



# ADVICE LETTER SUMMARY

## ENERGY UTILITY



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

Company name/CPUC Utility No.: Peninsula Clean Energy Authority ("PCE")

Utility type:

- ELC       GAS       WATER  
 PLC       HEAT

Contact Person: Jeremy Waen

Phone #: 650-257-8026

E-mail: jwaen@peninsulacleanenergy.com

E-mail Disposition Notice to: jwaen@peninsulacleanenergy.com

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

January 26, 2021

Advice Letter (AL) #: 009-E-A

Tier Designation: 1

Subject of AL: SUPPLEMENT TO ADVICE LETTER PCE 009-E, SUBMITTAL OF COMMUNITY CHOICE AGGREGATOR FINANCIAL SECURITY REQUIREMENT INSTRUMENT

Keywords (choose from CPUC listing): Compliance

AL Type:  Monthly  Quarterly  Annual  One-Time  Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: D.18-05-022; Resolution E-5059

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL: n/a

Confidential treatment requested?  Yes  No

If yes, specification of confidential information: See Confidentiality Declaration and Matrix  
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: Jeremy Waen, 650-257-8026, jwaen@peninsulacleanenergy.com

Resolution required?  Yes  No

Requested effective date: 12/16/20

No. of tariff sheets: n/a

Estimated system annual revenue effect (%): n/a

Estimated system average rate effect (%): n/a

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: n/a

Service affected and changes proposed<sup>1</sup>: n/a

Pending advice letters that revise the same tariff sheets: n/a

<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: Jeremy Waen  
Title: Manager of Regulatory Affairs  
Utility Name: Peninsula Clean Energy Authority  
Address: 2075 Woodside Road  
City: Redwood City  
State: California Zip: 94061  
Telephone (xxx) xxx-xxxx: 650-257-8026  
Facsimile (xxx) xxx-xxxx:  
Email: [jwaen@peninsulacleanenergy.com](mailto:jwaen@peninsulacleanenergy.com)

Name:  
Title:  
Utility Name:  
Address:  
City:  
State: District of Columbia 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 26, 2021

California Public Utilities Commission  
Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, CA 94102

**Advice Letter PCE AL 009 E-A**

**RE: SUPPLEMENT TO ADVICE LETTER PCE 009-E, SUBMITTAL OF  
COMMUNITY CHOICE AGGREGATOR FINANCIAL SECURITY  
REQUIREMENT INSTRUMENT**

**PURPOSE**

Peninsula Clean Energy Authority (“PCE”) is submitting 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 the FSR Instrument is appended hereto as Confidential Appendix B.

**BACKGROUND**

In compliance with Resolution E-5059 and Decision (“D.”)18-05-022, PCE submitted Advice Letter PCE 009-E on December 16, 2020. As an appendix to Advice Letter 009-E, PCE submitted a pro-forma version of its CCA FSR Instrument. In addition, pursuant to previous guidance provided by the Energy Division, PCE included an attestation in Advice Letter 009-E by which PCE affirmed that its FSR Instrument had been formed and that Pacific Gas and Electric Company had been made the FSR Instrument’s obligee, recipient or equivalent, as directed in Resolution E-5059. PCE also included a request within Advice Letter 009-E that the interim FSR amount of \$100,000 be returned to PCE. This request was made in accordance with Resolution E-5059 and D.18-05-022, which state that the interim financial security posted with the Commission should be returned to the posting CCA when the CCA complies with the new financial security requirements.<sup>1</sup>

On January 8, 2021, the Energy Division distributed an email to CCAs advising the CCAs that the interim FSR amount of \$100,000 would be returned to the CCAs once the CCAs have submitted executed FSR Instruments as a supplement to their respective FSR advice letters. Pursuant to instructions set forth in the email from the Energy Division, PCE is submitting this supplemental advice letter containing a confidential version of PCE’s executed FSR Instrument.

**REQUEST FOR RETURN OF INTERIM SECURITY**

PCE previously posted an interim FSR of \$100,000 with the Commission in compliance with

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<sup>1</sup> See Resolution E-5059 at 5; *see also* D.18-05-022 at 11.

Resolution E-4133. As noted above, per Resolution E-5059 and D.18-05-022, the interim financial security posted with the Commission should be returned to the posting CCA when the CCA complies with the financial security requirements as described in Resolution E-5059.<sup>2</sup> Through this supplemental advice letter, PCE is renewing its previous request for the return of the interim FSR amount of \$100,000.

### **EFFECTIVE DATE**

PCE requests that this supplement to Advice Letter 009-E become effective concurrent with the submission of the original advice letter on December 16, 2020.

### **APPENDICES**

Appendix A: Declaration Supporting Confidential Treatment

Appendix B: Confidential FSR Instrument – Executed Escrow Agreement

### **PROTESTS**

Pursuant to General Order 96-B and General Rule 7.5.1, PCE asks that the protest period not be reopened, and that the Commission maintain the original protest and comment period designated in Advice Letter 009-E.

Respectfully submitted,

/s/ Jeremy Waen

Jeremy Waen  
Manager of Regulatory Affairs  
Peninsula Clean Energy Authority  
2075 Woodside Road  
Redwood City, California 94061

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<sup>2</sup> Resolution E-5059 at 5; *see also* D.18-05-022 at 11.

## **Appendix A**

### **Declaration Supporting Confidential Treatment**

**Declaration of Jeremy Waen Supporting Confidentiality Claim for Submission of  
PCE’s Executed Financial Security Requirement Instrument**

In accordance with General Order 66-D relating to the submission of confidential information to the California Public Utilities Commission (“Commission”), Peninsula Clean Energy Authority (“PCE”) submits the following declaration in support of its claim of confidentiality for the below-specified information contained in PCE’s Financial Security Requirement Instrument (“FSR Instrument”).

The undersigned declares, under penalty of perjury, as follows:

1. In my capacity as Manager of Regulatory Affairs at PCE, I have knowledge of the information provided in this declaration and am authorized to make this declaration on PCE’s behalf by Janis Pepper, P.E. Chief Executive Office of PCE.
2. PCE 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 PCE 009E-A.
  - b. Declaration Supporting Confidential Treatment
  - c. Confidential Financial Security Requirements Instrument - Executed Escrow Agreement – [Confidential]
3. PCE is publicly submitting the following documents to the Energy Division and, as a courtesy, PCE is serving a copy of the following documents to the service list for R.03-10-003 via email:
  - a. Supplemental Advice Letter PCE 009E-A.
  - b. Declaration Supporting Confidential Treatment
4. Through this declaration, PCE requests that the executed Escrow Agreement 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 Sections 6255(a).
6. 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 justification for confidential treatment.

**TABLE OF CONFIDENTIAL INFORMATION**

<b>Reference</b>	<b>Authority For Confidentiality Request</b>	<b>Justification for Confidential Treatment</b>
Confidential Financial Security Requirements Instrument - Executed Escrow Agreement	California Government Code, Section 6255(a)	The information PCE 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. 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 interest is served because the public's ability to access and review relevant information is unhindered.

7. To the best of my knowledge, the executed Escrow Agreement being submitted subject to this request for confidentiality is not already public.
8. The following person is designated as the person for the Commission to contact regarding potential release of this information by the Commission:

Jeremy Waen  
 Manager of Regulatory Affairs  
 Peninsula Clean Energy Authority  
 2075 Woodside Road  
 Redwood City, California 94061  
 jwaen@peninsulacleanenergy.com

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Executed on January 26, 2021 at Redwood City, California

/s/ Jeremy Waen

Jeremy Waen

Manager of Regulatory Affairs

Peninsula Clean Energy Authority

2075 Woodside Road

Redwood City, California 94061

**Confidential** Appendix B

**Confidential Financial Security Requirements Instrument  
Executed Escrow Agreement**

**(Confidential)**