



# ADVICE LETTER SUMMARY

## ENERGY UTILITY



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

Company name/CPUC Utility No.: San Diego Community Power

Utility type:

☒ ELC ☐ GAS ☐ WATER  
☐ PLC ☐ HEAT

Contact Person: Erin Pennell

Phone #: 619-732-4677

E-mail: epennell@sdcommunitypower.org

E-mail Disposition Notice to: compliance@sdcommunitypower.org

### EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

February 14, 2025

Advice Letter (AL) #: 30-E

Tier Designation: 2

Subject of AL: Emission Performance Standard  
("EPS") Compliance Filing 2024

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 #:  
Decision ("D.") 07-01-039

Does AL replace a withdrawn or rejected AL?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Summarize differences between the AL and the prior withdrawn or rejected AL: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 proposed<sup>1</sup>:

Pending advice letters that revise the same tariff sheets:

<sup>1</sup>Discuss 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](mailto:EDTariffUnit@cpuc.ca.gov)

Name: Erin Pennell  
Title: Compliance Analyst  
Utility Name: San Diego Community Power  
Address: PO Box 12716  
City: San Diego  
State: California Zip: 92112  
Telephone (xxx) xxx-xxxx: (619) 732-4677  
Facsimile (xxx) xxx-xxxx:  
Email: [epennell@sdcommunitypower.org](mailto:epennell@sdcommunitypower.org)

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
Curtailable 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	



PO BOX 12716  
San Diego, CA 92112  
sdcommunitypower.org

February 14, 2025

**Advice Letter 30-E**  
(San Diego Community Power)

CA Public Utilities Commission  
Energy Division  
Attention: Tariff Unit  
Served by Email

Re: GHG Environmental Performance Standard (EPS) Compliance Filing **2024**

Pursuant to Ordering Paragraph No. 4 of Decision (“D.”) 07-01-039, issued in R. 06-04-009 on January 25, 2007, San Diego Community Power (“SDCP”) submits this annual Attestation Letter affirming that the financial commitments SDCP has entered into for generation during the prior calendar year are in compliance with the greenhouse gas (“GHG”) emissions performance standard (“EPS”). Specifically, SDCP is in compliance with the EPS. Documentation supporting that compliance is provided below.

**Effective Date:** March 14, 2025

**Tier Designation:** Tier 2 Designation

**Purpose**

This Attestation Letter provides information and documentation required by D.07-01-039 for LSEs (electrical corporation, electric service provider, or community choice aggregator) with new long-term financial commitments (defined on Page 3 in Attachment 7 of D.07-01-039). This Attestation Letter demonstrates that for **2024** all financial commitments entered into by SDCP are compliant with the EPS.

**Background**

D.07-01-039 requires all Load Serving Entities (“LSEs”) to file annual Attestation Letters, due February 15<sup>th</sup> of each year, attesting to the Commission that the financial commitments entered into for generation during the prior calendar year are in compliance with the EPS. D.07-01-039 requires LSEs to file Attestation Letters as an advice letter and serve the Attestation Letter on the service list in Rulemaking (“R.”) 06-04-009. This Attestation Letter is filed pursuant to that process.

D.07-01-039 requires LSEs to list long-term financial commitments of five years or longer that they have entered into during the prior year. Note that long-term financial commitments can be compliant if any of the following apply:

- 1) not in a baseload powerplant;
- 2) generation using pre-approved renewable resource technology;
- 3) existing combined-cycle combustion turbine (in operation/or permitted to operate as of 6/30/07) with an increase in rated capacity less than 50 megawatts (MW);
- 4) net emission rate of each baseload facility underlying a covered procurement does not exceed 1,100 lbs of CO<sub>2</sub> per megawatt hour (MWh);
- 5) Exemption related to: reliability exemption, extraordinary circumstances or financial harm, and CO<sub>2</sub> sequestration through injection in geological formations.

D.07-01-039 requires all LSEs to disclose the investment amount and type of alteration to retained generation, by generation facility and unit. D.07-01-039 also advises LSEs to present documentation regarding the design and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in California Public Utilities Code § 8341(b)(4), as well as any other sources of documentation that they believe will be relevant to this determination.

D.07-01-039 emphasizes that the key concept is to establish the design and intended use of the powerplant. Accordingly, documentation of the annualized plant capacity factor for the powerplant should include historical annual averages in order to help determine whether the plant is “designed and intended” to be used for baseload generation. D.07-01-039 requires LSEs to provide documentation of capacity factors, heat rates and corresponding emissions rates that reflect the actual, expected operations of the plant.

This Attestation Letter comports with the requirements outlined above.

### **Protests**

This compliance filing is not subject to protest pursuant to General Order 96-B, Energy Industry Rule 9.

### **Correspondence**

Any correspondence regarding this compliance filing should be sent by email to the attention of:

Erin Pennell  
Compliance Analyst  
San Diego Community Power  
epennell@sdcommunitypower.org

### **Compliance Documentation**

The following listings and/or tables provide detailed and specific information regarding SDCP contracts and long-term financial commitments that are subject to the EPS requirements. The compliance documentation must match the compliance category

outlined previously. For example, the information provided must demonstrate that the net emissions rate of each baseload facility underlying a covered procurement is no higher than 1,100 lbs of carbon dioxide (CO<sub>2</sub>) per megawatt hour (MWh).

1. Include a complete and detailed listing of the new long-term financial commitments of five years or longer they have entered into during the prior year with documentation to demonstrate:
  - a) Documentation demonstrating that such procurements are EPS compliant, including any contracts with a term of five years or longer that include provisions for substitute energy purchases.
  - b) For any requested reliability-based exemptions that have been pre-approved by the Commission, reference to the application and Commission decision number.
2. The complete listing of new long-term financial commitments of five years or longer must include “linked” contracts whose combined term is five years or longer.
3. Disclosure of LSE investments in retained generation, including “deemed-compliant” combined cycle gas turbines (CCGTs). All LSEs are to disclose the investment amount and a breakdown of alterations or refurbishments to retained generation, by generation facility and unit.
4. Present documentation regarding the designed and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in § 8341 (b)(4), as well as any other sources of documentation relevant to the determination.
5. Provide documentation of capacity factors (for definition of capacity factor see Section 5.6 of D.07-01-039.), heat rates and corresponding emissions rates that reflect the actual, expected operation of the plant (not full load heat rate). Documentation of the annualized plant capacity factor for the power plant should include historical annual averages in order to determine whether the plant is “designed and intended” to be used for baseload generation at an annualized plant capacity factor of at least 60 percent.

As detailed in the following table, SDCP entered into X long-term financial commitments during the calendar year 2024. Each of these commitments are fully EPS compliant because all X are considered either pre-approved technology and/or non-baseload resources.

**Table – EPS Compliance Contracts**

<b>Contract</b>	<b>Execution Date</b>	<b>Resource</b>	<b>EPS Compliance</b>	<b>Compliance Category</b>	<b>Term Length</b>
Core – Vidal	January 2, 2024	Solar + Storage	Yes	Non-baseload	20 Years
Noble Solar – Purple Sage	March 15, 2024	Solar + Storage	Yes	Non-baseload	20 Years
SBE – Pelicans Jaw	May 1, 2024	Solar + Storage	Yes	Non-baseload	15 Years
MRP – Border	May 31, 2024	Natural Gas Simple Cycle + Storage	Yes	Non-baseload	15 Years
MRP - Enterprise	May 31, 2024	Natural Gas Simple Cycle + Storage	Yes	Non-baseload	15 Years

**Certification**

- (1) I have reviewed, or have caused to be reviewed, this compliance submittal.
- (2) Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.
- (3) Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission orders, rules, and regulations.

Include the name and contact information for the LSE officer(s) certifying the above:

Respectfully submitted,

/s/ Byron Vosburg

Byron Vosburg

Chief Commercial Officer

San Diego Community Power

Tele: 619-657-0419

E-mail: [bvosburg@sdcommunitypower.org](mailto:bvosburg@sdcommunitypower.org)

Service List Emails R.06-04-009 (1/2025)

abb@eslawfirm.com;
alex.kang@itron.com;
amber@ethree.com;
andy.vanhorn@vhcenergy.com;
annabelle.malins@britishconsulatesf.gov.uk;
APak@sempraglobal.com;
ATrial@SempraUtilities.com;
ATrowbridge@DayCarterMurphy.com;
Barbara@BarkovichAndYap.com;
bbeebe@smud.org;
BCragg@GoodinMacBride.com;
bdicapo@caiso.com;
BDombrowski@calretailers.com;
Berlin@SusieBerlinLaw.com;
bill.schrand@swgas.com;
bjl@bry.com;
bjones@mjbradley.com;
Bob.lucas@calobby.com;
bobgex@dwt.com;
bpotts@foley.com;
bpurewal@water.ca.gov;
brabe@umich.edu;
bsb@eslawfirm.com;
bwallerstein@aqmd.gov;
C_Marnay@lbl.gov;
CaliforniaDockets@PacifiCorp.com;
carla.peterman@gmail.com;
Carol.SchmidFrazee@sce.com;
case.admin@sce.com;
cassandra.sweet@dowjones.com;
cbarry@iwpnews.com;
cbaskette@enernoc.com;
cem@newsdata.com;
cgardner@psrec.coop;
CHakstian@SonomaCleanPower.org;
christa.lim@shell.com;
Christian_Lenci@praxair.com;
CJW5@pge.com;
clarence.binninger@doj.ca.gov;
clyde.murley@comcast.net;
CMKehrein@ems-ca.com;
compliance@mceCleanEnergy.org;
CPUCdockets@eq-research.com;
cswoolums@midamerican.com;



Cynthiakmitchell@gmail.com;
dave@ppallc.com;
david@branchcomb.com;
dbp@cpuc.ca.gov;
dbrooks@nvenergy.com;
dcarroll@downeybrand.com;
deborah.slon@doj.ca.gov;
dehling@klng.com;
DHecht@sempratrading.com;
DHuard@manatt.com28;
dil@cpuc.ca.gov;
djw@eslawfirm.com;
dmacmull@water.ca.gov;
DMaughan@vea.coop;
dmetz@energy.state.ca.us;
DNg@semprautilities.com;
<a href="mailto:dniehaus@semprautilities.com">dniehaus@semprautilities.com</a> ;
douglass@energyattorney.com;
dseperas@calpine.com;
dtibbs@aes4u.com;
dwood8@cox.net;
dwtcpucdockets@dwt.com;
edm@cpuc.ca.gov;
ekgrubaugh@iid.com;
elvine@lbl.gov;
e-recipient@caiso.com;
EWolfe@Resero.com;
fiji.george@elpaso.com;
francesca.ciliberti@elpaso.com;
Francisco_Tarin@kindermorgan.com;
fwmonier@tid.org;
GMorris@emf.net;
gperidas@nrdc.org;
grosenblum@caiso.com;
gsmith@adamsbroadwell.com;
hayley@turn.org;
hurlock@water.ca.gov;
hym@cpuc.ca.gov;
Info@calseia.org;
jaimerose.gannon@cpuc.ca.gov;
Jairam.gopal@sce.com;
james.keating@bp.com;
janmcfar@sonic.net;
JArmstrong@GoodinMacBride.com;
Jason.Dubchak@niskags.com;
jbw@slwplc.com;

jci@cpuc.ca.gov;
JDF1@PGE.COM;
jdh@eslawfirm.com;
jeanne.sole@sfcityatty.org;
jedwards@smartpower.org;
jen@cnt.org;
jennifer.green@energycenter.org;
jesus.arredondo@nrg.com;
jf2@cpuc.ca.gov;
JFarbstein@ces-ltd.com;
jgibson@DowneyBrand.com;
jgreco@terra-genpower.com;
jhahn@covantaenergy.com;
jimross@r-c-s-inc.com;
JKarp@SheppardMullin.com;
jluckhardt@daycartermurphy.com;
jmctarnaghan@perkinscoie.com;
john.leslie@dentons.com;
johnredding@earthlink.net;
joldham@lgc.org;
jose@ceert.org;
josephhenri@hotmail.com;
joyw@mid.org;
jpacheco@water.ca.gov;
jrathke@capstoneturbine.com;
jsanders@caiso.com;
jskromer@gmail.com;
JSqueri@DowneyBrand.com;
jst@cpuc.ca.gov;
jtp@cpuc.ca.gov;
jwmctarnaghan@duanemorris.com;
jzr@cpuc.ca.gov;
karen.griffin@energy.ca.gov;
karla.Dailey@CityofPaloAlto.org;
Kathryn.Wig@nrg.com;
kb@enercalusa.com;
kcolburn@symbioticstrategies.com;
kdw@woodruff-expert-services.com;
kelly.barr@srpnet.com;
ken.alex@doj.ca.gov;
kenneth.swain@navigantconsulting.com;
kerry.hattevik@nee.com;
kgough@calpine.com;
kjinnovation@earthlink.net;
klatt@energyattorney.com;
kldavis@midamerican.com;

KMelville@SemptraUtilities.com;
KMills@cbbf.com;
kowalewskia@calpine.com;
kyle_boudreaux@fpl.com;
ldecarlo@energy.state.ca.us;
leilani.johnson@ladwp.com;
liddell@energyattorney.com;
lisa_weinzimer@platts.com;
lmh@eslawfirm.com;
LSchavrien@SemptraUtilities.com;
ltenhope@energy.state.ca.us;
ltt@cpuc.ca.gov;
lwhouse@innercite.com;
lwisland@ucsusa.org;
marcel@turn.org;
Mary.Wiencke@PacifiCorp.com;
matt.hale@odoe.state.or.us;
McCann@mcubed-econ.com;
mclaughlin@braunlegal.com;
MDay@DowneyBrand.com;
mdjoseph@adamsbroadwell.com;
mdorn@mwe.com;
mgillette@enernoc.com;
mhyams@sflower.org;
michael.backstrom@sce.com;
mike.montoya@sce.com;
Monica.Schwebs@MorganLewis.com;
mpa@a-klaw.com;
mpyor@energy.state.ca.us;
mrw@mrwassoc.com;
mscheibl@arb.ca.gov;
nenbar@energy-insights.com;
norman.furuta@navy.mil;
npedersen@hanmor.com;
nrader@calwea.org;
nsuetake@turn.org;
obartho@smud.org;
PatrickFerguson@dwt.com;
pduvair@energy.state.ca.us;
Philip.H.Carver@state.or.us;
philm@scedenergy.com;
<a href="mailto:pmaxwell@navigantconsulting.com">pmaxwell@navigantconsulting.com</a> ;
pperez@energy.state.ca.us;
ppettingill@caiso.com;
r.raushenbush@comcast.net;
ram@cpuc.ca.gov;

ray.welch@navigantconsulting.com;
RegrelcpucCases@pge.com;
<a href="mailto:Regulatory@PilotPowerGroup.com">Regulatory@PilotPowerGroup.com</a> ;
rhwiser@lbl.gov;
rita@ritanortonconsulting.com;
RKMoore@GSwater.com;
rmm@cpuc.ca.gov;
rrtaylor@srpnet.com;
Ryan.Baron@bbklaw.com;
sachu.constantine@energycenter.org;
saeed.farrokhpay@ferc.gov;
scarter@nrdc.org;
Scott.Tomashefsky@ncpa.com;
sean.beatty@nrg.com;
SEHC@pge.com;
Sephra.Ninow@EnergyCenter.org;
Seth.Hilton@Stoel.com;
slins@ci.glendale.ca.us;
SNewsom@SempraUtilities.com;
ssmyers@att.net;
steven@iepa.com;
steven@sfpower.org;
svn@cpuc.ca.gov;
svolker@volkerlaw.com;
tam@communityrenewables.biz;
tdarton@pilotpowergroup.com;
tiffany.rau@hydrogenenergycalifornia.com;
Tom.Elgie@powerex.com;
tomb@crossborderenergy.com;
ttutt@smud.org;
Udi@HelmanAnalytics.com;
westgas@aol.com;
wwester@smud.org;
wynne@braunlegal.com;
xsh@cpuc.ca.gov;