

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

Application of Southern California Edison Company (U338E) for Approval of its 2009-2011 Energy Efficiency Program Plans and Associated Public Goods Charge (PGC) and Procurement Funding Requests.	Application 08-07-021 (Filed July 21, 2008)
And Related Matters.	Application 08-07-022 Application 08-07-023 Application 08-07-031

**PREHEARING CONFERENCE STATEMENT OF
THE LOCAL GOVERNMENT SUSTAINABLE ENERGY COALITION,
CITY OF BERKELEY OFFICE OF ENERGY AND SUSTAINABLE DEVELOPMENT,
AND CITY OF OAKLAND, PUBLIC WORKS AGENCY**

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For THE LOCAL GOVERNMENT
SUSTAINABLE ENERGY COALITION, et. al.

October 6, 2008

I. INTRODUCTION

In accordance with Administrative Law Judge Gamson's September 29, 2008, ruling setting a Prehearing Conference, the Local Government Sustainable Energy Coalition¹ ("LGSEC"), and the City of Berkeley Office of Energy and Sustainable Development and the City of Oakland, Public Works Agency (hereafter LGSEC) submit this Prehearing Conference Statement. The LGSEC specifically addresses question 4 in ALJ Gamson's ruling: "What process should be used to consider new programs not proposed by the utilities?" The LGSEC recommends that the California Public Utilities Commission ("Commission") use a workshop process to identify innovative local government programs, such as those envisioned in the *Strategic Plan for Energy Efficiency* adopted by the CPUC last month.² The workshop should occur in late October or early November, and should address the topics identified below.

II. A WORKSHOP WILL ALLOW PARTIES AND THE CPUC TO JOINTLY DEVELOP GUIDELINES FOR INNOVATIVE LOCAL GOVERNMENT PROGRAMS

The *Strategic Plan* relies on local governments to be leaders in adopting and implementing "reach" codes; enforcing code compliance; leading by example; developing innovative sustainability, energy, and climate change programs; and increasing energy efficiency expertise within local government staff. At the same time, expectations are increasing from the State for local government assistance in meeting ambitious energy and environment goals. As the LGSEC explained in comments on the draft *Strategic Plan*:

The State is embarking on a fundamental re-examination of many of the planning and policy assumptions that have driven California for decades [with

¹ The Local Government Sustainable Energy Coalition includes: the Association of Bay Area Governments, the Association of Monterey Bay Area Governments, the County of Los Angeles, the County of Marin, the County of Ventura, the City of Santa Monica. Each of these organizations may have different views on elements of these comments, which were approved by the LGSEC's Board.

² D.08-09-040.

implementation of AB 32]. The areas in which the Air Resources Board anticipates reductions from local government include community energy, community waste and recycling, community water and wastewater systems, community transportation, and community design, among others. This means a re-examination of everything from garbage contracts to water conveyance to public transportation to building codes to permitting and inspections. With regard to energy, local governments will play a key role in the development of, among other things, local renewable energy permits for solar rooftop efforts, as well as conditions associated with traditional energy resources that require permits for transmission, which ultimately leads to a viable and integrated energy system. It will require an examination by local government of both internal operations and the day-to-day activities of residents and businesses. Energy use is implicit in all of these areas.³

As the Commission has recognized, local governments are uniquely situated to implement “non-resource” programs that will ultimately lead to significant energy savings. The utilities may support these efforts if they are funded outside of the utility shareholder incentive process and are not subject to cost-effectiveness tests. The Commission can assist by providing a forum to discuss a specific plan of action that would work for involved parties. Specific programs that should be discussed include:

- ◆ Development of local codes and standards;
- ◆ Regional strategic plans;
- ◆ Technical assistance between local governments to facilitate in-house capability to develop and implement energy efficiency and sustainability programs;
- ◆ Additional projects that are considered "non-resource" and have long-term or market transformation impacts.

In adopting the *Strategic Plan*, the Commission recognized that it “will work with local and regional governments both on a policy basis and in ensuring that funds in the utility energy

³ *Comments of the Local Government Sustainable Energy Coalition on the Draft Energy Efficiency Strategic Plan*, July 31, 2008, p. 2, in R.08-07-011/A.08-06-004.

efficiency programs we approve assist in implementing Plan strategies.”⁴ The proposed workshop provides precisely this type of opportunity.

It is not the proposal or expectation of the LGSEC that all local government partnership programs would have an interest in this type of opportunity. But there are a number of local government partners who have long and broad experience in developing and implementing energy efficiency programs and whose governing boards have increasing interest in sustainability objectives. These partners stand ready to work on innovative programs that can increase the breadth of energy efficiency programs, and also assist less experienced local governments in building institutional capacity around these issues. The Commission can use this time while the utilities are revising their applications to integrate objectives from the now-adopted *Strategic Plan* with actual programs offered in the 2009-2011 program cycle.

III. TIMING AND LOCATION FOR WORKSHOP

The LGSEC proposes that the workshop be held in late October or early November. This will allow the outcome of the workshop to be easily integrated into any further procedural schedule the Commission orders. Preferable dates at this time for signatories to this filing include: Monday, October 27; Monday, November 3; or Wednesday, November 12 (this date would be particularly good for a meeting in the Los Angeles area).

The workshop should be conducted in two parts, with the first part occurring in Northern California, and the second part occurring in Southern California. The CPUC, because its office is in San Francisco, most often holds workshops there. However, as the LGSEC has commented previously, not all local governments have the time and resources to travel to San Francisco.⁵

⁴ D.08-09-040, p. 12.

⁵ *Comments of the Local Government Sustainable Energy Coalition on the Draft Energy Efficiency Strategic Plan*, July 31, 2008, p. 6, in R.08-07-011/A.08-06-004.

And calling in by telephone simply does not allow individuals to participate in as meaningful a way. In discussing the suggested format for this workshop, LGSEC members who are based in Northern California have agreed that a subset of them will also travel to Southern California for a workshop there, to ensure continuity.

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IV. RELATED ISSUES

One of the questions posed in the ALJ Ruling is whether there is a need for an interim decision regarding the policy issues discussed in the August 28 filings. Codes and standards, one of the proposed topics for the workshop, is also the subject of a requested policy change by the utilities. The Commission can use the workshop to reach better agreement on this issue as it relates to local government concerns with the utility request. The Commission can then issue an interim decision on this matter, if it determines that is necessary for the utilities to proceed with their applications.

V. CONCLUSION

The CPUC should conduct a workshop in late October or early November to develop guidelines that would govern a carve-out separate from the utility energy efficiency portfolios for “innovative” local government programs.

⁶ D.08-09-040, p. 12.

Dated: October 6, 2008

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Jody London, certify that I have, on this date, served a copy of “Prehearing Conference Statement Of The Local Government Sustainable Energy Coalition, City of Berkeley Office of Energy and Sustainable Development and City of Oakland, Public Works Agency” on all known parties to A.08-07-021, A.08-07-022, A.08-07-07-023, and A.08-07-031 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.

I declare under penalty of perjury, pursuant to the laws of the State of California, that the foregoing is true and correct.

Dated October 13, 2008 in Oakland, California.



Jody London

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Filer: Southern California Edison Company

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Filer: Southern California Gas Company

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Proceeding: A0807023 - SDG&E - FOR APPROVAL

Filer: San Diego Gas & Electric Company

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Proceeding: A0807031 - PG&E - FOR APPROVAL

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