

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Establish
Policies, Processes, and Rules to Ensure
Reliable Electric Service in California in the
Event of an Extreme Weather Event in 2021.

Rulemaking 20-11-003
(Filed November 19, 2020)

(NOT CONSOLIDATED)

Order Instituting Rulemaking Concerning
Energy Efficiency Rolling Portfolios, Policies,
Programs, Evaluation and Related Issues.

Rulemaking 13-11-005
(Filed November 14, 2013)

**NOTICE OF EX PARTE COMMUNICATION BY
THE CALIFORNIA EFFICIENCY + DEMAND MANAGEMENT COUNCIL**

November 23, 2021

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Pursuant to Rule 8.4 of the Commission’s Rules of Practice and Procedure, the California Efficiency + Demand Management Council (“the Council”) hereby timely gives notice of one (1) ex parte communication. Rule 8.4(a) provides that “[a] single notice may address an ex parte communication that applies to more than one proceeding, provided that the notice is filed in each applicable proceeding.”

The individual ex parte meeting was with Kerry Fleisher, Energy Advisor to Commissioner Guzman Aceves and Maria Sotero, Energy Advisor to Commissioner Guzman Aceves. This meeting was oral and occurred by Webex on Friday, November 19, 2021 at 3:00 p.m. The communication was initiated by Greg Wikler, Executive Director of the Council. Also present at this meeting were Serj Berelson, Director of Policy and Strategy of the Council, and Luke Tougas, Consultant for the Council.

Mr. Wikler began the meeting by providing an introduction on the Council. Mr. Wikler also stated that the Council appreciates the positive outcomes from the Phase 2 Proposed 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 2022 and 2023, issued in R.20-11-003 (Emergency Reliability). There was also discussion of the Proposed Decision Regarding Energy Efficiency Actions to Enhance Summer 2022 and 2023 Electric Reliability, issued in R.13-11-005 (EE) on October 29, 2021 and as such, notice of this ex parte is being filed and served in R.13-11-005 (EE) as well.

Mr. Tougas detailed the Council's support for the Emergency Load Reduction Program ("ELRP") changes adopted in the Emergency Reliability Proposed Decision, such as the \$2,000/MWh energy payment and minimum dispatches for subgroups A.2, A.4, and A.5, and recommended minimum dispatches also be adopted for subgroups A.1, A.3, and Group B. Mr. Tougas raised the Council's concerns about free-ridership risks associated with auto-enrolling certain residential customers into the ELRP.

Mr. Tougas also shared the Council's concerns with the option for community choice aggregators ("CCAs") to opt out of the Residential ELRP (Subgroup A.6). He continued and stated that the Council does not seek to infringe on CCA rights, but the Council does support customer choice and believe it should be up to each residential customer to decide whether or not to participate in the ELRP.

In addition, Mr. Tougas stated that the Council appreciates the Proposed Decision adopting the bilateral solicitation program. However, the Council recommends that the utilities be either directed to procure a specified amount of cost-effective demand response ("DR") or procure all cost-effective DR that is bid. Lastly, Mr. Tougas stated that the Council appreciates the \$75 Smart Thermostat incentive but shared the Council's concerns about the prohibition on Energy Savings Assistance (ESA)-eligible customers from qualifying for this incentive.

Mr. Berelson discussed the Energy Efficiency Proposed Decision. He stated that the Council supports the \$150 million Market Access program and the \$30 million in new solicitations. He stated that the Council wishes to ensure deployment of these programs is expedited, and that without explicit timelines directed by the Proposed Decision, for example in the custom review process, there will be little actual substantive change in the process.

In further compliance with Commission rules and instructions included in Commissioners' Meeting Request forms, this notice has been served on the R.20-11-003 (Emergency Reliability) Service List and the R.13-11-005 (EE) Service List and electronically copied to Guzman-Aceves.Exparte@cpuc.ca.gov. Additional service by U.S. Mail to the Administrative Law Judges has been temporarily suspended by the Commission.

Respectfully submitted,

November 23, 2021

/s/ GREG WIKLER

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