

PUBLIC UTILITIES COMMISSION  
505 Van Ness Avenue  
San Francisco CA 94102-3298



**Pacific Gas & Electric Company**  
**ELC (Corp ID 39)**  
**Status of Advice Letter 6544E**  
**As of April 21, 2022**

Subject: Winter 2021 Bundled RPS Energy Sale Solicitation; Power Purchase and Sale Agreement Between Pacific Gas and Electric Company and Multiple Buyers

Division Assigned: Energy

Date Filed: 03-31-2022

Date to Calendar: 04-06-2022

Authorizing Documents: None

|                        |                   |
|------------------------|-------------------|
| <b>Disposition:</b>    | <b>Accepted</b>   |
| <b>Effective Date:</b> | <b>03-31-2022</b> |

Resolution Required: No

Resolution Number: None

Commission Meeting Date: None

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**PUBLIC UTILITIES COMMISSION**  
505 Van Ness Avenue  
San Francisco CA 94102-3298



To: Energy Company Filing Advice Letter

From: Energy Division PAL Coordinator

Subject: Your Advice Letter Filing

The Energy Division of the California Public Utilities Commission has processed your recent Advice Letter (AL) filing and is returning an AL status certificate for your records.

The AL status certificate indicates:

- Advice Letter Number
- Name of Filer
- CPUC Corporate ID number of Filer
- Subject of Filing
- Date Filed
- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)
- Effective Date of Filing
- Other Miscellaneous Information (e.g., Resolution, if applicable, etc.)

The Energy Division has made no changes to your copy of the Advice Letter Filing; please review your Advice Letter Filing with the information contained in the AL status certificate, and update your Advice Letter and tariff records accordingly.

All inquiries to the California Public Utilities Commission on the status of your Advice Letter Filing will be answered by Energy Division staff based on the information contained in the Energy Division's PAL database from which the AL status certificate is generated. If you have any questions on this matter please contact the:

Energy Division's Tariff Unit by e-mail to  
**[edtariffunit@cpuc.ca.gov](mailto:edtariffunit@cpuc.ca.gov)**

March 31, 2022

**Advice 6544-E**

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

**Subject Winter 2021 Bundled RPS Energy Sale Solicitation; Power Purchase and Sale Agreement Between Pacific Gas and Electric Company and Multiple Buyers**

**I. Introduction****A. Identify the Purpose of the Advice Letter**

Pacific Gas and Electric Company (“PG&E”) seeks California Public Utilities Commission (“Commission” or “CPUC”) approval of seven power purchase and sale agreements (“PPSAs” or “Transactions”) that seek to sell Renewables Portfolio Standard (“RPS”)-eligible products from PG&E’s existing procured energy portfolio to five counterparties.

These Transactions are consistent with the sales strategy approved as part of PG&E’s 2020 RPS Procurement Plan (“2020 RPS Plan”), and are consistent with PG&E’s ongoing management of its RPS portfolio in light of recent and forecasted bundled electric load departures resulting from the growth of Community Choice Aggregators (“CCA”) and behind-the-meter distributed generation.<sup>1</sup> This Advice Letter includes seven Transactions resulting from PG&E’s Winter 2021 Bundled RPS Energy Sale Solicitation (“Solicitation”).

**B. Identify the Subject of the Advice Letter, including contract summary as follows:****General Deal Structure****Describe general characteristics of contract: Contract Summary**

PG&E will sell bundled energy and renewable energy credits (“RECs”) under the PPSAs. PG&E either owns or purchases the bundled product under contracts that PG&E expects would qualify as Portfolio Content Category (“PCC”) 0 or 1 to PG&E and PCC 1 upon

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<sup>1</sup> Final 2020 PG&E Renewable Energy Procurement Plan, filed in R.18-07-003 on February 19, 2021.

resale.<sup>2</sup> The Transaction must receive final, nonappealable Commission approval before energy deliveries and the transfer of RECs to Buyers may begin under the PPSAs.

### 1. Counterparty(s) / Buyer(s)

The counterparties associated with sales resulting from the Solicitation include:

- Central Coast Community Energy (“3CE”)
  - 3CE is a Community Choice Aggregator (“CCA”) that provides electricity to customers in the counties of Monterey, San Benito, Santa Cruz, San Luis Obispo and Santa Barbara.
- City of San Jose (“San Jose 1”) and (“San Jose 2”)
  - The City of San Jose is a California municipality that, through its electricity supplier San Jose Clean Energy (“SJCE”), provides electricity to customers in the city of San Jose.
- Orange County Power Authority (“OCPA 1”) and (“OCPA 2”)
  - OCPA is a CCA that will provide electricity to customers for the cities of Buena Park, Fullerton, Huntington Beach, and Irvine starting in April 2022.
- East Bay Community Energy Authority (“EBCE”)
  - EBCE is a CCA that provides electricity to customers across 14 East Bay Area communities and unincorporated areas of Alameda County.
- Silicon Valley Clean Energy Authority (“SVCE”)
  - SVCE is a Community Choice Aggregator (CCA) serving residential and business customers in Santa Clara County.

### 2. Business Relationship (if applicable, between seller / owner / buyer)

PG&E is not aware of any corporate affiliations between PG&E and the PPSA Buyers. PG&E is aware that EBCE, SVCE, and SJCE are members of California Community Power, a Joint Powers Agency comprised of ten CCAs. PG&E is not aware of any corporate affiliations between the non-PG&E owned Projects and the PPSA Buyers.

### 3. Contract Volume (MWh)

| Counterparty(s)  | Contract Volume (MWh) |
|--|-----------------------|
| City of San Jose, Municipality (“San Jose 1”) and (“San Jose 2”) | 200,000; 250,000      |
| Silicon Valley Clean Energy Authority (“SVCE”)                   | 215,430               |
| Orange County Power Authority (“OCPA 1”) and (“OCPA 2”)          | 200,000; 75,000       |
| East Bay Community Energy Authority (“EBCE”)                     | 200,000               |
| Central Coast Community (“3CE”)                                  | 200,000               |
| <b>Total</b>   | <b>1,340,430</b>      |

<sup>2</sup> PCC 1 products are defined in California Public Utilities Code Section 399.16(b)(1).

**4. Facility Size (MW)**

See Appendix H1 and H2 – Facility List for the Facility Size (MW) of PG&E’s Facility List.

**5. Term of existing contract with the owner / developer (date of contract execution and expiration)**

See Appendix H1 and H2 – Facility List for the term of existing contract with the owner / developer of the Projects expected to deliver volumes under the PPSAs (i.e., date of contract execution and expiration).

**6. Project background, e.g., expiring QF contract, phased project previous power purchase agreement, contract amendment**

All of the Projects that are expected to deliver volumes pursuant to the PPSAs are existing and operating facilities that are either utility owned generation or are under current RPS contracts to deliver output to PG&E.

**7. Source of agreement, i.e., RPS solicitation year or bilateral negotiation**

The PPSAs resulted from PG&E’s Winter 2021 Bundled RPS Energy Sale Solicitation. The solicitation bids were evaluated and executed in accordance with the RPS Sales Framework (“Sales Framework”) approved as Appendix H to PG&E’s 2020 RPS Plan.

**8. If an amendment, describe contract terms being amended and reason for amendment**

Not applicable.

**General Project(s) Description**

|                            |   |  |  |  |  |  |  |
|----------------------------|---|--|--|--|--|--|--|
| Project Name               | Multiple Projects (See Appendix H1 – Facility List)   | Multiple Projects (See Appendix H1 – Facility List)  | Multiple Projects (See Appendix H1 – Facility List)  | Multiple Projects (See Appendix H2 – Facility List)    | Multiple Projects (See Appendix H1 – Facility List)  | Multiple Projects (See Appendix H2 – Facility List)    | Multiple Projects (See Appendix H2 – Facility List)    |
| Buyer / Counter party      | 3CE   | SVCE   | San Jose 1   | San Jose 2   | OCPA 1   | OCPA 2   | EBCE   |
| Technology                 | solar photovoltaic (“PV”), solar thermal, wind, small hydro, biomass, and biomethane renewable technologies | solar PV, solar thermal, wind, small hydro, biomass, and biomethane renewable technologies | solar PV, solar thermal, wind, small hydro, biomass, and biomethane renewable technologies | solar PV, wind, and small hydro renewable technologies | solar PV, solar thermal, wind, small hydro, biomass, and biomethane renewable technologies | solar PV, wind, and small hydro renewable technologies | solar PV, wind, and small hydro renewable technologies |
| Capacity (MW) <sup>3</sup> | Multiple Projects (See Appendix H1 – Facility List)   | Multiple Projects (See Appendix H1 – Facility List)  | Multiple Projects (See Appendix H1 – Facility List)  | Multiple Projects (See Appendix H2 – Facility List)    | Multiple Projects (See Appendix H1 – Facility List)  | Multiple Projects (See Appendix H2 – Facility List)    | Multiple Projects (See Appendix H2 – Facility List)    |

<sup>3</sup> The capacity for the multiple projects (facilities) associated with the Transactions are listed in Appendix H1 and H2. However, the Transactions are for bundled RPS (i.e., energy and RECs) sales and do not include a capacity product.

|                                |   |   |   |   |   |  |   |
|--------------------------------|---|---|---|---|---|--|---|
| Expected Generation (MWh/Year) | PG&E will sell 200,000 MWh in 2022 to be filled from multiple projects on Appendix H1 – Facility List | PG&E will sell 215,430 MWh in 2022 to be filled from multiple projects on Appendix H1 – Facility List | PG&E will sell 200,000 MWh in 2022 to be filled from multiple projects on Appendix H1 – Facility List | PG&E will sell 250,000 MWh in 2022 to be filled from multiple projects on Appendix H2 – Facility List | PG&E will sell 200,000 MWh in 2022 to be filled from multiple projects on Appendix H1 – Facility List | PG&E will sell 75,000 MWh in 2022 to be filled from multiple projects on Appendix H2 – Facility List | PG&E will sell 200,000 MWh in 2022 to be filled from multiple projects on Appendix H2 – Facility List |
| Delivery Term (Years)          | 2022  | 2022  | 2022  | 2022  | 2022  | 2022   | 2022  |
| Location (city and state)      | Multiple Projects (See Appendix H1 – Facility List)   | Multiple Projects (See Appendix H1 – Facility List)   | Multiple Projects (See Appendix H1 – Facility List)   | Multiple Projects (See Appendix H2 – Facility List)   | Multiple Projects (See Appendix H1 – Facility List)   | Multiple Projects (See Appendix H2 – Facility List)  | Multiple Projects (See Appendix H2 – Facility List)   |

### **C. RPS Statutory Goals and Requirements**

- 1. Briefly describe the Project's consistency with and contribution towards the RPS program's statutory goals set forth in Public Utilities Code §399.11. These goals include displacing fossil fuel consumption within the state; adding new electrical generating facilities within WECC; reducing air pollution in the state; meeting the state's climate change goals by reducing emissions of greenhouse gases associated with electrical generation; promoting stable retail rates for electric service; a diversified and balanced energy generation portfolio; meeting the state's resource adequacy requirements; safe and reliable operation of the electrical grid; and implementing the state's transmission and land use planning activities.**

The Transactions contribute to the optimization of PG&E's portfolio of RPS-eligible resources, thereby promoting the stability and reasonableness of the impact on customer rates of that portfolio.

- 2. Describe how procurement pursuant to the contract will meet IOU's specific RPS compliance period needs. Include Renewable Net Short calculation as part of response. Also, describe, in detail, how these sales will not inhibit the ability for the IOU to meet its RPS targets in all future compliance periods.**

As illustrated in PG&E's Renewable Net Short ("RNS"),<sup>4</sup> PG&E's existing RPS portfolio is expected to provide sufficient RPS-eligible deliveries to meet PG&E's RPS compliance requirements through 2030, prior to consideration of the Transactions. The combination of these calculations demonstrates that the Transactions will not create any material risk of near-term RPS noncompliance for PG&E.

### **D. Confidentiality**

**Explain if confidential treatment of specific material is requested. Describe the information and reason(s) for confidential treatment consistent with the showing required by D.06-06-066, as modified by D.08-04-023.**

In support of this Advice Letter, PG&E provides the confidential information listed below. This information includes the PPSAs and other information that more specifically describes the rights and obligations of the parties involved. This information is being submitted in the manner directed by D.08-04-023 and the August 22, 2006, Administrative Law Judge's Ruling Clarifying Interim Procedures for Complying with D.06-06-066 to demonstrate the confidentiality of the material and to invoke the protection of confidential utility information provided under either the terms of the Investor Owned Utility Matrix, Appendix 1 of D.06-06-066 and Appendix C of D.08-04-023, or Public Utilities Code

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<sup>4</sup> See Appendix G1 and G2: PG&E's Renewable Net Short Calculation.

section 454.5(g). A separate Declaration Seeking Confidential Treatment is being submitted concurrently with this Advice Letter.

### **Table of Appendices**

| <b>Appendix</b> | <b>Description</b>  | <b>Public or Confidential?</b> |
|-----------------|---|--------------------------------|
| A               | Consistency with Commission Decisions and Rules                       | Confidential                   |
| B1              | Solicitation Overview and Results                                     | Confidential                   |
| B2              | Solicitation Overview and Results (Excel Spreadsheet)                 | Confidential                   |
| C1              | Final RPS Project-Specific Independent Evaluator Report               | Confidential                   |
| C2              | Final RPS Project-Specific Independent Evaluator Report (Redacted)    | Public                         |
| D1              | Contract Summary: San Jose 1  | Confidential                   |
| D2              | Contract Summary: San Jose 2  | Confidential                   |
| D3              | Contract Summary: SVCE  | Confidential                   |
| D4              | Contract Summary: OCPA 1  | Confidential                   |
| D5              | Contract Summary: OCPA 2  | Confidential                   |
| D6              | Contract Summary: EBCE  | Confidential                   |
| D7              | Contract Summary: 3CE   | Confidential                   |
| E1              | Comparison of Contract with Utility's Pro Forma Agreement: San Jose 1 | Confidential                   |
| E2              | Comparison of Contract with Utility's Pro Forma Agreement: San Jose 2 | Confidential                   |
| E3              | Comparison of Contract with Utility's Pro Forma Agreement: SVCE       | Confidential                   |
| E4              | Comparison of Contract with Utility's Pro Forma Agreement: OCPA 1     | Confidential                   |
| E5              | Comparison of Contract with Utility's Pro Forma Agreement: OCPA 2     | Confidential                   |
| E6              | Comparison of Contract with Utility's Pro Forma Agreement: EBCE       | Confidential                   |
| E7              | Comparison of Contract with Utility's Pro Forma Agreement: 3CE        | Confidential                   |
| F1              | Sales Agreement: San Jose 1   | Confidential                   |
| F2              | Sales Agreement: San Jose 2   | Confidential                   |
| F3              | Sales Agreement: SVCE   | Confidential                   |
| F4              | Sales Agreement: OCPA 1   | Confidential                   |
| F5              | Sales Agreement: OCPA 2   | Confidential                   |
| F6              | Sales Agreement: EBCE   | Confidential                   |
| F7              | Sales Agreement: 3CE  | Confidential                   |
| G1              | PG&E's Renewable Net Short Calculation                                | Confidential                   |

|    |  |        |
|----|--|--------|
| G2 | PG&E's Renewable Net Short Calculation (Redacted)    | Public |
| H1 | Facility List: 3CE, SVCE, OCPA 1, San Jose 1         | Public |
| H2 | Facility List: EBCE, San Jose 2, OCPA 2, EBCE        | Public |
| I  | Model Protective Order and Nondisclosure Certificate | Public |

## II. Consistency With Commission Decisions

### A. RPS Procurement Plan

#### 1. Identify the Commission decision that approved the utility's RPS Procurement Plan. Did the utility adhere to Commission guidelines for filing and revisions?

PG&E's 2020 RPS Plan was approved in Decision ("D.") 21-01-015 on January 14, 2021, and the final, conforming version of the 2020 RPS Plan was filed in Rulemaking 18-17-003 on February 19, 2021. PG&E complied with all procedural requirements with regard to the submittal of its 2020 RPS Plan.

#### 2. Describe the Procurement Plan's assessment of portfolio needs as well as how these sales are consistent with the Commission decision for sale of RECs.

In PG&E's 2020 RPS Plan, PG&E demonstrated that it was well-positioned to meet its RPS compliance requirements through Compliance Period 6 (2028-2030). PG&E also demonstrated that its existing portfolio of executed RPS contracts, its owned RPS-eligible generation, and its expected balances of surplus RPS generation from prior compliance periods would be adequate to ensure compliance with near-term RPS requirements. In PG&E's RNS position, presented in Appendix G1 and G2, PG&E demonstrates that it doesn't expect to have an incremental RPS physical need until after 2030. These calculations demonstrate that the Transactions will not create any material risk of near-term RPS noncompliance for PG&E.

#### 3. Discuss how the Transactions are consistent with the utility's Procurement Plan and meet utility procurement and portfolio needs (e.g., capacity, electrical energy, resource adequacy, or any other product resulting from the Transactions).

The proposed PPSAs are for the sale of bundled energy and associated RECs generated in 2022. As described above, PG&E's 2020 RPS Plan concluded that PG&E is well-positioned to meet its near-term RPS compliance requirements until after 2030. In light of its long position with respect to RPS targets, PG&E developed the Sales Framework, filed as Appendix H in the approved 2020 RPS Plan, to assess whether to hold or sell surplus RPS volumes. Based on its then-current forecast of bundled retail sales and RPS volumes in its portfolio, PG&E explained in the 2020 RPS Plan that it expected to sell short-term, bundled RPS volumes in 2022.

As further described in Confidential Appendix A, the Transactions are consistent with the 2020 RPS Plan because the total quantity considered for sale and the prices of the Transactions align with what is described in the Sales Framework filed in the 2020 RPS Plan. As a result, the Transactions will benefit PG&E's RPS portfolio by reducing customer costs while maintaining compliance with RPS targets, as intended by the Sales Framework.

The Transactions are also consistent with the approval granted by the Commission in D.21-01-015, Ordering Paragraph 3, which states:

PG&E is authorized to conduct a minimum of two solicitations for short term sales of five years or less of sales of RPS volumes if the sales agreement for any such sale is executed before the adoption of a subsequent RPS Plan. Deliveries may commence at any time after the Commission approves the contract and continue until the contract's term expiration. PG&E must seek Commission approval of short term sales resulting from a solicitation or any bilateral transaction that both utilizes the *pro forma* sales agreement submitted with its 2020 RPS Procurement Plan, showing any necessary modifications, and is executed after PG&E receives bids for a sales solicitation resulting from its 2020 RPS Procurement Plan. Executions and requests for approval must be consistent with Decision (D.) 14-11-042's rules for expedited approval of short term contracts and D.09-06-050's rules regarding bilateral contracts.

The Transactions are consistent with Ordering Paragraph 3. First, the Transactions are short-term, meaning five years or less. Second, PG&E initiated each Transaction during the timeframe covered by the 2020 RPS Plan and prior to the Commission issuing a decision on the 2021 RPS Procurement Plans. Third, the deliveries under the Transaction may commence after the Commission's approval of the PPSAs. Fourth, as required, PG&E is submitting this Tier 1 Advice Letter for Commission approval of the Transactions.

Consistent with the 2020 RPS Plan, the Transactions used PG&E's *pro forma* Sales Agreement and PG&E is providing comparisons of each executed Transaction against the approved *pro forma* short-term sales confirmation. The adherence to PG&E's pre-approved Sales Framework and the use of the approved *pro forma* short-term sales confirmation allows for the submittal of the Transaction through this Tier 1 advice letter, which is consistent with the 2020 RPS Plan and D. 21-01-015.

#### **4. Sales**

##### **a. Briefly describe IOU's approved sales framework and how the sales contract(s) are consistent with the framework**

The Transactions are consistent with PG&E's Annual and Solicitation Limits and methodology, described in its pre-approved Sales Framework. PG&E selected qualifying bids based on the price offered as the sole quantitative criterion.

## 5. Portfolio Optimization Strategy

- a. **Describe how the proposed procurement (or sale) optimizes IOU's RPS portfolio (or entire energy portfolio). Specifically, a response should include:**
  - i. **Identification of IOU's portfolio optimization strategy objectives that the proposed procurement (or sale) are consistent with.**

See Section II.A.3, above.

- ii. **Identification of metrics within portfolio optimization methodology or model (e.g., PPA costs, energy value, capacity value, interest costs, carrying costs, transaction costs, etc.) that are increased/ decreased as a result of the proposed transaction.**

PG&E utilized its pre-approved Sales Framework for assessing whether to hold or sell surplus RPS volumes, as described in further detail in Section I.A. of Confidential Appendix A.

- iii. **Identification of risks (e.g., non-compliance with RPS requirements, regulatory risk, over-procurement of non-bankable RPS-eligible products, safety, etc.) and constraints included in optimization strategy that may be decreased or increased due to proposed procurement (or sale).**

The Transactions are consistent with PG&E's objective of minimizing customer costs while achieving and maintaining RPS compliance. Through the timely sale of surplus RPS-eligible energy at competitive prices, the PPSAs reduce the total cost impact of the RPS program to customers. Given PG&E's current long RPS position, it is highly unlikely that the PPSAs will jeopardize PG&E's ability to meet RPS requirements.

- b. **Description of how proposed procurement (or sale) is consistent with IOUs overall planned activities and range of Transactions planned to optimize portfolio.**

PG&E filed its Sales Framework as part of its approved 2020 RPS Plan in order to guide its overall sales activities and to optimize its portfolio by addressing PG&E's growing bank of RPS compliance products. Each Transaction was conducted within the guidelines outlined in the Sales Framework.

### **B. Bilateral contracting - if applicable**

Not applicable.

### **C. Solicitation Methodology and Evaluation**

1. **Briefly describe IOU's Least Cost Best Fit ("LCBF") Methodology (or other evaluation methodology) and how the Project compared relative to other offers available to the IOU at the time of evaluation.**

Not applicable, because the Transactions are sales rather than procurement. PG&E has used its approved Sales Framework to evaluate the offers rather than the procurement LCBF evaluation methodology.

#### D. Compliance With Standard Terms and Conditions (“STCs”)

##### 1. Do the proposed Transactions comply with D.08-04-009, D.08-08-028, and D.10-03-021, as modified by D.11-01-025?

The non-modifiable STCs in the PPSAs conform exactly to the “non-modifiable” terms set forth in Attachment A of D.08-04-009, as modified by D.08-08-028 and D.13-11-024 and by Appendix C of D.10-03-021, as modified by D.11-01-025.

##### 2. Using the tabular format, provide the specific page and section number where the RPS non-modifiable STCs are located in the contract.

| Counterparty        |                                       | 3CE     |             | SVCE    |             | San Jose 1 |             | San Jose 2 |             | OCPA 1  |             | OCPA 2  |             | EBCE    |             |
|---------------------|---------------------------------------|---------|-------------|---------|-------------|------------|-------------|------------|-------------|---------|-------------|---------|-------------|---------|-------------|
| Contract Reference  |                                       | Section | Page Number | Section | Page Number | Section    | Page Number | Section    | Page Number | Section | Page Number | Section | Page Number | Section | Page Number |
| Non-Modifiable Term | STC 1: CPUC Approval                  | 2.12    | 6           | 2.12    | 6           | 2.12       | 5           | 2.12       | 5           | 2.12    | 6           | 2.12    | 6           | 2.12    | 6           |
|                     | STC 17: Applicable Law                | 8.3(b)  | 15          | 8.3(b)  | 15          | 8.2(b)     | 14          | 8.2(b)     | 14          | 8.3(b)  | 15          | 8.3(b)  | 15          | 8.3(b)  | 15          |
|                     | STC REC 1: Transfer of RECs           | 6.1(b)  | 12          | 6.1(b)  | 12          | 6.1(b)     | 12          | 6.1(b)     | 12          | 6.1(b)  | 12          | 6.1(b)  | 12          | 6.1(b)  | 13          |
|                     | STC REC 2: WREGIS Tracking of RECs    | 6.1(c)  | 13          | 6.1(c)  | 12          | 6.1(c)     | 12          | 6.1(c)     | 12          | 6.1(c)  | 13          | 6.1(c)  | 13          | 6.1(c)  | 13          |
|                     | STC REC 3: CPUC Approval <sup>5</sup> | N/A     | N/A         | N/A     | N/A         | N/A        | N/A         | N/A        | N/A         | N/A     | N/A         | N/A     | N/A         | N/A     | N/A         |

<sup>5</sup> PG&E utilized the STC 1 definition for CPUC Approval in its executed sales agreements resulting from the Winter 2021 Bundled RPS Energy Sale Solicitation.

- 3. Provide a redline of the contract against the utility's Commission-approved pro forma RPS contract as Confidential Appendix E to the filed advice letter. Highlight modifiable terms in one color and non-modifiable terms in another.**

Redlines comparing each of the executed PPSAs to the form of Short-Term Sales Confirmation included as Attachment G.3 to PG&E's 2020 RPS Plan are included in Confidential Appendix E. The non-modifiable terms have been highlighted in each redlined comparison.

## **E. Solicitation Process**

### **1. Process Overview**

PG&E used the pre-approved Sales Framework to establish which bids to execute in its Winter 2021 Bundled RPS Energy Sale Solicitation, governed by the 2020 RPS Plan.

### **2. Sales solicitation process and schedule**

PG&E's solicitation process and schedule is summarized below.

| <b>Event</b>   | <b>Date/Time</b>              |
|--|-------------------------------|
| PG&E issues solicitation   | December 14, 2021             |
| Participants' Webinar  | December 17, 2021 at 10:00 AM |
| Deadline for Participants to submit bids through Power Advocate    | January 11, 2021 at 1 PM      |
| PG&E notifies qualified bidders                                    | January 20, 2022              |
| Execution date   | Late-January to March 2022    |
| PG&E submits Agreements for CPUC approval via Tier 1 Advice Letter | March 31, 2022                |

### **3. Solicitation Design**

An overview of the product attributes PG&E solicited is summarized below.

|                      |   |
|----------------------|---|
| <b>Product</b>       | <ul style="list-style-type: none"> <li>Bundled Renewable Energy Standard (RPS)-eligible energy and associated Renewable Energy Credits (RECs) from resources in PG&amp;E's portfolio</li> </ul> |
| <b>Pricing</b>       | <ul style="list-style-type: none"> <li>Energy – settled at the day-ahead NP15, ZP26 and/or SP15 Index (Trading Hub Price)</li> <li>REC – fixed price</li> </ul>                                 |
| <b>Location</b>      | <ul style="list-style-type: none"> <li>NP15, SP15, and/or ZP26 Trading Hub at Seller's Discretion</li> </ul>  |
| <b>Delivery Term</b> | <ul style="list-style-type: none"> <li>2022</li> </ul>  |
| <b>Agreement</b>     | <ul style="list-style-type: none"> <li>Confirmation under an EEI Master Agreement</li> </ul>  |

#### 4. Table of Key Terms of REC sales confirmation

|   |  |
|---|--|
| Scheduling Obligations                              | Seller, or a qualified third party designated by Seller, shall act as Scheduling Coordinator for the Project. Buyer hereby authorizes Seller, or its third party Scheduling Coordinator designee, to deliver the Electric Energy to the CAISO at the Delivery Point.   |
| Seller's Representations, Warranties, and Covenants | Seller, and, if applicable, its successors, represents and warrants that throughout the Delivery Term of this Agreement that: (i) the Project qualifies and is certified by the CEC as an Eligible Renewable Energy Resource ("ERR") as such term is defined in Public Utilities Code Section 399.12 or Section 399.16; and (ii) the Project's output delivered to Buyer qualifies under the requirements of the California Renewables Portfolio Standard. To the extent a change in law occurs after execution of this Agreement that causes this representation and warranty to be materially false or misleading, it shall not be an Event of Default if Seller has used commercially reasonable efforts to comply with such change in law. Seller, and, if applicable, its successors, represents and warrants that throughout the Delivery Term of this Agreement that: (i) the Project qualifies and is certified by the CEC as an Eligible Renewable Energy Resource ("ERR") as such term is defined in Public Utilities Code Section 399.12 or Section 399.16; and (ii) the Project's output delivered to Buyer qualifies under the requirements of the California Renewables Portfolio Standard. To the extent a change in law occurs after execution of this Agreement that causes this representation and warranty to be materially false or misleading, it shall not be an Event of Default if Seller has used commercially reasonable efforts to comply with such change in law. Seller warrants that all necessary steps to allow the Renewable Energy Credits |

|   |  |
|---|--|
|   | transferred to Buyer to be tracked in the Western Renewable Energy Generation Information System will be taken prior to the first delivery under the contract.   |
| Seller's Conveyance of Green Attributes | The Green Attributes in the amount of the Total Quantity shall be deemed to be conveyed to and received by Buyer under this Confirmation as set forth herein. During the Green Attributes Delivery Period, Seller shall convey to Buyer the Green Attributes associated with the Delivered Energy within: twenty-five (25) Business Days following the occurrence of both (i) the deposit into Seller's WREGIS account of the WREGIS Certificates for the Green Attributes for the applicable Calculation Period and (ii) Buyer's payment of the Monthly Cash Settlement Amount in accordance with Article 5 herein. Seller shall transfer such WREGIS Certificates in an amount equivalent to the Total Quantity to Buyer's WREGIS account such that all right, title and interest in and to the WREGIS Certificates shall transfer from Seller to Buyer. |

### **F. Valuation Process: Quantitative and Qualitative Analysis**

For Sales contracts, provide a quantitative analysis that evaluates selling the proposed contracted amount vs. banking the RECs towards future RPS compliance requirements (or any reasonable other options).

See Section I.A.i. in Confidential Appendix A.

Explain the process used to determine price reasonableness, with maximum benefit to ratepayers.

See Section I.A.ii. in Confidential Appendix A.

Provide the notional value of each contract, as well as the total of all selected contracts.

See Confidential Appendix B2 – Solicitation Overview and Results (Excel Spreadsheet).

Explain any quantitative and qualitative criteria used to rank bids.

Per PG&E's Solicitation Protocol, PG&E considered price as the sole quantitative criterion. PG&E did not disqualify any qualifying bids due to quantitative criteria considerations.

### **G. Discussion of Outcome of Solicitation**

For Sales contracts, provide the overall bid solicitation results and the shortlisted bids

- A. Quantitative information to include total number of overall and shortlisted responses for solicitation, price per bid, contract term of bids, bid quantity, total forecasted revenues per bid, and expected PCC classification of bid.**

See Confidential Appendix B2 – Solicitation Overview and Results (Excel Spreadsheet).

### **H. Procurement Review Group ("PRG") Participation**

- 1. List PRG participants (by organization/company).**

The PRG for PG&E includes the Commission's Energy Division, the Public Advocate's Office, the Union of Concerned Scientists, The Utility Reform Network, the Coalition of California Utility Employees, and Coast Economic Consulting.

- 2. Describe the utility's consultation with the PRG, including when information about the contract was provided to the PRG, whether the information was provided in meetings or other correspondence, and the steps of the procurement process where the PRG was consulted.**

On January 18, 2022, PG&E provided an update via email to the PRG regarding the bids received and an intent to execute list. PG&E provided email responses to questions from the CPUC's Energy Division on January 19, 2022 and January 20, 2022.

- 3. For short-term contracts, if the PRG was not able to be informed prior to filing, explain why the PRG could not be informed.**

This is not applicable as the PRG was notified in advance of execution.

### **I. Independent Evaluator ("IE")**

**The use of an IE is required by D.04-12-048, D.06-05-039, 07-12-052, and D.09-06-050.**

- 1. Provide name of IE.**

The IE is Lewis Hashimoto of Arroyo Seco Consulting.

- 2. Describe the oversight provided by the IE.**

The IE provided active oversight of the Solicitation beginning prior to issuance and continuing through contract execution. The IE provided input in advance of the

Solicitation's launch with the goal of maximizing the effectiveness of PG&E's outreach. During the Solicitation, the IE reviewed e-mails exchanged between PG&E and the bidders and participated on phone calls between PG&E and the bidders.

**3. List when the IE made any findings to the Procurement Review Group regarding the applicable solicitation, the project/bid, and/or contract negotiations.**

The IE provided commentary to the PRG related to the robustness of the solicitation and PG&E's intent to execute the PPSAs on January 18, 2022. The IE concludes in the IE report that other than two Transactions which the IE does not provide an opinion on, the remainder of the Transactions merit Commission approval.

**4. Insert the public version of the project-specific IE Report.**

The public and confidential versions of the IE report are attached to this Advice Letter as Appendices C1 and C2.

### **III. Safety Considerations**

**A. What has the IOU done to ensure that the contract and the facility's (or facilities') operation are: consistent with Public Utilities Code Section 451; do not interfere with the IOU's safe operation of its utility operations and facilities; and will not adversely affect the public health and safety?**

The Transactions cover the resale of energy and RECs purchased under existing PPAs. The Projects are existing resources currently performing under existing PPAs with PG&E and therefore raise no incremental safety matters related to the generation of the energy.

**B. Will the contract lead to any changes in the structure or operations of the underlying facility (or facilities)? Any change in the safety practices at the facility (or facilities)? If so, with what federal, state and local agencies did the seller or facility owner confer or seek permits or permit amendments for these changes?**

The Transactions that are the subject of this Advice Letter have no impact on the underlying PPAs and therefore raise no incremental safety matters related to the generation of the energy.

### **IV. Request for Commission Disposition**

PG&E requests that the Energy Division issue a disposition making this advice letter effective no later than 30 days after submittal. Any such disposition that makes this advice letter effective shall be deemed to constitute the following:

1. Approval of the PPSAs in their entirety, including payments to be received by PG&E, subject to CPUC review of PG&E's administration of the PPSAs;
2. A finding that the PPSAs are consistent with the Sales Framework approved as part of PG&E's 2020 RPS Plan and is consistent with Ordering Paragraph 3 of

- D. 21-01-015, and that the sale of the bundled renewable electricity and green attributes under each of the PPSAs are reasonable and in the public interest;
3. A finding that all costs of the PPSAs are fully recoverable in rates over the life of the PPSAs, subject to CPUC review of PG&E's administration of the PPSAs; and
  4. A finding that the payments received by PG&E pursuant to the 3CE, SVCE, San Jose, OCPA, and EBCE PPSAs shall be credited against costs recorded to the Portfolio Allocation Balancing Account ("PABA") on a pro-rata basis.

### **Protests**

Anyone wishing to protest this submittal may do so by letter sent electronically via E-mail, no later than April 20, 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 PG&E via E-mail at the address shown below on the same date it is electronically delivered to the Commission:

Sidney Bob Dietz II  
Director, Regulatory Relations  
c/o Megan Lawson  
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 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**

Consistent with its approved 2020 RPS Plan, PG&E is submitting this advice letter with a Tier 1 designation to be effective upon submittal on March 31, 2022. PG&E will begin deliveries upon receiving final and non-appealable CPUC Approval.

### **Notice**

In accordance with General Order 96-B, Section IV, a copy of this Advice Letter excluding the confidential appendices is being sent electronically to parties shown on the list shown below, including the service lists for R.18-07-003 and R.15-02-020. Non-market participants who are members of PG&E's PRG and have signed appropriate Non-Disclosure Certificates will also receive the Advice Letter and accompanying confidential





# 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) #: 6544-E

Tier Designation: 1

Subject of AL: Winter 2021 Bundled RPS Energy Sale Solicitation; Power Purchase and Sale Agreement Between Pacific Gas and Electric Company and Multiple Buyers

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: See Confidentiality Declaration and Matrix  
 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: Brendan Lucker, Brenden.Lucker@pge.com

Resolution required?  Yes  No

Requested effective date: 3/31/22

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 proposed<sup>1</sup>: N/A

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

<sup>1</sup>Discuss 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](mailto: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

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA**

**PACIFIC GAS AND ELECTRIC COMPANY**

**DECLARATION OF BRENDAN LUCKER  
SEEKING CONFIDENTIAL TREATMENT  
FOR CERTAIN DATA AND INFORMATION CONTAINED  
IN ADVICE LETTER 6544-E**

I, Brendan Lucker, declare:

1. I am a Senior Manager of Energy Transactions and Solicitations within the Energy Policy and Procurement organization at Pacific Gas and Electric Company (PG&E). In this position, my responsibilities include overseeing the negotiations for the purchase and sale of Renewables Portfolio Standard (RPS) energy as well as designing and administering solicitations for the purchase and sale of energy and energy-related products. This declaration is based on my personal knowledge of PG&E's practices and my understanding of the Commission's decisions protecting the confidentiality of market-sensitive information.

2. Based on my knowledge and experience, and in accordance with Decisions 06-06-066, 08-04-023, 21-11-029, and relevant Commission rules, I make this declaration seeking confidential treatment for certain data and information contained in the attachments to Advice Letter 6544-E.

3. Attached to this declaration is a matrix identifying the data and information for which PG&E is seeking confidential treatment. The matrix specifies that the material PG&E is seeking to protect constitutes confidential market sensitive data and information covered by Public Utilities Code section 454.5(g), D.06-06-066, D.08-04-023, D.21-11-029, and/or relevant Commission rules. The matrix also specifies why confidential protection is justified. Further, the data and information: (1) is not already public; and (2) cannot be aggregated,



**PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)**  
**Advice Letter 6544-E**  
**March 31, 2022**

**IDENTIFICATION OF CONFIDENTIAL INFORMATION**

| Redaction Reference  | Category from D.06-06-066, Appendix 1, as modified by D. 21-11-029, or Separate Confidentiality Order That Data Corresponds To  | Justification for Confidential Treatment  | Length of Time   |
|--|---|---|--|
| Appendix A, Consistency with Commission Decisions and Rules and Project Development Status | <p>Item VII(G): Renewable Resource Contracts under RPS program - Contracts without SEPs</p> <p>Item VII (un-numbered category following VII(G)): Score sheets, analyses, evaluations of proposed RPS projects</p> <p>Item V(C): LSE Total Energy Forecast -- Bundled Customer (MWh)</p> <p>VI(B): Utility Bundled Net Open (Long or Short) Position for Energy (MWh)</p> <p>May 21, 2014 <i>Administrative Law Judge's Ruling on Renewable Net Short</i> issued in Rulemaking 11-05-005 ("May 21, 2014 ALJ Ruling")</p> <p>Item VIII(A): Bid Information</p> <p>Item VIII(B): Specific quantitative analysis involved</p> | <p>This appendix contains information regarding the confidential terms and conditions of the power purchase and sale agreements ("PPSAs") that seek to sell RPS-eligible products. Disclosure of this information would provide valuable market sensitive information to market participants regarding the contracts and could be damaging to PG&amp;E's future negotiations with other counterparties for similar products. Therefore, this information should remain confidential.</p> <p>This appendix also contains details regarding PG&amp;E's confidential RPS Sales Framework, its Alternative Renewable Net Short ("RNS") calculation, and the impact of the sales under the PPSAs on PG&amp;E's RPS compliance position. This information is expressly deemed confidential by the May 21, 2014 ALJ Ruling. Additionally, this information could be used to determine PG&amp;E's net open position for RPS-eligible products and its internal and proprietary forecast of its bundled customer total energy requirements, and also constitutes analysis and evaluation of proposed RPS projects, including sales or transactions intended to create or manage a compliance bank. In addition, if other market participants learned of market sensitive information concerning PG&amp;E's sales strategy, they could change their bidding behavior and affect market pricing. This could detrimentally impact PG&amp;E's customers.</p> <p>This appendix contains confidential bid information and specific bid evaluations from PG&amp;E's solicitation. If released publicly, this information would provide valuable market sensitive information to market participants; therefore, this information should remain confidential.</p> <p>Finally, following deliveries of products pursuant to the PPSAs, PG&amp;E is obligated to report delivered price information to the Federal Electric Regulatory Commission.</p> | <p>For Item VII(G): Three years from date contract states deliveries to begin, or one year after expiration (whichever is sooner)</p> <p>For Item VII(G): Delivered price information is confidential for two quarters after deliveries occur</p> <p>For Item VII (un-numbered category following VII(G)): Three years</p> <p>For Item V(C) front three years of forecast data</p> <p>For VI(B): Front two years of forecast data</p> <p>May 21, 2014 ALJ Ruling: Indefinite</p> <p>For Items VIII(A) and VIII(B): Three years after winning bidders selected</p> <p>Public Utilities Code § 454.5(g): Three years</p> |

**PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)**  
**Advice Letter 6544-E**  
**March 31, 2022**

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|--|--|---|---|
|  | <p style="text-align: center;">in scoring and evaluation of participating bids</p> <p style="text-align: center;">Public Utilities Code § 454.5(g)</p>   |   |   |
| <p>Appendices B1 &amp; B2, Solicitation Overview</p> | <p>Item VII (un-numbered category following VII(G)): Score sheets, analyses, evaluations of proposed RPS projects</p> <p>Item VIII(A): Bid Information</p> <p>Item VIII(B): Specific quantitative analysis involved in scoring and evaluation of participating bids</p> <p>Public Utilities Code section 454.5(g)</p> <p>May 21, 2014 ALJ Ruling</p> | <p>This appendix contains confidential bid information and bid evaluations from PG&amp;E’s solicitation and discusses confidential negotiations between PG&amp;E and counterparties. If released publicly, this information would provide valuable market sensitive information to market participants, could be damaging to future PG&amp;E contract negotiations and ultimately detrimental to PG&amp;E’s customers, and could create a disincentive to do business with PG&amp;E and other regulated utilities. Therefore, this information should remain confidential.</p> <p>This appendix also contains information relating to PG&amp;E’s confidential RPS Sales Framework, which is deemed confidential by the May 21, 2014 ALJ Ruling. In addition, if other market participants learned of market sensitive information concerning PG&amp;E’s sales strategy, they could change their bidding behavior and affect market pricing. This could detrimentally impact PG&amp;E’s customers.</p> | <p>For Item VII (un-numbered category following VII(G)): Three years</p> <p>For Items VIII(A) and VIII(B): Three years after winning bidders selected</p> <p>Public Utilities Code § 454.5(g): Three years</p> <p>May 21, 2014 ALJ Ruling: Indefinite</p> |

**PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)**  
**Advice Letter 6544-E**  
**March 31, 2022**

**IDENTIFICATION OF CONFIDENTIAL INFORMATION**

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|--|--|---|---|
| Appendix C1, Independent Evaluator Report – grey shaded sections | <p>Item VII(G): Renewable Resource Contracts under RPS program - Contracts without SEPs</p> <p>Item VII (un-numbered category following VII(G)): Score sheets, analyses, evaluations of proposed RPS projects</p> <p>Item VIII(A): Bid Information</p> <p>Item VIII(B): Specific quantitative analysis involved in scoring and evaluation of participating bids</p> <p>Public Utilities Code section 454.5(g)</p> <p>May 21, 2014 ALJ Ruling</p> | <p>This appendix contains the IE report, which includes confidential bid information and bid evaluations from PG&amp;E’s solicitation. The confidential IE report also discusses, analyzes and/or evaluates the terms of the PPSAs and confidential negotiations between PG&amp;E and counterparties. If released publicly, this information would provide valuable market sensitive information to market participants, could be damaging to future PG&amp;E contract negotiations and ultimately detrimental to PG&amp;E’s customers, and could create a disincentive to do business with PG&amp;E and other regulated utilities. Therefore, this information should remain confidential.</p> <p>This appendix also contains information relating to PG&amp;E’s confidential RPS Sales Framework, which is deemed confidential by the May 21, 2014 ALJ Ruling. In addition, if other market participants learned of market sensitive information concerning PG&amp;E’s sales strategy, they could change their bidding behavior and affect market pricing. This could detrimentally impact PG&amp;E’s customers.</p> <p>Finally, following deliveries of products pursuant to the PPSAs, PG&amp;E is obligated to report delivered price information to the Federal Electric Regulatory Commission.</p> | <p>For Item VII(G): Three years from date contract states deliveries to begin, or one year after expiration (whichever is sooner)</p> <p>For Item VII(G): Delivered price information is confidential for two quarters after deliveries occur</p> <p>For Item VII (un-numbered category following VII(G)): Three years</p> <p>For Items VIII(A) and VIII(B): Three years after winning bidders selected</p> <p>Public Utilities Code § 454.5(g): Three years</p> <p>May 21, 2014 ALJ Ruling: Indefinite</p> |

**PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)**  
**Advice Letter 6544-E**  
**March 31, 2022**

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|---|--|--|--|
| <p>Appendices D1, D2, D3, D4, D5, D6, &amp; D7<br/>Summary of Contracts</p> | <p>Item VII(G): Renewable Resource Contracts under RPS program - Contracts without SEPs</p> <p>Item VII (un-numbered category following VII(G)): Score sheets, analyses, evaluations of proposed RPS projects</p> <p>Item VIII(B): Specific quantitative analysis involved in scoring and evaluation of participating bids</p> | <p>This appendix summarizes and analyzes the PPSAs, and contains bid evaluation information. If released publicly, this information would provide valuable market sensitive information to market participants and could be damaging to PG&amp;E’s future negotiations with other counterparties for similar products. Therefore, this information should remain confidential.</p> <p>Following deliveries of products pursuant to the PPSAs, PG&amp;E is obligated to report delivered price information to the Federal Electric Regulatory Commission.</p> | <p>For Item VII(G): Three years from date contract states deliveries to begin, or one year after expiration (whichever is sooner)</p> <p>For Item VII(G): Delivered price information is confidential for two quarters after deliveries occur</p> <p>For Item VII (un-numbered category following VII(G)): Three years</p> <p>For Item VIII(B): Three years after winning bidders selected</p> |

**PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)**  
**Advice Letter 6544-E**  
**March 31, 2022**

**IDENTIFICATION OF CONFIDENTIAL INFORMATION**

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|--|---|--|---|
| Appendices E1, E2, E3, E4, E5, E6, & E7 Comparison of PPSAs with PG&E's 2020 Pro Forma RPS Short-Term Sales Confirmation | Item VII(G): Renewable Resource Contracts under RPS program - Contracts without SEPs  | <p>These appendices contain each of the PPSAs for which PG&amp;E seeks approval in this Advice Letter filing. Public disclosure of the terms of the PPSAs would provide valuable market sensitive information to market participants and could be damaging to PG&amp;E's future negotiations with other counterparties for similar products. Therefore, this information should remain confidential.</p> <p>Following deliveries of products pursuant to the PPSAs, PG&amp;E is obligated to report delivered price information to the Federal Electric Regulatory Commission.</p> | <p>For Item VII(G): Three years from date contract states deliveries to begin, or one year after expiration (whichever is sooner)</p> <p>For Item VII(G): Delivered price information is confidential for two quarters after deliveries occur</p> |
| Appendices F1, F2, F3, F4, F5, F6, & F7 Power Purchase and Sale Agreement  | Item VII(G): Renewable Resource Contracts under RPS program - Contracts without SEPs  | <p>These appendices contain each of the PPSAs for which PG&amp;E seeks approval in this Advice Letter filing. Public disclosure of the terms of the PPSAs would provide valuable market sensitive information to market participants and could be damaging to PG&amp;E's future negotiations with other counterparties for similar products. Therefore, this information should remain confidential.</p> <p>Following deliveries of products pursuant to the PPSAs, PG&amp;E is obligated to report delivered price information to the Federal Electric Regulatory Commission.</p> | <p>For Item VII(G): Three years from date contract states deliveries to begin, or one year after expiration (whichever is sooner)</p> <p>For Item VII(G): Delivered price information is confidential for two quarters after deliveries occur</p> |
| Appendix G1, PG&E's Renewable Net Short Calculation – grey shaded sections   | <p>Item V(C): LSE Total Energy Forecast -- Bundled Customer (MWh)</p> <p>VI(B): Utility Bundled Net Open (Long or Short) Position for Energy (MWh)</p> <p>May 21, 2014 ALJ Ruling</p> | <p>For Table 1:</p> <p>For rows A, C, E, Ga and Gb, this information shows PG&amp;E's net position for RPS-eligible energy in the periods within the front two years of the forecast.</p> <p>The redacted information in Rows A, C, E, Ga, and Gb could also be manipulated in conjunction with publicly-available information to determine PG&amp;E's internal and proprietary forecast of its bundled customer total energy requirements.</p>  | <p>For Items V(C) front three years of data</p> <p>For VI(B): Front two years of forecast data confidential May 21, 2014 ALJ Ruling: Indefinite</p> <p>For Item VII (un-numbered category following VII(G)):</p>                                  |

**PACIFIC GAS AND ELECTRIC COMPANY (U 39 E)**  
**Advice Letter 6544-E**  
**March 31, 2022**

**IDENTIFICATION OF CONFIDENTIAL INFORMATION**

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|---------------------|--|--|----------------|
|                     | Item VII (un-numbered category following VII(G)): Score sheets, analyses, evaluations of proposed RPS projects                 | <p>The redacted information for rows Ia, Ib, J, J0, J1, J2, La and Lb relates to PG&amp;E’s optimized RNS, including: PG&amp;E’s assumptions for its overall portfolio optimization strategy; any plans to sell forecast RECs above the PQR; application of forecast RECs above the PQR towards a future RPS compliance requirement; and any plan to procure RECs above the PQR in future years. This information is expressly deemed confidential by the May 21, 2014 ALJ Ruling. Additionally, this information could be used to determine PG&amp;E’s net open position for RPS-eligible products and constitutes analysis and evaluation of proposed RPS projects, including sales or transactions intended to create or manage a compliance bank.</p> <p>For Table 2:</p> <p>For rows A, C, E, Ga and Gb, this information shows PG&amp;E's net position for RPS-eligible energy in the periods within the front three years of the forecast.</p> <p>The redacted information in Rows A, C, E, Ga, and Gb could also be manipulated in conjunction with publicly-available information to determine PG&amp;E's internal and proprietary forecast of its bundled customer total energy requirements.</p> <p>The redacted information for rows Gd, Ge, Ha, Hb, H, Ia, Ib, J, J0, J1, J2, La and Lb relates to PG&amp;E’s optimized RNS, including: PG&amp;E’s assumptions for its overall portfolio optimization strategy; any plans to sell forecast RECs above the PQR; application of forecast RECs above the PQR towards a future RPS compliance requirement; and any plan to procure RECs above the PQR in future years. This information is expressly deemed confidential by the May 21, 2014 ALJ Ruling. Additionally, this information could be used to determine PG&amp;E’s net open position for RPS-eligible products and constitutes analysis and evaluation of proposed RPS projects, including sales or transactions intended to create or manage a compliance bank.</p> | Three years    |

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix A**

**Consistency with Commission Decisions and Rules**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix B1**

**Solicitation Overview and Results**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix B2**

**Solicitation Overview and Results  
(Excel Spreadsheet)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix C1**

**Final RPS Project-Specific Independent  
Evaluator Report**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix C2**

**Final RPS Project-Specific Independent  
Evaluator Report**

**(Redacted)**

PACIFIC GAS AND  
ELECTRIC COMPANY:  
WINTER 2021 BUNDLED  
RPS ENERGY SALE  
SOLICITATION

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REPORT OF THE INDEPENDENT  
EVALUATOR ON CONTRACTS FOR SALE OF  
RENEWABLE ENERGY TO CENTRAL COAST  
COMMUNITY ENERGY, EAST BAY  
COMMUNITY ENERGY AUTHORITY, ORANGE  
COUNTY POWER AUTHORITY, CITY OF SAN  
JOSE, AND SILICON VALLEY CLEAN  
ENERGY AUTHORITY

MARCH 29, 2022

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# 1. EXECUTIVE SUMMARY

This report provides a review of five sale agreements executed by Pacific Gas and Electric Company (“PG&E”), for renewable energy to be delivered from PG&E’s supply portfolio. Central Coast Community Energy (“3CE”) is a joint powers authority (“JPA”) and community choice aggregator (“CCA”) that commenced retail energy service in 2017 as Monterey Bay Community Power and now serves customers in Monterey, San Benito, and Santa Cruz Counties and portions of San Luis Obispo and Santa Barbara Counties. East Bay Community Energy Authority (“EBCE”) is a JPA and CCA that serves retail customers in Alameda County. Orange County Power Authority (“OCPA”) is a JPA and CCA that expects to begin retail service for customers in Buena Park, Fullerton, Huntington Beach, Irvine, and unincorporated Orange County in 2022. The City of San Jose serves customers within the municipality with retail energy through a CCA program branded as San Jose Clean Energy (“SJCE”). Silicon Valley Clean Energy Authority (“SVCE”) is a JPA and CCA that serves retail customers in Santa Clara County, excluding Palo Alto, San Jose, and Santa Clara. The transactions originated from PG&E’s Winter 2021 Bundled Renewables Portfolio Standard (“RPS”) Energy Sale solicitation. An independent evaluator (“IE”), Arroyo Seco Consulting (“Arroyo”), conducted various activities to observe, test, and check PG&E’s processes as participants sought to negotiate contracts. This report discusses:

- The role of the Independent Evaluator,
- The adequacy of PG&E’s outreach to potential buyers and the robustness of the solicitation,
- The degree to which the design of PG&E’s methodology provided for fair evaluation of bids,
- The fairness with which PG&E’s bid evaluation and selection process was administered,
- The fairness of contract-specific negotiations, and
- Merit of the executed contracts for approval by the California Public Utilities Commission (“CPUC”).

Arroyo’s opinion is that PG&E’s outreach to potential buyers was adequate, the solicitation was fairly robust, and PG&E’s methodology was designed fairly and administered fairly, overall. Arroyo’s opinion is that contract negotiations were conducted in a manner that was fair to competing buyers and to ratepayers. In Arroyo’s opinion, PG&E complied with the CCA Code of Conduct in its administration of the solicitation.

Arroyo believes that the prices of the contracts are reasonable, although the California market for Portfolio Content Category 1 (“PCC1”) energy is illiquid and not transparent so that obtaining fresh and publicly available comparable pricing information with which to assess price reasonableness is challenging. The transactions are fully consistent with the sales framework that was approved by the CPUC as part of PG&E’s 2020 RPS procurement plan; based on this,

may be deemed reasonable.

[REDACTED] The portfolio fit of the contracts ranks high. Based on these observations, Arroyo's opinion is that the executed CEA, EBCE, OCPA, and SVCE contracts merit CPUC approval.

## 2. ROLE OF THE INDEPENDENT EVALUATOR

This chapter describes key roles of the IE and summarizes activities undertaken to fulfill them in PG&E's process of seeking bids for short-term sales of bundled renewable energy.

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### A. KEY INDEPENDENT EVALUATOR ROLES

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The CPUC stated its intent for participation of an IE in competitive procurement solicitations to “separately evaluate and report on the investor-owned utility’s (“IOU’s”) entire solicitation, evaluation and selection process”, in order to “serve as an independent check on the process and final selections.”<sup>1</sup> The CPUC’s Energy Division has provided IEs with a standard template for use in reporting about RPS transactions for which utilities seek approval through advice letters, specifying that such a report should cover topics including:

- Describe the IE’s role.
- How did the IOU conduct outreach to bidders, and was the solicitation robust?
- Was the IOU’s methodology designed such that proposals were fairly evaluated?
- Was the evaluation process fairly administered?
- Were contract-specific negotiations fair?
- Do the contracts merit Commission approval?

The structure of this report is organized around these major topics.

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### B. IE ACTIVITIES

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To fulfill the role of evaluating the renewable energy contracts between PG&E and the five buyers, Arroyo performed various tasks:

- Reviewed the solicitation protocol, PG&E’s analyses and plans, and CPUC guidance;
- Discussed with the PG&E team its plan to pursue sales of bundled renewable energy and analyzed its outreach efforts;
- Observed negotiations between PG&E and the five counterparties;
- Reviewed marked-up drafts of confirmation agreements and master agreements as parties discussed edits to PG&E’s initial draft form confirmation agreement;
- Researched recent comparable transactions of PCC1 renewable energy for publicly available market pricing data to serve as benchmarks for price reasonableness; and
- Provided independent commentary about the solicitation to PG&E’s Procurement Review Group (“PRG”).

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<sup>1</sup> CPUC Decision 06-05-039, May 25, 2006, “Opinion Conditionally Approving Procurement Plans for 2006 RPS Solicitations, Addressing TOD Benchmarking Methodology”, page 46.

### 3. PG&E’S OUTREACH EFFORTS AND THE ROBUSTNESS OF THE RESPONSE

On December 10, 2021, PG&E distributed a market notice announcing the upcoming issuance of the solicitation, and sent another notice on December 14 announcing the issuance. In the latter e-mailed notice, PG&E provided a link to its public webpage for the solicitation that provided two versions of an Edison Electric Institute (“EEI”) short-form confirmation agreement (which also served as a bid form), a pro forma EEI master agreement, a public solicitation protocol, a form for participant attestations, and a non-disclosure agreement. The webpage also included information for a participants’ webinar. PG&E subsequently posted an amended version of the solicitation protocol on January 13, 2022, with an edit to the date for notifying qualifying participants. PG&E received [REDACTED] bid packages, timely submitted prior to the deadline, and [REDACTED]

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#### A. ADEQUACY OF SOLICITATION OUTREACH

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PG&E previously held solicitations for short-term sales of RPS-eligible energy in years 2016<sup>2</sup> through summer 2021, and has developed a customized contact list of potential renewable energy buyers for those efforts. This does not represent a thoroughly comprehensive list of all parties that might ever have an interest and capability of buying bundled renewable energy, but it represents a solid list of leads and shows continued enhancement over prior lists. Figure 1 displays the composition of the focused contact outreach list used for the market notice for the issuance of this solicitation by type of entity; “other” includes solar developers, a county employee, and a former CCA manager.

Additionally, PGE e-mailed the market notice to its standing Request for Offers (“RFO”) contact list, which it uses for outreach for procurement solicitations for purchasing energy and capacity products. This much larger list (about 2,500 contacts) is mainly composed of generation developers or businesses that service their needs, and therefore does not focus on the likeliest candidates to seek to buy RPS-eligible energy, as opposed to those likely to sell it. Figure 2 displays the composition of this RFO contact list. Among the sectors likeliest to participate in this specific solicitation to sell energy, wholesale marketers, direct access energy services providers (“ESPs”), utilities, and CCAs were included.

In the actual event, all of the participants in the solicitation were contacted through the focused contact list. One, [REDACTED], was not directly contacted, but its contractor for portfolio management and energy advisory services was.

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<sup>2</sup> The 2016 effort was an informal “e-solicitation” using e-mail to contact a list of potential participants rather than broad public outreach: it did not use a formal solicitation protocol.

Figure 1.

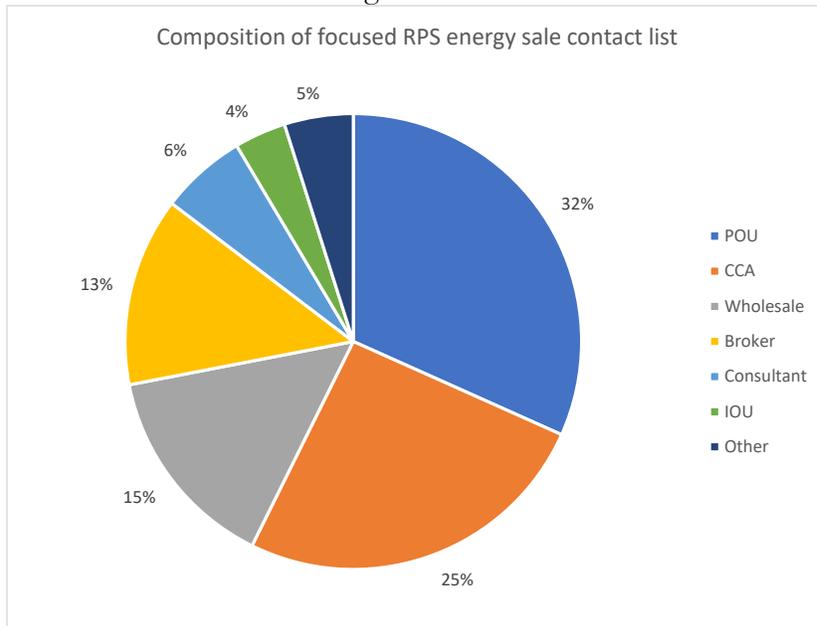
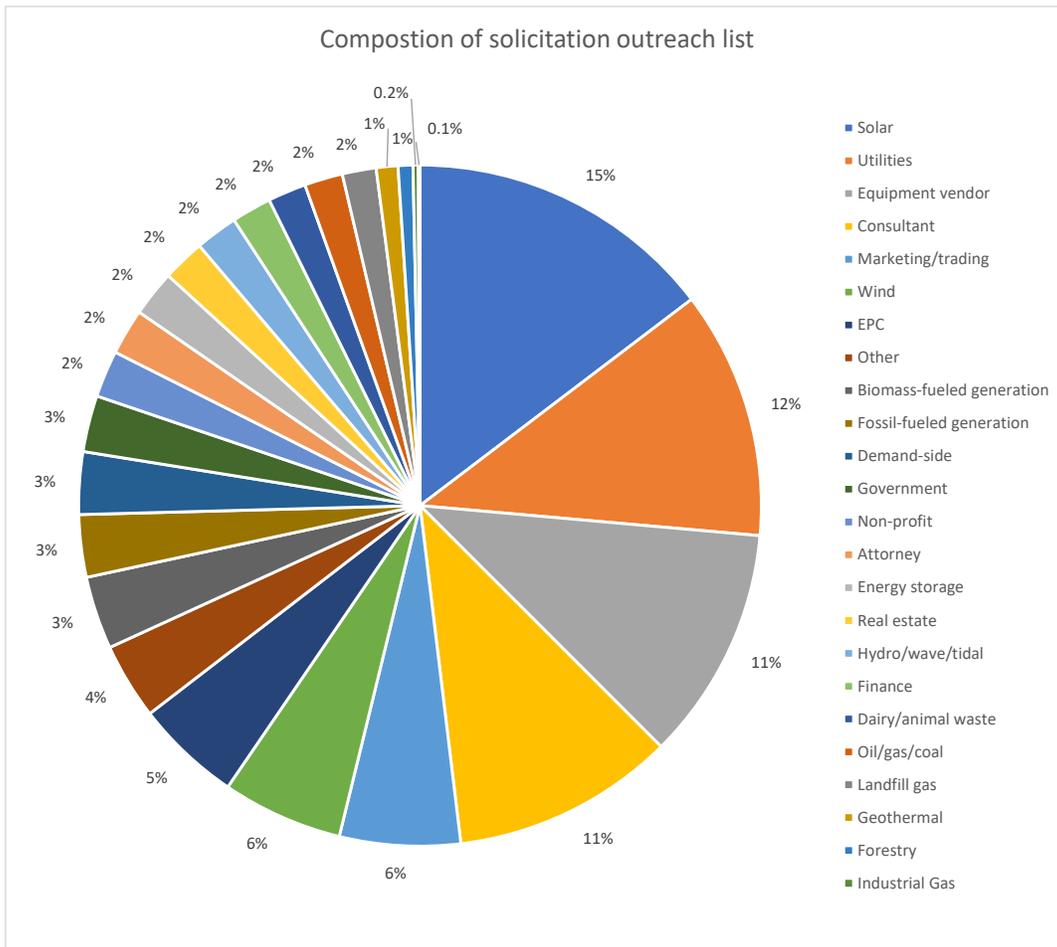


Figure 2.



For this effort, focused on the small universe of RPS compliance entities and those who serve their wholesale power needs, the utility did not pursue broad outreach through public media such as the electricity trade press or media releases. Arroyo's opinion is that PG&E adequately distributed notices of this solicitation. For future sales solicitations, PG&E might benefit from adding to its outreach contact list some CCAs that are phasing in retail energy service or expanding their customer base to new municipalities, but that may not yet have been positioned to respond directly to the current solicitation, or have not yet engaged with PG&E as a counterparty. For example, California Choice Energy Authority has been procuring RPS-eligible on behalf of Apple Valley Choice Energy, Pico Rivera Innovative Municipal Energy, Rancho Mirage Energy Authority, and Santa Barbara Clean Energy, but is not on either contact list. Additional potential participants that have not been contacted include Baldwin Park Resident Owned Utility District, Pioneer Community Energy, Pomona Choice Energy, San Jacinto Power, and other CCAs outside the PG&E service territory.

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## B. CLARITY AND CONCISION OF SOLICITATION MATERIALS

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PG&E published on its website a written public protocol to document the solicitation's requirements and to communicate the evaluation criteria that the utility would use to make its selection decision. The protocol was ten pages long, which is concise for a California IOUs' solicitations, for which protocols can run to dozens of pages. For example, San Diego Gas & Electric Company's ("SDG&E's") protocol for its 2021 Request for Offers for the Sale of Renewable Energy Products from BioRAM Resource is 16 pages long. PG&E's market notice e-mail was also succinct, relying on a link to the solicitation website for participants to obtain details. PG&E's slide presentation for the participants' webinar was 27 pages long, which was more concise than SDG&E's analogous 2020 bidder's conference presentation for its RPS REC Sale Request for Proposals ("RFP") of 42 pages.

Arroyo's opinion is that solicitation materials were likely to have been generally clear to most potential bidders.

One indicator of clarity is that of [REDACTED] that registered for the solicitation on the on-line platform, [REDACTED] submitted proposals, suggesting that solicitation materials were on point for most of the entities that actively responded to the outreach notices. The other registrants included [REDACTED]. These entities, excluding the last, seem positioned to participate as buyers of renewable energy but chose not to submit bid packages. Arroyo's inference is that only a small fraction of registrants lacked clarity about PG&E's intent for this energy sale solicitation.

PG&E's public webpage for the solicitation provided two versions of the bid form, one standard confirmation agreement that had previously been approved by the CPUC as part of the utility's 2020 RPS procurement plan, and a Supplemental Bid Form. The latter served as the basis for transactions in which the bundled RPS energy sold to winning bidders will be sourced solely from projects employing solar photovoltaic, wind, or small hydroelectric generation. Appendix A to the standard confirmation agreement shows a facilities list from which deliveries can be sourced, which includes biomass-fueled, geothermal, solar thermal resources and an existing large hydro facility. Appendix A to the Supplemental Bid Form

excludes these latter sources; this difference in facilities lists is the primary distinction between the bid forms and they do not differ otherwise in contract terms and conditions. Past feedback to PG&E included a concern that purchasing biomass-fueled, geothermal, and solar thermal generation could require a buyer that is a compliance entity to post a Power Source Disclosure showing greenhouse gas (“GHG”) emissions from these latter technologies. To the extent that some compliance entities market their premium products as 100% free of GHG emissions this would be inconsistent with their mission and marketing strategy; the Supplemental Bid Form allows them to take deliveries only from small hydro, solar photovoltaic, and wind resources, that are not deemed by the CEC to emit GHGs.

Arroyo believes that participants in this solicitation understood the function of this Supplemental Bid Form.

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### C. BIDDERS’ CONFERENCE

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PG&E convened a participants’ webinar on December 17, 2021 to provide information to potential participants. The presentation covered an overview of the solicitation’s product, delivery term, and schedule, a review of the pro forma confirmation agreement, a discussion of the evaluation criteria, and details of the logistics of submitting bid packages. At the end of the webinar PG&E asked for questions from the audience and received none. [REDACTED]

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### D. ROBUSTNESS OF THE SOLICITATION

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PG&E did not publicly state a quantitative target for this solicitation. In its CPUC-approved 2020 renewable energy procurement plan filings it provided a confidential framework for sales of excess RPS volumes. [REDACTED]

[REDACTED]. These were not explicitly stated as targets [REDACTED]

Bids were received from [REDACTED]. The total volume of the initial bids [REDACTED]. This was a modestly robust response. It was more robust than that of PG&E’s Summer 2021 sale solicitation, which elicited [REDACTED]

There may be several factors, mostly beyond PG&E’s control, at work to limit the robustness of a market response to such a request for bids for renewable energy:

- Only a modest number of California load-serving entities (“LSEs”) appear to hold net short RPS compliance positions for the fourth compliance period. The IOUs hold long positions, leaving some but not all publicly-owned utilities, CCAs (or their wholesale marketing agents), and direct access providers as likeliest potential buyers. Some CCAs have reported publicly that they have fulfilled their near-term compliance needs. There seems to be no appetite for California RPS-eligible energy among out-of-state utilities.
- Other compliance entities may lack interest in procuring renewable energy through short-term purchases of energy produced in existing facilities, as opposed to long-term contracts with proposed new projects that would bring additional renewable generation into the market, given their compliance and procurement strategies. Some CCAs have faced criticism from stakeholders for purchasing RECs originating from existing facilities as opposed to creating additional renewable energy supply. Because there is a compliance requirement for long-term contracts beginning in 2021 anyway, some compliance entities appear to prefer to seek deliveries from new facilities starting operations in 2021 or 2022, or long-term contracts for delivery from existing facilities, instead of making short-term purchases. This is evidenced by CCAs’ issuance of requests for proposals for long-term purchases in 2020 and 2021, including OCPA’s current RFP for long-term contracts.
- Some CCAs and POUs have stated a preference for local generation; Valley Clean Energy, for example, conducted a competitive solicitation in May 2020 for new renewable energy projects to be sited only in Yolo County or in six adjacent counties. San Diego Community Power has issued a 2021 Request for Information for new renewable energy projects sited solely in San Diego or Imperial Counties. Sacramento Municipal Utility District is contemplating a new green power product for retail customers that would be sourced entirely from Sacramento area solar and wind resources and priced \$10 to \$15/month above standard service. A few CCAs have demonstrated their willingness to enter into Power Purchase Agreements (“PPAs”) to buy uncompetitively high-priced RPS-eligible energy from facilities sited within their service territories. This choice is consistent with the high priority placed by these entities on supporting local economic development. PG&E’s list of facilities that will produce the volumes is largely made up of projects sited outside any existing CCAs’ and POUs’ territories, which simply reflects the geography of existing renewable resources in its portfolio.
- Some CCAs seem to prefer to procure new RPS-eligible energy through their own RFOs rather than responding to PG&E’s solicitations. It lets them design specific contract terms, which differ in details from what PG&E’s form agreement provides. For example, Clean Power Alliance of Southern California issued an RFP in October 2020 seeking long-term PPAs with RPS-eligible resources. In prior surveys, some parties have reported that they chose not to bid because of PG&E’s contract terms.

The response to this solicitation was modestly robust. Arroyo speculates that a few POUs and emergent CCAs may still need to fulfill their procurement targets for the remainder of 2022. Much of the bid volume submitted to this solicitation was from CCAs that have been rolling out retail energy service to new municipalities or expect to launch retail offerings this year.

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## E. PARTICIPANTS' FEEDBACK ABOUT THE PROCESS

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PG&E intends to circulate a survey to seek feedback about the solicitation from both participants and from non-participants on its focused sale-specific contacts list. The results of this survey had not been received and compiled by the time this report was finalized.

PG&E circulated a survey following its Summer 2021 Bundled RPS Energy Sale solicitation but only one response was received, from a non-participant. Arroyo does not consider the information provided to be significant enough to report.

There were a few high-level findings from the survey that PG&E conducted following its previous Spring 2021 Bundled RPS Energy Sale solicitation:

- Respondents mostly agreed that
  - Instructions for the solicitation were clear, and
  - PG&E clearly identified the criteria it would use to evaluate bids.
- Only a few respondents expressed a willingness to participate in PG&E's future short-term bundled RPS sale solicitations.
- Several participants indicated that they chose not to participate in the solicitation, for reasons such as the agreement's terms and conditions, the submittal deadline, or a mismatch with their company's product/service offering.
- One respondent suggested that PG&E should consider including micro-grid solutions in seeking providers for its competitive solicitations.

## 4. FAIRNESS OF PG&E'S BID EVALUATION METHODOLOGY

This section describes PG&E's methodology for evaluating bids and selecting proposals in this solicitation and assesses its fairness to ratepayers and participants.

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### A. PRINCIPLES TO EVALUATE PG&E'S BID EVALUATION METHODOLOGY

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The Energy Division of the CPUC has suggested a set of principles for evaluating the process used by IOUs for selecting proposals in competitive renewable solicitations, within the template intended for use by IEs in reporting:

- There should be no consideration of any information that might indicate whether the participant is an affiliate.
- Procurement targets, objectives, and preferences were clearly defined in the IOU's solicitation materials.
- The IOU's methodology should identify quantitative and qualitative criteria and describe how they will be used to rank bids. These criteria should be applied consistently to all bids.
- The Least-Cost, Best-Fit ("LCBF") methodology should evaluate proposals in a technology-neutral manner.
- The LCBF methodology should allow for consistent evaluation and comparison of proposals of different sizes, in-service dates, and contract length.

Some additional considerations appear relevant to PG&E's specific situation.

- The methodology should identify how non-valuation measures will be considered; all non-valuation criteria used in selecting bids should be transparent to participants.
- The logic of how non-valuation criteria or preferences are used to reject higher-value bids and select lower-value bids should be applied consistently and without bias.
- The valuation methodology should be reasonably consistent with industry practices.
- CCAs should not be systematically disadvantaged by using neutral-appearing criteria that discriminate against the entire class of CCAs.

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### B. PG&E'S METHODOLOGY

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PG&E's public solicitation protocol stated just one quantitative evaluation criterion and a few qualitative criteria:

Quantitative criterion. In this solicitation, PG&E sought to maximize the price received from RPS energy sales; this is consistent with PG&E's approved 2020 RPS procurement plan. This criterion differs from some of PG&E's prior Bundled RPS Energy Sale

solicitations, in which the quantitative criterion was to maximize revenue. In Arroyo's opinion, seeking maximum sales prices rather than maximum sales revenue is more consistent with PG&E's Portfolio-Adjusted Value metric approved by the CPUC as its LCBF methodology. While maximizing price and maximizing revenue should generally result in the same selection of bids, there are scenarios where selections would differ.

Financial strength. PG&E stated that it could consider the financial strength of bidders, focusing on their ability to fulfill obligations, and on whether entering new agreements may cause excess credit concentration in the utility's exposure to participants or banks. The solicitation protocol does not refer to credit rating or other explicit measures of creditworthiness, which hypothetically might be used to distinguish between CCAs (some of which do not yet have investment-grade credit ratings) vs. corporations with large wholesale trading and marketing functions (which generally do).

Agreement Modifications. PG&E stated its intent to evaluate the materiality and cost of any modifications that a participant proposes to alter PG&E's CPUC-approved pro forma confirmation agreement. The solicitation protocol acknowledged that the utility would consider bidders' proposed edits to terms involving price, quantity, and credit terms.

Other criteria. In its protocol, PG&E left open its discretion to employ other qualitative criteria in evaluating bids. These included but were not limited to consideration of past adverse commercial experience doing business with any specific participant, counterparty diversity, bid completeness, and whether or not PG&E has already negotiated and executed an EEI master agreement with a participant. Having executed a master agreement would facilitate use of a short-form confirmation agreement, as opposed to the potentially more challenging or time-consuming negotiation of a new long-form confirmation agreement or a new EEI master agreement.

PG&E did not explicitly propose to employ other evaluation criteria that it has employed in prior solicitations, such as supply chain responsibility, supplier diversity, RPS goals, etc.

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### C. STRENGTHS AND WEAKNESSES OF PG&E'S METHODOLOGY

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This section summarizes some of the attributes of PG&E's approach to evaluating bids for 2022 deliveries of bundled renewable energy from the utility's supply portfolio.

Consistency with RPS Procurement Plan. In PG&E's 2020 RPS procurement plan, accepted with modifications in CPUC Decision 21-01-005, the utility sought and received approval for a framework "for assessing whether to hold or sell excess RPS volumes". PG&E views the volumes to be sold in the contracts to be surplus to its compliance needs. The current solicitation was anticipated within the 2020 plan, that stated that PG&E intended to issue a minimum of two short-term sales solicitations in 2021 and would target issuing three, of which this is the third. The CPUC found PG&E's proposed sales framework, after modifications that it required, to be reasonable and authorized the utility to conduct solicitations to sell excess RPS volumes for sales agreements of five years or less; this solicitation was for sales for a delivery term of less than one year. In approving the RPS procurement plan the CPUC also approved the evaluation criteria for the selection of bids.

Note that in issuing a Supplemental Bid Form and using it as the basis for contracting, PG&E modified the confirmation agreement’s attached facilities list from the pro forma version approved by the CPUC when it approved the RPS procurement plan. Ordering Paragraph 3 of Decision 21-01-015 approving the plan accommodates “necessary modifications” of the pro forma sales agreement. In July 2021, the CPUC accepted the sales transactions that resulted from PG&E’s Spring 2021 Bundled RPS Energy Sales solicitation that were filed by the utility in Advice Letter 6276-E. As these included agreements based on the Supplemental Bid Form, that excluded all resource types but solar photovoltaic, wind, and small hydro from the facilities list, it can be concluded that the CPUC viewed the edits that resulted in the Supplemental Bid Form as acceptable necessary modifications.

Market Valuation. PG&E did not calculate Portfolio-Adjusted Value (“PAV”) for the bids for these renewable energy volumes. Directly using the PAV metric would have been consistent with its past practice in renewable energy procurement and with the 2020 RPS procurement plan’s statement that the use of PAV ensures procurement providing the best fit for PG&E’s portfolio at the least cost. PG&E instead chose to use maximizing price as the metric for evaluating bids in its recent short-term bundled RPS energy sale solicitations.

The generation resources from which sales volumes will be sourced will be selected during the delivery periods by PG&E from lists of projects identified in an appendix to the contract. Specific generators that actually produce the delivered RPS-eligible energy will not be chosen far in advance of delivery. As the valuation method directly followed PG&E’s framework detailed in its Appendix H of the 2020 RPS procurement plan, bid rankings were calculated in a manner consistent with the protocol and with CPUC Decision 12-02-007. PG&E did not include any costs or benefits that should not have been included. In practice, Arroyo does not expect a ranking of bids by price to differ from a ranking by PAV, the CPUC-approved LCBF evaluation criterion, in a REC sale solicitation.



Other criteria. Because projects from which sales volumes will be delivered are already constructed and operating, transmission network upgrade costs are sunk costs and do not factor into bid selection decisions. Similarly, all the projects are viable by virtue of achieving commercial operation and delivering energy on an ongoing basis so that project viability is not a consideration. In a sense, the question of the viability of individual buyers to make payments to PG&E is taken into account in the creditworthiness evaluation criterion.

In this solicitation, PG&E made it clear to participants that it strongly preferred standard agreements rather than accommodating requested contract modifications, both in the written solicitation and in other party-to-party dialogues.

# 5. FAIRNESS OF PG&E’S BID EVALUATION AND SELECTION PROCESS

This section provides a narrative of how PG&E administered its evaluation and selection methodology to choose bids for contracting in its Spring 2021 Bundled RPS Energy Sale solicitation. Arroyo’s opinion is that the bid evaluation process was fairly administered.

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## A. GUIDELINES TO DETERMINE FAIRNESS OF EVALUATION PROCESS

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The Energy Division has suggested a set of principles to guide IEs in determining whether an IOU’s administration of its evaluation and selection process was fair:

- Were all proposals treated the same regardless of the identity of the bidder?
- Were participants’ questions answered fairly and consistently and the answers made available to all participants?
- Did the utility ask for “clarifications” that provided one participant an advantage over others?
- Was the economic evaluation of the proposals fair and consistent?
- Was there a reasonable justification for any fixed parameters that were a part of the IOU’s LCBF methodology?
- Were the qualitative and quantitative factors used to evaluate bids fair to all bids?

Other considerations relevant to reviewing PG&E’s administration of its methodology:

- Were any decisions to reject higher-value proposals because of preferences other than market valuation applied consistently across all proposals? Were selections of lower-value proposals in preference to higher-valued ones based on their superior attributes in non-valuation criteria made consistently, or were high-value proposals skipped over unfairly?
- If PG&E chose to contract for a different volume or pricing of sales than strictly based on the approved framework, was the decision made fairly in how it affected bidders, and based on factors stated in Appendix H of the 2020 RPS procurement plan that detailed the framework applicable to 2021 solicitations?
- Were the judgments used to make a selection based on evaluation criteria and preferences that were publicly disseminated to participants prior to bid submittal?
- Did PG&E disadvantage any class of participants (such as CCAs) in its administration of the selection methodology?

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**B. PG&E'S EVALUATION OF BIDS AGAINST CRITERIA**

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PG&E used the sole quantitative criterion of price to rank and select bids. [REDACTED] [REDACTED] passed a review for the qualitative criteria of financial strength and modifications. PG&E did not identify deficiencies in the selected bids, already having rejected one bid package for failure to conform to the requirements of the solicitation.

Market Valuation. Bid packages were submitted timely [REDACTED] before the deadline, and [REDACTED]. Figure 3 displays the bid supply curves for 2021 deliveries that show how these bid prices compared to the [REDACTED]

Figure 3.



[REDACTED] PG&E contacted [REDACTED] late in the afternoon following the bid deadline and notified them that it would not transact sales contracts based on the submitted bids. [REDACTED]

[REDACTED]

PG&E used the framework specified in confidential Appendix H of its 2020 RPS procurement plan to evaluate these proposals. [REDACTED]

[REDACTED] This evaluation was, in Arroyo's opinion, fully consistent with the approved methodology in PG&E's approved 2020 RPS procurement plan, which applies to REC sale solicitations throughout 2021.

Non-conforming proposal. All bid packages but one conformed to the requirements of the solicitation protocol. A tardy bid package was submitted: [REDACTED]

[REDACTED]

The bid package failed to conform to the requirements of the solicitation in two other respects. [REDACTED]

[REDACTED]

Later in the afternoon of the bid deadline, PG&E communicated to [REDACTED] about the non-conforming aspects of the bid package, [REDACTED]

[REDACTED] did not submit a conforming bid package by the new deadline.

[REDACTED] the bidder re-submitted its original, non-conforming bid form. [REDACTED]

[REDACTED] The new bid package consisted of two conforming bid forms, one for the standard product and one for the supplemental product. PG&E accepted this proposal.

The following week, [REDACTED] submitted the missing [REDACTED]

In Arroyo's opinion, PG&E would have been fully justified if it were to reject the bid submitted by [REDACTED] for violating several of the protocol's requirements [REDACTED]

[REDACTED] Arroyo does not believe that any competitor was disadvantaged by PG&E exercising its commercial discretion to accept the bidder's proposal once it had been modified to conform to requirements of the solicitation protocol. [REDACTED]

[REDACTED]. Arroyo believes that PG&E exercised reasonable commercial judgment to accept the non-conforming bid package.

Credit. [REDACTED]

PG&E's pro forma confirmation agreement, that had been approved by the CPUC and was shared with potential participants, stated a collateral posting requirement of 15% times the volume of as-yet-undelivered RECs times the \$/MWh contract price of RECs. [REDACTED]

[REDACTED]

[REDACTED]

Other. PG&E did not apply other evaluation criteria in making its short list selection. [REDACTED]

[REDACTED]

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### C. RESULTS ANALYSIS

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Arroyo agreed with PG&E's selection of bids, while noting that PG&E could have chosen to reject the non-conforming proposal. Observations regarding PG&E's administration of its evaluation methodology in this Winter 2021 Bundled RPS Energy sale solicitation include:

- There were no instances in which Arroyo and PG&E disagreed about the utility's administration of the evaluation and selection process. Arroyo agreed with PG&E's disqualification of a non-conforming bid from a participant that failed to adhere to the requirements of the solicitation protocol.
- PG&E evaluated bids without involving any third party or the Independent Evaluator to conduct any portion of its analysis.
- Arroyo did not observe PG&E treating conforming participants in disparate ways; Arroyo did not, for example, observe PG&E treating participants differently based on prior commercial relationships.
- The economic evaluation of bids was fair and consistent.
- The judgments that served as the basis for selecting bids were based solely on evaluation criteria that were stated publicly in the solicitation protocol.
- The key parameter used in the evaluation was [REDACTED]

[REDACTED]

- Because PG&E used price as its quantitative evaluation criterion, it did not consider transmission costs or integration adders in selection. Without knowing in advance which specific resources in PG&E's supply portfolio will serve which contract, there is no basis for distinguishing between bids using transmission costs or integration adders; it would be inappropriate to involve transmission and integration costs in bid evaluation. The key attributes that distinguished bids were the participants' proposed pricing for green attributes and requested volumes, and whether the participant bid for the standard agreement or the Supplemental Bid Form with a different facilities list, not energy pricing.

[REDACTED]

- Arroyo believes that PG&E's conduct of the Winter 2021 Bundled RPS Energy Sale solicitation was, overall, consistent with its approved 2020 RPS procurement plan.

[REDACTED]

- Arroyo agrees that, based on PG&E's 2020 framework for evaluating bids to sell renewable energy, the utility made reasonable and justifiable decisions to select bids.

Arroyo's opinion is that PG&E's evaluation and selection process was fairly administered.

## 6. FAIRNESS OF CONTRACT-SPECIFIC NEGOTIATIONS

This chapter provides an independent review of the extent to which PG&E's negotiations with bidders were conducted fairly with respect to competitors. PG&E notified participants that proposals had been selected or rejected as qualified bids on January 20, 2022. PG&E began discussions with counterparties shortly after each party accepted the award,



Arroyo telephonically observed discussion sessions between the commercial teams of PG&E and the five selected counterparties. Arroyo also reviewed marked-up draft contracts in an effort to identify specific proposals and counterproposals made by the parties. The starting point for negotiations was either the pro forma EEI short-form confirmation agreement that was included in PG&E's 2020 RPS procurement plan, or the Supplemental Bid Form, with a shorter facilities list, that was made publicly available on the utility's website.

Arroyo's opinion is that PG&E's negotiations were conducted in a manner that was fair to counterparties and to their competitors. The last chapter of this report describes the degree to which the pricing of the resulting contracts is fair to ratepayers.

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### A. PRINCIPLES FOR EVALUATING THE FAIRNESS OF NEGOTIATIONS

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Arroyo employed specific principles to evaluate the degree of fairness with which PG&E handled negotiations to sell renewable energy to 3CE, EBCE, OCPA, SJCE, and SVCE.

- Were bidders treated fairly and consistently by PG&E during negotiations? Were all bidders given equitable opportunities to advance proposals towards final agreements? Were individual bidders given unique opportunities to move their proposals forward or concessions to improve their contracts' commercial value, opportunities not provided to others?
- Was the distribution of risk between seller and buyer in the agreements distributed equitably across contracts? Did PG&E's ratepayers take on a materially disproportionate share of risks in some contracts and not others? Were individual buyers given opportunities to shift their commercial risks towards ratepayers, opportunities that were not provided to others?

- Was non-public information provided by PG&E shared fairly with all buyers? Were individual buyers uniquely given information that advantaged them in securing contracts or realizing commercial value from those contracts?
- If any individual buyer was given preferential treatment by PG&E in the course of negotiations, is there evidence that other buyers were disadvantaged by that treatment? Were other proposals of comparable value to ratepayers assigned lower priority?

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**B. NEGOTIATIONS BETWEEN PG&E AND COUNTERPARTIES**

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Terms and conditions in the form agreement for sales of bundled RPS energy were not significantly altered from the pro forma after bids were selected. Discussions focused on:

- Credit Requirements. [REDACTED]

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<sup>3</sup> Note that in the case of the bankruptcy and failure of Western Community Energy, the CCA's customers were returned to service by Southern California Edison as provider of last resort.

[REDACTED]

[REDACTED]

- Delivery term. [REDACTED]

- Delivery schedule. [REDACTED]

- Facilities list. [REDACTED]

- Delayed approval. [REDACTED]

- Additional terms and conditions. In February, about a month after it submitted a bid form that had no material edits to terms and conditions, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
the exception was [REDACTED]  
[REDACTED]

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C. FAIRNESS OF NEGOTIATIONS

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Arroyo’s opinion is that negotiations with buyers were conducted fairly. Each participant was given an equitable opportunity to advance its proposals towards execution. The distribution of risk between buyer and seller is generally the same in these contracts as in prior agreements PG&E has negotiated with northern California and southern California CCAs. Arroyo did not observe PG&E providing any individual participant with any non-public information that materially advantaged a buyer against ratepayers or competitors.

Credit requirements. [REDACTED]  
[REDACTED] Arroyo’s opinion is that the treatment of buyers [REDACTED] was based on [REDACTED], rather than on any unfairly favorable treatment of familiar counterparties or discrimination against any class of counterparty, such as ESPs.

CCA Code of Conduct. The CPUC adopted a code of conduct for IOUs’ interactions with CCAs in Decision 12-02-009. Most of the elements of the code govern IOU marketing and lobbying activities, but rule 20 (which restates ordering paragraph 5 from Resolution E-4250) applies to PG&E’s conduct of its efforts to make renewable energy sales:

“Electrical corporations may not refuse to make economic sales of excess electricity to a community choice aggregation program, nor refuse in advance to deal with any

community choice aggregation program in selling electricity because it is a community choice aggregation program.”

In Arroyo’s opinion, PG&E did not refuse to make economic sales of surplus RPS-eligible energy to any CCAs involved in this solicitation, nor did it refuse in advance to deal with any CCAs. It performed outreach to numerous CCAs in an effort to obtain their participation.

[REDACTED]

Arroyo’s opinion is that PG&E complied with the requirements of the CCA code of conduct in how it handled its solicitation.

Summary. Arroyo’s opinion is that PG&E’s negotiations with buyers were handled fairly with respect to competitors. Bids were accepted or rejected based on PG&E’s CPUC-approved 2020 framework for short-term RPS energy sales and on evaluation criteria and solicitation requirements that were stated in the public protocol. Arroyo believes that PG&E’s conduct was consistent with the requirements of the CCA Code of Conduct.

[REDACTED]

## 7. MERIT FOR CPUC APPROVAL

This chapter provides an independent opinion on whether PG&E's contracts with 3CE, EBCE, OCPA, SJCE, and SVCE merit approval by the CPUC. It also addresses other required topics identified in the Energy Division's template for Independent Evaluators for use in reporting.

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### A. FAIRNESS OF SOLICITATION

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PG&E solicited bids in order to sell RPS-eligible energy for delivery in calendar 2022. It provided public solicitation materials that clearly stated the evaluation criteria; in the actual administration of the evaluation and selection process it adhered to the use of those stated criteria and, overall, adhered to its protocol and to its CPUC-approved 2020 renewable energy procurement plan.

The utility did not specifically use its CPUC-approved least-cost, best fit methodology of Portfolio-Adjusted Value as the metric for evaluation; however, Arroyo believes that use of the evaluation criterion of maximum price aligns very closely with the approved LCBF methodology. The methodology used for evaluating and selecting bids was consistent with the framework laid out in confidential Appendix H of PG&E's 2020 procurement plan that was approved by the CPUC. PG&E's negotiations with participants were handled fairly with respect to competitors and to ratepayers, and PG&E adhered to the evaluation criteria stated in its public protocol to select and reject proposals. Arroyo's opinion is that PG&E's handling of the solicitation complied fully with the CPUC's CCA Code of Conduct.

Arroyo believes that PG&E ran a fair solicitation that was, overall, consistent with its solicitation protocol and with the 2020 RPS procurement plan approved by CPUC Decision 21-01-005.

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### B. BIDS WITH BEST OVERALL VALUE TO RATEPAYERS

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PG&E selected the best proposals among conforming bid packages received, best in terms of maximizing contract pricing by using the approved sales framework. [REDACTED]

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### C. CONSISTENCY WITH PROTOCOL AND PROCUREMENT PLAN

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PG&E's sale of bundled energy in these contracts generally conforms to its 2020 RPS procurement plan, in which the utility states its intent to sell RPS volumes, and more specifically conforms to the detailed framework for excess sales provided within the plan. PG&E chose to provide participants with a supplemental version of the original CPUC-approved confirmation agreement. This supplemental version was edited to alter the list of projects from which RPS energy deliveries can be sourced. Arroyo notes that the changes

from the previously filed version do not involve any material changes other than to the facilities list, and that there have been precedents in which PG&E has altered its project list in negotiating confirmation agreements from the version approved by the CPUC with its applicable procurement plan. The CPUC accepted Advice 6276-E from PG&E's Spring 2021 Bundled RPS Energy Sale solicitation that included transactions based on the Supplemental Bid Form.

The sale conforms to the needs of PG&E's portfolio and its RPS requirements, because it reduces PG&E's excess REC bank by selling now for ratepayer benefits instead of carrying RECs forward to future periods. The process of selecting bids was consistent with the solicitation protocol, and Arroyo's opinion is that the selection of bids was reasonable.

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**D. MERIT FOR CPUC APPROVAL**

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This section reports on the merits of the sales contracts.

Pricing and market value. PG&E will sell to 3CE bundled RPS-eligible renewable energy at market index plus a REC price [REDACTED]

[REDACTED]; the contract with EBCE is priced at market index plus [REDACTED]

PG&E will sell OCPA

RPS-eligible energy priced at market index plus [REDACTED]

[REDACTED] The City of San Jose will take deliveries [REDACTED]

SVCE will take deliveries [REDACTED]

There are

relatively few public benchmarks available to ascertain whether these are reasonable prices, given the illiquidity and opacity of the market for California RPS-eligible energy. Arroyo does not participate in REC markets and cannot directly monitor non-public commercial transactions other than a subset of PG&E's.

PG&E's most recent prior competitive solicitation in the summer of 2021 to sell renewable energy elicited initial bids for 2022 deliveries priced at [REDACTED]

The CPUC accepted PG&E's

advice letter 6371-E for these transactions in October 2021. [REDACTED]

There are some pricing data for recent renewable energy sales to or from publicly-owned utilities and CCAs for deliveries in 2022 that have been made public:

- At the beginning of 2016, Silicon Valley Power (the city of Santa Clara) offered a ten-year agreement to sell 36.3 GWh/year of PCC1 energy to Alameda Municipal Power for the 2018 – 2027 period at market index + \$15/MWh. The latter opted instead to execute a fixed price contract but the indicative pricing demonstrates the seller's view of an acceptable sale price.

- The city of Pasadena contracted with Powerex in April 2018 for deliveries of PCC1 and PCC2 energy. The PCC1 deliveries will be made from 2020 to 2030, at 70 GWh/year, and are priced at market index + \$16.30/MWh.
- Redwood Coast Energy Authority (“RCEA”) has had a PPA with Humboldt Sawmill Company since 2017 for delivery of RPS-eligible energy from a biomass-fueled cogeneration unit sited with the sawmill in the town of Scotia. While most of the energy deliveries are sold at a base price that has been as high as \$83/MWh and as low as \$63/MWh, if the annual production exceeds 116% of contract quantity the “surplus delivered energy” is sold at hourly market price plus a green attribute price.

The contractual green attribute price had been \$14.50/REC from the beginning of the delivery term. In the spring of 2021, RCEA and Humboldt Sawmill Company negotiated an extension of the delivery term of the PPA to 2031. The extension reduced the green attribute price to \$11/REC from \$14.50, and the staff report to RCEA’s board stated that this was “in keeping with current market pricing for renewable energy attributes.” This suggests that RCEA perceived a decline in PCC1 REC market prices from 2017 to 2021.

- In December 2017, the Southern California Public Power Authority, acting as agent on behalf of the cities of Anaheim, Burbank, and Vernon, entered a 25-year PPA with Desert Harvest II for deliveries of PCC1 energy at a price of market index + \$15.25/MWh. Deliveries commenced upon commercial operation in January 2021.
- In July 2019, the City of Santa Clara executed a five-year PPA for RPS energy deliveries starting in September 2019 from the Olcese Water District. The energy is generated by the Rio Bravo hydroelectric plant on the lower Kern River. Deliveries are priced at market index + \$17/MWh.
- The city of Moreno Valley executed two short-term purchase agreements for RPS energy deliveries. One, signed in mid-2019, was with Tenaska Power services for deliveries in calendar 2019 from the Coso geothermal projects sited on the China Lake Naval Weapons Center near Ridgecrest. The PCC1 RECs were priced at \$17.75/REC. An earlier, separate agreement was signed with TGP Energy Management (a subsidiary of Terra-Gen Power) for deliveries from 2017-2020 from a pooled set of resources. These PCC1 RECs were priced at \$16/REC.
- In August 2020 the city of Palo Alto embarked on a program to sell PCC1 RECs from its supply portfolio and to use the proceeds to buy greater volumes of PCC3 RECs in order to maintain compliance with its RPS obligations while reducing its compliance costs (while relying more on out-of-state resources than it had previously). In March 2021 the utilities department staff reported to the city council that the average purchase price of the PCC1 RECs for calendar 2020 (following August) was \$13.70/REC. In May 2021 the staff projected an average

purchase price for calendar 2021 of \$13.50/REC. The REC exchange program continued through 2021 at a volume diminished from 2020, but the city has not yet reported the specific dollar amount of proceeds from sales of PCC1 RECs.

- In April 2021 the city of Riverside entered a Green Power Purchase Agreement with the California Air Resources Board, under which the municipal utility will provide 100% RPS-eligible deliveries to CARB’s new facility for twenty years, priced at the applicable tariff rate plus a premium of \$17.9/MWh. The utility’s staff estimated the cost premium for RPS energy provided by the city over non-renewable energy would average \$16.1/MWh over the first decade, based on the utility’s long-term supply portfolio. This implies that the staff expected a long-term average market price of \$16.1/REC for 2021-31.

Other older transactions for PCC1 energy are also publicly visible, but these may be poorer benchmarks for the current transactions for 2022 deliveries.

Contract deliveries from the agreements [REDACTED]

[REDACTED]

[REDACTED]

Arroyo’s inference from this mix of scant data is that the prices of most of PG&E’s contracts are likely fair and reasonable. [REDACTED]

[REDACTED]

There will always be some uncertainty about such judgments when dealing with a market that is illiquid and opaque, as the California market for PCC1 RPS-eligible energy is.

[REDACTED]

[REDACTED]

Portfolio fit. The RECs intended for use in the sales contracts are expected to be surplus to PG&E's compliance needs. Arroyo believes that it is advantageous to ratepayers for PG&E to sell surplus RECs at or above market price now rather than to bank them for RPS compliance needs later. PG&E's estimates indicate that its RPS net positions in the third and fourth compliance period are long, so the sales contracts fit with the utility's portfolio strategy of reducing the surplus REC position in 2022 through short-term sales and monetizing part of the surplus for near-term value for ratepayer benefit.

Summary. Most of the sales transactions were consummated at prices that fall [REDACTED] and on [REDACTED]. All of the contracts are consistent with PG&E's 2020 RPS procurement plan and its framework for sales of surplus RPS-eligible energy, and fit well with PG&E's strategy for RPS portfolio management. [REDACTED]

[REDACTED] Arroyo's opinion is that the methodology for evaluating and selecting a short list and the administration of that methodology were fair.

Arroyo's opinion is that PG&E's negotiations with participants were handled fairly with respect to competitors and ratepayers. In Arroyo's opinion, the allocation of costs and risks between ratepayers and buyers that resulted from negotiations was, overall, consistent with PG&E's past practices. Arroyo believes that PG&E's actions in negotiating and transacting or not transacting with CCAs were compliant with the CCA Code of Conduct.

On that basis, Arroyo's opinion is that the contracts with Central Coast Community Energy, East Bay Community Energy Authority, Orange County Power Authority, and Silicon Valley Clean Energy all merit CPUC approval. [REDACTED]

[REDACTED] Arroyo does not provide in this report an opinion on whether or not the confirmation agreements with SJCE merit CPUC approval.

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix D1**

**Contract Summary: City of San Jose (San Jose 1)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix D2**

**Contract Summary: City of San Jose (San Jose 2)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix D3**

**Contract Summary: Silicon Valley Clean Energy  
Authority (SVCE)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix D4**

**Contract Summary: Orange County Power  
Authority (OCPA 1)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix D5**

**Contract Summary: Orange County Power  
Authority (OCPA 2)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix D6**

**Contract Summary: East Bay Community Energy  
Authority (EBCE)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix D7**

**Contract Summary: Central Coast Community  
Energy (3CE)**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix E1**

**Comparison of Contract with Utility's Pro Forma  
Agreement: San Jose 1**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix E2**

**Comparison of Contract with Utility's Pro Forma  
Agreement: San Jose 2**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix E3**

**Comparison of Contract with Utility's Pro Forma  
Agreement: SVCE**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix E4**

**Comparison of Contract with Utility's Pro Forma  
Agreement: OCPA 1**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix E5**

**Comparison of Contract with Utility's Pro Forma  
Agreement: OCPA 2**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix E6**

**Comparison of Contract with Utility's Pro Forma  
Agreement: EBCE**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix E7**

**Comparison of Contract with Utility's Pro Forma  
Agreement: 3CE**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix F1**

**Sales Agreement: San Jose 1**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix F2**

**Sales Agreement: San Jose 2**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix F3**

**Sales Agreement: SVCE**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix F4**

**Sales Agreement: OCPA 1**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix F5**

**Sales Agreement: OCPA 2**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix F6**

**Sales Agreement: EBCE**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix F7**

**Sales Agreement: 3CE**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix G1**

**PG&E's Renewable Net Short Calculation**

**(Confidential)**

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix G2**

**PG&E's Renewable Net Short Calculation**

**(Redacted)**

## CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD PROGRAM

### *RPS Procurement Plan: Renewable Net Short Quantitative Response*

Renewable Net Short calculations are to be submitted by all retail sellers each year with their RPS Procurement Plans, as required by the Public Utilities Code 399.13 and Commission decisions, notably, Decision (D.) 11-12-020, D.11-12-052, D.12-06-038, D.14-12-023, and D.16-12-040.

Any questions concerning the contents or formulas within this spreadsheet should be directed to the Energy Division RPS team at [rpscompliance@cpuc.ca.gov](mailto:rpscompliance@cpuc.ca.gov).



### Procedural Guidelines

- 1) Public Utilities Code 399.13(a)(1) requires Investor-Owned Utilities (IOUs), Small and Multi-Jurisdictional Utilities (SMJUs), Electric Service Providers (ESPs), and Community Choice Aggregators (CCAs) to submit an RPS Procurement Plan each year to the CPUC to demonstrate that a sufficient amount of renewable energy has been procured to meet the obligations of the California RPS Program requirements.
  
- 2) Quantitative Responses must be submitted as part of a retail seller's RPS Procurement Plan to the Commission as specified in the Assigned Commissioner Ruling directing filing of RPS Procurement Plans, and the May 21, 2014 Ruling, Administrative Law Judge's Ruling on Renewable Net Short, issued in R.11-05-005, (<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M091/K331/91331194.PDF>)
  - a) **If a PDF version (vs. Excel file) is included in retail seller's RPS Plan, then all pages must be legible.** If a retail seller seeks confidentiality of any portion of the data, the retail seller is responsible for maintaining confidentiality when
  
  - b) **Submit a confidential Excel version of this spreadsheet to the Energy Division via the CPUC Secure FTP site (<https://kwftp.cpuc.ca.gov>).** Please only submit this file in .xls or .xlsx format to the FTP site and contact [rpscompliance@cpuc.ca.gov](mailto:rpscompliance@cpuc.ca.gov) with any questions.

Renewable Net Short Calculations - 2021 RPS Procurement Plans

|             |                          |  |
|-------------|--------------------------|--|
| LSE Name:   | Pacific Gas and Electric |  |
| Date Filed: | July 1, 2021             |  |

Input required

No input required

Hard-coded

Table 1: Renewable Net Short Calculation as of May 2021

Net Short Calculation Using PG&E Bundled Retail Sales Forecast (2021 - 2030)

| Variable                                | Calculation in Energy Division RNS Calculation Template | Revised Calculation Correcting Apparent Errors in Energy Division Template | Item  | 2017 Actual | 2018 Actual | 2019 Actual | 2020 Actual | 2017-2020   | 2021 Forecast | 2022 Forecast | 2023 Forecast | 2024 Forecast | 2021-2024   | 2025 Forecast | 2026 Forecast | 2027 Forecast | 2025-2027  | 2028 Forecast | 2029 Forecast | 2030 Forecast | 2028-2030  |
|---|---|--|---|-------------|-------------|-------------|-------------|-------------|---------------|---------------|---------------|---------------|-------------|---------------|---------------|---------------|------------|---------------|---------------|---------------|------------|
| Forecast Year                           |   |  |   |             |             |             |             | CP3         | 1             | 2             | 3             | 4             | CP4         | 5             | 6             | 7             | CP5        | 8             | 9             | 10            | CP6        |
| Annual RPS Requirement                  |   |  |   |             |             |             |             |             |               |               |               |               |             |               |               |               |            |               |               |               |            |
| A                                       |   |  | Total Retail Sales (MWh)                                    | 61,397,214  | 48,832,111  | 35,956,100  | 35,838,070  | 182,023,495 |               | 27,683,731    |               | 28,006,589    | 114,688,692 | 27,194,100    | 26,367,066    | 26,404,833    | 79,965,998 | 26,897,185    | 27,684,093    | 28,590,108    | 83,171,386 |
| B                                       |   |  | RPS Procurement Quantity Requirement (%)                    | 27.0%       | 29.0%       | 31.0%       | 33.0%       | 29.5%       | 35.8%         | 38.5%         | 41.3%         | 44.0%         | 39.8%       | 46.7%         | 49.3%         | 52.0%         | 49.3%      | 54.7%         | 57.3%         | 60.0%         | 57.4%      |
| C                                       | A*B   |  | Gross RPS Procurement Quantity Requirement (MWh)            | 16,577,248  | 14,161,312  | 11,146,391  | 11,826,563  | 53,711,514  |               | 10,658,236    |               | 12,322,899    | 45,625,993  | 12,691,486    | 13,006,873    | 13,730,513    | 39,428,872 | 14,704,691    | 15,871,291    | 17,154,065    | 47,730,046 |
| D                                       |   |  | Voluntary Margin of Over-procurement (MWh)                  | -           | -           | -           | -           | -           | -             | -             | -             | -             | -           | -             | -             | -             | -          | -             | -             | -             | 0.0%       |
| E                                       | C+D   |  | Net RPS Procurement Need (MWh)                              | 16,577,248  | 14,161,312  | 11,146,391  | 11,826,563  | 53,711,514  |               | 10,658,236    |               | 12,322,899    | 45,625,993  | 12,691,486    | 13,006,873    | 13,730,513    | 39,428,873 | 14,704,691    | 15,871,291    | 17,154,065    | 47,730,046 |
| RPS-Eligible Procurement                |   |  |   |             |             |             |             |             |               |               |               |               |             |               |               |               |            |               |               |               |            |
| Fa                                      |   |  | Risk-Adjusted RECs from Online Generation (MWh)             | 22,335,589  | 20,385,398  | 20,299,675  | 20,075,469  | 83,096,131  | 20,190,134    | 17,752,241    | 17,529,685    | 17,247,228    | 72,719,288  | 17,076,802    | 16,542,057    | 16,221,788    | 49,840,647 | 16,156,316    | 15,525,532    | 15,444,740    | 47,126,588 |
| Faa                                     |   |  | Forecast Failure Rate for Online Generation (%)             | 0.0%        | 0.0%        | 0.0%        | 0.0%        | 0.0%        | 0.0%          | 0.0%          | 0.0%          | 0.0%          | 0.0%        | 0.0%          | 0.0%          | 0.0%          | 0.0%       | 0.0%          | 0.0%          | 0.0%          | 0.0%       |
| Fb                                      |   |  | Risk-Adjusted RECs from RPS Facilities in Development (MWh) | -           | -           | -           | -           | -           | 35,743        | 163,600       | 464,906       | 496,719       | 1,160,968   | 494,498       | 493,050       | 491,609       | 1,479,157  | 491,312       | 488,747       | 487,327       | 1,467,386  |
| Fbb                                     |   |  | Forecast Failure Rate for RPS Facilities in Development (%) | 0.0%        | 0.0%        | 0.0%        | 0.0%        | 0.0%        | 0.0%          | 0.0%          | 0.0%          | 0.0%          | 0.0%        | 0.0%          | 0.0%          | 0.0%          | 0.0%       | 0.0%          | 0.0%          | 0.0%          | 0.0%       |
| Fc                                      |   |  | Pre-Approved Generic RECs (MWh)                             | -           | -           | -           | -           | -           | -             | 36,369        | 64,187        | 881,036       | 981,592     | 2,869,995     | 4,421,361     | 4,696,012     | 11,987,368 | 4,920,558     | 5,138,575     | 5,316,178     | 15,375,310 |
| Fd                                      |   |  | Execute REC Sales (MWh)                                     | 2,069,230   | 1,451,000   | 9,744,419   | 7,445,056   | 20,709,705  | 1,947,495     | -             | -             | -             | 1,947,495   | -             | -             | -             | -          | -             | -             | -             | -          |
| F                                       | Fa+Fb+Fc-Fd   |  | Total RPS Eligible Procurement (MWh)                        | 20,266,359  | 18,934,398  | 10,555,256  | 12,630,413  | 62,386,426  | 18,278,381    | 17,952,210    | 18,058,778    | 18,624,983    | 72,914,353  | 20,441,295    | 21,456,468    | 21,409,409    | 63,307,172 | 21,568,185    | 21,152,854    | 21,248,245    | 63,969,284 |
| F0                                      |   |  | Category 0 RECs   | 16,659,366  | 14,103,286  | 10,555,256  | 12,630,413  | 53,948,322  | 13,297,131    | 11,001,834    | 10,870,837    | 10,640,344    | 45,810,146  | 10,513,613    | 10,003,052    | 9,727,589     | 30,244,254 | 9,670,976     | 9,084,354     | 9,031,656     | 27,786,985 |
| F1                                      |   |  | Category 1 RECs   | 3,606,993   | 4,831,112   | -           | -           | 8,438,104   | 4,981,250     | 6,950,376     | 7,187,942     | 7,984,639     | 27,104,207  | 9,927,682     | 11,453,417    | 11,681,820    | 33,062,918 | 11,897,210    | 12,068,500    | 12,216,589    | 36,182,299 |
| F2                                      |   |  | Category 2 RECs   | -           | -           | -           | -           | -           | -             | -             | -             | -             | -           | -             | -             | -             | -          | -             | -             | -             | -          |
| F3                                      |   |  | Category 3 RECs   | -           | -           | -           | -           | -           | -             | -             | -             | -             | -           | -             | -             | -             | -          | -             | -             | -             | -          |
| Gross RPS Position (Physical Net Short) |   |  |   |             |             |             |             |             |               |               |               |               |             |               |               |               |            |               |               |               |            |
| Ga                                      | F-E   |  | Annual Gross RPS Position (MWh)                             | 3,689,111   | 4,773,086   | (591,135)   | 803,850     | 8,674,912   |               | 7,293,974     |               | 6,302,084     | 27,288,359  | 7,749,809     | 8,449,595     | 7,678,896     | 23,878,299 | 6,863,494     | 5,281,563     | 4,094,180     | 16,239,238 |
| Gb                                      | F/A   |  | Annual Gross RPS Position (%)                               | 33.0%       | 38.8%       | 29.4%       | 35.2%       | 34.3%       |               | 64.8%         |               | 66.5%         | 63.6%       | 75.2%         | 81.4%         | 81.1%         | 79.2%      | 80.2%         | 76.4%         | 74.3%         | 76.9%      |

PG&E's RNS Table - Stochastic-Adjustment (2021-2030)

| Variable   | Calculation in Energy Division RNS Calculation Template | Revised Calculation Correcting Apparent Errors in Energy Division Template     | Item   | 2017 Actual | 2018 Actual | 2019 Actual | 2020 Actual | 2017-2020  | 2021 Forecast | 2022 Forecast | 2023 Forecast | 2024 Forecast | 2021-2024 | 2025 Forecast | 2026 Forecast | 2027 Forecast | 2025-2027  | 2028 Forecast | 2029 Forecast | 2030 Forecast | 2028-2030  |
|--|---|--|--|-------------|-------------|-------------|-------------|------------|---------------|---------------|---------------|---------------|-----------|---------------|---------------|---------------|------------|---------------|---------------|---------------|------------|
| Step 2 Result: Stochastically-Adjusted Net Short (Physical Net Short + Stochastic Risk-Adjustment) |   |  |  |             |             |             |             |            |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Gc   |   |  | VAMO-Adjusted Annual Gross RPS Position (MWh)                    |             |             |             |             | 8,674,912  |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Gd   |   | (F - (Ga - Gc)) / A  | VAMO-Adjusted Annual Gross RPS Position (%)                      |             |             |             |             | 34.3%      |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Ge   |   |  | Stochastically-Adjusted Annual Gross RPS Position (MWh)          | 3,665,687   | 4,730,505   | (656,309)   | 734,659     | 8,474,542  |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Gf   |   | (F - (Ga - Ge)) / A  | Stochastically-Adjusted Annual Gross RPS Position (%)            | 33.0%       | 38.7%       | 29.2%       | 35.0%       | 34%        |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Application of Bank  |   |  |  |             |             |             |             |            |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Ha   | J-Hc (from previous CP)                                 |  | Existing Banked RECs above the PQR                               | 12,819,087  | 16,484,774  | 21,215,279  | 20,558,970  | 12,819,087 | 21,162,032    |               |               |               |           |               |               |               |            |               |               |               |            |
| Hb   |   |  | RECs above the PQR added to Bank                                 | 3,665,687   | 4,730,505   | (656,309)   | 734,659     | 8,474,542  |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Hc   |   |  | Non-bankable RECs above the PQR                                  | 129,212     | 2,385       | -           | -           | 131,597    |               |               |               |               |           |               |               |               |            |               |               |               |            |
| H  | Ha+Hb   |  | Gross Balance of RECs above the PQR                              | 16,484,774  | 21,215,279  | 20,558,970  | 21,293,629  | 21,293,629 |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Ia   |   |  | Planned Application of RECs above the PQR towards RPS Compliance | -           | -           | -           | -           | -          |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Ib   |   |  | Planned Sales of RECs above the PQR                              | -           | -           | -           | -           | -          |               |               |               |               |           |               |               |               |            |               |               |               |            |
| J  | H-Ia-Ib   |  | Net Balance of RECs above the PQR                                | 16,484,774  | 21,215,279  | 20,558,970  | 21,293,629  | 21,293,629 |               |               |               |               |           |               |               |               |            |               |               |               |            |
| J0   |   |  | Category 0 RECs  | 428,784     | 428,784     | -           | 734,659     | 734,659    |               |               |               |               |           |               |               |               |            |               |               |               |            |
| J1   |   |  | Category 1 RECs  | 16,055,990  | 20,786,495  | 20,558,970  | 20,558,970  | 20,558,970 |               |               |               |               |           |               |               |               |            |               |               |               |            |
| J2   |   |  | Category 2 RECs  | -           | -           | -           | -           | -          |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Expiring Contracts   |   |  |  |             |             |             |             |            |               |               |               |               |           |               |               |               |            |               |               |               |            |
| K  |   |  | RECs from Expiring RPS Contracts (MWh)                           |             |             |             |             | -          | 139,174       | 2,615,652     | 3,423,692     | 3,678,924     | 9,857,442 | 3,730,970     | 4,236,800     | 4,480,274     | 12,448,044 | 4,512,466     | 5,006,737     | 5,031,052     | 14,550,255 |
| Net RPS Position (Optimized Net Short)   |   |  |  |             |             |             |             |            |               |               |               |               |           |               |               |               |            |               |               |               |            |
| La   | Ga+Ia-Ib-Hc   | $\frac{Gc - IF(Hb > 0, Hb - Ia, IF( Hb  < Ha, Hb, IF(Ha < 0, -Ha)))}{0, -Ha)}$ | Annual Net RPS Position after Bank Optimization (MWh)            | -           | -           | -           | -           | -          |               |               |               |               |           |               |               |               |            |               |               |               |            |
| Lb   | (F+Ia-Ib-Hc)/A  | (C + La)/A   | Annual Net RPS Position after Bank Optimization (%)              | 27.0%       | 29.0%       | 31.0%       | 33.0%       | 29.5%      |               |               |               |               |           |               |               |               |            |               |               |               |            |

Note: All values are to be input in MWhs

- General Table Notes: Fields in grey are protected as Confidential under CPUC Confidentiality Rules.
- (Row A) Forecasts of retail sales through 2030 are reflective of PG&E's internal bundled retail sales forecast.
  - (Row Hc) Since PG&E elected to comply early in the 2017-2020 period with the banking rules established in D.17-06-026, PG&E has modeled the new banking rules for the current and future compliance periods.
  - (Row Ib) The annual RPS sales volume forecast assumption is based the RPS sales framework proposed in PG&E's Appendix H of its 2021 RPS Plan, and is included for RPS position planning purposes.
  - (Row K) Row K now includes only expiring volumes from contracts as of May 2021.
  - (Rows Gc and Gd) VAMO-Adjusted Net Short (Physical Net Short + Deterministic RPS Allocation) PG&E added rows Gc and Gd to the RNS in order to show the VAMO adjusted physical net short, which incorporates expected RPS Allocations in response to D.21-05-030.
  - (Rows Ge and Gf) Stochastically-Adjusted Net Short (Physical Net Short + Stochastic Risk-Adjustment) PG&E added rows Ge and Gd to the RNS in order to show the stochastically-adjusted physical net short, which incorporates the risks and uncertainties addressed in the stochastic model. For more details on PG&E's stochastically modeled risks, see the 2021 RPS Plan.
  - (Row Gc) The Stochastically-Adjusted Annual Gross Position (MWh) does not include GTSR volumes and may differ from Row Ga, the Annual Gross RPS Position (MWh)
  - (Row La) Row La incorrectly calculates the Annual Net RPS Position after Bank Optimization when bank is being applied to fill a short position.
  - (Row Lb) Row Lb incorrectly calculates the Annual Net RPS Position after Bank Optimization.
  - (Rows La and Lb) Rows La and Lb incorrectly subtract the non-bankable volumes. Although these volumes can not be carried forward, per Decision 12-06-038, these volumes could be used towards meeting compliance in the current period. Therefore, the non-bankable volumes should be included in the Annual Net RPS Position after Bank Optimization.
  - PG&E's Cost Quantification tables do not include volumes or costs associated with pre-approved generic RPS procurement, and therefore will differ from volumes in the RNS template.



# **PACIFIC GAS AND ELECTRIC COMPANY**

## **Appendix H1**

**Facility List: 3CE, SVCE, OCPA 1, San  
Jose 1**

| Name of Facility                                      | Resource      | Location                         | CEC RPS ID | Host Balancing Authority | Facility Size (MW) | Term (Yrs) | Execution Date (MM/DD/YYYY) | Expiration Date (MM/DD/YYYY) |
|---|---------------|----------------------------------|------------|--------------------------|--------------------|------------|-----------------------------|------------------------------|
| Kansas South  | Solar PV      | Lemoore, CA                      | 61264A     | CAISO                    | 20                 | 20         | 06/24/11                    | 06/24/33                     |
| Westlands Solar Farms                                 | Solar PV      | Huron, CA                        | 61755A     | CAISO                    | 18                 | 20         | 06/24/11                    | 04/30/34                     |
| Orion Solar   | Solar PV      | Unincorporated Kern County, CA   | 61570A     | CAISO                    | 12                 | 20         | 06/24/11                    | 06/25/34                     |
| Kent South  | Solar PV      | Lemoore, CA                      | 61262A     | CAISO                    | 20                 | 20         | 08/30/12                    | 02/18/35                     |
| Algonquin SKIC 20 Solar                               | Solar PV      | Taft, CA                         | 61558A     | CAISO                    | 20                 | 20         | 08/30/12                    | 05/14/35                     |
| CEO Corcoran Solar 3, LLC                             | Solar PV      | Corcoran, CA                     | 62783A     | CAISO                    | 20                 | 20         | 03/23/15                    | 11/30/36                     |
| Westside Solar, LLC                                   | Solar PV      | Unincorporated Fresno County, CA | 61185A     | CAISO                    | 20                 | 20         | 03/23/15                    | 05/01/37                     |
| Aspiration Solar G LLC                                | Solar PV      | Tranquility, CA                  | 61486A     | CAISO                    | 9                  | 20         | 03/23/15                    | 10/26/37                     |
| Bayshore Solar A                                      | Solar PV      | Lancaster, CA                    | 63133A     | CAISO                    | 20                 | 20         | 12/18/15                    | 01/22/38                     |
| Bayshore Solar B                                      | Solar PV      | Lancaster, CA                    | 63134A     | CAISO                    | 20                 | 20         | 12/18/15                    | 01/22/38                     |
| Bayshore Solar C                                      | Solar PV      | Lancaster, CA                    | 63135A     | CAISO                    | 20                 | 20         | 12/17/15                    | 01/22/38                     |
| West Antelope   | Solar PV      | Lancaster, CA                    | 61850A     | CAISO                    | 20                 | 20         | 02/27/12                    | 02/08/35                     |
| Western Antelope Blue Sky Ranch A                     | Solar PV      | Lancaster, CA                    | 61517A     | CAISO                    | 20                 | 20         | 02/27/12                    | 02/16/35                     |
| Wind Resource I                                       | Wind          | Tehachapi, CA                    | 61467A     | CAISO                    | 8.71               | 10         | 02/27/12                    | 12/31/22                     |
| SPS White River West                                  | Solar PV      | Alpaugh, CA                      | 62045A     | CAISO                    | 19.75              | 20         | 09/17/12                    | 10/01/34                     |
| Wind Resource II                                      | Wind          | Tehachapi, CA                    | 61468A     | CAISO                    | 19.955             | 10         | 09/17/12                    | 09/30/23                     |
| Columbia Solar Energy, LLC                            | Solar PV      | Pittsburg, CA                    | 62051A     | CAISO                    | 19                 | 20         | 09/17/12                    | 12/13/35                     |
| Alamo Solar, LLC                                      | Solar PV      | Oro Grande, CA                   | 61453A     | CAISO                    | 20                 | 20         | 09/17/12                    | 06/29/35                     |
| Corcoran Solar LLC                                    | Solar PV      | Corcoran, CA                     | 62285A     | CAISO                    | 19.76              | 20         | 09/17/12                    | 03/19/35                     |
| Old River One LLC                                     | Solar PV      | Bakersfield, CA                  | 60853A     | CAISO                    | 20                 | 20         | 04/10/13                    | 02/08/35                     |
| Shafter Solar   | Solar PV      | Shafter, CA                      | 62325A     | CAISO                    | 19.98              | 20         | 04/10/13                    | 07/15/35                     |
| Morelos Del Sol                                       | Solar PV      | Lost Hills, CA                   | 62272A     | CAISO                    | 15                 | 20         | 04/10/13                    | 02/29/36                     |
| Rising Tree Wind Farm II LLC                          | Wind          | Mojave, CA                       | 62426A     | CAISO                    | 19.8               | 20         | 10/25/13                    | 08/06/35                     |
| Kekawaka Creek Hydroelectric Facility                 | Small Hydro   | Zenia, CA                        | 60186A     | CAISO                    | 5.5                | 20         | 10/25/13                    | 05/31/35                     |
| Woodmere Solar Farm                                   | Solar PV      | Bakersfield, CA                  | 62429A     | CAISO                    | 15                 | 20         | 10/25/13                    | 02/24/36                     |
| Portal Ridge Solar C Project                          | Solar PV      | Lancaster, CA                    | 61684A     | CAISO                    | 11.4               | 20         | 10/21/14                    | 04/20/37                     |
| SR Solis Oro Loma Teresina, LLC - Project A           | Solar PV      | Unincorporated Fresno County, CA | 62841A     | CAISO                    | 10                 | 20         | 11/12/14                    | 02/23/37                     |
| SR Solis Oro Loma Teresina, LLC - Project B           | Solar PV      | Unincorporated Fresno County, CA | 62841A     | CAISO                    | 10                 | 20         | 11/12/14                    | 02/23/37                     |
| Sunray - 20   | Solar PV      | Daggett, CA                      | 62694A     | CAISO                    | 20                 | 20         | 10/21/14                    | 08/24/37                     |
| SR Solis Rocket, LLC - Project A                      | Solar PV      | Avenal, CA                       | 62840A     | CAISO                    | 7.9                | 20         | 11/12/14                    | 03/09/37                     |
| SR Solis Rocket, LLC - Project B                      | Solar PV      | Avenal, CA                       | 62840A     | CAISO                    | 7.9                | 20         | 11/12/14                    | 03/09/37                     |
| San Joaquin 1A  | Solar PV      | San Joaquin, CA                  | 61837A     | CAISO                    | 19.24              | 20         | 12/18/15                    | 12/09/38                     |
| Montezuma Wind Energy Center                          | Wind          | Birds Landing, CA                | 60543A     | CAISO                    | 36.8               | 25         | 06/03/10                    | 01/27/36                     |
| CalRenew-1  | Solar PV      | Mendota, CA                      | 60475A     | CAISO                    | 5                  | 20         | 06/17/14                    | 04/29/30                     |
| Shiloh II Wind Project                                | Wind          | Rio Vista, CA                    | 60639A     | CAISO                    | 150                | 20         | 01/09/18                    | 01/31/29                     |
| High Plains Ranch II                                  | Solar PV      | California Valley, CA            | 60603A     | CAISO                    | 210                | 26         | 07/23/08                    | 10/30/38                     |
| Topaz Solar Farm                                      | Solar PV      | Santa Margarita, CA              | 61698A     | CAISO                    | 550                | 25         | 07/01/08                    | 10/26/39                     |
| Hatchet Ridge   | Wind          | Burney, CA                       | 60741A     | CAISO                    | 103.2              | 15         | 08/23/17                    | 12/13/25                     |
| CM10 (fka Sempra El Dorado Solar)                     | Solar PV      | Boulder City, NV                 | 60713A     | CAISO                    | 10                 | 20         | 12/19/08                    | 12/31/28                     |
| Ivanpah Unit 1  | Solar Thermal | Nipton, CA                       | 62273A     | CAISO                    | 114.46             | 25         | 04/28/09                    | 01/20/39                     |
| Ivanpah Unit 3  | Solar Thermal | Nipton, CA                       | 62275A     | CAISO                    | 126.1              | 25         | 04/28/09                    | 01/26/39                     |
| AV Solar Ranch One                                    | Solar PV      | Lancaster, CA                    | 60790A     | CAISO                    | 241.5              | 25         | 05/08/09                    | 11/20/39                     |
| Alpine Solar Project                                  | Solar PV      | Lancaster, CA                    | 60755A     | CAISO                    | 66                 | 20         | 04/21/10                    | 01/17/33                     |
| CM48 (fka Sempra Copper Mountain 1)                   | Solar PV      | Boulder City, NV                 | 60786A     | CAISO                    | 48                 | 20         | 06/22/09                    | 01/31/31                     |
| Mt. Poso  | Biomass       | Bakersfield, CA                  | 60695A     | CAISO                    | 44                 | 15         | 03/08/10                    | 02/20/27                     |
| Agua Caliente Solar Project                           | Solar PV      | Roll, AZ                         | 60894A     | CAISO                    | 290                | 25         | 09/08/09                    | 06/22/39                     |
| High Plains Ranch III                                 | Solar PV      | California Valley, CA            | 60603A     | CAISO                    | 210                | 26         | 07/23/08                    | 10/30/38                     |
| Mojave Solar Project                                  | Solar Thermal | Hinkley, CA                      | 60848A     | CAISO                    | 250                | 25         | 07/15/11                    | 12/03/39                     |
| Genesis Solar Energy Project                          | Solar Thermal | Blythe, CA                       | 60605A     | CAISO                    | 250                | 25         | 09/28/09                    | 03/06/39                     |
| DTE Stockton  | Biomass       | Stockton, CA                     | 60964A     | CAISO                    | 44.5               | 25         | 12/08/09                    | 02/20/39                     |
| Big Creek Waterworks                                  | Small Hydro   | Hyampom, CA                      | 60900A     | CAISO                    | 4.8                | 20         | 05/04/10                    | 06/22/30                     |
| Norman Ross Burgess - Three Forks Water Power Project | Small Hydro   | Zenia, CA                        | 60502A     | CAISO                    | 1.625              | 20         | 09/22/10                    | 10/31/31                     |
| Alpaugh 50  | Solar PV      | Alpaugh, CA                      | 60945A     | CAISO                    | 50                 | 25         | 01/26/10                    | 03/07/38                     |
| Alpaugh North   | Solar PV      | Alpaugh, CA                      | 60946A     | CAISO                    | 20                 | 25         | 01/26/10                    | 03/07/38                     |
| Atwell Island   | Solar PV      | Alpaugh, CA                      | 60947A     | CAISO                    | 20                 | 25         | 01/26/10                    | 03/11/38                     |
| Corcoran  | Solar PV      | Corcoran, CA                     | 60948A     | CAISO                    | 20                 | 25         | 01/26/10                    | 08/14/38                     |
| White River   | Solar PV      | Alpaugh, CA                      | 60949A     | CAISO                    | 20                 | 25         | 01/26/10                    | 06/26/38                     |
| Avenal Park (Eurus)                                   | Solar PV      | Avenal, CA                       | 60912A     | CAISO                    | 6                  | 20         | 12/24/09                    | 08/04/31                     |
| Sun City Project (Eurus)                              | Solar PV      | Avenal, CA                       | 60913A     | CAISO                    | 20                 | 20         | 12/24/09                    | 08/04/31                     |
| Sand Drag (Eurus)                                     | Solar PV      | Avenal, CA                       | 60914A     | CAISO                    | 19                 | 20         | 12/24/09                    | 08/04/31                     |
| Desert Center Solar Farm                              | Solar PV      | Desert Center, CA                | 61068A     | CAISO                    | 300                | 25         | 02/24/10                    | 12/16/39                     |
| Coram Brodie  | Wind          | Tehachapi, CA                    | 60973A     | CAISO                    | 102                | 20         | 06/02/10                    | 06/05/32                     |
| Mesquite Solar 1                                      | Solar PV      | Tonopah, AZ                      | 60875A     | CAISO                    | 150                | 20         | 07/29/10                    | 03/07/33                     |
| Shiloh III Wind Project                               | Wind          | Rio Vista, CA                    | 61069A     | CAISO                    | 100                | 20         | 07/27/10                    | 03/08/32                     |
| North Star Solar 1                                    | Solar PV      | Mendota, CA                      | 61198A     | CAISO                    | 60                 | 20         | 09/20/10                    | 06/18/35                     |
| Vasco Wind Energy Center                              | Wind          | Livermore, CA                    | 61344A     | CAISO                    | 78.2               | 25         | 12/17/10                    | 03/12/37                     |
| Montezuma II Wind Energy Center                       | Wind          | Collinsville, CA                 | 61345A     | CAISO                    | 78.2               | 25         | 12/17/10                    | 03/13/37                     |
| North Sky River Energy Center                         | Wind          | Tehachapi, CA                    | 61385A     | CAISO                    | 162                | 25         | 07/15/11                    | 12/20/37                     |
| Copper Mountain Solar 2                               | Solar PV      | Boulder City, NV                 | 60990A     | CAISO                    | 150                | 25         | 07/26/11                    | 05/12/40                     |
| Shiloh IV   | Wind          | Rio Vista, CA                    | 61617A     | CAISO                    | 100                | 25         | 07/28/11                    | 01/27/38                     |
| NID (RPS) - Bowman                                    | Small Hydro   | Nevada City, CA                  | 60171A     | CAISO                    | 42.6               | 20         | 05/09/12                    | 06/30/33                     |
| NID (RPS) - Dutch Flat                                | Small Hydro   | Nevada City, CA                  | 60264A     | CAISO                    | 42.6               | 20         | 05/09/12                    | 06/30/33                     |
| NID (RPS) - Rollins                                   | Small Hydro   | Nevada City, CA                  | 60265A     | CAISO                    | 42.6               | 20         | 05/09/12                    | 06/30/33                     |
| SPI Burney  | Biomass       | Burney, CA                       | 60087A     | CAISO                    | 58                 | 20         | 08/09/12                    | 09/08/35                     |
| SPI Lincoln   | Biomass       | Lincoln, CA                      | 60088A     | CAISO                    | 58                 | 20         | 08/09/12                    | 09/08/35                     |
| SPI Quincy  | Biomass       | Quincy, CA                       | 60089A     | CAISO                    | 58                 | 20         | 08/09/12                    | 09/08/35                     |
| SPI Sonora  | Biomass       | Sonora, CA                       | 60576A     | CAISO                    | 58                 | 20         | 08/09/12                    | 09/08/35                     |
| SPI Anderson II                                       | Biomass       | Anderson, CA                     | 61146A     | CAISO                    | 58                 | 20         | 08/09/12                    | 09/08/35                     |
| Kansas  | Solar PV      | Stratford, CA                    | 61263A     | CAISO                    | 20                 | 20         | 08/13/12                    | 12/31/37                     |
| Henrietta Solar                                       | Solar PV      | Lemoore, CA                      | 61841A     | CAISO                    | 100                | 20         | 08/16/12                    | 09/30/36                     |
| Diablo Winds (2)                                      | Wind          | Livermore, CA                    | 60030A     | CAISO                    | 18                 | 15         | 12/16/13                    | 06/30/31                     |
| PGE Alta  | Small Hydro   | Placer, CA                       | 60033A     | CAISO                    | 6.4                | N/A        | N/A                         | N/A                          |
| PGE Centerville                                       | Small Hydro   | Butte, CA                        | 60034A     | CAISO                    | 1                  | N/A        | N/A                         | N/A                          |
| PGE Chili Bar   | Small Hydro   | El Dorado, CA                    | 60035A     | CAISO                    | 7                  | N/A        | N/A                         | N/A                          |
| PGE Coleman   | Small Hydro   | Shasta, CA                       | 60037A     | CAISO                    | 13                 | N/A        | N/A                         | N/A                          |
| PGE Cow Creek   | Small Hydro   | Shasta, CA                       | 60038A     | CAISO                    | 1.8                | N/A        | N/A                         | N/A                          |
| PGE Crane Valley                                      | Small Hydro   | Madera, CA                       | 60039A     | CAISO                    | 0.9                | N/A        | N/A                         | N/A                          |

|                         |                |                  |        |       |      |     |     |     |
|-------------------------|----------------|------------------|--------|-------|------|-----|-----|-----|
| PGE Deer Creek          | Small Hydro    | Nevada, CA       | 60040A | CAISO | 5.7  | N/A | N/A | N/A |
| PGE De Sabla            | Small Hydro    | Butte, CA        | 60041A | CAISO | 18.5 | N/A | N/A | N/A |
| PGE Dutch Flat 1        | Small Hydro    | Placer, CA       | 60042A | CAISO | 22   | N/A | N/A | N/A |
| PGE Halsey              | Small Hydro    | Placer, CA       | 60043A | CAISO | 11   | N/A | N/A | N/A |
| PGE Hamilton Branch     | Small Hydro    | Lassen, CA       | 60044A | CAISO | 4.8  | N/A | N/A | N/A |
| PGE Hat 1               | Small Hydro    | Shasta, CA       | 60045A | CAISO | 8.5  | N/A | N/A | N/A |
| PGE Hat 2               | Small Hydro    | Shasta, CA       | 60046A | CAISO | 8.5  | N/A | N/A | N/A |
| PGE Inskip              | Small Hydro    | Tehama, CA       | 60047A | CAISO | 8    | N/A | N/A | N/A |
| PGE Kerckhoff 1         | Small Hydro    | Fresno, CA       | 62360A | CAISO | 25.4 | N/A | N/A | N/A |
| PGE Kern Canyon         | Small Hydro    | Kern, CA         | 60048A | CAISO | 11.5 | N/A | N/A | N/A |
| PGE Kilarc              | Small Hydro    | Shasta, CA       | 60049A | CAISO | 1.6  | N/A | N/A | N/A |
| PGE Lime Saddle         | Small Hydro    | Butte, CA        | 60050A | CAISO | 2    | N/A | N/A | N/A |
| PGE Newcastle           | Small Hydro    | Placer, CA       | 60053A | CAISO | 11.5 | N/A | N/A | N/A |
| PGE Oak Flat            | Small Hydro    | Plumas, CA       | 60276A | CAISO | 1.3  | N/A | N/A | N/A |
| PGE Phoenix             | Small Hydro    | Tuolumne, CA     | 60054A | CAISO | 2    | N/A | N/A | N/A |
| PGE Potter Valley       | Small Hydro    | Lake, CA         | 60055A | CAISO | 9.2  | N/A | N/A | N/A |
| PGE Rock Creek RPS      | Existing Large | Plumas, CA       | 62269A | CAISO | 126* | N/A | N/A | N/A |
| PGE San Joaquin 1A      | Small Hydro    | Madera, CA       | 60056A | CAISO | 0.4  | N/A | N/A | N/A |
| PGE San Joaquin 2       | Small Hydro    | Madera, CA       | 60057A | CAISO | 3.2  | N/A | N/A | N/A |
| PGE San Joaquin 3       | Small Hydro    | Madera, CA       | 60058A | CAISO | 4.2  | N/A | N/A | N/A |
| PGE South               | Small Hydro    | Tehama, CA       | 60059A | CAISO | 7    | N/A | N/A | N/A |
| PGE Spaulding 1         | Small Hydro    | Placer, CA       | 60060A | CAISO | 7    | N/A | N/A | N/A |
| PGE Spaulding 2         | Small Hydro    | Placer, CA       | 60061A | CAISO | 4.4  | N/A | N/A | N/A |
| PGE Spaulding 3         | Small Hydro    | Placer, CA       | 60062A | CAISO | 5.8  | N/A | N/A | N/A |
| PGE Spring Gap          | Small Hydro    | Tuolumne, CA     | 60063A | CAISO | 7    | N/A | N/A | N/A |
| PGE Toadtown            | Small Hydro    | Butte, CA        | 60064A | CAISO | 6.4  | N/A | N/A | N/A |
| PGE Tule River          | Small Hydro    | Tulare, CA       | 60065A | CAISO | 1.5  | N/A | N/A | N/A |
| PGE Volta 1             | Small Hydro    | Tehama, CA       | 60066A | CAISO | 9    | N/A | N/A | N/A |
| PGE Volta 2             | Small Hydro    | Tehama, CA       | 60067A | CAISO | 0.9  | N/A | N/A | N/A |
| PGE West Point          | Small Hydro    | Amador, CA       | 60068A | CAISO | 14.5 | N/A | N/A | N/A |
| PGE Wise 1              | Small Hydro    | Placer, CA       | 60069A | CAISO | 14   | N/A | N/A | N/A |
| PGE Wise 2              | Small Hydro    | Placer, CA       | 60070A | CAISO | 3.2  | N/A | N/A | N/A |
| PGE A. G. Wishon        | Small Hydro    | Madera, CA       | 60032A | CAISO | 20   | N/A | N/A | N/A |
| PGE Five Points         | Solar PV       | Five Points, CA  | 61432A | CAISO | 15   | N/A | N/A | N/A |
| PGE Stroud              | Solar PV       | Helm, CA         | 61434A | CAISO | 20   | N/A | N/A | N/A |
| PGE Westside            | Solar PV       | Five Points, CA  | 61433A | CAISO | 15   | N/A | N/A | N/A |
| PGE Cantua              | Solar PV       | Cantua Creek, CA | 61823A | CAISO | 20   | N/A | N/A | N/A |
| PGE Giffen              | Solar PV       | Cantua Creek, CA | 61822A | CAISO | 10   | N/A | N/A | N/A |
| PGE Huron               | Solar PV       | Huron, CA        | 61821A | CAISO | 20   | N/A | N/A | N/A |
| PGE Gates               | Solar PV       | Huron, CA        | 62353A | CAISO | 20   | N/A | N/A | N/A |
| PGE Guernsey            | Solar PV       | Hanford, CA      | 62354A | CAISO | 20   | N/A | N/A | N/A |
| PGE West Gates          | Solar PV       | Huron, CA        | 62352A | CAISO | 10   | N/A | N/A | N/A |
| Vaca-Dixon Solar (PG&E) | Solar PV       | Vacaville, CA    | 60966A | CAISO | 2    | N/A | N/A | N/A |

# **PACIFIC GAS AND ELECTRIC COMPANY**

## **Appendix H2**

**Facility List: EBCE, San Jose 2, OCPA 2,  
EBCE**

| Name of Facility                                      | Resource    | Location                         | CEC RPS ID | Host Balancing Authority | Facility Size (MW) | Term (Yrs) | Execution Date (MM/DD/YYYY) | Expiration Date (MM/DD/YYYY) |
|---|-------------|----------------------------------|------------|--------------------------|--------------------|------------|-----------------------------|------------------------------|
| Kansas South  | Solar PV    | Lemoore, CA                      | 61264A     | CAISO                    | 20                 | 20         | 06/24/11                    | 06/24/33                     |
| Westlands Solar Farms                                 | Solar PV    | Huron, CA                        | 61755A     | CAISO                    | 18                 | 20         | 06/24/11                    | 04/30/34                     |
| Orion Solar   | Solar PV    | Unincorporated Kern County, CA   | 61570A     | CAISO                    | 12                 | 20         | 06/24/11                    | 06/25/34                     |
| Kent South  | Solar PV    | Lemoore, CA                      | 61262A     | CAISO                    | 20                 | 20         | 08/30/12                    | 02/18/35                     |
| Algonquin SKIC 20 Solar                               | Solar PV    | Taft, CA                         | 61558A     | CAISO                    | 20                 | 20         | 08/30/12                    | 05/14/35                     |
| CEO Corcoran Solar 3, LLC                             | Solar PV    | Corcoran, CA                     | 62783A     | CAISO                    | 20                 | 20         | 03/23/15                    | 11/30/36                     |
| Westside Solar, LLC                                   | Solar PV    | Unincorporated Fresno County, CA | 61185A     | CAISO                    | 20                 | 20         | 03/23/15                    | 05/01/37                     |
| Aspiration Solar G LLC                                | Solar PV    | Tranquility, CA                  | 61486A     | CAISO                    | 9                  | 20         | 03/23/15                    | 10/26/37                     |
| Bayshore Solar A                                      | Solar PV    | Lancaster, CA                    | 63133A     | CAISO                    | 20                 | 20         | 12/18/15                    | 01/22/38                     |
| Bayshore Solar B                                      | Solar PV    | Lancaster, CA                    | 63134A     | CAISO                    | 20                 | 20         | 12/18/15                    | 01/22/38                     |
| Bayshore Solar C                                      | Solar PV    | Lancaster, CA                    | 63135A     | CAISO                    | 20                 | 20         | 12/17/15                    | 01/22/38                     |
| West Antelope   | Solar PV    | Lancaster, CA                    | 61850A     | CAISO                    | 20                 | 20         | 02/27/12                    | 02/08/35                     |
| Western Antelope Blue Sky Ranch A                     | Solar PV    | Lancaster, CA                    | 61517A     | CAISO                    | 20                 | 20         | 02/27/12                    | 02/16/35                     |
| Wind Resource I                                       | Wind        | Tehachapi, CA                    | 61467A     | CAISO                    | 8.71               | 10         | 02/27/12                    | 12/31/22                     |
| SPS White River West                                  | Solar PV    | Alpaugh, CA                      | 62045A     | CAISO                    | 19.75              | 20         | 09/17/12                    | 10/01/34                     |
| Wind Resource II                                      | Wind        | Tehachapi, CA                    | 61468A     | CAISO                    | 19.955             | 10         | 09/17/12                    | 09/30/23                     |
| Columbia Solar Energy, LLC                            | Solar PV    | Pittsburg, CA                    | 62051A     | CAISO                    | 19                 | 20         | 09/17/12                    | 12/13/35                     |
| Alamo Solar, LLC                                      | Solar PV    | Oro Grande, CA                   | 61453A     | CAISO                    | 20                 | 20         | 09/17/12                    | 06/29/35                     |
| Corcoran Solar LLC                                    | Solar PV    | Corcoran, CA                     | 62285A     | CAISO                    | 19.76              | 20         | 09/17/12                    | 03/19/35                     |
| Old River One LLC                                     | Solar PV    | Bakersfield, CA                  | 60853A     | CAISO                    | 20                 | 20         | 04/10/13                    | 02/08/35                     |
| Shafter Solar   | Solar PV    | Shafter, CA                      | 62325A     | CAISO                    | 19.98              | 20         | 04/10/13                    | 07/15/35                     |
| Morelos Del Sol                                       | Solar PV    | Lost Hills, CA                   | 62272A     | CAISO                    | 15                 | 20         | 04/10/13                    | 02/29/36                     |
| Rising Tree Wind Farm II LLC                          | Wind        | Mojave, CA                       | 62426A     | CAISO                    | 19.8               | 20         | 10/25/13                    | 08/06/35                     |
| Kekawaka Creek Hydroelectric Facility                 | Small Hydro | Zenia, CA                        | 60186A     | CAISO                    | 5.5                | 20         | 10/25/13                    | 05/31/35                     |
| Woodmere Solar Farm                                   | Solar PV    | Bakersfield, CA                  | 62429A     | CAISO                    | 15                 | 20         | 10/25/13                    | 02/24/36                     |
| Portal Ridge Solar C Project                          | Solar PV    | Lancaster, CA                    | 61684A     | CAISO                    | 11.4               | 20         | 10/21/14                    | 04/20/37                     |
| SR Solis Oro Loma Teresina, LLC - Project A           | Solar PV    | Unincorporated Fresno County, CA | 62841A     | CAISO                    | 10                 | 20         | 11/12/14                    | 02/23/37                     |
| SR Solis Oro Loma Teresina, LLC - Project B           | Solar PV    | Unincorporated Fresno County, CA | 62841A     | CAISO                    | 10                 | 20         | 11/12/14                    | 02/23/37                     |
| Sunray - 20   | Solar PV    | Daggett, CA                      | 62694A     | CAISO                    | 20                 | 20         | 10/21/14                    | 08/24/37                     |
| SR Solis Rocket, LLC - Project A                      | Solar PV    | Avenal, CA                       | 62840A     | CAISO                    | 7.9                | 20         | 11/12/14                    | 03/09/37                     |
| SR Solis Rocket, LLC - Project B                      | Solar PV    | Avenal, CA                       | 62840A     | CAISO                    | 7.9                | 20         | 11/12/14                    | 03/09/37                     |
| San Joaquin 1A  | Solar PV    | San Joaquin, CA                  | 61837A     | CAISO                    | 19.24              | 20         | 12/18/15                    | 12/09/38                     |
| Montezuma Wind Energy Center                          | Wind        | Birds Landing, CA                | 60543A     | CAISO                    | 36.8               | 25         | 06/03/10                    | 01/27/36                     |
| CalRenew-1  | Solar PV    | Mendota, CA                      | 60475A     | CAISO                    | 5                  | 20         | 06/17/14                    | 04/29/30                     |
| Shioh II Wind Project                                 | Wind        | Rio Vista, CA                    | 60639A     | CAISO                    | 150                | 20         | 01/09/18                    | 01/31/29                     |
| High Plains Ranch II                                  | Solar PV    | California Valley, CA            | 60603A     | CAISO                    | 210                | 26         | 07/23/08                    | 10/30/38                     |
| Topaz Solar Farm                                      | Solar PV    | Santa Margarita, CA              | 61698A     | CAISO                    | 550                | 25         | 07/01/08                    | 10/26/39                     |
| Hatchet Ridge   | Wind        | Burney, CA                       | 60741A     | CAISO                    | 103.2              | 15         | 08/23/17                    | 12/13/25                     |
| CM10 (fka Sempra El Dorado Solar)                     | Solar PV    | Boulder City, NV                 | 60713A     | CAISO                    | 10                 | 20         | 12/19/08                    | 12/31/28                     |
| AV Solar Ranch One                                    | Solar PV    | Lancaster, CA                    | 60790A     | CAISO                    | 241.5              | 25         | 05/08/09                    | 11/20/39                     |
| Alpine Solar Project                                  | Solar PV    | Lancaster, CA                    | 60755A     | CAISO                    | 66                 | 20         | 04/21/10                    | 01/17/33                     |
| CM48 (fka Sempra Copper Mountain 1)                   | Solar PV    | Boulder City, NV                 | 60786A     | CAISO                    | 48                 | 20         | 06/22/09                    | 01/31/31                     |
| Agua Caliente Solar Project                           | Solar PV    | Roll, AZ                         | 60894A     | CAISO                    | 290                | 25         | 09/08/09                    | 06/22/39                     |
| High Plains Ranch III                                 | Solar PV    | California Valley, CA            | 60603A     | CAISO                    | 210                | 26         | 07/23/08                    | 10/30/38                     |
| Big Creek Waterworks                                  | Small Hydro | Hyampom, CA                      | 60900A     | CAISO                    | 4.8                | 20         | 05/04/10                    | 06/22/30                     |
| Norman Ross Burgess - Three Forks Water Power Project | Small Hydro | Zenia, CA                        | 60502A     | CAISO                    | 1.625              | 20         | 09/22/10                    | 10/31/31                     |
| Alpaugh 50  | Solar PV    | Alpaugh, CA                      | 60945A     | CAISO                    | 50                 | 25         | 01/26/10                    | 03/07/38                     |
| Alpaugh North   | Solar PV    | Alpaugh, CA                      | 60946A     | CAISO                    | 20                 | 25         | 01/26/10                    | 03/07/38                     |
| Atwell Island   | Solar PV    | Alpaugh, CA                      | 60947A     | CAISO                    | 20                 | 25         | 01/26/10                    | 03/11/38                     |
| Corcoran  | Solar PV    | Corcoran, CA                     | 60948A     | CAISO                    | 20                 | 25         | 01/26/10                    | 08/14/38                     |
| White River   | Solar PV    | Alpaugh, CA                      | 60949A     | CAISO                    | 20                 | 25         | 01/26/10                    | 06/26/38                     |
| Avenal Park (Eurus)                                   | Solar PV    | Avenal, CA                       | 60912A     | CAISO                    | 6                  | 20         | 12/24/09                    | 08/04/31                     |
| Sun City Project (Eurus)                              | Solar PV    | Avenal, CA                       | 60913A     | CAISO                    | 20                 | 20         | 12/24/09                    | 08/04/31                     |
| Sand Drag (Eurus)                                     | Solar PV    | Avenal, CA                       | 60914A     | CAISO                    | 19                 | 20         | 12/24/09                    | 08/04/31                     |
| Desert Center Solar Farm                              | Solar PV    | Desert Center, CA                | 61068A     | CAISO                    | 300                | 25         | 02/24/10                    | 12/16/39                     |
| Coram Brodie  | Wind        | Tehachapi, CA                    | 60973A     | CAISO                    | 102                | 20         | 06/02/10                    | 06/05/32                     |
| Mesquite Solar 1                                      | Solar PV    | Tonopah, AZ                      | 60875A     | CAISO                    | 150                | 20         | 07/29/10                    | 03/07/33                     |
| Shioh III Wind Project                                | Wind        | Rio Vista, CA                    | 61069A     | CAISO                    | 100                | 20         | 07/27/10                    | 03/08/32                     |
| North Star Solar 1                                    | Solar PV    | Mendota, CA                      | 61198A     | CAISO                    | 60                 | 20         | 09/20/10                    | 06/18/35                     |
| Vasco Wind Energy Center                              | Wind        | Livermore, CA                    | 61344A     | CAISO                    | 78.2               | 25         | 12/17/10                    | 03/12/37                     |
| Montezuma II Wind Energy Center                       | Wind        | Collinsville, CA                 | 61345A     | CAISO                    | 78.2               | 25         | 12/17/10                    | 03/13/37                     |
| North Sky River Energy Center                         | Wind        | Tehachapi, CA                    | 61385A     | CAISO                    | 162                | 25         | 07/15/11                    | 12/20/37                     |
| Copper Mountain Solar 2                               | Solar PV    | Boulder City, NV                 | 60990A     | CAISO                    | 150                | 25         | 07/26/11                    | 05/12/40                     |
| Shioh IV  | Wind        | Rio Vista, CA                    | 61617A     | CAISO                    | 100                | 25         | 07/28/11                    | 01/27/38                     |
| NID (RPS) - Bowman                                    | Small Hydro | Nevada City, CA                  | 60171A     | CAISO                    | 42.6               | 20         | 05/09/12                    | 06/30/33                     |
| NID (RPS) - Dutch Flat                                | Small Hydro | Nevada City, CA                  | 60264A     | CAISO                    | 42.6               | 20         | 05/09/12                    | 06/30/33                     |
| NID (RPS) - Rollins                                   | Small Hydro | Nevada City, CA                  | 60265A     | CAISO                    | 42.6               | 20         | 05/09/12                    | 06/30/33                     |
| Kansas  | Solar PV    | Stratford, CA                    | 61263A     | CAISO                    | 20                 | 20         | 08/13/12                    | 12/31/37                     |
| Henrietta Solar                                       | Solar PV    | Lemoore, CA                      | 61841A     | CAISO                    | 100                | 20         | 08/16/12                    | 09/30/36                     |
| Diablo Winds (2)                                      | Wind        | Livermore, CA                    | 60030A     | CAISO                    | 18                 | 15         | 12/16/13                    | 06/30/31                     |
| PGE Alta  | Small Hydro | Placer, CA                       | 60033A     | CAISO                    | 6.4                | N/A        | N/A                         | N/A                          |
| PGE Centerville                                       | Small Hydro | Butte, CA                        | 60034A     | CAISO                    | 1                  | N/A        | N/A                         | N/A                          |
| PGE Chili Bar   | Small Hydro | El Dorado, CA                    | 60035A     | CAISO                    | 7                  | N/A        | N/A                         | N/A                          |
| PGE Coleman   | Small Hydro | Shasta, CA                       | 60037A     | CAISO                    | 13                 | N/A        | N/A                         | N/A                          |
| PGE Cow Creek   | Small Hydro | Shasta, CA                       | 60038A     | CAISO                    | 1.8                | N/A        | N/A                         | N/A                          |
| PGE Crane Valley                                      | Small Hydro | Madera, CA                       | 60039A     | CAISO                    | 0.9                | N/A        | N/A                         | N/A                          |
| PGE Deer Creek  | Small Hydro | Nevada, CA                       | 60040A     | CAISO                    | 5.7                | N/A        | N/A                         | N/A                          |
| PGE De Sabla  | Small Hydro | Butte, CA                        | 60041A     | CAISO                    | 18.5               | N/A        | N/A                         | N/A                          |
| PGE Dutch Flat 1                                      | Small Hydro | Placer, CA                       | 60042A     | CAISO                    | 22                 | N/A        | N/A                         | N/A                          |
| PGE Halsey  | Small Hydro | Placer, CA                       | 60043A     | CAISO                    | 11                 | N/A        | N/A                         | N/A                          |
| PGE Hamilton Branch                                   | Small Hydro | Lassen, CA                       | 60044A     | CAISO                    | 4.8                | N/A        | N/A                         | N/A                          |
| PGE Hat 1   | Small Hydro | Shasta, CA                       | 60045A     | CAISO                    | 8.5                | N/A        | N/A                         | N/A                          |
| PGE Hat 2   | Small Hydro | Shasta, CA                       | 60046A     | CAISO                    | 8.5                | N/A        | N/A                         | N/A                          |
| PGE Inskip  | Small Hydro | Tehama, CA                       | 60047A     | CAISO                    | 8                  | N/A        | N/A                         | N/A                          |
| PGE Kerckhoff 1                                       | Small Hydro | Fresno, CA                       | 62360A     | CAISO                    | 25.4               | N/A        | N/A                         | N/A                          |
| PGE Kilarc  | Small Hydro | Shasta, CA                       | 60049A     | CAISO                    | 1.6                | N/A        | N/A                         | N/A                          |
| PGE Lime Saddle                                       | Small Hydro | Butte, CA                        | 60050A     | CAISO                    | 2                  | N/A        | N/A                         | N/A                          |
| PGE Narrows 1   | Small Hydro | Nevada, CA                       | 60052A     | CAISO                    | 12                 | N/A        | N/A                         | N/A                          |

|                         |             |                  |        |       |      |     |     |     |
|-------------------------|-------------|------------------|--------|-------|------|-----|-----|-----|
| PGE Newcastle           | Small Hydro | Placer, CA       | 60053A | CAISO | 11.5 | N/A | N/A | N/A |
| PGE Oak Flat            | Small Hydro | Plumas, CA       | 60276A | CAISO | 1.3  | N/A | N/A | N/A |
| PGE Phoenix             | Small Hydro | Tuolumne, CA     | 60054A | CAISO | 2    | N/A | N/A | N/A |
| PGE Potter Valley       | Small Hydro | Lake, CA         | 60055A | CAISO | 9.2  | N/A | N/A | N/A |
| PGE San Joaquin 1A      | Small Hydro | Madera, CA       | 60056A | CAISO | 0.4  | N/A | N/A | N/A |
| PGE San Joaquin 2       | Small Hydro | Madera, CA       | 60057A | CAISO | 3.2  | N/A | N/A | N/A |
| PGE San Joaquin 3       | Small Hydro | Madera, CA       | 60058A | CAISO | 4.2  | N/A | N/A | N/A |
| PGE South               | Small Hydro | Tehama, CA       | 60059A | CAISO | 7    | N/A | N/A | N/A |
| PGE Spaulding 1         | Small Hydro | Placer, CA       | 60060A | CAISO | 7    | N/A | N/A | N/A |
| PGE Spaulding 2         | Small Hydro | Placer, CA       | 60061A | CAISO | 4.4  | N/A | N/A | N/A |
| PGE Spaulding 3         | Small Hydro | Placer, CA       | 60062A | CAISO | 5.8  | N/A | N/A | N/A |
| PGE Spring Gap          | Small Hydro | Tuolumne, CA     | 60063A | CAISO | 7    | N/A | N/A | N/A |
| PGE Toadtown            | Small Hydro | Butte, CA        | 60064A | CAISO | 6.4  | N/A | N/A | N/A |
| PGE Tule River          | Small Hydro | Tulare, CA       | 60065A | CAISO | 1.5  | N/A | N/A | N/A |
| PGE Volta 1             | Small Hydro | Tehama, CA       | 60066A | CAISO | 9    | N/A | N/A | N/A |
| PGE Volta 2             | Small Hydro | Tehama, CA       | 60067A | CAISO | 0.9  | N/A | N/A | N/A |
| PGE West Point          | Small Hydro | Amador, CA       | 60068A | CAISO | 14.5 | N/A | N/A | N/A |
| PGE Wise 1              | Small Hydro | Placer, CA       | 60069A | CAISO | 14   | N/A | N/A | N/A |
| PGE Wise 2              | Small Hydro | Placer, CA       | 60070A | CAISO | 3.2  | N/A | N/A | N/A |
| PGE A G Wishon          | Small Hydro | Madera, CA       | 60032A | CAISO | 20   | N/A | N/A | N/A |
| PGE Five Points         | Solar PV    | Five Points, CA  | 61432A | CAISO | 15   | N/A | N/A | N/A |
| PGE Stroud              | Solar PV    | Helm, CA         | 61434A | CAISO | 20   | N/A | N/A | N/A |
| PGE Westside            | Solar PV    | Five Points, CA  | 61433A | CAISO | 15   | N/A | N/A | N/A |
| PGE Cantua              | Solar PV    | Cantua Creek, CA | 61823A | CAISO | 20   | N/A | N/A | N/A |
| PGE Giffen              | Solar PV    | Cantua Creek, CA | 61822A | CAISO | 10   | N/A | N/A | N/A |
| PGE Huron               | Solar PV    | Huron, CA        | 61821A | CAISO | 20   | N/A | N/A | N/A |
| PGE Gates               | Solar PV    | Huron, CA        | 62353A | CAISO | 20   | N/A | N/A | N/A |
| PGE Guernsey            | Solar PV    | Hanford, CA      | 62354A | CAISO | 20   | N/A | N/A | N/A |
| PGE West Gates          | Solar PV    | Huron, CA        | 62352A | CAISO | 10   | N/A | N/A | N/A |
| Vaca-Dixon Solar (PG&E) | Solar PV    | Vacaville, CA    | 60966A | CAISO | 2    | N/A | N/A | N/A |

**PACIFIC GAS AND ELECTRIC COMPANY**

**Appendix I**

**Model Protective Order and  
Nondisclosure Certificate**

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Winter 2021 Bundled RPS Energy Sale )  
Solicitation; Power Purchase and Sale Agreement )  
Between Pacific Gas and Electric Company and )  
Multiple Buyers )

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**Advice 6544-E**

**PROTECTIVE ORDER**

1. Scope. This Protective Order shall govern access to and the use in connection with the above-referenced Advice Letter (the “Advice Letter”) of Protected Materials, produced by, or on behalf of, any Disclosing Party.

2. Modification. This Protective Order shall remain in effect until it is modified or terminated by the Commission or the Administrative Law Judge Division (“ALJ Division”). The parties acknowledge that the identity of the parties submitting Protected Materials may differ from time to time. In light of this situation, the parties agree that modifications to this Protective Order may become necessary, and they further agree to work cooperatively to devise and implement such modifications in as timely a manner as possible. Each party governed by this Protective Order has the right to seek changes in it as appropriate from the ALJ Division or the Commission.

3. Definitions

A. The term “Protected Material(s)” means (i) trade secret, market sensitive, or other confidential and/or proprietary information as determined by the Disclosing Party in accordance with the provisions of D.06-06-066 and subsequent decisions, General Order 66-Cand 454.5(g), or any other right of confidentiality provided by law, or (ii) any other materials that are made subject to this Protective Order by the ALJ Division, Law and Motion Administrative Law Judge

(“Law and Motion ALJ”), Assigned Commissioner, the Commission, or any court or other body having appropriate authority. Protected Materials also includes memoranda, handwritten notes, spreadsheets, computer files and reports, and any other form of information (including information in electronic form) that copies, discloses, or compiles other Protected Materials or from which such materials may be derived (except that any derivative materials must be separately shown to be confidential). Protected Materials do not include: (i) any information or document contained in the public files of the CPUC or any other state or federal agency, or in any state or federal court; or (ii) any information that is public knowledge, or which becomes public knowledge, other than through disclosure in violation of this Protective Order or any other protective order.

B. The term “redacted” refers to situations in which Protected Materials in a document, whether the document is in paper or electronic form, have been covered, blocked out, or removed. The term “unredacted” refers to situations in which the Protected Materials in a document, whether in paper or electronic form, have not been covered, blocked out, or removed.

C. The term “Disclosing Party” means a party who initially discloses any specified Protected Materials in connection with the Advice Letter.

D. The term “Market Participant” (“MP”) refers to a party that is:

- 1) A person or entity, or an employee of an entity, that engages in the wholesale purchase, sale or marketing of energy or capacity, or the bidding on or purchasing of power plants, or bidding on utility procurement solicitations, or consulting on such matters, subject to the limitations in 3) below.
- 2) A trade association or similar organization, or an employee of such organization,
  - a) whose primary focus in proceedings at the Commission is to advocate for persons/entities that purchase, sell or market energy or capacity at wholesale; bid on, own, or purchase power plants; or bid on utility procurement solicitations; or
  - b) a majority of whose members purchase, sell or market energy or capacity at wholesale; bid on, own, or purchase power plants; or bid on utility procurement solicitations; or

- c) formed for the purpose of obtaining market sensitive information; or
  - d) controlled or primarily funded by a person or entity whose primary purpose is to purchase, sell or market energy or capacity at wholesale; bid on, own, or purchase power plants; or bid on utility procurement solicitations.
- 3) A person or entity that meets the criteria of 1) above is nonetheless not a market participant for purpose of access to market sensitive data unless the person/entity seeking access to market sensitive information has the potential to materially affect the price paid or received for electricity if in possession of such information. An entity will be considered not to have such potential if:
- a) the person or entity's participation in the California electricity market is *de minimis* in nature. In the resource adequacy proceeding (R.05-12-013) it was determined in D.06-06-064 § 3.3.2 that the resource adequacy requirement should be rounded to the nearest megawatt (MW), and load serving entities (LSEs) with local resource adequacy requirements less than 1 MW are not required to make a showing. Therefore, a *de minimis* amount of energy would be less than 1 MW of capacity per year, and/or an equivalent of energy; and/or
  - b) the person or entity has no ability to dictate the price of electricity it purchases or sells because such price is set by a process over which the person or entity has no control, *i.e.*, where the prices for power put to the grid are completely overseen by the Commission, such as subject to a standard offer contract or tariff price. A person or entity that currently has no ability to dictate the price of electricity it purchases or sells under this section, but that will have such ability within one year because its contract is expiring or other circumstances are changing, does not meet this exception; and/or
  - c) the person or entity is a cogenerator that consumes all the power it generates in its own industrial and commercial processes, if it can establish a legitimate need for market sensitive information.

E. A Market Participant's Reviewing Representatives are limited to persons designated by the Market Participant who meet the following criteria:

1. Are outside experts, consultants or attorneys;
2. Are not currently engaged, directly or indirectly, in (a) the purchase, sale, or marketing of electrical energy or capacity or natural gas (or the direct supervision of any employee(s) whose duties include such activities), (b) the bidding on or purchasing of

power plants (or the direct supervision of any employee(s) whose duties include such activities), or (c) consulting with or advising others in connection with any activity set forth in subdivisions (a) or (b) above (or the direct supervision of any employee(s) whose duties include such activities or consulting); and

3. Are not an employee of a market participant.

F. Persons or entities that do not meet the definition of market participant are non-market participants (“NMPs”), and may have access to market sensitive information through their designated Reviewing Representatives. An attorney or consultant that simultaneously represents market participant(s) and non-market participant(s) may not have access to market sensitive data. If, on the other hand, simultaneous representation is of market participant and non-market participant clients involved in completely different types of matters, there should be no bar (although there may be ethical implications of such representation that we do not address here). If, for example, an attorney represents a market participant in matters unrelated to procurement, resource adequacy, RPS, or the wholesale purchase, sale or marketing of energy or capacity, or the bidding on or purchasing of power plants, or bidding on utility procurement solicitations, in a forum other than this Commission, and simultaneously represents a non-market participant in cases related to these topics before the Commission, there should be no bar to the attorney's receipt of market sensitive data (pursuant to a non-disclosure agreement and protective order) in the latter matter. In close cases, the balance should militate to bar simultaneous representation because of the risks it poses.

H. All Reviewing Representatives are required to execute a non-disclosure agreement and are bound by the terms of this Protective Order.

4. Designation of Materials. When submitting materials in connection with the Advice Letter containing Protected Materials, a party shall physically mark such documents on each page (or in the case of non-documentary materials such as computer diskettes, on each item) as “PROTECTED MATERIALS SUBJECT TO PROTECTIVE ORDER,” or with words of similar import as long as one or more of the terms, “Protected Materials,” “Protective Order,” or

“General Order No. 66-C” is included in the designation to indicate that the materials in question are protected.

All materials so designated shall be treated as Protected Materials unless and until (a) the designation is withdrawn pursuant to Paragraph 17 hereof, or (b) an ALJ, Commissioner or other Commission representative makes a determination pursuant to Paragraph 4 hereof changing the designation.

All documents containing Protected Materials that are submitted to Commission Staff in connection with the Advice Letter, or filed with the Commission or served, shall be placed in sealed envelopes or otherwise appropriately protected and shall be endorsed to the effect that they are submitted, filed or served under seal pursuant to this Protective Order. Such documents shall be served upon Reviewing Representatives and persons employed by or working on behalf of the state governmental agencies referred to in Paragraph 12 hereof who are eligible and have requested to review such materials. Service upon the persons specified in the foregoing sentence may either be (a) by electronic mail in accordance with the procedures adopted in connection with advice letters, (b) by facsimile, or (c) by overnight mail or messenger service. Whenever service of a document containing Protected Materials is made by overnight mail or messenger service, Commission Staff and/or the ALJ Division, as may be appropriate for purposes of review and disposition of the Advice Letter, shall be served with such document by hand on the date that service is due.

5. Redaction of Documents. Whenever a party submits to Commission Staff, or files, serves or provides in discovery, a document that includes Protected Materials (including but not limited to briefs, testimony, exhibits, and responses to data requests), such party shall also prepare a redacted version of such document. The redacted version shall enable persons familiar with the Advice Letter to determine with reasonable certainty the nature of the data that has been redacted and where the redactions occurred. The redacted version of a document to be submitted or filed shall be served on all persons on the utility’s advice letter service list and on any third

parties as specified by statute or other Commission order, and the redacted version of a discovery document shall be served on all persons entitled thereto.

6. Selection of Reviewing Representatives. Each MP and NMP selecting a Reviewing Representative shall first identify its proposed Reviewing Representative to the Disclosing Party. An attorney or consultant that simultaneously represents market participant(s) and non-market participant(s) may not have access to market sensitive data, subject to the exception in paragraph 3.F. Any designated Reviewing Representative has a duty to disclose to the Disclosing Party any potential conflict that puts him/her in violation of Decision 06-12-030. A resume or curriculum vitae is reasonable disclosure of such potential conflicts, and should be the default evidence provided in most cases.

7. Access to Protected Materials and Use of Protected Materials. Subject to the terms of this Protective Order, Reviewing Representatives shall be entitled to access to Protected Materials. All other parties in this proceeding shall not be granted access to Protected Materials, but shall instead be limited to reviewing redacted versions of documents. Reviewing Representatives may make copies of Protected Materials, but such copies become Protected Materials. Reviewing Representatives may make notes of Protected Materials, which shall be treated as Notes of Protected Materials if they disclose the contents of Protected Materials. Protected Materials obtained by a party in connection with the Advice Letter may also be requested by that party in a subsequent Commission proceeding, subject to the terms of any protective order governing that subsequent proceeding, without constituting a violation of this order.

8. Maintaining Confidentiality of Protected Materials. Each Reviewing Representative shall treat Protected Materials as confidential in accordance with this Protective Order and the Non-Disclosure Certificate executed pursuant to Paragraph 7 and 8 hereof. Protected Materials shall not be used except as necessary in connection with review and disposition of the Advice Letter, and shall not be disclosed in any manner to any person except (i) Reviewing

Representatives who have executed Non-Disclosure Certificates; (ii) Reviewing Representatives' paralegal employees and administrative personnel, such as clerks, secretaries, and word processors, to the extent necessary to assist the Reviewing Representatives, provided that they shall first ensure that such personnel are familiar with the terms of this Protective Order, and have signed a Non-Disclosure Certificate, (iii) persons employed by or working on behalf of the CEC or other state governmental agencies covered by Paragraph 12. Reviewing Representatives shall adopt suitable measures to maintain the confidentiality of Protected Materials they have obtained pursuant to this Protective Order, and shall treat such Protected Materials in the same manner as they treat their own most highly confidential information. Reviewing Representatives shall be liable for any unauthorized disclosure or use by their paralegal employees or administrative staff. In the event any Reviewing Representative is requested or required by applicable laws or regulations, or in the course of administrative or judicial proceedings (in response to oral questions, interrogatories, requests for information or documents, subpoena, civil investigative demand or similar process) to disclose any of Protected Materials, they shall immediately inform the Disclosing Party of the request, and the Disclosing Party may, at its sole discretion and cost, direct any challenge or defense against the disclosure requirement, and the Reviewing Representative shall cooperate in good faith with such party either to oppose the disclosure of the Protected Materials consistent with applicable law, or to obtain confidential treatment of them by the person or entity who wishes to receive them prior to any such disclosure. If there are multiple requests for substantially similar Protected Materials in the same case or proceeding where a Reviewing Representative has been ordered to produce certain specific Protected Materials, the Reviewing Representative may, upon request for substantially similar materials by another person or entity, respond in a manner consistent with that order to those substantially similar requests.

9. Exception for California Independent System Operator (ISO). Notwithstanding any other provision of this Protective Order, with respect to an ISO Reviewing Representative only, participation in the ISO's operation of the ISO-controlled grid and in its administration of the

ISO-administered markets, including, but not limited to, markets for ancillary services, supplemental energy, congestion management, and local area reliability services, shall not be deemed to be a violation of this Protective Order.

10. Non-Disclosure Certificates. A Reviewing Representative shall not inspect, participate in discussions regarding, or otherwise be granted access to, Protected Materials unless and until he or she has first completed and executed a Non-Disclosure Certificate, attached hereto as Appendix A, and delivered the original, signed Non-Disclosure Certificate to the Disclosing Party. The Disclosing Party shall retain the executed Non-Disclosure Certificates pertaining to the Protected Materials it has disclosed and shall promptly provide copies of the Non-Disclosure Certificates to Commission Staff upon request.

11. Return or Destruction of Protected Materials. Protected Materials shall remain available to Reviewing Representatives until the later of the date that disposition of the Advice Letter becomes no longer subject to review, or the date that any other Commission proceeding relating to the Protected Material is concluded and no longer subject to judicial review. If requested to do so in writing after that date, the Reviewing Representatives shall, within fifteen days of such request, return the Protected Materials (including Notes of Protected Materials) to the Participant that produced them, or shall destroy the materials, except that copies of materials submitted to the Commission in connection with the Advice Letter that contain Protected Materials, and Notes of Protected Material may be retained, if they are maintained in accordance with Paragraph 8. Within such time period each Reviewing Representative, if requested to do so, shall also submit to the Disclosing Party an affidavit stating that, to the best of its knowledge, all Protected Materials and all Notes of Protected Materials have been returned or have been destroyed or will be maintained in accordance with Paragraph 8. To the extent Protected Materials are not returned or destroyed, they shall remain subject to the Protective Order and CPUC General Order No. 66-C. In the event that a Reviewing Representative to whom Protected Material are disclosed ceases to be engaged to provide services in connection with the

Advice Letter, then access to such materials by that person shall be terminated. Even if no longer engaged in connection with the Advice Letter, every such person shall continue to be bound by the provisions of this Protective Order and the Non-Disclosure Certificate.

12. Access and Use by Governmental Entities.

(a) In the event the CPUC receives a request from the CEC for a copy of or access to any party's Protected Materials, the procedure for handling such requests shall be as follows. Not less than five (5) days after delivering written notice to the Disclosing Party of the request, the CPUC shall release such Protected Materials to the CEC upon receipt from the CEC of an Interagency Information Request and Confidentiality Agreement ("Interagency Confidentiality Agreement"). Such Interagency Confidentiality Agreement shall (i) provide that the CEC will treat the requested Protected Materials as confidential in accordance with this Protective Order, (ii) include an explanation of the purpose for the CEC's request, as well as an explanation of how the request relates to furtherance of the CEC's functions, (iii) be signed by a person authorized to bind the CEC contractually, and (iv) expressly state that furnishing of the requested Protected Materials to employees or representatives of the CEC does not, by itself, make such Protected Materials public. In addition, the Interagency Confidentiality Agreement shall include an express acknowledgment of the CPUC's sole authority (subject to judicial review) to make the determination whether the Protected Materials should remain confidential or be disclosed to the public, notwithstanding any provision to the contrary in the statutes or regulations applicable to the CEC.

(b) In the event the CPUC receives a request for a copy of or access to a party's Protected Materials from a state governmental agency other than the CEC that is authorized to enter into a written agreement sufficient to satisfy the requirements for maintaining confidentiality set forth in Government Code Section 6254.5(e), the CPUC may, not less than five (5) days after giving written notice to the Disclosing Party of the request, release such protected material to the requesting governmental agency, upon receiving from the requesting

agency an executed Interagency Confidentiality Agreement that contains the same provisions described in Paragraph 10(a) above.

(c) The CEC may use Protected Materials when needed to fulfill its statutory responsibilities or cooperative agreements with the CPUC. Commission confidentiality designations will be maintained by the CEC in making such assessments, and the CEC will not publish any assessment that directly reveals the data or allows the data submitted by an individual load serving entity (“LSE”) to be “reverse engineered.”

13. Dispute Resolution. All disputes that arise under this Protective Order, including but not limited to alleged violations of this Protective Order and disputes concerning whether materials were properly designated as Protected Materials, shall first attempted to be resolved through meet and confer. If the meet and confer process is unsuccessful, the involved parties may present the dispute for resolution to the ALJ Division.

14. Other Objections to Use or Disclosure. Nothing in this Protective Order shall be construed as limiting the right of a party, the Commission Staff, or a state governmental agency covered by Paragraph 12 from objecting to the use or disclosure of Protected Material on any legal ground, such as relevance or privilege.

15. Remedies. Any violation of this Protective Order shall constitute a violation of an order of the CPUC. Notwithstanding the foregoing, the parties and Commission Staff reserve their rights to pursue any legal or equitable remedies that may be available in the event of an actual or anticipated disclosure of Protected Materials.

16. Withdrawal of Designation. A Disclosing Party may agree at any time to remove the “Protected Materials” designation from any materials of such party if, in its opinion, confidentiality protection is no longer required. In such a case, the Disclosing Party will notify all other parties that the Disclosing Party believes are in possession of such materials of the change of designation.

17. Interpretation. Titles are for convenience only and may not be used to restrict the scope of this Protective Order.

Entered: \_\_\_\_\_  
Administrative Law Judge

Date: \_\_\_\_\_

**APPENDIX A TO PROTECTIVE ORDER**

**BEFORE THE PUBLIC UTILITIES COMMISSION**

**OF THE STATE OF CALIFORNIA**

Winter 2021 Bundled RPS Energy Sale )  
Solicitation; Power Purchase and Sale Agreement )  
Between Pacific Gas and Electric Company and )  
Multiple Buyers )

**Advice 6544-E**

**NON-DISCLOSURE CERTIFICATE**

I hereby certify my understanding that access to Protected Materials is provided to me pursuant to the terms and restrictions of the Protective Order in connection with the above referenced Advice Letter, that I have been given a copy of and have read the Protective Order, and that I agree to be bound by it. I understand that the contents of the Protected Materials, any notes or other memoranda, or any other form of information that copies or discloses Protected Materials shall not be disclosed to anyone other than in accordance with that Protective Order. I acknowledge that a violation of this certificate constitutes a violation of an order of California Public Utilities Commission.

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Representing: \_\_\_\_\_  
Date: \_\_\_\_\_

**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  
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  
Uplight  
Water and Energy Consulting Wellhead  
Electric Company  
Western Manufactured Housing  
Communities Association (WMA)  
Yep Energy