

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 ID 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: regulatory@avaenergy.org

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

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 58-E

Tier Designation: 2

Subject of AL: Ava Community Energy AL 58-E - GHG Environmental Performance Standard (EPS) Compliance Filing 2024

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.07-01-039

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL:

Summarize differences between the AL and the prior withdrawn or rejected AL:

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: 3/20/25 No. of tariff sheets:

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 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

Name: John Newton
Title: Principal Regulatory Senior Manager
Utility Name: Ava Community Energy
Address: 1999 Harrison St, Suite 2300
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State: California Zip: 94612
Telephone (xxx) xxx-xxxx: (833) 699-3223
Facsimile (xxx) xxx-xxxx:
Email: jnewton@avaenergy.org

Name:
Title:
Utility Name:
Address:
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State: District of Columbia Zip:
Telephone (xxx) xxx-xxxx:
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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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John Newton
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VIA E-MAIL

February 18, 2025

CA Public Utilities Commission
Energy Division
Attention: Tariff Unit

Re: Ava Community Energy AL 58-E - GHG Environmental Performance Standard (EPS) Compliance Filing 2024

Pursuant to Ordering Paragraph No. 4 of Decision ("D.") 07-01-039, issued in R. 06-04-009 on January 25, 2007, Ava Community Energy ("Ava") submits this annual Attestation Letter affirming that the financial commitments Ava has entered into for generation during the prior calendar year are in compliance with the greenhouse gas ("GHG") emissions performance standard ("EPS"). Specifically, Ava is in compliance with the EPS as it has added no generation facilities nor added any long-term financial commitments for generation in the compliance year listed above.

Effective Date: March 20, 2025

Tier Designation: Tier 2 Designation

Purpose

This Attestation Letter provides information and documentation required by D.07-01-039. This Attestation Letter demonstrates that for 2024 Ava has entered into NO financial commitments that are in compliance with the EPS (long-term financial commitments defined on Page 3 of Attachment 7 in D.07-01-039).

Background

D.07-01-039 requires all Load Serving Entities ("LSEs") to file annual Attestation Letters by February 15[1] of each year, attesting to the Commission that the financial commitments entered into for generation during the prior calendar year are in compliance with the EPS. D.07-01-039

[1] February 15, 2025, falls on a Saturday. The next business day is February 18, 2025.

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requires LSEs to file Attestation Letters as an advice letter and serve the Attestation Letter on the service list in Rulemaking ("R.") 06-04-009. This Attestation Letter is filed pursuant to that process.

D.07-01-039 requires LSEs to list long-term financial commitments of five years or longer that they have entered into during the prior year. Furthermore, D.07-01-039 requires documentation demonstrating that LSEs have complied with the EPS, by demonstrating:

(a) That the commitments were not "covered procurements" under the interim EPS rule and/or

(b) For those that represent covered procurements, documentation demonstrating that such procurements are EPS-compliant, including any contracts with a term of five years or longer that include provisions for substitute energy purchases.

(c) For any requested reliability-based exemptions that have been pre-approved by the Commission, a reference to the application and Commission decision number.

D.07-01-039 requires all LSEs to disclose the investment amount and type of alteration to retained generation, by generation facility and unit. D.07-01-039 also advises LSEs to present documentation regarding the design and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in California Public Utilities Code § 8341(b)(4), as well as any other sources of documentation that they believe will be relevant to this determination.

D.07-01-039 emphasizes that the key concept is to establish the design and intended use of the powerplant. Accordingly, documentation of the annualized plant capacity factor for the powerplant should include historical annual averages in order to help determine whether the plant is "designed and intended" to be used for baseload generation. D.07-01-039 requires LSEs to provide documentation of capacity factors, heat rates, and corresponding emissions rates that reflect the actual, expected operations of the plant.

This Attestation Letter comports with the requirements outlined above.

Protests

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

Correspondence

Docusign Envelope ID: 2E4CBA32-AA48-46DD-81C1-CC4A9EB8C9C1

Any correspondence regarding this compliance filing should be sent by email to the attention of:

John Newton
Principal Regulatory Senior Manager
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1999 Harrison St, Suite 2300
Oakland, CA 94612
(833) 699-3223
jnewton@avaenergy.org

Certification

I have reviewed, or have caused to be reviewed, this compliance submittal.

Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.

Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission orders, rules, and regulations.

Dated February 18, 2025

DocuSigned by:
Howard Chang

Howard Chang
Chief Executive Officer
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