

ASSEMBLY BILL

No. 2861

Introduced by Assembly Member Ting

February 19, 2016

An act to add Section 769.5 to the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

AB 2861, as introduced, Ting. Electricity: distribution grid interconnection dispute resolution process.

Existing law places various duties upon the Public Utilities Commission with respect to distributed generation and requires each electrical corporation to submit to the commission for its approval a distribution resources plan proposal to identify optimal locations for the deployment of distributed resources, as defined. Pursuant to existing law, the commission has established operational and metering requirements for a generation facility to be interconnected to an electrical corporation's distribution grid.

This bill would require the commission, by April 1, 2017, to establish an expedited distribution grid interconnection dispute resolution process, as specified, with the goal of resolving disputes over interconnection applications within the jurisdiction of the commission in no more than 60 days from the time the dispute is formally brought to the commission.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 769.5 is added to the Public Utilities
2 Code, to read:
3 769.5. (a) By April 1, 2017, the commission shall establish
4 an expedited distribution grid interconnection dispute resolution
5 process with the goal of resolving disputes over interconnection
6 applications that are within the jurisdiction of the commission in
7 no more than 60 days from the time the dispute is formally brought
8 to the commission.
9 (b) The expedited distribution grid interconnection dispute
10 resolution process shall include the following elements:
11 (1) A distribution grid interconnection technical advisory panel
12 consisting of at least eight individuals selected by the commission.
13 Four of the technical advisory panel members shall be from
14 electrical corporations and four shall not be from electrical
15 corporations. The commission shall determine the length of the
16 term of each member. If any member of the panel is an employee
17 of, or contractor to, an electrical corporation, an employee of a
18 vendor with an open application, or has a financial interest or
19 financial relationship to a person or corporation with a financial
20 interest in the outcome of the decision, that member shall not
21 participate in any discussion involving that electrical corporation,
22 vendor, or financially interested person or corporation.
23 (2) A review panel of four members shall be selected from the
24 technical advisory panel for each dispute.
25 (3) If an applicant is unable to resolve an interconnection-related
26 dispute after working with the electrical corporation operating the
27 distribution grid, the applicant may seek resolution of the dispute
28 using the commission’s expedited distribution grid interconnection
29 dispute resolution process.
30 (4) Upon agreeing to a final settlement of the dispute, parties
31 shall be free to withdraw from the dispute resolution process.
32 (5) If the dispute is filed with the commission, the commission
33 shall ensure that a technical advisory panel shall review the dispute
34 and make a recommendation to the executive director of the
35 commission within 30 days of receiving the dispute.
36 (6) The commission shall establish a public process to allow
37 the electrical corporation, the applicant, and other interested parties

1 to file written comments on the recommendation of the technical
2 advisory panel.

3 (7) The panel shall request appropriate documents from the
4 electrical corporation involved in the dispute, including, but not
5 limited to, interconnection application studies.

6 (8) The scope of the technical advisory panel's review shall be
7 limited to issues regarding compliance with the established
8 interconnection rules. Any recommendations shall ensure safe and
9 reliable interconnection.

10 (9) The scope of the technical advisory panel's review is limited
11 to making recommendations to resolve specific customer disputes
12 and recommending associated corrective actions, and the panel
13 shall have no authority to assess penalties.

14 (10) Upon receipt of the recommendation from the technical
15 advisory panel, the executive director shall have 30 days to review
16 the recommendation and to prepare an order to the electrical
17 corporation resolving the dispute. If the review panel from the
18 technical advisory panel cannot agree on recommendations, then
19 each recommendation of a review panel member shall be submitted
20 to the executive director, who shall make the decision resolving
21 the dispute.

22 (11) Any interested person seeking commission review of the
23 executive director's determination shall file the request for review
24 within 10 days of the determination. Upon receipt of the request
25 for review, the executive director or the energy division director
26 shall prepare a proposed resolution of the matter for approval by
27 the commission.

28 (c) The commission shall provide the members of the technical
29 advisory panel that are not from electrical corporations with an
30 appropriate per diem compensation consistent with Section 19822.5
31 of the Government Code.