

**REGULATORY UPDATE FOR OCTOBER 31, 2023
(WEEK OF OCTOBER 23, 2023)**

CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC OR COMMISSION)

New Proposed Decisions and Draft Resolutions¹

Resolution (Res) G-3601 (Southern California Gas Company 2023 Research, Development, and Demonstration). This resolution approves in part and modifies in part the Southern California Gas Company (SoCalGas) Advice Letter (AL) 5991-G proposing for SoCalGas to record Research, Development, and Demonstration (RD&D) expenses as detailed in its 2023 RD&D Program Research Plan to its RD&D one-way balancing account. The Commission approves the SoCalGas annual RD&D budget of \$16.874 million for 2023 and its 10 percent administration budget of \$1.6874 million. This resolution modifies \$7,301,717 of SoCalGas's 2023 Gas RD&D funding proposal for the following subprograms: Carbon Capture, Utilization, and Sequestration; Off-Road; Onboard Storage; On-Road; Refueling Stations; Distributed Generation; Industrial Process Heat; Residential Appliances; and the hydrogen blending activities in the System Design & Materials subprogram. This resolution directs SoCalGas to submit a revised proposal for reallocating the \$7,301,717 via a Tier 2 AL.

Res E-5300 (San Diego Gas and Electric Company Transportation Electrification Advisory Services Program). This resolution approves, with modification, San Diego Gas and Electric Company's (SDG&E) AL 4233-E and AL 4233-E-A filed on May 31, 2023, to request funding for a technical assistance advisory services program, Transportation Electrification Advisory Services (TEAS), to support medium- and heavy-duty (MDHD) vehicle customers. This resolution modifies the proposed program based on guidelines established for the FC1 technical assistance program in Decision (D.) 22-11-040. This resolution approves a total budget of \$16,780,000 for SDG&E to implement a three-year technical assistance program serving MDHD vehicle customers that will provide web services, fleet electrification planning, vehicle-to-grid and emerging technology consulting, implementation coordination support prior to energization, and post energization support.

Rulemaking (R.) 23-05-018 (Order Instituting Rulemaking to Update and Amend Commission General Order 131-D). This proposed decision adopts modifications to Commission General Order 131-D to conform it to the requirements of Senate Bill (SB) 529. This proposed decision updates outdated references, modifies Section III.A which addresses which proposed construction requires a certificate of public convenience and necessity (CPCN) to reflect compliance options including a permit to construct (PTC) or a Section III.B exemption,

¹ Per CPUC's Rules of Practice and Procedure Rule 14.3, comments on proposed decisions are due 20 days after issuance of the proposed decision, and reply comments are due five days thereafter. Comments on draft resolutions are due 20 days after the draft resolution appears in CPUC's daily calendar, per Rule 14.5.

and declines to adopt the Order Instituting Rulemaking (OIR) Attachment A's definition of "existing electrical transmission facility" that required the facility to be operational.

Application (A.) 21-09-019 (Southern California Edison Catastrophic Event Memorandum Account and Wildfire Expense Memorandum Account). This proposed decision authorizes Southern California Edison Company's (SCE) proposed cost recovery request totaling \$132.148 million in revenue requirements, including \$127.261 million associated with the drought, firestorms, earthquakes, and the COVID-19 global pandemic recorded in its Catastrophic Event Memorandum Account (CEMA) subaccounts and \$4.887 million associated with incremental costs for property insurance against wildfire in its Wildfire Expense Memorandum Account (WEMA). SCE is authorized to amortize the CEMA revenue requirement of \$127.261 million and WEMA revenue requirement of \$4.887 million over a 12-month period. The proposed decision declines to adopt a new rule in this application regarding affirmative declarations regarding the status of wildfire investigations to govern future applications as proposed by The Utility Reform Network.

R.23-01-007 (Diablo Canyon Extended Operations). This proposed decision directs and authorizes extended operations at Diablo Canyon Nuclear Power Plant (DCPP) until October 31, 2029 for Unit 1 and October 31, 2030 for Unit 2. The approval in this proposed decision is subject to the following conditions: (1) the United States Nuclear Regulatory Commission continues to authorize DCPP operations; (2) the \$1.4 billion loan agreement authorized by SB 846 is not terminated; and (3) the Commission does not make a future determination that DCPP extended operations are imprudent or unreasonable. Additional processes are established for the Commission to continue to consider the prudence and cost-effectiveness of extended DCPP operations. This decision also allocates the costs and benefits of extended DCPP operations among all load-serving entities subject to the Commission's jurisdiction; creates a new non-bypassable charge and associated processes to collect DCPP extended operations costs; establishes a new process, similar to the annual Energy Resource Recovery Account proceedings to review and authorize DCPP extended operations costs; and provides further direction on the use of surplus ratepayer funds.

R.23-03-007 (Wildfire Fund Non-Bypassable Charge OIR). This proposed decision adopts a \$0.00561/kWh rate amount for the 2024 Wildfire Fund Non-Bypassable Charge in order to collect \$889 million from January 1, 2024 through December 31, 2024: this amount, in addition to the projected \$13.4 million carry over from 2023, will result in the Wildfire Fund Non-Bypassable Charge \$902.4 million revenue requirement for 2024.

Res SPD-16 (SDG&E 2023-2025 Wildfire Mitigation Plan). This resolution ratifies the Energy Safety Decision, adopted on October 13, 2023, approving the 2023-2025 Wildfire Mitigation Plan (WMP) submitted by SDG&E on March 27, 2023. The Resolution does not approve costs attributable to WMPs, as Public Utilities Code Section 8386.4(b) requires electrical corporations to seek and prove the legitimacy of all expenditures at a future time in their general rate case or other application for cost recovery. Energy Safety's approval and the Commission's ratification do not relieve the electrical corporation from any otherwise applicable permitting, ratemaking, or other legal and regulatory obligations.

Res SPD-17 (SCE 2023-2025 WMP). This resolution ratifies the Energy Safety Decision, adopted on October 24, 2023, approving the 2023-2025 WMP submitted by SCE on March 27, 2023. The Resolution does not approve costs attributable to WMPs, as Public Utilities Code Section 8386.4(b) requires electrical corporations to seek and prove the legitimacy of all expenditures at a future time in their general rate case or other application for cost recovery. Energy Safety's approval and the Commission's ratification do not relieve the electrical corporation from any otherwise applicable permitting, ratemaking, or other legal and regulatory obligations.

Res SPD-19 (Root Cause Analysis PG&E 2017-2018 Wildfires). The Commission issued D.20-05-019 ordering a Root Cause Analysis (RCA) to be conducted to evaluate wildfires ignited by PG&E equipment in 2017 and 2018, and requiring PG&E to fund \$67 million to implement corrective actions stemming from the RCA findings. The Commission's Safety Policy Division (SPD) issued a Draft Staff Proposal setting forth four corrective actions flowing from the RCA. This resolution adopts the corrective actions as modified by the Staff Proposal, and requires PG&E to submit an advice letter to SPD to substantiate its claims of completed corrective actions.

A.21-12-009 (SCE Building Electrification Programs). This proposed decision denies the application by SCE for approval of its building electrification programs. The Commission finds that the application fails to meet the burden of proof to merit its adoption. SCE's proposed programs fail to sufficiently show clear customer benefits in the face of certain costs. The proposed decision finds that the programs are not sufficiently well-developed because, as proposed, they (1) fail to avoid duplication and incorporate lessons learned relative to already authorized ratepayer-funded building electrification programs; (2) fail to estimate and incorporate the impacts of federal and state funding; and (3) are based on unreliable estimates of GHG emissions reductions and marginal GHG abatement costs.

R.20-05-012 (Self Generation Incentive Program OIR). This proposed decision modifies the existing heat pump water heater (HPWH) program in D.22-04-036 (the 2022 decision) to expand program eligibility. Specifically, this decision revises the current definition of a qualifying demand response program, which refers to "a [California Independent System Operator (CAISO)] market-integrated supply-side program that counts for a load-serving entity's resource adequacy obligations." This proposed decision also revises the eligible software that can be used to model central HPWHs. The proposed decision eliminates the requirement for HPWH program implementors to refer to the existing Self-Generation Incentive Program (SGIP) Handbook for anything not specified in the 2022 decision. Instead, this decision will require the HPWH program implementor to refer to a newly adopted HPWH Handbook, as approved via the advice letter process specified in Ordering Paragraph 13b of the 2022 decision.

Voting Meetings

The next CPUC voting meeting will be held in Sacramento, California, on November 2, 2023, at 11:00 a.m. PT. The following are energy related items on the agenda:

Item 5. A.22-02-008 (Application of Liberty Utilities for Commission Approval of the Customer Resiliency Program). This decision grants the joint motion of Liberty Utilities, CalPeco Electric LLC, and the Public Advocates Office for adoption of a settlement agreement and resolves all issues in the scope of this proceeding. The settlement agreement resolves issues regarding the reasonableness of the three major components of Liberty Utility’s Customer Resiliency Program—the Kings Beach Resiliency Corridor Demonstration Project, the Behind the Meter Battery Energy Storage System, and the Mobile Diesel Generator Program. The Settling Parties are the only parties to this proceeding.

Item 6. Res E-5290 (SCE Site Prioritization Criteria, Updated Budget, and Number of Charging Ports and Sites SCE Will Target Through the Direct Current Fast Charging). This resolution approves, with modifications, the request from SCE to implement a plan for its Charge Ready 2 (CR2) program to establish site prioritization criteria, updated budget allocation, and charging port and site targets for the program’s direct current fast charging (DCFC) component.

Item 8. A.19-11-019 (Application of PG&E to Revise Its Electric Marginal Costs, Revenue Allocation and Rate Design). This decision addresses two issues that emerged in this proceeding subsequent to the original closure of this proceeding in D.22-09-002. First, this decision grants a petition for modification concerning commercial rate schedules B-19 and B-20 filed in February 2023. Second, this decision addresses modifications made by PG&E to residential rate schedule E-TOU-D that were contrary to the orders of D.21-11-016. This decision finds that the customers that were adversely affected by the modifications should be made whole, and that the expenses for doing so should be borne by the shareholders of PG&E.

Item 9. A.21-12-006 et al. (Application of SDG&E for Approval of Real Time Pricing Pilot Rate). This decision authorizes SDG&E to conduct a dynamic export rate pilot program for customers on the following commercial rates: Electric Vehicle High Power rate, Schedule AL-TOU, and Schedule TOU-A. Enrollment for the pilot will begin on January 1, 2025, and the pilot will conclude after two years. This decision also authorizes up to \$2,361,259 to implement the pilot program. This decision dismisses without prejudice the application of SDG&E for a real-time pricing import rate pilot and directs the utility to file a new application for a dynamic import rate within 90 days of the issuance of a decision in R.22-07-005 that provides guidance for dynamic rate applications.

Item 10. A.22-05-013 (SCE 2022 Risk Assessment Mitigation Phase). This decision closes SCE’s 2022 Risk Assessment Mitigation Phase (RAMP) proceeding. This RAMP proceeding informs SCE’s Test Year (TY) 2025 General Rate Case (GRC) proceeding which was filed on May 12, 2023 (A.23-05-010) and is currently ongoing as of the date of this decision.

Item 11. Res E-5295 (PG&E Authorization of Long-Term Power Purchase and Sale Agreements). This resolution approves six transactions between PG&E and the counterparties without modification. The Resolution finds that PG&E’s execution of the transactions is consistent with D.22-11-021, which directed PG&E and the other IOUs to offer 35 percent of remaining PCIA eligible long-term contracts as long-term contracts in a market offer solicitation. Sales from PG&E to the counterparties are reasonably priced and payments received by PG&E pursuant to the transactions shall be credited to PG&E’s ratepayers via PG&E’s Portfolio

Allocation Balancing Account (PABA). The Resolution further finds that this transaction is consistent with PG&E's 2022 Renewables Portfolio Standard (RPS) procurement plan approved by D.22-12-030.

Item 13. R.18-12-006 (SCE Petition for Modification of D.22-11-040). This decision grants the unopposed Petition for Modification filed by SCE in part and modifies D.22-11-040, the decision on Transportation Electrification Policy and Investment. SCE seeks to modify D.22-11-040's requirement that any contracts related to the program administrator (PA) must comply with state contracting requirements. SCE argues that requiring SCE, the selected PA, and any of the PA's subcontractors to comply with state contracting requirements is: (1) contrary to statute, (2) not necessary to protect the interests of ratepayers, and (3) inserts significant complexity into the contracting process.

Item 14. Res E-5291 (Market Offer Long-Term Solicitation Agreement with Clean Power SF to Sell Renewable Generation and the Associated Renewable Energy Credits). This resolution approves the Long-Term Market Offer Agreement between SCE and Clean Power SF without modification. The decision finds that SCE's execution of the Long-Term Market Offer Agreement is consistent with D.22-11-021 which directed SCE and the other IOUs to offer 35 percent of remaining PCIA eligible long-term contracts as long-term contracts in a market offer solicitation. Sales from SCE to Clean Power SF are reasonably priced and payments received by SCE pursuant to the Long-Term Market Offer Agreement will be credited to SCE's ratepayers via SCE's Portfolio Allocation Balancing Account. The decision further finds that this transaction is consistent with SCE's 2022 RPS procurement plan approved by D.22-12-030.

Item 54. R.20-08-020 (Net Energy Metering OIR). This decision addresses the remaining six issues of this proceeding. This decision adopts a virtual net billing tariff that mirrors the net billing tariff adopted in D.22-12-056 and balances the competing requirements of the Guiding Principles adopted in D.21-02-007 and Public Utilities Code Section 2827.1. The virtual net billing tariff provides retail export compensation rates based on Avoided Cost Calculator values but recognizes the unique circumstances of customers taking service on this tariff and provides higher adders for residential customers than those offered in the net billing tariff. This decision adopts an aggregation net billing subtariff that also mirrors the net billing tariff but maintains the credit and debit approach used in the existing net energy metering aggregation subtariff. This decision improves the Watch List process, previously adopted in D.21-06-026, and establishes a process for addressing customer bill format issues. As directed by D.22-12-056, this decision establishes the process for an evaluation of the net billing tariff, virtual net billing tariff, and aggregation net billing subtariff. This decision provides a transparent process with opportunity for party feedback. Following adoption of the California Air Resources Board Greenhouse Gas Emissions Reductions Standards, this decision reviewed comments on a Staff Proposal to Implement Net Energy Metering Fuel Cell Greenhouse Gas Emission Standards. This decision adopts a revised version of the Staff Proposal. This decision adopts a plan to implement Public Utilities Code Section 769.2, which requires certain contractors and projects to provide prevailing wages to construction workers and apprentices. This decision revises the interconnection application process and requires the creation of a disclosure form and an eligibility checklist. This decision also requires the IOUs to collaborate with the Department of Industrial Relations in sharing information.

Item 55. A.21-06-021 (PGE 2023 General Rate Case). This decision authorizes PG&E to collect from customers \$13.820 billion as its 2023 GRC Track 1 test year revenue requirement, with two adjustments. This decision also authorizes PG&E to collect from customers additional amounts for its Track 1 post-test year revenue requirements for 2024 of \$14.472 billion (+ 4.7 % or \$652 million over 2023), 2025 of \$14.729 billion (+ 1.8% or \$258 million over 2024), and 2026 of \$14.851 billion (+ 0.8% or \$122 million over 2025). The authorized test year 2023 revenue requirement represents a 13.1% increase over PG&E's 2022 authorized revenue requirement of approximately \$12.214 billion, as adopted by the Commission in PG&E's 2020 GRC, D.20-12-005. This decision also adopts a settlement in Track 2 of this proceeding that results in a total revenue requirement increase of \$221.233 million to be recovered over 2023 and 2024. This decision removes approximately \$2.575 billion from PG&E's four-year requested increase of \$5.212 billion. The decision finds that the installation of covered conductor presents clear advantages, at an estimated \$800,000 per mile while undergrounding one mile of distribution infrastructure costs approximately \$3.3 million per mile.

Item 56. I.19-06-014 (Sempra's Energy Safety Culture Improvement Plan). This decision adopts two out of the 15 initiatives in the Safety Culture Improvement Plan of SoCalGas with some modifications. This decision directs SoCalGas and Sempra Energy (Sempra) to revise the remainder of their plans to better align with the findings of the Independent Safety Culture Assessment (Assessment), a review of SoCalGas' and Sempra's organizational safety culture between 2020 and 2021.

Workshops and Other Events

Energy Division Office Hours on RA Slice of Day. Energy Division Staff will host several scheduled office hours to meet with stakeholders on questions related to the new slice of day process and LSE showing tool. The office hours will be held on WebEx, and login access is available [here](#). The next office hours are scheduled for November 16, 2023. The Energy Division encourages stakeholders to submit questions via email in advance. Additional details on the new slice of day implementation process are available on the Commission's Resource Adequacy webpage, available [here](#).

Joint Utilities Workshop on Voluntary Offer and Market Offer (VAMO) Effectiveness Reports. On November 6, 2023, from 10:00 a.m. to noon, the Joint Utilities will hold a workshop on the VAMO Effectiveness Reports. The attendance link is available [here](#).

Joint Utilities Hydrogen Blending Technical Stakeholder Workshop. On November 6, 2023, from 1:00 to 3:00 p.m., the Joint Utilities will hold a technical stakeholder workshop to solicit stakeholder and public feedback with regard to the data collection plans related to the proposed hydrogen blending pilots and to use that feedback to inform the design and implementation of the pilot project's necessary testing and monitoring systems. Attendance is remote only. Registration information is available [here](#).

CALIFORNIA INDEPENDENT SYSTEM OPERATOR (CAISO)

Stakeholder Initiatives: Upcoming Meetings and Deadlines

2024 Effective Flexible Capacity Values for Resource Adequacy Resources. CAISO has posted the final 2024 Resource Adequacy (RA) Effective Flexible Capacity list, available [here](#).

Extended Day-Ahead Market ISO BAA Participation Rules. CAISO has posted the Extended Day-Ahead Market ISO BAA Participation Rules Track A revised draft tariff language documentation. The revised draft tariff language is available [here](#).

Congestion Revenue Rights Auctions. CAISO has posted the publication and invoicing schedule to its website for January - December 2024 monthly and 2025 annual Congestion Revenue Rights auctions, available [here](#).

2025 Local Capacity Requirements. CAISO held a public stakeholder call on October 30, 2023, to discuss the criteria, methodology, and assumptions to be used in the 2025 Local Capacity Technical study. CAISO has posted a draft study manual that addresses these topics. Comments on the study manual are due November 13. Further information is available [here](#).

RA Modeling and Program Design. CAISO will host a meeting for the Resource Adequacy Modeling and Program Design working group on November 1, 2023, from 9:00 a.m. to 1:00 p.m. PT. Further details are available [here](#).

Rules of Conduct Enhancements. CAISO has scheduled a virtual call on November 2, 2023, to discuss the Rules of Conduct Enhancements track 1 draft tariff language. Further information is available [here](#).

2023 Interconnection Process Enhancements. CAISO will host two additional working group meetings for the 2023 Interconnection Process Enhancements Track 2 initiative on November 2, 2023 and November 15, 2023. Participants have the option to attend the meeting in person at CAISO or virtually. Further information can be found [here](#).

Resource Adequacy Modeling and Program Design Slice of Day Workshop. CAISO will host a workshop for the Resource Adequacy Modeling and Program Design initiative on November 8, 2023 to discuss interactions between CAISO's current RA processes and the CPUC slice of day framework. Registration information and further details are available [here](#).

Transmission Service and Market Scheduling Priorities Phase 2. CAISO has rescheduled the public stakeholder call to November 13, 2023, to discuss the Transmission Service and Market Scheduling Priorities Phase 2 track 2 revised draft tariff language. Further information is available [here](#).

Greenhouse Gas Coordination. CAISO will hold public stakeholder working group meetings on November 14, 2023, related to greenhouse gas coordination. Registration information and further details are available [here](#).

Western Energy Imbalance Market Regional Issues Forum. The Western Energy Imbalance Market Regional Issues Forum has announced its upcoming meeting on December 11, 2023. Further details are available [here](#).

CALIFORNIA ENERGY COMMISSION (CEC)

Integrated Energy Policy Report (IEPR)

On November 7, 2023, the CEC will host a remote access workshop regarding the Draft 2023 Integrated Energy Policy Report (Draft 2023 IEPR). According to the workshop [notice](#), the CEC expects to make the Draft 2023 IEPR publicly available prior to the workshop under separate notice.

The CEC released an update to its [2023 IEPR Workshop Schedule](#). Forthcoming remote-only workshops include:

- November 7 (previously scheduled for October 25): Draft 2023 IEPR Findings and Recommendations (1:00-4:00 p.m. PT)
- November 15: California Energy Demand Forecast, Load Modifier Scenario Results (10:00 a.m.-5:00 p.m. PT)
- December 6: California Energy Demand Forecast Results (1:00-5:00 p.m. PT)

The schedule is also accessible on the [2023 IEPR website](#).

Offshore Wind

At 1:00 p.m. on November 3, 2023, the CEC will host a hybrid in person and remote [workshop](#) that will explore the development of a funding program to advance the capabilities of California ports, harbors, and other waterfront facilities to support the buildout of offshore wind facilities. For additional information, please visit the [workshop notice](#) and the CEC's [Offshore Wind Waterfront Facility Program](#) page.

Senate Bill 100 (SB 100)

SB 100 requires the CEC, CPUC, and CARB to complete a joint agency report to the Legislature evaluating the 100% zero-carbon electricity policy. On October 31, 2023, the CEC will host a joint [workshop](#) to present and discuss the framework for the SB 100 Joint Agency Report. According to the workshop notice, the “framework will be used to analyze pathways to achieving the SB 100 targets of 100 percent clean electricity by 2045,” and “[t]he results of the modeling effort and pathway tradeoffs will be assessed in the 2025 SB 100 Joint Agency

Report.” Additional information, including remote and in person attendance information, is available [here](#).

Energy System Reliability

The CEC will host a [hybrid workshop](#) at 1:00 p.m. on November 17, 2023 on Senate Bill 423 Emerging Renewable and Firm Zero Carbon Resources. According to the workshop [notice](#), CEC staff will present the proposed analytical approach for developing the Emerging Renewable and Firm Zero Carbon Resources Report (Report). SB 423 requires the CEC, in consultation with the CPUC, California ISO, and CARB to submit to the Legislature by December 31, 2023 an assessment “of emerging renewable energy and firm zero-carbon resources that support a clean, reliable, and resilient electrical grid in California.”

RPS

On September 29, 2023, the CEC released the following via email list serve notification:

As specified by Chapter 7 of the *Renewable Portfolio Standard Eligibility Guidebook*, Ninth Edition (Revised), all load-serving entities (LSEs), including retail sellers and local publicly owned electric utilities (POUs), are required to report retirement of 2022 renewable energy credits for California’s Renewables Portfolio Standard (RPS) program to the California Energy Commission (CEC) by July 3, 2023. On June 30, 2023, due to technical challenges affecting e-Tags matching in Western Renewable Energy Generation Information System (WREGIS), the CEC Executive Director found good cause to extend the 2022 RPS annual reporting deadline for all LSEs to September 30, 2023, pursuant to Chapter 8.D.4 of the *Renewable Portfolio Standard Eligibility Guidebook*.

On September 20, 2023, the Executive Director of WREGIS notified CEC staff that the system issue persists and will not be resolved until after the September 30, 2023 annual reporting deadline. The system issue prevents certain generators from having RECs created for their RPS-eligible generation, which is necessary for LSEs to report to the CEC. **The CEC Executive Director therefore finds good cause to grant an additional extension to the 2022 RPS annual reporting deadline for all LSEs. The annual reporting deadline shall be extended to 30 calendar days after WREGIS has fully resolved the system issue and notified the CEC. A subsequent notification will be given to LSEs at that time, which will trigger the 30-day annual reporting deadline.**

This extension for LSEs applies to all REC retirements previously due by July 3, 2023 (subsequently extended to September 30, 2023), as described in the [2022 WREGIS Reporting Guidance document](#) and the additional annual reporting requirements for POUs described in the [2022 Annual Reporting Instructions for POUs](#). **LSEs that were ready to file their completed 2022 RPS annual filing by the September 30, 2023 deadline were encouraged to do so. LSEs that**

have already filed their completed 2022 RPS annual filing by the September 30, 2023 deadline do not need to take further action.

(Emphasis in original.) Information regarding the foregoing is also available [here](#).

Electric Program Investment Charge (EPIC) Program

The CEC hosted a two-day event joined by the IOUs (PG&E, SCE, and SDG&E) and clean energy leaders and entrepreneurs to discuss EPIC program goals and policy innovations. The symposium was held on October 3–4, 2023. The symposium agenda and additional information are available [here](#).

Electric Vehicle (EV) Infrastructure

Public Meeting on the Clean Transportation Program Investment Plan

The CEC announced that it will host a meeting of the Advisory Committee for the Clean Transportation Program Investment Plan. The meeting will discuss proposed funding allocations included in the revised staff draft report version of the 2023–2024 Investment Plan Update for the Clean Transportation Program. The meeting will be held both remotely and in person on November 14 from 9 a.m. to 1 p.m. Additional information is available [here](#).

Stakeholder Comments on CEC Staff Proposal to Regulate EV Charging Infrastructure & Improve Reliability

On October 24, stakeholders submitted comments on the CEC’s proposed regulations for EV charging infrastructure. (The draft Staff Report outlining the proposed regulations is available [here](#).) As explained in the Staff Report, the CEC is required to assess biennially the number of EV chargers necessary to support the state’s EV adoption goals, and to develop uptime recordkeeping and reporting standards to track the reliability of EV infrastructure pursuant to AB 2127 and AB 2061.

The CEC’s proposed regulations would require EV charging network providers, charging station operators, and site hosts to report information to the CEC to aid in tracking (1) inventory, (2) station utilization, and (3) reliability of EV chargers throughout the state. The regulatory language proposed by CEC staff is attached as Appendix A to the Staff Report, and the proposed regulations are summarized in Chapter 5. The proposed regulations would apply to all EV chargers except those used solely for private use at a single-family house or located at a multifamily dwelling with four or fewer dwelling units, and would apply to chargers serving fleet vehicles and light-duty, medium-duty and heavy-duty EVs.

Workshop Held on EV Supply Equipment (EVSE) Siting Tools

On October 26, CEC held a workshop to debut its EVSE Deployment and Grid Evaluation (EDGE) tool that will help users identify candidate locations for deploying new EV

charging infrastructure and to help prioritize behind-the-meter equipment investments. Details are available [here](#).

Notice of Upcoming Workshop on the Fuel Cell Electric Vehicle (FCEV) Experience

The CEC will host a remote-only joint workshop on November 6 from 9:30 a.m. to 3 p.m. with CARB and the Governor's Office of Business and Economic Development (GOBiz) to discuss the customer experience at light-duty FCEV refueling stations and the barriers to commercialization and deployment of fuel cell electric vehicles. The workshop will also provide an opportunity for residents who live near open and planned hydrogen refueling stations to give feedback on California's network of hydrogen refueling stations. Additional information and login details are available [here](#).

Power Source Disclosure

Stakeholder comments were filed by more than 20 parties on October 24 regarding the CEC's proposed changes to the Power Source Disclosure program regulations. Additional information regarding the Staff Proposal with proposed program updates is available in the rulemaking docket, [Docket No. 21-OIR-01](#).

CEC Business Meetings

The next business meeting will be held on November 8, 2023. The meeting agenda and backup materials are available [here](#).

CALIFORNIA AIR RESOURCES BOARD (CARB)

Meetings and Workshops

On November 2, 2023, CARB, the California Transportation Commission, and the California Department of Housing and Community Development will conduct a [joint public meeting](#). The agenda was made available 10 days prior to the meeting.

On November 7, 2023, CARB will hold a virtual [community meeting](#) on the [California Cap-and-Trade Program](#) and CARB's potential amendments to the Regulation. Registration for the meeting and more information are available [here](#).

On November 9, 2023, CARB will host a public meeting of the [AB 32 Environmental Justice Advisory Committee](#). The meeting will include discussion on the Cap-and-Trade Program, natural and working lands, building decarbonization, and the California Low Carbon Fuel Standard. A link for the meeting and the full agenda are available [here](#).

On November 13, 2023, CARB will hold a workshop on proposed amendments to the [Advanced Clean Trucks Regulation](#). Registration and more information about the workshop are available [here](#).

On November 15, 2023, CARB will hold a [public workshop](#) on potential amendments to the [Advanced Clean Cars II](#) regulations, including updates to the tailpipe greenhouse gas standards and limited revisions to the Low-Emission Vehicle and Zero-Emission Vehicle regulations. Registration and more information about the workshop are available [here](#).

On November 15, 2023, CARB will hold a [public kickoff workshop](#) to explore initial ideas and concepts to transition non-truck [transport refrigeration units](#) (TRUs) to zero-emission technology, including trailer TRUs, domestic container TRUs, railcar TRUs, and TRU generator sets. Registration and more information about the workshop are available [here](#).

On November 16, 2023, CARB will hold a [joint California-Quebec public workshop](#) on potential amendments to the [California Cap-and-Trade Regulation](#). Registration and more information about the workshop are available [here](#).

CARB's next [Board meeting](#) will be held November 21-22, 2023. The meeting agenda will be available [here](#) 10 days prior to the meeting.

Opportunities for Public Comment

CARB is accepting comments on the proposed 2022-2023 [Funding Plan for Clean Transportation Incentives](#). Comments may be submitted to CARB [here](#) on or before November 6, 2023.

COLORADO PUBLIC UTILITIES COMMISSION (COLORADO PUC)

The Colorado PUC will host its next Commissioners' weekly meeting (CWM) on November 1, 2023 at 9:00 a.m. MT. The agenda includes several energy- and transportation-related items for discussion and approval on the consent agenda, which is available [here](#). The meeting, which will be held remotely, is available for online viewing [here](#).

MINNESOTA PUBLIC UTILITIES COMMISSION (MPUC)

On October 26, 2023, the MPUC met to address a handful of items, including Xcel Energy's Credit payment plan proposal, a settlement proposal in the Minnesota Energy Resources Corporation (MERC) general rate case, and utility filings related to self-commitment and self-scheduling of baseload generation facilities. The full agenda can be found [here](#). During the hearing, the MPUC approved the settlement in the MERC general rate case, clarifying that parties could seek intervenor compensation. In the self-scheduling of baseload facilities docket, the MPUC approved the utilities' filings, clarified that Xcel's dispatch plan remains approved under the MPUC's July 2015 order, and that Xcel is required to operate its Allen S. King plant consistent with that July 2015 order.

On November 1, evidentiary hearings start in the docket pertaining to Xcel Energy's purchased power replacement costs for the period November 2011 to October 2013 due to the catastrophic failure of the Sherburne County Unit 3 generating unit.

On November 2, 2023, the MPUC will meet to address items relating to fuel and purchased energy adjustment forecasts, performance-based ratemaking for Xcel Energy under its multi-year rate plan, and the process relating to Xcel Energy's development transfer resource acquisition. The full agenda can be found [here](#).

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

On October 19, 2023, in [185 FERC ¶ 61,031](#), FERC issued an order granting the waiver request of Twelvemile Solar Energy, LLC (Twelvemile Solar) of Articles 2.3.2 and 11.2 of the Generator Interconnection Agreement (GIA) among Twelvemile Solar as interconnection customer, Southwest Power Pool, Inc. (SPP) as transmission provider, and Oklahoma Gas and Electric Company (OG&E) as transmission owner. Specifically, FERC granted waiver to allow for a 28-month extension of the commercial operation deadline for Twelvemile Solar's planned 100 MW solar facility, from December 1, 2023 to March 31, 2026. FERC found that Twelvemile Solar's waiver request satisfied the following criteria: 1) the applicant acted in good faith; (2) the waiver is of limited scope; (3) the waiver addresses a concrete problem; and (4) the waiver does not have undesirable consequences, such as harming third parties. The limited waiver only applies to the December 1, 2023 deadline and does not relieve Twelvemile Solar of any financial requirements associated with the Twelvemile Solar GIA. Further, FERC reiterated that if the Twelvemile Solar facility does not achieve commercial operation by March 31, 2026, the GIA will be subject to termination by SPP at that time.

On October 10, 2023, in [185 FERC ¶ 61,011](#), FERC issued an order addressing Midcontinent Independent System Operator, Inc.'s (MISO) proposed revisions to its Open Access Transmission, Energy and Operating Reserve Markets Tariff in compliance with the requirements of Order No. 2222 to address the participation of distributed energy resource aggregations. FERC found that MISO's proposal partially complies with Order No. 2222, and therefore, accepted MISO's compliance filing, subject to a further compliance filing.

On October 6, 2023, in [185 FERC ¶ 61,013](#), FERC accepted subject to compliance proposed revisions filed by PJM Interconnection, L.L.C. (PJM) to Schedule 6A of its Open Access Transmission Tariff (Tariff) related to Black Start Units. FERC accepted with conditions PJM's proposal to establish a new category of black start resources, Fuel Assured Black Start Units, and to allow, among other resources, intermittent and hybrid resources, *i.e.*, wind, solar, hydro, energy storage, or distributed energy/demand resources with onsite generator resources, which meet certain qualifications to participate. FERC accepted and ordered that PJM revise its Tariff on compliance to clarify that Demand Energy Resources (DERs) are eligible to qualify. FERC also accepted with conditions PJM's proposed qualification metrics for intermittent and hybrid resources. PJM will only rely on an intermittent or hybrid Fuel Assured Black Start Unit to provide the MW level of capacity that, based on the unit's historic operations, the unit is 90% certain to be able to sustain for 16 hours. FERC accepted this proposal, but ordered that PJM clarify on compliance that the 16 hours of operation per day (which need not be continuous) at a MW level that provides a confidence level of 90% based on an evaluation of the unit's historical operation over a representative period of time. Relatedly, FERC ordered PJM to clarify that the same qualification standard apply to DERs. FERC also accepted PJM's proposals related to

compensation for Fuel Assured Black Start Units, as well as the performance standards and outage restrictions and testing and performance criteria for Fuel Assured Black Start Units.

On September 29, 2023, in [184 FERC ¶ 61,188](#), FERC accepted in part and rejected in part Arizona Public Service Company's proposed revisions to its Large Generator Interconnection Procedures, Large Generator Interconnection Agreement, Small Generator Interconnection Procedures, and Small Generator Interconnection Agreement. These revisions result in a transition to a first-ready, first-served cluster study process. The revisions also result in changes to the commercial readiness demonstration requirements, the interconnection customer's responsibilities during suspension, and the transitional studies, among others.