

From: Sue Mara
Sent: 5/30/2014 11:54:33 AM
To: olivia.samad@sce.com (olivia.samad@sce.com)
ABesa@SempraUtilities.com (ABesa@SempraUtilities.com);
aadeyeye@earthjustice.org (aadeyeye@earthjustice.org); Andy Brown
(abb@eslawfirm.com); Hymes, Kelly A. (kelly.hymes@cpuc.ca.gov);
aliddell@icfi.com (aliddell@icfi.com); alex.kang@itron.com
(alex.kang@itron.com); ahmad.faruqui@brattle.com (ahmad.faruqui@brattle.com);
afreifeld@viridityenergy.com (afreifeld@viridityenergy.com);
agassner@enbala.com (agassner@enbala.com); Gupta, Alope
(aloke.gupta@cpuc.ca.gov); afaustino@semprautilities.com
(afaustino@semprautilities.com); admin@energycoaliton.org
(admin@energycoaliton.org); Cherry, Brian K
(/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7);
bernardo@braunlegal.com (bernardo@braunlegal.com);
bcragg@goodinmacbride.com (bcragg@goodinmacbride.com);
blaising@braunlegal.com (blaising@braunlegal.com); barmackm@calpine.com
(barmackm@calpine.com); brian.theaker@nrgenergy.com
(brian.theaker@nrgenergy.com); aschwartz@solarcity.com
(aschwartz@solarcity.com); berlin@susieberlinlaw.com
(berlin@susieberlinlaw.com); ames_doug@yahoo.com (ames_doug@yahoo.com);
breid@olivineinc.com (breid@olivineinc.com); barrettlarry@comcast.net
(barrettlarry@comcast.net); apetersen@rhoads-sinon.com (apetersen@rhoads-
sinon.com); bboice02@yahoo.com (bboice02@yahoo.com);
Cc: andrea.horwatt@sce.com (andrea.horwatt@sce.com); Barbara Barkovich
(barbara@barkovichandyap.com); Audrey Lee (audrey.lee@cpuc.ca.gov);
Villarreal, Christopher (christopher.villarreal@cpuc.ca.gov);
clamasbabbini@comverge.com (clamasbabbini@comverge.com);
david@nemtzwow.com (david@nemtzwow.com); Clark.Pierce@us.landisgyr.com
(Clark.Pierce@us.landisgyr.com); cem@newsdata.com (cem@newsdata.com);
case.admin@sce.com (case.admin@sce.com); Middlekauff, Charles (Law)
(/O=PG&E/OU=Corporate/cn=Recipients/cn=CRMd); davidmorse9@gmail.com
(davidmorse9@gmail.com); CPUCCases@pge.com (CPUCCases@pge.com);
claufenb@energy.state.ca.us (claufenb@energy.state.ca.us);
cpucdockets@keyesandfox.com (cpucdockets@keyesandfox.com); Franz, Damon
A. (damon.franz@cpuc.ca.gov); dan.delurey@drsgcoalition.org
(dan.delurey@drsgcoalition.org); chris_king@siemens.com
(chris_king@siemens.com); charlie.buck@energycenter.org
(charlie.buck@energycenter.org); dadams@viridityenergy.com
(dadams@viridityenergy.com); Clay, Christopher (christopher.clay@cpuc.ca.gov);
chinman@caiso.com (chinman@caiso.com); cara.goldenberg@grueneich.com
(cara.goldenberg@grueneich.com); carl.silsbee@sce.com (carl.silsbee@sce.com);
cmeehan@comverge.com (cmeehan@comverge.com); Dave.Hanna@itron.com
(Dave.Hanna@itron.com); Buch, Daniel (Daniel.Buch@cpuc.ca.gov);
bschuman@pacific-crest.com (bschuman@pacific-crest.com);

David.Lowrey@sce.com (David.Lowrey@sce.com); cpjoe@gepllc.com (cpjoe@gepllc.com); dan.violette@navigantconsulting.com (dan.violette@navigantconsulting.com); california@opower.com (california@opower.com); Kaneshiro, Bruce (bruce.kaneshiro@cpuc.ca.gov); CChristensen@Strategen.com (CChristensen@Strategen.com); Carolyn Kehrein (cmkehrein@ems-ca.com); cpuc-r1309011@olivineinc.com (cpuc-r1309011@olivineinc.com); Peck, David B. (david.peck@cpuc.ca.gov); gthomas@ecoact.org (gthomas@ecoact.org); eric@ethree.com (eric@ethree.com); filings@a-klaw.com (filings@a-klaw.com); dwood8@cox.net (dwood8@cox.net); Fortune, Hazlyn (hazlyn.fortune@cpuc.ca.gov); elvine@lbl.gov (elvine@lbl.gov); e-recipient@caiso.com (e-recipient@caiso.com); janreid@coastecon.com (janreid@coastecon.com); jeffgray@dwt.com (jeffgray@dwt.com); Caron, Jennifer (jennifer.caron@cpuc.ca.gov); JanMcFar@sonic.net (JanMcFar@sonic.net); dgrandy@caonsitegen.com (dgrandy@caonsitegen.com); Erin.Grizard@BloomEnergy.com (Erin.Grizard@BloomEnergy.com); Diane.Fellman@nrgenergy.com (Diane.Fellman@nrgenergy.com); Marks, Jaclyn (jaclyn.marks@cpuc.ca.gov); enriqueg@greenlining.org (enriqueg@greenlining.org); janet.combs@sce.com (janet.combs@sce.com); dwang@nrdc.org (dwan@nrdc.org); Brooks, Donald J. (donald.brooks@cpuc.ca.gov); jack@casaraquel.com (jack@casaraquel.com); Dorman, Elizabeth (elizabeth.dorman@cpuc.ca.gov); glbarbose@lbl.gov (glbarbose@lbl.gov); hvidstenj@kindermorgan.com (hvidstenj@kindermorgan.com); Ekelly@mceCleanEnergy.org (Ekelly@mceCleanEnergy.org); Eric@CoalitionofEnergyUsers.org (Eric@CoalitionofEnergyUsers.org); gayatri@jbsenergy.com (gayatri@jbsenergy.com); dwooley@kfwlaw.com (dwooley@kfwlaw.com); dhilla@consumercal.org (dhilla@consumercal.org); dchia@solarcity.com (dchia@solarcity.com); don@ucan.org (don@ucan.org); jderosa@ces-ltd.com (jderosa@ces-ltd.com); gfishman@ecoact.org (gfishman@ecoact.org); janderson@viridityenergy.com (janderson@viridityenergy.com); irene@igc.org (irene@igc.org); jennifer.anne.chamberlin@jci.com (jennifer.anne.chamberlin@jci.com); Dan Douglass (douglass@energyattorney.com); DBarker@semprautilities.com (DBarker@semprautilities.com); James.J.Hirsch@gmail.com (James.J.Hirsch@gmail.com); drothrock@cmta.net (drothrock@cmta.net); David.Weidberg@jci.com (David.Weidberg@jci.com); Gannon, Jaime Rose (JaimeRose.Gannon@cpuc.ca.gov); HSANDERS@caiso.com (HSANDERS@caiso.com); grover@evergreenecon.com (grover@evergreenecon.com); edward.koch@honeywell.com (edward.koch@honeywell.com); elaine.s.wei@pjc.com (elaine.s.wei@pjc.com); everitt@ecobee.com (everitt@ecobee.com); dcengel@fscgroup.com (dcengel@fscgroup.com); dwylie@aswengineering.com (dwylie@aswengineering.com); eric@strategyi.com (eric@strategyi.com); Chow, Dorris (dorris.chow@cpuc.ca.gov); deane.burk@water.ca.gov (deane.burk@water.ca.gov); dhungerf@energy.state.ca.us (dhungerf@energy.state.ca.us); janders@caiso.com (janders@caiso.com);

ja_boothe@yahoo.com (ja_boothe@yahoo.com); david.reed@sce.com (david.reed@sce.com); garwacrd@sce.com (garwacrd@sce.com); jeff@jbsenergy.com (jeff@jbsenergy.com); emalone@synapse-energy.com (emalone@synapse-energy.com); jcohen@isd.lacounty.gov (jcohen@isd.lacounty.gov); frader@energyhub.net (frader@energyhub.net); hchoy@isd.co.lacounty.gov (hchoy@isd.co.lacounty.gov); dmccoard@hotmail.com (dmccoard@hotmail.com); igecils@opiniondynamics.com (igecils@opiniondynamics.com); Wu, Josephine (/O=PG&E/OU=Corporate/cn=Recipients/cn=JWWd); RegRelCPUCCases (/O=PG&E/OU=Corporate/cn=Recipients/cn=RegRelCPUCCases); kmills@cfbf.com (kmills@cfbf.com); rmccann@umich.edu (rmccann@umich.edu); lmh@eslawfirm.com (lmh@eslawfirm.com); sdhilton@stoel.com (sdhilton@stoel.com); joyw@mid.org (joyw@mid.org); Woo, Shirley A (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=SAW0); jerryl@abag.ca.gov (jerryl@abag.ca.gov); Jennifer.Shigekawa@sce.com (Jennifer.Shigekawa@sce.com); nes@a-klaw.com (nes@a-klaw.com); marcel@turn.org (marcel@turn.org); mgo@goodinmacbride.com (mgo@goodinmacbride.com); JYamagata@SempraUtilities.com (JYamagata@SempraUtilities.com); mpa@a-klaw.com (mpa@a-klaw.com); jody_london_consulting@earthlink.net (jody_london_consulting@earthlink.net); SDPatrick@SempraUtilities.com (SDPatrick@SempraUtilities.com); larry.cope@sce.com (larry.cope@sce.com); pk@utilitycostmanagement.com (pk@utilitycostmanagement.com); sephra.ninow@energycenter.org (sephra.ninow@energycenter.org); rwalther@pacbell.net (rwalther@pacbell.net); msherida@energy.state.ca.us (msherida@energy.state.ca.us); liddell@energyattorney.com (liddell@energyattorney.com); jholmes@emil.com (jholmes@emil.com); mrw@mrwassoc.com (mrw@mrwassoc.com); Ouyang, Ke Hao (kehao.ouyang@cpuc.ca.gov); Lee, Rebecca Tsai-Wei (rebecca.lee@cpuc.ca.gov); Huffman, Mark (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=MRH2); jsanders@caiso.com (jsanders@caiso.com); rl@eslawfirm.com (rl@eslawfirm.com); rschmidt@bartlewells.com (rschmidt@bartlewells.com); klatt@energyattorney.com (klatt@energyattorney.com); kowalewskia@calpine.com (kowalewskia@calpine.com); maldridge@ecoact.org (maldridge@ecoact.org); kjsimonsen@ems-ca.com (kjsimonsen@ems-ca.com); mpf@stateside.com (mpf@stateside.com); saeed.farrokhpay@ferc.gov (saeed.farrokhpay@ferc.gov); martinhomec@gmail.com (martinhomec@gmail.com); jna@speakeasy.org (jna@speakeasy.org); kdw@woodruff-expert-services.com (kdw@woodruff-expert-services.com); lwhouse@innercite.com (lwhouse@innercite.com); karen@klindh.com (karen@klindh.com); mary.wiencke@pacificcorp.com (mary.wiencke@pacificcorp.com); peter.pearson@bves.com (peter.pearson@bves.com); Como, Joe (joe.como@cpuc.ca.gov); Service@spurr.org (Service@spurr.org); service@cforat.org (service@cforat.org); michelle.d.grant@dynegy.com (michelle.d.grant@dynegy.com); mainspan@ecsgrid.com (mainspan@ecsgrid.com); philm@scdenergy.com (philm@scdenergy.com); robertgex@dwt.com (robertgex@dwt.com);

mpieniazek@drenergyconsulting.com (mpieniazek@drenergyconsulting.com); rafi.hassan@sig.com (rafi.hassan@sig.com); KKloberdanz@SempraUtilities.com (KKloberdanz@SempraUtilities.com); Gandesbery, Mary (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=MAGq); JWaen@mceCleanEnergy.org (JWaen@mceCleanEnergy.org); nguyen.quan@gswater.com (nguyen.quan@gswater.com); matt.vespa@SierraClub.org (matt.vespa@SierraClub.org); sachu.constantine@energycenter.org (sachu.constantine@energycenter.org); mpanfil@edf.org (mpanfil@edf.org); Inavarro@edf.org (Inavarro@edf.org); Flagg, Michaela (Michaela.Flagg@cpuc.ca.gov); sean.beatty@nrgenergy.com (sean.beatty@nrgenergy.com); regulatory@mceCleanEnergy.org (regulatory@mceCleanEnergy.org); Kito, Michele (michele.kito@cpuc.ca.gov); policy@efficiencycouncil.org (policy@efficiencycouncil.org); jkeyes@kfwlaw.com (jkeyes@kfwlaw.com); Barcic, Nathan (Nathan.Barcic@cpuc.ca.gov); rogerl47@aol.com (rogerl47@aol.com); rogerv@mid.org (rogerv@mid.org); mbruce@ecoact.org (mbruce@ecoact.org); Chaset, Nicolas L. (nicolas.chaset@cpuc.ca.gov); rvillarreal@earthjustice.org (rvillarreal@earthjustice.org); MeganMMyers@yahoo.com (MeganMMyers@yahoo.com); oliviapara@dwt.com (oliviapara@dwt.com); mharamati@opiniondynamics.com (mharamati@opiniondynamics.com); sahm@clean-coalition.org (sahm@clean-coalition.org); Salvacion, Lisa-Marie (lisa-marie.salvacion@cpuc.ca.gov); philha@astound.net (philha@astound.net); pramod@ces-ltd.com (pramod@ces-ltd.com); rcounihan@enernoc.com (rcounihan@enernoc.com); Liang-Uejio, Scarlett (scarlett.liang-uejio@cpuc.ca.gov); Gubman, Joanna (Joanna.Gubman@cpuc.ca.gov); McMahan, Rachel (Rachel.McMahon@cpuc.ca.gov); jshields@ssjid.com (jshields@ssjid.com); Ciupagea, Radu (radu.ciupagea@cpuc.ca.gov); joel.gamoran@c3energy.com (joel.gamoran@c3energy.com); Paul.Karr@TrilliantInc.com (Paul.Karr@TrilliantInc.com); klaughlin@viridityenergy.com (klaughlin@viridityenergy.com); nplanson@consumerpowerline.com (nplanson@consumerpowerline.com); sdebroff@rhoads-sinon.com (sdebroff@rhoads-sinon.com); kcooney@summitblue.com (kcooney@summitblue.com); rdj@att.com (rdj@att.com); miino@rhoads-sinon.com (miino@rhoads-sinon.com); ka-wing.poon@sce.com (ka-wing.poon@sce.com); pmcleod@finsch.com (pmcleod@finsch.com); LDavidson@SempraUtilities.com (LDavidson@SempraUtilities.com); jskromer@gmail.com (jskromer@gmail.com); Nataloni, Pamela (pamela.nataloni@cpuc.ca.gov); Gruending, Paula (paula.gruending@cpuc.ca.gov); joyce.leung@sce.com (joyce.leung@sce.com); kmkiener@cox.net (kmkiener@cox.net); mark.s.martinez@sce.com (mark.s.martinez@sce.com); policy@tendriline.com (policy@tendriline.com); KSmith2@SempraUtilities.com (KSmith2@SempraUtilities.com); Melanie Gillette (mgillette@enernoc.com); opatterson@opiniondynamics.com (opatterson@opiniondynamics.com); mplante@bidgely.com (mplante@bidgely.com); Peterson, Rachel A. (rachel.peterson@cpuc.ca.gov); Mona Tierney-Lloyd (mtierney-lloyd@enernoc.com); Crisostomo, Noel (noel.crisostomo@cpuc.ca.gov); Keith Johnson (kjohnson@caiso.com); John Leslie

(jleslie@mckennalong.com); John Goodin (jgoodin@caiso.com); Karl Meeusen (kmeeusen@caiso.com); SGeorge@nexant.com (SGeorge@nexant.com); jtauber@earthjustice.org (jtauber@earthjustice.org); rafferty@gmail.com (rafferty@gmail.com); pbull@nrdc.org (pbull@nrdc.org); rbinz@rbinz.com (rbinz@rbinz.com); jimk@ecsgrid.com (jimk@ecsgrid.com); Lolds@VWVRA.com (Lolds@VWVRA.com); marina@energyhub.net (marina@energyhub.net); Karen@HerterEnergy.com (Karen@HerterEnergy.com); pbeck@eliteenergysys.com (pbeck@eliteenergysys.com); nmurthy@wirelessglue.com (nmurthy@wirelessglue.com); Edwards, Russell (Russell.Edwards@cpuc.ca.gov); Erickson, John David (john.erickson@cpuc.ca.gov); tlong@turn.org (tlong@turn.org); Haertle, Steve (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=SRH1); steven@moss.net (steven@moss.net); tglassey@certichron.com (tglassey@certichron.com); Roberts, Thomas (thomas.roberts@cpuc.ca.gov); vwood@smud.org (vwood@smud.org); steven@iepa.com (steven@iepa.com); snuller@ethree.com (snuller@ethree.com); ttutt@smud.org (ttutt@smud.org); SNelson@Sempra.com (SNelson@Sempra.com); wmc@a-klaw.com (wmc@a-klaw.com); theresa.mueller@sfgov.org (theresa.mueller@sfgov.org); smaye@nappartners.com (smaye@nappartners.com); wrostov@earthjustice.org (wrostov@earthjustice.org); shawn_cox@kindermorgan.com (shawn_cox@kindermorgan.com); tderivi@scppa.org (tderivi@scppa.org); sswaroop@mceCleanEnergy.org (sswaroop@mceCleanEnergy.org); TBrill@SempraUtilities.com (TBrill@SempraUtilities.com); tculley@kfwlaw.com (tculley@kfwlaw.com); Kao, Valerie (valerie.kao@cpuc.ca.gov); willem.fadrhonc@stem.com (willem.fadrhonc@stem.com); Steph@Clean-Coalition.org (Steph@Clean-Coalition.org); speesapati@earthjustice.org (speesapati@earthjustice.org); Li, Xian M. (Xian.Li@cpuc.ca.gov); tomk@mid.org (tomk@mid.org); wilson1224@gmail.com (wilson1224@gmail.com); sschare@summitblue.com (sschare@summitblue.com); Gokhale, Sudheer K. (sudheer.gokhale@cpuc.ca.gov); tylerb@poweritsolutions.com (tylerb@poweritsolutions.com); Dadras, Shada (/O=PG&E/OU=Corporate/cn=Recipients/cn=SxDh); ted@energy-solution.com (ted@energy-solution.com); smithmj@calpine.com (smithmj@calpine.com); steven@sfpower.org (steven@sfpower.org); Sullivan, Timothy J. (timothy.sullivan@cpuc.ca.gov); stephen.baker@constellation.com (stephen.baker@constellation.com); Blumer, Werner M. (werner.blumer@cpuc.ca.gov); updates@tolerableplanet.com (updates@tolerableplanet.com); toguin@lightsailenergy.com (toguin@lightsailenergy.com); Sara Myers (ssmyers@att.net)

Bcc:

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

Dear ALJ Hymes:

DACC and AReM strongly oppose SCE's suggestion that cost allocation issues be deferred to other proceedings. As far as we are aware, this is a new proposal by SCE that was not included in its opening or rebuttal testimony. Moreover, the proposal conflicts with the Commission's direction in D.12-04-045 (p. 204) that cost recovery and allocation issues would be addressed

in the successor rulemaking to R.07-01-041. Accordingly, DACC and AReM respectfully request that SCE's proposal be disregarded.

Sincerely,

Sue Mara

On Behalf of DACC and AReM

On May 30, 2014, at 11:32 AM, Olivia.Samad@sce.com wrote:

Thank you your honor for your consideration of SCE's suggestions, and thank you to all parties for being open to a process I sincerely hope will be more efficient.

Like the other parties, SCE has a few ideas for how we may enhance the process. As a threshold matter, SCE recommends that we continue to reserve the whole week (including Friday) to allow sufficient time to resolve these issues through both workshops and hearings. We also support the idea of having workshop planning time built into the process, and prehearing conference built into the process, described below.

HEARINGS

SCE agrees with other parties that at least some evidentiary hearings will be necessary and we will not be able to waive cross on all witnesses. The parties were planning on providing cross estimates to one another by this Monday June 2, and SCE is still developing its estimates. At this time SCE estimates needing approximately 30 minutes of cross examination time and recommends that we reserve Friday for evidentiary hearings if needed.

SCE supports the Joint DR Parties suggestion to have a prehearing conference and also supports having the evidentiary hearings after workshops.

WORKSHOPS

SCE appreciates the incorporation of workshops into this process and hopes that your Honor is able to attend all sessions to help parties identify areas of consensus.

In addition, SCE recommends the following.

First, SCE strongly agrees with other parties that workshops will only be of value if information from the workshops gets into the record to inform the rules the Commission makes in this proceeding. Therefore, if court reporters scheduled for the original hearings are available, workshops should either be transcribed (with the understanding that speakers are not testifying under oath) and/or learnings from workshops should be put into a report. In SCE's experience, an effective way to create workshop reports is for the utilities to take a first cut, and then allow time for all parties to file opening and reply comments on the report. The schedule should be extended to allow parties at least four weeks to draft and to concur with the final workshop reports, which would

then be incorporated into the record. The briefing schedule should begin after that. SCE supports CLECA's revisions to the schedule to allow for this process.

Second, SCE agrees with CLECA and PG&E that workshop planning would be beneficial, but is concerned that repurposing the June 2 DRAM workshop time to plan the workshop scope and schedule will not work for SCE. The individuals who would have attended that DRAM workshop are not the same as those who would need to be involved in workshop planning. SCE imagines that other parties who have to schedule travel may be in the same boat. A different half-day session set for next week (that would allow parties time to travel) could work, or, and this is SCE's recommendation, we can use the first day of June 2 to maximize the value of the workshops and do planning.

Third, SCE suggests changes to the scope for the workshops as follows:

- The current proposal for the CAISO Market Integration topic requires only the utilities to present on their proposed costs to implement Rule 24. SCE proposes that other parties that can speak to the costs for third-party DR providers to implement Rule 24 also present their proposed costs. These presentations should be followed by a discussion on which costs are reasonable and how to reduce any costs that are unreasonable. As such, more than an afternoon may be required to allow for adequate discussion and consensus building.
- Issues around cost-effectiveness and demand response auction mechanism (DRAM) can be deferred to a later time. SCE agrees with TURN that cost-effectiveness does not seem ripe for workshops until Energy Division releases the proposed updates to the cost-effectiveness protocols. The DRAM proposal, based on parties' testimony, has several issues that may need more than a half-day. Also, because the bidding of significant DR resources into the CAISO markets will be delayed until 2015, it seems like the DRAM should be postponed from starting in 2015 to avoid parties having to gain experience bidding into the DR market at the same time they are starting the DRAM process. Therefore, SCE suggests workshops on these two issues be addressed after the week of June 9-13.
- Some issues can be addressed in other proceedings, such as resource adequacy concerns (RA proceeding) and Cost Allocation (GRC Phase 2 and DR Funding Applications).

SCE appreciates consideration of these recommendations and looks forward to collaborating with parties on these issues.

R. Olivia Samad
Senior Attorney
Southern California Edison
2244 Walnut Grove Avenue
Rosemead, CA 91770
Ph: (626) 302-3477; Fax: (626) 302-7740
E: olivia.samad@sce.com

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"You cannot depend on your eyes when your imagination is out of focus." - Mark Twain, A Connecticut Yankee in King Arthur's Court

From: "Hymes, Kelly A." <kelly.hymes@cpuc.ca.gov>
To: "ekelly@mceCleanEnergy.org" <ekelly@mceCleanEnergy.org>,
"jody_london_consulting@earthlink.net" <jody_london_consulting@earthlink.net>,
"JLeslie@McKennaLong.com" <JLeslie@McKennaLong.com>, "frader@energyhub.net"
<frader@energyhub.net>, "Steph@clean-coalition.org" <Steph@clean-coalition.org>, "mpanfil@edf.org"
<mpanfil@edf.org>, "cmeehan@comverge.com" <cmeehan@comverge.com>, "hchoy@isd.co.lacounty.gov"
<hchoy@isd.co.lacounty.gov>, "douglass@energyattorney.com" <douglass@energyattorney.com>,
"olivia.samad@sce.com" <olivia.samad@sce.com>, "Liddell@EnergyAttorney.com"
<Liddell@EnergyAttorney.com>, "sachu.constantine@energycenter.org"
<sachu.constantine@energycenter.org>, "TBrill@SempraUtilities.com" <TBrill@SempraUtilities.com>,
"Lolds@VWVRA.com" <Lolds@VWVRA.com>, "mtierney-lloyd@enernoc.com" <mtierney-
lloyd@enernoc.com>, "sue.mara@RTOadvisors.com" <sue.mara@RTOadvisors.com>, "Salvacion, Lisa-
Marie" <lisa-marie.salvacion@cpuc.ca.gov>, "dhilla@consumercal.org" <dhilla@consumercal.org>,
"marcel@kfwlaw.com" <marcel@turn.org>, "pbull@nrdc.org" <pbull@nrdc.org>, "BKC7@pge.com"
<BKC7@pge.com>, "nes@a-klaw.com" <nes@a-klaw.com>, "saw0@pge.com" <saw0@pge.com>,
"MeganMMyers@yahoo.com" <MeganMMyers@yahoo.com>, "ssmyers@att.net" <ssmyers@att.net>,
"breid@olivineinc.com" <breid@olivineinc.com>, "JerryL@abag.ca.gov" <JerryL@abag.ca.gov>,
"dwooley@kfwlaw.com" <dwooley@kfwlaw.com>, "service@cforat.org" <service@cforat.org>,
"edward.koch@honeywell.com" <edward.koch@honeywell.com>, "california@opower.com"
<california@opower.com>, "jna@speakeasy.org" <jna@speakeasy.org>, "jennifer.anne.chamberlin@jci.com"
<jennifer.anne.chamberlin@jci.com>, "wilson1224@gmail.com" <wiison1224@gmail.com>,
"hsanders@caiso.com" <hsanders@caiso.com>, "Eric@CoalitionofEnergyUsers.org"
<Eric@CoalitionofEnergyUsers.org>, "kmills@cfbf.com" <kmills@cfbf.com>, "grover@evergreenecon.com"
<grover@evergreenecon.com>, "ahmad.faruqui@brattle.com" <ahmad.faruqui@brattle.com>,
"afreifeld@viridityenergy.com" <afreifeld@viridityenergy.com>, "aschwartz@solarcity.com"
<aschwartz@solarcity.com>, "ABesa@SempraUtilities.com" <ABesa@SempraUtilities.com>,
"bboice02@yahoo.com" <bboice02@yahoo.com>, "barbara@barkovichandyp.com"
<barbara@barkovichandyp.com>, "RegRelCpucCases@pge.com" <RegRelCpucCases@pge.com>,
"CChristensen@Strategen.com" <CChristensen@Strategen.com>, "charlie.buck@energycenter.org"
<charlie.buck@energycenter.org>, "dchia@solarcity.com" <dchia@solarcity.com>,
"davidmorse9@gmail.com" <davidmorse9@gmail.com>, "david@nemtzw.com" <david@nemtzw.com>,
"david.reed@sce.com" <david.reed@sce.com>, "deane.burk@water.ca.gov" <deane.burk@water.ca.gov>,
"dwang@nrdc.org" <dwang@nrdc.org>, "Diane.Fellman@nrgenergy.com"
<Diane.Fellman@nrgenergy.com>, "cpucdockets@keyesandfox.com" <cpucdockets@keyesandfox.com>,
"dadams@viridityenergy.com" <dadams@viridityenergy.com>, "elvine@lbl.gov" <elvine@lbl.gov>,
"enriqueg@greenlining.org" <enriqueg@greenlining.org>, "gthomas@ecoact.org" <gthomas@ecoact.org>,
"gfishman@ecoact.org" <gfishman@ecoact.org>, "klatt@energyattorney.com" <klatt@energyattorney.com>,
"janmcfar@sonic.net" <janmcfar@sonic.net>, "jkeyes@kfwlaw.com" <jkeyes@kfwlaw.com>,
"JWaen@mceCleanEnergy.org" <JWaen@mceCleanEnergy.org>, "jcohen@isd.lacounty.gov"
<jcohen@isd.lacounty.gov>, "joel.gamoran@c3energy.com" <joel.gamoran@c3energy.com>,
"janderson@viridityenergy.com" <janderson@viridityenergy.com>, "klaughlin@viridityenergy.com"
<klaughlin@viridityenergy.com>, "mainspan@ecsgird.com" <mainspan@ecsgird.com>,
"mbruce@ecoact.org" <mbruce@ecoact.org>, "marina@energyhub.net" <marina@energyhub.net>,
"mrh2@pge.com" <mrh2@pge.com>, "mplante@bidgely.com" <mplante@bidgely.com>,
"regulatory@mceCleanEnergy.org" <regulatory@mceCleanEnergy.org>, "mpf@stateside.com"
<mpf@stateside.com>, "nmurthy@wirelessglue.com" <nmurthy@wirelessglue.com>,
"nplanson@consumerpowerline.com" <nplanson@consumerpowerline.com>, "Paul.Karr@TrilliantInc.com"
<Paul.Karr@TrilliantInc.com>, "Peter.Pearson@bvcs.com" <Peter.Pearson@bvcs.com>, "pramod@ces-
ltd.com" <pramod@ces-ltd.com>, "rcounihan@enernoc.com" <rcounihan@enernoc.com>,
"bernardo@braunlegal.com" <bernardo@braunlegal.com>, "blaising@braunlegal.com"
<blaising@braunlegal.com>, "sean.beatty@nrgenergy.com" <sean.beatty@nrgenergy.com>,
"sephra.ninow@energycenter.org" <sephra.ninow@energycenter.org>, "sswaroop@mceCleanEnergy.org"
<sswaroop@mceCleanEnergy.org>, "snuller@ethree.com" <snuller@ethree.com>, "SGeorge@nexant.com"
<SGeorge@nexant.com>, "tculley@kfwlaw.com" <tculley@kfwlaw.com>, "ttutt@smud.org"
<ttutt@smud.org>, "tglassey@certichron.com" <tglassey@certichron.com>, "admin@energycoaliton.org"
<admin@energycoaliton.org>, "mrw@mrwassoc.com" <mrw@mrwassoc.com>, "elaine.s.wei@pjc.com"
<elaine.s.wei@pjc.com>, "Sahm@Clean-Coalition.org" <Sahm@Clean-Coalition.org>,
"martinhomec@gmail.com" <martinhomec@gmail.com>, "michelle.d.grant@dynegy.com"
<michelle.d.grant@dynegy.com>, "rwalther@pacbell.net" <rwalther@pacbell.net>,
"stephen.baker@constellation.com" <stephen.baker@constellation.com>, "sschare@summitblue.com"
<sschare@summitblue.com>, "erin.grizard@bloomenergy.com" <erin.grizard@bloomenergy.com>,
"emalone@synapse-energy.com" <emalone@synapse-energy.com>, "smaye@nappartners.com"
<smaye@nappartners.com>, "clark.pierce@us.landisgyr.com" <clark.pierce@us.landisgyr.com>,
"mpieniazek@drenergyconsulting.com" <mpieniazek@drenergyconsulting.com>, "jimk@ecsgird.com"
<jimk@ecsgird.com>, "apetersen@rhoads-sinon.com" <apetersen@rhoads-sinon.com>, "miino@rhoads-
sinon.com" <miino@rhoads-sinon.com>, "sdebroff@rhoads-sinon.com" <sdebroff@rhoads-sinon.com>,
"dan.delurey@drsgcoalition.org" <dan.delurey@drsgcoalition.org>, "jtauber@earthjustice.org"
<jtauber@earthjustice.org>, "KJSimonsen@ems-ca.com" <KJSimonsen@ems-ca.com>, "rbinz@rbinz.com"

<rbinz@rbinz.com>, "policy@tendrillinc.com" <policy@tendrillinc.com>, "dan.violette@navigantconsulting.com" <dan.violette@navigantconsulting.com>, "kcooney@summitblue.com" <kcooney@summitblue.com>, "updates@tolerableplanet.com" <updates@tolerableplanet.com>, "barrettlarry@comcast.net" <barrettlarry@comcast.net>, "pbeck@eliteenergysys.com" <pbeck@eliteenergysys.com>, "SDPatrick@SempraUtilities.com" <SDPatrick@SempraUtilities.com>, "joyce.leung@sce.com" <joyce.leung@sce.com>, "mark.s.martinez@sce.com" <mark.s.martinez@sce.com>, "andrea.horwatt@sce.com" <andrea.horwatt@sce.com>, "carl.silsbee@sce.com" <carl.silsbee@sce.com>, "case.admin@sce.com" <case.admin@sce.com>, "David.Lowrey@sce.com" <David.Lowrey@sce.com>, "janet.combs@sce.com" <janet.combs@sce.com>, "Jennifer.Shigekawa@sce.com" <Jennifer.Shigekawa@sce.com>, "ka-wing.poon@sce.com" <ka-wing.poon@sce.com>, "larry.cope@sce.com" <larry.cope@sce.com>, "garwacrd@sce.com" <garwacrd@sce.com>, "nguyen.quan@gswater.com" <nguyen.quan@gswater.com>, "dwood8@cox.net" <dwood8@cox.net>, "SNelson@sempra.com" <SNelson@sempra.com>, "kмкиener@cox.net" <kмкиener@cox.net>, "don@ucan.org" <don@ucan.org>, "afaustino@semprautilities.com" <afaustino@semprautilities.com>, "DBarker@SempraUtilities.com" <DBarker@SempraUtilities.com>, "KSmith2@SempraUtilities.com" <KSmith2@SempraUtilities.com>, "LDavidson@SempraUtilities.com" <LDavidson@SempraUtilities.com>, "JYamagata@SempraUtilities.com" <JYamagata@SempraUtilities.com>, "Dave.Hanna@itron.com" <Dave.Hanna@itron.com>, "ames.doug@yahoo.com" <ames.doug@yahoo.com>, "dwylie@aswengineering.com" <dwylie@aswengineering.com>, "hvidstenj@kindermorgan.com" <hvidstenj@kindermorgan.com>, "shawn_cox@kindermorgan.com" <shawn_cox@kindermorgan.com>, "James.J.Hirsch@gmail.com" <James.J.Hirsch@gmail.com>, "pk@utilitycostmanagement.com" <pk@utilitycostmanagement.com>, "willem.fadrhonc@stem.com" <willem.fadrhonc@stem.com>, "kkloberdanz@semprautilities.com" <kkloberdanz@semprautilities.com>, "theresa.mueller@sfgov.org" <theresa.mueller@sfgov.org>, "Roberts, Thomas" <thomas.roberts@cpuc.ca.gov>, "tlong@turn.org" <tlong@turn.org>, "dcengel@fscgroup.com" <dcengel@fscgroup.com>, "eric@ethree.com" <eric@ethree.com>, "cara.goldenberg@grueneich.com" <cara.goldenberg@grueneich.com>, "CRMd@pge.com" <CRMd@pge.com>, "jwwd@pge.com" <jwwd@pge.com>, "filings@a-klaw.com" <filings@a-klaw.com>, "matt.vespa@sierraclub.org" <matt.vespa@sierraclub.org>, "mpa@a-klaw.com" <mpa@a-klaw.com>, "rdj@att.com" <rdj@att.com>, "SXDH@pge.com" <SXDH@pge.com>, "SRH1@pge.com" <SRH1@pge.com>, "aliddell@icfi.com" <aliddell@icfi.com>, "steven@sfpower.org" <steven@sfpower.org>, "steven@moss.net" <steven@moss.net>, "aadeyeye@earthjustice.org" <aadeyeye@earthjustice.org>, "bcragg@goodinmacbride.com" <bcragg@goodinmacbride.com>, "mgo@goodinmacbride.com" <mgo@goodinmacbride.com>, "oliviapara@dwt.com" <oliviapara@dwt.com>, "rafi.hassan@sig.com" <rafi.hassan@sig.com>, "robertgex@dwt.com" <robertgex@dwt.com>, "RVillarreal@earthjustice.org" <RVillarreal@earthjustice.org>, "sdhilton@stoel.com" <sdhilton@stoel.com>, "speesapati@earthjustice.org" <speesapati@earthjustice.org>, "wrostov@earthjustice.org" <wrostov@earthjustice.org>, "jeffgray@dwt.com" <jeffgray@dwt.com>, "irene@igc.org" <irene@igc.org>, "cem@newsdata.com" <cem@newsdata.com>, "CPUCCases@pge.com" <CPUCCases@pge.com>, "MAGq@pge.com" <MAGq@pge.com>, "chris_king@siemens.com" <chris_king@siemens.com>, "Service@spurr.org" <Service@spurr.org>, "dmccoard@hotmail.com" <dmccoard@hotmail.com>, "CLamasBabbini@Comverge.com" <CLamasBabbini@Comverge.com>, "pmcleod@finsch.com" <pmcleod@finsch.com>, "kowalewska@calpine.com" <kowalewska@calpine.com>, "smithmj@calpine.com" <smithmj@calpine.com>, "barmackm@calpine.com" <barmackm@calpine.com>, "cpuc-r1309011@olivineinc.com" <cpuc-r1309011@olivineinc.com>, "rafferty@gmail.com" <rafferty@gmail.com>, "cpjoe@gepllc.com" <cpjoe@gepllc.com>, "philha@astound.net" <philha@astound.net>, "eric@strategyi.com" <eric@strategyi.com>, "alex.kang@itron.com" <alex.kang@itron.com>, "policy@efficiencycouncil.org" <policy@efficiencycouncil.org>, "igecils@opiniondynamics.com" <igecils@opiniondynamics.com>, "mharamati@opiniondynamics.com" <mharamati@opiniondynamics.com>, "opatterson@opiniondynamics.com" <opatterson@opiniondynamics.com>, "ted@energy-solution.com" <ted@energy-solution.com>, "rschmidt@bartlewells.com" <rschmidt@bartlewells.com>, "jskromer@gmail.com" <jskromer@gmail.com>, "toquin@lightsailenergy.com" <toquin@lightsailenergy.com>, "glbarbose@lbl.gov" <glbarbose@lbl.gov>, "phil@mcdenergy.com" <phil@mcdenergy.com>, "ja_boothe@yahoo.com" <ja_boothe@yahoo.com>, "David.Weidberg@jci.com" <David.Weidberg@jci.com>, "maldridge@ecoact.org" <maldridge@ecoact.org>, "janreid@coastecon.com" <janreid@coastecon.com>, "berlin@susieberlinlaw.com" <berlin@susieberlinlaw.com>, "jshields@ssjid.com" <jshields@ssjid.com>, "joyw@mid.org" <joyw@mid.org>, "rogerv@mid.org" <rogerv@mid.org>, "tomk@mid.org" <tomk@mid.org>, "gayatri@jbsenergy.com" <gayatri@jbsenergy.com>, "jeff@jbsenergy.com" <jeff@jbsenergy.com>, "dgrandy@caonsitegen.com" <dgrandy@caonsitegen.com>, "rmccann@umich.edu" <rmccann@umich.edu>, "jderosa@ces-ltd.com" <jderosa@ces-ltd.com>, "janders@caiso.com" <janders@caiso.com>, "kmeeusen@caiso.com" <kmeeusen@caiso.com>, "kjohnson@caiso.com" <kjohnson@caiso.com>, "mgillette@enernoc.com" <mgillette@enernoc.com>, "Saeed.Farrokhpay@ferc.gov" <Saeed.Farrokhpay@ferc.gov>, "chinman@caiso.com" <chinman@caiso.com>, "jgoodin@caiso.com" <jgoodin@caiso.com>, "jsanders@caiso.com" <jsanders@caiso.com>, "e-recipient@caiso.com" <e-recipient@caiso.com>, "brian.theaker@nrenergy.com" <brian.theaker@nrenergy.com>, "lwhouse@innercite.com" <lwhouse@innercite.com>, "Karen@HerterEnergy.com" <Karen@HerterEnergy.com>, "cmkehrin@ems-ca.com" <cmkehrin@ems-ca.com>, "dhungerf@energy.state.ca.us" <dhungerf@energy.state.ca.us>, "drothrock@cmta.net" <drothrock@cmta.net>, "kdw@woodruff-expert-services.com" <kdw@woodruff-expert-services.com>, "inavarro@edf.org" <inavarro@edf.org>, "msherida@energy.state.ca.us" <msherida@energy.state.ca.us>

"steven@iepa.com" <steven@iepa.com>, "tderivi@scppa.org" <tderivi@scppa.org>, "rl@eslawfirm.com" <rl@eslawfirm.com>, "abb@eslawfirm.com" <abb@eslawfirm.com>, "lmh@eslawfirm.com" <lmh@eslawfirm.com>, "vwood@smud.org" <vwood@smud.org>, "karen@klindh.com" <karen@klindh.com>, "rogerl47@aol.com" <rogerl47@aol.com>, "jack@casaraquel.com" <jack@casaraquel.com>, "wmc@a-klaw.com" <wmc@a-klaw.com>, "bschuman@pacific-crest.com" <bschuman@pacific-crest.com>, "mary.wiencke@pacificcorp.com" <mary.wiencke@pacificcorp.com>, "jholmes@emi1.com" <jholmes@emi1.com>, "tylerb@poweritsolutions.com" <tylerb@poweritsolutions.com>, "everitt@ecobee.com" <everitt@ecobee.com>, "agassner@enbala.com" <agassner@enbala.com>, "Lee, Audrey" <audrey.lee@cpuc.ca.gov>, "claufenb@energy.state.ca.us" <claufenb@energy.state.ca.us>, "Buch, Daniel" <Daniel.Buch@cpuc.ca.gov>, "Peck, David B." <david.peck@cpuc.ca.gov>, "Brooks, Donald J." <donald.brooks@cpuc.ca.gov>, "Marks, Jaclyn" <jaclyn.marks@cpuc.ca.gov>, "Gannon, Jaime Rose" <JaimeRose.Gannon@cpuc.ca.gov>, "Gubman, Joanna" <Joanna.Gubman@cpuc.ca.gov>, "Erickson, John \"David\"" <john.erickson@cpuc.ca.gov>, "Flagg, Michaela" <Michaela.Flagg@cpuc.ca.gov>, "Barcic, Nathan" <Nathan.Barcic@cpuc.ca.gov>, "Chaset, Nicolas L." <nicolas.chaset@cpuc.ca.gov>, "Crisostomo, Noel" <noel.crisostomo@cpuc.ca.gov>, "McMahon, Rachel" <Rachel.McMahon@cpuc.ca.gov>, "Peterson, Rachel A." <rachel.peterson@cpuc.ca.gov>, "Blumer, Werner M." <werner.blumer@cpuc.ca.gov>, "Gupta, Aloke" <aloke.gupta@cpuc.ca.gov>, "Kaneshiro, Bruce" <bruce.kaneshiro@cpuc.ca.gov>, "Clay, Christopher" <christopher.clay@cpuc.ca.gov>, "Villarreal, Christopher" <christopher.villarreal@cpuc.ca.gov>, "Franz, Damon A." <damon.franz@cpuc.ca.gov>, "Chow, Dorris" <dorris.chow@cpuc.ca.gov>, "Dorman, Elizabeth" <elizabeth.dorman@cpuc.ca.gov>, "Fortune, Hazlyn" <hazlyn.fortune@cpuc.ca.gov>, "Caron, Jennifer" <jennifer.caron@cpuc.ca.gov>, "Como, Joe" <joe.como@cpuc.ca.gov>, "Ouyang, Ke Hao" <kehao.ouyang@cpuc.ca.gov>, "Kito, Michele" <michele.kito@cpuc.ca.gov>, "Nataloni, Pamela" <pamela.nataloni@cpuc.ca.gov>, "Gruending, Paula" <paula.gruending@cpuc.ca.gov>, "McMahon, Rachel" <Rachel.McMahon@cpuc.ca.gov>, "Ciupagea, Radu" <radu.ciupagea@cpuc.ca.gov>, "Edwards, Russell" <Russell.Edwards@cpuc.ca.gov>, "Liang-Uejio, Scarlett" <scarlett.liang-uejio@cpuc.ca.gov>, "Gokhale, Sudheer K." <sudheer.gokhale@cpuc.ca.gov>, "Sullivan, Timothy J." <timothy.sullivan@cpuc.ca.gov>, "Kao, Valerie" <valerie.kao@cpuc.ca.gov>, "Li, Xian M." <Xian.Li@cpuc.ca.gov>, "Lee, Rebecca Tsai-Wei" <rebecca.lee@cpuc.ca.gov>

Cc: "Hymes, Kelly A." <kelly.hymes@cpuc.ca.gov>

Date: 05/29/2014 02:13 PM

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

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
505 Van Ness Avenue, Room 5111
San Francisco, CA 94102
(415) 703-5132

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

Sue Mara
RTOAdvisors, L.L.C.
164 Springdale Way
Redwood City, CA 94062
sue.mara@rtoadvisors.com
(415) 902-4108