

**REGULATORY UPDATE FOR NOVEMBER 14, 2023
(WEEK OF NOVEMBER 6, 2023)**

CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC OR COMMISSION)

New Proposed Decisions and Draft Resolutions¹

Application (A.) 22-05-002 et al. (IOU Applications for Approval of Demand Response Programs, Pilots, and Budgets for Program Years 2023-2027). This decision directs certain Demand Response (DR) programs, program modifications, and pilots, and approves respective utilities' budgets for these DR programs and pilots, for the years 2024-2027 in response to the separate application requests of investor-owned utilities Pacific Gas and Electric Company (PG&E) (A. 22-05-002), San Diego Gas & Electric Company (SDG&E) (A.22-05-003), and Southern California Edison Company (SCE) (A.22-05-004). This decision addresses all DR Phase II issues; the proceeding remains open to address outstanding Demand Response Auction Mechanism issues.

A.23-06-001 (SCE 2024 ERRR Forecast Proceeding Revenue Requirement). This decision approves, with modifications, SCE's 2024 Energy Resource Recovery Account (ERRR) Forecast and approves a 2024 forecast revenue requirement of \$5.234 billion, representing a decrease of \$325.830 million. As a result of the costs and other adjustments approved in this decision, on January 1, 2024, SCE's system average rates for bundled customers will decrease by 1.8% as compared to rates effective October 1, 2023, to 26.124¢/kilowatt hour in 2024. The Power Charge Indifference Adjustment (PCIA) rates will be negative for most customer vintages and will be negative system-wide in 2024, resulting in credits for customers in most PCIA vintages.

Resolution (Res) E-5303 (SDG&E Request for Approval of Two Utility Owned Energy Storage Contracts and Related Costs). This resolution approves two utility-owned energy storage contracts for 39.6 megawatts (MW) of incremental capacity that SDG&E procured to address 2024 and 2025 summer reliability. These contracts include two Engineering, Procurement, and Construction (EPC) contracts with Stella Energy Solutions, one for 29.6 MW, and another for 10 MW. This resolution approves the requested relief in Advice Letter (AL) 4290-E.

Rulemaking (R.) 18-07-003 (California Renewables Portfolio Standard Program). This decision adopts, with modifications, the Draft 2023 Renewables Portfolio Standard Procurement Plans (RPS Plans) of retail sellers, including IOUs, the Small and Multi-Jurisdictional Utilities,

¹ Per CPUC's Rules of Practice and Procedure Rule 14.3, comments on proposed decisions are due 20 days after issuance of the proposed decision, and reply comments are due five days thereafter. Comments on draft resolutions are due 20 days after the draft resolution appears in CPUC's daily calendar, per Rule 14.5.

Community Choice Aggregators (CCAs), and Electric Service Providers. The Final 2023 RPS Plans are due no later than 30 days following the issuance of this decision by the Commission.

Petition 23-06-018 (Center for Biological Diversity Petition for Rulemaking). This decision denies Petition 23-06-018, filed by the Center for Biological Diversity (CBD), to open a rulemaking to consider a proposal to revise the Adopted Interim Rules for Greenhouse Gas Emissions Performance Standard (EPS) Rules. Specifically, the decision denies CBD's request for the Commission to open a rulemaking to reconsider a provision in the EPS regulations exempting certain categories of woody and agricultural biomass powerplants from demonstrating EPS compliance.

Res SPD-18 (Bear Valley Electric Service's 2023-2025 Wildfire Mitigation Plan). This resolution ratifies the attached Decision of the Office of Energy Infrastructure Safety approving Bear Valley Electric Service's 2023-2025 Wildfire Mitigation Plan pursuant to Public Utilities Code § 8386.3(a).

A.21-06-022 (PG&E Framework for Substation Microgrid Solutions to Mitigate Public Safety Power Shutoffs). This decision grants the PFM of Decision (D.) 22-11-009 filed by PG&E. In D.22-11-009, the Commission adopted a framework for substation microgrid resiliency solutions to mitigate public safety power shutoffs for PG&E. The PFM provides that submittal of a lengthy, separate application is no longer efficient or necessary. The process developed by the North Coast Resiliency Initiative stakeholders has resulted in an assessment that can evaluate the types of regional energy challenges presented by indirect public safety power shutoff (PSPS) impacts.

Res SPD-15 (Staff Proposal for the Senate Bill 884 Program). This resolution establishes a program and program guidelines for expediting the undergrounding of the distribution equipment of large electrical corporations pursuant to Senate Bill (SB) 884. The program consists of up to three phases. In Phase 1, a large electrical corporation will submit a 10-year undergrounding plan to the Office of Energy Infrastructure Safety (Energy Safety) for review. In Phase 2, the large electrical corporation will submit an application to the Commission requesting review and conditional approval of the plan's costs. In Phase 3, the large electrical corporation will implement its plan in accordance with this resolution and its Attachment 1, the Commission's Phase 2 decision, and any other Commission decision on an application submitted pursuant to the SB 884 program.

R.20-05-003 (Electric Integrated Resource Planning and Related Procurement Processes). This decision grants a PFM of D. 22-05-015 filed jointly by San Diego Community Power and the Clean Energy Alliance on October 28, 2022. D.22-05-015 adopted the Modified Cost Allocation Mechanism, which allocates costs for electricity procurement by investor-owned utilities on behalf of non-utility load-serving entities. The PFM asks the Commission to use the year-ahead load forecast instead of the actual load being served as the basis for the one-time provision in D.22-05-015 for purchase of resource adequacy capacity.

A.22-05-006 (PacifiCorp Application for General Rate Increase Effective January 1, 2023). This decision approves a base revenue requirement of \$101,288,005, which is an increase

of \$18.989 million for PacifiCorp pursuant to its Test Year (TY) 2023 General Rate Case (GRC) application. Much of the rate increase is associated with requested funding for PacifiCorp's vegetation management program and its wildfire mitigation plans for the TY 2023 GRC term. The approved revenue requirement increase is approximately 31.9% lower than the \$27.9 million increase PacifiCorp originally requested in A.22-05-006. The total TY 2023 base revenue requirement adopted will increase PacifiCorp customers' rates by approximately 17.5% on average, which is lower than the 25.7% increase initially requested by the utility. The reduction is associated with the amortization of deferred unrecovered balances; the denial of the capital amount requested for a facility that will not be fully online in the TY; the denial of PacifiCorp's requested increase to its return on equity; and the denial of certain requested operations and maintenance expenses.

Voting Meetings

The CPUC will hold a voting meeting in El Centro, California, on November 16, 2023, at 11:00 a.m. PT. The following are energy related items on the agenda:

Item 2. Res ALJ-435 (SCE Appeal of Amended Citation E.18-02-001 Issued by Safety and Enforcement Division). This resolution dismisses Amended Citation E.18-02-0011 issued by the Commission's Safety and Enforcement Division (SED) to SCE, with one exception. SED proved by a preponderance of the evidence that Rule 37 of General Order 95 was violated; that charge, without the imposition of any penalties, is sustained. This resolution closes the proceeding K.18-03-008.

Item 4. Res SED-8 (Administrative Consent Order and Agreement of the SED and PG&E Regarding the 2021 Dixie Fire). In this resolution, the Commission approves an Administrative Consent Order and Agreement between the Commission's SED and PG&E to resolve all issues involving the 2021 Dixie Fire. PG&E agrees to a \$45 million penalty, consisting of a \$2.5 million fine to the General Fund of the State of California, a \$2.5 million payment to tribes impacted by the Dixie Fire for remediations of the impacts of the Dixie Fire on tribal lands, and \$40 million in shareholder funding for capital expenditures for the initiative to transition from hard copy records to electronic records for distribution patrols and inspections. This resolution includes an analysis of the Penalty Assessment Methodology.

Item 6. Res SPD-14 (Performance Metrics, Wildfire Mitigation Plan Requirements, and Safety Culture Assessment Process for Electrical Corporations). This resolution retains the existing performance metrics and wildfire mitigation plan (WMP) requirements and makes minor modifications to Energy Safety's annual safety culture assessment process. This resolution satisfies the requirements of Public Utilities Code §§ 8389(d)(1), (2), and (4) related to catastrophic wildfires.

Item 7. R.22-10-010 (Rules for Community Choice Aggregator Participation in the Bioenergy Market Adjusting Tariff Program). This decision sets rules to enable CCAs to participate in the Bioenergy Market Adjusting Tariff (BioMAT) program, as authorized by Assembly Bill 843. These requirements include but are not limited to directing CCAs to purchase RPS and Resource Adequacy (RA) attributes based on market price benchmarks, as

calculated in the IOUs' non-bypassable charge (NBC) methodology and comply with RPS and RA resource requirements; record BioMAT costs allocated to customers in IOU NBCs in public purpose program surcharges in balancing accounts; and serve supplemental testimony in IOU ERRA forecast proceedings that request IOUs to incorporate eligible CCA BioMAT costs in IOU forecasted ERRA revenue requirements in certain circumstances.

Item 9. Res E-5285 (PG&E Request for Amendment of Mid-Term Reliability Contract Approved in Resolution E-5202). This resolution approves an amendment to PG&E and Nighthawk Energy Storage, LLC's contract for 300 MW of lithium-ion battery storage. Whereas the delivery date for the previously approved contract was June 1, 2024, the delivery date in the amended contract is June 1, 2025.

Item 15. A.23-06-012 (SCE Request to Issue Debt). This decision grants SCE authority pursuant to California Public Utilities Code §§ 816, 817, 818, 821, 830, and 851 to issue debt securities including debt securities secured by utility property and accounts receivable in an aggregate principal amount not to exceed \$8 billion, and preferred equity not exceeding \$350 million par or stated value. The decision also authorizes, among other things, SCE to use debt enhancements, caps, collars, swaps, and hedges to lower the cost of the debt securities and reduce financial risks, and guarantee the obligations of regulated affiliates and governmental entities that are incurred on behalf of SCE for the purposes authorized by this decision.

Item 16. Res G-3596 (SoCalGas Annual Compliance Report on System Operator's Southern System Reliability Purchases and Sales). SoCalGas submitted AL 6053-G on November 1, 2022, containing its 2022 Annual Compliance Report on the Utility System Operator's Southern System Reliability Purchases and Sales for the period from October 1, 2021, through September 30, 2022. Due to an El Paso Natural Gas pipeline rupture near Coolidge, Arizona on August 15, 2021, and strained Southern System conditions, SoCalGas made 141 gas purchases to satisfy the Southern System minimum flow requirements at a cost of \$48,547,425. The System Operator also incurred \$1,087,576 in transportation charges to bring the gas to the SoCal Citygate. Together, these costs totaled \$49,635,001. The gas was then resold at the SoCal Citygate for \$31,295,138. Therefore, the total net cost to SoCalGas was \$18,339,863 during this reporting period. This Resolution finds the actions taken by SoCalGas to be reasonable and approves all transactions.

Item 28. R.20-08-020 (Net Energy Metering Tariffs, Subtariffs, and Consumer Protections). This decision addresses the remaining six issues of this proceeding. This decision adopts a virtual net billing tariff that mirrors the net billing tariff adopted in D.22-12-056 and balances the competing requirements of the Guiding Principles adopted in D.21-02-007 and Public Utilities Code § 2827.1. The virtual net billing tariff provides retail export compensation rates based on Avoided Cost Calculator values but recognizes the unique circumstances of customers taking service on this tariff and provides higher adders for residential customers than those offered in the net billing tariff. This decision adopts an aggregation net billing subtariff that also mirrors the net billing tariff but maintains the credit and debit approach used in the existing net energy metering aggregation subtariff. This decision improves the Watch List process, previously adopted in D.21-06-026, and establishes a process for addressing customer bill format issues. As directed by D.22-12-056, this decision establishes the process for an

evaluation of the net billing tariff, virtual net billing tariff, and aggregation net billing subtariff. This decision provides a transparent process with opportunity for party feedback. Following adoption of the California Air Resources Board Greenhouse Gas Emissions Reductions Standards, this decision reviewed comments on a Staff Proposal to Implement Net Energy Metering Fuel Cell Greenhouse Gas Emission Standards. This decision adopts a revised version of the Staff Proposal. This decision adopts a plan to implement Public Utilities Code § 769.2, which requires certain contractors and projects to provide prevailing wages to construction workers and apprentices. This decision revises the interconnection application process and requires the creation of a disclosure form and an eligibility checklist. This decision also requires the IOUs to collaborate with the Department of Industrial Relations in sharing information.

Item 29. A.21-06-012 (PG&E Test Year 2023 General Rate Case). This decision authorizes PG&E to collect from customers \$13.759 billion as its 2023 GRC Track 1 test year revenue requirement, with two adjustments. This decision also authorizes PG&E to collect from customers additional amounts for its Track 1 post-test year revenue requirements for 2024 of \$14.430 billion (+ 4.9 % or \$671 million over 2023), 2025 of \$14.731 billion (+ 12.1% or \$301 million over 2024), and 2026 of \$14.843 billion (+ 0.8% or \$122 million over 2025). The authorized TY 2023 revenue requirement represents a 12.6% increase over PG&E's 2022 authorized revenue requirement of approximately \$12.214 billion, as adopted by the Commission in PG&E's 2020 GRC, D.20-12-005. This decision also adopts a settlement in Track 2 of this proceeding that results in a total revenue requirement increase of \$221.233 million to be recovered over 2023 and 2024. This decision removes approximately \$9.408 billion from PG&E's cumulative four-year requested revenue requirement increase of \$18.315 billion. The decision finds that the installation of covered conductor presents clear advantages, at an estimated \$800,000 per mile, while undergrounding one mile of distribution infrastructure costs approximately \$3.3 million per mile.

Item 29A. A.21-06-021 (PG&E Test Year 2023 General Rate Case). This Alternate Proposed Decision (APD) of Commissioner Reynolds differs from the PD of Administrative Law Judges DeAngelis and Larsen in the treatment of Wildfire System Hardening and Escalation. Revision 2 of the APD results in different treatment of costs related to PSPS and Enhanced Powerline Safety Settings (EPSS). The APD adopts a hybrid approach for Wildfire System Hardening of undergrounding 1,230 miles and installing covered conductor on 778 miles at forecasted capital expenditures of \$4.723 billion for 2023-2026. The APD approves two additional tranches of undergrounding for a total of eight tranches, focuses covered conductor miles approved on the highest-risk six tranches, implements various minor changes to align the timing of the System Hardening Accountability Report filings with existing WMP timelines, to clarify the metrics and details that would be included, and to align the risk reduction target with the WMP. The APD also restores the funding requested by PG&E for two programs whose funding levels had been reduced: PSPS and EPSS. Regarding escalation, the APD adopts 50% of the requested adjustments associated with PG&E's Update Testimony. The APD removes the flexibility for PG&E to request via AL to substitute the Consumer Price Index for the adopted index factors for post-test years. The APD amortization period is 24 months. The APD results in a \$13.521 billion authorized test year revenue requirement in 2023 and post-test year revenue requirements of \$14.237 billion in 2024, \$14.596 billion in 2025, and \$14.800 billion in 2026.

Item 30. Investigation (I.) 19-06-014 (SoCalGas and Sempra Energy’s Safety Culture Improvement Plan). This decision adopts two out of the 15 initiatives in the Safety Culture Improvement Plan of SoCalGas with some modifications. This decision directs SoCalGas and Sempra Energy to revise the remainder of their plans to better align with the findings of the Independent Safety Culture Assessment, a review of SoCalGas’ and Sempra’s organizational safety culture between 2020 and 2021.

Workshops and Other Events

Energy Division Office Hours on RA Slice of Day. Energy Division Staff will host several scheduled office hours to meet with stakeholders on questions related to the new slice of day process and load-serving entities (LSEs) showing tool. The office hours will be held on WebEx, and login access is available [here](#). The next office hours are scheduled for November 16, 2023. The Energy Division encourages stakeholders to submit questions via email in advance. Additional details on the new slice of day implementation process are available on the Commission’s RA webpage, available [here](#).

Disadvantaged Communities Advisory Group (DACAG) Meeting. The DACAG, which advises the CPUC and the CEC, will meet on November 17 from 1:00 p.m. to 4:00 p.m. to take public comment and to provide updates on a number of programs. Topics include the following: the CEC Clean Transportation Program 2023-2024 Investment Plan Update, the DACAG Equity Framework, DACAG Annual Reports, a Demand Energy Resources (DERs) deployment, resiliency, clean hydrogen, long-term planning, EPIC, Transportation Electrification, Lifeline programs, building decarbonization, affordability, workforce and training development, and tribal and community engagement. The detailed agenda for the meeting is available in the meeting [notice](#).

CALIFORNIA INDEPENDENT SYSTEM OPERATOR (CAISO)

Stakeholder Initiatives: Upcoming Meetings and Deadlines

2024 Effective Flexible Capacity Values for RA Resources. CAISO has posted the final 2024 RA Effective Flexible Capacity list, available [here](#).

Extended Day-Ahead Market ISO BAA Participation Rules. CAISO has posted the Extended Day-Ahead Market ISO BAA Participation Rules Track A revised draft tariff language documentation. The revised draft tariff language is available [here](#).

Congestion Revenue Rights Auctions. CAISO has posted the publication and invoicing schedule to its website for January to December 2024 monthly and 2025 annual Congestion Revenue Rights auctions, available [here](#).

2023 Interconnection Process Enhancements. CAISO will host a working group meeting for the 2023 Interconnection Process Enhancements Track 2 initiative on November 15, 2023. Participants have the option to attend the meeting in person at CAISO or virtually. Further information can be found [here](#).

2023-2024 Transmission Planning Process. CAISO will host a public stakeholder call on November 16, 2023 to present the preliminary assessment of the policy driven and economic planning study results and brief stakeholders on the projects recommended as being needed that are less than \$50 million. Further details are available [here](#).

Price Formation Enhancements Initiative. CAISO will host a hybrid working group meeting for the Price Formation Enhancements initiative on November 16, 2023 to review analysis and data requested by stakeholders, hear stakeholder perspectives, and continue refining BAA-Level Market Power Mitigation problem statements. Further details are available [here](#).

RA Modeling and Program Design. CAISO will host a RA Modeling and Program Design working group meeting on December 6, 2023 to discuss problem statements, principles, goals, and data analysis needs. Further details and registration information are available [here](#).

Western Energy Imbalance Market Regional Issues Forum. The Western Energy Imbalance Market Regional Issues Forum has announced its upcoming meeting on December 11, 2023. Further details are available [here](#).

CALIFORNIA ENERGY COMMISSION (CEC)

Integrated Energy Policy Report (IEPR)

The CEC [released](#) the 2023 [Draft IEPR](#) for public comment. According to the publication [notice](#), written comments must be submitted to the Docket Unit by 5:00 p.m. on December 1, 2023.

On November 15, 2023, the CEC will host another remote-access [workshop](#) to review draft results for the 2023 IEPR energy demand forecast load modifiers. According to the workshop [notice](#), “the load modifiers include behind-the-meter distributed generation and storage, additional achievable energy efficiency, additional achievable fuel substitution, and additional achievable transportation electrification.”

The CEC will also host a workshop at 1:00 p.m. on December 6, 2023 regarding California Energy Demand Forecast Results. The 2023 IEPR [workshop schedule](#) is also accessible on the [2023 IEPR website](#).

Energy Storage Permitting

On November 15, 2023, the CEC will host a [workshop](#) for the Center for Sustainable Energy, to introduce their [Draft Energy Storage Permitting Guidebook](#) (Guidebook) developed under Agreement EPC-19-026. Workshop participants will be invited to provide feedback on the Guidebook. According to the workshop [notice](#):

- Version 1 (November 2023) of the Guidebook draws upon stakeholder feedback on the deployment experiences and best practices identified during permitting and

commissioning residential energy storage products with multiple deployments in California.

- In Q1 2024, the project team will publish an updated draft (version 2), incorporating public feedback where relevant.
- In addition to any informal interim updates to the Guidebook, the project team plans to publish an updated draft (version 3) in Q2 2024 that will include guidelines for emerging energy storage technologies based on public feedback and lessons learned from early adopter deployments.
- In Q3 2024, a final version of the Guidebook (version 4) will be released.

The [Docket Log](#) will also be opened prior to the workshop to receive written public comments.

Energy System Reliability

On November 16, 2023 at 9:00 a.m., the CEC will host a [workshop](#) to present a proposed approach for developing planning reserve margins for Publicly Owned Utilities (POUs) in the CAISO balancing area. According to the workshop [notice](#), CAISO staff will provide (i) information on RA requirements in the CAISO balancing area; and (ii) an overview of the draft recommended approach to establishing planning reserve margins. A detailed workshop schedule will be posted prior to the workshop at [Docket No. 21-ESR-01](#).

The CEC will host a [hybrid workshop](#) at 1:00 p.m. on November 17, 2023 on SB 423 Emerging Renewable and Firm Zero Carbon Resources. According to the workshop [notice](#), CEC staff will present the proposed analytical approach for developing the Emerging Renewable and Firm Zero Carbon Resources Report (Report). SB 423 requires the CEC, in consultation with the CPUC, CAISO, and CARB, to submit to the Legislature by December 31, 2023 an assessment “of emerging renewable energy and firm zero-carbon resources that support a clean, reliable, and resilient electrical grid in California.”

RPS

On September 29, 2023, the CEC released the following via email list serve notification:

- As specified by Chapter 7 of the *Renewable Portfolio Standard Eligibility Guidebook*, Ninth Edition (Revised), all LSEs, including retail sellers and local POU, are required to report retirement of 2022 renewable energy credits (RECs) for California’s RPS program to the CEC by July 3, 2023. On June 30, 2023, due to technical challenges affecting e-Tags matching in Western Renewable Energy Generation Information System (WREGIS), the CEC Executive Director found good cause to extend the 2022 RPS annual reporting deadline for all LSEs to September 30, 2023, pursuant to Chapter 8.D.4 of the *Renewable Portfolio Standard Eligibility Guidebook*.

- On September 20, 2023, the Executive Director of WREGIS notified CEC staff that the system issue persists and will not be resolved until after the September 30, 2023 annual reporting deadline. The system issue prevents certain generators from having RECs created for their RPS-eligible generation, which is necessary for LSEs to report to the CEC. **The CEC Executive Director therefore finds good cause to grant an additional extension to the 2022 RPS annual reporting deadline for all LSEs. The annual reporting deadline shall be extended to 30 calendar days after WREGIS has fully resolved the system issue and notified the CEC. A subsequent notification will be given to LSEs at that time, which will trigger the 30-day annual reporting deadline.**
- This extension for LSEs applies to all REC retirements previously due by July 3, 2023 (subsequently extended to September 30, 2023), as described in the 2022 WREGIS Reporting Guidance document and the additional annual reporting requirements for POUUs described in the 2022 Annual Reporting Instructions for POUUs. **LSEs that were ready to file their completed 2022 RPS annual filing by the September 30, 2023 deadline were encouraged to do so. LSEs that have already filed their completed 2022 RPS annual filing by the September 30, 2023 deadline do not need to take further action.**

(Emphasis in original.) Information regarding the foregoing is also available [here](#).

Electric Vehicle Infrastructure

On November 13, the CEC extended the deadline to submit written comments on the EVSE Deployment and Grid Evaluation Tool workshop that was held on October 26, 2023. The new deadline is November 22, 2023 by 5:00 p.m. Written comments may also be submitted by email (doCKET@energy.ca.gov) and should include the docket number 19-AB-2127 and EVSE Deployment and Grid Evaluation (EDGE) Tool in the subject line. Additional information on the EDGE tool is available on the [EDGE Tool landing page](#).

On November 14, the CEC posted presentation materials for its meeting of the Advisory Committee for the Clean Transportation Program Investment Plan. The materials are available on the docket [here](#), and additional information on the Clean Transportation Program Investment Plan is available [here](#).

Senate Bill 350 DACAG

The DACAG will hold its next remote-access meeting at 1:00 p.m. on November 17, 2023. The agenda for the meeting is available in the meeting [notice](#).

CEC Business Meetings

The next business meeting will be held on December 13, 2023.

CALIFORNIA AIR RESOURCES BOARD (CARB)

Meetings and Workshops

On November 15, 2023, CARB will hold a [public workshop](#) on potential amendments to the [Advanced Clean Cars II](#) regulations, including updates to tailpipe greenhouse gas standards and limited revisions to the Low-Emission Vehicle and Zero-Emission Vehicle regulations. Registration and more information about the workshop are available [here](#).

On November 15, 2023, CARB will hold a [public kickoff workshop](#) to explore initial ideas and concepts to transition non-truck [transport refrigeration units](#) (TRUs) to zero-emission technology, including trailer TRUs, domestic container TRUs, railcar TRUs, and TRU generator sets. Registration and more information about the workshop are available [here](#).

On November 15, 2023, CARB will hold a public meeting to discuss and solicit comments from the public on research priorities for CARB funding in fiscal year 2024-2025. At the meeting, CARB will provide an update on submissions CARB has received for research concepts. Registration and information on the meeting are available [here](#).

On November 15, 2023, CARB will host a seminar on the results of a University of California, Berkeley study on asthma impacts from port and rail facilities in highly impacted communities. Registration for the seminar is available [here](#).

On November 16, 2023, CARB will hold a [joint California-Quebec public workshop](#) on potential amendments to the [California Cap-and-Trade Regulation](#). Registration and more information about the workshop are available [here](#).

CARB's next [Board meeting](#) will be held November 16, 2023. The agenda for the meeting is available [here](#).

On November 28, 2023, as part of the [Clean Truck Partnership](#) between CARB and truck manufacturers, CARB will hold a workshop on the role of hydrogen in medium- and heavy-duty on-road vehicles in California. Registration and more information on the workshop are available [here](#).

On November 28, 2023, CARB will hold a workshop introducing a zero-emission vehicle credit pooling concept under the [Advanced Clean Trucks](#) regulation. Registration and more information on the workshop are available [here](#).

Opportunities for Public Comment

[Modified text](#) for CARB's proposed amendments to the [Greenhouse Gas Emissions Standards for Crude Oil and Natural Gas Facilities](#) has been made available. Comments may be submitted to CARB [here](#) on or before November 17, 2023.

COLORADO PUBLIC UTILITIES COMMISSION (COLORADO PUC)

The Colorado PUC will host its next Commissioners' weekly meeting on November 15, 2023 at 9:00 a.m. MT. The agenda includes several energy- and transportation-related items for discussion and approval on the consent agenda, which is available [here](#). The meeting, which will be held remotely, is available for online viewing [here](#).

MINNESOTA PUBLIC UTILITIES COMMISSION (MPUC)

On November 1, 2023, Minnesota Power, Center Point Energy, and Xcel Energy filed requests to increase rates. Press releases for the filings can be found [here](#), [here](#), and [here](#), respectively. Interim rates for each of the utilities will likely take effect on or about January 1, 2024.

Also on November 1, 2023, Minnesota's large investor-owned electric utilities (i.e., Xcel Energy, Minnesota Power, and Otter Tail Power) submitted comments on proposed ratemaking treatment for early-retired generating facilities. The initial comments were in response to a notice of comment period from the MPUC on August 22, 2023 (a link to which can be found [here](#)). State agencies and other stakeholders will be submitting comments in response on January 5, 2024.

On November 7, 2023, the MPUC will meet to address items relating to Minnesota Power's HVDC routing and siting permit applications, Great River Energy's 170 MW Cambridge 2 peaking plant, and Xcel Energy's community solar gardens. The full agenda can be found [here](#).

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

On October 29, 2023, in [185 FERC ¶ 61,043](#), FERC issued a Notice of Proposed Rulemaking (NOPR) proposing changes to current Electric Quarterly Report (EQR) filing requirements, including both the method of collection and the data being collected. Among other things, the Commission proposes to implement a new collection method for EQR reporting based on the eXtensible Business Reporting Language-Comma-Separated Values standard. The Commission proposes to amend its regulations to require Regional Transmission Organizations and Independent System Operators (ISOs) to produce reports containing market participant transaction data in XBRL-CSV format that adheres to the FERC EQR taxonomies, which sellers can use to prepare their EQR submissions. The Commission also proposes to revise existing EQR reporting requirements and associated fields, as summarized in the Proposed EQR Data Dictionary and the Modified Data Fields Summary. The NOPR proposes to require Qualifying Facilities to identify the sales that they make pursuant to the Public Utility Regulatory Policies

Act that are reportable to the EQR. The Commission further proposes to amend its regulations to extend the quarterly filing window to four months after the close of the quarter, and provide the option for sellers to file data on a rolling basis before the close of the quarter. The NOPR proposes to revise the EQR refiling policy to require refiling when there are material corrections or material omissions to previously filed EQRs for either the prior 20 quarters (i.e., five years) or as far back as the error(s) occurred, depending on which timeframe is shorter. The NOPR also proposes to eliminate several existing seller requirements—specifically, to eliminate the requirement to report transmission capacity reassignment information in the EQR, the requirement to identify the index price publisher(s) to which they report transactions in the EQR, and the requirement to identify which exchange or broker was used to consummate transactions. Lastly, the Commission proposes to reduce the amount of identification data that sellers must submit each quarter.

On October 19, 2023, in [185 FERC ¶ 61,031](#), FERC issued an order granting the waiver request of Twelvemile Solar Energy, LLC (Twelvemile Solar) of Articles 2.3.2 and 11.2 of the Generator Interconnection Agreement (GIA) among Twelvemile Solar as interconnection customer, Southwest Power Pool, Inc. (SPP) as transmission provider, and Oklahoma Gas and Electric Company as transmission owner. Specifically, FERC granted the waiver to allow for a 28-month extension of the commercial operation deadline for Twelvemile Solar’s planned 100 MW solar facility, from December 1, 2023 to March 31, 2026. FERC found that Twelvemile Solar’s waiver request satisfied the following criteria: (1) the applicant acted in good faith; (2) the waiver is of limited scope; (3) the waiver addresses a concrete problem; and (4) the waiver does not have undesirable consequences, such as harming third parties. The limited waiver only applies to the December 1, 2023 deadline and does not relieve Twelvemile Solar of any financial requirements associated with the Twelvemile Solar GIA. Further, FERC reiterated that if the Twelvemile Solar facility does not achieve commercial operation by March 31, 2026, the GIA will be subject to termination by SPP at that time.

On October 10, 2023, in [185 FERC ¶ 61,011](#), FERC issued an order addressing Midcontinent Independent System Operator, Inc.’s (MISO) proposed revisions to its Open Access Transmission, Energy and Operating Reserve Markets Tariff in compliance with the requirements of Order No. 2222 to address the participation of distributed energy resource aggregations. FERC found that MISO’s proposal partially complies with Order No. 2222, and therefore, accepted MISO’s compliance filing, subject to a further compliance filing.

On October 6, 2023, in [185 FERC ¶ 61,013](#), FERC accepted subject to compliance proposed revisions filed by PJM Interconnection, L.L.C. (PJM) to Schedule 6A of its Open Access Transmission Tariff (Tariff) related to Black Start Units. FERC accepted with conditions PJM’s proposal to establish a new category of black start resources, Fuel Assured Black Start Units, and to allow, among other resources, intermittent and hybrid resources, *i.e.*, wind, solar, hydro, energy storage, or distributed energy/demand resources with onsite generator resources, which meet certain qualifications to participate. FERC accepted and ordered that PJM revise its Tariff on compliance to clarify that DERs are eligible to qualify. FERC also accepted with conditions PJM’s proposed qualification metrics for intermittent and hybrid resources. PJM will only rely on an intermittent or hybrid Fuel Assured Black Start Unit to provide the MW level of

capacity that, based on the unit's historic operations, the unit is 90% certain to be able to sustain for 16 hours. FERC accepted this proposal, but ordered that PJM clarify on compliance that the 16 hours of operation per day (which need not be continuous) at a MW level provides a confidence level of 90% based on an evaluation of the unit's historical operation over a representative period of time. Relatedly, FERC ordered PJM to clarify that the same qualification standard apply to DERs. FERC also accepted PJM's proposals related to compensation for Fuel Assured Black Start Units, as well as the performance standards and outage restrictions and testing and performance criteria for Fuel Assured Black Start Units.