



**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

**FILED**

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Order Instituting Rulemaking to Oversee the  
Resource Adequacy Program, Consider  
Program Refinements, and Establish Annual  
Local and Flexible Procurement Obligations  
for the 2019 and 2020 Compliance Years.

Rulemaking 17-09-020

**CITY OF SAN JOSE (SAN JOSE CLEAN ENERGY)  
NOTICE OF EX PARTE MEETINGS**

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March 21, 2019

Attorneys for City of San José, administrator  
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NOTICE OF EX PARTE MEETINGS**

Pursuant to Rule 8.4 of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure, the City of San José (“San José” or “City”), as an administrator of San José Clean Energy (“SJCE”), hereby notifies parties of three ex parte meetings initiated by SJCE. The three meetings occurred on March 18, 2019 as follows:

- 10:30 am conference call with Anand Durvasula, Advisor, Office of Commissioner Randolph;
- 11:30 am in-person meeting with Adenike Adeyeye, Chief of Staff, Office of Commissioner Guzman Aceves, at the Commission’s offices in San Francisco;
- 3:00 pm in-person meeting with David Peck, Advisor, Office of Commission President Picker, at the Commission’s offices in San Francisco.

San José’s representatives at all three meetings were Jeanne Solé, Deputy Director of Power Resources, SJCE and Luisa Elkins, Sr. Deputy City Attorney, San José. Each meeting lasted approximately 30 minutes. No written materials were used.

Ms. Solé provided a short background description of San José and SJCE, the City’s Community Choice Aggregation (“CCA”) program.

Ms. Solé expressed SJCE’s commitment to work with the Commission to ensure transparent market design and Resource Adequacy (“RA”) procurement availability. Ms. Solé described the need for the Commission to consider (1) establishing a process for investor owned

utilities (“IOUs”) to sell their excess RA capacity; and (2) implementing standardized contract terms to make contracting for RA capacity more efficient and fairer, and as a means of mitigating market power. Ms. Solé also explained that IOUs should not be the central buyers of RA capacity so long as they compete with CCAs.

Ms. Solé further described SJCE’s concerns regarding market power in the current market for RA capacity; the Commission’s role in enforcing fair market practices; likely inability of a potential centralized capacity market to address seller withholding issues; lack of transparency and oversight over suppliers of RA capacity; insufficient market liquidity; and increased risk for LSEs due to requirements to procure Local RA for 2020, 2021 and 2022 while the Commission considers a centralized capacity market for 2020, rather than a residual buyer model, which is supported by a large number of stakeholders.

Dated: March 21, 2019

Respectfully submitted,

/s/  
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