and include additional project types as necessary.**

- a. **New and upgraded circuit (could be a new service line, or an upgrade to an existing service line)**

CalCCA has no response.

- b. **Upgrade Substation (upgrading a substation to support new or upgraded service for one or more new/upgrade service requests)**

CalCCA has no response.

- c. **New Substation (building a whole new substation to support new or upgraded service for one or more new/upgrade service requests).**

CalCCA has no response.

- 3. **Are there data on timelines for specific upstream capacity projects, beyond what the IOUs have provided, that should be utilized for Phase 1 issues?**

CalCCA has no response.

- a. **If so, what are those sources?**

CalCCA has no response.

- b. Please attach PDFs of any sources used to support your responses to this ruling.**

CalCCA has no response.

- 4. What issues have you encountered when seeking permits or other approvals from local permitting authorities in California that have delayed energization projects?**

CalCCA has no response.

- a. Please outline any reason(s) that delayed your project, the extent of the delay, and how many instances you experienced this type of delay.**

CalCCA has no response.

- b. Please break out your response by individual instances if you have experienced delays for multiple projects and/or in multiple local jurisdictions.**

CalCCA has no response.

- 5. Are there any specific geographical concerns related to energization in California? If so, please describe the issues and the geographical area(s) where they are of concern.**

CalCCA has no response.

- 6. How should the Commission be made aware of energization issues moving forward? Should there be a dedicated webpage and/or reporting place overseen by a third party or would the Commission's website be sufficient?⁷**

A Commission web portal for customers to submit complaints and provide information on energization delays directly to the Commission staff responsible for oversight of the IOUs distribution process is critical to understanding the nature of delays, causes, and potential solutions. The portal should include a simple form for customers to submit a complaint with easy-to-understand instructions and a description of the process for reviewing and resolving the

⁷ See, Energization: www.cpuc.ca.gov/industries-and-topics/electrical-energy/infrastructure/energization.

complaint. Complaints should be automatically forwarded to the appropriate IOU for follow-up. Ideally, the portal would provide customers with the status and any resolution of their complaint. CalCCA agrees with California Broadband & Video Association⁸ that the Commission should keep the existing escalation process for serious complaints that warrant an immediate response.

It is essential that there is a process for tracking and following up on customer complaints to engender trust and encourage customers to use the portal. The portal can provide valuable data for the Commission to identify causes of energization delays and anecdotal information about customer experiences with the IOU processes. Customers should also be allowed to designate a local entity, such as a CCA or Community Based Organization (CBO), to submit a complaint on their behalf. Customers who may be unfamiliar with or intimidated by submitting a formal complaint to a regulatory authority, and customers who may face language, access, or other barriers, may find it easier to have a local entity or CBO submit a complaint for them.

The portal should also include a dashboard displaying summary data on the IOUs' progress towards reducing the energization process timelines. The data could show average number of days for each step of the process along with Commission-established targets. Since there currently may not be sufficient data to establish realistic targets, this could be a Phase 2 enhancement.

Many parties support using IOU portals for tracking progress in the energization process and as a means for customers and developers to communicate with the IOUs on the progress of their specific projects.⁹ IOU web portals should be used for this purpose and the IOU portals

⁸ *Reply Comments of the California Broadband & Video Association on Assigned Commissioner's Scoping Memo and Ruling*, R.24-01-018 (May 17, 2024).

⁹ *See, for example, Opening Comments on Order Instituting Rulemaking to Establish Energization Timelines*, R.24-01-018 (Feb. 20, 2024): SVCE, Solar Energy Industries Association, Voltera Power LLC, and CALSTART, Inc.; and *Opening Comments of Terawatt Infrastructure, Inc. on Assigned Commissioner's Scoping Memo and Ruling*, R.24-01-018 (May 3, 2024).

should provide a conduit for customers to submit complaints with the Commission. The IOU portals and the Commission portal described above should provide a two-way flow of data on delays and IOU progress towards Commission-established targets as well as a means for customers to submit and check on the status of complaints.

Customers who want to submit a complaint should be given the option to go directly to the Commission's portal, or have their complaint entered into the IOU's portal and transmitted to the Commission. A two-way flow of data would allow for complaints to be tracked and for customers to check the status of their complaints. The Commission should avoid a situation where customers submit a complaint through a portal and then do not receive follow-up on their complaint.

Several parties representing transportation electrification interests have cited California Air Resources Board regulations and penalties as a reason for establishing categories for tracking or possibly setting separate processes or timelines by project type.¹⁰ CalCCA takes no position on prioritizing one project over another but agrees that there should be separate tracking and reporting based on project types. The Commission should use the following project categories for purposes of tracking and reporting delays:

- Electric vehicle charging infrastructure (Environmental and Social Justice (ESJ)/non-ESJ categories)
- Residential panel upgrades/meter socket installations (ESJ/non-ESJ categories)
- Public safety/municipal (street/traffic lights, critical facilities, medical facilities, etc.) (ESJ/non-ESJ categories)
- Housing (ESJ/non-ESJ categories)

¹⁰ See, *Opening Comments of the Alliance for Automotive Innovation on Scoping Memo*, R.24-01-018 (May 3, 2024) suggesting quarterly working group meetings, at 10, and *Comments of the California Solar & Storage Association on the Scoping Memo and Ruling*, R.24-01-018 (May 3, 2024) asking that the complaint form include information about main panel upgrades and meter socket adapters that cause delays, at 8.

- Telecommunications (ESJ/non-ESJ categories)
- Commercial/Industrial (data centers)

Given the potential volume of data and complexity of setting up and managing connectivity with IOU portals, the Commission should hire a third-party to manage the Commission portal. Alternatively, the Commission could hire a contractor to develop the portal and maintain it for the first year. The Commission may need to hire or train staff to manage it once the portal is set up and the IOUs begin making significant progress towards reducing energization delays. The portal should not be viewed as just a data repository, but a source for identifying and analyzing trends. Whether the Commission hires a third-party to manage the portal or builds the capabilities in-house, it should do so with this objective in mind.

Additionally, the recommendation put forth by Auto Innovators for the Commission to convene quarterly working groups, though not limited to just the transportation electrification project category, should be adopted. This working group should provide a venue for stakeholders to both provide input and receive updates on findings from the data portal.

IV. CONCLUSION

For all the foregoing reasons, CalCCA respectfully requests consideration of the comments herein and looks forward to an ongoing dialogue with the Commission and stakeholders.

Respectfully submitted,



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June 18, 2024