

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Reform  
the Commission's Energy Efficiency  
Risk/Reward Incentive Mechanism.

Rulemaking 12-01-005  
(January 12, 2012)

**MOTION OF ENERNOC, INC., FOR PARTY STATUS**

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March 20, 2012

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EnerNOC, Inc. (EnerNOC) respectfully moves for party status in Rulemaking (R.) 12-01-005 (Energy Efficiency (EE) Risk/Reward Incentive Mechanism (RRIM)). This Motion is filed and served pursuant to Rules 1.4 of the Commission's Rules of Practice and Procedure.

**I.  
DESCRIPTION OF ENERNOC (Rule 1.4(b) (1))**

EnerNOC, a publicly traded corporation (NASDAQ: ENOC), is a leading developer and provider of clean and intelligent power solutions to commercial, institutional, and industrial customers, as well as electric power grid operators and utilities. EnerNOC is a trusted leader in planning and implementing reliable and cost-effective EE and demand response (DR) programs for utilities and grid operators in North America, focusing on the commercial, institutional, and industrial end-use segments and serving customers throughout the Northeastern United States, as well as California, New Mexico, Florida, Texas, Idaho, and the Tennessee Valley.

EnerNOC's technology-enabled demand response and energy management solutions help optimize the balance of electric supply and demand. This work includes active participation by EnerNOC in the investor-owned utilities' (IOUs') EE programs in California. Among other things, EnerNOC is currently implementing nine third-party turn-key energy efficiency programs for these IOU customers in the Pacific Gas & Electric Company (PG&E), Southern California Edison Company (SCE) and Southern California Gas Company (SCG) service territories in the current 2010-2012 program cycle. Since EnerNOC and its subsidiary company, Global Energy

Partners (GEP), which has been at the forefront of EE program planning and design, began implementing third-party programs throughout California in 2003, its customers have realized over a half-billion kilowatt-hours of energy savings.

## **II. ENERNOC'S INTEREST IN THIS PROCEEDING (Rule 1.4(b)(2))**

EnerNOC has monitoring-based EE programs with PG&E and SCE. In addition, as noted above, EnerNOC implements third-party turn-key energy efficiency programs for a number of hard-to-reach industrial customer segments in the PG&E, SCE and SCG service territories. These programs are part of the 2010-2012 EE portfolio and fit into the “customized project” category.

In R.12-01-005, the Commission determined as follows:

“Since a significant portion of the 2010-2012 portfolio is anticipated to include customized programs, this OIR will consider how an RRIM shared savings percentage could be calculated (or how alternative incentives may be designed) to provide an incentive to increase efficiency savings utilizing all relevant portfolio programs, *including custom measures*.”<sup>1</sup>

The Commission’s consideration in this proceeding of incorporating custom measures into the RRIM could clearly impact the IOUs’ EE custom programs, including those provided by EnerNOC, depending on how the incentives are designed.

EnerNOC, therefore, has a direct interest in, and could be impacted by, the RRIM that is to be addressed and potentially “reformed” in this rulemaking, including “adjust[ments]” applicable to both the 2010-2012 program portfolio, as well as “the 2013-2014 transition period.”<sup>2</sup> As such, EnerNOC seeks party status to fully participate in the workshops and comments on these issues, for which a “preliminary schedule” has been identified in the ALJ’s Ruling issued in this proceeding on February 28, 2012.

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<sup>1</sup> R12-01-005, at p. 11; emphasis added.

<sup>2</sup> Administrative Law Judge’s (ALJ’s) Ruling Setting Prehearing Conference (PHC) (February 28, 2012), at pp. 2-5.

**III.  
CONCLUSION**

For the above reasons, EnerNOC has a direct and substantial interest in the issues that will be considered in this rulemaking. EnerNOC, therefore, moves the Commission to grant EnerNOC party status in R.12-01-005 to permit EnerNOC to participate fully in workshops and submit comments, consistent with the schedule identified in the ALJ's Ruling of February 28, 2012.

Respectfully submitted,

March 20, 2012

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On Behalf of EnerNOC, Inc.