

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

Order Instituting Rulemaking to Integrate
and Refine Procurement Policies and
Consider Long-Term Procurement Plans.

Rulemaking 10-05-006
(Filed May 6, 2010)

OPENING BRIEF OF THE VOTE SOLAR INITIATIVE

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September 16, 2011

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Pursuant to Rule 13.11 of the Commission’s Rules of Practice and Procedure and Administrative Law Judge Peter Allen’s oral ruling at hearing,¹ The Vote Solar Initiative (“Vote Solar”) submits this Opening Brief. Vote Solar’s advocacy is limited to urging the Commission to adopt the pending Track I settlement in its entirety.

The “*SETTLEMENT AGREEMENT BETWEEN AND AMONG PACIFIC GAS AND ELECTRIC COMPANY, SOUTHERN CALIFORNIA EDISON COMPANY, SAN DIEGO GAS & ELECTRIC COMPANY, THE DIVISION OF RATEPAYER ADVOCATES, THE UTILITY REFORM NETWORK, GREEN POWER INSTITUTE, CALIFORNIA LARGE ENERGY CONSUMERS ASSOCIATION, THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR, THE CALIFORNIA WIND ENERGY ASSOCIATION, THE CALIFORNIA COGENERATION COUNCIL, THE SIERRA CLUB, COMMUNITIES FOR A BETTER ENVIRONMENT, PACIFIC ENVIRONMENT, COGENERATION ASSOCIATION OF CALIFORNIA, ENERGY PRODUCERS AND USERS COALITION, CALPINE CORPORATION, JACK ELLIS, GENON CALIFORNIA NORTH LLC, THE CENTER FOR ENERGY EFFICIENCY AND RENEWABLE TECHNOLOGIES, THE NATURAL RESOURCE*”

¹ Transcript, Volume 3, at pp. 159-160, lines 16-10 (August 11, 2011).

DEFENSE COUNCIL, NRG ENERGY, INC., THE VOTE SOLAR INITIATIVE, AND THE WESTERN POWER TRADING FORUM” filed with the Commission on August 3, 2011 (“Settlement”) is “reasonable in light of the whole record, consistent with law, and in the public interest.”² Furthermore, the Settlement is nearly unanimously supported by the parties and represents a fair and equitable resolution of the issues in Track 1.³ Perhaps more importantly, the Settlement represents the most logical outcome for *this* Long Term Procurement Planning cycle by taking into consideration that while renewables integration modeling is a fairly new and still developing practice, there is a relatively long time frame between now and when the penetration levels of renewable generation become an actual concern. Per the Settlement terms, rather than prematurely rule on renewables integration needs at this time, the Commission should ensure that the investigation continues in a timely, thoughtful manner that captures the rapidly evolving impact of scholarly and industry advancements.

WHEREFORE, Vote Solar respectfully requests the Commission expeditiously adopt the Settlement in its entirety.

Respectfully Submitted,

_____/s/_____

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² Rule 12.1(d); *see also* D.09-10-017.

³ With the exception of SDG&E’s pending request for a need determination for new resources to meet Local Capacity Requirements and the possibility of need to procure currently uncontracted existing resources.