

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

Order Instituting Rulemaking to Enhance  
the Role of Demand Response in Meeting  
the State's Resource Planning Needs and  
Operational Requirements.

Rulemaking 13-09-011  
(Filed September 19, 2013)

**JOINT RESPONSE OF PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)  
AND SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) TO MOTION OF  
THE OFFICE OF RATEPAYER ADVOCATES**

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Pursuant to Rules 11.1 and 11.4 of the Commission's Rules of Practice and Procedure, Pacific Gas and Electric Company (PG&E) and Southern California Edison (SCE) submit this joint response to the Motion of the Office of Ratepayer Advocates (ORA) for Leave to File Confidential Attachment A Under Seal (Motion).<sup>1/</sup> ORA's Motion concerns the attachment to its March 3, 2014 *Opening Comments On Proposals For Revisions To Demand Response Program For Bridge Funding Years*. The attachment (Attachment A) contains information pertaining to the performance of individual aggregators who have contracts with PG&E and SCE to provide demand response using retail customer loads. The aggregator contracts in Attachment A for PG&E's aggregators were approved by the Commission in D.13-01-024 (as modified by D.14-02-033.) PG&E and SCE generally support the ORA Motion, but oppose the Motion's request for public release of two pieces of aggregator specific information.

Attachment A contains information on the performance of aggregators when their contracts were called.<sup>2/</sup> Information on each aggregator's performance is specifically set forth,

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1/ ORA's motion was filed March 3, 2014, and accompanied its *Opening Comments On Proposals For Revisions To Demand Response Program For Bridge Funding Years* in this docket.

2/ PG&E and SCE are only familiar with the information about its own aggregators in Attachment A. Neither has not seen any of the information in Attachment A involving the other utility's aggregators.

for each event applicable to that aggregator. This type of information for the individual aggregators is generally regarded as confidential, market-sensitive information. Therefore PG&E and SCE provided it to ORA under Public Utilities Code (PUC) § 583. Filing Attachment A under seal is appropriate and has PG&E's and SCE's support.

ORA states that it "does not generally dispute the utilities' claim for confidentiality." (Motion at 2.) However ORA's Motion does request that the Commission direct PG&E and SCE to disclose and make public two types of information in Attachment A, "Date of Event" and "Percentage of Available Hours Used." On an aggregator specific basis, these two pieces of information are confidential and market-sensitive for the individual aggregator. Therefore PG&E and SCE oppose the part of ORA's Motion requesting a Commission order to release this information in Attachment A into the public domain. PG&E is informed and believes that its aggregators also want this information to remain confidential and will file a response to the ORA Motion making their position known. SCE and PG&E note that the real party in interest is not either utility who happens to hold the data about aggregator performance, but the aggregators themselves.

In its Motion, ORA argues that the "Date of Event" and "Percentage of Available Hours Used" should be made public to allow stakeholders to review the administration of the aggregator-managed program. ORA believes that Date of Event information for individual aggregators "provides valuable information for comparison with system conditions and the dispatch of the utilities; other demand response programs to determine whether the aggregators were dispatched appropriate." (Motion at 2-3.) ORA also argues that

[t]he "Percentage of Available Hours Used" provides information on how frequently aggregators were called compared to the hours available in the Aggregator Managed Portfolio Agreements, reflecting the realistic usage of the agreements compared to their availability.

(Motion at 3.) This proceeding is not the appropriate place to determine whether ORA's claims about the potential uses of the information are or are not valid. For purposes of deciding ORA's request for public disclosure filed March 3, 2014, PG&E and SCE agree that the information

