

[Date]

President Michael Picker
Commissioner Carla J. Peterman
Commissioner Liane M. Randolph
Commissioner Clifford Rechtschaffen
Commissioner Martha Guzman-Aceves

RE: ENERGY DIVISION RESOLUTION E-4907 – February 8, 2018 (CPUC Draft Resolution E-4907: “Registration Process for Community Choice Aggregators”)

President Picker and Commissioners:

[I am/We are] writing in opposition to Energy Division Draft Resolution E-4907. The Draft Resolution, issued by the Commission’s Energy Division on December 8th, does not purport to solve any urgent problem, so it is not necessary for the Commission to rush to judgment without time for an adequate review and analysis in an appropriate proceeding.

Changes of the magnitude contemplated in the proposal in the Draft Resolution are more appropriately addressed in an existing open proceeding at the Commission, such as RA (R.14-10-010) or IRP (R.16-02-007), where the benefits and consequences of any proposal can be adequately addressed, and allow for all interested parties to weigh in, not just those who are extremely familiar with CPUC processes.

[I/We] believe that the Draft Resolution may adversely affect ongoing efforts in the Commission’s existing proceeding dockets that address similar issues of procurement and resource adequacy. Additionally, the Draft Resolution is not the result of any advice letter process and was issued without adequate notice to affected parties.

[I/We] have significant concerns regarding the substance of the Draft Resolution. In short, the resolution is a significant departure from Commission’s existing statutory oversight of Community Choice Agencies (CCAs). The proposal circumvents standard public input processes at the CPUC and will delay new communities from joining or forming CCAs, increase exit fees on customers, and could drive local government programs into debt.

Given the sudden nature of this Draft Resolution and its potentially large effect on CCA governance and formation, **we request that the Commission hold or remove the Draft Resolution and direct Energy Division to incorporate its concerns into the existing Commission proceeding on Resource Adequacy or Integrated Resource Planning for resolution.**

If this does come to a vote on February 8, Commissioners should vote no on the Draft Resolution. If the Commission wants to address the issues encompassed in this resolution, it is more appropriate to do so through the existing docket process where all parties can robustly engage, examine the evidence, and make their legal arguments.

Sincerely,
