

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 12-03-014  
(Filed March 22, 2012)

**NOTICE OF EX PARTE COMMUNICATIONS**

Pursuant to Rule 8.4 of the Commission's Rules of Practice and Procedure, EnerNOC, Inc. (EnerNOC) and the Center for Energy Efficiency and Renewable Technologies (CEERT) hereby give notice of the following three ex parte communications.

The three communications all occurred on Friday, January 18, 2013, and involved the same information. The communications were oral and took place by conference telephone calls to the Commission's offices at 505 Van Ness Avenue, San Francisco, California 94102.

The communications were initiated by Sara Steck Myers, attorney for CEERT, and Mona Tierney-Lloyd, Director, Western Regulatory Affairs, for EnerNOC. The first communication occurred at 1:00 p.m. with Matthew Tisdale, advisor for Commissioner Michel Florio. The second communication occurred at 2:30 p.m. with Michael Colvin, advisor for Commissioner Mark Ferron. The third communication occurred at 3:30 p.m. with Damon Franz, advisor for Commissioner Michael Peevey. Melanie Gillette, Director for Regulatory Affairs for EnerNOC, was also present at each of these communications.

Ms. Tierney-Lloyd stated that EnerNOC had filed Comments on the Proposed Decision Authorizing Long-Term Procurement for Local Capacity Requirements (LCR)

in this Long Term Procurement Plan (LTPP) Rulemaking (R.) 12-03-014. According to Ms. Tierney-Lloyd, EnerNOC strongly supported the policy discussion and direction adopted by the Proposed Decision, but did request certain modifications to clarify and correct the Proposed Decision as to the Resource Adequacy (RA) rules and requirements applicable to, and the current capabilities and attributes of, demand response (DR). Ms. Tierney-Lloyd stated that these attributes of DR meant that it can and should be relied upon to reduce and meet LCR needs. To that end, Ms. Tierney-Lloyd urged that the Proposed Decision be modified not only to make these corrections, but also to ensure utility procurement of preferred resources to meet LCR needs, especially to avoid unnecessary, overreliance on gas-fired generation procurement.

Ms. Myers stated that CEERT also filed Comments on the Proposed Decision and strongly supported the Proposed Decision's adoption of a sound policy framework for identifying and meeting long-term LCR need that recognizes the Energy Action Plan's Loading Order of preferred resources. Ms. Myers noted, however, that CEERT's Comments did recommend certain modifications to ensure that this policy becomes reality. In particular, Ms. Myers stated that CEERT had requested that the Proposed Decision be changed to require Southern California Edison Company (SCE) to procure at least 150 MW of preferred resources to meet its LCR need, while retaining the authority to procure an additional 300 MWs of preferred resources for that purpose. Ms. Myers noted that CEERT also sought changes that would better align the resource adequacy rules with procurement of both energy storage and preferred resources to meet that LCR need.

To obtain a copy of this notice, please contact:

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Respectfully submitted by:

January 24, 2013

/s/ SARA STECK MYERS  
Sara Steck Myers  
On Behalf of EnerNOC and CEERT

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