

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY  
AND COMPLIANCE DIVISION  
Energy Branch

RESOLUTION E-3440  
February 23, 1996

R E S O L U T I O N

RESOLUTION E-3440. SAN DIEGO GAS & ELECTRIC COMPANY,  
ACTING ON BEHALF OF THE CALIFORNIA DEMAND-SIDE  
MANAGEMENT MEASUREMENT ADVISORY COMMITTEE (CADMAC),  
SUBMITS RECOMMENDATIONS FOR REAFFIRMATION AND/OR  
APPROVAL OF SUPPLEMENTAL CADMAC MEMBERS FOR THE 1996  
CALENDAR YEAR.

BY ADVICE LETTER 958-E/987-G, FILED ON September 29, 1995.

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SUMMARY

1. On September 29, 1995, San Diego Gas & Electric Company (SDG&E) filed Advice Letter 958-E/987-G on behalf of the California Demand-Side Management Measurement Advisory Committee (CADMAC) requesting approval of CADMAC's recommendations for supplemental membership for the 1996 calendar year.
2. This Resolution approves, with minor modifications, the 1996 supplemental membership recommendation by CADMAC.
2. There were no protests to Advice Letter 958-E/987-G.

BACKGROUND

1. In Decision (D.)93-05-063, the Commission established the CADMAC to assume measurement and evaluation review functions for demand-side management (DSM) programs. In that decision, the Commission directed the utilities to solicit supplemental voting members by issuing a notice to all parties in this proceeding. Commission approval of supplemental voting members and annual reaffirmations will take place via an Advice Letter process.
2. In accordance with the Measurement and Evaluation Protocols Appendix B, as adopted and refined in D.93-05-063, D.94-10-059, and D.94-12-021, on September 1, 1995 a notice regarding applications for CADMAC supplemental membership was sent to all parties on the service list for Rulemaking 91-08-003/Investigation 91-08-002. Interested parties were asked to file an application with the CADMAC chair by September 15, 1995. Organizations and corporations were asked to indicate the name of the person to serve as the representative.

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3. CADMAC received seven requests for continuing or new supplemental membership from:
  - o California Institute for Energy Efficiency (CIEE)
  - o Lawrence Berkeley National Laboratory (LBNL)
  - o National Association of Energy Service Companies (NAESCO)
  - o Natural Resources Defense Council (NRDC)
  - o Residential Energy Service Companies United Effort (RESCUE)
  - o California Manufacturers Association (CMA), and
  - o Sacramento Municipal Utility District (SMUD)
4. On September 29, 1995, SDG&E filed Advice Letter 958-E/987-G on behalf of CADMAC requesting approval of supplemental members listed above. The advice letter also requests approval of certain conditions under which NAESCO, RESCUE, CMA and SMUD would become supplemental members.
5. CADMAC requests approval of NAESCO as a member on the condition that NAESCO designate a primary and alternate representative in order to assure consistent representation. By letter dated January 17, 1996, NAESCO designated Richard Sperberg as the primary member, with Donald Smith as the alternate.
6. CADMAC requests approval of RESCUE as a member on three conditions. The first condition would require RESCUE to submit a list of its member organizations to CADMAC and the Commission Advisory and Compliance Division (CACD). The second condition would require RESCUE to designate the name of a representative other than the two previous representatives (Dan Meek for SESCO, Inc. in 1994 and George Reeves for Lakeland Utility Conservation, Inc. (LUCI) in 1995) who served in recent years. The third condition would require RESCUE to adhere to attendance and participation requirements that other members follow.
7. On October 13, 1995, attorney Dan Meek, on behalf of RESCUE, submitted a letter to CACD and CADMAC in response to the three conditions upon which CADMAC would recommend supplemental membership. RESCUE listed its member organizations as SESCO, LUCI and Free Lighting Corporation (FLC). It designated Dan Meek as the primary representative of RESCUE and George Reeves as alternate. RESCUE also indicated that it will strive to meet the attendance and participation requirements if they are spelled out in advance. RESCUE also requests that credit be allowed for review and written comments, in addition to attendance at meetings.
8. CADMAC requests approval of CMA on the condition that it meet attendance and participation requirements.
9. CADMAC notes that SMUD's application for supplemental membership raised issues of SMUD's possible conflicts of interest, and CADMAC attempted in the advice letter to outline conditions under which SMUD's membership could be accommodated.
10. On January 5, 1996 CADMAC sent a letter to CACD regarding recent developments pertaining to conditions of membership. In

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that letter, CADMAC noted that SMUD had mistaken the intent of the membership solicitation notice, and clarified that SMUD only desires to remain on the supplemental mailing list. Therefore, SMUD's request was effectively withdrawn.

11. The January 5 letter also reiterated the three conditions of membership it would like to apply to RESCUE and addressed RESCUE's October 13, 1995 letter to CADMAC. CADMAC believes that RESCUE's designation of Dan Meek as the representative does not live up to the spirit of Resolution E-3346, dated November 2, 1993, in which CACD recommended approval of RESCUE membership and rotation of RESCUE's representative among the various members of RESCUE (ie., SESCO, LUCI and FLC).

#### NOTICE

1. Public notice of this advice letter was made by publication in the Commission calendar, and by SDG&E's mailing copies to other utilities, governmental agencies, and all interested parties who requested notification.

#### PROTESTS

1. No protests were received on this Advice Letter.

#### DISCUSSION

1. On September 29, 1995, SDG&E filed Advice Letter 958-E/987-G, and on January 5, 1996, SDG&E sent a letter to CACD in which it provided updated information on some of the conditions of supplemental membership discussed in the advice letter.

2. The conditions for NAESCO's membership have been satisfied by NAESCO, and CACD recommends approval of NAESCO's supplemental membership for 1996.

3. The conditions for SMUD's membership are now moot, according to the representations of SDG&E in its January 5, 1996 letter to CACD.

4. CACD recommends approval of CMA's supplemental membership for 1996, and reiterates that CMA should abide by the same attendance and participation requirements that apply to all members.

5. CACD recommends approval of RESCUE's supplemental membership for 1996 on the condition that it rotate its representative from among its membership, as previously recommended by CACD in Resolution E-3346. Given that RESCUE has been represented by SESCO and LUCI in the past two years, CACD recommends that RESCUE's third member, FLC, be designated as the 1996 supplemental CADMAC member. FLC should have the discretion to designate the particular persons who serve as the primary and

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alternate representatives, in keeping with CADMAC's conditions for membership.

6. Regarding RESCUE's request to have attendance and participation requirements spelled out in advance and credit given for review and written comments, CACD recommends that RESCUE abide by the requirements currently applicable to all members and that such requirements be articulated for the benefit of all at the next CADMAC meeting following the effective date of this resolution.

7. CACD recommends approval of the remaining supplemental members; CIEE, LBNL, and NRDC.

FINDINGS

1. SDG&E filed AL 958-E/987-G on September 29, 1995, requesting approval of the CADMAC recommendations for supplemental membership for 1996.

2. CACD recommends approval of CIEE, LBNL, NRDC, NAESCO, CMA, and RESCUE as supplemental CADMAC members for 1996.

3. All supplemental CADMAC members should abide by the current requirements of attendance and participation.

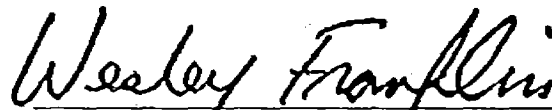
4. RESCUE's supplemental member should be FLC, and RESCUE should have the discretion to designate the particular persons to serve as primary and alternate representatives of FLC.

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THEREFORE, IT IS ORDERED that:

1. The California Demand-Side Management Measurement Advisory Committee shall grant supplemental membership status for 1996 to the six applicants set forth in the Findings above.
2. All supplemental CADMAC members shall abide by the current requirements of attendance and participation.
4. The supplemental CADMAC member representing Residential Energy Service Companies United Effort (RESCUE) shall be Free Lighting Corporation, and RESCUE shall have the discretion to designate the particular persons to serve as primary and alternate representatives of FLC.
5. With the above modifications, Advice Letter 958-E/987-G, filed by San Diego Gas & Electric Company on September 29, 1995 on behalf of CADMAC is approved.
5. This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on February 23, 1996. The following Commissioners approved it:



WESLEY M. FRANKLIN  
Executive Director

DANIEL Wm. FESSLER  
President  
P. GREGORY CONLON  
JESSIE J. KNIGHT, Jr.  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
Commissioners