

February 18, 2022

Advice 6503-E

(Pacific Gas and Electric Company ID U 39 E)

Advice 3958-E

(San Diego Gas & Electric Company ID U 902 E)

Advice 4723-E

(Southern California Edison Company ID U 338 E)

Public Utilities Commission of the State of California

Subject: Joint Investor Owned Utility Proposed Modifications to Electric Rule 21 to Incorporate an Expedited Dispute Resolution Process Pursuant to Resolution ALJ-347 and Assembly Bill 2861

Purpose

The purpose of this advice letter is to propose model shared language for updating Section K (“Dispute Resolution Process”) for Electric Rule 21 and the associated complaint template for Pacific Gas and Electric Company’s (“PG&E”), Southern California Edison Company (“SCE”) and San Diego Gas & Electric Company (“SDG&E”), (collectively, the “Investor-Owned Utilities” or “IOUs”) pursuant to the expedited dispute resolution process laid out in Resolution ALJ-347¹ (“Resolution”) based on Assembly Bill (AB) 2861.²

The Resolution establishes an expedited dispute resolution process that will issue binding determinations to electric distribution grid interconnection disputes based on the recommendation of a technical panel within 60 days of the Commission receiving the Application regarding a particular dispute.

¹ Resolution [ALJ-347](#), Adopts an Expedited Interconnection Dispute Resolution Process as Authorized by Assembly Bill 2861 date October 12, 2017, Issued 10/17/2017.

² [AB 2861](#) “An act to add Section 769.5 to the Public Utilities Code, relating to electricity”

Background

Assembly Bill 2861

AB 2861 (Stats. 2016, Ch. 672), signed into law in September 2016, authorizes the California Public Utilities Commission (“CPUC” or “Commission”) to establish an expedited dispute resolution (“EDR”) process.

The EDR process will allow the CPUC to issue binding determinations to electric distribution grid interconnection disputes based on the recommendations of a technical panel.

As summarized in the Resolution, AB 2861 directs the CPUC to:

- Establish an eight-member technical advisory panel, consisting of four members from utilities and four non-utility members. Of the eight-member panel, four panel members will be assigned to review each dispute brought before the Commission and make a recommendation within 30 days to the Executive Director, who then will have 30 days to review the recommendation and prepare an Order resolving the dispute;
- Allow for any interested party to request a review of the Order within ten days, which would require a Resolution on the matter for a vote of the Commission; and
- Appoint a qualified electrical systems engineer with substantial interconnection expertise to advise the director of the Energy Division, and provide adequate staff to assist in resolving interconnection disputes.

Resolution ALJ-347

On May 30, 2017, the CPUC’s Energy Division issued its *Staff Concept Paper for an Expedited Interconnection Dispute Resolution Process* (Exhibit C to the Resolution). Energy Division subsequently prepared a revised proposal, dated September 5, 2017, and titled, “*Staff Proposal for an Expedited Interconnection Dispute Resolution Process*” (which is included as Exhibit B to the Resolution). This was made available for comments from parties. Additionally, comments were incorporated into the September 5, 2017 Staff Proposal, and it was retitled “*Expedited Interconnection Dispute Resolution Process FINAL*” and made Exhibit A³ to the Resolution ALJ-347, that was voted out October 12, 2017.

³ *Exhibit A* is included with Resolution ALJ-347 titled “Expedited Interconnection Dispute Resolution Process FINAL” and is not to be confused with *Attachment A* which is a part of Exhibit A and is titled “CPUC Staff Proposal for an “Interconnection Discussion Forum”

Specifically, the Resolution ordered that:

1. “The Expedited Interconnection Dispute Resolution Process set forth in Exhibit A is adopted.
2. Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company must file Tier 2 advice letters to implement the changes to Tariff Rule 21 set forth in Exhibit A within 60 days of the effective date of this ALJ resolution.
3. As part of the Tier 2 advice letter required in ordering paragraph 2, Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company must include a draft template for applicants for the expedited process as described in Exhibit A at 9.
4. Energy Division shall evaluate the performance of the Expedited Interconnection Dispute Resolution Process consistent with the evaluation framework described in Exhibit A, Section 3.
5. Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company must support the Interconnection Discussion Forum through the in-person attendance of at least one engineering representative from each utility at every quarterly meeting.
6. The Executive Director shall take all necessary steps to provide resources to ensure that the Expedited Interconnection Dispute Resolution Process adopted today may begin accepting applications no later than eight months from the effective date of this ALJ resolution.”

Additionally, the Resolution notes that:

“To be eligible for the Expedited Process, an applicant must demonstrate they have made prior attempts to informally resolve the dispute with the utility using one of the following two procedures:

1. Bilateral negotiations as set forth in Section K.2.a of Rule 21.
2. Expedited bilateral negotiations tracking the steps of Section K.2.a but with the following shortened deadline requirements: upon the applicant notifying the utility of the dispute, the utility shall have 10 business days to prepare its response instead of 21 calendar days, and 15

business days to meet to attempt to resolve the dispute instead of 45 calendar days.”

2018 IOU Advice Letters – Submittal and Withdrawal

Pursuant to Ordering Paragraph 2 of the Resolution, the Resolution was “duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on October 12, 2017,” making that its effective date. Sixty days following that date, i.e., Monday, December 11, 2017, the IOUs each submitted their respective advice letters:

- PG&E submitted Advice Letter 5196-E
- SCE submitted Advice Letter 3714-E
- SDG&E submitted Advice Letter 3160-E

However, around mid-May, 2018,⁴ each IOU based on guidance received asked the CPUC to withdraw their respective advice letters. This withdrawal was acknowledged for each IOU by Edward Randolph Director, Energy Division in a letter to each IOU dated around mid-June, 2018.⁵

Resubmit Joint IOU Advice Letter in 2022

In early 2022, the IOUs were asked to resubmit their modifications to Rule 21 and the Expedited Dispute Resolution Template Form. The IOUs noted minor differences in the Rule 21 language they had submitted in their 2018 advice letters. To facilitate the alignment of the IOUs’ language, the IOUs worked together to resolve their language differences, and now propose in this **Tier 2** advice letter to submit the Rule 21 modifications and dispute template as model language. If this advice letter is approved, each IOU would then submit shortly thereafter a follow-up Tier 1 advice letter incorporating the approved Rule 21 language into their respective Rule 21 tariff and work with the CPUC to make the final dispute template available.

Exhibit A⁶ originally provided for an original implementation time schedule:

- Interconnection Dispute Resolution Panel Assembled* March 31, 2018
- Expedited Process Launched (accepting applications) March 31, 2018

However, given the change in timetable from the CPUC, the IOUs would request that their final Tier 1 advice letter should only become effective once the Energy Division has finalized the Expedited Dispute Resolution implementation.

⁴ The date varies slightly for each IOU.

⁵ See each IOU’s posted advice letter on their website, which includes a copy of these withdrawal acknowledgement letters from the CPUC.

⁶ Resolution ALJ-347 Exhibit A, Table 1 on pages 5 and 6.

Tariff Revisions

Pursuant to Ordering Paragraph 2 of the Resolution, the IOUs include the proposed model Rule 21 language as **Attachment A**.

Pursuant to Ordering Paragraph 3 of the Resolution, the IOUs include the draft Request Form template as **Attachment B**.

Protests

Anyone wishing to protest this submittal may do so by letter sent electronically via E-mail, no later than March 10, 2022, which is 20 days after the date of this submittal. Protests must be submitted to:

CPUC Energy Division
ED Tariff Unit
E-mail: EDTariffUnit@cpuc.ca.gov

The protest shall also be electronically sent to the IOUs via E-mail at the addresses shown below on the same date it is electronically delivered to the Commission:

For PG&E: Sidney Bob Dietz II
Director, Regulatory Relations
c/o Megan Lawson
E-mail: PGETariffs@pge.com

For SDG&E: Greg Anderson
Regulatory Tariff Manager
E-mails: GAnderson@sdge.com; and
SDGETariffs@sdge.com

For SCE: Shinjini C. Menon
Managing Director, State Regulatory Operations
E-mail: AdviceTariffManager@sce.com

Tara S. Kaushik
Managing Director, Regulatory Relations
c/o Karyn Gansecki
Email: Karyn.Gansecki@sce.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 and 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 letter become effective on the date the CPUC completes its implementation of the expedited dispute process.

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 lists for R.20-08-020 (NEM3), and R.17-07-007 (Rule 21). 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/

Sidney Bob Dietz II
Director, Regulatory Relations

Attachments:

Attachment A: Model Rule 21 Language
Attachment B: Draft Request Form Template

cc: Service Lists R. 20-08-020 and R.17-07-007



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: Kimberly Loo

Phone #: (415)973-4587

E-mail: PGETariffs@pge.com

E-mail Disposition Notice to: KELM@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) #: 6503-E, et al.

Tier Designation: 2

Subject of AL: Joint Investor-Owned Utility Proposed Modifications to Electric Rule 21 to Incorporate an Expedited Dispute Resolution Process Pursuant to Resolution ALJ-347 and Assembly Bill 2861

Keywords (choose from CPUC listing): Compliance, Rule 21

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: Resolution ALJ-347

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: PGE 5196-E, SDGE 3160-E, SCE 3714-E

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:

No. of tariff sheets: 0

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: N/A

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

California Public Utilities Commission
Energy Division Tariff Unit Email:
EDTariffUnit@cpuc.ca.gov

Contact Name: Sidnev Bob Dietz II. c/o Megan Lawson
Title: Director, Regulatory Relations
Utility/Entity Name: Pacific Gas and Electric Company

Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email: PGETariffs@pge.com

Contact Name:
Title:
Utility/Entity Name:

Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

CPUC
Energy Division Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Clear Form

February 18, 2022

Attachment A

Model Rule 21 Language

ELECTRIC RULE NO. 21
GENERATING FACILITY INTERCONNECTIONS

C. DEFINITIONS (Cont'd.)

...

Expedited Interconnection Dispute Resolution Panel Process (“Expedited Process”): A process authorized by AB 2861 in which the CPUC’s Executive Director issues binding determinations on interconnection disputes within 60 days of receiving the dispute. Determinations are made based on the recommendations of the Interconnection Dispute Resolution Panel, pursuant to Resolution ALJ-347. See Section K.

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F. REVIEW PROCESS FOR INTERCONNECTION REQUESTS (Cont'd.)

1. OVERVIEW OF THE INTERCONNECTION REVIEW PROCESS (Cont'd.)

d. Compliance with Timelines (Cont'd.)

- (i) Contact the ombudsman designated by Distribution Provider;
- (ii) If the Distribution Provider ombudsman is unable to resolve the dispute within ten (10) Business Days, Applicant may either:
 - a) Contact the Consumer Affairs Branch (CAB) at the Commission.
 - b) Upon mutual agreement with Distribution Provider, make a written request for mediation to the Alternative Dispute Resolution (ADR) Coordinator in the Commission's Administrative Law Judge (ALJ) Division. The request may be made by electronic mail to adr_program@cpuc.ca.gov, and shall state "Rule 21" in the subject line. The request shall contain the relevant facts of the timeline dispute. A copy of the request shall be sent to the Distribution Provider ombudsman. Provided that resources are available, the mediator assigned shall schedule a mediation with Applicant and Distribution Provider within ten (10) Business Days of receiving the request.
 - c) **Initiate dispute resolution processes in accordance with Section K.**

At any time, Applicant may file a formal complaint before the Commission pursuant to California PUC Section 1702 and Article 4 of the Commission's Rules of Practice and Procedure.

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GENERATING FACILITY INTERCONNECTIONS

K. DISPUTE RESOLUTION PROCESS

In addition to the informal procedures for timeline-related disputes set out in Section F.1.d, the following procedures will apply for disputes arising from this Rule:

1. SCOPE

The Commission shall have initial jurisdiction to interpret, add, delete or modify any provision of this Rule or of any agreements entered into between Distribution Provider and Applicant or Producer to implement this tariff ("Implementing Agreements") and to resolve disputes regarding Distribution Provider's performance of its obligations under Commission-jurisdictional tariffs, the applicable agreements, and requirements related to the interconnection of Applicant's or Producer's Generating Facility or Interconnection Facilities pursuant to this Rule.

2. INFORMAL DISPUTE RESOLUTION PROCEDURES

Any dispute arising between Distribution Provider and Producer (individually referred to in Section K as "Party" and collectively "the Parties") regarding Distribution Provider's or Producer's performance of its obligations under its tariffs, the Implementing Agreements, and requirements related to the interconnection of Producer's Facilities pursuant to this Rule shall be resolved according to the following procedures:

a. Informal Dispute Resolution

To initiate Informal Dispute Resolution, the aggrieved Party may submit a written notice ("notice") to the other party pursuant to either Section K.2.a.(i) (Bilateral Negotiations) or K.2.a.(ii) (Expedited Bilateral Negotiations).

This notice shall:

- specify whether the aggrieved Party is invoking the Informal Dispute Resolution procedures pursuant to either Section K.2.a.(i) (Bilateral Negotiations) or K.2.a.(ii) (Expedited Bilateral Negotiations);
- state the specific dispute and the relief sought; and
- contain all relevant known facts pertaining to the dispute.

~~The dispute shall be documented in a written notice ("notice") by the aggrieved Party to the other Party containing the relevant known facts pertaining to the dispute, the specific dispute and the relief sought, and express notice by the aggrieved Party that it is invoking the procedures under this Section. The notice shall be sent to the Party's email address and physical address set forth in the Generator Interconnection Agreement or Interconnection Request, if there is no Generator Interconnection Agreement. A copy of the notice shall also be sent to the Energy Division, Office of the Director, at the Commission. The receiving Party shall acknowledge the notice within five (5) Calendar Days of its receipt.~~

Commented [HH(1): Moved to next section (i) 1) immediately below.

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(i) **Bilateral Negotiations**

- 1) The receiving Party shall acknowledge the notice within five (5) Calendar Days of its receipt.
- a.2) ~~Upon the aggrieved Party notifying the other Party of the dispute,~~
Each Party must designate a representative with the authority to make decisions for its respective Party to review the dispute within seven (7) Calendar Days of receiving Party's receipt of the notice.
- 3) ~~In addition, upon receipt of the notice,~~ The Distribution Provider shall provide the aggrieved Party with all relevant regulatory and/or technical details and analysis regarding any Distribution Provider interconnection requirements under dispute within twenty-one (21) Calendar Days of receiving Party's receipt of the notice.
- 4) Within forty-five (45) Calendar Days of the date of the notice, the Parties' authorized representatives will be required to meet and confer to try to resolve the dispute. Parties are expected to operate in good faith and use best efforts to resolve the dispute.
- 5) Parties may by mutual agreement extend any deadline identified in this section.

Commented [HH(2)]: Moved from above.

(ii) **Expedited Bilateral Negotiations**

- 1) The receiving Party shall acknowledge the notice within five (5) Calendar Days of its receipt.
- 2) Each Party must designate a representative with the authority to make decisions for its respective Party to review the dispute within seven (7) Calendar Days of receiving Party's receipt of the notice.
- 3) Distribution Provider shall provide the aggrieved Party with all relevant regulatory and/or technical details and analysis regarding any Distribution Provider interconnection requirements under dispute within ten (10) Business Days of receiving Party's receipt of the notice.
- 4) Within fifteen (15) Business Days of the date of the notice, the Parties' authorized representatives will be required to meet and confer to try to resolve the dispute. Parties are expected to operate in good faith and use best efforts to resolve the dispute.
- 5) Parties may by mutual agreement extend any deadline identified in this section.

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- b. If a resolution ~~of a dispute raised as part of section K.2.a~~ is not reached in forty-five (45) Calendar Days from the date of the notice, either
- 1) a Party may request to continue negotiations for an additional forty-five (45) Calendar Days; or
 - 2) the Parties may by mutual agreement make a written request for mediation to the ADR Coordinator in the Commission's ALJ Division.

The request may be submitted by electronic mail to adr_program@cpuc.ca.gov. Alternatively, both Parties by mutual agreement may request mediation from an outside third-party mediator with costs to be shared equally between the Parties.

- ~~c. At any time, either Party may file a formal complaint before the Commission pursuant to California PUC section 1702 and Article 4 of the Commission's Rules of Practice and Procedure.~~

Commented [HH(3)]: Moved to K.4 below

~~Nothing in this section shall be construed to limit the rights of any Party to exercise rights and remedies under Commission law.~~

3. EXPEDITED INTERCONNECTION DISPUTE RESOLUTION PROCESS

The Expedited Interconnection Dispute Resolution process ("Expedited Process") may be used to resolve eligible disputes between the Distribution Provider and an Applicant according to the following procedures.

For a complete description of all Expedited Process rules and requirements, please refer to Resolution ALJ-347. Information can also be found on the Commission's website at www.cpuc.ca.gov. In the event of a conflict between the terms of this section and the terms of Resolution ALJ-347, the terms of Resolution ALJ-347 shall govern.

a. Eligibility

- i) An Applicant may apply for Expedited Process at any stage of the interconnection process if it can demonstrate that:
 - it has, in compliance with Section K.2 requirements, invoked the Section K.2.a Informal Dispute Resolution procedures and has been unable to resolve the dispute in accordance with Section K.2.a¹;
 - the subject matter of the dispute at issue concerns whether one or both parties' actions are compliant with established interconnection rules and/or are reasonable, cost efficient and necessarily required

¹ The Commission's Energy Division has the discretion to grant waivers to this eligibility requirement when the Applicant and Distribution Provider have already engaged in a dispute resolution process equivalent to Section K.2.a, including equivalent duration and with equivalent opportunity for both parties to understand the facts of the dispute and prepare responses. The Applicant or Distribution Provider must make a request to the Energy Division to waive the requirement.

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under those rules to ensure safe and reliable interconnection.

- ii) The Energy Division has the authority to determine that a dispute is not eligible for this process in response to notice submitted in Section K.2.b.

b. Initiation of Expedited Process by Applicant

To request resolution of a dispute pursuant to the Expedited Process, the Applicant shall download from the CPUC Rule 21 website (<https://www.cpuc.ca.gov/rule21/>) and email a machine readable PDF notice to Rule21.disputes@cpuc.ca.gov.

For information regarding format for the submission of a written notice, please see the Commission's website at www.cpuc.ca.gov.

- i) The written notice shall additionally contain:

- all relevant known facts pertaining to the dispute;
- the specific dispute and the relief sought;
- express notice by the Applicant that it is requesting resolution using the Commission's Expedited Process;
- a description of all efforts to date to resolve the dispute directly with the Distribution Provider, including at minimum a showing that the Applicant meets the eligibility requirements described above; and
- names of all Interconnection Dispute Resolution Panel members who may have a conflict of interest as defined in Section 769.5(b)(1).

- ii) The written notice shall also attach all materials that may aid in review of the dispute, including a copy of the Interconnection Request, any interconnection study performed for that Interconnection Request, and all correspondence between the Applicant and the Distribution Provider relevant to the dispute. For treatment of confidential materials, please refer to Resolution ALJ-347.

- iii) The Applicant shall serve this written notice on:

- Energy Division (Rule21.Disputes@cpuc.ca.gov);
- the Distribution Provider's email address and physical address set forth in the Generator Interconnection Agreement or Interconnection Request, if there is no Generator Interconnection Agreement;
- the ombudsman designated by Distribution Provider; and
- any other interested persons. "Interested persons" for the purposes of this section are defined as the applicant, utility, a person who has submitted comments on the recommendation of the Review Sub-Panel, or a person who has a demonstrable interest in the outcome of the dispute and has written Energy Division requesting to be added to the distribution list for the dispute.

Please refer to Resolution ALJ-347 for more information and instructions for applying to the Commission for the Expedited Process.

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c. Eligibility Verification

- i) The Energy Division will evaluate the submission of an Expedited Process written notice and notify the Applicant and the Distribution Provider of the dispute's eligibility within three (3) Business Days of receiving the request.
- ii) The Energy's Division's notice shall contain specific instructions regarding how the Expedited Process will be resolved. Please refer to Resolution ALJ-347 for more information.

d. Distribution Provider Response

- i) Upon receiving notice from the Energy Division of the dispute's eligibility for the Expedited Process, the Distribution Provider shall have five (5) Business Days to serve its response to the Energy Division's Review Sub-Panel (as defined in Resolution ALJ-347) assigned to the dispute, the Applicant, Energy Division and other interested persons identified on the dispute's service list.
- ii) The Distribution Provider's response shall include:
 - the relevant known facts pertaining to the dispute, including the dispute's impact on safe and reliable grid operations;
 - its position on the dispute as presented by the Applicant;
 - a response to the relief requested by the Applicant; and
 - a description of the efforts to date to resolve the dispute directly with the Applicant.
- iii) The Distribution Provider shall also include in its response a copy of documentation in its possession that was not previously submitted in the Applicant's written notice that requested the Expedited Process that Distribution Provider believes may aid in review of the dispute, including the Applicant's Interconnection Request, any interconnection study performed for that Interconnection Request, and all correspondence between the Applicant and the Distribution Provider relevant to the dispute. For treatment of confidential materials, please refer to Resolution ALJ-347.

Commented [HH(4): Defined "Review Sub-Panel" used throughout after defining it here

The Distribution Provider shall serve this written notice on:

- Energy Division (Rule21.Disputes@cpuc.ca.gov);
- the Applicant's email address and physical address set forth in Applicant's written notice requesting the Expedited Process; and
- any other interested persons in accordance with the procedures outlined in Resolution ALJ-347.

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K. DISPUTE RESOLUTION PROCESS (Cont'd.)

3. EXPEDITED INTERCONNECTION DISPUTE RESOLUTION PROCESS
(Cont'd.)

e. Comments on Review Sub-Panel Recommendations

The Review Sub-panel will issue recommendations to the Executive Director of the Commission's Energy Division on how to resolve an Expedited Process's dispute.

Within five (5) Business Days of the issuance of the Review Sub-Panel's recommendations, Applicant, Distribution Provider, and any other interested persons may serve comments on those recommendations.

The Applicant and Distribution Provider may serve a reply to any comments within three (3) Business Days of the last day for service of opening comments.

Please refer to Resolution ALJ-347 for more information regarding the service requirements.

f. Appealing the Executive Director's Order

Upon receipt of the Review Sub-Panel's recommendations, the Executive Director of the Commission's Energy Division will issue an order resolving the dispute within thirty (30) Calendar Days.

Within ten (10) Calendar Days of the issuance of the Executive Director's Order, the Applicant, Distribution Provider, or any interested person may appeal the Order and request Commission review. Such a request must set forth specifically the grounds on which the requester considers the Order to be unlawful or erroneous. Requests for review should be emailed to the Energy Division Director at Rule21.Disputes@cpuc.ca.gov.

g. Withdrawal

At any time following Applicant's submission of a written notice under this Section, the Applicant may withdraw its notice. If the Applicant and Distribution Provider reach a settlement independent of the Commission, it is not necessary for the Commission to approve the settlement.

Notices of withdrawal should be sent to all interested parties. Please refer to Resolution ALJ-347 for more information regarding the service requirements.

4. FORMAL COMPLAINT

At any time, either Party may file a formal complaint before the Commission pursuant to California PUC section 1702 and Article 4 of the Commission's Rules of Practice and Procedure. If the formal complaint contains allegations or requests for relief that are also the subject of an active Section K.2 or Section K.3 dispute, that Section K.2 or Section K.3 dispute is deemed withdrawn.

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Nothing in this section shall be construed to limit the rights of any Party to exercise rights and remedies under Commission law.

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35. PERFORMANCE DURING DISPUTE

Pending resolution of any dispute under this Section, the Parties shall proceed diligently with the performance of their respective obligations under this Rule and the Implementing Agreements, unless the Implementing Agreements have been terminated. Applicant and Distribution Provider may by mutual agreement suspend performance of their respective obligations under this Rule and any Implementing Agreements while the dispute is active.

Disputes as to the Interconnection Request and implementation of this Section shall be subject to resolution pursuant to the procedures set forth in this Section.

L. CERTIFICATION AND TESTING CRITERIA....

February 18, 2022

Attachment B

Draft Request Form Template

STATE OF CALIFORNIA

PUBLIC UTILITIES COMMISSION

Public Advisor's Office

Phone: (866) 849-8390 (toll free)

E-mail: public.advisor@cpuc.ca.gov

Expedited Interconnection Dispute Resolution Process

Assembly Bill (AB) 2861 (Stats. 2016, Ch. 672),¹ signed into law in September 2016, authorized the California Public Utilities Commission (CPUC, or Commission) to establish an expedited dispute resolution process that will issue binding determinations to electric distribution grid interconnection disputes based on the recommendations of a technical panel within 60 days of the Commission receiving the Application regarding a particular dispute.

CPUC Resolution ALJ-347

On October 12, 2017, the CPUC issued Resolution ALJ-347 which sets forth an expedited interconnection dispute resolution process as authorized by Assembly Bill 2861.² The "Expedited Process" is explained at length in Exhibit A of Resolution ALJ-347 and described below.

Public Access to Documents

Per Resolution ALJ-347,³ all written notices requesting resolution using the Expedited Process, Energy Division notices confirming or denying eligibility, Sub-Panel recommendations, comments, replies, Orders from the Executive Director, and requests for CPUC review of an Order, are public records and open to public inspection, except as provided under statute or CPUC's order. All such notices will be posted to the dispute's Docket Card (at the CPUC's e-filing system).

If you need help with or have any questions about filing your dispute for Expedited Process, contact the CPUC Public Advisor's Office

The Public Advisor - CPUC
505 Van Ness Avenue, Room 2103
San Francisco, CA 94102
(866) 849-8390 (toll free); (415) 703-2074
public.advisor@cpuc.ca.gov

¹ Assembly Bill 2861 codified Public Utilities Code Section 769.5 available at

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2861

² <http://docs.cpuc.ca.gov/publisheddocs/published/g000/m197/k421/197421608.pdf>

³ Resolution ALJ-347, Exhibit A, page 16.

Expedited Interconnection Dispute Resolution Process

For detail regarding the requirements for this dispute resolution process, please refer to Distribution Provider's Rule 21, Section K.3 and the Commission's Resolution ALJ-347.

Applying for Expedited Dispute Resolution

To request resolution of a dispute via the Expedited Process, the applicant shall download from the CPUC Rule 21 website (<https://www.cpuc.ca.gov/rule21/>) and email a machine readable PDF notice to Rule21.disputes@cpuc.ca.gov. ~~shall document the dispute in a written notice from the applicant to the Energy Division Director~~ using the template provided ~~in this document~~ on the CPUC Rule 21 website.

The applicant is required to provide enough documentation regarding the dispute including the following information:

- All relevant known facts pertaining to the dispute
- Specific dispute and the relief sought
- Express notice by the applicant that it is requesting resolution using the Commission's Expedited Process as described in Section K.3 of Distribution Provider's Rule 21
- Efforts to date to resolve the dispute directly with the utility, including at minimum a showing that the applicant meets the informal dispute resolution requirement for eligibility pursuant Section K.3 of Distribution Provider's Rule 21
- Names of Interconnection Dispute Resolution Panel members who may have a conflict of interest as defined in Section 769.5(b)(1)2

The written notice shall also attach all materials that may aid in review of the dispute, including a copy of the Interconnection Request, any interconnection study performed for that Interconnection Request, and all correspondence between the Applicant and the Distribution Provider relevant to the dispute.

The Applicant shall serve this written notice on: (1) Energy Division (Rule21.Disputes@cpuc.ca.gov); (2) the Distribution Provider's email address and physical address set forth in the Generator Interconnection Agreement or Interconnection Request, if there is no Generator Interconnection Agreement; (3) the ombudsman designated by Distribution Provider; and (4) any other interested persons in accordance with the procedures outlined in Resolution ALJ-347.

What Will Happen Next

Eligibility Verification, Sub-Panel Selection, and Utility Response

Eligibility Verification

Energy Division will evaluate the submission and notify the applicant and utility of the dispute's eligibility within three business days of receiving the request. For eligible disputes, the notice will contain the following:

- Express notice that Energy Division has deemed the dispute eligible for the Commission's Expedited Process.
- The date Energy Division deemed the dispute eligible (this is the "start" date for the 60-day expedited procedures defined in AB 2861).
- A unique dispute identification number.
- The names of the Interconnection Dispute Resolution Panel ("Panel") members chosen by Energy Division to serve on the individual dispute's Review Sub-Panel ("Sub-Panel").
- A copy of the applicant's written application requesting resolution of the dispute, and any supplementary materials submitted.
- Notice to the utility to submit a response and any remaining documents in its possession to the Sub-Panel within five business days (see "Utility Response" below).
- Notice to the applicant and utility that the Sub-Panel will complete its recommendation within 30 days of the date the Commission received the dispute, and there will be an opportunity to submit comments and/or reply comments on the recommendation.
- Notice to the applicant and utility that the Executive Director will issue an order resolving the dispute within 30 days of the Sub-Panel's recommendation, and there will be an opportunity to request Commission review of the order via a Draft Resolution within 10 days of the order's issuance.
- Notice that pending resolution of the dispute, the applicant and utility shall proceed diligently with the performance of their respective obligations under Rule 21, with the exception that the applicant shall not be obligated to post interconnection financial securities (see "Suspension of Rule 21 Process during Dispute Review" immediately following.)

**Expedited Interconnections
Dispute Resolution Process**

Request Form

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

(A)

Empty rectangular box for Complainant information.

COMPLAINANT(S)

vs.

(B)

Empty rectangular box for Defendant information.

DEFENDANT(S)

(Include Utility "U-Number", if known)

Large empty rectangular box for Commission use only.

Commission assigned dispute number _____

Submitted on date _____

Accepted for Expedited Process Date _____

(for Commission use only)

(C) Eligibility Verification

Are you requesting to resolve a dispute pursuant to Section K.3 of Distribution Provider's Rule 21?

YES NO

Have you tried to resolve this matter informally with the utility in accordance with Section K.2.a of Distribution Provider's Rule 21?

YES NO

Note: If you have not yet initiated an informal dispute resolution under Rule 21 Section K.2.a, you must complete that process prior to submitting this Expedited Interconnection Dispute Resolution Process Request Form.

EXPEDITED DISPUTE RESOLUTION PROCESS WRITTEN NOTICE

(D)
 The complaint of _____ (Provide name, address and phone number for each complainant)

Name of Complainant(s)	Address	Daytime Phone Number

Project number, utility ID or queue number of the facility related to the dispute _____
 Site address _____
 Interconnection Request customer name(s) _____

(E)
 Utility Representatives(s) _____ (Provide name, address and phone number for each representative)

Name of Utility Representative(s)	Address	Daytime Phone Number

(F)
 Interested person(s) _____ (Besides the Complainant or Utility Representatives, provide name, address and phone number for each person who has a demonstrable interest in the outcome of the dispute)

Name of Interested Person(s)	Address	Daytime Phone Number

(G)
 Panel Members(s) _____ (provide names of Interconnection Dispute Resolution Panel members who may have a conflict of interest as defined in Section 769.5(b)(1))

Name of Panel Member(s) with Conflict of Interest	Address	Daytime Phone Number

(H)

Provide a brief statement summarizing the dispute and the specific relief that you seek

(I)

Explain fully and clearly the details of your dispute. Include all known alleged facts pertaining to your dispute. (Attach additional pages if necessary and any supporting documentation)

(J)

Describe the efforts performed by the complainant in trying to resolve the dispute by bilateral negotiation process (as described in Section K.2.a of Rule 21).

(K)

Please include materials that may aid in the review of the dispute. These include.

- Copy of the Interconnection Request
- Any studies or reviews performed by the utility regarding the related project(s)
- All correspondence between the applicant and the utility relevant to the dispute

(L) SIGNATURE

Dated _____, California, this _____ day of _____, _____
 (city) (date) (month) (year)

 Signature of each complainant

(MUST ALSO SIGN VERIFICATION AND PRIVACY NOTICE)

(M)

REPRESENTATIVE'S INFORMATION:

Provide name, address, telephone number, e-mail address (if consents to notifications by e-mail), and signature of representative, if any.

Name of Representative:	
Address:	
Telephone Number:	
E-mail:	
Signature	

505 Van Ness Avenue, Room 2001
San Francisco, CA 94102

PRIVACY NOTICE

This message is to inform you that the Energy Division of the California Public Utilities Commission (“CPUC”) intends to file the above-referenced Request for Expedited Process electronically instead of in paper form as it was submitted.

Please Note: Whether or not your Request for Expedited Process is filed in paper form or electronically, Request for Expedited Process filed with the CPUC become a public record and may be posted on the CPUC’s website. Therefore, any information you provide in the Request for Expedited Process, including, but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the facts of your case may be available on-line for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced Request for Expedited Process.

Signature of Complainant

Printed Name

**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.
Braun Blasing Smith Wynne, P.C.
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
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
International Power Technology

Intertie

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
McClintock IP
McKenzie & Associates

Modesto Irrigation District
NLine Energy, Inc.
NRG Solar

OnGrid Solar
Pacific Gas and Electric Company
Peninsula Clean Energy

Pioneer Community Energy

Public Advocates Office

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