

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



Pacific Gas & Electric Company
ELC (Corp ID 39)
Status of Advice Letter 6613E
As of October 19, 2022

Subject: Joint Consensus Proposal Regarding Template Aggregator Agreement Pursuant to Decision 21-06-002

Division Assigned: Energy

Date Filed: 06-03-2022

Date to Calendar: 06-10-2022

Authorizing Documents: D2106002

Disposition:	Accepted
Effective Date:	07-05-2022

Resolution Required: No

Resolution Number: None

Commission Meeting Date: None

CPUC Contact Information:

edtariffunit@cpuc.ca.gov

AL Certificate Contact Information:

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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- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)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



Clay Faber – Director
Federal & CA Regulatory
8330 Century Park Court
San Diego, CA 92123

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June 3, 2022

ADVICE LETTER 4020-E

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

ADVICE LETTER 6613-E

Pacific Gas & Electric Company (U 39-E)

ADVICE LETTER 4809-E

Southern California Edison Company (U 338-E)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SUBJECT: Joint Consensus Proposal Regarding Template Aggregator Agreement Pursuant to Decision 21-06-002

PURPOSE

Pursuant to Ordering Paragraph (OP) 19 of Decision (D.) 21-06-002, San Diego Gas & Electric Company (SDG&E), Southern California Edison Company (SCE), and Pacific Gas and Electric Company (PG&E) – together, the investor-owned utilities (IOUs) – submit this Tier 2 advice letter (AL) to the California Public Utilities Commission (Commission) requesting approval to utilize existing procurement agreements, where appropriate, in lieu of a template aggregator agreement.

BACKGROUND

Electric tariff Rule 21 describes the interconnection, operating, and metering requirements for generation facilities to be connected to a utility's distribution system. In 2017, the Commission initiated the Rule 21 rulemaking proceeding to consider a variety of refinements to the interconnection of distributed energy resources (DER) under Rule 21.¹

The October 2, 2017, Scoping Memo of Assigned Commissioner and Administrative Law Judge set forth the scope and schedule of the proceeding. The proceeding will be conducted in three phases that will address technical issues, cost-related issues, and issues related to small multi-jurisdictional utilities. The Scoping Memo established the working group process, whereby proposed resolutions of the technical issues would be developed by six working groups, specifically, Working Groups (WG) 1 through 6. The design of each Working Group, issues

¹ Order Instituting Rulemaking. July 21, 2017, at pg 1

scoped into the Working Groups, and each Working Group's responsibilities, went through several iterations and were amended via ruling.

Within WG 2, Issue 6 was framed as follows: "Should the Utilities develop forms and agreements to allow DER aggregators to fulfill Rule 21 requirements related to smart inverters? What should be included in the forms and agreements?" WG2 provided a draft agreement that was incomplete but could serve as a basis for continued discussion.² However, stakeholders were unclear regarding the scope and function of an aggregator agreement within the Rule 21 context – whether it would require entities to have certain capabilities versus the actual use of those capabilities,³ the role of an aggregator as a conduit versus executor of commands,⁴ and the need for end-to-end testing and ongoing technical requirements.⁵

On September 30, 2020, the Commission issued D.20-09-035, adopting a range of proposals to modify the Rule 21 tariff and streamline interconnection. However, the Commission concluded that its "determination of a petition for modification of Resolutions E-4832 and E-4898, and the subsequent adoption of Resolution E-5000, render [Issue 6] moot."⁶ Resolution E-5000 found that the communications capabilities mandated by the Phase 2 inverter communications requirements must be limited to technical capabilities and the establishment of contracts clearly constitutes a legal issue. The resolution concluded that the establishment of contracts may not be considered a prerequisite for the adoption of Phase 2 recommendations. Resolution E-5000 rejected the argument that the lack of a standard aggregator agreement should preclude aggregators from providing communications capabilities.⁷ Therefore, the Commission found that Issue 6 was considered moot and resolved at that point in time.

Stakeholders within WG 4 later considered Issue F: "What interconnection rules should the Commission adopt to account for the ability of DERMS and aggregator commands to address operational flexibility need?" Stakeholders developed two consensus proposals. Most notably, stakeholders supported continued development of the draft aggregator agreement developed in WG 2. Proposal F-2 would develop a consensus template Aggregator Agreement or different proposals for a template Aggregator Agreement.

On June 4, 2021, the Commission issued D.21-06-002 to address the remaining issues under Phase 1 of the proceeding to streamline the interconnection application process for DER. The Commission adopted Proposal F-2, directing the IOUs to work with stakeholders to finalize the template Aggregator Agreement. OP 19 specifically ordered that: "[The IOUs] shall work with stakeholders to finalize the template Aggregator Agreement. If consensus is not reached, Utilities shall file a Tier 3 Advice Letter and include all stakeholder recommendations and positions."

As discussed below, the IOUs and other stakeholders have determined through continued discussion that the issues to be addressed through an aggregator agreement are met through other procurement agreements developed for specific pilots and programs. This determination

² Working Group 2 Final Report, filed October 31, 2018, at pg. 11.

³ Working Group 2 Final Report, filed October 31, 2018, at pg. 10.

⁴ Working Group 2 Final Report, filed October 31, 2018, at pg. 10.

⁵ Working Group 2 Final Report, filed October 31, 2018, at pg. 110.

⁶ D.20-09-035, at 13.

⁷ Resolution E-5000, at 34-35.

represents a consensus. Accordingly, the IOUs and other stakeholders are seeking approval, via this Tier 2 AL, to utilize those agreements rather than a separate aggregator agreement.

DISCUSSION

The IOUs presented on the topic of aggregator agreements at the Interconnection Discussion Forum (IDF) held on October 19, 2021. Apart from the regulatory background, the IOUs presented an overview of the Issue 6 template aggregator agreement and posed a series of questions to facilitate conversation with stakeholders. At the conclusion of discussion, the California Solar & Storage Association (CALSSA) agreed to work directly with the IOUs on behalf of other parties, and then review the template with a broader group of parties at a later meeting. SDG&E invited those interested in participating in the group to contact SDG&E to be included.

The IOUs reconvened with the IDF on February 16, 2022. The parties in attendance reached the consensus discussed below, with no parties voicing opposition or concern.

A. A Separate Aggregator Agreement is Unnecessary for Rule 21 Interconnection

Rule 21 Section Hh.5 outlines the communications requirements for inverter-based generating facilities and mandates that the requirements shall be between any one of three options:

- (i) the Distribution Provider and the individual Generating Facility's inverter control or energy management system;
- (ii) the Distribution Provider and communication to the Generating Facility through an aggregator not co-located or part of the Generating Facility (allowance of aggregator use under section Hh.5 is subject to Commission approval of applicable forms and agreement not currently developed); or
- (iii) other communication options as mutually agreed to by Applicant and Distribution Provider.

Sections Hh.6 and Hh.8 contain inverter function requirements that must be performed in response to communications made by the Distribution Provider. Section Hh.7 contains requirements relating to information that an inverter-based Generating Facility must communicate to the Distribution Provider. However, aggregators are neither involved in the Rule 21 interconnection process nor signatories to the Interconnection Agreement. Rather, the IOUs study the facilities for safe and reliable interconnection and execute agreements with customer generators directly. The agreements, terms, and conditions for services between either the IOU and an aggregator or the aggregator and a customer are outside the scope of the Rule 21 tariff and interconnection process.

B. The Technology Neutral Pro Forma Contract Provides Necessary Terms and Conditions for Specific Programs and Pilots

There are existing Commission-approved programs that implement procurement contracts between IOUs and third-parties, including aggregators, that:

- Define the exact services provided by aggregators on behalf of customers
- Define the technologies aggregators may contract for
- Define the terms and conditions (T&Cs) for aggregators to provide services, including:

- Financial Terms
- Performance and Maintenance Obligations
- Remediation/Default Terms
- Customer Privacy
- Legal Language (Indemnification, Confidentiality, Insurance, etc.)
- Any applicable Cybersecurity Requirements
- Any applicable Technical Requirements
- Testing

The most directly applicable example is the technology-neutral pro forma (TNPF) contract. The TNPF contract provides the contractual framework for distribution deferral services procured by the IOUs in the request-for-offers (RFO) competitive solicitation process and in the Standard Offer Contract (SOC) pilot. The TNPF also serves as the starting point for contracts under which aggregators provide distribution deferral services to the IOUs via the Partnership Pilot. D.16-12-036 required the IOUs to develop a TNPF contract for soliciting DER in the Distribution Investment Deferral Framework (DIDF). The Commission adopted each IOU's TNPF after a robust working group process and the development of consensus templates. The IOUs update the TNPF as necessary within the DIDF process.

On February 12, 2021, the CPUC issued D.21-02-006 adopting pilots to test two frameworks for procuring DER to avoid or defer planned utility distribution investments. The Partnership Pilot is a five-year pilot that employs a process whereby aggregators enroll customers that have, or intend to add, behind-the-meter (BTM) DERs that can be used to defer a planned utility distribution project. During a subscription period, aggregators submit offer reservations based on the capabilities of these BTM DERs to meet all, or a portion, of the need that the IOU's planned distribution project was designed to address. In accordance with contract terms and conditions, the IOU will (i) issue dispatch instructions to aggregators who, in turn, use the BTM DERs to satisfy the dispatch requirement, and (ii) compensate the Aggregators in accordance with a tiered-payment structure that includes a Deployment Payment, a Reservation Payment and Performance Payments.

The Standard Offer Contract pilot is a three-year pilot that allows providers of In-Front-of the-Meter (IFM) DERs to submit price/quantity offers to defer a planned utility distribution project. In accordance with the terms and conditions of a Commission-approved Technology Neutral Pro Forma (TNPF) contract, the IOU will (i) issue dispatch instructions to contracted DER providers who, in turn, use the IFM DERs to satisfy the dispatch requirement, and (ii) compensate the DER provider in accordance with its offered price(s).

The RFO competitive solicitation process uses the TNPF contract as the basis for the contracts under which distribution deferral services are provided to the IOUs. The Partnership Pilot utilizes the TNPF contract as a starting point for the contracts under which distribution deferral services are provided to the IOUs. The Standard Offer Contract pilot uses a specific Commission-approved TNPF contract for providing distribution deferral services to the IOUs. The TNPF contract defines the technical details of the distribution deferral services provided by DER providers and aggregators to the IOUs.

Each IOU has TNPF contracts specific to the programs or procurement mechanisms that define the requirements necessary for the DER providers and aggregators to meet the objectives of the program, pilot, etc. – including communications. Therefore, it is unnecessary and duplicative

Each IOU has TNPF contracts specific to the programs or procurement mechanisms that define the requirements necessary for the DER providers and aggregators to meet the objectives of the program, pilot, etc. – including communications. Therefore, it is unnecessary and duplicative to have a separate aggregator agreement as a condition of interconnection or separate aggregator contracts to provide aggregated services.

EFFECTIVE DATE

The IOUs believe this submittal is subject to Energy Division disposition and should be classified as Tier 2 (effective after staff approval) pursuant to OP 19 of D.21-06-002 and GO 96-B. SDG&E, on behalf of the IOUs, respectfully requests that this submittal be effective on July 5, 2022 which is 32 days from the date of this filing.

PROTEST

Anyone may protest this Advice Letter to the Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. The protest must be made in writing and must be received no later than June 23, 2022, which is 20 days after the date this Advice Letter was submitted with the Commission. There is no restriction on who may submit a protest.

Copies of the protest should also be sent via e-mail to the attention of the Energy Division at EDTariffUnit@cpuc.ca.gov. A copy of the protest should also be sent via e-mail to the address shown below on the same date it is mailed or delivered to the Commission.

SDG&E

Clay Faber
Director, Regulatory Affairs
c/o Greg Anderson
Regulatory Tariff Manager
E-Mail: GAnderson@sdge.com and SDGETariffs@sdge.com

PG&E

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

SCE

Shinjini C. Menon
Director, State Regulatory Operations
Southern California Edison Company
E-mail: AdviceTariffManager@sce.com

Tara S. Kaushik
Director, Regulatory Relations
Southern California Edison Company
c/o Karyn Gansecki
E-mail: Karyn.Gansecki@sce.com

NOTICE

A copy of this submittal has been served on the utilities and interested parties shown on the attached list, including interested parties in R.17-07-007, by providing them a copy hereof either electronically or via the U.S. mail, properly stamped and addressed. Address changes should be directed to SDG&E Tariffs by email to SDG&ETariffs@sdge.com.

/s/ Clay Faber

CLAY FABER

Director – Federal & CA Regulatory



ADVICE LETTER SUMMARY

ENERGY UTILITY



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

Company name/CPUC Utility No.: San Diego Gas & Electric Company (U902-E)

Utility type:

- ELC GAS WATER
 PLC HEAT

Contact Person: Aurora Carrillo
 Phone #: (858) 654-1542
 E-mail: ACarrillo@sdge.com
 E-mail Disposition Notice to: ACarrillo@sdge.com

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 4020 et al

Tier Designation: 2

Subject of AL: Joint Consensus Proposal Regarding Template Aggregator Agreement Pursuant to Decision 21-06-002

Keywords (choose from CPUC listing): Agreement

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: D.21-06-002

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: N/A

Summarize differences between the AL and the prior withdrawn or rejected AL: N/A

Confidential treatment requested? Yes No

If yes, specification of confidential information:

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

Resolution required? Yes No

Requested effective date: 7/5/22

No. of tariff sheets: N/A

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

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

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

Tariff schedules affected: N/A

Service affected and changes proposed¹: N/A

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

¹Discuss in AL if more space is needed.

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

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

Name: Greg Anderson
Title: Regulatory Tariff Manager
Utility Name: San Diego Gas & Electric Company
Address: 8330 Century Park Court; CP 31D 92123
City: San Diego State: California
Telephone (xxx) xxx-xxxx: (858) 654-1717
Facsimile (xxx) xxx-xxxx:
Email: GAnderson@sdge.com

Name: SDG&E Tariff Department
Title:
Utility Name: San Diego Gas & Electric Company
Address: 8330 Century Park Court; CP 31D 92123
City: San Diego State: California
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email: SDGETariffs@sdge.com

General Order No. 96-B
ADVICE LETTER SUBMITTAL MAILING LIST

cc: (w/enclosures)

Public Utilities Commission
CA. Public Advocates (CalPA)

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F. Oh

Energy Division

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Tariff Unit

CA Energy Commission

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Advantage Energy

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K. Harteloo

AT&T

Regulatory

Barkovich & Yap, Inc.

B. Barkovich

Biofuels Energy, LLC

K. Frisbie

Braun & Blaising, P.C.

S. Blaising
D. Griffiths

Buchalter

K. Cameron
M. Alcantar

CA Dept. of General Services

H. Nanjo

California Energy Markets

General

California Farm Bureau Federation

K. Mills

California Wind Energy

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City of Poway

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Energy Regulatory Solutions Consultants

L. Medina

Energy Strategies, Inc.

K. Campbell

EQ Research

General

Goodin, MacBride, Squeri, & Day LLP

B. Cragg
J. Squeri

Green Charge

K. Lucas

Hanna and Morton LLP

N. Pedersen

JBS Energy

J. Nahigian

Keyes & Fox, LLP

B. Elder

Manatt, Phelps & Phillips LLP

D. Huard
R. Keen

McKenna, Long & Aldridge LLP

J. Leslie

Morrison & Foerster LLP

P. Hanschen

MRW & Associates LLC

General

NLine Energy

M. Swindle

Stoel Rives LLP

Seth Hilton
Lilly McKenna

NRG Energy

D. Fellman

Pacific Gas & Electric Co.

M. Lawson
M. Huffman
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RTO Advisors

S. Mara

SCD Energy Solutions

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L. Fernandez
L. Utouh

Shute, Mihaly & Weinberger LLP

O. Armi

Solar Turbines

C. Frank

SPURR

M. Rochman

Southern California Edison Co.

K. Gansecki

TerraVerde Renewable Partners LLC

F. Lee

TURN

M. Hawiger

UCAN

D. Kelly

US Dept. of the Navy

K. Davoodi

US General Services Administration

D. Bogni

Valley Center Municipal Water Distr

G. Broomell

Western Manufactured Housing
Communities Association

S. Dey

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AKanzler@anaheim.net

Service List

R.17-07-007

**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
Stoel Rives LLP

Tecogen, Inc.
TerraVerde Renewable Partners
Tiger Natural Gas, Inc.

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