



U U U U
U U U U

e Um UNJ e UM
U U U U
UU U U U
U U U U U
Uw vU U nUsr o

U U

U nUsr o

ED Tariff Unit
Energy Division
California Public Utilities Commission
ROOM 4004
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

Also submitted electronically to EDtariffunit@cpuc.ca.gov

Subject: Natel Energy Energy's Protest of:
PG&E Advice 4305-E Filing October 21, 2013
SDG&E ADVICE LETTER 2529-E October 21, 2013
SCE ADVICE 2952-E October 21, 2013

Dear Energy Division Tariff Unit:

Natel Energy hereby submits the following protest in response to the IOU's advice letters listed above, based on concerns about **the definition of "contiguous."**

Natel Energy recently spoke to PG&E about a particular customer's property configuration related to possible SB 594 load aggregation. During this discussion, PG&E made it clear that it intends to define the term "contiguous" to mean **only immediately adjacent**, rather than **connected by an unbroken chain of common ownership**. According to PG&E, if there are three parcels A, B, and C, and A abuts B, and B abuts C, but A and C do not directly touch, then the loads of meters on A and B can be aggregated to be offset generation on A, but the loads of meters on C cannot. Besides using wording from the bill, all of the three IOU draft tariffs do not address their interpretation of the term "contiguous."

PG&E's interpretation is not supported by the intent of SB 594, nor by the text in PU Code Section 2827 (h) (4) (A) on Applicability and eligibility, which reads:

An eligible customer-generator with multiple meters may elect to aggregate the electrical load of the meters located on the property where the renewable electrical generation facility is located and on all property **adjacent or contiguous** to the property on which the renewable electrical generation facility is located, if those properties are solely owned, leased, or rented by the eligible customer-generator.

The intent of SB 594 is to allow parcels that are contiguous to each other and have common ownership to aggregate the loads of all the meters on these parcels. This intent is reflected in the text in PU Code, which reads "...adjacent or contiguous to the property on which the renewable electrical generation facility is located..." Had the intent of SB 594 been to allow only adjacent parcels, there would have been no need to use the term contiguous at all.

Although PG&E has not raised this question in its advice filing, Natel Energy thinks it critical for the Energy Division to clarify that contiguous means "connected by a continuous chain of ownership", and not just "immediately touching" to be eligible for load aggregation. In the

example above of parcels A, B, and C, the meters on all three parcels should be eligible for load aggregation. Similarly, a chain of continuous ownership on parcels A, B, C, D ... etc. should all be eligible for load aggregation together.

And for the sake of clarity, the Commission's clarification should include specification of "parcels that are divided by a street, highway, or public thoroughfare" as provided for in SB 594.

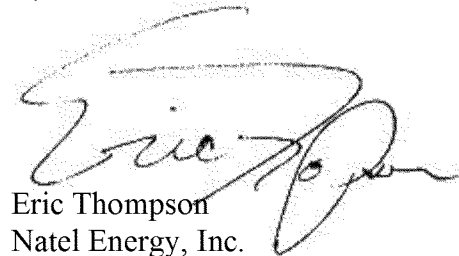
Natel Energy further recommends that this clarification be provided immediately so there is no debate about the meaning of the term "contiguous" after PG&E's advice filing is approved to avoid delay and confusion.

Conclusion:

Natel Energy recommends that the Commission clarify that meters on properties that are connected through an unbroken chain of ownership including parcels that are divided by a street, highway, or public thoroughfare are contiguous to each other, and therefore eligible for load aggregation.

Respectfully submitted at San Francisco, California on November 12, 2013

By

A handwritten signature in black ink, appearing to read "Eric Thompson", is written over a light gray dotted background.

Eric Thompson
Natel Energy, Inc.
2175 Monarch Street
Alameda, CA 94501
eric@natelenergy.com
510-606-9072