

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 22, 2016

Joseph Moon
Public Services Manager
Apple Valley Choice Energy
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307

RE: Letter certifying Apple Valley Choice Energy's Implementation Plan and Statement of Intent

Dear Mr. Moon:

The California Public Utilities Commission's Energy Division has reviewed Apple Valley Choice Energy's (AVCE) Implementation Plan and Statement of Intent to establish a community choice aggregator in address in the Town of Apple Valley, which was submitted to us on September 15, 2016.

Pursuant to Public Utilities Code Section 366.2 (c)(7), within 90 days after the Community Choice Aggregator (CCA) establishing load aggregation files an Implementation Plan, the Commission is required to certify that it has received the Implementation Plan, including any additional information necessary to determine a cost-recovery mechanism.

Public Utilities Code Section 366.2 (c)(3) requires a CCA Implementation Plan to contain all of the following:

- A) An organizational structure of the program, its operations, and its funding.
- B) Rate setting and other costs to participants.
- C) Provisions for disclosure and due process in setting rates and allocating costs among participants.
- D) The methods for entering and terminating agreements with other entities.
- E) The rights and responsibilities of program participants, including, but not limited to, consumer protection procedures, credit issues, and shutoff procedures.
- F) Termination of the program.
- G) A description of the third parties that will be supplying electricity under the program, including, but not limited to, information about financial, technical and operational capabilities.

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Pursuant to Public Utilities Code Section 366.2 (c)(4), a CCA is also to prepare and provide for all of the following:

- A) A statement of intent; and,
- B) Provision(s) that provide for:
 - 1) Universal access;
 - 2) Reliability;
 - 3) Equitable treatment of all classes of customers; and,
 - 4) Compliance with any legal requirements concerning aggregated service.

The Commission hereby certifies that Implementation Plan and Statement of Intent submitted by AVCE contain the information required by Public Utilities Code Section 366.2 (c). AVCE has also included a Statement of Intent as part of its Implementation Plan pursuant to Public Utilities Code Section 366.2 (c)(4).

Pursuant to P.U. Code Section 366.2 (c)(7), the Commission is required to provide AVCE with “its findings regarding any cost recovery that must be paid by customers of the community choice aggregator to prevent a shifting of costs as provided for in P.U. Code Section 366.2 subdivisions (d), (e) and (f).” The costs referenced in P.U. Code Section 366.2 subdivisions (d), (e) and (f) are recovered via separate charges for: (1) Power Charge Indifference Adjustment (per kWh); (2) DWR Bond Charge (per kWh); and (3) Competition Transition Charge (CTC) (per kWh). By this letter, the Commission informs AVCE that these costs are identified in Schedule CCA-CRS “Community Choice Aggregation Cost Responsibility Surcharge.”

Sincerely,



Edward Randolph
Director, Energy Division

cc: Andrea Tozer, SCE: (Andrea.Tozer@sce.com)
Amy Lieu, SCE (Amy.Liu@sce.com)
Michelle Stark, SCE (Michelle.Stark@sce.com)