

April 7, 2021

Advice 6152-E

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Clarifications to Electric Rule Number 1 Definitions Tariff for Behind-the-Meter Solar Legacy Time-of-Use Period Eligibility Requirements

Purpose

Pacific Gas and Electric Company (PG&E) submits this Tier 2 advice letter to clarify behind-the-meter solar legacy time-of-use (TOU) period eligibility requirements in its Electric Rule Number 1 Definitions Tariff.

Background

PG&E has received customer inquiries regarding behind-the-meter solar legacy TOU period eligibility. The current language in the Rule 1 tariff is not clear if customer generating accounts with no load are eligible for TOU legacy treatment. Pursuant to Resolution E-4946, PG&E agreed to allow generating accounts with no load to qualify for the legacy eligibility. Per Advice 5625-E, legacy rates closed on November 1, 2019 for new customers. The current language may suggest that an eligible generating account with new service is unable to enroll into a legacy rate. Although Section C states that there is no deadline to complete projects and receive legacy treatment, other sections in the tariff imply renewable generating facilities with new service would need to obtain Permission to Operate (PTO) before legacy rates close to new customers.

This Advice Letter clarifies the *Behind-The-Meter Solar Legacy TOU Period Eligibility Requirements* definition section. Specifically, this Advice Letter clarifies that a customer (with an eligible generating account) can enroll in a legacy rate if they: (i) submitted an interconnection application before the interconnection application deadline for legacy eligibility (hereto referred as Deadline),¹ and (ii) requested a legacy rate before the

¹ An interconnection application must have been received by PG&E no later than January 31, 2017 or no later than December 31, 2017 for Public Agencies. Electric Rule Number 1 Definitions Tariff, Section E. Eligible System, Sheet 4.

Deadline, and (iii) attained PTO after legacy rates closed but before the end of the mitigation period.²

Clarifications on Customer Eligibility

PG&E has identified ambiguity between Section C, *Customer Eligibility Grace Period End Date*,³ and Section H, *Additional Implementation Details for Ineligible Customers*.⁴ Section H may cause confusion as it unnecessarily describes treatment for ineligible customers. PG&E proposes removing Section H entirely to remove the redundant and ambiguous language. PG&E also proposes adding language to Section C to clarify eligibility:

“An eligible generating account that receives PTO after legacy rates have been closed to new enrollment can (i) take service on the legacy rate requested on the interconnection application or (ii) revert to their pre-transition legacy rate. The eligible generating account must meet the rate eligibility requirements in either case.”

A customer can enroll in their desired legacy rate indicated on the interconnection application if:

- They submitted an interconnection application before the 2017 Deadline, and;
- They requested a legacy rate before the Deadline, and;
- PTO is issued before the applicable 2027 mitigation period end date.

If a customer was on a legacy rate before the March 2021 transition and meets the above requirements, then the customer can revert to the legacy rate they were enrolled in before the March 2021 transition to new rates. The eligible generating account must still meet the rate eligibility requirements.

Clarifications on Eligible Customer Load

The current language in the Rule 1 tariff might suggest that if a customer does not have load behind the same meter as the generating account, the system may not be eligible for legacy rates. The tariff states that accounts on virtual net energy metering tariffs are eligible, but these tariffs do not allow load on generating accounts (NEMV/NEM2V and NEMVMASH/NEM2VMSH). This Advice Letter clarifies Section B (1) and (2), and Section

² The mitigation period shall not continue beyond July 31, 2022 for residential on-site solar customers, December 31, 2027 for public agencies, or July 31, 2027 for all other non-residential customers. Electric Rule Number 1 Definitions Tariff, Section D, Transition Mitigation Period, Sheet 3.

³ Electric Rule Number 1 Definitions Tariff, Section C, Customer Eligibility Grace Period End Date, Sheet 3.

⁴ Electric Rule Number 1 Definitions Tariff, Section H, Additional Implementation Details for Ineligible Customers, Sheets 6-7.

E (1) for consistency and to explain that generating accounts with no load behind the same meter are also eligible, which aligns with PG&E's existing process.

Removing Additional Redundancy and Ambiguity

This Advice Letter also removes redundant language and ambiguity. The same paragraph describing PTO is repeated at the bottom of Sheet 4 and at the top of Sheet 5. PG&E proposes to remove the redundant paragraph.

Additionally, Section F, *Complete Interconnection Application Package*, contains incomplete and unnecessary descriptions of what is required in an interconnection application. PG&E proposes removing Section F entirely to eliminate possible confusion.

Tariff Revisions

PG&E proposes the following clarifications to the Electric Rules 1 Definitions Tariff, *Behind-the-Meter Solar Legacy TOU Period Eligibility Requirements* Definition Section. A redlined version of the tariff is attached to this filing.

- Add clarifying language in Section B: Qualified non-residential solar customers
- Add clarifying language in Section C: Customer Eligibility Grace Period End Date
- Add clarifying language and remove redundant language in Section E: Eligible System
- Remove Section F: Complete Interconnection Package
- Remove Section H: Additional Implementation Details for Ineligible Customers
- Minor typographical corrections

For your convenience, redline versions of the tariff revisions are included as Attachment 2.

Protests

*****Due to the COVID-19 pandemic and the shelter at home orders, PG&E is currently unable to receive protests or comments to this advice letter via U.S. mail or fax. Please submit protests or comments to this advice letter to EDTariffUnit@cpuc.ca.gov and PGETariffs@pge.com*****

Anyone wishing to protest this submittal may do so by letter sent via U.S. mail, facsimile or E-mail, no later than April 27, 2021, which is 20 days after the date of this submittal. Protests must be submitted to:

CPUC Energy Division
ED Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, California 94102

Facsimile: (415) 703-2200
E-mail: EDTariffUnit@cpuc.ca.gov

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

The protest shall also be sent to PG&E either via E-mail or U.S. mail (and by facsimile, if possible) at the address shown below on the same date it is mailed or delivered to the Commission:

Erik Jacobson
Director, Regulatory Relations
c/o Megan Lawson
Pacific Gas and Electric Company
77 Beale Street, Mail Code B13U
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-3582
E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (General Order 96-B, Section 7.4). The protest shall contain the following information: specification of the advice letter protested; grounds for the protest; supporting factual information or legal argument; name, telephone number, postal address, and (where appropriate) e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Section 3.11).

Effective Date

PG&E requests that this Tier 2 advice submittal become effective on regular notice, May 7, 2021 which is 30 calendar days after the date of submittal.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list and the parties on the service list for R.15-12-012, R.12-06-013, R.14-07-002, R.12-11-005, A.16-06-013 and R.20-08-020. Address changes to the General Order 96-B service list should be directed to PG&E at email address PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process_Office@cpuc.ca.gov. Send all electronic approvals to PGETariffs@pge.com. Advice letter submittals can also be accessed electronically at: <http://www.pge.com/tariffs/>.

/S/

Erik Jacobson
Director, Regulatory Relations

Attachments

Attachment 1 – Tariffs
Attachment 2 – Redline Tariff

cc: Service List R.15-12-012
R.12-06-013
R.14-07-002
R.12-11-005
A.16-06-013
R.20-08-020



ADVICE LETTER SUMMARY

ENERGY UTILITY



MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: Pacific Gas and Electric Company (ID U39 E)

Utility type:

- ELC GAS WATER
 PLC HEAT

Contact Person: Annie Ho
 Phone #: (415) 973-8794
 E-mail: PGETariffs@pge.com
 E-mail Disposition Notice to: AMHP@pge.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas WATER = Water
 PLC = Pipeline HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 6152-E

Tier Designation: 2

Subject of AL: Clarifications to Electric Rule Number 1 Definitions Tariff for Behind-the-Meter Solar Legacy Time-of-Use Period Eligibility Requirements

Keywords (choose from CPUC listing): Compliance

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL:

Confidential treatment requested? Yes No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required? Yes No

Requested effective date: 5/7/21

No. of tariff sheets: 8

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: Electric Rule 1

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

¹Discuss in AL if more space is needed.

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102
Email: EDTariffUnit@cpuc.ca.gov

Name: Erik Jacobson, c/o Megan Lawson
Title: Director, Regulatory Relations
Utility Name: Pacific Gas and Electric Company
Address: 77 Beale Street, Mail Code B13U
City: San Francisco, CA 94177
State: California Zip: 94177
Telephone (xxx) xxx-xxxx: (415)973-2093
Facsimile (xxx) xxx-xxxx: (415)973-3582
Email: PGETariffs@pge.com

Name:
Title:
Utility Name:
Address:
City:
State: District of Columbia Zip:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

Cal P.U.C. Sheet No.	Title of Sheet	Cancelling Cal P.U.C. Sheet No.
49329-E	ELECTRIC RULE NO. 1 DEFINITIONS Sheet 2	49172-E
49330-E	ELECTRIC RULE NO. 1 DEFINITIONS Sheet 3	49173-E
49331-E	ELECTRIC RULE NO. 1 DEFINITIONS Sheet 4	49174-E
49332-E	ELECTRIC RULE NO. 1 DEFINITIONS Sheet 5	49175-E
49333-E	ELECTRIC RULE NO. 1 DEFINITIONS Sheet 6	49176-E
49334-E	ELECTRIC RULE NO. 1 DEFINITIONS Sheet 7	46390-E
49335-E	ELECTRIC TABLE OF CONTENTS Sheet 1	49326-E
49336-E	ELECTRIC TABLE OF CONTENTS Sheet 18	49187-E



**ELECTRIC RULE NO. 1
DEFINITIONS**

Sheet 2

BASELINE: A rate structure mandated by the California Legislative and implemented at PG&E in 1984 that ensures all residential customers are provided a minimum necessary quantity of electricity at the lowest possible cost. (T)

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD:

A. A transition mitigation measure that allows qualified solar customers to maintain legacy time-of-use (TOU) periods for the duration of the transition mitigation period. This transition mitigation measure does not apply to these customers: (T)

(1) For customers on Schedules E-TOU-A, E-TOU-B and E-6, the transition mitigation period that was already adopted by the CPUC in (D.) 15-11-013 continues to apply, as set forth in those rate schedules.

(2) For NEM 2.0 EV customers, the transition mitigation period already adopted by the CPUC in (D.) 16-01-044 continues to apply, as set forth in PG&E's NEM2 rate schedule.

B. Changes to rate design, including allocating marginal costs to TOU periods and setting specific rate levels, will be litigated in utility specific rate proceedings.

C. The new electricity price for legacy peak period hours shall not fall below the new price for legacy off-peak periods and the new electricity price for legacy off peak periods shall not be increased above the price during legacy peak periods.

D. The Legacy TOU Eligibility requirements for behind-the-meter solar are defined in the Behind-the-Meter Solar Legacy TOU Period Eligibility Requirements.

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS:

A customer is eligible for behind-the-meter solar legacy TOU period if the following conditions are met:

A. Qualified residential on-site solar customers

(1) EV customers who interconnected on NEM on or before December 16, 2016.

(Continued)



ELECTRIC RULE NO. 1
DEFINITIONS

Sheet 3

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS:
(Cont'd)

B. Qualified non-residential solar customers should have: (T)

- (1) Behind-the-meter solar (PV) generating facility with associated customer load, except for those enrolled in tariffs as stated in Section E (1). (T)
- (2) Benefitting/aggregated accounts (or the generating account where considered a benefitting/aggregated account) in an arrangement on Load Aggregation provisions NEMA/NEM2A¹, or Schedule NEMV or NEM2V (Virtual NEM), or Schedule NEMVMASH or NEM2VMSH (Virtual NEM for Multifamily Affordable Housing with Solar Generation), or Schedule RES-BCT (Local Government Renewable Energy Self-Generation Bill Credit Transfer) by the time the Permission to Operate (PTO) is issued. This arrangement allows electric accounts, which may not be physically tied behind-the-meter to a solar system, to also be eligible for legacy TOU periods. Benefitting/aggregated accounts added to an arrangement after the PTO is issued will not be eligible for legacy TOU periods. Benefitting/aggregated accounts removed from an arrangement after the PTO is issued lose their eligibility for legacy TOU. (T)

C. Customer Eligibility Grace Period End Date

There is no deadline to complete projects to preserve eligibility for legacy TOU time periods. Customers must comply with Rule 21. An eligible generating account that receives PTO after legacy rates have been closed to new enrollment can (i) take service on the legacy rate requested on the interconnection application or (ii) revert to their pre-transition legacy rate. The eligible generating account must meet the rate eligibility requirements in either case. (N)

D. Transition Mitigation Period

- (1) For residential on-site solar customer systems, the transition mitigation period is five years from issuance of a permission to operate. In no event shall the duration continue beyond July 31, 2022.
- (2) For non-residential customers, the transition mitigation period is ten years after issuance of a permission to operate. In no event shall the duration continue beyond December 31, 2027, (for public agencies) or July 31, 2027, (for all other non-residential customers). (T)

¹ Provisions NEMA/NEM2A of Schedules NEM or NEM2 tariffs. (N)

(Continued)



ELECTRIC RULE NO. 1
DEFINITIONS

Sheet 4

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS: (T)
(Cont'd)

E. Eligible System

An Eligible System is a solar (PV) generating facility:

- (1) That serves customer load behind-the-same meter as the generating facility; except for NEMV, NEM2V, NEMVMASH, NEM2VMSH where the load will not be behind the same meter; and except for NEMA/NEM2A and RES-BCT in those specific instances where there will be no load behind the same meter. Such Generating Facilities may be taking service on Rate schedules NEM, NEM2, NEMV, NEM2V, NEMVMASH, NEM2VMSH, E-REMAT, RES-BCT, the RAM program, or interconnected under Electric Rule 21 as non-export or uncompensated export; and (T)
(T)

for which an Initial interconnection application was received by PG&E

(a) No later than January 31, 2017; or

(b) (for Public Agencies), no later than December 31st, 2017. (Public agency is defined here as public schools, (including colleges and universities); federal, state, county and city government agencies; municipal utilities; public water and/or sanitation agencies; and joint powers authorities). (T)

(2) For which PG&E has received evidence of the customer's final inspection clearance from the governmental authority; and

(3) If the interconnection application was received by PG&E between January 23, 2017 and December 31, 2017, the generating facility must be designed to offset at least 15%² of the customer's current load, in a manner with consistent with the Option R requirements in Rate Schedule E19, Special Condition 19. This requirement must be met at the time the Initial Application is filed and PG&E reserves the right to verify this requirement. This requirement will not be retroactively applied to systems where an application to interconnect was received by PG&E prior to January 23, 2017.³

(L)
(L)

² For tracking systems, PG&E agrees to use a 21% capacity factor for a single tracker, or 24% for a dual tracker, instead of the 18% in the Option R calculation in E-20 Special Condition 17, Footnote 1. (T)

³ PG&E will not apply the 15% load requirement to systems with PTO prior to January 23, 2017, the date of (D.) 17-01-006. The intent of the 15% load requirement was to eliminate the potential for applications submitted after the CPUC's decision was issued on January 23, 2017 seeking to "lock in" a legacy TOU period by installing only a token amount of on-site solar generation. (T)

(Continued)



ELECTRIC RULE NO. 1
DEFINITIONS

Sheet 5

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS:
(Cont'd)

For the purposes of legacy TOU period eligibility, Permission to Operate (PTO) refers to the original permission to operate date as issued by PG&E for the Eligible System. Any subsequent requests to modify that previously approved system do not restart the Transition Mitigation Period once the new PTO is issued nor can any changes alter its original legacy TOU eligibility, except for subsequent requests received within specific windows of time defined separately for public agencies and for other customers (non-public agencies).⁴

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(D)
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(D)

F. Modifications to Pending Interconnection Request Applying under Fast Track Study (T)

For the purposes of legacy TOU period eligibility, the initial interconnection application that is submitted by the applicable deadline must remain in compliance with Electric Rule 21 for the duration of the application and receive Permission to Operate (PTO). If an Applicant takes any action beyond what is listed below, the Applicant must withdraw the pending application and reapply. If the corrected application is not resubmitted by the timelines prescribed in the Decision, it is no longer eligible for legacy TOU periods.

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(D)

⁴ Any subsequent request submitted between January 23, 2017 and January 31, 2017 (non-Public Agencies), or between January 23, 2017 and December 31, 2017 (Public Agencies), to modify a previously approved generating facility with solar technology, and whose interconnection application remains in compliance with Electric Rule 21 for the duration of the application and received Permission to Operate (PTO), will commence their Legacy TOU Period as of the issuance date of the PTO for that subsequent request.

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(N)

(Continued)



ELECTRIC RULE NO. 1
DEFINITIONS

Sheet 7

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(D)

BILLING CYCLE: The regular interval at which a bill for electric service is rendered; typically spans a 27-to-33 day period.

BILLING DEMAND: The demand on which the customer is to be billed in accordance with the terms and conditions of their applicable rate schedule.

BILLING FACTOR: Factor used to calculate a bill on a daily basis as opposed to monthly, when the billing period is other than 27 to 33 days. All rate schedules assume monthly billings of 27 to 33 days, and the Billing Factor for these billings is equal to 1. The factor is used to adjust flat monthly charges (such as fixed usage accounts), monthly customer, monthly meter, and minimum service charges to monthly parity when an account is billed for fewer than 27 days (Billing Factor is less than 1), or when billed for more than 33 days (Billing Factor is greater than 1). The factor is based on 30 days, which are deemed to be the total number of days in an average month. The Billing Factor formula is:

$$\text{Billing Factor} = \text{Number of Billing Days divided by 30.}$$

BILLING MONTH: The period of time over which a customer is billed for services rendered during a particular billing cycle.

BUNDLED SERVICE: Defined in Rule 22.A.1.

BUSINESS DAY: A day on which PG&E offices are open to conduct general business in California. Also, commonly referred to as a "working" day.

CALIFORNIA ALTERNATE RATES FOR ENERGY (CARE): The residential CARE (formerly known as Low-Income Ratepayer Assistance or LIRA) program for qualifying (see Rules 19.1 and 19.2) low-income applicants provides reduced energy charges to the following:

(D)
(D)

(Continued)



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Rules.....		49336 ,48875,48369-E	(T)
Maps, Contracts and Deviations.....		37960-E	
Sample Forms.....	47207,37631,49301,49302, 49303,49304,49305,49306,49307,49308,49309,49310,49311-E		

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Advice 6152-E
Decision

Issued by
Robert S. Kenney
Vice President, Regulatory Affairs

Submitted
Effective
Resolution

April 7, 2021



ELECTRIC TABLE OF CONTENTS

Sheet 18

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Rule 03	Application for Service	27798, 46817, 46818-E
Rule 04	Contracts	34614-E
Rule 05	Special Information Required on Forms	32168, 14192, 37150-E
Rule 06	Establishment and Reestablishment of Credit	46819, 46820-E
Rule 07	Deposits	46821, 46822-E
Rule 08	Notices	46823, 46824, 46825, 14146, 35236-E
Rule 09	Rendering and Payment of Bills	41048, 43019, 46804, 47890, 40606, 27862, 46735, 46736-E
Rule 10	Disputed Bills	11308, 11309, 11310-E

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Advice 6152-E
April 7, 2021

Attachment 2

Redline Tariffs



**ELECTRIC RULE NO. 1
DEFINITIONS**

Sheet 2

BASELINE: A rate structure mandated by the California Legislative and implemented at PG&E in 1984 that ensures all residential customers are provided a minimum necessary quantity of electricity at the lowest possible cost.

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD: (T)

A. A transition mitigation measure that allows qualified solar customers to maintain legacy time-of-use (TOU) periods for the duration of the transition mitigation period. This transition mitigation measure does not apply to these customers:

- (1) For customers on Schedules E-TOU-A, E-TOU-B and E-6, the transition mitigation period that was already adopted by the CPUC in (D.) 15-11-013 continues to apply, as set forth in those rate schedules.
- (2) For NEM 2.0 EV customers, the transition mitigation period already adopted by the CPUC in (D.) 16-01-044 continues to apply, as set forth in PG&E's NEM2 rate schedule.

B. Changes to rate design, including allocating marginal costs to TOU periods and setting specific rate levels, will be litigated in utility specific rate proceedings.

C. The new electricity price for legacy peak period hours shall not fall below the new price for legacy off-peak periods and the new electricity price for legacy off peak periods shall not be increased above the price during legacy peak periods.

D. The Legacy TOU Eligibility requirements for behind-the-meter solar are defined in the Behind-the-Meter Solar Legacy TOU Period Eligibility Requirements. (T)

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS: (T)

A customer is eligible for behind-the-meter solar legacy TOU period if the following conditions are met: (T)

A. Qualified residential on-site solar customers

- (1) EV customers who interconnected on NEM on or before December 16, 2016.

(Continued)



**ELECTRIC RULE NO. 1
DEFINITIONS**

Sheet 3

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS: (T)
(Cont'd)

B. Qualified non-residential solar customers should have:

- (1) ~~With a b~~Behind-the-meter solar (PV) generating facility with associated customer load, except for those enrolled in tariffs as stated in Section E (1). ~~as well as generation~~
- (2) ~~This includes B~~benefitting/aggregated accounts (or the generating account where considered a benefitting/aggregated account), ~~on a rate schedule in (i) above and~~ in an arrangement on ~~the~~ Load Aggregation provisions (~~NEMA/NEM2A~~)¹ ~~of Schedules NEM or NEM2, or on~~ Schedule NEMV or NEM2V (Virtual NEM), or Schedule NEMVMASH or NEM2VMSH (Virtual NEM for Multifamily Affordable Housing with Solar Generation), or Schedule RES-BCT (Local Government Renewable Energy Self-Generation Bill Credit Transfer) by the time the Permission to Operate (PTO) is issued, ~~which~~ This arrangement allows electric accounts, which may not be physically tied behind-the-meter to a solar system, to also be eligible for legacy TOU periods ~~receive credits from the exported power of an electric meter account that is physically tied to a solar system.~~ (T)
Benefitting/aggregated accounts added to an arrangement after the PTO is issued will not be eligible for legacy TOU periods. (T)
Benefitting/aggregated accounts removed from an arrangement after the PTO is issued lose their eligibility for legacy TOU period. (T)

C. Customer Eligibility Grace Period End Date

There is no deadline to complete projects to preserve eligibility for legacy TOU time periods. Customers must comply with Rule 21. An eligible generating account that receives PTO after legacy rates have been closed to new enrollment can (i) take service on the legacy rate requested on the interconnection application or (ii) revert to their pre-transition legacy rate. The eligible generating account must meet the rate eligibility requirements in either case.

D. Transition Mitigation Period

- (1) For residential on-site solar customer systems, the transition mitigation period is five years from issuance of a permission to operate. In no event shall the duration continue beyond July 31, 2022.
- (2) For non-residential customers, the transition mitigation period is ten years after issuance of a permission to operate. In no event shall the duration continue beyond December 31, 2027, (for public schools/agencies) or July 31, 2027, (for all other non-residential customers).

¹ Provisions NEMA/NEM2A of Schedules NEM or NEM2 tariffs.

(Continued)



**ELECTRIC RULE NO. 1
DEFINITIONS**

Sheet 4

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS: (T)
(Cont'd)

E. Eligible System

An Eligible System is a solar (PV) generating facility:

- (1) That serves customer load behind-the-same meter as the generating facility; except for NEMV, NEM2V, NEMVMASH, NEM2VMSH where the load will not be behind the same meter; and except for NEMA/NEM2A and RES-BCT in those specific instances where there will be no load behind the same meter. Such –Generating Facilities may be taking service on Rate schedules NEM, NEM2, NEMV, NEM2V, NEMVMASH, NEM2VMSH, E-REMAT, RES-BCT, the RAM program, or interconnected under Electric Rule 21 as non-export or uncompensated export; and

for which an Initial interconnection application was received by PG&E

- (a) No later than January 31, 2017; or

- (b) (for Public Agencies), no later than December 31st, 2017. (Public agency is defined here as public schools; including colleges and universities); federal, state, county and city government agencies; municipal utilities; public water and/or sanitation agencies; and joint powers authorities.)

- (2) For which PG&E has received evidence of the customer’s final inspection clearance from the governmental authority; and

- (3) If the interconnection application was received by PG&E between January 23, 2017 and December 31, 2017, the generating facility must be designed to offset at least 15%² of the customer’s current load, in a manner with consistent with the Option R requirements in Rate Schedule E19, Special Condition 19. This requirement must be met at the time the Initial Application is filed and PG&E reserves the right to verify this requirement. This requirement will not be retroactively applied to systems where an application to interconnect was received by PG&E prior to January 23, 2017.³

(T)

For the purposes of legacy TOU period eligibility, Permission to Operate (PTO) refers to the original permission to operate date as issued by PG&E for the Eligible System. Any subsequent requests to modify that previously approved system do not restart the Transition

(T)

² For tracking systems, PG&E agrees to use a 21% capacity factor for a single tracker, or 24% for a dual tracker, instead of the 18% in the Option R calculation in E-20 Special Condition 17, Footnote 1.

³ PG&E will not apply the 15% load requirement to systems with PTO prior to January 23, 2017, the date of (D.) 17-01-006. The intent of the 15% load requirement was to eliminate the potential for applications submitted after the CPUC’s decision was issued on January 23, 2017- seeking to “lock in” a legacy TOU period by installing only a token amount of on-site solar generation.

(Continued)



ELECTRIC RULE NO. 1
DEFINITIONS

Sheet 4

Mitigation Period once the new PTO is issued nor can any changes alter its original legacy TOU eligibility, except for subsequent requests received within specific windows of time defined separately for public agencies and for other customers (non-public agencies).⁴

⁴ Any subsequent request submitted between January 23, 2017 and January 31, 2017 (non-Public Agencies), or between January 23, 2017 and December 31, 2017 (Public Agencies), to modify a previously approved generating facility with solar technology, and whose interconnection application remains in compliance with Electric Rule 21 for the duration of the application and received Permission to Operate (PTO), will commence their Legacy TOU Period as of the issuance date of the PTO for that subsequent request.

(T)

(Continued)

Advice 6090-E
Decision

Issued by
Robert S. Kenney
Vice President, Regulatory Affairs

Submitted
Effective
Resolution

February 26, 2021
March 1, 2021



**ELECTRIC RULE NO. 1
DEFINITIONS**

Sheet 5

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS: (T)
(Cont'd)

~~For the purposes of legacy TOU period eligibility, Permission to Operate (PTO) refers to the original permission to operate date as issued by PG&E for the Eligible System. Any subsequent requests to modify that previously approved system do not restart the Transition Mitigation Period once the new PTO is issued nor can any changes alter its original legacy TOU eligibility, except for subsequent requests received within specific windows of time defined separately for public agencies and for other customers (non-public agencies).⁵~~ (T)

~~F. Complete Interconnection Application Package~~

~~A "Complete Interconnection Application Package" includes all of the following with no deficiencies, or modifications required:~~

- ~~(1) A completed Interconnection Application including all supporting documents and all required payments; AND~~
- ~~(2) A completed signed Interconnection Agreement; AND~~
- ~~(3) Evidence of the customer's final inspection clearance from the governmental authority having jurisdiction over the Electrical Generation Facility.~~

FG. Modifications to Pending Interconnection Request Applying under Fast Track Study

For the purposes of legacy TOU period eligibility, the initial interconnection application that is submitted by the applicable deadline must remain in compliance with Electric Rule 21 for the duration of the application and receive Permission to Operate (PTO). If an Applicant takes any action beyond what is listed below, the Applicant must withdraw the pending application and reapply. If the corrected application is not resubmitted by the timelines prescribed in the Decision, it is no longer eligible for legacy TOU periods. (T)

~~⁵ Any subsequent request submitted between January 23, 2017 and January 31, 2017 (non-Public Agencies), or between January 23, 2017 and December 31, 2017 (Public Agencies), to modify a previously approved generating facility with solar technology, and whose interconnection application remains in compliance with Electric Rule 21 for the duration of the application and received Permission to Operate (PTO), will commence their Legacy TOU Period as of the issuance date of the PTO for that subsequent request.~~

(T)

(Continued)



**ELECTRIC RULE NO. 1
DEFINITIONS**

Sheet 6

BEHIND-THE-METER SOLAR LEGACY TOU PERIOD ELIGIBILITY REQUIREMENTS: (T)
(Cont'd)

FG. Modifications to Pending Interconnection Request Applying under Fast Track Study
(Cont'd)

Acceptable Changes

- (A) Modifying the generating facility size after the initial application has been submitted but prior to any Engineering Review
- (B) Decreasing the generating facility size during⁶ or after an Engineering Review has been completed (prior to PTO)
 - If mitigations are required at the customer's expense (e.g., Dedicated Transformer Upgrade), the Applicant may downsize but must do so while accepting the upgrade. If the Applicant requests a restudy to determine whether the mitigation is no longer required after downsizing, they must withdraw and reapply.

~~H. Additional Implementation Details For Ineligible⁷ Customers~~

~~Customers submitting an interconnection application to PG&E will be eligible to select another legacy rate via the interconnection agreement (where applicable) upon the issuance of a Permission to Operate (PTO) if the following criteria are met:~~

~~A. For Commercial and Industrial Customers: Receive PTO prior to the scheduled Default in March 2021~~

(T)

~~B. For Agricultural Customers: Receive PTO prior to the scheduled Default in March 2021~~

~~However, at the time of the mandatory Defaults, customers ineligible for solar legacy TOU period will be defaulted to a new TOU period rate.~~

(T)

⁴ ~~“During” refers to the time after an Engineering Review has been completed but the result was a failure thereby requiring an Applicant to decide how to proceed.~~

⁷ ~~Customers who either (1) already meet the definition of “behind-the-meter solar legacy TOU period” but are re-applying to PG&E to modify the existing solar system or (2) will meet the definition of “behind-the-meter solar legacy TOU period” upon the issuance of the permission to operate (PTO) are not required to receive PTO by the timelines mentioned above. When PTO is issued, the customer will be transitioned to the applicable legacy rate listed on the interconnection agreement. However, if the solar legacy TOU period transition mitigation period has already expired, the customer will remain on their current defaulted rate upon PTO. After the mandatory default commences, solar legacy TOU period eligible customers will be eligible to move between legacy rates for the duration of their solar legacy TOU period, in accordance with Electric Rule 12, subject to remaining on their legacy TOU hours, with no meter changes required, and subject to all other applicable tariff terms and conditions.~~

(T)

(T)

(T)

(T)

(Continued)



**ELECTRIC RULE NO. 1
DEFINITIONS**

Sheet 7

~~H. Additional Implementation Details For Ineligible Customers (Cont'd)~~

(L)

~~All other interconnection projects that receive PTO after the timelines mentioned above will remain on their defaulted rate.⁸ Customers concerned about meeting the timelines mentioned above are encouraged to change their rate outside of the interconnection process in accordance with Electric Rule 12.~~

BILLING CYCLE: The regular interval at which a bill for electric service is rendered; typically spans a 27-to-33 day period.

BILLING DEMAND: The demand on which the customer is to be billed in accordance with the terms and conditions of their applicable rate schedule.

(L)

BILLING FACTOR: Factor used to calculate a bill on a daily basis as opposed to monthly, when the billing period is other than 27 to 33 days. All rate schedules assume monthly billings of 27 to 33 days, and the Billing Factor for these billings is equal to 1. The factor is used to adjust flat monthly charges (such as fixed usage accounts), monthly customer, monthly meter, and minimum service charges to monthly parity when an account is billed for fewer than 27 days (Billing Factor is less than 1), or when billed for more than 33 days (Billing Factor is greater than 1). The factor is based on 30 days, which are deemed to be the total number of days in an average month. The Billing Factor formula is:

Billing Factor = Number of Billing Days divided by 30.

BILLING MONTH: The period of time over which a customer is billed for services rendered during a particular billing cycle.

BUNDLED SERVICE: Defined in Rule 22.A.1.

BUSINESS DAY: A day on which PG&E offices are open to conduct general business in California. Also, commonly referred to as a "working" day.

CALIFORNIA ALTERNATE RATES FOR ENERGY (CARE): The residential CARE (formerly known as Low-Income Ratepayer Assistance or LIRA) program for qualifying (see Rules 19.1 and 19.2) low-income applicants provides reduced energy charges to the following:

(L)

(L)

~~⁸ Although the request to select another legacy rate listed on the interconnection agreement will not be honored, an updated interconnection agreement will not be required before PTO can be issued~~

(Continued)

**PG&E Gas and Electric
Advice Submittal List
General Order 96-B, Section IV**

AT&T
Albion Power Company

Alta Power Group, LLC
Anderson & Poole

Atlas ReFuel
BART

Barkovich & Yap, Inc.
California Cotton Ginners & Growers Assn
California Energy Commission

California Hub for Energy Efficiency
Financing

California Alternative Energy and
Advanced Transportation Financing
Authority
California Public Utilities Commission
Calpine

Cameron-Daniel, P.C.
Casner, Steve
Cenergy Power
Center for Biological Diversity

Chevron Pipeline and Power
City of Palo Alto

City of San Jose
Clean Power Research
Coast Economic Consulting
Commercial Energy
Crossborder Energy
Crown Road Energy, LLC
Davis Wright Tremaine LLP
Day Carter Murphy

Dept of General Services
Don Pickett & Associates, Inc.
Douglass & Liddell

East Bay Community Energy Ellison
Schneider & Harris LLP Energy
Management Service
Engineers and Scientists of California

GenOn Energy, Inc.
Goodin, MacBride, Squeri, Schlotz &
Ritchie

Green Power Institute
Hanna & Morton
ICF

IGS Energy
International Power Technology
Intestate Gas Services, Inc.
Kelly Group
Ken Bohn Consulting
Keyes & Fox LLP
Leviton Manufacturing Co., Inc.

Los Angeles County Integrated
Waste Management Task Force
MRW & Associates
Manatt Phelps Phillips
Marin Energy Authority
McKenzie & Associates

Modesto Irrigation District
NLine Energy, Inc.
NRG Solar

Office of Ratepayer Advocates
OnGrid Solar
Pacific Gas and Electric Company
Peninsula Clean Energy

Pioneer Community Energy

Redwood Coast Energy Authority
Regulatory & Cogeneration Service, Inc.
SCD Energy Solutions
San Diego Gas & Electric Company

SPURR
San Francisco Water Power and Sewer
Sempra Utilities

Sierra Telephone Company, Inc.
Southern California Edison Company
Southern California Gas Company
Spark Energy
Sun Light & Power
Sunshine Design
Tecogen, Inc.
TerraVerde Renewable Partners
Tiger Natural Gas, Inc.

TransCanada
Utility Cost Management
Utility Power Solutions
Water and Energy Consulting Wellhead
Electric Company
Western Manufactured Housing
Communities Association (WMA)
Yep Energy