PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco CA 94102-3298

Ava Community Energy Authority
ELC (Corp ID201)
Status of Advice Letter 44E
As of January 26, 2024

Subject: Ava Community Energy Compliance Filing Regarding Energy Storage Procurement

Division Assigned: Energy

Date Filed: 12-22-2023

Date to Calendar: 01-05-2024

Authorizing Documents: None

Disposition:	**Accepted**
Effective Date:	**01-21-2024**

Resolution Required: No

Resolution Number: None

Commission Meeting Date: None

CPUC Contact Information:
edtariffunit@cpuc.ca.gov

AL Certificate Contact Information:
John Newton
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jnewton@avaenergy.org

STATE OF CALIFORNIA **GAVIN NEWSOM,** *Governor*

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco CA 94102-3298

To: Energy Company Filing Advice Letter

From: Energy Division PAL Coordinator

Subject: Your Advice Letter Filing

The Energy Division of the California Public Utilities Commission has processed your recent Advice Letter (AL) filing and is returning an AL status certificate for your records.

The AL status certificate indicates:

Advice Letter Number
Name of Filer
CPUC Corporate ID number of Filer
Subject of Filing
Date Filed
Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)
Effective Date of Filing
Other Miscellaneous Information (e.g., Resolution, if applicable, etc.)

The Energy Division has made no changes to your copy of the Advice Letter Filing; please review your Advice Letter Filing with the information contained in the AL status certificate, and update your Advice Letter and tariff records accordingly.

All inquiries to the California Public Utilities Commission on the status of your Advice Letter Filing will be answered by Energy Division staff based on the information contained in the Energy Division's PAL database from which the AL status certificate is generated. If you have any questions on this matter please contact the:

Energy Division's Tariff Unit by e-mail to
edtariffunit@cpuc.ca.gov



California Public Utilities Commission

ADVICE LETTER SUMMARY

ENERGY UTILITY

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

Company name/CPUC Utility No.: **Ava Community Energy / #201**

Utility type:
☑ ELC ☐ GAS ☐ WATER
☐ PLC ☐ HEAT

Contact Person: **John Newton**
Phone #: **(510) 641-0807**
E-mail: **jnewton@avaenergy.org**
E-mail Disposition Notice to: **jnewton@avaenergy.org**

EXPLANATION OF UTILITY TYPE
ELC = Electric GAS = Gas
PLC = Pipeline HEAT = Heat WATER = Water

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: **44-E** Tier Designation: **2**

Subject of AL: **Ava Community Energy Compliance Filing Regarding Energy Storage Procurement**

Keywords (choose from CPUC listing): **Compliance**

AL Type: ☐ Monthly ☐ Quarterly ☐ Annual ☐ One-Time ☑ Other: **Biennial until 2024**

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: **N/A**

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:
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: **1/21/2024** 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[1]: **N/A**

Pending advice letters that revise the same tariff sheets: **N/A**

[1]Discuss in AL if more space is needed.

Clear Form

Protests and correspondence regarding this AL are to be sent via email and are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:

California Public Utilities Commission
Energy Division Tariff Unit Email:
EDTariffUnit@cpuc.ca.gov

Contact Name: **John Newton**
Title: **Principal Regulatory Manager**
Utility/Entity Name: **Ava Community Energy**

Telephone (xxx) xxx-xxxx: **(510) 641-0807**
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Email: **jnewton@avaenergy.org**

Contact Name:
Title:
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Email:

CPUC
Energy Division Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Clear Form

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	

Clear Form

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December 22, 2023

Advice No. 44-E
(Ava Community Energy Utility ID 201)

California Public Utilities Commission
Energy Division
Attention: Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102-3298

Subject: **Ava Community Energy Authority Compliance Filing Regarding Energy Storage Procurement**

Pursuant to Decision ("D.") 13-10-040, *Decision Adopting Energy Storage Procurement Framework and Design Program*, Ava Community Energy Authority ("Ava") (formerly East Bay Community Energy) submits this Tier 2 Advice Letter regarding its energy storage procurement.

Purpose

The purpose of this advice letter is to provide information on Ava's progress toward the energy storage procurement framework, as required by Ordering Paragraph ("OP") 5 of D.13- 10-040.

Background

On October 17, 2013, the Commission issued D.13-10-040, *Decision Adopting Energy Storage Procurement Track Framework and Design Program*, which establishes policies and mechanisms for procurement of electric energy storage pursuant to Assembly Bill 2514. The decision directs Community Choice Aggregators ("CCAs") to procure energy storage equal to one percent of their annual 2020 peak load by 2020 with installation no later than 2024. In OP 5 of D.13-10-040, the Commission directed CCAs to "file a Tier 2 Advice Letter starting January 1, 2016, and every two years thereafter until 2024 to report their progress in procuring 1% of their 2020 annual peak load from energy storage projects under contract by 2020 and describe its methodology for measuring cost-effective projects."[1]

D.17-04-039 modified this requirement through the implementation of an "automatic limiter" that reduces a CCA's total energy storage procurement obligation commensurate with its customers' share of Investor-Owned Utility ("IOU") energy storage procurement paid for

[1] D. 13-10-040, Page 77.

through non-bypassable charges.[2] D.16-01-032 also clarified that energy storage projects installed by customers of a CCA using SGIP funding should be counted such that they be "split evenly between the unbundled customers' IOU and the CCA/ESP."[3]

This advice letter comports with the requirements outlined above.

Discussion/Response:

D.13-10-040 details the reporting requirement, stating CCAs must list the energy storage procurement contracts they have entered into (including technology and number of MW & MWh), duration of the contracts, and the percentage of the CCA's peak load provided by energy storage.

To count towards the 2020 goal, energy storage projects must meet the following eligibility requirements as defined in D.13-10-040:

1) Energy storage systems must be installed and operational after January 1, 2010: As required by California Public Utility Code section 2835, subdivision (c) a "new energy storage system" is a "system that is installed and first becomes operational after January 1, 2010".
2) Energy storage systems must be online and delivering by the end of 2024: all 2020 compliance target procurements must be "installed' or "online and delivering', by December 31, 2024.
3) Distributed storage qualifies: The Commission "shall allow customers sited or customer-owned energy storage to count towards the 1% target" for CCA programs.
4) Electric vehicle programs qualify: IOUs, ESPs, and CCA programs may count energy storage that "could be obtained from plug-in vehicles and programs/systems that utilize electric vehicles for grid services (Vehicle to Grid)" for their procurement goals.
5) Storage funded by departing utility customers is excluded the load associated with customers departing from utility bundled services for CCA participation "shall not be counted towards meeting the CCA or ESP's 1 percent procurement target".
6) Energy storage projects must further a relevant purpose: Projects must demonstrate their ability to meet one or more of the following purposes: grid optimization, integration of renewable energy, or reduction of greenhouse gas emissions.
7) Government funded projects may be included "It is reasonable to include any PIER or EPIC-funded projects toward the procurement targes under certain conditions."

Table 1 describes the eligible energy storage resources currently under contract to Ava.

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[2] D.17-04-039, page 68, OP 6:
http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M185/K070/185070054.PDF
[3] D.16-01-032, page 64, Conclusion of Law 29:
http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M158/K111/158111344.PDF

Impact of Automatic Limiter:

Ava's retail peak load in 2023 was approximately 1,232 MW; Ava's obligation under AB 2514 would have been to procure approximately 12 MW of energy storage in 2023. As previously described, D.17-04-039 modified the energy storage procurement requirement through the implementation of an "automatic limiter" that reduces CCAs' total energy storage procurement obligation. The automatic limiter has been triggered for Energy Service Providers (ESPs) and CCAs in the service territories of all their IOUs, and their one percent storage procurement obligations have been eliminated. CCA programs in all IOUs' service territories are currently not required to procure any energy storage resources towards their one percent of 2020 or subsequent peak load targets.[4] However, Ava is still required to submit its Tier 2 Advice Letter by the January 1, 2024, deadline informing the Commission about the status of its energy storage procurement activities.

Impact of Automatic Limiter:

AB 2514 provides that energy storage must be "viable and cost-effective"; D-13-10-040 describes the CCA obligation to describe its methodology for measuring cost-effective projects.

As a result of the automatic limiter being triggered, Ava was not required to procure energy storage for the sole purpose of meeting obligations under AB 2514. However, cost-effectiveness of energy storage – indeed all long-term procurement – is established under the oversight of Ava's Board of Directors. When evaluating long-term procurement, Ava considers costs and potential benefits. In the case of contracted energy storage resources, costs include the project's proposed fixed and variable costs. Benefits include Ava's view of market prices for energy, ancillary services, and/or resource adequacy; impact upon local job and economic value to Ava jurisdictions; and potential reduction in GHG emissions or particulate pollution in Ava jurisdictions.

Ava conducts most long-term procurement through competitive solicitations with the aim of bringing greater transparency to the procurement process than can be achieved through a strictly bilateral negotiation and attempts to engage as many market participants as possible.

[4] December 5, 2018 CPUC Energy Division Staff Disposition of SDG&E AL 3256-E, PG&E AL 5345-E, and SCE AL 3833-E, p.2, available at: https://www.pge.com/tariffs/assets/pdf/adviceletter/ELEC_5345-E.pdf

Table 1: Energy Storage Resources Under Contract with Ava

Contract	Date Executed	Date Delivery Begins	Contract Length	Storage Duration	Resource Size (MW/MWh)	Technology	Interconnection
EDPR CA Solar Park VI LLC	6/21/19	4/3/2024	20 years	4 years	30MW / 120MWh	Lithium Ion Battery	Transmission
EDPR Scarlet II BESS, LLC	4/27/2023	6/1/2024	10 years	4 years	75 MW / 300 MWh	Lithium Ion Battery	Transmission
Convergent Henrietta D, LLC	7/30/2021	1/1/2022	15 years	4 years	10 MW / 40 MWh	Lithium Ion Battery	Transmission
Daggett Solar Power 3, LLC	9/29/2021	9/5/2023	15 years	4 years	12.5 MW / 50 MWh	Lithium Ion Battery	Transmission
IP Oberon II, LLC	9/3/2021	1/1/2024	15 years	4 years	125 MW / 500 MWh	Lithium Ion Battery	Transmission
Tumbleweed Energy Storage, LLC	9/20/2021	6/1/2024	25 years	4 years	50 MW / 200 MWh	Lithium Ion Battery	Transmission
Alpaugh BESS, LLC	2/28/2023	6/1/2024	12 years	4 years	5 MW / 20 MWh	Lithium Ion Battery	Transmission
Ocotillo Solar, LLC	5/31/2023	8/31/2023	10 years	4 years	50 MW / 200 MWh	Lithium Ion Battery	Transmission
MRP Pacifica Marketing LLC, Hanford Incremental BESS	7/17/2023	4/1/2024	15 years	4 years	16 MW / 64 MWh	Lithium Ion Battery	Transmission
Amcor Storage LLC	5/19/2023	5/1/2024	10 years	4 years	9.5 MW / 38 MWh	Lithium Ion Battery	Transmission

Tier Designation

Tier 2 Designation pursuant to General Order ("G.O.") 96-B, Energy Industry Rule 5.2 and D.13-10-040.

Effective Date

January 21, 2024, which is 30 calendar days from the date of this submittal.

Protest

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

Notice

In accordance with G.O. 96-B, Section IV, a copy of this advice letter is being sent electronically to parties shown on the service lists for R.15-03-011.

Correspondence

Any correspondence regarding this filing should be sent by electronic mail to the attention of:

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1999 Harrison St, Suite 2300
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/s/ John Newton
John Newton
Principal Regulatory Manager
Ava Community Energy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to consider policy and implementation refinements to the Energy Storage Procurement Framework and Design Program (D.13-10-040, D.14-10-045) and related Action Plan of the California Energy Storage Roadmap.	Rulemaking 15-03-011 (Filed March 26, 2015)

CERTIFICATE OF SERVICE

I hereby certify that I have on this date caused the attached Advice Letter 44-E **"Ava Community Energy Authority Compliance Filing Regarding Energy Storage Procurement"** to be sent to the official service list for R.15-03-011, obtained from the CPUC's website and attached hereto, by electronic mail (e-mail) to the e-mail address for all persons on the official service list.

Executed December 22, 2023, at Oakland, California.

/s/ John Newton
John Newton
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CPUC Home

CALIFORNIA PUBLIC UTILITIES COMMISSION
Service Lists

PROCEEDING: R1503011 - CPUC - OIR TO CONSID
FILER: CPUC
LIST NAME: LIST
LAST CHANGED: DECEMBER 6, 2023

Download the Comma-delimited File
About Comma-delimited Files

Back to Service Lists Index

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