

JUL 16 1997

Decision 97-07-025 July 16, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Gas Company
(U 904 G) and Southern California Edison Company
(U 338 E) for Approval of Demand-Side Management
Pilot Bidding Contract.

Application 96-11-048
(Filed November 27, 1996)

ORIGINAL

FINAL OPINION

By Decision (D.) 97-03-068, we conditionally approved a negotiated contract between Winegard Energy Inc. (Winegard), Southern California Gas Company (SoCal) and Southern California Edison Company (SCE) under our demand-side management pilot bidding program. We left this proceeding open to address Winegard's response to the condition we imposed, i.e., the requirement that Winegard provide cost-effectiveness security in the amount of \$200,000.

On April 30, 1997, SoCal and SCE filed a Statement of Compliance With Conditions Imposed by Decision 97-03-068 (Statement). The Statement contained an amendment to the contract and a corporation guarantee, which were reviewed by Commission staff and found to be in compliance with D.97-03-068. Pursuant to Ordering Paragraph 2 of that decision, the Executive Director issued a letter dated May 21, 1997 to SoCal, SCE and Winegard informing them that the negotiated contract, as amended, met the condition imposed by the Commission.

We also left this proceeding open to receive comments from interested parties on the issue of how the administration of this contract might be affected by D.97-02-014. In that decision, we established Independent Boards consisting of regulatory representatives and members of the public to oversee the administration of energy efficiency and low-income programs. SCE, SoCal, Pacific Gas and Electric Company and Residential Energy Services Companies' United Effort filed comments on this issue. Pursuant to Ordering Paragraph 3 of D.97-03-068, these comments were filed in the

electric industry restructuring proceeding and served on the Special Public Purpose service list in that proceeding.

As part of their implementation filings in the electric industry restructuring proceeding, the Independent Boards created by D.97-02-014 will be making recommendations on how best to administer all ongoing energy efficiency and low-income programs, including the pilot bidding contracts, during the transition to the new administrative structure. (See Assigned Administrative Law Judge's (ALJ) ruling dated March 19, 1997, modified on May 28, 1997, in Rulemaking (R.) 94-04-031/Investigation (I.) 94-04-032; Attachment 1.) We will address the comments requested by D.97-03-068 as we consider the Boards' recommendations. Interested parties will also have the opportunity to file a response to these recommendations, pursuant to the assigned ALJ's ruling. Accordingly, there being no further issues to address in this proceeding, this proceeding will be closed.

Findings of Fact

1. The Independent Boards created by D.97-04-014 will be making recommendations on how best to administer all ongoing energy efficiency and low-income programs, including the pilot bidding contracts, during the transition to the new administrative structure.

2. It is appropriate for the Commission to address the comments filed pursuant to D.97-02-068 regarding administration of the negotiated contract between SoCal, SCE and Winegard as it considers the Boards' recommendations in R.94-04-031/I.94-04-032.

3. There are no other outstanding issue in this proceeding.

Conclusions of Law

1. The comments filed pursuant to D.97-02-068 regarding administration of the negotiated contract between SoCal, SCE and Winegard should be considered in R.94-04-031/I.94-04-032 during the public purpose program implementation phase.

2. This proceeding should be closed.

FINAL ORDER

IT IS ORDERED that:

1. The comments filed pursuant to Decision 97-02-068 regarding contract administration shall be considered during the public purpose program implementation phase of Rulemaking 94-04-031/Investigation 94-04-032.

2. This proceeding is closed.

This order is effective today.

Dated July 16, 1997, at San Francisco, California.

P. GREGORY CONLON

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners

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Pilot Bidding Contract.

Application 96-11-048
(Filed November 27, 1996)

ORIGINAL

FINAL OPINION

By Decision (D.) 97-03-06S, we conditionally approved a negotiated contract between Winegard Energy Inc. (Winegard), Southern California Gas Company (SoCal) and Southern California Edison Company (SCE) under our demand-side management pilot bidding program. We left this proceeding open to address Winegard's response to the condition we imposed, i.e., the requirement that Winegard provide cost-effectiveness security in the amount of \$200,000.

On April 30, 1997, SoCal and SCE filed a Statement of Compliance With Conditions Imposed by Decision 97-03-06S (Statement). The Statement contained an amendment to the contract and a corporation guarantee, which were reviewed by Commission staff and found to be in compliance with D.97-03-06S. Pursuant to Ordering Paragraph 2 of that decision, the Executive Director issued a letter dated May 21, 1997 to SoCal, SCE and Winegard informing them that the negotiated contract, as amended, met the condition imposed by the Commission.

We also left this proceeding open to receive comments from interested parties on the issue of how the administration of this contract might be affected by D.97-02-014. In that decision, we established Independent Boards consisting of regulatory representatives and members of the public to oversee the administration of energy efficiency and low-income programs. SCE, SoCal, Pacific Gas and Electric Company and Residential Energy Services Companies' United Effort filed comments on this issue. Pursuant to Ordering Paragraph 3 of D.97-03-06S, these comments were filed in the

electric industry restructuring proceeding and served on the Special Public Purpose service list in that proceeding.

As part of their implementation filings in the electric industry restructuring proceeding, the Independent Boards created by D.97-02-014 will be making recommendations on how best to administer all ongoing energy efficiency and low-income programs, including the pilot bidding contracts, during the transition to the new administrative structure. (See Assigned Administrative Law Judge's (ALJ) ruling dated March 19, 1997, modified on May 28, 1997, in Rulemaking (R.) 94-04-031/Investigation (I.) 94-04-032; Attachment 1.) We will address the comments requested by D.97-03-068 as we consider the Boards' recommendations. Interested parties will also have the opportunity to file a response to these recommendations, pursuant to the assigned ALJ's ruling. Accordingly, there being no further issues to address in this proceeding, this proceeding will be closed.

Findings of Fact

1. The Independent Boards created by D.97-04-014 will be making recommendations on how best to administer all ongoing energy efficiency and low-income programs, including the pilot bidding contracts, during the transition to the new administrative structure.

2. It is appropriate for the Commission to address the comments filed pursuant to D.97-02-068 regarding administration of the negotiated contract between SoCal, SCE and Winegard as it considers the Boards' recommendations in R.94-04-031/I.94-04-032.

3. There are no other outstanding issue in this proceeding.

Conclusions of Law

1. The comments filed pursuant to D.97-02-068 regarding administration of the negotiated contract between SoCal, SCE and Winegard should be considered in R.94-04-031/I.94-04-032 during the public purpose program implementation phase.

2. This proceeding should be closed.

FINAL ORDER

IT IS ORDERED that:

1. The comments filed pursuant to Decision 97-02-068 regarding contract administration shall be considered during the public purpose program implementation phase of Rulemaking 94-04-031/Investigation 94-04-032.

2. This proceeding is closed.

This order is effective today.

Dated July 16, 1997, at San Francisco, California.

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners