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October 15, 2025

Advice Letter 62-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: **Withdrawal of Ava Advice Letter 62-E, *2025 Financial Security Requirements***

In accordance with General Order 96-B, Section 5.3, Ava Community Energy ("Ava") hereby withdraws Ava Advice Letter 62-E, *2025 Financial Security Requirements* ("FSR"), without prejudice.

On September 2, 2025, Ava submitted Advice Letter 62-E, regarding the 2025 FSR following the final, revised calculation methodology for community choice aggregator load serving entities to demonstrate that they had provided sufficient demonstration of FSR amounts based on the new methodology. Upon further review of CPUC requirements and after consultation with Energy Division, it is Ava's understanding that this demonstration was not necessary in the manner of Ava Advice Letter 62-E.

In accordance with General Order 96-B, Section 5.3, this withdrawal communication is being submitted in the same manner and served on the same recipients as the advice letter.

Respectfully submitted,

/s/ John Newton
John Newton
Director, Regulatory Affairs
Ava Community Energy

Cc: Service List for R.21-03-011

John Newton
Principal Regulatory Senior Manager
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September 2, 2025

Advice Letter 62-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: 2025 Financial Security Requirements

Purpose

Pursuant to Decision ("D.") D.18-05-022 and D.24-04-009, and upon the effective date of Pacific Gas & Electric Company ("PG&E") Advice Letter ("AL") 7596-E-B, Ava Community Energy ("Ava") submits this Tier 2 Advice Letter regarding 2025 Financial Security Requirements ("FSR").

Background

The FSR represents the estimated amount that would be required to cover investor-owned utility administrative and procurement costs resulting from a mass involuntary return.[1] D.18-05-022 established the methods for calculating re-entry fees, FSR amounts, and established a minimum CCA FSR amount of $147,000.[2]

The Commission, through D.24-04-009, provided additional time for CCAs to update their respective FSR instruments following Commission approval of IOU tariff implementation of the new FSR calculation methodology.[3] Ultimately, PG&E provided that updated calculation via PG&E AL 7596-E-B. The Commission disposed of PG&E AL 7596-E-B on August 13, 2025, with an effective date of June 11, 2025.

Tier Designation

Pursuant to General Order (GO) 96-B, Energy Industry Rule 5.2, and D.24-05-009, this advice letter is submitted with a Tier 2 designation.

Effective Date

October 2, 2025, which is 30 calendar days from the date of submittal.

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[1] D.18-05-022 at 14; Conclusion of Law 2.
[2] Id., at 16; Ordering Paragraph 9.
[3] D.24-04-009 at 54 (Discussion, adopting a new FSR amount likely to impact most, if not all, CCAs and providing additional time to provide FSR postings).

Attachments
Attachment A Declaration of Russell Mills
Attachment B (Confidential)

Protest
Anyone wishing to protest this advice letter may do so by letter sent by electronic mail no later than 20 days after the date of this advice letter's submission. Protests should be submitted to:

CPUC Energy Division
ED Tariff Unit
E-Mail: EDTariffUnit@cpuc.ca.gov

Any such protest should also be sent by electronic mail to the following address on the same date it is electronically delivered to the Commission:

John Newton
Principal Regulatory Senior Manager
E-Mail: jnewton@avaenergy.org

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.21-03-011.

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

John Newton
Principal Regulatory Senior Manager
Ava Community Energy
1999 Harrison St, Suite 2300
Oakland, CA 94612
jnewton@avaenergy.org

/s/ John Newton
John Newton
Principal Regulatory Senior Manager
Ava Community Energy

Attachments:
Attachment A Declaration of Russell Mills Supporting Confidential Treatment
Confidential Attachment B – Ava FSR documentation



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-E)

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 WATER = Water
PLC = Pipeline HEAT = Heat

(Date Submitted / Received Stamp by CPUC)
September 2, 2025

Advice Letter (AL) #: 62-E

Tier Designation: 2

Subject of AL: 2025 Financial Security Requirements

Keywords (choose from CPUC listing): N/A

AL Type: ☐ Monthly ☐ Quarterly ☐ Annual ☑ One-Time ☐ Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:
D.24-04-009, D.18-05-022

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 Attachment B
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: 10/2/25

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 Senior Manager
Utility/Entity Name: Ava Community Energy (201-E)

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

Contact Name:
Title:
Utility/Entity Name:

Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
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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ATTACHMENT A

DECLARATION OF RUSSELL MILLS IN SUPPORT OF CONFIDENTIAL TREATMENT OF DATA SUBMITTED ACCOMPANYING AVA ADVICE LETTER 62-E

I, Russell Mills, declare:

1. I am the Senior Vice President and Chief Financial Officer for Ava Community Energy ("Ava"). In this capacity, I have knowledge of the information contained in Advice Letter 62-E. I have delegated authority to sign this declaration on behalf of Ava.

2. I make this Declaration in accordance with Decision ("D.") 06-06-066, et seq., to demonstrate that the confidential information ("Confidential Information") provided in Ava's concurrently submitted Advice Letter 62-E falls within the confidentiality protections of D.06-06-066, et seq., and other relevant statutory provisions.

3. Ava's Confidential Information consists of the redacted information in Advice Letter 62-E and the Supporting Documentation attached as "Confidential Attachment B."

4. In D.06-06-066, as modified by D.07-05-032, D.08-04-023, D.20-07-005, and D.21-11-029 (collectively "Confidentiality Decisions"), the California Public Utilities Commission ("Commission") adopted rules governing the confidentiality of certain electric procurement data submitted to the Commission by electric service providers ("ESPs") and Community Choice Aggregators ("CCAs"). In the modified ESP/CCA Matrix attached to D.21-11-029 ("ESP/CCA Matrix"), the Commission identified categories of information and the confidentiality protections to be applied to each category.[1]

5. To the extent information submitted to the Commission by a CCA matches a category of information contained in the ESP/CCA Matrix, the information is entitled to the protection provided for that category of information by the ESP/CCA Matrix.[2]

[1] See D.21-11-029 at Attachment 2.
[2] D.06-06-066, as amended by D.07-05-032, *mimeo*, p. 81, Ordering Paragraph 2.

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6. In order to claim confidential protection, the party seeking confidential treatment must establish:

A. That the material the party is submitting constitutes a particular type of data listed in the ESP/CCA Matrix;

B. Which category or categories in the ESP/CCA Matrix the data correspond to;

C. That the party is complying with the limitations on confidentiality specified in the ESP/CCA Matrix for that type of data;

D. That the information is not already public; and

E. That the data cannot be aggregated, redacted, summarized, masked, or otherwise protected in a way that allows partial disclosure.[3]

7. Ava meets the criteria for confidential treatment of the Confidential Information, as follows:

Matrix Requirement(s)	**How Ava Meets the Requirement(s)**
The material submitted constitutes a particular type of data listed in the ESP/CCA Matrix.	The Confidential Information consists of Ava's confidential allocations of Mid-Term Reliability obligations and data derived from such allocations, which are based on Year-Ahead Resource Adequacy Forecasts and peak share. The Confidential Information also includes confidential pricing data, internal strategies and bilateral contract terms that are protected.
The ESP/CCA Matrix category or categories to which the data corresponds.	ESP/CCA Matrix categories: • Item II(A) Resource Adequacy Information: Detailed Load Forecasts; • Item II (B) Resource Adequacy Information: Supply Data • Item IV(C) Bilateral Contract Terms and Conditions – Electric: Bilateral Contracts Statutory Protections: • Govt. Code § 7927.705

[3] D.06-06-066, as amended by D.07-05-032, mimeo, p. 81, Ordering Paragraph 2. The arguments set forth herein incorporate and claim the protection of applicable statutory provisions including, but not limited to, Public Utilities Code §§ 454.5(g) and 583, Govt. Code § 6254(k) and General Order 66-D.

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	• Evidence Code § 1060 • Civil Code § 3426.1(d)
The CCA is complying with the limitations on confidentiality specified in the ESP/CCA Matrix for that type of data.	Yes, Ava is complying with the limitations on confidentiality specified in the Matrix for that type of data.
The information is not already public.	Ava has not publicly disclosed this information and is not aware of it having been disclosed by any other party.
The data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.	The Confidential Information cannot be further summarized, masked, or otherwise protected in a way that allows for partial disclosure because it consists of Ava's confidential allocations and confidential pricing data, internal strategy and bilateral contracts.

8. The Confidential Information consists of (a) Ava's confidential allocations of capacity which are based on year-ahead resource adequacy forecasts and peak share, (b) Ava's confidential resource adequacy obligation data, (c) Ava's confidential load share forecast, and (d) Ava's confidential near-term forecasted procurement costs as derived from Ava's forecasted capacity and energy obligations.

9. D.24-02-047 acknowledges that the commercial information required to support this Advice Letter is confidential, referring to it as "confidential pricing and bid data." As the Commission noted in D.21-06-035, ESPs, unlike other load-serving entities, receive their individual allocations of Mid-Term Reliability compliance obligations confidentially, because the allocations are based on confidential year-ahead resource adequacy forecasts.

10. Acknowledging the importance of keeping this data confidential for ESPs, the Commission explained when adopting the methodology for allocating compliance obligations that "because [ESPs'] 2021 energy and peak demand forecasts are both confidential, meaning that even under the hybrid peak/energy approach, individual ESP procurement obligations would have to remain confidential . . . their requirements will be set based on peak share alone."

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11. Since the compliance obligations would be confidential under either scenario, the Commission opted for a straight-forward peak share methodology. The Commission concluded it was reasonable to "convey [ESPs] individual allocations confidentially."

12. Moreover, Public Utilities Code Section 583 establishes a right to confidential treatment of information otherwise protected by law. Under the Public Records Act, records subject to the privileges established in the Evidence Code are not required to be disclosed.4 The Evidence Code provides a privilege for trade secrets, which includes information that derives independent economic value from not being generally known to the public or to other persons who could obtain value from its disclosure.[5]

13. The Confidential Information – data directly derived from individual ESPs' year-ahead resource adequacy load forecasts or constituting supply and pricing data – is commercially sensitive, would cause a loss of a competitive advantage if disclosed, and constitutes a trade secret; thus, it is exempt from disclosure. Moreover, this information can be used to directly or indirectly determine Ava's market position, business plans, or procurement strategies to the detriment of Ava and its customers. If publicly disclosed, the Confidential Information could compromise Ava's negotiation position by providing prospective counterparties valuable insight into its procurement needs and contract terms; such knowledge would unfairly undermine negotiations and could lead to increased costs borne by their customers. Accordingly, pursuant to Public Utilities Code Section 583, Ava seeks confidential treatment of this data, which falls within the scope of Public Utilities Code Section 454.5(g), Government Code Section 7927.705, and General Order 66-D.

14. As an entity operating in the competitive and dynamic retail energy markets, Ava closely holds information on retail and wholesale market positions as well as its internal practices in confidence. Such information should be kept confidential because the information is

[4] See Cal. Govt. Code § 7927.705.
[5] See Cal. Evid. Code §§ 1060-1063; see also Cal. Evid. Code § 1061(a)(1) (citing to Cal. Civ. Code § 3426.1); Cal. Civ. Code § 3426.1.

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commercially sensitive, not publicly available, and/or constitutes trade secrets the disclosure of which would harm Ava and its customers.

15. The public interest in nondisclosure outweighs the public interest in disclosure insofar as release of this commercially sensitive information may directly harm Ava's existing and future commercial opportunities and their ability to secure a return in the marketplace.6 Ensuring a fair and competitive market is in the public interest.

16. The statements in the foregoing document are true of my own knowledge, except as to matters which are stated on information or belief and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Executed this September 2, 2025, at Oakland, CA.

Signed by:
Rusty Mills
E4B0C8E9B24C40D...

Russell Mills

Ava Community Energy

[6] *See* Cal. Govt. Code § 7922.000.

ATTACHMENT B

AVA FSR DOCUMENTATION
(PUBLIC VERSION)

[Entire Document is Confidential]