

March 3, 2003

**Advice 2350-E  
(Pacific Gas and Electric Company ID U39 E)**

Public Utilities Commission of the State of California (CPUC)

**Subject: New Electric Rate Schedule *E-BIO--Net Energy Metering Service For Biogas Customer-Generators* For Use By Pacific Gas and Electric Company To Provide Eligible Biogas Digester Customer-Generators With Net Energy Metering Under a Pilot Program In Compliance With Assembly Bill 2228**

Pacific Gas and Electric Company (PG&E) hereby submits for filing revisions to its electric tariffs. The affected tariff sheets are listed on the enclosed Attachment I.<sup>1</sup>

**Purpose**

The purpose of this filing is to comply with Assembly Bill (AB) 2228, which adds Section 2827.9 to the Public Utilities Code. This bill became effective January 1, 2003. In this filing, PG&E presents a new Rate Schedule Tariff Sheet, *E-BIO – Net Energy Metering Service For Biogas Customer-Generators*, a new interconnection agreement for electric Rate Schedule E-BIO, and a modification to pages 1 and 3 of Electric Rule 21's-*Generating Facility Interconnection Application* (Form 79-974).

**Background**

On September 24, 2002, the Governor of California approved AB 2228. The bill

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<sup>1</sup> PG&E reserves all legal rights to challenge the decisions or statutes under which it has been required to make this advice filing, and nothing in this advice filing constitutes a waiver of such rights. Also, PG&E reserves any additional legal rights to challenge the requirement to make this advice filing by reason of its status as a debtor under Chapter 11 of the Bankruptcy Code, and nothing in this advice filing constitutes a waiver of such rights.

establishes a pilot program to provide net energy metering for eligible biogas digester customer-generators to net out generation charges in order to further the intent of Chapter 7 of the Statutes of 2001, First Extraordinary Session, by facilitating the implementation of energy efficiency programs to reduce consumption of energy, reduce the costs associated with energy demand, and achieve a reduction in peak electricity demand.

PG&E is filing this advice letter, including a standard tariff consistent with AB 2228, with the Commission in compliance with the timeline set out in AB 2228, which requires filing no later than March 3, 2003, 60 days from January 1, 2003, the effective date of this legislation.

### **Tariff Addition**

The attached electric rate schedule E-BIO provides a net energy metering tariff for bundled customers with an eligible biogas digester generating facility of one (1) megawatt or less, which produces electricity with a manure methane production project or as a byproduct of the anaerobic digestion of waste from animal operations; is located on or adjacent to the customer's premises; is interconnected and operates in parallel with the electric grid; and is sized to offset part or all of the customer's own electric requirements. E-BIO will be offered until the total cumulative rated generating capacity used by eligible biogas customer-generators equals 5 megawatts, or until January 1, 2006, (unless extended by legislation), whichever comes first.

A customer on E-BIO is required to select a time-of-use (TOU) otherwise applicable rate schedule (OAS). Each month the customer is billed for all non-energy charges in accordance with the OAS. Energy charges are billed at the end of 12 monthly billing cycles or at service termination (the Relevant Period). In order to determine energy charges and credits, the customer's TOU meter(s) must separately register total electricity supplied by PG&E and total electricity fed back into PG&E's distribution system. Each month, for each TOU period, credits for net consumption and net generation are calculated based on the generation rate component of the energy charge of the customer's OAS. (Surcharges, if any, are not to be included in the generation component used to calculate credits.) All other charges for energy, other than generation, are calculated under the OAS based on the customer's total consumption for the month.

At the end of the Relevant Period all the generation charges, eligible generation credits and other total charges, are added together and the customer is billed accordingly. In addition, as part of this annual reconciliation, the total amount of the energy supplied by PG&E is compared with the total energy fed back to PG&E's distribution system. If the total energy supplied by PG&E is greater than the energy fed back, the customer is a Biogas Net Consumer; otherwise the customer is a Biogas Net Producer.

For customers with dairy operations, PG&E will aggregate the load of their eligible accounts to determine whether they are Biogas Net Consumers or Biogas Net Producers. Eligible accounts include TOU accounts serving the dairy operation located on property adjacent or contiguous<sup>2</sup> to the Eligible Biogas Digester Electric Generation Facility including but not limited to accounts associated with milking operations, milk refrigeration or water pumping.

If the customer is a Biogas Net Consumer, the generation credit equals the lesser of 1) all net generation charges for the Relevant Period (including aggregated dairy accounts) or 2) the absolute value of all net generation credits for the Relevant Period.

If the customer is a Biogas Net Producer excess kWh generation is retained by PG&E without compensation to the customer. The generation credit for Biogas net producers is calculated by 1) determining the average credit per kWh (total credit calculated for generation delivered to PG&E by the Biogas Net Producer divided by the total kWh delivered to PG&E during the Relevant period); and 2) multiplying this amount by the total kWh consumed by the Biogas Net Producer over the corresponding period. Again, the absolute value of the generation credit may not exceed the amount of all net generation charges (including aggregated dairy accounts) for the Relevant Period.

This filing will not increase any rate or charge, cause the withdrawal of service, or conflict with any other rate schedule or rule.

### **Protests**

Anyone wishing to protest this filing may do so by sending a letter by **March 23, 2003**, which is 20 days from the date of this filing. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. Protests should be mailed to:

IMC Branch Chief – Energy Division  
California Public Utilities Commission  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, California 94102  
Facsimile: (415) 703-2200  
E-mail: [jjr@cpuc.ca.gov](mailto:jjr@cpuc.ca.gov)

Protests also should be sent by e-mail and facsimile to Mr. Jerry Royer, Energy Division, as shown above, and by U.S. mail to Mr. Royer at the above address.

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<sup>2</sup> AB 2228 provides that the account must be continuous. PG&E intends to interpret “continuous” to mean “contiguous” in administering this tariff.

The protest should be sent via both e-mail and facsimile to PG&E on the same date it is mailed or delivered to the Commission at the address shown below.

Pacific Gas and Electric Company  
Attention: Brian Cherry  
Director, Regulatory Relations  
77 Beale Street, Mail Code B10C  
P.O. Box 770000  
San Francisco, California 94177  
Facsimile: (415) 973-7226  
E-mail: RxDd@pge.com

**Effective Date**

In accordance with Assembly Bill 2228, PG&E requests that this advice filing become effective April 12, 2003, upon approval by the Energy Division.

**Notice**

In accordance with General Order 96-A, Section III, Paragraph G, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list, and the service list parties for Rulemaking (R.) 99-10-025. Address changes should be directed to Sandra Ciach at (415) 973-7572. Advice letter filings can also be accessed electronically at:

[http://www.pge.com/customer\\_services/business/tariffs/](http://www.pge.com/customer_services/business/tariffs/)

Vice President - Regulatory Relations

Attachments

cc: Service List R. 99-10-025



SCHEDULE E-BIO—NET ENERGY METERING SERVICE FOR BIOGAS CUSTOMER-GENERATORS

**APPLICABILITY:** This schedule is applicable to Bundled Service Customers who are served under a Time-of-Use (TOU) rate schedule, and who (1) interconnect and operate in parallel with PG&E's electrical system an Eligible Biogas Digester Electrical Generating Facility, as defined below pursuant to California Public Utilities Code Section 2827.9 (PU Code Section 2827.9), with a generating capacity no greater than 1,000 kW, located on or adjacent to the Biogas Customer-Generators' premises as the sole source of Biogas Customer-Generators' generation, intended to offset part or all of the Biogas Customer-Generators' electrical requirements, and (2) are the recipient of local, state, or federal funds, or who self-finance projects designed to encourage the development of Biogas Digester Electrical Generating Facilities (Biogas Customer-Generator). Customers eligible for service under this Schedule are exempt from any new or additional charges not included in their Otherwise Applicable Schedule (OAS). Pursuant to PU Code Section 2827.9, this Schedule is available on a first-come, first-serve basis and will be closed to new customers once 5,000 kW of rated generating capacity is served under this Schedule and will expire on January 1, 2006, unless extended by legislation. (N)

A customer's E-BIO account is not eligible for E-NET and E-NET accounts are not eligible under Special Condition 2.

**TERRITORY:** The entire territory served.

**RATES:** Only the Generation Rate Component of the Biogas Customer-Generator's OAS, not including generation surcharges from Schedule E-EPS, shall be used in the calculation of credits when the Biogas Customer-Generator is a net energy producer, on a monthly basis, for any TOU period. Only the Generation Rate Component of the Biogas Customer-Generator's OAS, not including generation surcharges from Schedule E-EPS, shall be used to calculate the charge for generation when the Biogas Customer-Generator is a Net Energy consumer on a monthly basis, for any TOU period. All other charges, including but not limited to, Transmission Charges, Distribution Charges, Monthly Customer Charges, Minimum Charges, Demand Charges, Generation Surcharges from schedule E-EPS, and/or non-energy related charges, shall be calculated according to the Customer Generator's OAS prior to the netting of energy supplied or produced, for all energy supplied. (N)

(Continued)



SCHEDULE E-BIO—NET ENERGY METERING SERVICE FOR BIOGAS CUSTOMER-GENERATORS  
(Continued)

SPECIAL  
CONDITIONS:

1. REQUIRED CONTRACT: An "Interconnection Agreement for Net Energy Metering of Qualifying Biogas Digester Generating Facilities" (Form 79-997) is required for service under this Schedule. (N)
2. LOAD AGGREGATION: For purposes of determining whether the Biogas Customer-Generator was a Biogas Net Consumer or a Biogas Net Producer, as defined in Special Condition 6.f below, PG&E shall aggregate the load of metered TOU service accounts that meet the requirements of Special Condition 6.e for dairy operations.
3. METERING:
  - a. Biogas Digester net energy metering shall be accomplished using a TOU meter capable of separately registering the flow of electricity in two directions. If the Biogas Customer-Generator's existing meter is not capable of separately measuring the flow of electricity in two directions, the Biogas Customer-Generator shall be responsible for all expenses involved in purchasing and installing a meter that is able to separately measure electricity flow in two directions. If dual metering is installed, the net energy metering calculation shall yield a result identical to that of a single meter capable of separately measuring the flow of electricity in two directions.
  - b. If none of the normal metering options at PG&E's disposal that are necessary to render accurate billing are acceptable to the Biogas Customer-Generator, PG&E shall have the have the right to refuse interconnection under this rate schedule.
  - c. Dairy operations with service accounts that qualify for Special Condition 2 are required to meet the provisions of Special Conditions 3.a and 3.b for the account serving the Eligible Biogas Digester Electrical Generating Facility only; all other service accounts are only required to have the metering specified in the TOU rate schedule on which it is billed.
4. BILLING: Biogas Customer-Generator will be billed monthly for all non-energy charges. Then, at the end of each Relevant Period, as defined in 6.d, following the Date of Final Interconnection, PG&E shall proceed as follows:
  - a. PG&E will complete an Annual Reconciliation per section 6.f.
  - b. Any remaining Generation credit greater than the Eligible Generation Credit calculated per section 6.g will be zeroed out and the Biogas Customer-Generator shall not be entitled to compensation for such credit, and a new Relevant Period shall commence.
  - c. PG&E shall provide the Biogas Customer-Generator with gross energy (kWh) consumption and net energy (kWh) consumed/produced information with each monthly billing statement. (N)

(Continued)



SCHEDULE E-BIO—NET ENERGY METERING SERVICE FOR BIOGAS CUSTOMER-GENERATORS  
(Continued)

SPECIAL  
CONDITIONS:  
(Cont'd.)

- 4. BILLING: (Cont'd.)
  - d. In the case of a dairy operation, only the account serving the Eligible Biogas Digester Electrical Generating Facility will be billed annually for energy charges. All other biogas dairy accounts will be billed monthly for all charges, including energy charges, consistent with their time-of-use rate schedules.
- 5. STANDBY CHARGES: Consistent with electric Rate Schedule S – *Standby Service*, to the extent that charges for transmission and distribution services are recovered through demand charges in any billing period, no standby charges shall apply in that monthly billing cycle
- 6. DEFINITIONS: The following definitions are applicable to service provided under this Schedule.
  - a. ELIGIBLE BIOGAS DIGESTER ELECTRICAL GENERATING FACILITY: A Generating Facility used to produce electricity by a manure methane production project or as a byproduct of the anaerobic digestion of bio-solids and animal waste, that meets all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
  - b. DATE OF FINAL INTERCONNECTION: The date PG&E provides the Biogas Customer-Generator with PG&E's written approval to commence parallel operation of the Eligible Biogas Digester Electrical Generating Facility for purposes of participating in E-BIO.
  - c. OTHERWISE APPLICABLE SCHEDULE (OAS): The Biogas Customer-Generator's regularly filed rate schedule under which service is rendered.
  - d. RELEVANT PERIOD: Twelve monthly billing cycles commencing on the anniversary Date of Final Interconnection or pursuant to Special Condition 4b, or a portion thereof in the event service under this tariff terminates.
  - e. ELIGIBLE METERED SERVICE ACCOUNT: A TOU metered service account serving an Eligible Biogas Digester Electrical Generating Facility. All TOU metered service account(s) serving dairy operations that are located on property adjacent, or contiguous, to the Eligible Biogas Digester Electrical Generating Facility including but not limited to accounts associated with the milking operations, milk refrigeration, or water pumping of the eligible Biogas Digester dairy operation are eligible for Special Condition 2 above. If a dairy operation has more than one Eligible Metered Service Account, all such metered service accounts must be under the same ownership and Biogas Customer-Generator name as the account serving the Eligible Biogas Digester Electrical Generating Facility to qualify for the provisions of Special Condition 2.

(N)

(N)

(Continued)



**SCHEDULE E-BIO—NET ENERGY METERING SERVICE FOR BIOGAS CUSTOMER-GENERATORS**  
(Continued)

SPECIAL  
CONDITIONS:  
(Cont'd.)

6. DEFINITIONS: (Cont'd.)

(N)

f. ANNUAL RECONCILIATION: PG&E will total all the electricity (kWh) supplied by PG&E to the Eligible Biogas Digester Customer-Generator and all the electricity (kWh) fed back to the PG&E Distribution System by the Biogas Customer-Generator during the Relevant Period. If the total electricity supplied by PG&E is greater than the total of electricity fed back to the PG&E Distribution System, then the Eligible Biogas Digester Customer-Generator is a Biogas Net Consumer. Otherwise, the Biogas Customer is a Biogas Net Producer.

For non-dairy operations, only the account serving the Eligible Biogas Digester Generating Facility is used to determine if the Biogas Customer-Generator is a Biogas Net Producer or a Biogas Net Consumer.

In the case of a dairy operation, an aggregate of usage from all the Eligible Metered Service Accounts is used to determine if the Biogas Customer-Generator is a Biogas Net Producer or Biogas Net Consumer.

As part of the Annual Reconciliation, Biogas Net Consumers and Biogas Net Producers will receive a bill for energy usage that totals 1) all generation charges; 2) all Eligible Generation Credits; and 3) all other charges, calculated monthly as described in the Rates Section above.

The balance of all moneys owed by Biogas Net Consumers and Biogas Net Producers shall be paid in accordance with PG&E's tariff schedules.

(N)

(Continued)



SCHEDULE E-BIO—NET ENERGY METERING SERVICE FOR BIOGAS CUSTOMER-GENERATORS  
(Continued)

SPECIAL  
CONDITIONS:  
(Cont'd.)

6. DEFINITIONS: (Cont'd.)

(N)

g. **ELIGIBLE GENERATION CREDIT:** The Eligible Generation Credit for Biogas Net Consumers equals the lesser of 1) all net generation charges for the Relevant Period, including in the case of a dairy operation the Generation Charges associated with accounts eligible for Special Condition 2; or 2) the absolute value of all net generation credits for the Relevant Period.

For Biogas Net Producers, generation credits for kWh in excess of total kWh consumed, are not Eligible Generation Credits. To calculate the Eligible Generation Credit for a Biogas Net Producer, PG&E will, as part of the Annual Reconciliation, 1) determine the average credit for energy (per kWh) produced by taking the total credit calculated for generation delivered to PG&E's Distribution System by the Biogas Net Producer and dividing by the total kWh delivered to the Distribution System during the Relevant Period; and 2) multiply this amount by the total energy (kWh) consumed by the Biogas Net Producer over the corresponding period. This Eligible Generation Credit shall be no greater than the total of all net generation charges for the Relevant Period, including in the case of a dairy operation, the generation charges associated with the accounts eligible for Special Condition 2. Any credit for excess energy (kWh) will be retained by PG&E and Biogas Net Producer will not be owed any compensation for this excess energy.

h. **NET ENERGY:** The difference between the electricity (kWh) supplied by PG&E to the Biogas Customer-Generator, and the electricity (kWh) generated by the Biogas Customer-Generator and fed back into PG&E's Distribution System, measured over a given period.

i. **GENERATION RATE COMPONENT:** The generation rate component of the energy charge of the Biogas Customer-Generator's OAS for the accounts(s), not including generation surcharges from Schedule E-EPS.

(N)

(Continued)



**Pacific Gas and Electric Company**  
San Francisco, California

*Cancelling*

Revised  
Revised

Cal. P.U.C. Sheet No.  
Cal. P.U.C. Sheet No.

19866-E  
18580-E

PACIFIC GAS AND ELECTRIC COMPANY  
GENERATING FACILITY INTERCONNECTION APPLICATION  
FORM NO. 79-974 (03/03)  
(ATTACHED)

(T)

Advice Letter No. 2350-E  
Decision No.

47976

Issued by  
**Karen A. Tomcala**  
Vice President  
Regulatory Relations

Date Filed March 3, 2003  
Effective \_\_\_\_\_  
Resolution No. \_\_\_\_\_



**Pacific Gas and Electric Company**  
San Francisco, California

*Cancelling*

Original

Cal. P.U.C. Sheet No.

19867-E

Cal. P.U.C. Sheet No.

PACIFIC GAS AND ELECTRIC COMPANY  
BIOGAS DIGESTER NET ENERGY METERING  
AND INTERCONNECTION AGREEMENT  
FORM NO. 79-997 (REV. 3/03)  
(ATTACHED)

(N)  
(N)

Advice Letter No. 2350-E  
Decision No.

Issued by  
**Karen A. Tomcala**  
Vice President  
Regulatory Relations

Date Filed March 3, 2003  
Effective \_\_\_\_\_  
Resolution No. \_\_\_\_\_

47938



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Advice Letter No. 2350-E  
Decision No.

Issued by  
**Karen A. Tomcala**  
Vice President  
Regulatory Relations

Date Filed March 3, 2003  
Effective \_\_\_\_\_  
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E-19	Medium General Demand-Metered Time-of-Use Service .....	19205,17092,17093,18739 18740,18741,15321,18221,18222,18037,18864,18039,18040,18865,17900,16414,15330 18742,18743,18744,16416,18223,16418,16419,16420,19206,17094,17095,19207,19208-E
E-20	Service to Customers with Maximum Demands of 1,000 Kilowatts or More .....	19209,17254,18745, 18746,18747,15348,18225,15350,18226,18866,18044,18045,18867,15356,16430,15358, 18748,18749,18750,16432,18227,16434,16435,16436,18228,17099,17100,17101,19210-E
E-25	Restricted Variable-Peak-Period Time-of-Use Service to Water Agencies.....	19211,19212,18752,18753,15376,18229,15378,18230,19213-E
E-36	Small General Service to Oil and Gas Extraction Customers .....	19214,18754,19215-E
E-37	Medium General Demand-Metered Time-of-Use Service to Oil and Gas Extraction Customers .....	19216,17108,18755,15690,15691,18233,19217-E
ED	Experimental Economic Development Rate.....	18234,17110-E
E-CARE	CARE Program Service for Qualified Nonprofit Group-Living and Qualified Agricultural Employee Housing Facilities .....	18335-E

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