

From: Cherry, Brian K
Sent: 5/28/2014 12:52:56 PM
To: Michael R. Peevey (michael.peevey@cpuc.ca.gov) (michael.peevey@cpuc.ca.gov)
Cc:
Bcc:
Subject: FW: CPUC's Research and Development Program (EPIC) Given Green Light by Court of Appeal: CPUC Press Release

Congratulations. A big win for the Commission.

From: Prosper, Terrie D. [mailto:terrie.prosper@cpuc.ca.gov]
Sent: Wednesday, May 28, 2014 12:31 PM
To: Prosper, Terrie D.
Subject: CPUC's Research and Development Program (EPIC) Given Green Light by Court of Appeal: CPUC Press Release

**FOR IMMEDIATE RELEASE
PRESS RELEASE**

Media Contact: Terrie Prosper, 415.703.1366, news@cpuc.ca.gov
#s: D.11-12-035

Docket

D.12-05-037

**CPUC'S RESEARCH AND DEVELOPMENT PROGRAM
GIVEN GREEN LIGHT BY COURT OF APPEAL**

SAN FRANCISCO, May 28, 2014 - The California Public Utilities Commission (CPUC) today said that the Court of Appeal upheld the CPUC's adoption and implementation of the Electric Program Investment Charge (EPIC) in its entirety, rejecting all of the challenges asserted by Southern California Edison.

Edison had challenged the CPUC's authority to adopt and implement EPIC, which provides funding for a variety of research and development programs, under the CPUC's oversight, critical to providing for California's current and future energy needs.

“EPIC is designed to assist the development of non-commercialized new and emerging clean energy technologies in California, while providing assistance to commercially viable projects,” said CPUC President Michael R. Peevey. “I applaud the Court’s decision and look forward to the many benefits that EPIC will bring to Californians.”

In its unpublished opinion handed down today, the California Court of Appeal, Second Appellate District, Division Three, found that the CPUC possesses the constitutional and statutory authority to implement EPIC; that EPIC is not an unlawful delegation of the CPUC’s authority; and that the EPIC surcharge is not a tax requiring legislative enactment, but rather is a valid regulatory fee.

The CPUC oversees the EPIC program and conducts a public proceeding to develop the administrators’ investment plans every three years. A program may be approved by the CPUC under EPIC only if the proposed program has a demonstrated benefit to ratepayers.

The case number is Southern California Edison Company v. California Public Utilities Commission, Consolidated Case Nos. B246782 and B246786.

For more information on the CPUC, please visit www.cpuc.ca.gov.

###

Terrie Prosper

Director, News and Public Information Office

California Public Utilities Commission

[Facebook](#) | [Twitter](#) | www.cpuc.ca.gov

