

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



**FILED**

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Application of Southern California Edison  
Company (U 338-E) For Approval of Its 2025  
ERRA Forecast Proceeding Revenue  
Requirement

Application No. 24-05-007

**PROTEST OF CALIFORNIA COMMUNITY CHOICE ASSOCIATION  
TO THE APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY**

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## **SUMMARY OF RECOMMENDATIONS**

- The relief Southern California Edison Company (SCE) requests in its Application should not be granted because it conflicts with prior Commission decisions; is unjust and unreasonable; and/or requires further investigation into the issues identified herein, and any other issues that may arise during the course of the proceeding, prior to being granted.
- The Commission should refrain from using this Energy Resource Recovery Account (ERRA) Forecast proceeding to establish standards for recovery of utility Energy Supply Administration costs.
- The Commission should adopt California Community Choice Association's (CalCCA) proposed issues in scope, which are in line with the scope in SCE's 2024 ERRA Forecast proceeding, updated for this proceeding as needed.
- The Commission should adopt CalCCA's proposed schedule, which provides parties a meaningful opportunity to evaluate SCE's testimony, issue discovery, and respond in their testimony as necessary, while maintaining SCE's requested schedule for the latter periods of this proceeding.

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Pursuant to Rule 2.6 of the Rules of Practice and Procedure of the California Public Utilities Commission (Commission), the California Community Choice Association<sup>1</sup> (CalCCA) hereby protests the relief sought in the Application of Southern California Edison Company (SCE) for Approval of Its 2025 ERRA Forecast Proceeding Revenue Requirement (Application).<sup>2</sup>

SCE's Application is broad and complex, and at this early stage CalCCA cannot determine whether SCE has demonstrated that it is entitled to the entirety of the relief it requests, or that it has met its burden of proof. Yet even an initial review of SCE's Application suggests that SCE requests relief that conflicts with prior Commission decisions and is unjust and unreasonable. Accordingly, the Commission should refrain from granting the relief SCE requests in its Application and allow further investigation on the issues CalCCA has identified through its initial review, as noted below, as well as any other issues that may arise during the course of this proceeding.

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<sup>1</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 of Southern California, CleanPowerSF, Desert Community Energy, Energy for Palmdale's Independent Choice, Lancaster Choice 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>2</sup> Application (A.) 24-05-007, *Application of Southern California Edison Company (U 338-E) for Approval of Its 2025 ERRA Forecast Proceeding Revenue Requirement* (May 15, 2024).

## I. CALCCA'S INTEREST

In its Application, SCE requests the Commission determine that (1) SCE's 2025 Energy Resource Recovery Account (ERRA) Forecast revenue requirement of \$3.768 billion is reasonable; (2) SCE's forecast of greenhouse gas (GHG) allowance revenue return allocations is reasonable; (3) SCE is authorized to include and recover the 2025 ERRA Forecast revenue requirement in rates as authorized by a final decision in this proceeding; (4) SCE is authorized to recover from or return to customers certain currently estimated December 31, 2024 year-end balancing account balances and other miscellaneous expenses; (5) SCE is authorized to include and recover its 2025 Forecast Revenue Requirement Central Procurement Entity-Related Costs pursuant to Decision (D.) 20-06-002; and (6) any other relief that the Commission deems just and reasonable.<sup>3</sup>

CalCCA's participation in this proceeding is warranted to protect the interests of the community choice aggregators (CCAs) it represents and the interests of those CCAs' customers. While CalCCA represents 24 CCAs across California, it represents five CCAs that serve SCE's delivery service customers: California Choice Energy Authority, Central Coast Community Energy, Clean Power Alliance of Southern California, Desert Community Energy, and Orange County Power Authority. Each of those CCAs is governed by a Board of Directors comprised of elected officials who represent the individual cities and counties the CCA serves, or an elected City Council. While CalCCA's advocacy frequently benefits both bundled and unbundled customers, the CCAs are the sole advocates for their customers and their local energy programs before this Commission.

CCA customers pay CCA-specific generation rates, which vary and are partially influenced by local mandates to increase electric vehicle use, procure and maintain clean electricity portfolios

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<sup>3</sup> See Application at 7.

that in many cases exceed state requirements for renewable generation, and achieve other local goals. As a result, CCA customers receive generation services from their local CCA, and receive transmission, distribution, billing, and other services from the incumbent investor-owned utility (IOU). In addition, CCA and other unbundled customers are subject to several non-bypassable charges, including the Power Charge Indifference Adjustment (PCIA), the 2025 levels of which will be determined in this proceeding.

The CCAs represented by CalCCA are advocates for the customers in the local communities that formed them. Ensuring the accuracy of the PCIA and other charges CCA customers pay, planning for changes to the PCIA, and protecting customers from the rate shock that can result, is a core directive for all CCAs and essential for any load-serving entity (LSE). As a result of these factors, and those discussed above and below, CalCCA and its members have a real, present, tangible and pecuniary interest in this proceeding.

## **II. GROUNDS FOR PROTEST**

### **A. CalCCA seeks to ensure that SCE has met its burden of proof to show that its requested relief complies with prior commission decisions and is just and reasonable.**

The impact of SCE's application on both departed and bundled customers requires cautious and careful consideration under the applicable standards of proof. SCE, as the applicant, has the burden of affirmatively establishing the reasonableness of all aspects of its application,<sup>4</sup> and that burden of proof generally is measured based upon a preponderance of the evidence.<sup>5</sup>

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<sup>4</sup> D.12-12-030 at 42.

<sup>5</sup> *See, e.g.*, D.18-01-009 at 9-10; D.15-07-044 at 29 (observing that the Commission has discretion to apply either the preponderance of evidence or clear and convincing standard in a ratesetting proceeding, but noting that the preponderance of evidence is the "default standard to be used unless a more stringent burden is specified by statute or the courts").

CalCCA has identified several issues that directly and substantially impact its members' interests, and the interests of its members' customers. On a preliminary basis, those issues include:

- How or if the Application properly accounts for the impact of the relief SCE recently requested in its ERRA Trigger Application, A.24-05-025.
- SCE's omission in the Application and its supporting testimony of any indication whether SCE intends to provide an allocation of large hydroelectric energy for 2025.
- Whether SCE properly accounted for its retained, sold, and unsold Renewable Portfolio Standard (RPS) renewable energy certificates.
- Whether SCE has properly accounted for Modified Cost Allocation Mechanism procurement, including whether SCE has properly accounted for the resource adequacy (RA) attributes of "co-located" storage and solar facilities such that storage resources do not diminish the RA attributes of co-located solar sites.
- Whether SCE has properly accounted for its retained, sold, and unsold RA resources.
- Whether SCE correctly omitted funding for the CCA Disadvantaged Communities Green Tariff (DAC-GT) and Community Solar Green Tariff (CSGT) programs.

CalCCA cannot conclude whether the relief SCE requests is justified until after a thorough and complete analysis of the Application, including the issues identified above. CalCCA requests that the Commission refrain from granting the relief SCE requests in its Application in order to allow for further investigation on these issues, as well as any other issue that may arise during the course of the proceeding.

**B. The Commission should refrain from using this ERRA Forecast proceeding to establish standards for recovery of utility Energy Supply Administration costs.**

SCE's peer utilities Pacific Gas & Electric Company (PG&E) and San Diego Gas & Electric Company (SDG&E) seek Commission approval of a specific method of how and from whom PG&E and SDG&E recover Energy Supply Administration (ESA) costs in their respective, recently filed ERRA forecast applications. SCE does not include a similar request in its Application and therefore the Commission should deem ESA cost recovery methods outside the

scope of this proceeding. The Commission should also refrain from using this proceeding—or confidential testimony from SCE in past ERRA Forecast proceedings—to establish standards for ESA cost recovery, even though PG&E’s and SDG&E’s respective proposals for ESA cost recovery purport to rely on how SCE recovers these costs.<sup>6</sup>

On April 2, 2024, Commissioner Reynolds issued a scoping ruling consolidating, for a limited purpose, the IOU’s respective 2024 ERRA Forecast applications.<sup>7</sup> At the prehearing conference that preceded that ruling, CalCCA supported PG&E’s effort to use the consolidated proceeding to address the issue of ESA cost recovery in a single, comprehensive way involving all three utilities. Despite CalCCA’s support, the scoping ruling declined to include as in scope ESA cost recovery issues put forward by SDG&E and PG&E.<sup>8</sup> The ruling explained that those issues “would be better addressed in separate proceedings, because each utility’s requests . . . were not directly responding to the August 1, 2023, ALJ rulings, and the issues may not align across utilities.”<sup>9</sup> While that ruling determined that the consolidated, Track 2 of the utilities’ 2024 ERRA Forecast applications was not the appropriate venue for consideration of ESA cost recovery issues, it stopped short of identifying the correct venue and nowhere does it hold that those issues should be considered in the utilities’ disparate 2025 ERRA Forecast proceedings.<sup>10</sup> The Assigned

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<sup>6</sup> See A.24-05-009, *Pacific Gas and Electric Company 2025 Energy Resource Recovery Account and Generation Non-Bypassable Charges Forecast and Greenhouse Forecast Revenue Return and Reconciliation Prepared Testimony* at Chapter 10, 11:7-13:26 (citing to the largely confidential Appendix B of SCE’s Prepared Testimony in A.23-06-001, available at <https://docs.cpuc.ca.gov/PublishedDocs/SupDoc/A2306001/6135/510461198.pdf>); see also A.24-05-010, *Application of San Diego Gas & Electric Company (U 902-E) for Approval of Its 2025 Electric Procurement Revenue Requirement Forecasts, 2025 Electric Sales Forecast, and GHG-Related Forecasts Prepared Testimony of Sheri Miller* at 3:7-4:3 (relying on PG&E proposal which in turn purports to rely on SCE’s method of cost recovery).

<sup>7</sup> See A.23-05-012 (consolidated with A.23-07-12, and consolidated for limited purposes with A.23-05-013 and A.23-06-002).

<sup>8</sup> A.23-05-012, *Assigned Commissioner’s Scoping Ruling* at 6 (April 2, 2024).

<sup>9</sup> *Id.*

<sup>10</sup> *See id.*



Commissioner’s Ruling also overlooks that tackling issues of ESA cost recovery in separate proceedings might create prohibitively complex issues related to the utilities’ own confidential information, particularly since PG&E and SDG&E seem intent on establishing cost recovery standards supposedly modeled after SCE’s approach.

Given these important practical hurdles inherent to piecemeal consideration, CalCCA plans to propose in PG&E’s and SDG&E’s 2025 ERRA Forecast proceedings that the Commission wait to consider these issues in a proceeding in which all three utilities are parties in order to both (a) ensure the parties are able to use confidential material to ensure an accurate and fully developed record and (b) to enable consistent application across utilities.

In contrast, PG&E and SDG&E appear to believe that their 2025 ERRA Forecast applications provide the appropriate opportunity to consider the issue of ESA cost recovery. But any such effort will prove impractical since analysis of PG&E’s proposal (which SDG&E piggybacks on) appears to rely heavily on confidential SCE information.<sup>11</sup> For instance, PG&E asserts that its ESA cost recovery proposal is “consistent” with SCE’s.<sup>12</sup> Upon closer review, however, it appears that there are important differences between the two methods and CalCCA intends to explore those differences in PG&E’s 2025 ERRA Forecast proceeding—if the issue remains in scope and to the extent it can. But to fully explore and analyze PG&E’s claim, CalCCA’s reviewing representatives would likely need to use and introduce SCE’s confidential materials in the PG&E proceeding to adequately explain how SCE addresses ESA costs and whether PG&E’s proposal accurately describes SCE’s methodology in its ERRA Forecast

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<sup>11</sup> E.g., A.24-05-009, *Pacific Gas and Electric Company 2025 Energy Resource Recovery Account and Generation Non-Bypassable Charges Forecast and Greenhouse Forecast Revenue Return and Reconciliation Prepared Testimony* at Chapter 10, 11:7-13:26 (citing to the largely confidential Appendix B of SCE’s Prepared Testimony in A.23-06-001, available at <https://docs.cpuc.ca.gov/PublishedDocs/SupDoc/A2306001/6135/510461198.pdf>).

<sup>12</sup> *Id.* at Chapter 10, 11:9-12:2.

testimony. Unfortunately, the nondisclosure agreement governing the use of SCE's confidential information bars this sort of cross-pollination.<sup>13</sup> The complexity posed by the need to consider the confidential information from one utility in another utility's proceeding weighs in favor of tackling the issue of ESA cost recovery in a consolidated proceeding in which, if necessary, confidential materials from all three investor-owned utilities can be used to compare the manner in which these costs are recovered. Further, both PG&E and SDG&E demonstrate the importance of consistent practices across utilities by purportedly relying on SCE's practices to justify their own proposals. The simplest way to ensure a consistent practice will be to adopt the same methodology for all three investor-owned utilities. And the simplest way to adopt the same methodology is to consider the issue in a proceeding in which all three IOUs are parties.

To the extent the Commission disagrees and deems the question of ESA cost recovery standards within the scope of the PG&E and SDG&E proceedings, CalCCA will propose that all three utilities utilize a common methodology. In this proceeding, that would likely require modifications to SCE's current methodology for recovering these costs and, therefore, that the issue be included in scope in this proceeding. Said another way, if the Commission determines that the issue of ESA cost recovery is in scope in PG&E's and SDG&E's ERRA Forecast proceedings—despite the clear drawbacks to such a piecemeal approach—the Commission should also deem the issue in scope in this proceeding to ensure appropriate scrutiny of SCE's approach to ESA cost recovery.

Still, this alternative, piecemeal approach is inferior to tackling the question of ESA cost recovery on a comprehensive basis, in a proceeding in which all three IOUs are full participants.

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<sup>13</sup> A.24-05-007, *Application of Southern California Edison Company (U338E) for Approval of Its 2025 ERRA Forecast Proceeding Revenue Requirement*, Nondisclosure Agreement Regarding Protected Materials at ¶ 8 (barring use of Protected Materials outside of this proceeding and also barring disclosure to non-signatories like PG&E and SDG&E).

CalCCA thus respectfully requests that the Commission refrain from deeming ESA cost recovery methods within the scope of this proceeding.

### **III. PROCEDURAL AND DISCOVERY MATTERS**

#### **A. Categorization of proceeding, scope of issues, need for hearings and proposed procedural schedule.**

CalCCA agrees with the categorization of this proceeding as ratesetting<sup>14</sup> and believes hearings may be necessary, depending on CalCCA's on-going analysis of the Application, SCE's responses to discovery, and any settlement discussions that may take place.

The scope should include the following issues, which builds from issues that were included in SCE's 2024 ERA Forecast proceeding,<sup>15</sup> updated for 2025:

1. Whether SCE's requested 2025 ERA forecast revenue requirement of \$3.768 billion is reasonable, including but not limited to consideration of the following:
  - a. SCE's forecast of electric sales and electric load;
  - b. SCE's forecast costs for fuel and purchase power expenses;
  - c. SCE's forecast costs for spent nuclear fuel interim storage;
  - d. SCE's forecast greenhouse gas (GHG) costs; and
  - e. Annual true-ups for balancing accounts such as the Portfolio Allocation Balancing Account (BA), New System Generation BA, Energy Settlements Memorandum Account, ERA BA, BioMAT Non-Bypassable Charge, and Tree Mortality Non-Bypassable Charge BA.
2. Whether SCE's forecast of GHG allowance revenue return allocations for energy-intensive trade-exposed customers, small business customers, and the residential customer California Climate Credit is reasonable.
3. Whether SCE's forecast of GHG revenues and expenses set aside for (1) clean energy and energy efficiency programs and GHG administration, and (2) customer education and outreach plan costs are reasonable.

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<sup>14</sup> Application at 10.

<sup>15</sup> See A.23-04-003, *Amended Scoping Memo and Ruling of Assigned Commissioner*, at 2-5 (Jan. 5, 2024).

4. Whether SCE's forecast of Central Procurement Entity related costs is reasonable.
5. Whether the Cost Allocation Mechanism rates are reasonable.
6. Whether SCE's calculations of the PCIA and Competitive Transmission Charge are reasonable, including discussion of the following:
  - a. Treatment of Resource Adequacy resources and associated costs in the PCIA;
  - b. Treatment of RPS resources with excess RPS value and allocation of RPS sales across vintages;
  - c. Calculation of the indifference amount;
  - d. Calculation of the year-end Portfolio Allocation BA balance; and
  - e. Allocation of indifference charges among vintages and customer classes.
7. Whether SCE's request and methods used to determine the issues described above comply with all applicable rules, regulations, resolutions, and decisions for all customer categories.
8. Whether there are any safety concerns, environmental, or social justice considerations raised by the Application.

As for the schedule of this proceeding, CalCCA acknowledges the practical challenges SCE must meet to implement rate changes by January 1, 2025, particularly toward the end of the timelines given the Commission's December 2025 meeting schedule. But when compared to the schedule the Commission adopted for SCE's 2024 ERRA Forecast proceeding, SCE's proposed schedule for this proceeding unfairly compresses the deadline for intervenor testimony while simultaneously expanding its own deadline for rebuttal testimony.<sup>16</sup>

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<sup>16</sup> Compare Application at 12 with A.23-06-001, *Application of Southern California Edison Company (U338E) for Approval of Its 2024 ERRA Forecast Proceeding Revenue Requirement*, Assigned Commissioner's Scoping Memo and Ruling at 1, 5 (Aug. 3, 2023).

Last year, intervenor testimony was due 36 days after the prehearing conference.<sup>17</sup> SCE's rebuttal testimony was due a reasonable 15 days after that.<sup>18</sup> But this year, SCE proposes that intervenors have six fewer days to file their testimony after the prehearing conference, while simultaneously proposing that it has 10 more days to file its rebuttal testimony than it did last year. This shift in deadlines places an unfair and unnecessary burden on intervenors to develop their testimony responding to SCE's complex and voluminous application. The Commission should reject that shift in burden and adopt a schedule for initial and rebuttal testimony that more closely tracks last year's schedule.

Specifically, the Commission should order that intervenor testimony be due **five weeks after the date of the pre-hearing conference**. If the pre-hearing conference takes place on July 10, 2024, as SCE proposes,<sup>19</sup> then intervenor testimony would be due on Wednesday, August 14. SCE rebuttal testimony should then be due on **September 3, 2024** (the date SCE proposes), giving SCE 20 days to file its rebuttal testimony, assuming an August 14 deadline for intervenor testimony. This alternative schedule still gives SCE more time than last year (even excluding the Labor Day weekend)—and it still gives intervenors less time. But it is a less burdensome shift than that SCE proposes. This approach also leaves intact the remainder of SCE's proposed schedule, to which CalCCA does not object.

CalCCA thus requests that the Commission adopt the following schedule, with asterisks indicating dates proposed by SCE in its Application:

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<sup>17</sup> A.23-06-001, *Application of Southern California Edison Company (U338E) for Approval of Its 2024 ERRR Forecast Proceeding Revenue Requirement*, Assigned Commissioner's Scoping Memo and Ruling at 1, 5 (Aug. 3, 2023).

<sup>18</sup> *Id.*

<sup>19</sup> Application at 12.

<b>Event</b>	<b>CalCCA's Proposed Schedule</b>
Application Filed	May 15, 2024*
Protests	June 17, 2024
Reply filed	June 27, 2024
Prehearing Conference	July 10, 2024*
Cal Advocates/Intervenor testimony due	Five weeks after Pre-Hearing Conference
Rebuttal testimony served	September 3, 2024*
Rule 13.9 Meet and Confer	September 11, 2024*
Evidentiary Hearings	Week of September 16, 2024*
October Update	October 11, 2024*
Comments on October Update/Concurrent Opening Briefs	October 25, 2024*
Concurrent Reply Briefs	November 1, 2024*
Proposed Decision	November 12, 2024*
Comments on Proposed Decision	November 19, 2024*
Reply Comments on Proposed Decision	November 26, 2024*
Final Commission Decision	December 5, 2024*

\* Indicates date was proposed by SCE in its Application.

**B. Other procedural requests due to the compressed nature of this proceeding.**

In light of the compressed nature of this proceeding, CalCCA also requests that the Commission:

- Set the default discovery timelines for all parties to (a) five business days prior to the Fall Update, (b) three business days after rebuttal testimony and (c) two business days after the Fall Update is filed, with exceptions from those timelines allowed in the event that SCE requires more time due to the number or breadth of data requests;

- Require SCE to serve public and confidential workpapers concurrently with all supplements and updates to testimony; and
- Require from SCE a clear presentation of modifications between its Prepared Testimony and any supplemental testimony.

#### IV. COMMUNICATIONS

CalCCA consents to “email only” service and requests that the following individuals be added to the service list for A.24-05-007 on behalf of CalCCA:

##### Party Representative for CalCCA:

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#### V. CONCLUSION

For all the foregoing reasons, CalCCA respectfully requests the Commission set this matter for hearing to fully examine the issues discussed above.

Respectfully submitted,

/s/ Andrew J. Ball

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CALIFORNIA COMMUNITY

CHOICE ASSOCIATION

Dated: June 17, 2024