

**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**

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, 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 Coalition<sup>1</sup> ("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.<sup>2</sup> 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

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<sup>1</sup> 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.

<sup>2</sup> 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.<sup>3</sup>

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

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<sup>3</sup> *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.”<sup>4</sup> 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.<sup>5</sup>

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<sup>4</sup> D.08-09-040, p. 12.

<sup>5</sup> *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.

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 efficiency programs we approve assist in implementing Plan strategies.”<sup>6</sup> The proposed workshop provides precisely this type of opportunity.

#### **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.

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<sup>6</sup> D.08-09-040, p. 12.

Dated: October 6, 2008

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](mailto:jody_london_consulting@earthlink.net)

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## CERTIFICATE OF SERVICE

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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.



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Jody London

**Proceeding: A0807021 - EDISON - FOR APPROV**

**Filer: Southern California Edison Company**

**List Name: LIST**

**Last changed: October 1, 2008**

**Proceeding: A0807022 - SOCAL GAS CO - FOR A**

**Filer: Southern California Gas Company**

**List Name: LIST**

**Last changed: October 1, 2008**

**Proceeding: A0807023 - SDG&E - FOR APPROVAL**

**Filer: San Diego Gas & Electric Company**

**List Name: LIST**

**Last changed: October 1, 2008**

**Proceeding: A0807031 - PG&E - FOR APPROVAL**

**Filer: Pacific Gas and Electric Company**

**List Name: LIST**

**Last changed: October 1, 2008**

ddayton@cleanenergysol.com  
sesco@optonline.net  
mmoore@newportpartnersllc.com  
keith.mccrea@sablau.com  
mharrigan@ase.org  
jimross@r-c-s-inc.com  
gtropsa@ice-energy.com  
ckmitchell1@sbcglobal.net  
spatrick@sempra.com  
dmahmud@mwdh2o.com  
nkarno@yahoo.com  
pwuebben@aqmd.gov  
larry.cope@sce.com  
cfpena@sempra.com  
liddell@energyattorney.com  
jennifer.porter@energycenter.org  
sephra.ninow@energycenter.org  
mlewis@ctg-net.com  
judi.schweitzer@post.harvard.edu  
dale@betterbuildings.com  
thunt@cecmail.org  
wilkinson@es.ucsb.edu  
pcanessa@charter.net  
JeffreyH@hellermanus.com  
RemiT@hellermanus.com

bfinkelstein@turn.org  
hayley@turn.org  
jeanne.sole@sfgov.org  
marcel@turn.org  
dil@cpuc.ca.gov  
stephen.morrison@sfgov.org  
achang@nrdc.org  
rsa@a-klaw.com  
cjin3@pge.com  
steven@moss.net  
jsqueri@gmsr.com  
edwardoneill@dwt.com  
saw0@pge.com  
ssmyers@att.net  
jak@gepllc.com  
jerryl@abag.ca.gov  
rknight@bki.com  
jody\_london\_consulting@earthlink.net  
hoerner@redefiningprogress.org  
swentworth@oaklandnet.com  
samuelk@greenlining.org  
john@proctoreng.com  
pmschwartz@sbcglobal.net  
tim@marinemt.org  
wem@igc.org

hryan@smallbusinesscalifornia.org  
bill@jbsenergy.com  
jweil@aglet.org  
elee@davisenergy.com  
mike@calcerts.com  
tcrooks@mcr-group.com  
glw@eslawfirm.com  
chris@cuwcc.org  
mboccardo@dolphingroup.org  
lmh@eslawfirm.com  
ljimene@smud.org  
cscruton@energy.state.ca.us  
kmills@cfbf.com  
rob@clfp.com  
bburt@macnexus.org  
jparks@smud.org  
js@clearedgepower.com  
tom@ucons.com  
gandhi.nikhil@verizon.net  
donaldgilligan@comcast.net  
ameliag@ensave.com  
Clark.Pierce@us.landisgyr.com  
eosann@starpower.net  
jthorneamann@aceee.org  
snadel@aceee.org



CCole@currentgroup.com  
srassi@knowledgeinenergy.com  
staples@staplesmarketing.com  
mking@staplesmarketing.com  
nphall@tecmarket.net  
skihm@ecw.org  
gstaples@mendotagroup.net  
annette.beitel@gmail.com  
jmeyers@naima.org  
pjacobs@buildingmetrics.biz  
mmcguire@summitblue.com  
bobbi.sterrett@swgas.com  
emello@sppc.com  
David.Pettijohn@ladwp.com  
tblair@mwdh2o.com  
bmcdonnell@mwdh2o.com  
HYao@SempraUtilities.com  
kwong@semprautilities.com  
nhernandez@isd.co.la.ca.us  
david@nemtzow.com  
susan.munves@smgov.net  
brad.bergman@intergycorp.com  
southlandreports@earthlink.net  
cdamore@icfi.com  
dpape@icfi.com  
sculbertson@icfi.com  
thamilton@icfi.com  
tory.weber@sce.com  
Case.Admin@sce.com  
don.arambula@sce.com  
Jennifer.Shigekawa@sce.com  
Laura.Genao@sce.com  
Stacie.Schaffer@sce.com  
dwood8@cox.net  
rsperberg@onsitenergy.com  
jlaun@apogee.net  
ashley.watkins@energycenter.org  
centralfiles@semprautilities.com  
irene.stillings@energycenter.org  
jyamagata@semprautilities.com  
robert.gilleskie@energycenter.org  
bob.ramirez@itron.com  
rachel.harcharik@itron.com  
david.gordon@efm-solutions.com  
kjk@kjkammerer.com  
cneedham@edisonmission.com  
cperkins@energycoalition.org  
mimungi@energycoalition.org  
TFlanigan@EcoMotion.us  
sthompson@ci.irvine.ca.us

sbarata@opiniondynamics.com  
mlong@anaheim.net  
cheryl.collart@ventura.org  
Jeff.Hirsch@DOE2.com  
hhuerta@rhainc.com  
pk@utilitycostmanagement.com  
atencate@rsgroup.com  
lcasentini@rsgroup.com  
jcelona@sbcglobal.net  
ann.kelly@sfgov.org  
abesa@semprautilities.com  
wblattner@semprautilities.com  
pvillegas@semprautilities.com  
norman.furuta@navy.mil  
eric@ethree.com  
kgrenfell@nrdc.org  
lettenson@nrdc.org  
andrew\_meiman@newcomb.cc  
andy.goett@paconsulting.com  
ann\_mccormick@newcomb.cc  
cbaskette@enernoc.com  
efm2@pge.com  
j5b2@pge.com  
yxg4@pge.com  
John\_Newcomb@newcomb.cc  
lhj2@pge.com  
matt\_sullivan@newcomb.cc  
rcounihan@enernoc.com  
rbm4@pge.com  
SRRd@pge.com  
tmfry@nexant.com  
WKR4@pge.com  
rekl@pge.com  
rreinhard@mofo.com  
steven@moss.net  
Cassandra.sweet@dowjones.com  
jwiedman@goodinmacbride.com  
sbuchwalter@icfi.com  
policy.solutions@comcast.net  
jimflanagan4@mac.com  
lisa\_weinzimer@platts.com  
slda@pge.com  
wmcguire@fypower.org  
cem@newsdata.com  
bkc7@pge.com  
jkz1@pge.com  
wcm2@pge.com  
regrelcpuccases@pge.com  
hxag@pge.com  
rafi@pge.com

epetrill@epri.com  
andrew.wood3@honeywell.com  
Mary@EquipoiseConsulting.com  
tlmurray@earthlink.net  
ghamilton@gepllc.com  
mistib@comcast.net  
ashish.goel@intergycorp.com  
grant.cooke@intergycorp.com  
jay.bhalla@intergycorp.com  
rfox@intergycorp.com  
Patricia.R.Thompson@gmail.com  
sbeserra@sbcglobal.net  
wbooth@booth-law.com  
michael.cheng@paconsulting.com  
alex.kang@itron.com  
Ann.Peterson@itron.com  
fred.coito@kema.com  
jennifer.fagan@itron.com  
jtiffany@ase.org  
john.cavalli@itron.com  
kathleen.gaffney@kema.com  
brbarkovich@earthlink.net  
karl.brown@ucop.edu  
mrw@mrwassoc.com  
Bruce@BuildItGreen.org  
pmiller@nrdc.org  
awatson@quest-world.com  
jesser@greenlining.org  
robertg@greenlining.org  
stevek@kromer.com  
craigtyler@comcast.net  
elvine@lbl.gov  
mwbeck@lbl.gov  
darmanino@co.marin.ca.us  
jcluboff@lmi.net  
rita@ritanortonconsulting.com  
cpechman@powereconomics.com  
gthomas@ecoact.org  
emahlon@ecoact.org  
sobrien@mccarthyllaw.com  
barry.hooper@sanjoseca.gov  
mary.tucker@sanjoseca.gov  
esprague@consol.ws  
NancyKRod@conSol.ws  
Rob@ConSol.ws  
bobho@mid.org  
joyw@mid.org  
gsenergy@sonoma-county.org  
tconlon@geopraxis.com  
bmfinkelor@ucdavis.edu

rmccann@umich.edu  
mbhunt@ucdavis.edu  
dmahone@h-m-g.com  
mgillette@enernoc.com  
kenneth.swain@navigantconsulting.com  
kdusel@navigantconsulting.com  
lpark@navigantconsulting.com  
david.reynolds@ncpa.com  
scott.tomashefsky@ncpa.com  
jgg@eslawfirm.com  
asloan@rs-e.com  
mclaughlin@braunlegal.com  
dgeis@dolphingroup.org  
ehbert@energy.state.ca.us  
jcastleberry@rs-e.com  
wynne@braunlegal.com  
klewis@energy.state.ca.us  
katie@cuwcc.org  
mharcos@rs-e.com  
rsapudar@energy.state.ca.us  
bernardo@braunlegal.com  
pstoner@lgc.org  
wwester@smud.org  
vwood@smud.org  
sjameslehtonen@yahoo.com  
rmowris@earthlink.net  
hgilpeach@scanamerica.net  
paul.notti@honeywell.com  
brian.hedman@quantecllc.com  
Sami.Khawaja@quantecllc.com  
janep@researchintoaction.com  
samsirkin@cs.com  
mbaker@sbwconsulting.com  
jbazemore@emi1.com  
john@enactenergy.com  
ppl@cpuc.ca.gov  
atr@cpuc.ca.gov  
aeo@cpuc.ca.gov  
cf1@cpuc.ca.gov  
cxc@cpuc.ca.gov  
crv@cpuc.ca.gov  
dmg@cpuc.ca.gov  
dhn@cpuc.ca.gov  
trh@cpuc.ca.gov  
flc@cpuc.ca.gov  
hcf@cpuc.ca.gov  
jbf@cpuc.ca.gov  
jl2@cpuc.ca.gov  
cln@cpuc.ca.gov  
jst@cpuc.ca.gov  
jdr@cpuc.ca.gov  
jws@cpuc.ca.gov  
jci@cpuc.ca.gov  
kwz@cpuc.ca.gov  
creh@cpuc.ca.gov  
lp1@cpuc.ca.gov  
mwt@cpuc.ca.gov  
mmw@cpuc.ca.gov  
mkh@cpuc.ca.gov  
nfw@cpuc.ca.gov  
pw1@cpuc.ca.gov  
snr@cpuc.ca.gov  
smw@cpuc.ca.gov  
tcr@cpuc.ca.gov  
zap@cpuc.ca.gov  
ys2@cpuc.ca.gov  
ztc@cpuc.ca.gov  
awp@cpuc.ca.gov  
crogers@energy.state.ca.us  
dbeck@energy.state.ca.us  
dks@cpuc.ca.gov  
agarcia@energy.state.ca.us  
msherida@energy.state.ca.us  
sbender@energy.state.ca.us