



ADVICE LETTER SUMMARY

ENERGY UTILITY



MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.:

Utility type:

ELC GAS WATER
 PLC HEAT

Contact Person:

Phone #:
E-mail:
E-mail Disposition Notice to:

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas WATER = Water
PLC = Pipeline HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #:

Tier Designation:

Subject of AL:

Keywords (choose from CPUC listing):

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL:

Summarize differences between the AL and the prior withdrawn or rejected AL:

Confidential treatment requested? Yes No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required? Yes No

Requested effective date:

No. of tariff sheets:

Estimated system annual revenue effect (%):

Estimated system average rate effect (%):

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected:

Service affected and changes proposed¹:

Pending advice letters that revise the same tariff sheets:

¹Discuss in AL if more space is needed.

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102
Email: EDTariffUnit@cpuc.ca.gov

Name:
Title:
Utility Name:
Address:
City:
State: Zip:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

Name:
Title:
Utility Name:
Address:
City:
State: Zip:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

ENERGY Advice Letter Keywords

Affiliate	Direct Access	Preliminary Statement
Agreements	Disconnect Service	Procurement
Agriculture	ECAC / Energy Cost Adjustment	Qualifying Facility
Avoided Cost	EOR / Enhanced Oil Recovery	Rebates
Balancing Account	Energy Charge	Refunds
Baseline	Energy Efficiency	Reliability
Bilingual	Establish Service	Re-MAT/Bio-MAT
Billings	Expand Service Area	Revenue Allocation
Bioenergy	Forms	Rule 21
Brokerage Fees	Franchise Fee / User Tax	Rules
CARE	G.O. 131-D	Section 851
CPUC Reimbursement Fee	GRC / General Rate Case	Self Generation
Capacity	Hazardous Waste	Service Area Map
Cogeneration	Increase Rates	Service Outage
Compliance	Interruptible Service	Solar
Conditions of Service	Interutility Transportation	Standby Service
Connection	LIEE / Low-Income Energy Efficiency	Storage
Conservation	LIRA / Low-Income Ratepayer Assistance	Street Lights
Consolidate Tariffs	Late Payment Charge	Surcharges
Contracts	Line Extensions	Tariffs
Core	Memorandum Account	Taxes
Credit	Metered Energy Efficiency	Text Changes
Curtable Service	Metering	Transformer
Customer Charge	Mobile Home Parks	Transition Cost
Customer Owned Generation	Name Change	Transmission Lines
Decrease Rates	Non-Core	Transportation Electrification
Demand Charge	Non-firm Service Contracts	Transportation Rates
Demand Side Fund	Nuclear	Undergrounding
Demand Side Management	Oil Pipelines	Voltage Discount
Demand Side Response	PBR / Performance Based Ratemaking	Wind Power
Deposits	Portfolio	Withdrawal of Service
Depreciation	Power Lines	

January 27, 2021

California Public Utilities Commission
Energy Division, Attention: Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102-3298

SDCP Advice Letter 2-E-A

**RE: [PUBLIC] SUPPLEMENTAL FILING OF COMMUNITY CHOICE
AGGREGATOR (“CCA”) FINANCIAL SECURITY REQUIREMENT
INSTRUMENT IN COMPLIANCE WITH RESOLUTION E-5059**

PURPOSE

San Diego Community Power (“SDCP”) hereby submits this supplemental advice letter related to its Community Choice Aggregator (“CCA”) Financial Security Requirement (“FSR”) Instrument pursuant to additional guidance provided by the California Public Utilities Commission (“Commission”) Energy Division. A fully executed version of SDCP’s FSR Instrument is included as Confidential Appendix B. SDCP is a new CCA program that is forming in San Diego Gas & Electric (“SDG&E”) territory and will begin serving customers in March 2021.

BACKGROUND

In Decision (“D.”) 18-05-022, the Commission found that Public Utilities Code Section 394.2(e) requires the implementation of both a reentry fee and corresponding financial security requirement (“FSR”) to address the costs of a potential mass involuntary return of CCA customers to utility service.¹ That decision also ordered CCAs to submit a compliance advice letter to Energy Division providing notice of compliance with the newly adopted FSR and requesting the return of any interim financial security posted with the Commission.²

The Commission issued Resolution E-5059 on October 9, 2020, approving IOU changes to the FSR pursuant to D. 18-05-022 and directing CCAs to post new FSR instruments within 60 days of the Resolution.³ To allow CCAs to meet the Resolution’s December 8 deadline, Energy Division permitted pro forma submissions.

¹ D. 18-05-022 at 14; Conclusions of Law 1.

² D. 18-05-022 at OP 10.

³ Resolution E-5059 at Order 11.

In accordance with D. 18-05-022 and Resolution E-5059, SDCP filed Advice Letter 2-E on December 8, 2020, posting a copy of its FSR instrument in the form of a pro forma letter of credit and requesting the return of its \$100,000 interim FSR bond posting.⁴

Energy Division distributed an email to CCAs on January 8, 2021 advising the CCAs that the interim FSR amount of \$100,00 would be returned once the CCAs have submitted executed FSR instruments as a supplement to their respective FSR advice letters. Pursuant to the instructions set forth in that email, SDCP hereby submits this supplemental advice letter containing a confidential version of SDCP's executed FSR Instrument.

REQUEST FOR RETURN OF INTERIM SECURITY

SDCP previously posted an interim FSR of \$100,000 with the Commission in compliance with Resolution E-4133.⁵ Per Resolution E-5059 and D. 18-05-0922, the interim FSR bond posting posted with the Commission should be returned to the CCA when the CCA complies with the financial security requirements as described in Resolution E-5059.⁶ Through this supplemental advice letter, SDCP is renewing its previous request for the return of the interim FSR amount of \$100,000.

FINANCIAL SECURITY REQUIREMENT INSTRUMENT

Under Resolution E-5059, letters of credit, surety bond, and cash held by a third party are all acceptable forms for satisfying the FSR.⁷ Confidential Appendix B to this supplemental advice letter contains SDCP's fully executed FSR Instrument in the form of a signed letter of credit.

EFFECTIVE DATE

SDCP requests that supplement to Advice Letter 2-E become effective concurrent with the submission of the original advice letter on December 8, 2020.

APPENDICES

Appendix A:	Declaration Supporting Confidential Treatment
Appendix B:	Confidential FSR Instrument – Executed Letter of Credit

PROTESTS

Anyone wishing to protest this advice filing may do so by letter via U.S. Mail, facsimile,

⁴ SDCP Advice Letter 2-E, *Submittal of CCA FSR Instrument in Compliance with Resolution E-5059*, December 8, 2020.

⁵ Resolution E-4133 was issued December 20, 2007 and provided an interim methodology for calculating the FSR amount.

⁶ Resolution E-5059 at 5.

⁷ D. 18-05-022 at Ordering Paragraph 7.

or electronically, any of which must be received no later than 20 days after the date of this advice filing. Protests should be mailed to:

CPUC, Energy
Division Attention:
Tariff Unit 505 Van
Ness Avenue
San Francisco, California 94102
E-mail: EDTariffUnit@cpuc.ca.gov

Copies should also be mailed to the attention of the Director, Energy Division, Room 4004 (same address above). In addition, protests and all other correspondence regarding this Advice Letter should also be sent by letter or electronically to the attention of the following individuals:

Bill Carnahan, CEO
San Diego Community Power
1200 Third Street, 18th Floor
San Diego, CA 92101-4195
bcarnahan@sdcommunitypower.org

and;

Ty Tosdal
Tosdal APC
777 S. Highway 101, Suite 215
Solana Beach, CA 92075
ty@tosdalapc.com

There are no restrictions on who may file a protest, but the protest shall set forth specifically the grounds upon which it is based and shall be submitted expeditiously.

Respectfully,

/s/ Bill Carnahan

Bill Carnahan, CEO
San Diego Community Power
1200 Third Street, 18th Floor
San Diego, CA 92101-4195
bcarnahan@sdcommunitypower.org

APPENDIX A

Declaration Supporting Confidential Treatment

**DECLARATION OF BILL CARNAHAN
SUPPORTING CONFIDENTIALITY CLAIM FOR SDCP ADVICE LETTER 2-E-A**

In accordance with General Order 66-D relating to the submission of confidential information to the California Public Utilities Commission (“Commission”), San Diego Community Power (“SDCP”) submits the following declaration in support of its claim of confidentiality for the below-specified information provided in SDCP’s Financial Security Requirement (“FSR”) Instrument.

The undersigned declares, under penalty of perjury pursuant to the laws of the State of California, as follows:

1. I am the Chief Executive Officer of SDCP. In this capacity, I have knowledge of the information provided in this declaration and am authorized to make this declaration on SDCP’s behalf.
2. In this supplemental advice letter, SDCP is securely and confidentially uploading the following documents to the Commission’s Energy Division through the Commission’s File Transfer Protocol (“FTP”) system:
 - a. Supplemental Advice Letter 2-E-A
 - b. Declaration Supporting Confidential Treatment
 - c. Confidential Financial Security Requirement Instrument in the form of an Executed Letter of Credit.
3. SDCP is publicly submitting the following documents to the Energy Division and to the service list for R. 03-10-003 via email:
 - a. Supplemental Advice Letter 2-E-A
 - b. Declaration Supporting Confidential Treatment
4. Through this declaration, SDCP requests that the Executed Letter of Credit be treated as confidential and kept under seal.
5. This request for confidentiality is being made pursuant to Commission General Order 66-D and California Government Code Section 6255(a).
6. To the best of my knowledge, the information being submitted subject to this request for confidentiality is not already public.

7. The below “Table of Confidential Information” identifies the specific information that is subject to this confidentiality request, provides specific citations to the authority upon which each request is based, and provides a justification for confidential treatment.

TABLE OF CONFIDENTIAL INFORMATION		
Reference	Authority for Confidentiality Request	Justification for Confidential Treatment
Confidential Financial Security Requirements Instrument – Executed Letter of Credit	California Government Code, Section 6255(a)	<p>The information SDCP is withholding is confidential, proprietary, and financial information including personnel and banking information. Disclosure of this information would publicly expose potentially sensitive banking information, creating financial risk to the parties involved in these transactions.</p> <p>It is in the public interest to ensure that parties are not exposed to financial risk or harm due to the disclosure of financial information. In contrast, the public has no interest in accessing this confidential personnel and banking information. The public is served because the public’s ability to access and review relevant information is unhindered.</p>

8. The following person is designated as the person for the Commission to contact regarding potential release of this information by the Commission:

Ty Tosdal
 Tosdal APC
 777 S. Highway 101, Suite 215
 Solana Beach, CA 92075
ty@tosdalapc.com

Executed on January 25, 2021 at San Diego, California.

/s/ Bill Carnahan

Bill Carnahan, CEO
San Diego Community Power
1200 Third Street, 18th Floor
San Diego, CA 92101-4195
bcarnahan@sdcommunitypower.org

[CONFIDENTIAL] APPENDIX B

Confidential Financial Security Requirement Instrument

Executed Letter of Credit