

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

Order Instituting Rulemaking on the Commission's
Own Motion to Conduct a Comprehensive
Examination of Investor Owned Electric Utilities'
Residential Rate Structures, the Transition to Time
Varying and Dynamic Rates, and Other Statutory
Obligations.

Rulemaking 12-06-013
(Filed June 21, 2012)

**MOTION OF MARIN ENERGY AUTHORITY
TO DELINEATE GENERATION AND NON-GENERATION
RATE FUNCTIONS WITHIN PROPOSALS**

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April 8, 2013

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I. Introduction

In accordance with Rule 11.1 of the Rules of Practice and Procedure of the California Public Utilities Commission ("Commission") the Marin Energy Authority ("MEA") respectfully submits the following motion regarding the presentation of information in parties' upcoming residential rate proposals. MEA specifically requests of Administrative Law Judges McKinney and Sullivan to direct parties to delineate the generation and non-generation rate functions within their proposals due by May 15, 2013. MEA's involvement within this proceeding is primarily to ensure the rate proposals being considered by the Commission herein harmonize with Legislation Senate Bill ("SB") 790 and do not negatively impact residential customers who choose to receive their generation services from a Community Choice Aggregator ("CCA").

II. Request of MEA

To ensure that the rate proposals are competitively neutral and allow both Investor Owned Utilities ("IOUs") and CCAs to compete on an equal basis, MEA requests that each proposal delineate generation and non-generation rate functions. In this way, the Commission and stakeholders will be able to evaluate these proposals in terms of competitive neutrality.

III. Basis for MEA's Request

To date, the discussion regarding proposals and calculators within this proceeding has focused on bundled rate structures. The statutory modifications provided by the recent approval of SB 790 must be considered within the scope of this residential ratemaking proceeding. SB 790 enacted numerous modifications to the California Public Utilities Code (“PUC”) that are directly relevant to the scope of this residential ratemaking proceeding, including:

- (i) prohibition of ‘shifting of costs’ between bundled and unbundled customers;¹
- (ii) protection of CCA control over its own generation services and procurement;²
- (iii) collection non-bypassable charges (“NBCs”) and administration of these funds;³ and
- (iv) allocation of ‘unavoidable electricity costs’ to CCA customers.⁴

These statutory requirements – enacted by law to “facilitate the consideration, development, and implementation of community choice aggregation programs, to foster fair competition, and to protect against cross-subsidization by ratepayers” (SB 790 at Section 2 (h).) – must be considered by parties and the Commission when evaluating residential rate proposals put forth within this proceeding.

IV. Conclusion

MEA thanks Assigned Commissioner Peevey and Assigned Administrative Law Judge McKinney and Sullivan for considering this Motion within the forward-looking Residential Ratemaking Proceeding.

¹ Section 366.2 (a) (4).

² Sections 366.2 (a) (5), 380 (b) (4), and 380 (h) (5).

³ Sections 366.2 (k) (1)-(2).

⁴ Section 366.2 (g).

Respectfully submitted,

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