

## DOCKETED

<b>Docket Number:</b>	16-OIR-03
<b>Project Title:</b>	Energy Data Collection
<b>TN #:</b>	221259
<b>Document Title:</b>	Pacific Gas and Electric Comments on Draft Regulation Modifying Title 20
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Pacific Gas and Electric Company
<b>Submitter Role:</b>	Public
<b>Submission Date:</b>	9/20/2017 2:35:35 PM
<b>Docketed Date:</b>	9/20/2017

*Comment Received From: Valerie Winn*

*Submitted On: 9/20/2017*

*Docket Number: 16-OIR-03*

**Pacific Gas and Electric\_Title 20**

*Additional submitted attachment is included below.*

September 20, 2017

**VIA ELECTRONIC FILING**

California Energy Commission  
Dockets Office MS-4  
Re: Docket No. 16-OIR-03  
1516 Ninth Street  
Sacramento, CA 95814-5512

Re: Pacific Gas and Electric Company Comments on California Energy Commission Draft Regulation Modifying Title 20 of the California Code of Regulations

## **I. INTRODUCTION**

Pacific Gas and Electric Company (PG&E) appreciates the opportunity to provide these comments to the California Energy Commission (CEC) on its Express Terms to Modify Title 20 of the California Code of Regulations (Draft Regulation), regarding the provision of utility information to the CEC. PG&E appreciates the significant discussions that have occurred on a multitude of data topics with CEC staff since September 2016, when the CEC held its first workshop on these proposed amendments to the CEC's data regulations. As a result of these discussions, the CEC has bifurcated the work on data issues into two phases, with the first phase primarily focused on collecting customer interval meter and billing data and natural gas system data from the investor-owned utilities (IOUs) and a few publicly-owned utilities (POUs). PG&E's comments accordingly focus on these topics.

As PG&E noted at the September 26 staff workshop and again in its October 17, 2016 written comments,<sup>1</sup> the Draft Regulation would, if adopted, significantly expand the types of data and quantity of data to be collected by the CEC from the IOUs, POUs, and other participants in California's energy markets, including personally identifiable information from individual consumers and energy users.

While PG&E agrees with the goals of Senate Bill 350 and Assembly Bill 802 which authorize the CEC to collect additional energy-related data in order to make its energy supply, demand and

---

<sup>1</sup> [http://docketpublic.energy.ca.gov/PublicDocuments/16-OIR-03/TN214081\\_20161017T160706\\_Valerie\\_Winn\\_Comments\\_Pacific\\_Gas\\_and\\_Electric\\_Title\\_20\\_Comments.pdf](http://docketpublic.energy.ca.gov/PublicDocuments/16-OIR-03/TN214081_20161017T160706_Valerie_Winn_Comments_Pacific_Gas_and_Electric_Title_20_Comments.pdf)

energy conservation forecasting and policy recommendations more accurate and consistent with actual data in energy markets, the level of detail requested in the Draft Regulation goes beyond what is needed to fulfill these requirements. The Legislature also directed the CEC to minimize the data it collects to protect personal privacy and confidentiality and to reduce duplicative, unnecessary, and burdensome reporting obligations on the entities and consumers from which it collects the data.<sup>2</sup> The CEC's development of the Draft Regulation continues to seek very granular, customer-specific information, without specific direction on how such granular data are truly needed to fulfill the legislative directives. To protect the privacy and confidentiality of consumers and utility customers, the Draft Regulation should exclude collection of customer-specific data except through voluntary participation and notification in surveys and other research techniques as required by Public Resources Code Section 25320(d) and the California Information Practices Act (California Civil Code Section 1798.17).

**I. Consumer-Specific Information Should Be Excluded from the Data Collected From Third-Parties Such as PG&E. Instead, Consumer-Specific Information Should Only Be Collected if Necessary to the CEC's Energy Forecasting and Policymaking Needs and Only Pursuant to Voluntary Participation by Consumers**

Section 1353 should be amended to delete the collection of consumer-specific energy usage and billing data, except where necessary and where the data is collected by voluntary consumer participation through surveys or other research techniques, as required by Public Resources Code Section 25320(d) and the California Information Practices Act. Consumer demand and billing data can be collected, but only in an anonymized or aggregated form that prevents the direct or indirect identification of the individual consumer without their consent.

Furthermore, given the legislature's directives to minimize the data collected to protect personal privacy, it is not clear why the CEC needs a greater level of data granularity to prepare its forecasts than the utility's own forecasters use. The request is burdensome and a case has not been set forth that merits the need for individual customer interval data. The CEC's claim on page 25 of the Initial Statement of Reasons that the data the utilities currently provide "often contains errors in classifying customers" lacks any support in the record. Accordingly, this section should be modified to allow for some level of aggregation, whether at the ZIP+4 level or an alternate level, to protect customer privacy. This level of aggregation is more than sufficient to identify trends and to provide accurate forecasts by user type and a more granular, but not household specific, level. Aggregation would be consistent with the direction provided by the California legislature in Assembly Bill (AB) 802, where customer confidentiality is protected by aggregating customer demand information and only disclosing the information if there are more than a legislatively-directed minimum.

---

<sup>2</sup> Public Resources Code Sections 25320.

## **II. Behind-the-Meter Load Impact Assessments Merit Additional Protection**

Section 1344(f) requires each utility distribution company (UDC) to provide “any” analysis, as well as supporting data, used by the UDC to characterize, assess, and forecast load impacts from photovoltaic generation, plug-in electric vehicle charging, and operation of energy storage. PG&E requests that the CEC clarify the language in the proposed rule by defining (and/or providing examples of) the type of “analyses” that CEC is requesting from UDCs as part of the forecasting data collection efforts. As currently drafted, the scope of the request is highly ambiguous (e.g., does CEC require submission of actual models, documentation of models, intermediate outputs, input/output files) and unduly burdensome. As definitions are refined, the CEC should concomitantly assess the feasibility of porting and independently running/validating multiple UDCs’ forecast models.

PG&E also specifically requests that, as a default, any model and set of forecasting assumptions provided under the proposed rule be treated as confidential by CEC. The models and input assumptions contain intellectual property and sensitive inputs around policy and market reform outcomes in currently active proceedings. Furthermore, some inputs to the models are expressly restricted by the source (e.g., technology cost and price forecasts from Bloomberg New Energy Finance). This request could be achieved through modifying the language in Chapter 7, Article 2, Section 2505(a)(5)(B)(9) to include reference to Section 1344(f).

Finally, with respect to data on the “operation of energy storage,” the most comprehensive source of analysis of customer operations is likely the CPUC’s draft 2017 Self Generation Incentive Program (SGIP) Storage EM&V (Itron) study. PG&E recommends that this study serve as the default source to fulfill this provision of the CEC’s request unless more comprehensive analysis has been performed by the UDC. Given that CPUC/Itron collected and extensively analyzed all of the energy storage operating data available data through the SGIP program, this report seems an appropriate basis for any near-term analysis of “operation of energy storage.” Furthermore, it is unlikely that the UDCs will have more insight into the operation of energy storage, as customers are not required to provide UDC’s with energy storage operating profile data (e.g., charge/discharge data).

Accordingly, PG&E requests that a provision similar to Section 1353(a)(2) be added to this section of the Draft Regulation, which exempts an entity from providing data or reports that it does not collect in the regular course of business.

## **III. Numerous Definitions Must be Modified**

PG&E has reviewed the definitions set forth on pages 2 through 7 of the Draft Regulation and recommends modifications to the several to reflect the correct legal structure or to avoid double counting issues.

PG&E recommends modifications to the “Load Serving Entity” definition because an LSE does not have to be a company (as the Draft Regulation currently defines it). Consistency in the definitions across regulators is important to avoid confusion among complying parties.<sup>3</sup> PG&E recommends that the word “company” be stricken and replaced with “entity” or “organization.. This allows for inclusion of Community Choice Aggregators (CCA), which are usually part of a local government, not a company.

PG&E suggests the following edits to the definition of the thermal output for cogeneration units. These edits will make the CEC reporting requirements consistent with the Air Resources Board’s (ARB) Mandatory Reporting Requirements (MRR) and preempt any inconsistencies in the reporting of the thermal output. PG&E had previously suggested these modifications to the CEC in the 2012 Integrated Energy Policy Report (IEPR) and it incorporates those suggestions by reference.<sup>4</sup>

(60) **“Useful Qualified thermal output”** means the thermal energy made available in a cogeneration system ~~for and used~~ onsite in any industrial or commercial process, heating or cooling application ~~that is not in support of or a part of the electricity generation or cogeneration system or delivered to other particular end users, i.e., total thermal energy made available used for processes and applications other than electrical generation.~~ These end-users include any entity, under the same or different operational control, that is not a part of the facility. Report each end-user’s facility name, NAICS code, and the types of thermal energy product provided. Exclude from this quantity the amount of thermal energy that is vented, radiated, wasted, or discharged before the energy is provided to the end-user.

#### **IV. Additional Refinements to CHP Reporting are Needed to Meet the CEC’s Goals**

At the September 26, 2016 Workshop, the CEC noted that the modifications to the CHP reporting sections were intended to allow the CEC to gain information on the on-site electric generation usage that is currently not visible to the CEC. This information is needed to ensure GHG emissions are appropriately captured.

These modifications are a step in the right direction, as PG&E notes above in the “Definitions” section. PG&E reiterates its October 17, 2016 recommendations that additional refinements to this section are needed to ensure that California agencies are using consistent methodologies to measure thermal output and to measure GHG emissions, as outlined in PG&E’s 2012 IEPR comments on this topic.<sup>56</sup> These refinements are presented below in redline/strikeout.

---

<sup>3</sup> PG&E made this recommendation in its October 17, 2016 comments.

<sup>4</sup> See [http://www.energy.ca.gov/2012\\_energypolicy/documents/2012-02-16\\_workshop/comments/Pacific\\_Gas\\_and\\_Electric\\_Company\\_Comments\\_2012-03-12\\_TN-64134.pdf](http://www.energy.ca.gov/2012_energypolicy/documents/2012-02-16_workshop/comments/Pacific_Gas_and_Electric_Company_Comments_2012-03-12_TN-64134.pdf). See also PG&E’s October 17, 2016 comments in this instant docket.

<sup>5</sup> [http://www.energy.ca.gov/2012\\_energypolicy/documents/2012-02-16\\_workshop/comments/Pacific\\_Gas\\_and\\_Electric\\_Company\\_Comments\\_2012-03-12\\_TN-64134.pdf](http://www.energy.ca.gov/2012_energypolicy/documents/2012-02-16_workshop/comments/Pacific_Gas_and_Electric_Company_Comments_2012-03-12_TN-64134.pdf)

**1. P.g. 19-22- Section 1304 Power Plant Reports**

G) if the power plant is a cogenerator, the Customer Classification code of the entity to which the power plant supplies ~~waste heat useful~~ qualified thermal energy;

Sub-sections –

(A) For power plants with nameplate capacity of one megawatt or more and less than ten megawatts, the following data shall be submitted annually:

(B) For power plants with nameplate capacity of ten megawatts or more and less than fifty megawatts, the following data shall be submitted quarterly:

(C) For power plants with nameplate capacity of fifty megawatts or more, the following data shall be submitted quarterly:

4. fuel use, by fuel type, for ~~useful~~ qualified thermal energy production and electricity generation of each cogenerator;

8. for cogenerators providing thermal energy to an entity on site, monthly ~~useful~~ qualified thermal energy production of each cogenerator, in million British thermal units; and

9. for cogenerators providing thermal energy to commercial end users or industrial end-users, sales of ~~useful-qualified~~ qualified thermal energy to those end users, classified by Customer Classification Code, in million British thermal units, excluding sales to the wholesale market or LSE and the amount of thermal energy that is vented, radiated, wasted, or discharged before the energy is provided to the end-user.

**V. Collaboration on Natural Gas Hydraulic Modeling Will Benefit the CEC**

PG&E appreciates the significant simplification to Section 1314 requiring a Natural Gas System Analysis. Through numerous discussions between CEC staff and stakeholders, a better understanding was reached about the CEC's goals and about what data were needed to advance the CEC's initiatives. Through a CEC-led stakeholder process, specific details of what will be provided to the CEC will be determined. PG&E supports this collaborative process.

**VI. Requirements For Utilities to Provide Information on Behind-the-Meter Storage Must Be Stricken**

Section 1304(b) has been modified in several areas to include provision of information on all power plants and energy storage systems, regardless of size. PG&E objects to this requirement as unduly burdensome and that it imposes a requirement on the UDC that it may be unable to

---

<sup>6</sup> See also the Air Resources Board's Mandatory Reporting Requirements at <https://www.arb.ca.gov/cc/reporting/ghg-rep/regulation/mrr-2013-clean.pdf>

fulfill. First, PG&E objects to the requirement that utility distribution companies be required to report on power plant or energy storage systems connected to part of the system not owned by the UDC. The UDC may not know that a customer has a “power plant” or “storage system” on site because separate panels or revenue quality meters are not necessarily required and the UDC cannot be responsible for providing information about something it does not know. Second, for reasons detailed above, the requirement would also require the UDC to provide personally identifiable information about the customer.

## **VII. Conclusion**

PG&E appreciates the opportunity to provide this information to the CEC. Please contact me if you have any questions or wish to discuss matters further.

Sincerely,

/s/

Valerie J. Winn