

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

Order Instituting Rulemaking Concerning
Energy Efficiency Rolling Portfolios, Policies,
Programs, Evaluation, and Related Issues.

Rulemaking 13-11-005
(Filed November 14, 2013)

**PREHEARING CONFERENCE STATEMENT
OF THE GREENLINING INSTITUTE AND THE CALIFORNIA CONSTRUCTION
INDUSTRY LABOR MANAGEMENT COOPERATION TRUST**

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December 6, 2013

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INDUSTRY LABOR MANAGEMENT COOPERATION TRUST**

I. INTRODUCTION

Pursuant to Rule 7.2 of the Commission's Rules of Practice and Procedure and *Notice of Prehearing Conference and Administrative Law Judge's Ruling (ALJ Ruling)*, issued November 27, 2013, in this proceeding, The Greenlining Institute (Greenlining) and the California Construction Industry Labor Management Cooperation Trust (the Trust) hereby submit this Prehearing Conference (PHC) Statement.

II. RESPONSE TO ALJ RULING

Greenlining and the Trust join TURN's PHC Statement, addressing various issues for initiating a smooth transition to a collaboratively developed rolling cycle portfolio, including funding continuity, scoping of Phase II, and other topics. We supplement those comments here.

III. ADDITIONAL COMMENTS

The Commission, in O.I.R.13-11-005, divided this proceeding into three phases (Phase I, II and III) and provided a proposed scope and high-level schedule for each phase. The *ALJ Ruling* invites comment on Phase I only. The Commission has not solicited comment on the proposed scope and schedule of Phase II and III, and there is no indication in the O.I.R.13-11-005 and the *ALJ Ruling* whether such opportunity will arise before Spring of 2014 and the conclusion of Phase I. In the absence of an alternative opportunity to address time-sensitive issues related to the remainder of this proceeding, we respectfully submit the following comments.

A. Workforce Education and Training Is a Key Topic for 2015-Program Planning and Should Be Expressly Incorporated Into this Proceeding's Schedule.

Greenlining and the Trust generally support the issues proposed for inclusion in Phase II and III of this proceeding, with one exception. The O.I.R 13-11-015 and *ALJ Ruling* do not expressly address workforce, education and training issues. However, this aspect of the utilities' portfolio has become an area of keen interest for the Commission,¹ and the parties. Accordingly, we request that the Scoping Ruling clarify that workforce education and training issues will be addressed in Phase II to the degree that they relate to the establishment of a "Rolling Cycle", and also authorize the parties to move into the Phase II record the expert consultant's report on workforce education and training mandated in D. 12-11-015. The Scoping Ruling should further clarify that remaining workforce education and training issues will be considered in Phase III.

B. Greenlining and the Trust Join NRDC In Seeking Further Clarifications In Phase I Regarding the Showing Of Substantial Contributions For Time Spent In Collaborative Forums For The Purpose Of Claiming Intervenor Compensation.

As stated above, Greenlining and the Trust are supportive of recent efforts to move towards a process whereby parties can participate in program design and resolve issues in an informal and collaborative manner. We believe that such an approach can substantially aid in consensus-building among parties generally, and was instrumental in facilitating a discussion among a broad range of stakeholders regarding the development of a "Rolling Portfolio." As stated in NRDC's PHC statement, informal collaboration, while a positive development, can also present a challenge insofar as non-profit and community stakeholders are often unable to absorb

¹ In D. 12-11-015, the Commission directed the utilities to allocate at least \$500,000 to an expert consultant to design a comprehensive approach to workforce education and training to inform post-2015 program planning. The expert consultant's report is expected to address a broad range of strategies for incorporating workforce goals into program design, implementation and evaluation. ¹

the cost of participation absent intervenor resources. We fervently support the notion that all stakeholders be given an equal footing in informal collaboration. Greenlining and the Trust have long been supporters of inclusive policies that allow community voices to be included in Commission policymaking. Thus, because a number of informal processes related to developing a Rolling Cycle are underway, we are concerned that without guidance from the Commission, the opportunity for informal collaboration among stakeholders will be undermined. As such, Greenlining and the Trust join NRDC in urging the Commission to address the issue of demonstrating substantial contribution in collaborative forums as soon as possible.

IV. CONCLUSION

We appreciate the opportunity to submit this PHC Statement, as well as the Commission and stakeholder efforts to develop an improved approach to energy efficiency program planning.

Respectfully submitted,

Dated: December 6, 2013

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