

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Implement Portions of AB
117 Concerning Community Choice Aggregation.

Rulemaking 03-10-003 (Filed
October 2, 2003)

**COMMENTS OF
THE LOCAL GOVERNMENT SUSTAINABLE ENERGY COALITION
ON ALJ RULING SOLICITING COMMENTS ON CCA BOND REQUIREMENTS**

JODY S. LONDON
Jody London Consulting
P.O. Box 3629
Oakland, California 94609
Telephone: (510) 459-0667
E-mail: jody_london_consulting@earthlink.net

For THE LOCAL GOVERNMENT
SUSTAINABLE ENERGY COALITION

December 21, 2007

In accordance with the Rules of Practice and Procedure of the California Public Utilities Commission (“CPUC”) and the December 4, 2007 Ruling of Administrative Law Judge Malcolm, the Local Government Sustainable Energy Coalition (“LGSEC”) submits these comments.¹ The ALJ Ruling asks parties to comment on whether the CPUC should modify D.05-12-041 to eliminate the reference to forecasting errors as one of the possible costs that should be covered by a bond, insurance, or self-insurance for a community choice aggregator.

The LGSEC concurs with the analysis in the ALJ Ruling. Because community choice aggregators are responsible for forecasting their own load, and because community choice aggregators assume all risk and costs where there is a variance between forecast and demand for their own customers, there is no need to require them to assume liability for the utility’s forecasting errors. Customer bills for community choice aggregation service are paid first to the utility, so any real risk on under-recovery are borne by the community choice aggregator, who also has previously been required to show its creditworthiness. There is no showing of any need for further protections by the utilities.

Dated: December 21, 2007

Respectfully submitted,

By:



Jody S. London

Jody London Consulting
P.O. Box 3629
Oakland, California 94609
Telephone: (510) 459-0667
E-mail: jody_london_consulting@earthlink.net

For THE LOCAL GOVERNMENT
SUSTAINABLE ENERGY COALITION

¹ The Local Government Sustainable Energy Coalition appeared in earlier phases of this proceeding as the Local Government Coalition.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of **Comments of the Local Government Sustainable Energy Coalition on ALJ Ruling Soliciting Comments on CCA Bond Requirements** on all known parties to R.03-10-003 by transmitting an e-mail message with the document attached to each party named in the official service list, and by serving a hard copy on the Administrative Law Judge.

Executed on December 21, 2007, at Oakland, California.



Jody London

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Filer: CPUC

List Name: LIST

Last changed: December 19, 2007

sesco@optonline.net
roger@berlinerlawpllc.com
emello@sppc.com
dhuard@manatt.com
rkeen@manatt.com
susan.munves@smgov.net
mburke50@msn.com
cmlong@earthlink.net
matt_gorman@ci.pomona.ca.us
Janet.Combs@sce.com
Jennifer.Shigekawa@sce.com
mike.montoya@sce.com
rkmoore@gswater.com
mgorman@agclawfirm.com
mmeacham@ci.chula-vista.ca.us
pszymanski@sempra.com
thunt@cecmail.org
dorth@krcd.org
mflorio@turn.org
stephen.morrison@sfgov.org
jzr@cpuc.ca.gov
fsmith@sfwater.org
jhendry@sfwater.org
scarter@nrdc.org
cmb3@pge.com
jkm8@pge.com
pxo2@pge.com
epoole@adplaw.com
jim@tobinlaw.us
jwiedman@goodinmacbride.com
mlajaunie@gmssr.com
steven@moss.net
sww9@pge.com
yxg4@pge.com
phanschén@mofo.com
jerry@abag.ca.gov
paulfenn@local.org
swentworth@oaklandnet.com
cwooten@earthlink.net
rschmidt@bartlewells.com
ndesnó@ci.berkeley.ca.us
clyde.murley@comcast.net
tim@marinemt.org
sberlin@mccarthylaw.com
jstone@ci.manteca.ca.us

brbarkovich@earthlink.net
michaelkyes@sbcglobal.net
jjensen@kirkwood.com
jdalessi@navigantconsulting.com
abb@eslawfirm.com
smith@braunlegal.com
blaising@braunlegal.com
lmh@eslawfirm.com
etiedemann@kmtg.com
pstoner@lgc.org
dhammer@trinitycounty.org
notice@psrec.coop
ryan.flynn@pacificcorp.com
shastie@navigantconsulting.com
ralph.dennis@constellation.com
ttschamler@kema-xenergy.com
stacy.aguayo@apses.com
dsaul@pacificsolar.net
bmalkenhorstjr@ci.vernon.ca.us
curtis.kebler@gs.com
klatt@energyattorney.com
douglass@energyattorney.com
case.admin@sce.com
AdviceTariffManager@sce.com
case.admin@sce.com
ehull@ci.chula-vista.ca.us
dwood8@cox.net
melaniem@environmentalhealth.org
rebeccap@environmentalhealth.org
liddell@energyattorney.com
mshames@ucan.org
centralfiles@semprautilities.com
gdixon@semprautilities.com
jleslie@luce.com
kjk@kjkammerer.com
3nelsons@cox.net
dwright.mudry@cox.net
jskillman@prodigy.net
jdelatova@windwardenergy.com
sredelfs@krcd.org
chris@emeter.com
gsmith@adamsbroadwell.com
diane_fellman@fpl.com
john.hughes@sce.com
Dan.adler@calcef.org

mhyams@sfwater.org
norman.furuta@navy.mil
achang@nrdc.org
dwang@nrdc.org
J1Pc@pge.com
cem@newsdata.com
cem@newsdata.com
hgolub@nixonpeabody.com
jarmstrong@gmssr.com
marc_theobald@emcorgroup.com
irene@igc.org
mfeldman@resourcedecisions.net
megmeal@aol.com
cpuccases@pge.com
jim@prudens.com
rlr2@pge.com
pvh1@pge.com
edchang@flynnrci.com
peter@ci.concord.ca.us
rochmanM@spurr.org
mroush@ci.pleasanton.ca.us
info@calseia.org
pthompson@summitblue.com
ramonag@ebmud.com
spierce@ebmud.com
jody_london_consulting@earthlink.net
mrw@mrwassoc.com
cmiseldine@oaklandnet.com
darmanino@co.marin.ca.us
wem@igc.org
rita@ritanortonconsulting.com
emahlon@ecoact.org
jiab@ucsc.edu
bmcc@mccarthylaw.com
tomk@mid.org
chris_k@cornerstoneconsulting.biz
Mwoods@mrwlawcorp.com
rmccann@umich.edu
kdusel@navigantconsulting.com
cpucrulings@navigantconsulting.com
JMcMahon@navigantconsulting.com
kemery@navigantconsulting.com
steveng@destrategies.com
mclaughlin@braunlegal.com
dgeis@dolphingroup.org

kdw@woodruff-expert-services.com
blaising@braunlegal.com
karen@klindh.com
californiadoctors@pacificorp.com
rfp@eesconsulting.com
aes@cpuc.ca.gov
los@cpuc.ca.gov
cxc@cpuc.ca.gov
ctd@cpuc.ca.gov
dil@cpuc.ca.gov
jl2@cpuc.ca.gov
jlt@cpuc.ca.gov
jf2@cpuc.ca.gov
kim@cpuc.ca.gov
lrm@cpuc.ca.gov
lmi@cpuc.ca.gov
psd@cpuc.ca.gov
scr@cpuc.ca.gov
suh@cpuc.ca.gov
txb@cpuc.ca.gov
mtobias@mlawgroup.com
cmcdonald@navigantconsulting.com
hmohamme@energy.state.ca.us
ldecarlo@energy.state.ca.us
ikwasny@water.ca.gov
jgeorge@water.ca.gov
jpacheco@water.ca.gov