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Bear Valley Electric Service Inc Comments on 21-OIR-01 RFI Power Source Disclosure

Additional submitted attachment is included below.

April 14, 2023

California Energy Commission
Docket Unit, MS-4
Re: Docket No. 21-OIR-01
715 P Street
Sacramento, CA 95814-5512

Re: Bear Valley Electric Service, Inc. Comments on 21-OIR-01: RFI Power Source Disclosure

Bear Valley Electric Service, Inc. (“BVES”) hereby provides comments on the March 21, 2023 Request for Information (“RFI”) regarding the California Energy Commission’s (“Commission” or “CEC”) proposed modifications to the Power Source Disclosure program to implement Senate Bill (“SB”) 1158. BVES’ comments focus on the questions posed for retail electricity suppliers and the infeasibility and significant costs associated with obtaining and providing hourly delivery data for specified procurement for each hour of the year, particularly in light of explicit statutory language granting the Commission authority to adjust hourly data reporting requirements for small load serving entities (“LSEs”) like BVES.

I. In Recognition of the Challenges and Burdens of Reporting Hourly Delivery Data, SB 1158 Authorizes the Commission to Modify Hourly Reporting Requirements for Small LSEs Like BVES.

When the Legislature was drafting SB 1158, the burdens of hourly reporting were recognized. Bill analyses of SB 1158 describe “the complexity and prescriptive requirements of this bill” and note “that the reporting framework is overly complex” to the point that the Commission should instead “examine the feasibility of the hourly reporting requirement.”¹ In light of the burden and complexity of hourly reporting, the Legislature provided an alternative reporting option for small LSEs. As described in the June 27, 2022 Assembly Committee on Natural Resources Analysis:

[SB 1158’s] requirements are complex, and may be unwieldy to implement for small LSEs. This bill recognizes the potential burden on small LSEs, not by exempting them, but by authorizing the CEC to modify or adjust the bill’s requirements for any electrical corporation with 60,000 or fewer customer accounts in the state or

¹ Comment section of the May 23, 2022 Senate Floor Analysis, available at https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220SB1158#.

any retail seller with an annual electrical demand of less than 1,000 gigawatt-hours, if the CEC finds that the costs to comply with the requirements of this section unduly burden the electrical corporation or retail seller.²

Accordingly, the final version of SB 1158 included explicit language authorizing the Commission to modify hourly reporting requirements for small LSEs. Specifically, Public Utilities Code § 398.6(l) provides that “[t]he Energy Commission may modify or adjust the requirements of this section for any electrical corporation with 60,000 or fewer customer accounts in the state or any retail supplier with an annual electrical demand of less than 1,000 gigawatt-hours, if the Energy Commission finds that the costs to comply with the requirements of this section unduly burden the electrical corporation or retail supplier.”

II. It Will be Costly and Incredibly Difficult for BVES to Obtain and Report Hourly Delivery Data.

The RFI seeks “to assess the feasibility of California electricity retail suppliers annually reporting their hourly sources of electricity and the associated greenhouse gas (GHG) emissions for the previous calendar year” and asks LSEs to “[d]iscuss the feasibility and financial impact of obtaining hourly delivery data for each specified procurement for each hour of the year, organizing that hourly data into an Excel template provided by the CEC, and reporting that data to the CEC annually.”³

It will be incredibly challenging for BVES to provide hourly delivery data for BVES’ specified procurement. As a small LSE, BVES strives to keep costs low for its limited number of customers. Accordingly, BVES has a relatively small staff of approximately 45 employees, many of whom hold multiple positions and address a myriad of issues. The detail and complexity of reporting specified sources of electricity on an hourly basis will require significant time to address and may require additional personnel and/or additional time from existing employees to comply with new hourly reporting requirements. It is unclear how, if at all, hourly reporting will benefit BVES’ planning or its customers. Therefore, the costs and burdens associated with hourly reporting should be minimized and avoided, to the extent possible.

III. To Minimize Burdens, the Commission Should Not Require Small LSEs like BVES to Report on an Hourly Basis.

As noted in the RFI, “[i]n developing the rules and procedures required by SB 1158, the CEC will seek to minimize the reporting burden and the cost of reporting that it imposes on retail suppliers.”⁴ To do so, the Commission should exercise its statutory authority provided under Public Utilities Code Section 398.6(l) and adopt modified reporting requirements for small LSEs

² Comment 5 of the June 27, 2022 Assembly Committee on Natural Resources Analysis, emphasis in original, available at https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220SB1158#.

³ RFI, pp. 1, 3.

⁴ RFI, p. 2.

like BVES that do not require hourly reporting. This will minimize reporting burdens and costs, which is particularly important for BVES given its limited number of customers and the disproportionate rate impacts they face compared to customers of larger LSEs.

BVES appreciates the opportunity to provide comments on SB 1158 implementation issues. For the reasons described above, the Commission should not require BVES to report deliveries on an hourly basis as explicitly authorized by Public Utilities Code Section 398.6(1).

Respectfully submitted,

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