

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



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Order Instituting Investigation on the  
Commission's Own Motion to Determine  
Whether Pacific Gas and Electric Company  
and PG&E Corporation's Organizational  
Culture and Governance Prioritize Safety.

Investigation 15-08-019  
(Filed August 27, 2015)

**MOTION OF THE  
CENTER FOR ENERGY EFFICIENCY AND RENEWABLE TECHNOLOGIES  
FOR PARTY STATUS**

February 8, 2019

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The Center for Energy Efficiency and Renewable Technologies (CEERT) respectfully moves for party status in Order Instituting Investigation (I.) 15-08-019 (Pacific Gas and Electric Company – PG&E Corporation Organization and Governance (PG&E Governance)). This Motion is filed and served pursuant to Rule 1.4(a)(4) and (b) of the Commission's Rules of Practice and Procedure.

**I.  
DESCRIPTION OF CEERT (Rule 1.4(b)(1))**

CEERT is a nonprofit public-benefit organization founded in 1990 and based in Sacramento, California. CEERT is a partnership of major environmental groups and private-sector clean energy companies. CEERT designs and fights for policies that promote global warming solutions, including achieving mandated carbon reductions through increased reliance on clean, renewable resources to meet California's energy needs and reduced dependence on fossil fuels.

CEERT has long advocated for these principles in multiple proceedings before the Commission including, but not limited to, the current Integrated Resources Planning (IRP) Rulemaking (R.16-02-007); Resource Adequacy (RA) Rulemaking (R.17-09-020); and Renewable Portfolio Standard Rulemakings (R.18-07-003/R.15-02-020). Most recently, CEERT

was granted party status and participated in PG&E's Applications (A.) 18-10-003 (Short-Term Borrowing) and A.18-11-001 (Long-Term Borrowing) to respond to PG&E's Motion to be exempted from Commission statutory oversight authority for debtor-in-possession (DIY). In its Comments on the Proposed Decisions authorizing those exemptions, CEERT urged the Commission to modify those orders "to condition the granting of statutory exemptions for PG&E's DIP financing on ensuring and preserving the sanctity of clean resource procurement contracts and programs that are necessary to meet customer need in a safe and reliable manner that continues to combat Climate Change [that is] the root cause of PG&E's current financial difficulties."<sup>1</sup> While this condition was not imposed on PG&E by the Commission in granting the requested exemptions, it was, and remains, CEERT's position that "[s]uch a condition, especially given the fast-paced time schedule being followed to facilitate a bankruptcy filing decision made solely by PG&E, is the only means by which the *Commission* can continue to ensure and foster *safe* and reliable service for PG&E's customers."<sup>2</sup>

## **II. CEERT'S INTEREST IN THIS PROCEEDING (Rule 1.4(b)(2))**

With respect to CEERT's legal and factual contentions specific to the issues now being considered in I.15-09-018, CEERT, consistent with its background above, has a strong interest in ensuring that the Commission's "review" and "evaluation" of "alternatives to the current management and operational structures of providing electric and gas service in Northern California" does in fact incorporate several of the key "considerations" included for that purpose in the Amended Scoping Memo issued in this Investigation on December 21, 2018 (Amended

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<sup>1</sup> A.18-10-003 (PG&E Short-Term Borrowing) CEERT Comments on Proposed Decision (January 25, 2019), at p. 6; A.18-11-001 (PG&E Long-Term Borrowing) CEERT Comments on Proposed Decision (January 25, 2019), at 6.

<sup>2</sup> *Id.*; emphasis original.

Scoping Memo).<sup>3</sup> Namely, by the Amended Scoping Memo, the Commission committed to “consider a range of factors” in evaluating proposed alternatives, including “the safety and reliability of utility service” and “the ability of the state to implement its energy policies including the need to reduce greenhouse gas (GHG) emissions and local criteria pollutants in both the utility sector and the economy as a whole.”<sup>4</sup> In posing questions for “preliminary comments” on potential alternatives (and their viability), the Amended Scoping Memo makes clear that those comments should address “the desirability of these alternatives with discussion of how each proposal impacts” these two considerations, among others.

To that end, CEERT seeks party status in this Investigation to address and file Comments on the questions and proposals framed by the Amended Scoping Memo, especially in consideration of their impact on the State being able to continue to meet its climate change energy goals and where climate change has been a root cause of the wildfire liability and increased fire risks faced by PG&E, and to participate on these issues further as provided by the Assigned Commissioner and Assigned ALJ. Clearly, it remains critical for PG&E to maintain its clean energy commitments and continue to make those investments that are needed to combat wildfire risks and achieve a zero emissions energy economy.

In this regard, CEERT will also contend that the proposals listed in the Amended Scoping Memo do not include all alternatives that must be considered and embedded in any future governance or organizational structure for providing electric service in Northern California in order to maintain and achieve carbon emission reductions. In this regard, especially given PG&E and PG&E Corp.’s petition for Chapter 11 bankruptcy protection filed on January 29, 2019 (U.S. Bankruptcy Court, Northern District of California, San Francisco Division, Case Nos.

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<sup>3</sup> Amended Scoping Memo, at p. 2.

<sup>4</sup> *Id.*

19-30088 (DM); 19-30089 (DM), CEERT will contend that the Commission can and must act to ensure that all existing PG&E renewable procurement obligations and contracts are honored and preserved where such generation is not only required to meet State RPS Program mandates, but is also required to maintain and further GHG emission reductions.

### **III. REQUESTED RELIEF**

For the reasons stated above, CEERT has a direct and substantial interest in I.15-08-019, especially based on the recently issued Amended Scoping Ruling. CEERT, therefore, moves the Commission to grant CEERT party status in I.15-08-019 (PG&E Governance) for the purpose of participating actively in this proceeding, including, but not limited to, participation in any scheduled hearings and workshops and submission of all authorized formal pleadings (i.e., comments and briefs). CEERT further asks that the service list include as CEERT's party representatives, and all communications be made to, the following:

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Respectfully submitted,

February 8, 2019

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