

DOCKETED

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STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

LADWP RPS Appeals
Committee Status Conference

Docket: 16-RPS-02

1516 9th Street, 3rd Floor

Sacramento CA 95814

Transcript of Proceedings

Thursday, October 20, 2016

1:33 p.m.

Brittany Flores, CSR 13460

APPEARANCES

COMMITTEE:

Chair Robert B. Weisenmiller, Presiding Member
Commissioner David Hochschild, Associate Member
Paul Kramer, Hearing Officer

Advisors:

Jana Romero
Emilio Camacho

Staff:

Gabriel Herrera, staff counsel
Mona Badie, staff counsel
Courtney Smith, Deputy Director of Renewable Energy

Also present:

Jean-Claude Bertet, LADWP Deputy City Attorney
Pjoy T. Chua, LADWP Regulatory Compliance Manager (by
telephone)
Adriana Ayuso, LADWP regulatory (by telephone)
Adriana Zerda, LADWP regulatory (by telephone)

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1. Call to order

4

2. Closed Session

9

3. Adjournment

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1 PROCEEDINGS:

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3 CHAIR WEISENMILLER: Basically, that today,
4 we're going to review the status, you know, I think we
5 have all met last time, gave both sides several
6 assignments, and it's time to review where we stand on
7 the assignments to move forward to the next step.

8 THE HEARING OFFICER: Okay. So this is Paul
9 Kramer, the hearing officer, take role. For those of
10 you on the phone, I'll let you know that here in the
11 room, we have Chair Weisenmiller, who just spoke,
12 Commissioner Hochschild, the associate member. I'm --
13 did I say, I'm Paul Kramer already? I'm the Hearing
14 Officer. Chair Weisenmiller's advisor, Jana Romero is
15 here, as is, Commissioner Hochschild's advisor, Emilio
16 Camacho, and then we'll get to phone folks in a minute,
17 but let's have the parties introduce themselves and
18 introduce themselves starting with staff.

19 MR. HERRERA: Gabe Herrera, staff counsel.

20 MS. BADIE: Mona Badie, staff counsel.

21 MS. SMITH: Courtney Smith, deputy director
22 of renewable energy division.

23 THE HEARING OFFICER: Okay. And then from
24 the applicant or appellant, LADWP.

25 MR. BERTET: Hi this is Jean-Claude Bertet,

1 Deputy City Attorney for LADWP

2 THE HEARING OFFICER: And let's see. In the
3 room, does anybody want to identify themselves? I'm
4 thinking no.

5 On the phone then, if those of you on the phone
6 want to identify yourself, we have unmuted you.

7 MS. CHUA: Pjoy Chua, Los Angeles Department
8 of Water and Power, Regulatory Compliance Manager.

9 MS. AYUSO: Adriana Ayuso, Los Angeles
10 Department of Water and Power, regulatory.

11 MS. ZERDA: Adriana Zerda, Los Angeles
12 Department of Water and Power, regulatory.

13 THE HEARING OFFICER: Okay. The first
14 Adriana, could you spell your name for us.

15 MS. AYUSO: Sure. A-D-R-I-A-N-A, and then
16 the last name is A-Y-U-S-O.

17 THE HEARING OFFICER: Okay. Thank you. And
18 we have the other Adriana's spelling from her login on
19 the WebEx.

20 MS. ZERDA: Yes.

21 THE HEARING OFFICER: Does anybody -- let's
22 see. That's everybody on the phone.

23 So the main purpose of today's meeting is to --
24 for the committee to deliberate in closed session. But
25 if the parties have anything they want to say to update

1 us on the status of the case from their perspective,
2 let's hear that now. I know that all your, your
3 homework that we have assigned is done. You have filed
4 both your stipulated statement of agreed upon facts and
5 then your individual statements of disputed facts. So I
6 guess it's up to us to assign more homework, and we'll
7 see what we can come up with. But anything you want to
8 let us know about the, the status of the case?

9 MR. HERRERA: Yeah. From CEC staff's
10 perspective, I think we're still hoping to reach out and
11 confer with LA on some issues that might make it easier
12 for the committee to address the biomethane
13 certification issue. We're still doing some due
14 diligence and reviewing some of the information LA
15 submitted. As part of that, there may be a need,
16 perhaps, to review some of the information that LA has
17 requested confidential designation for. But we will
18 certainly follow up with the committee and LA on that
19 particular issue. So still optimistic that we can make
20 things easier at least on the biomethane certification
21 issue.

22 CHAIR WEISENMILLER: Do you have a sense of
23 the timing?

24 MR. HERRERA: I don't. I was hoping that we
25 could share that with you today, but I can certainly

1 follow up.

2 CHAIR WEISENMILLER: That's fine.

3 THE HEARING OFFICER: Well, can you file
4 something as soon as you know?

5 MR. HERRERA: Absolutely.

6 THE HEARING OFFICER: Okay.

7 Anything from LADWP?

8 MR. BERTET: Procedurally, I think the only
9 outstanding issues are the evidentiary objections, which
10 we plan to file by the end of the month.

11 THE HEARING OFFICER: Okay. All right.
12 There are no pending motions, and so I guess all that's
13 left before we adjourn into a closed session is public
14 comment.

15 So I'll ask if anyone -- I see no evidence of any
16 members of the public in the room or on the phone, but
17 I'll just officially ask if anyone wants to make a
18 public comment about this matter, speak now, please.

19 Okay. Hearing and seeing none, the committee
20 will adjourn into a closed session pursuant to
21 Government Code Section 11126 subdivision (c)(3), which
22 allows a State body, including a delegated committee, to
23 hold a closed session to deliberate on a decision to be
24 reached in a proceeding the State body was required by
25 law to conduct.

1 CHAIR WEISENMILLER: Do you have a sense --
2 to give the parties -- can we give the parties an
3 indication of when, likely, we would be back.

4 THE HEARING OFFICER: Let's go off the
5 record for a second.

6
7 (Off the record.)

8
9 THE HEARING OFFICER: Okay. So back on the
10 record. We decided to set a specific time for us to
11 return from closed session for the convenience of
12 everybody so they don't have to wait around and not know
13 when we'll be back. And our intent is to return at
14 3:30. Even if we finish earlier, we'll wait and come
15 back at 3:30, and if there are any announcements to
16 make, in addition to making them orally, we'll summarize
17 them in the form of a memo that we'll docket so those of
18 you who, maybe, have to fly somewhere might be able to,
19 to, you know, avoid coming back with the comfort that
20 you'll learn what we said via a memo in the docket
21 shortly after today if we said anything.

22 CHAIR WEISENMILLER: But we certainly would
23 not discourage from parties talking --

24 THE HEARING OFFICER: Yeah, you're --

25 CHAIR WEISENMILLER: -- in our absence.

1 THE HEARING OFFICER: For instance, you're
2 free to use the room to do that here. Just make sure
3 and mute the speakerphone so it doesn't record you.

4 CHAIR WEISENMILLER: Okay.

5 THE HEARING OFFICER: With that, we're
6 adjourned to a closed session. We'll see you back at
7 3:30.

8

9 (Closed session.)

10

11 THE HEARING OFFICER: Okay. Back on the
12 record. This is Paul Kramer. We are reporting out of
13 the closed session as promised at about 3:37, and I'll
14 just read a report out.

15 We are continuing to evaluate the arguments and
16 documents you filed. We encourage staff and LADWP to
17 continue discussions to see if there are additional
18 points of agreement. We ask that you continue to hold
19 the previously identified dates, November 14, November
20 22, December 7, and December 15 on your calendars. We
21 understand that LADWP has conflicts on at least one of
22 those dates, and we will use that date if we need to
23 only for the primary purpose of holding a closed session
24 so as not to cause them any difficulty.

25 And that is the extent of our report. Any

1 questions?

2 MR. HERRERA: No. Just a statement that
3 Jean-Claude, from LADWP decided to leave to try to catch
4 a plane by 3:30, so we told him that we would come back.

5 THE HEARING OFFICER: Okay. I'm going to
6 put this in a memo and just put it in the file.

7 MR. HERRERA: Okay.

8 CHAIR WEISENMILLER: Yes, uh-huh.

9 THE HEARING OFFICER: So with that, we're
10 adjourned, so thank you.

11

12 (Whereupon the proceedings adjourned at 3:39 p.m.)

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1 I, Brittany Flores, a Certified Shorthand Reporter of
2 the State of California, duly authorized to administer
3 oaths, do hereby certify:

4 That the foregoing proceedings were taken before me
5 at the time and place herein set forth; that any
6 witnesses in the foregoing proceedings, prior to
7 testifying, were duly sworn; that a record of the
8 proceedings was made by me using machine shorthand which
9 was thereafter transcribed under my direction; that the
10 foregoing transcript is a true record of the testimony
11 given.

12 I further certify I am neither financially interested
13 in the action nor a relative or employee of any attorney
14 of party to this action.

15 IN WITNESS WHEREOF, I have this date subscribed my
16 name.

17
18
19 Dated: 10/28/16

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21 

22 Brittany Flores CSR 13460
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