PUBLIC UTILITIES COMMISSION

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February 27, 2014

Brian K. Cherry
Vice President, Regulation and Rates
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10C
P.O. Box 770000
San Francisco, CA 94177

SUBJECT: Pacific Gas and Electric Company Noncompliance with Decision 10-04-052

Dear Mr. Cherry:

Pacific Gas and Electric Company (PG&E) is out of compliance with Commission Decision (D.) 10-04-052 for failure to hold a competitive solicitation under its Photovoltaic (PV) Program by the close of its third program year.

The decision authorizing PG&E's PV Program requires PG&E to hold "a competitive solicitation annually" to select winning projects.[1] D.10-06-028 further provides that the PV Program begins on the non-appealable date of the resolution that disposed of PG&E's PV Program Utility-Owned Generation program implementation advice letter.[2] That advice letter became final and non-appealable on October 11, 2010. As such, the program year periods begin and end on October 11th of each year. PG&E's third PV Program period year ended on October 11, 2013. To date, PG&E has not yet held a solicitation for the program year period ending October 11, 2013. The passage of the October 11, 2013 compliance deadline does not relieve PG&E of complying with D.10-04-052, and PG&E should hold a solicitation to undertake compliance with all possible speed.

PG&E filed a Petition for Modification (PFM) of D.10-04-052 on February 26, 2014 that requested an extension to the deadline to hold its third PV Program solicitation and proposed a schedule for PG&E to hold that solicitation. The schedule PG&E presented in the PFM of D.10-04-052 for its third PV Program solicitation appears acceptable. While PG&E's PFM is pending disposition, PG&E should take steps to move forward expeditiously with its PV Program solicitation.

Sincerely,

Edward Randolph
Director, Energy Division

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[1] See D.10-04-052, Ordering Paragraph 1 and Appendix A at 2; see also pp. 48, 51.
[2] See D.10-06-028, Ordering Paragraph 2 at p.2.