

From: Jeremy Waen

Sent: 5/30/2014 10:54:44 AM

To: John Nimmons (jna@speakeasy.org)

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Bcc:

Subject: Re: R.13-09-011 Demand Response: Workshops versus Evidentiary Hearings

Your Honor,

MCE agrees with other parties that most if not all of the issues in dispute identified by the parties would be better addressed through workshops. MCE is willing to waive cross examination of all witnesses. However, if Your Honor determines that some issues should be addressed through evidentiary hearings, then MCE reserves the right to cross examine witnesses on the issues reserved for hearings.

Like other parties, MCE has concerns about developing a complete record within this proceeding, given these possible changes. If workshops are held in place of hearings then, MCE requests that the content of these workshops be incorporated into the record. MCE is indifferent as to whether this is done (i) by entering all presentation materials for these workshops into the record, (ii) by recording the workshops and incorporating the transcripts into the record, or (iii) by directing Energy Division to issue a report summarizing the matters presented during workshops that will then be incorporated into the record. MCE does request that a comment and reply comment period be permitted following the workshops to allow parties further develop the record on topics covered therein.

MCE is also indifferent as to whether there should be only workshops or workshops and hearings; however, if there are no hearings needed, then parties' testimonies will need to be incorporated into the record in a manner that harmonizes with the revised schedule as well.

Thank you for your consideration of our comments.

Sincerely,
-Jeremy Waen

On Fri, May 30, 2014 at 10:27 AM, John Nimmons <jna@speakeasy.org> wrote:

Dear Judge Hymes,

Sierra Club appreciates your proposal to hold workshops, and agrees that many of the issues in this proceeding would be better addressed in that forum than in evidentiary hearings.

We support the Joint Demand Response Parties' proposed amendment to your proposal transmitted this morning, and would add our request that written workshop presentations be incorporated into the record unless the presenting party objects, and that the full workshops (instead of or in addition to summaries) of them, be transcribed to inform the parties as they prepare post-workshop materials.

Thank you for your proposal, and your consideration of these comments.

Sincerely,

John Nimmons
Counsel for Sierra Club



Hymes, Kelly A.

May 29, 2014 2:13 PM

After reviewing the lists of facts in dispute served by the parties in this proceeding, I am concerned that our time may be better spent in workshops as opposed to hearings.

I would like to propose to the parties that instead of holding hearings the week of June 9, we hold a series of workshops that address most, if not all, of the issues listed by the parties.

As SCE has suggested, these matters may be more appropriate for workshop rather than hearings.

If parties are willing to waive cross-examination of the testimony, we could spend the time in workshops. Or, in the alternative, if parties are willing to waive cross-examination of part of the testimony, we could spend part of our time in workshops and part in hearings.

In my proposed schedule below, we would cancel the June 2 workshop and roll it into the workshops below. In my review of the lists provided by the parties, a tentative schedule could be as follows:

- **Day 1 (June 9)**
 - **AM - Phase II issues including cost recovery, back up generation, and the cost effectiveness protocols.**
 - **PM - CAISO Market Integration costs with presentations by the three utilities. PG&E, SDG&E and SCE would be prepared to provide an overview of the proposed costs of the Rule 24 Implementation.**
- **Day 2 (June 10)**
 - **AM - Categorization of current demand response programs including the characteristics of load modifying resources and supply resources**
 - **PM - Setting future demand response goals**
- **Day 3 (June 11)**
 - **AM - Demand Response Auction Mechanism and Resource Adequacy Matters**
 - **PM - 1/2 day evidentiary hearing where parties cross examine witnesses on remaining issues**
- **Day 4 (June 12) -- One additional day of evidentiary hearings**

I would like to make a final determination on this by noon tomorrow (Friday, May 30, 2014), so that we can reschedule the June 2 workshop, if appropriate. Parties should email me with their thoughts on this proposal as soon as possible (the earlier the better) and include a statement of whether they are willing to waive cross examination of any or all witnesses.

Thank you, Judge Hymes

Kelly A. Hymes

Administrative Law Judge

California Public Utilities Commission

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Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence. -- John Adams

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