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January 28, 2010

ADVICE LETTER 2141-E
(U 902-G)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SUBJECT: REVISIONS TO ELECTRIC SCHEDULE NEM-FC (NET ENERGY METERING FOR FUEL CELL CUSTOMER-GENERATORS) IN COMPLIANCE WITH ASSEMBLY BILL (AB) 1551

San Diego Gas & Electric (SDG&E) hereby submits for filing revisions to its electric tariffs, as shown in Attachment A respectively.

PURPOSE

The purpose of this filing is to revise Electric Schedule NEM-FC to comply with AB 1551 and update references to PU Code Section 353.2.

BACKGROUND

AB 1551 became law on October 11, 2009. This new law extends the program sunset date in Public Utilities (PU) Code Section 2827.10(f) from January 1, 2010 to January 1, 2014. The new language states:

A fuel cell electrical generating facility shall not be eligible for participation in the tariff established pursuant to this section unless it commenced operation before January 1, 2014. A fuel cell customer-generator shall be eligible for the tariff established pursuant to this section only for the operating life of the eligible fuel cell electrical generating facility.

TARIFF REVISIONS

SDG&E is filing amendments to the Applicability Section of Electric Schedule NEM-FC to reflect the new extended date of January 1, 2014.

Additionally, SDG&E requests to update the current references to PU Code Section 353.2 to specifically reflect Section 353.2(a)(2). Section 353.2(a)(1) indicates that initial operation can be no later than December 31, 2008, which is in contradiction to the program extension provided for in AB 1551 since it extends the interconnection date in PU Code 2827.10(f) for NEM-FC.

EFFECTIVE DATE

SDG&E believes that this filing is subject to Energy Division disposition and should be classified as Tier 1 pursuant to GO 96-B. SDG&E respectfully requests that this filing become effective on January 1, 2010, in accordance with the effective date of AB 1551.

PROTEST

Anyone may protest this advice letter to the Commission. The protest must state the grounds upon which it is based, including such items as financial and service impacts, and should be submitted expeditiously. The protest must be made in writing and received within 20 days of the date this advice letter was filed with the CPUC. There is no restriction on who may file a protest. The address for mailing or delivering a protest to the Commission is:

CPUC Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102

Copies of the protest should also be sent via e-mail to the attention of both Honesto Gatchalian (inj@cpuc.ca.gov) and Maria Salinas (mas@cpuc.ca.gov) of the Energy Division. A copy of the protest should also be sent via both e-mail and facsimile to the address shown below on the same date it is mailed or delivered to the Commission.

Attn: Megan Caulson
Regulatory Tariff Manager
8330 Century Park Court, Room 32C
San Diego, CA 92123-1548
Facsimile No. (858) 654-1788
E-mail: mcaulson@semprautilities.com

NOTICE

A copy of this filing has been served on the utilities and interested parties shown on the attached list, including interested parties to service list R.08-03-008 by either providing them a copy electronically or by mailing them a copy hereof, properly stamped and addressed.

Address changes should be directed to SDG&E Tariffs by facsimile at (858) 654-1788 or by e-mail at SDG&ETariffs@semprautilities.com.

RON VAN DER LEEDEN
Director – Rates, Revenues & Tariffs

(cc list enclosed)

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **SAN DIEGO GAS & ELECTRIC (U 902)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Megan Caulson

Phone #: (858) 654-1748

E-mail: MCaulson@SempraUtilities.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas
PLC = Pipeline HEAT = Heat WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 2141-E

Subject of AL: Revisions to Electric Schedule NEM-FC (Net Energy Metering for Fuel Cell Customer-Generators) in Compliance with Assembly Bill (AB) 1551

Keywords (choose from CPUC listing): Metering, Forms

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

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 AL¹: N/A

Does AL request confidential treatment? If so, provide explanation: _____

Resolution Required? Yes No

Tier Designation: 1 2 3

Requested effective date: 1/1/2010

No. of tariff sheets: 3

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: Schedule NEM-FC, Table of Contents

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division

Attention: Tariff Unit

505 Van Ness Ave.,

San Francisco, CA 94102

mas@cpuc.ca.gov and jnj@cpuc.ca.gov

San Diego Gas & Electric

Attention: Megan Caulson

8330 Century Park Ct, Room 32C

San Diego, CA 92123

mcaulson@semprautilities.com

¹ Discuss in AL if more space is needed.

General Order No. 96-B
ADVICE LETTER FILING MAILING LIST

cc: (w/enclosures)

Public Utilities Commission

DRA

D. Appling
S. Cauchois
J. Greig
R. Pocta
W. Scott

Energy Division

P. Clanon
S. Gallagher
H. Gatchalian
D. Lafrenz
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CA. Energy Commission

F. DeLeon
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Alcantar & Kahl LLP

K. Harteloo

American Energy Institute

C. King

APS Energy Services

J. Schenk

BP Energy Company

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Barkovich & Yap, Inc.

B. Barkovich

Bartle Wells Associates

R. Schmidt

Braun & Blaising, P.C.

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California Energy Markets

S. O'Donnell
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K. Mills

California Wind Energy

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Davis Wright Tremaine, LLP

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Duke Energy North America

M. Gillette

Dynegy, Inc.

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Ellison Schneider & Harris LLP

E. Janssen

Energy Policy Initiatives Center (USD)

S. Anders

Energy Price Solutions

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Energy Strategies, Inc.

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Goodin, MacBride, Squeri, Ritchie & Day

B. Cragg
J. Heather Patrick
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Goodrich Aerostructures Group

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N. Pedersen

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Matthew V. Brady & Associates

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Modesto Irrigation District

C. Mayer

Morrison & Foerster LLP

P. Hanschen

MRW & Associates

D. Richardson

OnGrid Solar

Andy Black

Pacific Gas & Electric Co.

J. Clark
M. Huffman
S. Lawrie
E. Lucha

Pacific Utility Audit, Inc.

E. Kelly

R. W. Beck, Inc.

C. Elder

School Project for Utility Rate
Reduction

M. Rochman
Shute, Mihaly & Weinberger LLP

O. Armi

Solar Turbines

F. Chiang

Sutherland Asbill & Brennan LLP

K. McCrea

Southern California Edison Co.

M. Alexander
K. Cini
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H. Romero

TransCanada

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TURN

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UCAN

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U.S. Dept. of the Navy

K. Davoodi
N. Furuta
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Utility Specialists, Southwest, Inc.

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Western Manufactured Housing

Communities Association

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White & Case LLP

L. Cottle

Interested Parties

R.08-03-008

ATTACHMENT
ADVICE LETTER 2141-E

Cal. P.U.C. Sheet No.	Title of Sheet	Canceling Cal. P.U.C. Sheet No.
Revised 21610-E	SCHEDULE NEM-FC, NET ENERGY METERING FOR FUEL CELL CUSTOMER-GENERATORS, Sheet 1	Revised 20454-E
Revised 21611-E	TABLE OF CONTENTS, Sheet 1	Revised 21609-E
Revised 21612-E	TABLE OF CONTENTS, Sheet 5	Revised 21604-E



SCHEDULE NEM-FC

Sheet 1

NET ENERGY METERING FOR FUEL CELL CUSTOMER-GENERATORS

APPLICABILITY

Except as otherwise provided herein, this schedule is applicable to bundled service customers who are served under a Time-of-Use (TOU) rate schedule, and who prior to January 1, 2014 (1) interconnect and operate in parallel with the Utility's electrical system using an Eligible Fuel Cell Electrical Generating Facility, as defined below pursuant to California Public Utilities Code Section 2827.10 (PU Code Section 2827.10), with a generating capacity no greater than 1,000 kW, located on or adjacent to the customer's owned, leased or rented premises, is interconnected and operates in parallel with the Utility's grid while the grid is operational or is operated independently from the grid when the grid is not operational, and is sized to offset part or all of the customer's electrical requirements, (2) are the recipient of local, state, or federal funds, or who self-finance projects designed to encourage the development of Eligible Fuel Cell Electrical Generating Facilities, and (3) use technology that meets the definition of an "ultra-clean and low-emission distributed generation", pursuant to California Public Utilities Code Section 353.2(a)(2) (PU Code Section 353.2(a)(2)). Such a customer will be referred to hereafter as an "eligible fuel cell customer-generator" or "customer". Customers eligible for service under this schedule are exempt from any new or additional charges not included in their Otherwise Applicable Schedule (OAS).

Pursuant to PU Code Section 2827.10, this schedule is available on a first-come, first-serve basis for the operating life of the Eligible Fuel Cell Electrical Generating Facility, and will be closed to new customers once 22.5 MW of cumulative rated generating capacity is served under this schedule.

Pursuant to Decision 08-02-002 and notwithstanding all applicable terms and conditions contained herein, to the extent a Community Choice Aggregator offers a net energy metering tariff for fuel cell customer-generators, the Utility shall provide applicable NEM services under this schedule to an eligible CCA customer-generator consistent with services provided to its bundled service eligible customer-generators. As a condition of receiving service under this schedule, the CAA shall be responsible for timely providing the applicable generation-related bill charges or credits for each CCA customer-generator to the Utility. Each eligible CCA customer-generator shall look to its CCA for NEM services related to the electric generation charges and credits that result from receiving services under this schedule. The CCA shall also be responsible for the applicable generation-related bill credit structure associated with this service option and providing the CCA customer-generator with the applicable generation-related bill credit.

Schedule NEM-FC applies also to specified Net Energy Metering-eligible (NEM-eligible) generators in a Generating Facility comprised of multiple NEM and non-NEM eligible generators, served through the same Point of Common Coupling (PCC), where the NEM-eligible generating capacity is not more than 1 megawatt. Such facilities will be referred to as Multiple Tariff Facilities, and any group of generators within such a facility that is subject to the same tariff provisions for billing and metering purposes will be referred to as a Constituent Generator Group. In order to be eligible for this rate schedule in a Multiple Tariff Facility, the customer must meet all the requirements of Special Condition 7 for the Schedule NEM-FC generator, and must also meet any other applicable tariffs. Customer must also complete a Generating Facility Interconnection Agreement (Multiple Tariff) (Form 117-2160).

TERRITORY

The entire territory served.

RATES

Only the Generation Rate Component of the eligible fuel cell customer-generator's OAS, less generation surcharges (such as the DWR Bond Charge shown on Schedule DWR-BC) or any successor rate schedule,

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Advice Ltr. No. 2141-E

Decision No. _____

Issued by
Lee Schavrien
Senior Vice President
Regulatory Affairs

Date Filed Jan 28, 2010

Effective Jan 1, 2010

Resolution No. _____



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