Southern California Tribal Chairmen's Association
SCTCA

TRIBAL ENERGY & CLIMATE COLLABORATIVE

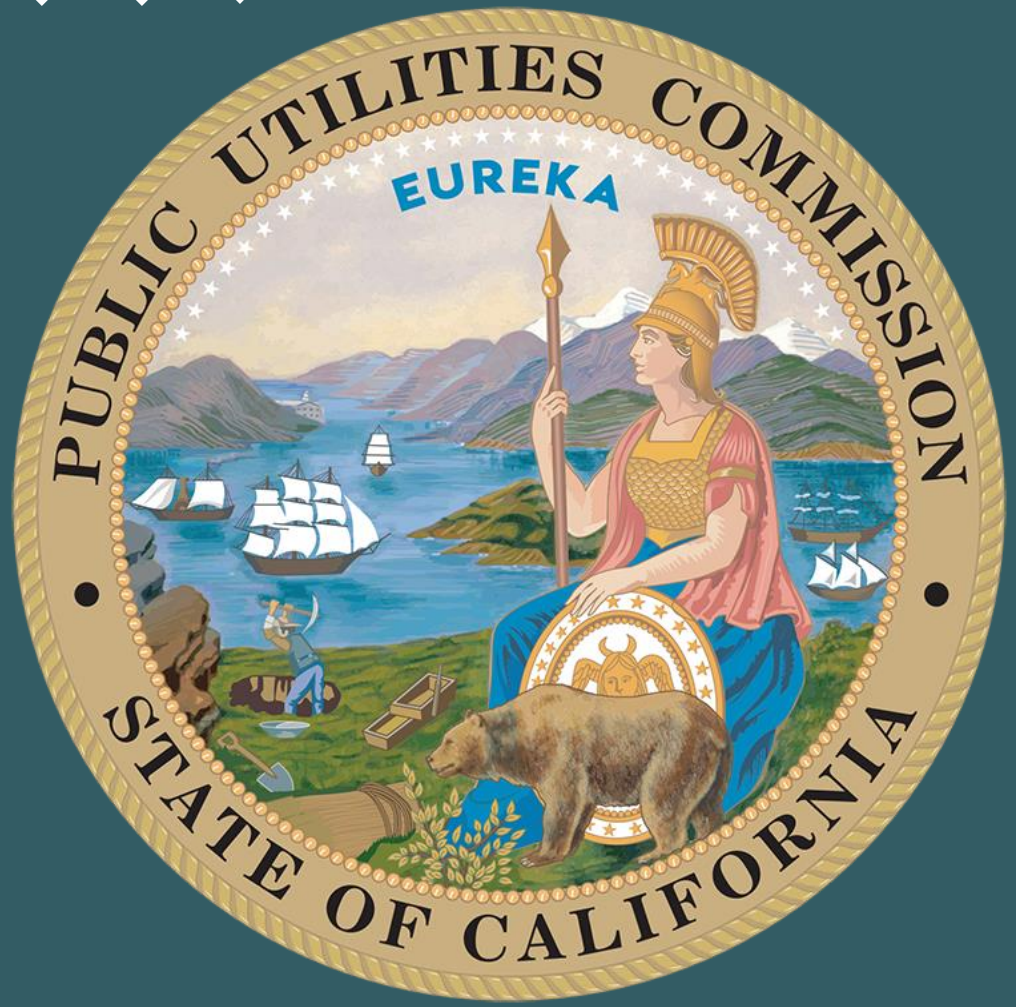
Advancing Tribes' Interests at the CPUC

Webinar Training Series

May 21, 2025

Webinar Agenda

- Welcome, Introductions, Overview
- CPUC Topic of Interest to California Tribes
- CPUC Journey of Tribes into SGIP Proceedings
- Navigating the CPUC Website, Subscribing
- Next Steps and Closing



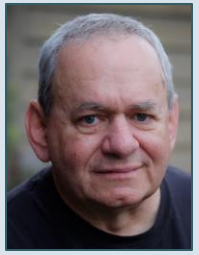
Program Funding

- This work was supported with grants from the California Public Utilities Commission's (CPUC) **Equity and Access grant program.**
- The California Legislature recognizes that some California communities face systematic underinvestment, higher pollution burdens, and higher barriers to clean, safe, and affordable utility and transportation services. To address these challenges, it allocated $30 million dollars to the CPUC to establish the E&A Grant Program that empowers members of Environmental and Social Justice communities to participate in CPUC proceedings and decision-making processes.
- The Equity, Engagement, and Education (EEE) Grant Account awards grants up to $200,000 for the purposes of building CBO, Tribal, and community capacity to understand and engage with CPUC decision- making processes. The EEE Grant Account will increase participation within CPUC decision-making and build the long-term capacity of Tribes and CBOs to make participation in the Intervenor Compensation program and other funding sources more accessible. This will enable CBOs and Tribes to have more influence over clean energy programs and support making these programs more accessible to their served communities.

Introductions

Josh Simmons

- Co-Director, Tribal Energy and Climate Collaborative, a program of the Southern California Tribal Chairmen's Association
- Founder, President, and Principal Consultant, Prosper Sustainably
- J.D., University of San Diego School of Law; MESM, UCSB Bren School of Env. Science & Mgmt.



Peter Allen

- Former CPUC Attorney and Administrative Law Judge (22 yrs)
- Litigated at CPUC on behalf of TURN (consumer advocate) and City of San Diego
- J.D. (cum laude), University of San Diego School of Law

Steven Moss

- Partner, M.Cubed, resource economics consulting firm
- Engaged in CPUC proceeding and other energy and regulatory forums (30+ years)
- Assisted multiple Native Tribes to secure compensation for water rights, treaty violations

ATTENDEES: Please introduce yourself in the chat; rename yourself in Zoom (Name - Tribe/Org)

CPUC Related Topics of Interest

What CPUC or IOU related topics, issues, or challenges is your Tribe facing?

Rights of Way

Interconnection

Consultation

Other?

TECC's Priority CPUC Matters

ACTIVE

- Tribal Order Instituting Rulemaking (OIR)
  - Tribal Consultation Policy, Tribal Land Transfer Policy
- Self Generation Incentive Program
- Utility Rights of Way
- Application of PUC §769.2 on Tribal lands

POTENTIAL

- Solar For All
- Intervenor Compensation
- Undergrounding
- Public Safety Power Shutoffs (PSPS)
- Interconnection
- New Service
- Regional Energy Networks

Please share your Tribe's priority CPUC matters along with your understanding of and engagement in CPUC processes through TECC's online survey.

A Journey to Influence CPUC Rulemaking: Self Generation Incentive Program (SGIP) case study

- What is SGIP
- Rebates projects at risk
- Who is affected and how
- TECC's proposed rule change
- Prior SGIP journey
- TECC's SGIP journey

Photo credit: Geojango-maps on Unsplash

What is (was) SGIP?

- CPUC incentives program:
  - For homeowners, businesses, govts
  - Qualifying behind the meter distributed energy resources
    - Wind turbines, waste heat to power technologies, pressure reduction turbines, internal combustion engines, microturbines, gas turbines, fuel cells…
  - **Includes rebates for qualifying energy storage systems (ESS)**
- Benefits to Tribes:
  - More resilient community facilities
  - Increased energy affordability
  - Strengthening Tribal energy sovereignty and independence

What is (was) SGIP?

- **Equity Resiliency (ER) Budget:** In 2019-2020 CPUC authorized $600M in rebates for energy storage systems for home and critical facilities in or serving disadvantaged communities
- Remaining (ER) Funds by IOU
  - PG&E: $12,676,318
  - SCE: $16,115,977
  - CSE (SDG&E): $5,398
  - SoCalGas: $3,767,511
- Current ruling to sunset program
- NEW Residential Solar and Storage Equity Program launched on May 20, 2025

SGIP rebates projects at risk due to timeline constraints

- Complex microgrids
- Supply chain availability, cost increases, delays
- Interconnection applications, studies, and approvals
- Contracting between Tribes and developers
- Reliance of communities upon developers
- Financing challenges and delays
- Unique building/permit requirements on Tribal lands
- U.S. BIA rights of way approvals for Tribal projects
- Developer bankruptcies
- Lasting impacts from COVID-19 pandemic
- Federal Administration impediments

Photo credit: Lee Ann Jackson on Unsplash

Who is Affected, and How

- SGIP supports development of critical projects for Tribes and disadvantaged communities (DACs)
  - Health Clinics and Medical Facilities, Retirement Homes, Government, Public Safety, Public Works, Domestic Water Wells, WWTPs, Food Pantries, Gas Stations, Grocery Stores, Emergency Shelters, Cooling Centers, Fire Stations, etc.
- Risks/Impacts
  - Resiliency
  - Energy cost-savings
  - Energy sovereignty/independence
  - Significant good faith investments made by DACs and Tribes
  - Millions in DOE solar microgrid grants depend on SGIP-funded BESS installations

Affected SCTCA Tribes

Site Host	Reserved Capacity (kWh)	Reserved SGIP Incentives
La Jolla Band of Luiseno Indians	285	$280,545
Manzanita Band of the Kumeyaay Nation	53	$52,378
Pala Band of Mission Indians	2,365	$2,111,020
Rincon Band of Luiseno Indians	5,747	$3,607,151
San Pasqual Band of Mission Indians	79	$78,197
Total	**8,528**	**$6,129,291**

At-Risk SGIP Equity Non-Res Projects: Program Statistics*

RRFs for SGIP Non-Residential Equity/Equity Resilience Projects	Total SGIP Project RRFs	Total kWh for All Project RRFs	Total Incentives for All Project RRFs	# of Projects Canceled	% of Projects Canceled	# of Projects Completed	% Completed	# of Projects Still Active	% of Projects Still Active	Remaining kWh for Active Projects	Remaining Incentives for Active Projects
2020 Submitted RRFs	584	564,353	$432,884,360	282	48.29%	202	34.59%	100	17.12%	80,134	$59,329,951
2021 Submitted RRFs	211	226,180	$168,975,376	93	44.08%	57	27.01%	61	28.91%	45,092	$31,664,041
2022 Submitted RRFs	156	221,539	$151,855,493	90	57.69%	23	14.74%	43	27.56%	71,650	$47,600,756
2020-2022 Submitted RRFs SUBTOTAL	**951**	**1,012,072**	**$753,715,229**	**465**	**48.90%**	**282**	**29.65%**	**204**	**21.45%**	**196,876**	**$138,594,748**
2023 Submitted RRFs	86	152,621	$100,128,461	48	55.81%	1	1.16%	37	43.02%	68,751	$46,680,642
2024 Submitted RRFs	55	121,038	$66,481,257	21	38.18%	1	1.82%	33	60.00%	68,909	$38,780,135
2020-2024 Submitted RRFs TOTAL	**1092**	**1,285,731**	**$920,324,947**	**534**	**48.90%**	**284**	**26.01%**	**274**	**25.09%**	**334,536**	**$224,055,525**

**Data from SGIP Weekly Statewide Report – 2/10/2025*

Site Host	Reserved Capacity (kWh)	Reserved SGIP Incentives
Ampla Health	53	$51,797
California Retirement Homes, Inc.	66	$66,000
City of Arcata	313	$298,820
City of Irvine	3,917	$2,495,087
City of Santa Monica	1,606	$1,365,100
Community Mutual Water Company	764	$683,500
Fallbrook Food Pantry	105	$101,105
Free Clinic of Simi Valley	254	$244,516
La Jolla Band of Luiseno Indians	285	$280,545
Laguna Food Pantry	185	$184,800
Lake Casitas Park Store	66	$63,300
Lundy Mutual Water Company	127	$124,017
Mammoth Lakes Fire Department	254	$248,034
Manzanita Band of the Kumeyaay Nation	53	$52,378
Open Door Community Health Centers	696	$628,000
Pala Band of Mission Indians	2,365	$2,111,020
Planned Parenthood California Central Coast	509	$466,392
Republic Services of Sonoma County, Inc.	509	$464,000
Rincon Band of Luiseno Indians	5,747	$3,607,151
San Pasqual Band of Mission Indians	79	$78,197
Sanel Valley Market, Inc.	66	$66,000
Sisar Mutual Water Company	215	$221,000
St. Mary Gas & Mini Mart Inc.	79	$79,200
Grand Total	**18,312**	**$13,979,959**

Affected Tribes, Other Communities

(23 Site Hosts, 48 Projects)

TECC's SGIP Rules Proposal

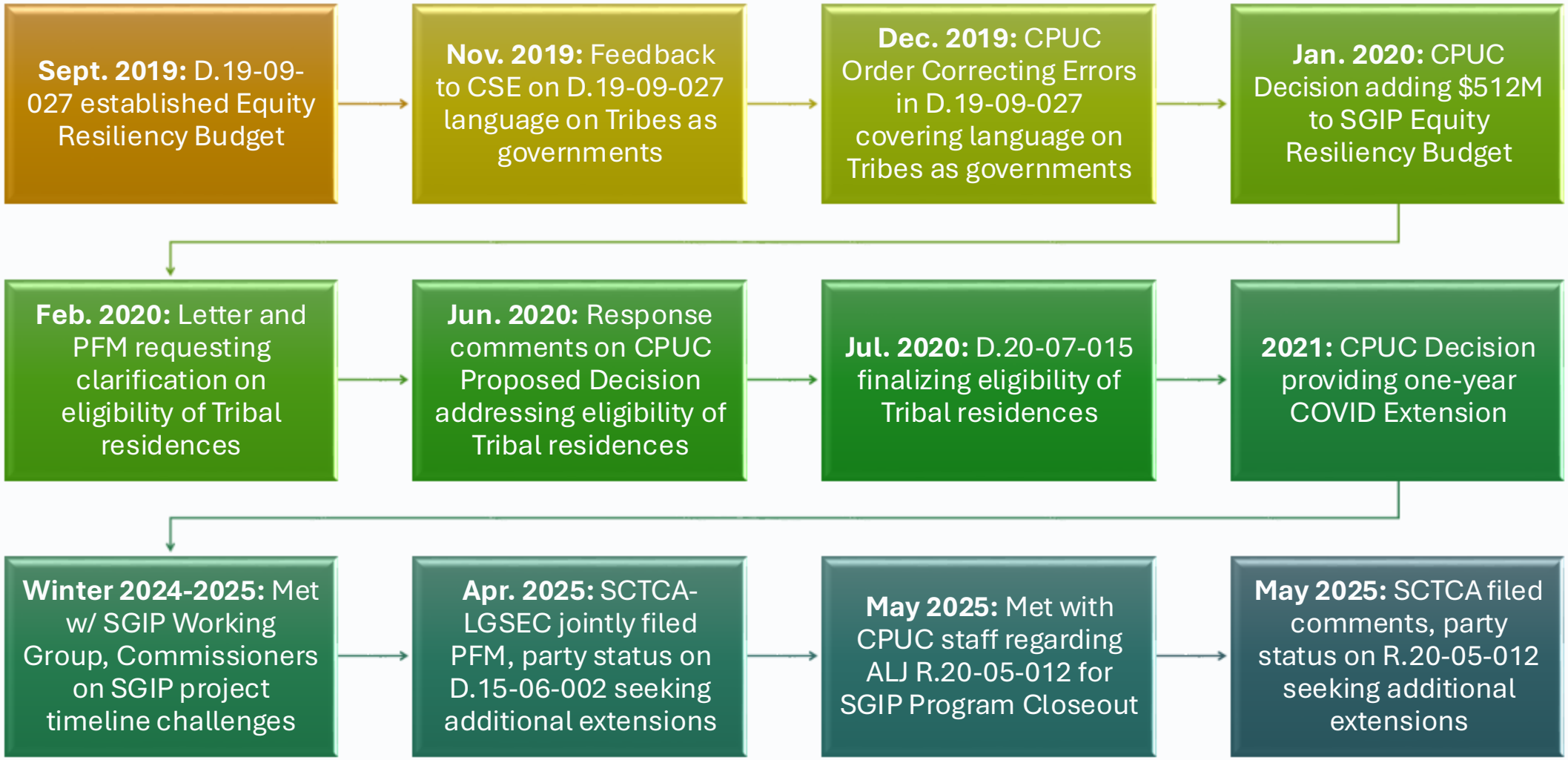
Up to four additional, six-month extensions beyond those currently authorized for projects progressing in good faith	• Retroactive to March 31, 2025
All non-residential equity and equity-resilience project would be eligible	• Offers relief for 200+ potentially at-risk SGIP equity projects
Programmatic considerations	• Modest change to rules • No change to program closeout • No additional cost

TECC's SGIP Rules Proposal

Harms of inaction: Failure of these projects solely due to the inability to meet existing deadlines would result in **significant setbacks and losses**, which could be prevented by the proposed rule changes.

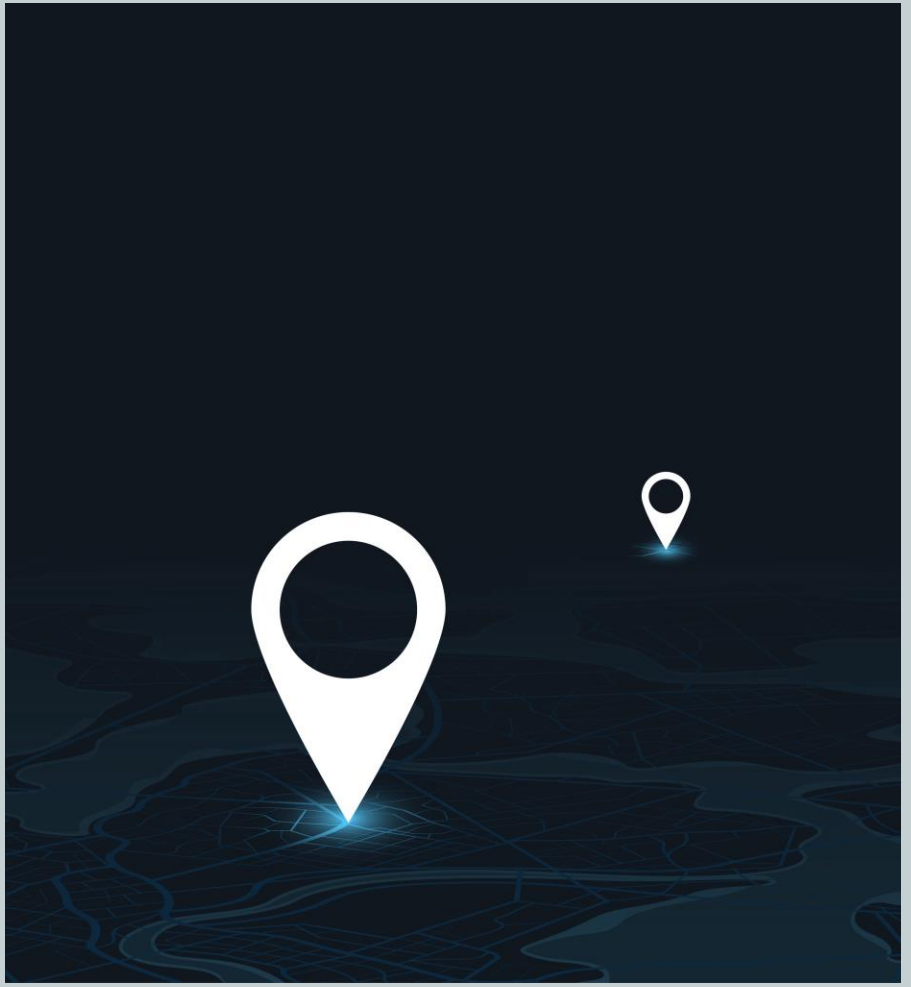
Benefits of action: In an extremely difficult economic and political environment, the **CPUC can preserve equity focused SGIP projects proceeding in good faith** with a modest, no cost administrative change.

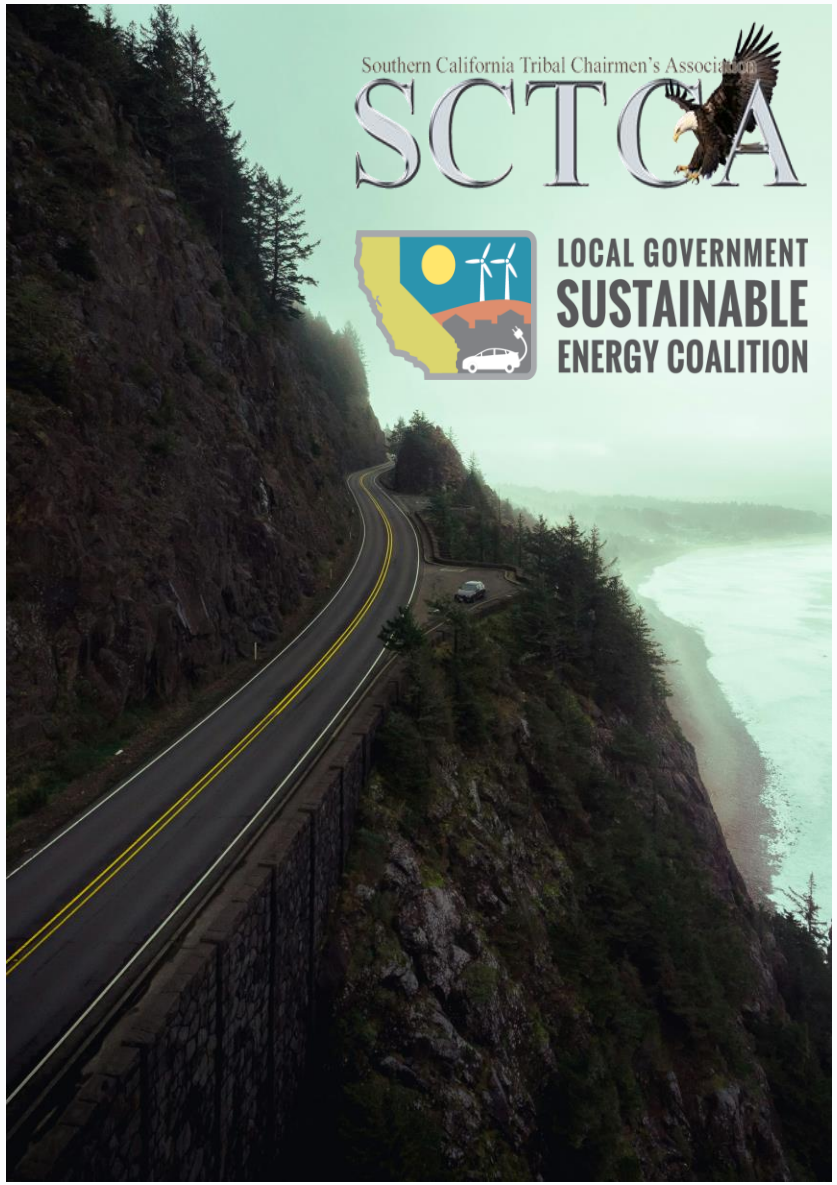
Journey Navigating SGIP



Initial Foray in SGIP Proceedings: Driving Without Headlights (2019-2020)

- Tribes not included in definition of local governments, affecting eligibility of Tribal govt facilities → Corrected through discussions with CSE
- CPUC staff interprets eligibility of residences on Tribal lands to include income and deed/resale restriction requirements → PFM to clarify eligibility
- CPUC proposed decision for federal instead of income limits for Tribes → Response that county limits should apply to Tribes
- CPUC Tribal Consultation Policy:
  - CPUC will give special consideration to Tribes' requests to participate in proceedings. ALJs and Commissioners are encouraged to grant a Tribe's request to become a party in a proceeding, even if untimely, if the proceeding can continue under the existing schedule, or it is reasonable to modify the schedule and consistent with due process.
  - The Commission will make efforts to ensure that Tribes are aware of CPUC managed grant programs and various CPUC approved utility incentive and subsidy programs offered by the utilities, especially those that target DACs or remote communities. CPUC's Tribal Liaison will offer informational materials and meetings for tribal governments on these various programs, if requested.





TECC's Journey Navigating SGIP (2024-2025)

- Identified Tribal and other Equity Resiliency non-residential SGIP projects facing timeline challenges
  - Researched available SGIP program data
  - Conducted extensive outreach to communities, developers, site hosts, etc.
- Presented challenges and data to SGIP Working Group and Commissioners
- SCTCA partnered with Local Government Sustainable Energy Coalition (LGSEC) to file Petition for Modification (PFM) for up to four additional 6-month extensions with 23 letters
- Next steps and timeline are unclear

Photo credit: Justin Shen on Unsplash

Unexpected Fork in the Road

- Notified of ALJ rulemaking to sunset SGIP program (R.20-05-012)
- Prepared and submitted comments under R.20-05-012 (substantially same as in PFM)
- Replies to comments recently closed; next steps and timeline are unclear

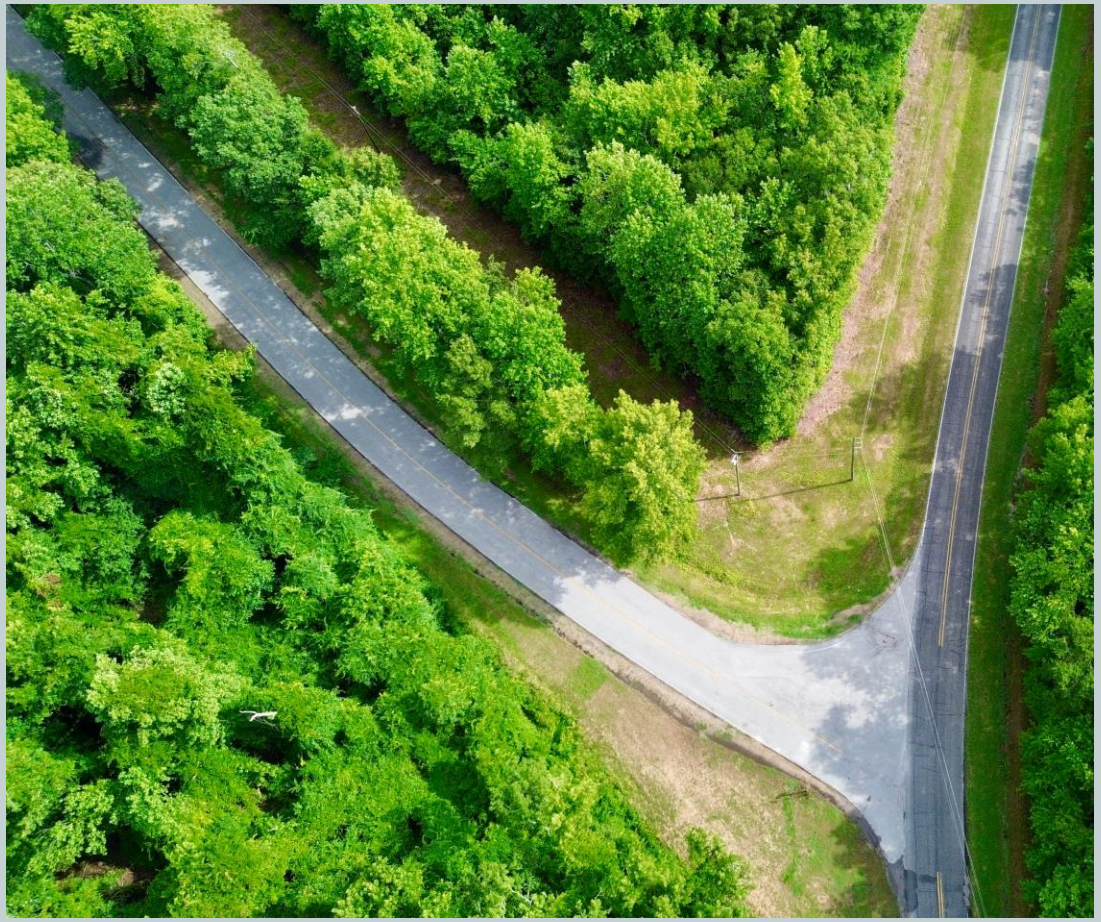


Photo credit: Cody Moore on Unsplash

Finding Information: Navigating the CPUC Website (Demonstration)

https://www.cpuc.ca.gov/

Examples are included as a supplement at the end of these slides

Photo credit: Tamas Tuzes on Unsplash

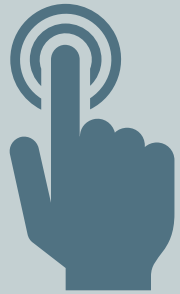
Learn by Doing: Subscribe to a Proceeding

How to subscribe to a proceeding:

→Sign up for CPUC's Subscription Service

Find the Tribal Order Implementing Rulemaking (**R.22-02-002)** on the Docket Card

→Subscribe to follow the proceeding



Subscribing lets you:

Receive notification of all Tribal OIR activities, including when the pending scoping memo on Tribal OIR is released

Help you decide if you/your Tribe should become a party or take other actions

Next steps

ADVANCING TRIBES' INTERESTS
AT THE CPUC WEBINAR #3

WEDNESDAY, JUNE 18, 2025
FROM 3PM – 4PM

CLICK HERE TO REGISTER

Southern California Tribal Chairmen's Association
SCTCA

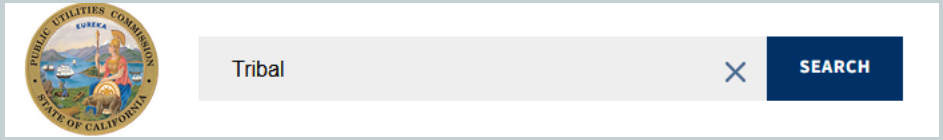
TRIBAL ENERGY & CLIMATE COLLABORATIVE

Final Thoughts, Questions?

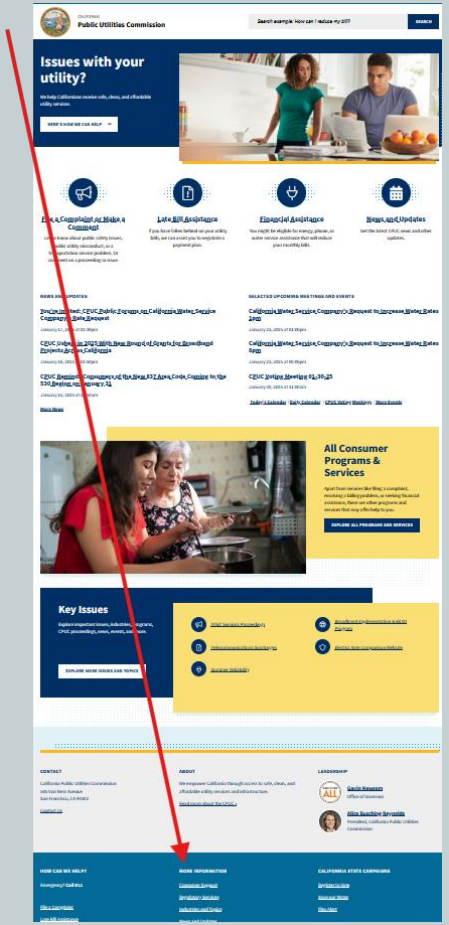
Josh Simmons
Prosper Sustainably
805.617.5685
jsimmons@prospersustainably.com

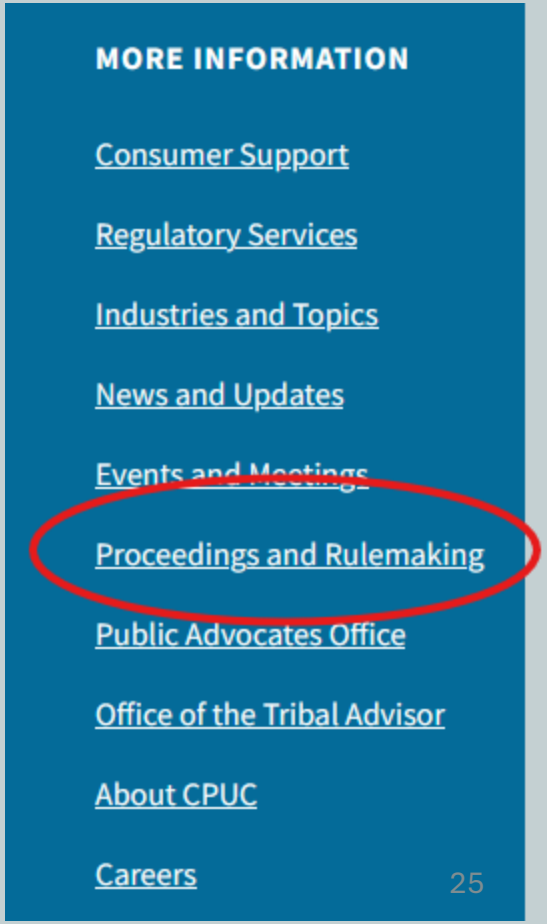
Supplement: Finding information – navigating the CPUC Website

Search broadly at www.cpuc.ca.gov

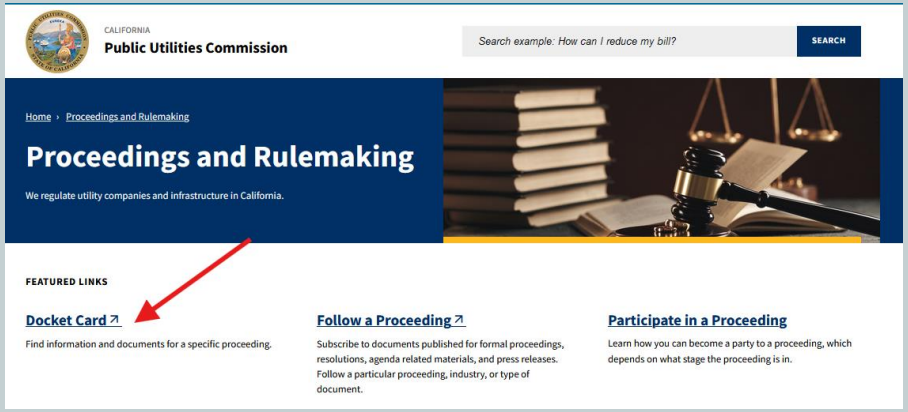


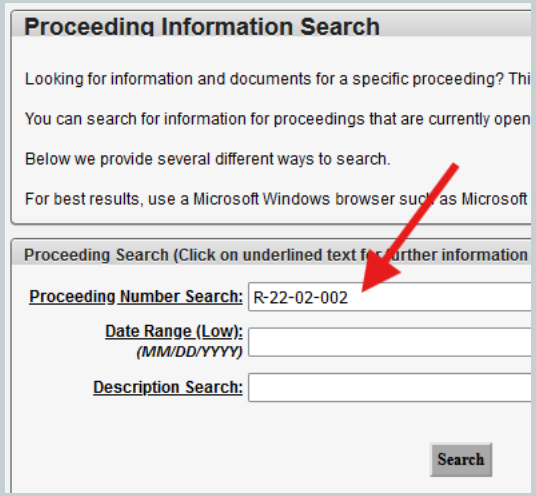
Take a deeper dive

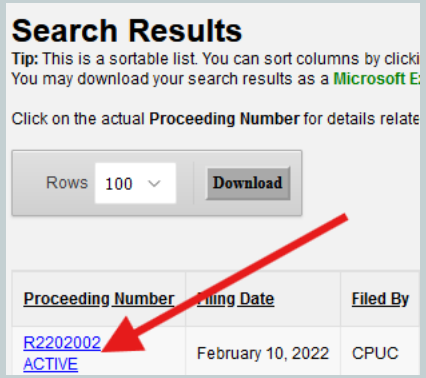


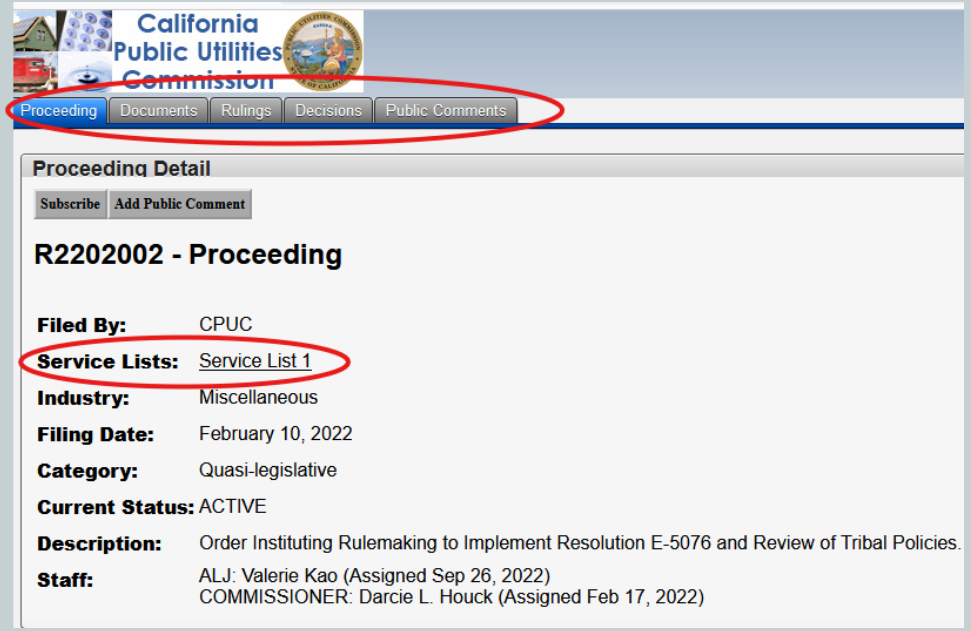


Key Resource: The Docket Card

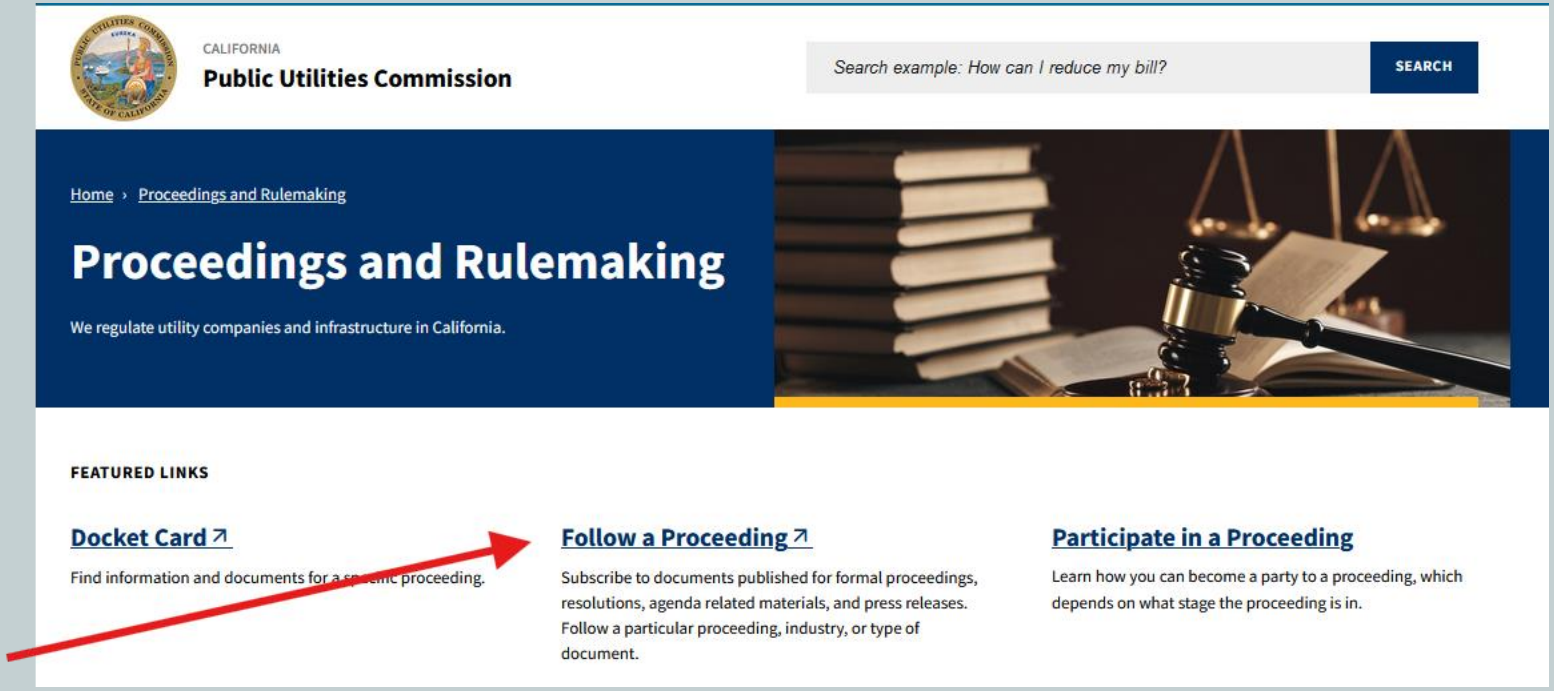


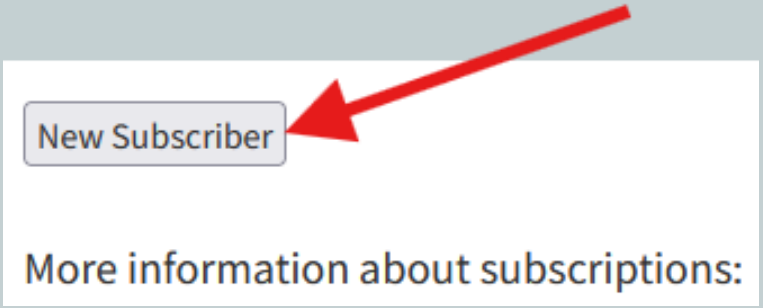




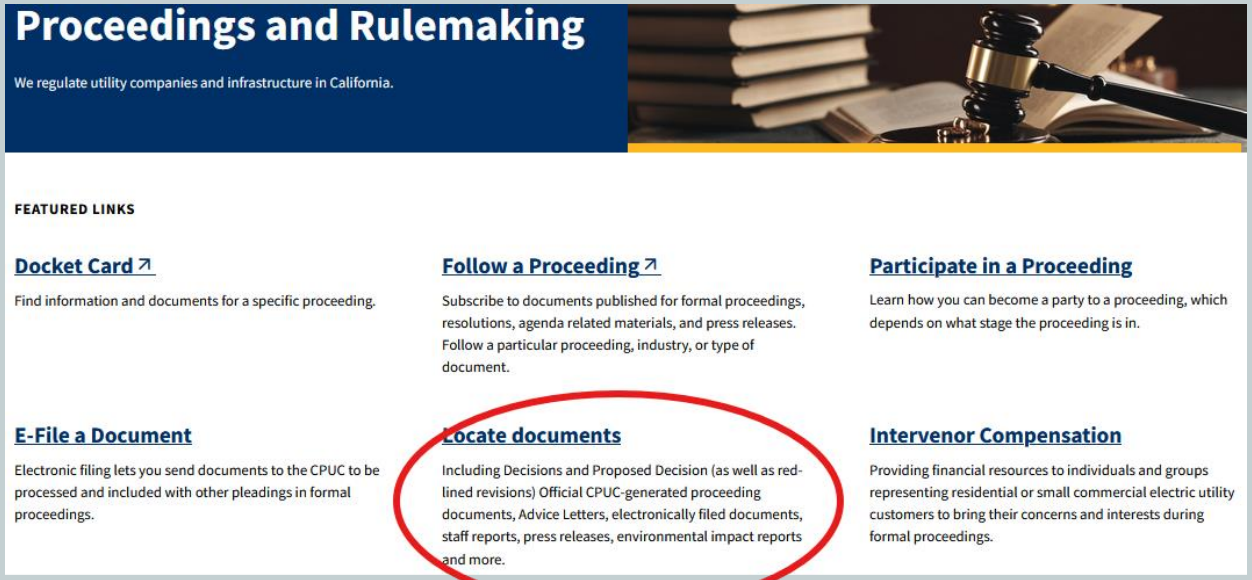


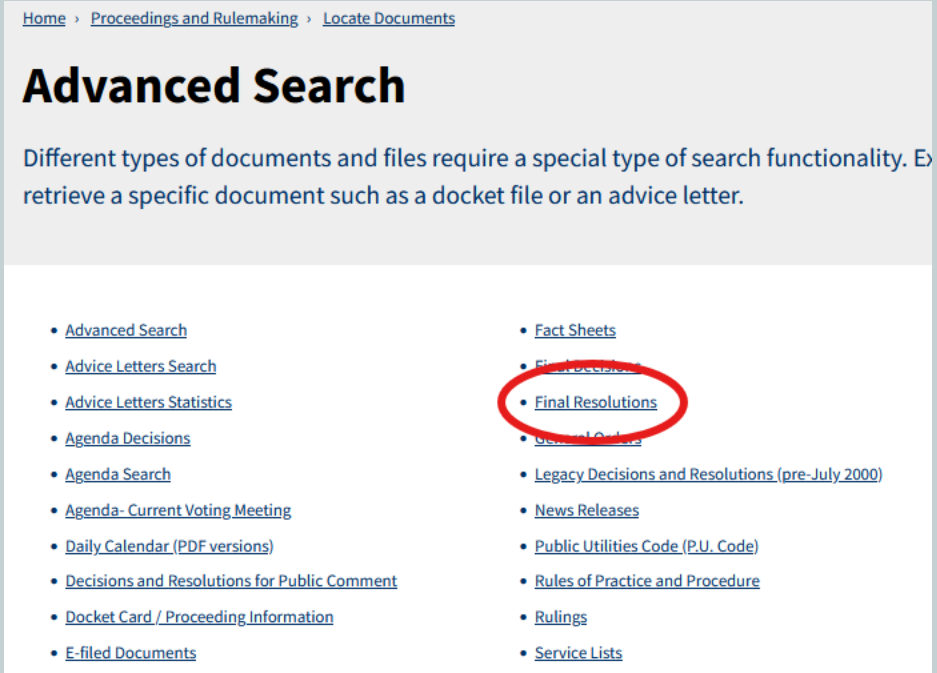
How to follow a proceeding



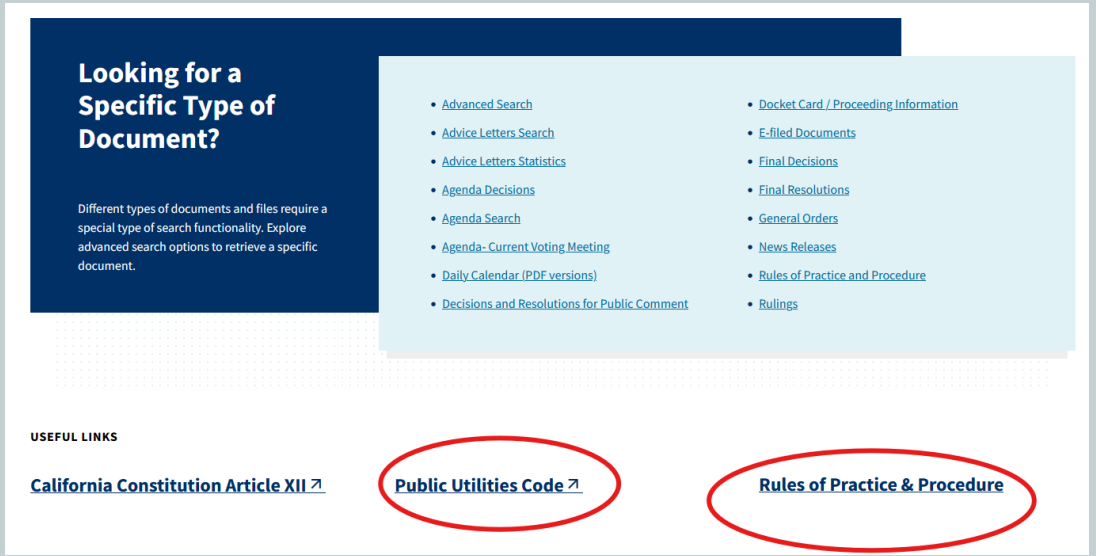


Finding documents





California Law and CPUC Rules

Head to this page....

And scroll to here...