

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

Order Instituting Rulemaking Concerning Energy
Efficiency Rolling Portfolios, Policies, Programs,
Evaluation, and Related Issues.

Rulemaking 13-11-005
(Filed November 14, 2013)

**JOINT RESPONSE TO
MOTION OF COUNTY OF VENTURA
REGARDING DATA ACCESS**

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June 20, 2022

**BEFORE THE PUBLIC UTILITIES COMMISSION
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Pursuant to Rule 11.1(e) of the California Public Utilities Commission (Commission) Rules of Practice and Procedure, the Association of Bay Area Governments for the Bay Area Regional Energy Network (BayREN), Local Government Sustainable Energy Coalition (LGSEC), Marin Clean Energy (MCE), Redwood Coast Energy Authority for Rural Regional Energy Network (RuralREN), and Western Riverside Council of Governments for Inland Regional Energy Network (I-REN, and together, the Joint Parties) respectfully submit the following Response in support of the *Motion of County of Ventura Regarding data Access* filed on behalf of the Tri-County Regional Energy Network (3C-REN) on June 3, 2022 (Motion). Pursuant to Rule 11.1(e), this Response is timely filed.

In its Motion, 3C-REN requested that Administrative Law Judges Fitch and Kao direct Pacific Gas and Electric Company, Southern California Edison Company, and Southern California Gas Company (together, the IOUs) to provide 3C-REN and/or its program implementer, Recurve Analytics, Inc. (Recurve), with adequate data so that 3C-REN can run its normalized meter energy consumption (NMEC) Single Family Home program.

The Commission has fully developed the criteria and process by which entities—including the IOUs’ own energy efficiency implementers—can receive customer data. Simply stated, the IOUs are not and should not be the sole entities running NMEC programs.¹ California law and policy support the deployment of this type of energy efficiency offering, including through Energy Efficiency Assembly Bill 802 (Williams, AB 802, 2015) and California Clean Energy and Pollution Reduction Act of 2015 (De León, SB 350, 2015). Further, the Commission has been explicit that RENs can run NMEC programs. The Commission’s NMEC Rulebook states:

The rules, terms and definitions contained herein pertain to efficiency activities funded through the following mechanisms:

- The gas public purpose program (PPP) surcharges, as authorized by §890-900.
- Electric procurement rates, as authorized by the Commission.

Unless specifically indicated otherwise, the requirements described herein apply to all the following entities: the investor-owned utilities (IOUs), Community Choice Aggregators (CCA), Regional Energy Networks (RENS) and third-party implementers as per Decision (D.)16-08-019 modified by D.18-01-004 that are funded through the mechanisms above.²

As such, the IOUs are already authorized to provide this data, and should provide this data so long as 3C-REN or its implementer complies with the requirements the IOUs impose for their own energy efficiency implementers.

¹ See e.g. D.21-12-011 at 30-31 (describing Marin Clean Energy’s Peak FlexMarket Program).

² Rulebook for Programs and Projects Based on Normalized Metered Energy Consumption, Version 2.0, January 7, 2020, available at: <https://www.cpuc.ca.gov/-/media/cpuc-website/files/legacyfiles/n/6442463694-nmec-rulebook2-0.pdf>

I. CONCLUSION

The Joint Parties thank Assigned Commissioner Shiroma and Assigned Administrative Law Judges Fitch and Kao for their consideration of this Response and the Joint Parties' support of 3C-REN's requested relief.

Respectfully submitted,

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June 20, 2022