

**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 COMMUNICATION BETWEEN
MARIN CLEAN ENERGY AND SEPIDEH KHOSROWJAH
ON FEBRUARY 19, 2014**

Shalini Swaroop
Regulatory Counsel
MARIN CLEAN ENERGY
781 Lincoln Avenue, Suite 320
San Rafael, CA 94901
Telephone: (415) 464-6040
Facsimile: (415) 459-8095
E-Mail: sswaroop@mceCleanEnergy.org

February 20, 2014

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Pursuant to Rule 8.4 of the Commission's Rules of Practice and Procedure, Marin Clean Energy (MCE) respectfully provides this notice of ex parte communications. This notice reports on an ex parte meeting held on Wednesday, February 19, 2014, at 11:00 A.M. with Sepideh Khosrowjah, Chief of Staff and Advisor to Commissioner Florio. MCE staff that were present were Elizabeth Kelly, Legal Director and Shalini Swaroop, Regulatory Counsel. This meeting was held at the request of MCE and lasted approximately one hour. In this meeting, MCE discussed their comments on both Track 3 and Track 4 Proposed Decisions.

Regarding Track 3, MCE discussed their recent comments on the Proposed Decision. MCE particularly noted that the Commission's projection of departing load should have the best estimate of the load as available. Until such time as the Integrated Energy Policy Report (IEPR), issued by the California Energy Commission (CEC), includes Community Choice Aggregator (CCA) load, the IEPR will not yet be relevant for predicting departing load. A binding notice of intent (BNI) is likely also insufficient given that the BNI fails to capture greater trends of departing load. Instead, investor-owned utilities (IOUs) should make reasonable assumptions about their load from a number of sources, such as historical data.

MCE also requested that the Commission clarify that CCA customers should not be responsible for procurement costs incurred by a utility after the date a bundled plan is approved which reflects the CCA load.

Additionally, MCE discussed the need for clear parameters of the application of the Cost Allocation Mechanism (CAM). The increased use of CAM highlights the need for clarification in CAM applicability so that CCAs are able to self-provide and maximize their own ability to procure resources, in accordance with SB 790 (2011). MCE noted that it was supportive of the Commission's position that CAM should not be used for bundled load needs.

Regarding Track 4, MCE indicated that the further proposed increases in CAM authorization may adversely affect CCA formation and operation in Southern California . MCE further raised concerns that the Motions to Strike its Opening Brief that were granted in Track 4 of the proceeding were overbroad. MCE concluded that SB 790 (2011) requires that further assessment is needed for the applicability of CAM to CCAs and their primarily residential customers.

Respectfully submitted,

/s/ Shalini Swaroop

Shalini Swaroop
Regulatory Counsel
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San Rafael, CA 94901
Telephone: (415) 464-6040
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