

From: McKinney, Jeanne

Sent: 8/28/2014 4:57:10 PM

Warner, Christopher (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=CJW5); bcragg@goodinmacbride.com (bcragg@goodinmacbride.com); atrowbridge@daycartermurphy.com (atrowbridge@daycartermurphy.com); 1040@pacbell.net (1040@pacbell.net); Anne@AllianceForSolarChoice.com (Anne@AllianceForSolarChoice.com); Bob.Dodds@liberty-energy.com (Bob.Dodds@liberty-energy.com); faith.mabuhayalliance@gmail.com (faith.mabuhayalliance@gmail.com); CentralFiles@SempraUtilities.com (CentralFiles@SempraUtilities.com); Middlekauff, Charles (Law) (/O=PG&E/OU=Corporate/cn=Recipients/cn=CRMd); Diane.Fellman@nrgenergy.com (Diane.Fellman@nrgenergy.com); CManzuk@SempraUtilities.com (CManzuk@SempraUtilities.com); Ekelly@mceCleanEnergy.org (Ekelly@mceCleanEnergy.org); JWaen@mceCleanEnergy.org (JWaen@mceCleanEnergy.org); JYork@SempraUtilities.com (JYork@SempraUtilities.com); Eric@CoalitionofEnergyUsers.org (Eric@CoalitionofEnergyUsers.org); Joelle.Steward@PacifiCorp.com (Joelle.Steward@PacifiCorp.com); To: ESchroeder@kfwlaw.com (ESchroeder@kfwlaw.com); Lynn.Marshall@Energy.Ca.Gov (Lynn.Marshall@Energy.Ca.Gov); Gregory.Reiss@mlp.com (Gregory.Reiss@mlp.com); markw@corchurch.org (markw@corchurch.org); Cathy@BarkovichAndYap.com (Cathy@BarkovichAndYap.com); MSullivan@Nexant.com (MSullivan@Nexant.com); Haertle, Steve (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=SRH1); RegRelCPUCCases (/O=PG&E/OU=Corporate/cn=Recipients/cn=RegRelCPUCCases); Tran, Ava N. (ava.tran@cpuc.ca.gov); rl@eslawfirm.com (rl@eslawfirm.com); abb@eslawfirm.com (abb@eslawfirm.com); andykatz@sonic.net (andykatz@sonic.net); barmackm@calpine.com (barmackm@calpine.com); VidhyaPrabhakaran@dwt.com (VidhyaPrabhakaran@dwt.com); Phillips, Paul S. (paul.phillips@cpuc.ca.gov); Murtishaw, Scott (scott.murtishaw@cpuc.ca.gov); SRahon@SempraUtilities.com (SRahon@SempraUtilities.com); wwright@sunrunhome.com (wwright@sunrunhome.com); TLindl@kfwlaw.com (TLindl@kfwlaw.com); O'Donnell, Arthur J. (Arthur.O'Donnell@cpuc.ca.gov); Morgan.Lee@UTSanDiego.com (Morgan.Lee@UTSanDiego.com); TBrill@SempraUtilities.com (TBrill@SempraUtilities.com); belinda.delacruz@edisonintl.com (belinda.delacruz@edisonintl.com); anadelia.chavarria@edisonintl.com (anadelia.chavarria@edisonintl.com); TMcRae@svlg.org (TMcRae@svlg.org); aschwartz@solarcity.com (aschwartz@solarcity.com); Baker, Amy C. (amy.baker@cpuc.ca.gov); Nick.Pappas@asm.ca.gov (Nick.Pappas@asm.ca.gov); benjamin.airth@energycenter.org (benjamin.airth@energycenter.org); alewis@naac.org (alewis@naac.org); adam@sullivansolarpower.com (adam@sullivansolarpower.com); b.bordine@d-e-c-a.org (b.bordine@d-e-c-a.org);

Rachel@largescalesolar.org (Rachel@largescalesolar.org);
ahmad.faruqui@brattle.com (ahmad.faruqui@brattle.com);
barbara@barkovichandyap.com (barbara@barkovichandyap.com);
agay@carlsoncapital.com (agay@carlsoncapital.com);
acampbell@haas.berkeley.edu (acampbell@haas.berkeley.edu); Kaur, Ravneet
(Ravneet.Kaur@cpuc.ca.gov); Cherry, Brian K
(/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=BKC7);
bill@jbsenergy.com (bill@jbsenergy.com); Singh, Devla
(devla.singh@cpuc.ca.gov); Villarreal, Christopher
(christopher.villarreal@cpuc.ca.gov); filings@a-klaw.com (filings@a-klaw.com);
cassandra.sweet@dowjones.com (cassandra.sweet@dowjones.com); Fortune,
Hazlyn (hazlyn.fortune@cpuc.ca.gov); hayley@turn.org (hayley@turn.org);
cem@newsdata.com (cem@newsdata.com); cbarry@iwpnews.com
(cbarry@iwpnews.com); case.admin@sce.com (case.admin@sce.com);
jarmstrong@goodinmacbride.com (jarmstrong@goodinmacbride.com);
DWTCPUCDOCKETS@dwt.com (DWTCPUCDOCKETS@dwt.com);
douglass@energyattorney.com (douglass@energyattorney.com);
blaising@braunlegal.com (blaising@braunlegal.com); Danforth, Christopher
(christopher.danforth@cpuc.ca.gov); ek@a-klaw.com (ek@a-klaw.com);
danielle@ceert.org (danielle@ceert.org); brian.theaker@nrgenergy.com
(brian.theaker@nrgenergy.com); dmarcus2@sbcglobal.net
(dmarcus2@sbcglobal.net); Heiden, Gregory (gregory.heiden@cpuc.ca.gov);
david@ceert.org (david@ceert.org); Slocum, Gail (Law
(/O=PG&E/OU=Corporate/cn=Recipients/cn=GLSg); cathie.allen@pacificcorp.com
(cathie.allen@pacificcorp.com); jleslie@mckennalong.com
(jleslie@mckennalong.com); JMauldin@adamsbroadwell.com
(JMauldin@adamsbroadwell.com); bernadette@calseia.org
(bernadette@calseia.org); dan.delurey@drsgcoalition.org
(dan.delurey@drsgcoalition.org); cfang@semprautilities.com
(cfang@semprautilities.com); gayatri@jbsenergy.com (gayatri@jbsenergy.com);
felicia.williams@edisonintl.com (felicia.williams@edisonintl.com);
brad@calseia.org (brad@calseia.org); jbode@nexant.com (jbode@nexant.com);
info@lbcgla.com (info@lbcgla.com); jimin@mid.org (jimin@mid.org); Willis, Dan
(Dan.Willis@cpuc.ca.gov); jeannetteo@moval.org (jeannetteo@moval.org); Petlin,
Gabriel (gabriel.petlin@cpuc.ca.gov); cathy.zhang@soundofhope.org
(cathy.zhang@soundofhope.org); chris_king@siemens.com
(chris_king@siemens.com); fadia.khoury@sce.com (fadia.khoury@sce.com);
chris@efficiencyfirstca.org (chris@efficiencyfirstca.org); jfine@edf.org
(jfine@edf.org); dwooley@kfwlaw.com (dwooley@kfwlaw.com);
carlierfrancois@yahoo.fr (carlierfrancois@yahoo.fr); holly@SunrunHome.com
(holly@SunrunHome.com); dhilla@consumercal.org (dhilla@consumercal.org);
dchia@solarcity.com (dchia@solarcity.com); charlie.buck@energycenter.org
(charlie.buck@energycenter.org); jleesq@yahoo.com (jleesq@yahoo.com);
jack.clark@energycenter.org (jack.clark@energycenter.org); don@ucan.org
(don@ucan.org); jkeyes@kfwlaw.com (jkeyes@kfwlaw.com); ed@temix.com
(ed@temix.com); Khoury, Dexter (dexter.khoury@cpuc.ca.gov);

cpuc@libertyutilities.com (cpuc@libertyutilities.com); Morey, Candace (candace.morey@cpuc.ca.gov); Chan, Cherie (cherie.chan@cpuc.ca.gov); Chase B. Kappel (cbk@eslawfirm.com) (cbk@eslawfirm.com); darylmic@gmail.com (darylmic@gmail.com); eric.manzanares@cpuc.ca.gov (eric.manzanares@cpuc.ca.gov); jbarsimantov@ecoshift.com (jbarsimantov@ecoshift.com); bgeiser@lmi.net (bgeiser@lmi.net); bgriffiths@resourceinsight.com (bgriffiths@resourceinsight.com); Horner, Trina (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=TNHC); Weidemann, Mareijke (/O=PG&E/OU=CORPORATE/CN=RECIPIENTS/CN=M2W8); Halligan, Julie (julie.halligan@cpuc.ca.gov); kmills@cxbf.com (kmills@cxbf.com); ssmyers@att.net (ssmyers@att.net); lmh@eslawfirm.com (lmh@eslawfirm.com); joyw@mid.org (joyw@mid.org); nes@a-klaw.com (nes@a-klaw.com); marcel@turn.org (marcel@turn.org); sephra.ninow@energycenter.org (sephra.ninow@energycenter.org); mtierney-lloyd@enernoc.com (mtierney-lloyd@enernoc.com); liddell@energyattorney.com (liddell@energyattorney.com); mrw@mrwassoc.com (mrw@mrwassoc.com); wynne@braunlegal.com (wynne@braunlegal.com); Lee, Rebecca Tsai-Wei (rebecca.lee@cpuc.ca.gov); mdjoseph@adamsbroadwell.com (mdjoseph@adamsbroadwell.com); lwisland@ucsusa.org (lwisland@ucsusa.org); sue.mara@RTOadvisors.com (sue.mara@RTOadvisors.com); matthew@turn.org (matthew@turn.org); tomb@crossborderenergy.com (tomb@crossborderenergy.com); Rahman, Junaid (junaid.rahman@cpuc.ca.gov); steven@iepa.com (steven@iepa.com); mpf@stateside.com (mpf@stateside.com); spauker@wsgr.com (spauker@wsgr.com); lindaf@mid.org (lindaf@mid.org); StephanieC@greenlining.org (StephanieC@greenlining.org); kdw@woodruff-expert-services.com (kdw@woodruff-expert-services.com); service@cforat.org (service@cforat.org); RobertGnaizda@gmail.com (RobertGnaizda@gmail.com); Zafar, Marzia (marzia.zafar@cpuc.ca.gov); michael@sandiegocan.org (michael@sandiegocan.org); sswaroop@mceCleanEnergy.org (sswaroop@mceCleanEnergy.org); nguyen.quan@gswater.com (nguyen.quan@gswater.com); Samson, Renee (/O=PG&E/OU=Corporate/cn=Recipients/cn=r5sz); matt.vespa@SierraClub.org (matt.vespa@SierraClub.org); sachu.constantine@energycenter.org (sachu.constantine@energycenter.org); maryhoffmanRE@gmail.com (maryhoffmanRE@gmail.com); scarter@nrdc.org (scarter@nrdc.org); mpanfil@edf.org (mpanfil@edf.org); lnavarro@edf.org (lnavarro@edf.org); njohnson@consumercal.org (njohnson@consumercal.org); Watts-Zagha, Karen Camille (KarenCamille.Watts-Zagha@cpuc.ca.gov); rhupart@solarelectricpower.org (rhupart@solarelectricpower.org); steve@bakerstreetpublishing.com (steve@bakerstreetpublishing.com); tculley@kfwlaw.com (tculley@kfwlaw.com); russell.garwacki@sce.com (russell.garwacki@sce.com); Kao, Valerie (valerie.kao@cpuc.ca.gov); Gibbs, Syreeta (syreeta.gibbs@cpuc.ca.gov); pchernick@resourceinsight.com (pchernick@resourceinsight.com); paul.pietsch@drsgcoalition.org (paul.pietsch@drsgcoalition.org); Flagg, Michaela (Michaela.Flagg@cpuc.ca.gov); Tarasova, Catherine (/O=PG&E/OU=Corporate/cn=Recipients/cn=yxt537641601);

patrick.jobin@credit-suisse.com (patrick.jobin@credit-suisse.com); Amaya, Zaida C. (zaida.amaya@cpuc.ca.gov); Tan, Lee-Whei (lee-whei.tan@cpuc.ca.gov); rick@votesolar.org (rick@votesolar.org); samholmberg@fscgroup.com (samholmberg@fscgroup.com); nicole@braunlegal.com (nicole@braunlegal.com); spencer.edmiston@edisonintl.com (spencer.edmiston@edisonintl.com); Zhang, Zhen (Zhen.Zhang@cpuc.ca.gov); sean.beatty@nrgenergy.com (sean.beatty@nrgenergy.com); patrick.saxton@energy.ca.gov (patrick.saxton@energy.ca.gov); nbrockway@aol.com (nbrockway@aol.com); sgeorge@mexant.com (sgeorge@mexant.com); sarah.wallace@pacificorp.com (sarah.wallace@pacificorp.com); regulatory@mceCleanEnergy.org (regulatory@mceCleanEnergy.org); Everett, Margot (/O=PG&E/OU=Corporate/cn=Recipients/cn=MEC3); michaelperry@fscgroup.com (michaelperry@fscgroup.com); ntreadway@delfgllc.com (ntreadway@delfgllc.com); jwiedman@kfwlaw.com (jwiedman@kfwlaw.com); Kito, Michele (michele.kito@cpuc.ca.gov); policy@efficiencycouncil.org (policy@efficiencycouncil.org); siobhan.foley@energycenter.org (siobhan.foley@energycenter.org); Levin, Robert (robert.levin@cpuc.ca.gov); sdalal@sfwater.org (sdalal@sfwater.org); susannah@votesolar.org (susannah@votesolar.org); terry.clapham@energycenter.org (terry.clapham@energycenter.org); Francisco, Tory (tory.francisco@cpuc.ca.gov); sbirmingham@seia.org (sbirmingham@seia.org); timothy.treadwell@energycenter.org (timothy.treadwell@energycenter.org); Mutialu, Rajan (rajan.mutialu@cpuc.ca.gov); Barcic, Nathan (Nathan.Barcic@cpuc.ca.gov); mstamas@nrdc.org (mstamas@nrdc.org); pparikh@semprautilities.com (pparikh@semprautilities.com); kfox@kfwlaw.com (kfox@kfwlaw.com); St. Marie, Stephen (Stephen.St.Marie@cpuc.ca.gov); rogerl47@aol.com (rogerl47@aol.com); Roscow, Stephen C. (Stephen.Roscow@cpuc.ca.gov); kerry.hattevik@nee.com (kerry.hattevik@nee.com); kfallon@sirfunds.com (kfallon@sirfunds.com); O'Rourke, Shannon (Shannon.O'Rourke@cpuc.ca.gov); mborgeson@nrdc.org (mborgeson@nrdc.org); sgeller@resourceinsight.com (sgeller@resourceinsight.com)

Cc: ALJ Process (ALJ_Process@cpuc.ca.gov); ALJ_Support ID (alj_supportid@cpuc.ca.gov); ALJ Docket Office (ALJ_Docket_Office@cpuc.ca.gov); Jorrie, Katie (Intern) (Katie.Jorrie@cpuc.ca.gov)

Bcc:

Subject: R1206013 Email Ruling Requesting Briefing on Default TOU Pilots

R1206013 Email Ruling Requesting Briefing on Default Time-of-Use (TOU) Pilots

The utility proposals contain various pilot programs for TOU rates. Parties have asserted that under current state law, utilities cannot default residential ratepayers to a TOU rate, even as part of a pilot.

We believe it would be useful to brief this legal question early in the proceeding schedule with the hope of resolving the legal question prior to evidentiary hearings.

Issue: Is there a structure for a default time-of-use pilot (a pilot that simulates the customer experience of being defaulted onto the TOU rate rather than opting in) that is permitted under current state law?

Opening Briefs Due: September 22, 2014

Reply Briefs Due: October 3, 2014

DOCKET OFFICE SHALL FORMALLY FILE THIS RULING

Jeanne M. McKinney

Administrative Law Judge

California Public Utilities Commission

jmo@cpuc.ca.gov

(415) 703-2550