

From: Thad Culley
Sent: 10/21/2013 4:23:42 PM
To: case.admin@sce.com (case.admin@sce.com)
douglass@energyattorney.com Douglass (douglass@energyattorney.com);
liddell@energyattorney.com Liddell (liddell@energyattorney.com);
franco.castaldini@levaenergy.com (franco.castaldini@levaenergy.com); Edric Guise
(EGuise@NESLLC.co); lmh@eslawfirm.com (lmh@eslawfirm.com);
HYao@SempraUtilities.com (HYao@SempraUtilities.com);
jody_london_consulting@earthlink.net (jody_london_consulting@earthlink.net);
jleslie@mckennalong.com (jleslie@mckennalong.com);
kdzienkowski@pvtsolar.com (kdzienkowski@pvtsolar.com); lrosen@eesolar.com
(lrosen@eesolar.com); jquan@fullcircclernewables.com
(jquan@fullcircclernewables.com); Kevin Fox (kfox@kfwlaw.com);
Cc: pstoner@lgc.org (pstoner@lgc.org); tam@communityrenewables.biz
(tam@communityrenewables.biz); matt@sustainablespaces.com
(matt@sustainablespaces.com); steven.huhman@morganstanley.com
(steven.huhman@morganstanley.com); mconnolly@nrdc.org
(mconnolly@nrdc.org); martin homec (martinhomec@gmail.com);
Sharalyn_Conner@plugpower.com (Sharalyn_Conner@plugpower.com);
satoru.fujimoto@ntta.com (satoru.fujimoto@ntta.com); stanimoto@sna.sanyo.com
(stanimoto@sna.sanyo.com); vargalaw@MBAY.net (vargalaw@MBAY.net);
emackie@gridalternatives.org (emackie@gridalternatives.org);
haines@westnet.com (haines@westnet.com); Ethan.Brown@Ballard.com
(Ethan.Brown@Ballard.com); James Peret (jperet@vegawatt.com);
katrina.fritzintwala@utcpower.com (katrina.fritzintwala@utcpower.com); Sachu
Constantine (sachu.constantine@energycenter.org); Marcel Hawiger
(Marcel@turn.org); jeanne.sole@sfgov.org (jeanne.sole@sfgov.org);
SDPatrick@SempraUtilities.com (SDPatrick@SempraUtilities.com);
cseymour@sunedison.com (cseymour@sunedison.com);
SNewsom@SempraUtilities.com (SNewsom@SempraUtilities.com);
dil@cpuc.ca.gov (dil@cpuc.ca.gov); government.affairs@flexenergy.com
(government.affairs@flexenergy.com); jrathke@capstoneturbine.com
(jrathke@capstoneturbine.com); rsiada@GUARDIAN.COM
(rsiada@GUARDIAN.COM); scott@debenhamenergy.com
(scott@debenhamenergy.com); scott@everydayenergy.us
(scott@everydayenergy.us); Rebecca.Meiers-DePastino@SCE.com
(Rebecca.Meiers-DePastino@SCE.com); susanne@emersonenvironmental.com
(susanne@emersonenvironmental.com); rsantos@guardian.com
(rsantos@guardian.com); ghilberg@tas.com (ghilberg@tas.com);
peter.thompson@solar.abengoa.com (peter.thompson@solar.abengoa.com);
fmazanec@biofuelsenergyllc.com (fmazanec@biofuelsenergyllc.com);
lglover@solidsolar.com (lglover@solidsolar.com); Susannah Churchill
(susannah@votesolar.org); Michael Shames (michael@SanDiegoCAN.org); James
Fine (jfine@edf.org); adam@alphabetenergy.com (adam@alphabetenergy.com);
Jennifer.warren@lmco.com (Jennifer.warren@lmco.com); kelsey@heatpower.org

(kelsey@heatispower.org); lbell@ormat.com (lbell@ormat.com);
leighehus@sbcglobal.net (leighehus@sbcglobal.net); adam.simpson@etagen.com
(adam.simpson@etagen.com); Marc Joseph (mdjoseph@adamsbroadwell.com);
Matt Wilson (matt.wilson@foundationwindpower.com); Scott Samuelson
(gss@uci.edu); Mike Healy (MHealy@SkylineInnovations.com); John Stanton
(jstanton@solarcity.com); Cherry, Brian K
(/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7); gmmorris@emf.net
(gmmorris@emf.net); zeynep.erdal@ch2m.com (zeynep.erdal@ch2m.com);
jsanders@caiso.com (jsanders@caiso.com); abb@eslawfirm.com
(abb@eslawfirm.com); jjg@eslawfirm.com (jjg@eslawfirm.com);
lwhouse@innercite.com (lwhouse@innercite.com); mday@goodinmacbride.com
(mday@goodinmacbride.com); a.shumavon@d-e-c-a.org (a.shumavon@d-e-c-
a.org); cec@cpuc.ca.gov (cec@cpuc.ca.gov); Litteneker, Randall (Law)
(/O=PG&E/OU=Corporate/cn=Recipients/cn=RJL9); bernadette@calseia.org
(bernadette@calseia.org); hodgesjl@surewest.net (hodgesjl@surewest.net);
Stephanie Chen (stephaniec@greenlining.org); willem.fadrhonc@stem.com
(willem.fadrhonc@stem.com); sahm@clean-coalition.org (sahm@clean-
coalition.org); JFWalsh@semprautilities.com (JFWalsh@semprautilities.com); Nora
Sheriff (nes@a-klaw.com); MarkS@AlohaSys.com (MarkS@AlohaSys.com);
aecaonline@gmail.com (aecaonline@gmail.com); kgriffin@energy.state.ca.us
(kgriffin@energy.state.ca.us); mscheibl@arb.ca.gov (mscheibl@arb.ca.gov);
jhawley@technet.org (jhawley@technet.org); info@GOODWIN-SELF.COM
(info@GOODWIN-SELF.COM); michaelkyes@sbcglobal.net
(michaelkyes@sbcglobal.net); Vidhya Prabhakaran (vidhyaprabhakaran@dwt.com);
Ann Trowbridge (atrowbridge@daycartermurphy.com); Matthew Freedman
(matthew@turn.org); rknox@adobe.com (rknox@adobe.com);
matthew.dwyer@sce.com (matthew.dwyer@sce.com); srr@megawattholdings.com
(srr@megawattholdings.com); Rachels@hydrovolts.com
(Rachels@hydrovolts.com); telipman@berkeley.edu (telipman@berkeley.edu);
william.martini@tecogen.com (william.martini@tecogen.com);
hank@wasteheatsol.com (hank@wasteheatsol.com); mkober@pyramidsolar.com
(mkober@pyramidsolar.com); bill@brobecksolarenergy.com
(bill@brobecksolarenergy.com); kelly_desy@solfocus.com
(kelly_desy@solfocus.com); julie.blunden@sunpowercorp.com
(julie.blunden@sunpowercorp.com); julia@jasenergies.com
(julia@jasenergies.com); jharris@volkerlaw.com (jharris@volkerlaw.com); Joe
Karp (JKarp@winston.com); fwahl@svlg.org (fwahl@svlg.org); Matt Vespa
(matt.vespa@sierraclub.org); ssmyers@att.net Myers (ssmyers@att.net); ek@a-
klaw.com Kahl (ek@a-klaw.com); marcooseontheloose .
(marcusdacunha@hotmail.com); Michael H (michael.hindus@pillsburylaw.com);
jesse@novapartners.com (jesse@novapartners.com); chuck@silvermanlight.com
(chuck@silvermanlight.com); ajr@powerworks.com (ajr@powerworks.com);
btorres@tfewines.com (btorres@tfewines.com); cmurley@cceleague.org
(cmurley@cceleague.org); pundercuffler@outbackpower.com
(pundercuffler@outbackpower.com); jlevin@actransit.org (jlevin@actransit.org);
Sheridan Pauker (SPauker@wsgr.com); bcrabb@calseia.org (bcrabb@calseia.org);

Gopal Shanker (gopal@recolteenergy.com); Bob Knight (rknight@bki.com); john proctor (john@proctoreng.com); kmills@cfbf.com Karen (kmills@cfbf.com); Al Rosen (albyr24@gmail.com); TRevnak@sopogy.com (TRevnak@sopogy.com); Adam Pishl (Adam@SunlightPartners.com); william.sanders@sfgov.org (william.sanders@sfgov.org); bcragg@goodinmacbride.com (bcragg@goodinmacbride.com); cdarling@placer.ca.gov (cdarling@placer.ca.gov); hans@silveradopower.com (hans@silveradopower.com); TReid@fce.com (TReid@fce.com); Walter, Stacy W (Law) (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=SWW9); john.cummins@navy.mil (john.cummins@navy.mil); JArmstrong (JArmstrong@goodinmacbride.com); tom@sunspec.org (tom@sunspec.org); JWaen@sflower.org (JWaen@sflower.org); Raghu Belur (RBelur@EnphaseEnergy.com)

Bcc:

Subject: R.12-11-005: SolarCity's Opposition to SCE's Request for Extension of Time to Comment on ACR

Dear Ms. Meiers-De Pastino, and parties to R.12-11-005 and R.11-09-011

SolarCity opposes SCE's request for an extension of time to submit comments on the ACR.

SolarCity opposes this request primarily on the grounds that additional delay will only further aggravate the injuries of customers and developers of energy storage projects who have already endured substantial barriers and delay. Delaying the comment schedule will introduce further uncertainty regarding the timing of relief proposed in the ACR, particularly as many customers will depend on the extension of SGIP deadlines proposed in the ACR. Moreover, SolarCity believes that the ACR presents narrowly drawn questions and that additional time should not be required to address issues that the IOUs have seen coming for months now.

Indeed, The ACR is declarative of the Commission's intent to provide relief for customers based, in part, on the CEC's clarification (**in April 2013**) that "directly connected" storage can qualify as part of the same renewable electrical generation facility. SolarCity has urged the IOUs for months to take a proactive approach to address the barriers to adoption for storage in the very manner identified in the ACR. We have had direct correspondence with SCE and PG&E, in late summer 2013, regarding the CEC clarification and the implications of that clarification on the interconnection of storage paired with solar PV. SCE and the other IOUs, accordingly, have been on notice and have had ample opportunity to adopt their practices to this clarification and to contemplate the implications on interconnection that are now brought to focus by the ACR. SolarCity opposes SCE's request and does not believe that additional time is necessary or warranted to address the issues raised in the ACR.

Best regards,

Thad Culley
Counsel to SolarCity

--

Thad Culley
Keyes, Fox & Wiedman LLP
Distributed Generation & Renewable Energy Law
(510) 314-8205 | tculley@kfwlaw.com | www.kfwlaw.com

This electronic message transmission contains information from this law firm which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone (+1-510-314-8205) or by electronic mail (tculley@kfwlaw.com) immediately.