

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 28, 2022

Sidney Bob Dietz II
Director, Regulatory Relations
Pacific Gas and Electric Company
77 Beale St., Mail Code B13U P.O. Box 770000
San Francisco, CA 94177

Subject: Advice Letter Submittal of Contract Resulting from the Statewide Market Transformation Administrator Solicitation and Executed Between Resource Innovations, Inc. and PG&E

Dear Mr. Dietz,

The California Public Utilities Commission's (CPUC) Energy Division (ED) approves PG&E's ALs 4674-G/6747-E with an effective date of November 23, 2022.

The Advice Letter seeks approval of the Market Transformation Administrator (MTA) agreement (Contract) executed between PG&E and Resource Innovations, Inc. (RI). In Decision (D.) 19-12-021, the CPUC directed PG&E to lead a competitive solicitation and act as the fiscal agent for a contract with an Administrator:

"Pacific Gas and Electric Company (PG&E) shall act as the statewide lead and contracting and fiscal agent, responsible for selection and administration of an independent, statewide, Market Transformation Administrator (MTA)." (D.19-12-021, OP6)

PG&E issued a competitive RFP at the direction of the CPUC's Energy Division (ED). The Contract approved here is the result of this solicitation. Through this Contract and per D.19-12-021, the Market Transformation Administrator (MTA) will be responsible for administering the Market Transformation Framework (MT Framework) in California and developing a new portfolio of Market Transformation Initiatives (MTIs) in accordance CPUC Decision 19-12-021 and its Attachment A.

The solicitation process, and contract negotiations were executed by PG&E with oversight by ED staff. The Contract approved here has been carefully reviewed by ED and conforms to the requirements of D.19-12-021 and its Attachment A. There were no protests timely filed for this advice letter.

Sincerely,

A handwritten signature in black ink that reads "Leuwam Tesfai".

Leuwam Tesfai
Deputy Executive Director for Energy and Climate Policy/
Director, Energy Division
California Public Utilities Commission

Cc: Service List R.13-11-005
Simon Baker, Energy Division

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



Pete Skala, Energy Division

Jennifer Kalafut, Energy Division

Hal Kane, Energy Division

Christina Torok, Energy Division

ED Tariff Unit, CPUC

PG&E Tariffs



**Pacific Gas and
Electric Company®**

Sidney Bob Dietz II
Director
Regulatory Relations

Pacific Gas and Electric Company
77 Beale St., Mail Code B13U
P.O. Box 770000
San Francisco, CA 94177

Fax: 415-973-3582

October 26, 2022

Advice 4674-G/6747-E

(Pacific Gas and Electric Company ID U 39 M)

Public Utilities Commission of the State of California

Subject: Advice Letter Submittal of Contract Resulting from the Statewide Market Transformation Administrator Solicitation and Executed Between Resource Innovations, Inc. and PG&E

Purpose

Pursuant to Decision (D.) 19-12-021 – Decision Regarding Frameworks For Energy Efficiency (EE) Regional Energy Networks and Market Transformation, Pacific Gas and Electric Company (“PG&E”) hereby requests the California Public Utilities Commission’s (“Commission” or “CPUC”) approval of the Market Transformation Administrator (MTA) agreement (Contract) executed between PG&E and Resource Innovations, Inc. (RI).

Background

In Decision (D.) 19-12-021, the CPUC ordered PG&E to lead a competitive solicitation and also act as the fiscal agent for a contract with an Administrator: “Pacific Gas and Electric Company (PG&E) shall act as the statewide lead and contracting and fiscal agent, responsible for selection and administration of an independent, statewide, Market Transformation Administrator (MTA).” – Decision 19-12-021, OP 6.

PG&E issued a competitive RFP at the direction of the CPUC’s Energy Division (ED). This Contract is the result of this solicitation. Through this Contract and per D.19-12-021, the MTA will be responsible for administering the Market Transformation Framework (MT Framework) in California and developing a new portfolio of Market Transformation Initiatives (MTIs) in accordance CPUC Decision 19-12-021 and its Attachment A. The advice letter narrative (Part 2 – Confidential Version – Advice Letter Narrative for MTA.pdf) attached to this advice letter provides an overview of the competitive solicitation process and the resulting contract.

Compliance Requirements

Per D.19-12-021, OP 6, PG&E is required to file a Tier 2 advice letter for the contract resulting from the MTA solicitation.

The table below provides a list of the content and indicates where PG&E is providing the content within this submission.

Table 1: Required Content for Advice Letter Submission

	Contents, Attachments, and Appendices	Part 1 Public	Part 2 Confidential
1	Introduction: Purpose and Subject	Part 1.1.A - 1.1.B	
2	Introduction: Solicitation Process Overview	Part 1.1.C	Appendix B
3	Confidentiality	Part 1.2	
4	Final IE Report	Attachment A	Appendix A
5	MTA Solicitation Selection Spreadsheet		Appendix C
6	Contract		Appendix D

The public version of this advice letter is provided to the service lists for Rulemaking ("R.") 13-11-005. The confidential version of the advice letter is provided only to the Commission.

Protests

Anyone wishing to protest this submittal may do so by letter sent electronically via E-mail, no later than November 15, 2022, which is 20 days after the date of this submittal. Protests must be submitted to:

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

The protest shall also be electronically sent to PG&E via E-mail at the address shown below on the same date it is electronically delivered to the Commission:

Sidney Bob Dietz II
Director, Regulatory Relations
c/o Megan Lawson
E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (General Order 96-B, Section 7.4). The protest shall contain the following information: specification of the advice letter protested; grounds for the protest; supporting factual information or legal argument; name and e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Section 3.11).

Effective Date

Pursuant to General Order (GO) 96-B, Rule 5.2, OP 2 of D.18-01-004, and OP 6 of D.19-12-021, this advice letter is submitted with a Tier 2 designation. PG&E requests that this Tier 2 advice submittal become effective on regular notice, November 25, 2022, which is 30 calendar days after the date of submittal.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically to parties shown on the attached list and the parties on the service list for R.13-11-005. Address changes to the General Order 96-B service list should be directed to PG&E at email address PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process_Office@cpuc.ca.gov. Send all electronic approvals to PGETariffs@pge.com. Advice letter submittals can also be accessed electronically at: <http://www.pge.com/tariffs/>.

/S/

Sidney Bob Dietz II
Director, Regulatory Relations

cc: R.13-11-005 Service List



ADVICE LETTER SUMMARY

ENERGY UTILITY



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

Company name/CPUC Utility No.: Pacific Gas and Electric Company (U 39 M)

Utility type:

☒ ELC ☒ GAS ☐ WATER
☐ PLC ☐ HEAT

Contact Person: Stuart Rubio

Phone #: (415) 973-4587

E-mail: PGETariffs@pge.com

E-mail Disposition Notice to: SHR8@pge.com

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 4674-G/6747-E

Tier Designation: 2

Subject of AL: Advice Letter Submittal of Contract resulting from the Statewide Market Transformation Administrator Solicitation and Executed Between Resource Innovations, Inc. and PG&E

Keywords (choose from CPUC listing): Compliance

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

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: D.19-12-021

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

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: see confidential declaration and matrix
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: Matthew Braunwarth, Matthew.braunwarth@pge.com

Resolution required? ☐ Yes ☒ No

Requested effective date: 11/25/22

No. of tariff sheets: 0

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 proposed¹: N/A

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

¹Discuss in AL if more space is needed.

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: Sidnev Bob Dietz II. c/o Megan Lawson
Title: Director, Regulatory Relations
Utility/Entity Name: Pacific Gas and Electric Company

Telephone (xxx) xxx-xxxx: (415)973-2093
Facsimile (xxx) xxx-xxxx:
Email: PGETariffs@pge.com

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

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

**DECLARATION SUPPORTING CONFIDENTIAL DESIGNATION
ON BEHALF OF
PACIFIC GAS AND ELECTRIC COMPANY (U 39 M)**

1. I, Matthew Braunwarth, am the manager of Energy Efficiency procurement department at Pacific Gas and Electric Company (“PG&E”), a California corporation. Aaron August, the Vice President, Utility Partnerships and Innovation of PG&E, delegated authority to me to sign this declaration. My business office is located at:

Pacific Gas and Electric Company
300 Lakeside Dr.
Oakland, CA 94612

2. PG&E will produce the information identified in Paragraph 3 of this Declaration to the California Public Utilities Commission (“CPUC”) or departments within or contractors retained by the CPUC in response to a CPUC audit, data request, proceeding, or other CPUC request. Name or Docket No. of CPUC Proceeding (if applicable): Application 17-01-013 and R. 13-11-005.
3. Title and description of document(s): 6.0 Confidential Appendix A Final IE Report MTA.pdf (Pps. 15-16, 20-21, 24, 26-28, 30, 32); 7.1 Confidential Appendix B Solicitation Process Overview.pdf; 8.1 Confidential Appendix C MTA Solicitation Selection Spreadsheet.pdf; 9.1 Confidential Appendix D Contract C49637 Resource Innovations Inc.pdf.
4. These documents contain confidential information that, based on my information and belief, has not been publicly disclosed. These documents have been marked as confidential, and the basis for confidential treatment and where the confidential information is located on the documents are identified on the following chart:

Check	Basis for Confidential Treatment	Where Confidential Information is Located on the Documents
<input type="checkbox"/>	<p>Customer-specific data, which may include demand, loads, names, addresses, and billing data.</p> <p>(Protected under PUC § 8380; Civ. Code §§ 1798 <i>et seq.</i>; Govt. Code § 6254; Public Util. Code § 8380; Decisions (D.) 14-05-016, 04-08-055, 06-12-029)</p>	
<input type="checkbox"/>	<p>Personal information that identifies or describes an individual (including employees), which may include home address or phone number; SSN, driver's license, or passport numbers; education; financial matters; medical or employment history (not including PG&E job titles); and statements attributed to the individual.</p> <p>(Protected under Civ. Code §§ 1798 <i>et seq.</i>; Govt. Code § 6254; 42 U.S.C. § 1320d-6; and General Order (G.O.) 77-M)</p>	
<input type="checkbox"/>	<p>Physical facility, cyber-security sensitive, or critical infrastructure data, including without limitation critical energy infrastructure information (CEII) as defined by the regulations of the Federal Energy Regulatory Commission at 18 C.F.R. § 388.113 and/or General Order 66-D ("The subject information: (1) is not customarily in the public domain by providing a declaration in compliance with Section 3.2(c) stating that the subject information is not related to the location of a physical structure that is visible with the naked eye or is available publicly online or in print; and (2) the subject information either: could allow a bad actor to attack, compromise or incapacitate physically or electronically a facility providing critical utility service; or discusses vulnerabilities of a facility providing critical utility service").</p> <p>(Protected under Govt. Code § 6254(k), (ab); 6 U.S.C. § 131; 6 CFR § 29.2)</p>	
<input checked="" type="checkbox"/>	<p>Proprietary and trade secret information or other intellectual property and protected market sensitive/competitive data.</p> <p>(Protected under Civ. Code §§3426 <i>et seq.</i>; Govt. Code §§ 6254, <i>et seq.</i>, e.g., 6254(e), 6254(k), 6254.15; Govt. Code § 6276.44; Evid. Code §1060; D.11-01-036)</p>	<p><u>6.0 Confidential</u></p> <p><u>Appendix A Final IE</u></p> <p><u>Report MTA.pdf (Pps.</u></p> <p><u>15-16, 20-21, 24, 26-</u></p> <p><u>28, 30, 32); 7.1</u></p> <p><u>Confidential Appendix</u></p>

	<u>B Solicitation Process</u> <u>Overview.pdf; 8.1</u> <u>Confidential Appendix</u> <u>C MTA Solicitation</u> <u>Selection</u> <u>Spreadsheet.pdf; 9.1</u> <u>Confidential Appendix</u> <u>D Contract C49637</u> <u>Resource Innovations</u> <u>Inc.pdf</u>
<input type="checkbox"/>	Corporate financial records. (Protected under Govt. Code §§ 6254(k), 6254.15)
<input type="checkbox"/>	Third-Party information subject to non-disclosure or confidentiality agreements or obligations. (Protected under Govt. Code § 6254(k); see, e.g., CPUC D.11-01-036)
<input type="checkbox"/>	Other categories where disclosure would be against the public interest (Govt. Code § 6255(a)) [NEED TO EXPLAIN HOW THE PUBLIC INTEREST SERVED BY NOT DISCLOSING THE RECORD CLEARLY OUTWEIGHS THE PUBLIC INTEREST SERVED BY DISCLOSURE]):

5. The importance of maintaining the confidentiality of this information outweighs any public interest in disclosure of this information. This information should be exempt from the public disclosure requirements under the Public Records Act and should be withheld from disclosure.

6. I declare under penalty of perjury that the foregoing is true, correct, and complete to the best of my knowledge.
7. Executed on this 26th day of October, 2022 at San Francisco, California.

/Matthew Braunwarth/
Matthew Braunwarth

Manager, Energy Efficiency Procurement

Pacific Gas and Electric Company

PACIFIC GAS AND ELECTRIC COMPANY (U 39 M)

Application 17-01-013 and R. 13-11-005

ATTACHMENT TO DECLARATION

October 26, 2022

ATTACHMENT NAME	DOCUMENT NAME	CATEGORY OF CONFIDENTIALITY	LOCATION
6.0 Confidential Appendix A Final IE Report MTA.pdf	6.0 Confidential Appendix A Final IE Report MTA.pdf	Protected market sensitive/competitive data	Advice Letter 4674-G/6747-E
7.1 Confidential Appendix B Solicitation Process Overview.pdf	7.1 Confidential Appendix B Solicitation Process Overview;	Protected market sensitive/competitive data	Advice Letter 4674-G/6747-E
8.1 Confidential Appendix C MTA Solicitation Selection Spreadsheet.pdf	6.1 Confidential Appendix D PGE MTA Solicitation Selection Spreadsheet.pdf	Protected market sensitive/competitive data	Advice Letter 4674-G/6747-E
9.1 Confidential Appendix D Contract C49637 Resource Innovations Inc.pdf	9.0 Confidential Appendix D Contract C49637 Resource Innovations Inc.pdf	Protected market sensitive/competitive data	Advice Letter 4674-G/6747-E

PACIFIC GAS AND ELECTRIC COMPANY

Approval of Resource Innovations, Inc. Contract Resulting from Statewide Market Transformation Administrator Competitive Solicitation

PART 1 PUBLIC VERSION

October 26, 2022



Together, Building
a Better California

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ATTACHMENT A: Final Independent Evaluator (IE) Report MTA (Public)

ADVICE LETTER PART 1: PUBLIC SECTION

1. INTRODUCTION

A. Purpose

Pursuant to the California Public Utilities Commission (CPUC or the Commission) Decision (D.) 19-12-021 – Decision Regarding Frameworks For Energy Efficiency (EE) Regional Energy Networks and Market Transformation, Pacific Gas and Electric Company (PG&E) hereby submits this advice letter to seek Commission approval of the Market Transformation Administrator (MTA) agreement (Contract) between Resource Innovations, Inc. (RI) and PG&E resulting from solicitation for a Statewide Market Transformation Administrator.

Pacific Gas and Electric Company issued a Request for Proposals (RFP) in its capacity as contracting agent for the California Public Utilities Commission to solicit proposals (Proposal) from qualified entities (Bidders) to serve as the independent statewide Market Transformation Administrator (MTA). The MTA will be responsible for administering the Market Transformation Framework (MT Framework) in California and developing a new portfolio of Market Transformation Initiatives (MTIs) in accordance with CPUC Decision 19-12-021 and its Attachment A (see Section 1.2.2 Role of the MTA).

PG&E issued this RFP at the direction of the CPUC's Energy Division (ED). PG&E's role is to manage the RFP process and upon reaching a final agreement with the selected Bidder as determined by the MTA Scoring Committee, to execute a contract, subject to CPUC approval (Contract). PG&E's sole obligations under the Contract will be to act as the fiscal agent and be responsible for all fiscal oversight functions, including managing the balancing accounts related to Market Transformation activities and paying ED-approved invoices from the contracted MTA.

As the designated solicitation lead and CPUC-designated contracting agent for the Statewide MTA RFP, PG&E is submitting this advice letter for the Market Transformation Administrator to be implemented on behalf of the CPUC.

I. Background

California has adopted ambitious energy and Greenhouse Gas (GHG) policy goals to help mitigate the worst impacts of climate change. California's new Energy Efficiency (EE) MT Framework is a key success factor to achieving these goals, while also providing value to ratepayers through the procurement of cost-effective energy savings. In the Statewide MTA RFP, California sought a single, independent organization to procure and administer a statewide portfolio of MTIs designed to achieve market transformation in conformance with

the adopted policies in D.19-12-021.¹

The new MT Framework was adopted pursuant to SB 350, which directs:

The Commission, in a new or existing proceeding, shall review and update its policies governing energy efficiency programs funded by utility customers to facilitate achieving the targets established pursuant to subdivision (c) of Section 25310 of the Public Resources Code [requiring the setting of goals to achieve a doubling of energy efficiency savings by 2030]. In updating its policies, the Commission shall... authorize market transformation programs with appropriate levels of funding to achieve deeper energy efficiency savings.²

Pursuant to SB350, the Commission identified market transformation as a priority issue for the energy efficiency proceeding (R.13-11-005) in the related scoping memorandum, dated April 26, 2018. On December 12, 2019, the Commission issued its “Decision Regarding Frameworks for Energy Efficiency Regional Energy Networks and Market Transformation” - D.19-12-021. This Decision and its predecessor rulings and legislation provide the legal authorization for this Contract.

II. Market Transformation Concepts

There has been much discussion and debate over the years about what constitutes an EE market transformation program. After all, incentive programs have been successfully transforming markets in California for many years.

There are some circumstances in which significant barriers to the adoption of a new technology go well beyond the first costs of the product or service. In some cases, non-financial barriers to adoption compound the first-cost barrier, or even supplant it. Incentive programs cannot address all market barriers. In cases where there are significant financial *and significant non-financial* market barriers, a comprehensive intervention that addresses a full spectrum of market barriers is needed.

Market Transformation offers superior intervention tools for markets facing both financial and non-financial barriers, and where key facilitating factors are present, including market leverage points. The term “leverage point” refers to venues of concentrated market activity, where a large portion of market exchanges occur. At these points, a relatively small and strategic intervention can influence large numbers of transactions, decisions, or behaviors far more efficiently and cost-effectively than individual customer incentives. These are the contexts in which Market Transformation intervention strategies have major advantages over other program designs. As a 2014 CPUC white paper on Market Transformation states,

“Market Transformation interventions are designed to induce sustained increases in

¹ “Decision Regarding Frameworks for Energy Efficiency Regional Energy Networks and Market Transformation,” (Decision 19-12-021), California Public Utilities Commission, December 5, 2019.

² SB 350, Section 399.4 subsection (d) (1).

the adoption and penetration of energy efficient technologies and practices through structural changes in the market and in behaviors of market actors.”³

Market Transformation interventions are likely to be effective where the following market conditions prevail:

- There are significant leverage points in the market, offering an opportunity to influence many transactions, choices or behaviors.
- Energy consumption varies widely across possible outcomes of these transactions, choices, or behaviors. That is, there is compelling potential for energy savings in the target market.
- The barriers to achieving the potential energy savings involve more than unit cost or price-comparisons. Some examples of market barriers that go beyond price-comparisons include:
 - Initial investments (i.e., fixed costs) are required to make a change to a new product or operational practice (for example, employee training or facility re-tooling.) The fixed costs add uncertainty and risk because they represent an upfront commitment to a product or service that may not be well-established in the market.
 - Concerns regarding doing business with a new vendor.
 - Limited number of vendors offering the new product or service. In this case, there may be related concerns that the vendors will go out of business or stop carrying the product.
 - Fear of customer confusion and loss of business volume.
 - Misperceptions surrounding product performance or service reliability.

At leverage points, the key market actors can be reasonably expected to respond to program influence (e.g., the company owner should find the program agenda transparent, its benefits compelling, and its implementation feasible.).

III. History and Context

California has a long history of support for market transformation approaches. Market transformation was a primary focus of EE policy in the late 1990s. CPUC Decision 95-12-063 called for EE spending to shift towards activities that would transform markets.

³ [“Building a Policy Framework to Support Energy Efficiency Market Transformation in California,”](#) December 9, 2014. Ralph Prael and Ken Keating, Consultants to California Public Utilities Commission - Energy Division. Edited by Cathy Fogel and other Energy Division staff.

In the late 1990's, the CPUC authorized utilities to perform statewide studies to assess the development and delivery of MTIs. As part of this process, a set of statewide "market assessment and evaluation" studies were developed for the 1999 program year. However, the energy crisis of 2000/2001 diverted public and policy attention, and prompted a renewed emphasis on resource acquisition.

By the mid-2000s, policy makers began to turn back to market transformation concepts, making substantial efforts to reset EE policy to reflect long-term objectives and comprehensive strategies. In 2007, D.07-10-032 initiated the development of the 2008 California Long Term Energy Efficiency Strategic Plan (Strategic Plan). The Strategic Plan, ratified by the CPUC in 2008, intended to shift EE policy beyond a focus on short-term activities and toward longer-term market transformation objectives.

The 2008 Strategic Plan set out comprehensive strategies and long-term goals for EE. The CPUC, with input from the California Investor-Owned Utilities (IOUs) and other stakeholders, developed market transformation indicators to track the progress of the Strategic Plan goals. However, these indicators could not readily be tied to an incentive mechanism for Program Administrators, or a defined methodology for recognizing energy savings accomplishments. Thus, the mechanisms through which the CPUC credits energy savings accomplishments to EE programs remains largely unchanged, and without established methods to reward longer-term market-level accomplishments, executing the needed shifts in programmatic approaches has been difficult.

IV. Recent Regulatory Background

The most recent regulatory inquiry, and the one resulting in the MT Framework adopted in D.19-12-021, began with the establishment of Rulemaking 13-11-005. In R.13-11-005's Order Instituting Rulemaking (OIR), the CPUC stated, "Looking forward, we will consider whether to further refine the definition of 'market transformation.' We will also consider how to incorporate the lessons learned from prior market transformation efforts into ongoing and new programs."⁴ The proceeding's ALJ ruled on August 29, 2018, seeking comment on a staff proposal for a new market transformation framework.⁵

In connection with the ALJ's ruling, ED Staff held two workshops, on September 19, 2018, and November 6, 2018. At the conclusion of the second workshop, several of the interested parties agreed to reconvene as part of the California Energy Efficiency Coordinating Committee (CAEECC) to form a market transformation working group (MTWG) to further refine a MT Framework proposal and work toward consensus among stakeholders.

⁴ "Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluations, and Related Issues" (R. 13-11-005), California Public Utilities Commission, November 21, 2013, page 20.

⁵ "Administrative Law Judge's Ruling Seeking Common on Market Transformation Staff Proposal" (R. 13-11-005), California Public Utilities Commission, August 29, 2018.
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M225/K059/225059924.PDF>

The Natural Resources Defense Council (NRDC), one of the participants, submitted the MTWG's final product to the CPUC on March 19, 2019.⁶ The ALJ issued a subsequent ruling on April 10, 2019, seeking comment on the MTWG proposed framework for market transformation initiatives submitted by NRDC on behalf of the MTWG.

V. Budget and Funding

The total MT Framework Budget approved by Ordering Paragraph 7 of D.19-12-021 is \$310M^{7,8} for which \$303.8M is approved for the MTA Contract (MTA Contract Budget).

On July 18, 2022, the CPUC accepted PG&E's Advice Letter (AL) 4623G/6628E for the recovery of PG&E's costs as the contracting and fiscal agent for the Statewide Market Transformation program. PG&E anticipates that its total contracting and fiscal agent costs from 2021 through the end of the 8-year MTA contract (2022-2030) will be less than 2% (\$6.2M) of the total authorized MTA budget of \$310,000,000.

The Contract allows the MTA to request reallocation of unspent PG&E administrative funds back to the MTA in future years if actual PG&E administrative costs do not require the full amount of budget allocated.

The MTA Contract Budget has two components subject to different requirements during two periods under the MTA Contract Term. These are referred to as the "MTA Startup Budget" and the "Authorized Application Budget".

- The total not to exceed MTA Startup Budget amount is \$58.8M and may not exceed \$19.6M in any of the sequential 12-month periods that start upon the Contract Effective Date and end 36 months thereafter (Startup Budget Term).
- The total not to exceed Authorized Application Budget is \$245M. The Commission approved this amount to be used over five (5) years, consisting of five (5) 12-month periods. However, actual disbursement and authorization in using the Authorized Application Budget is subject to modification and may be modified or affirmed when the MTA files its MTI Application to implement the first tranche of MTIs Authorized funding within these budgets requires CPUC approval.

MTA Startup Budget beyond 2023 will be authorized through the submission of a Tier 2 Annual Budget Advice Letter (ABAL). The Authorized Application Budget will be authorized through a CPUC decision disposing of an application that must be submitted by the MTA

⁶ The Natural Resource Defense Council (NRDC) Motion Seeking Commission Ruling and Comment Period on the California Energy Efficiency Coordinating Committee Market Transformation Working Group Report" (R. 13-11-005), Natural Resources Defense Council, March 19, 2019.

⁷ D.19-12-021 Ordering Paragraph 7, p. 90.

⁸ Amount calculated as the sum of up to \$20 million per year for the first three years and \$250 million across the remaining five years.

within 36 months of Contract Execution. The Application shall request approval of funding for the first tranche of MTIs, consistent with Ordering Paragraph 9 of D.19-12-021.

The Market Transformation portfolio will be funded from the “Public Purpose Program” charge, which is comprised of a small portion of electricity and gas rates included in customers’ bills. These funds are collected by the state’s four investor-owned utilities (IOUs): Pacific Gas and Electric Company (PG&E), Southern California Edison (SCE), San Diego Gas & Electric (SDG&E), and Southern California Gas (SCG) and will contribute funds in the proportions shown below in Table 1:⁹

Table 1 – IOU Funding Shares			
IOU	Electric Funding Split*	Gas Funding Split*	Market Transformation Funding Split**
PG&E	44.50%	50.40%	45.50%
SDG&E	15.50%	7.80%	14.00%
SCE	40.00%	0.00%	32.50%
SoCalGas	0.00%	41.80%	8.00%

*See Table 2 on page 5 of SDG&E Advice Letter 3268-E-A/2701-G-A.

**Consistent with a fuel type allocation of 80% electric, 20% gas. See table 3 on page 7 of SDG&E Advice Letter 3268-E-A/2701-G-A.

PG&E will collect its required share of authorized MT funds up to the maximum amount of \$141,050,000 and to be specified in PG&E’s Annual Electric True-up and Annual Gas True-up filings. PG&E shall offset future revenue requirement with any unspent funds.

With a current total contract budget of \$303.8¹⁰ million through December 31, 2030, the Contract will fall within budget levels approved by the Commission in D.19-12-021 and its Attachment A. The contract between PG&E and Resource Innovations, Inc. was fully executed on October 19, 2022.

⁹ D.19-12-021, page 63

¹⁰ The Contract has a 8-year term, but the budget is through December 31, 2024. Program services and budget after December 31, 2024 shall be contingent upon CPUC approving funding through an ABAL or disposition of an Application to be submitted within 36 months of Contract Execution.

B. Subject

Table 2 below lists the contract award resulting from the negotiations following the MTA solicitation. Per D. to D.19-12-021, Commission approval via Tier 2 advice letter is required to authorize this Contract.¹¹

Table 2 – Contracts Resulting from the Statewide MTA Solicitation			
		Budget (\$M)	Duration (months)
1.1	Resource Innovations, Inc.	\$303.8 M	96

The following Table 3 provides a detailed summary of the Contract that is the subject of this advice letter. The Contract is for work of a portfolio administrator. Future MT Initiatives will be developed by the administrator and may target specific sectors, segments, and utilize a variety of market intervention strategies and delivery channels and will include forecast energy savings and total system benefit (TSB). However, none of these details including energy savings targets are included in this Contract because they have not yet been developed. For this reason, Table 3 omits savings targets, market sectors, customer segments, measure types, energy savings forecasts and other targets including volume of customers served and cost effectiveness.

Table 3 – General Contract Summary – Resource Innovations, Inc.		
1	Solicitation name	Statewide Market Transformation Administrator RFP
2	Type of program or service: local, regional or statewide	Statewide
3	Bidder's Proposed Compensation Type (Time and Materials, Deliverable Pricing, Milestone Pricing, and/or Hybrid)	Time and Materials, Fixed Fee Pricing, and Deliverable Pricing
4	Third-Party Implementer/Subcontractor name	Resource Innovations, Inc.
5	Name of program or service	Market Transformation Administrator (MTA)
6	Brief description of program or service (2-3 sentences)	The MTA will be responsible for administering the Market Transformation Framework (MT Framework) in California and developing a new portfolio of Market Transformation Initiatives (MTIs) in accordance CPUC Decision 19-12-021 and its Attachment A (see Section 1.2.2 Role of the MTA).
7	Area(s) Served (including service territory, climate zones, cities, and/or counties, as applicable)	PG&E service territory, SCE service territory, SoCalGas service territory, SDG&E service territory

¹¹ D. 19-12-021, p. 90, OP 6.

Table 3 – General Contract Summary – Resource Innovations, Inc.		
8	Budget: Forecast budget by program year (PY) for each year contract in effect	\$840,228 (PY 2022) \$18,759,772 (PY 2023) \$19,600,000 (PY 2024) \$19,600,000 (PY 2025) \$49,000,000 (PY 2026) \$49,000,000 (PY 2027) \$49,000,000 (PY 2028) \$49,000,000 (PY 2029) \$49,000,000 (PY 2030)
9	Budget: Forecast expenditures by program year (PY) for each year contract in effect	\$840,228 (PY 2022) \$18,759,772 (PY 2023) \$19,600,000 (PY 2024) \$19,600,000 (PY 2025) \$49,000,000 (PY 2026) \$49,000,000 (PY 2027) \$49,000,000 (PY 2028) \$49,000,000 (PY 2029) \$49,000,000 (PY 2030)
10	Budget: Total Program Budget	\$ \$303,800,000 NOTE: Authorized funding within this budget requires CPUC approval The Agreement's CWA authorizing the MTA to render Services is until December 31, 2030. Program Services and budget after December 31, 2023, shall be contingent upon the CPUC approving funding for the MTA after 2023.
11	Budget: If EE/DR component to the program, provide dollar amount and percent of total budget dedicated to EE/DR component	\$0 0%
12	Contract start date and end date	12/15/2022* - 12/31/2030 *Estimated contract start date as CPUC approval is required.
13	Geographically areas served	All California IOU service territories (PG&E, SDG&E, SCE, and SoCalGas)

C. Solicitation Process Overview

(a) Solicitation Strategy & Design

Following the requirements for third-party solicitations included in Decision 18-01-004¹² Pacific Gas and Electric Company issued a Request for Proposals (RFP) on March 10, 2021. PG&E issued the RFP at the direction of the CPUC's Energy Division in its capacity as contracting agent for the California Public Utilities Commission to solicit proposals (Proposal) from qualified entities (Bidders) to serve as the independent statewide Market Transformation Administrator. Bidders were required to provide a Proposal for fulfilling the MTA duties and the MT Framework as directed by the CPUC.

The RFP and Solicitation process was developed pursuant to D.19-12-021. It was authored by ED Staff, with input from the MTA Scoring Committee (Scoring Committee), PG&E's EE Procurement Review Group (PRG), and Independent Evaluators (IEs). Independent Evaluators with applicable energy efficiency expertise and approved informally by the Director of the Commission's Energy Division provide consultation and support to the procurement review group (which includes Commission Energy Division staff), monitor and review utility solicitation activities as well as provide assessments of the overall solicitation process and progress. PG&E's role in the solicitation was limited to administrative contracting and fiscal agent functions. The Scoring Committee was formed to provide guidance for the RFP development and to score the proposals submitted by bidders. It was comprised of three stakeholder groups, each with equal weight in the final scoring. The stakeholder groups were 1) California Regulatory agencies (CPUC, California Energy Commission (CEC), California Air Resources Board CARB)), 2) EE Program Administrators (e.g. Marin Clean Energy (MC), Southern California Regional Energy Network (SoCalREN), Tri-County Regional Energy Network (3CREN)), and 3) Public interest organizations (e.g., Public Advocates Office of the California Public Utilities Commission (Cal Advocates), Natural Resources Defense Council (NRDC), Small Business Utility Advocates (SBUA).

PG&E led the MTA solicitation with support from the MTA Scoring Committee, PG&E's EE PRG and IEs and in coordination with Commission staff. Evaluation and scoring of the proposals received under this solicitation was performed solely by the MTA Scoring Committee.

The CPUC required all MTA Scoring Committee members to be financially disinterested in the solicitation's outcome. Scoring Committee members were obligated to keep all matters related to the MTA solicitation confidential as set forth in this RFP Confidentiality provisions. PG&E was not involved in the scoring of this RFP nor a member of the MTA Scoring Committee. CPUC members were obligated to maintain confidentiality throughout the solicitation process. All other members have signed non-disclosure agreements (NDA) *Organizations and individuals that were part of the Scoring Committee are ineligible to bid on MTI work solicited by the MTA for two years following Contract approval with the selected MTA.*

The primary components of the MTA solicitation process are the RFP, Contract

¹² D.18-01-004, p. 57, Conclusion of Law (COL) 5.

Negotiations, Advice Letter, Contract Approval, Program Launch.

(b) RFP Overview

The purpose of the RFP was to collect, evaluate, and identify a high potential mission-driven organization focused on market transformation objectives and which can facilitate the long term, transformative approaches the state is seeking in the next generation of EE market transformation and to identify a shortlist from which to determine which bidder(s) to advance to contract negotiations. The rest of this section describes in detail the execution of Statewide MTA RFP process. A detailed RFP solicitation timeline can be found in *Table 9 – PG&E Statewide MTA RFP Solicitation Process Events*.

RFP Scope & Structure: In the MTA RFP, California sought a single, independent organization to procure and administer a statewide portfolio of MTIs designed to achieve market transformation in conformance with the adopted policies in D.19-12-021.¹³ The RFP included a background on EE market transformation in California, objectives of the RFP, general information about the potential budget, contract duration, solicitation process information and instructions, RFP participation instructions, proposal evaluation and selection factors, and information requested to be provided by bidders in their proposal response.

RFP Eligibility:

Bidders were advised that all bids would be screened for conformance with solicitation eligibility requirements including:

- Proposals submitted past the Proposal Due Date, incomplete Proposals, and Proposals not adhering to length and formatting requirements;
- Bids not responsive to the objectives and requirements of the RFP. Bidders were asked to provide information on their approach to market transformation administration including MTA governance, stakeholder engagement and accountability, proposed MT Framework and approach to MTIs, solicitations management, reporting, and evaluation, measurement, and verification (EM&V), as well as partnerships, feasibility, and quantifiable metrics and outcomes, payment and compensation structure, budget and schedule, bidder qualifications, supply chain responsibility.
- Additional eligibility requirements included disclosing any potential conflict of interest as an IOU affiliate or any involvement as a CA EM&V program evaluator.

RFP Submission Format: A complete RFP submission consisted of a Narrative Response Form which was provided as a pre-formatted MS Word document collecting text question

¹³ "Decision Regarding Frameworks for Energy Efficiency Regional Energy Networks and Market Transformation," (Decision 19-12-021), California Public Utilities Commission, December 5, 2019.

responses; a Program Data Response Form which was a pre-formatted MS Excel worksheet to collect numerical program information and facilitated automated data extraction for quantitative analysis; team resumes; letters of intent from committed Partners; examples of reporting; a conflict of interest statement; a transmittal letter; a Supply Chain Responsibility Exhibit; an Exhibit 1A Subcontracting Plan; and the direct entry of the supplier sustainability questionnaire and Supply Chain Responsibility questions into the PowerAdvocate platform.

RFP Evaluation Criteria: In the RFP, Bidders were requested to submit a proposal that provided a comprehensive understanding of the market transformation framework adopted in D.19-12-021 including their proposed approach to administering the California Energy Efficiency MT portfolio in alignment with the adopted MT Framework, including proposed payment structure, budget, schedule, bidder qualifications and information responding to supply chain responsibility. *Table 4 – PG&E Statewide MTA RFP Evaluation Criteria* lists the various sub-criteria used to evaluate each proposal submission.

Table 4 – Statewide MTA RFP Evaluation Criteria	
RFP Scoring Category	Scoring Criteria
Approach to MT Administration	Stakeholder Engagement, MTA Governance, and Accountability Structure Alignment with and Enhancements to D.19-12-021 MT Framework Coordination with the EE Portfolio Reporting and EM&V Workforce Development and HTR/DAC Engagement Solicitations Management
Budget and Payment Structure	Budget and Schedule Compensation Structure and Performance
Team Qualifications	Team Composition & Qualifications Hiring, Retention and Subcontractor Management
Supply Chain Responsibility	Diverse Supplier (includes SBE)

RFP Final Document Review: On November 5, 2020, Energy Division staff presented the draft RFP solicitation documents including the solicitation instructions, the scoring criteria and weighting, and the narrative and data response forms to the Scoring Committee for review prior to the issuance of the RFP. The Scoring Committee provided feedback between November 5, 2020, and December 11, 2020. Following receipt of Scoring Committee feedback, a robust process was applied to finalize the content and structure of the final RFP package.

(c) Solicitation Awareness and Outreach

Solicitation Marketing: To generate awareness of upcoming solicitation contracting

opportunities in advance of a solicitation, the following information distribution channels were utilized:

- On January 28, 2021, PG&E issued a Contract Opportunity Announcement (COA) providing notification of the start and end date for registration for this RFP in PowerAdvocate®. Registration was kept open for this RFP until the RFP Proposal Due Date. This COA was posted to the PG&E Bid Opportunities web page and the California Statewide IOU Energy Efficiency Proposal Evaluation & Proposal Management Application (PEPMA) website. In addition, PG&E's Supply Chain Responsibility team shared the COAs with approximately 60 Community Based Organizations.
- On March 10, 2021, an RFP announcement was sent to fourteen U.S.-based market transformation and energy efficiency organizations, with a request to share the announcement with their respective members.
- Also on March 10, CPUC staff shared the RFP announcement with the service list for the Energy Efficiency proceeding (R.13-11-005).

(d) RFP Launch and Bid Preparation Period

RFP Launch: PG&E issued the Statewide MTA RFP solicitation on March 10, 2021. All RFP solicitation documents were provided to bidders through the PowerAdvocate platform only.

RFP Pre-Bid Conference: The RFP Pre-Bid Conference was held on April 7, 2021 via webinar, and 39 participants (inclusive of 3 PG&E personnel, 1 Commission personnel, and 2 Independent Evaluators) attended the conference via Microsoft Teams. The IE reviewed the presentation materials prior to the conference and monitored the discussion during the event for accuracy and fairness.

RFP Question and Answer Period: The deadline for bidders to submit written questions via the PowerAdvocate platform was April 21, 2021. In total, 18 questions were received (15 questions from the Pre-Bid Conference and 3 questions via PowerAdvocate) from Bidders. Responses to questions from the Pre-Bid Conference were uploaded on April 14, 2021, to PowerAdvocate. Responses to Bidder Q&A were uploaded by PG&E to PowerAdvocate on May 4, 2021 for all bidders to access. PG&E observed the following question themes:

- **RFP Documents:** Clarifications of submission requirements, and acceptable formatting of forms;
- **Budget:** Available budget and allocation of budget across the contract duration as well as allowable costs and expenses;
- **Administrator Eligibility:** Clarification on licensing requirements, current third-party (3P) EE program implementer eligibility for MTA bid submission, ability of MTA to implement MTIs and/or Energy Efficiency programs after conclusion of the contract;

- **MTI:** Clarification on type of eligible and ineligible MTIs/MT projects;
- **Reporting Requirements:** Reporting requirements outside of or in addition to those required under D.19-12-021 and its Attachment A;
- **Requirements:** The role of third party evaluation of progress toward transforming the market for energy efficiency and coordination of MTIs with other PA efforts;
- **Scoring Criteria:** Weighting of criteria used to evaluate MTA Proposals;
- **Sub-Contracting:** Clarification on definition of “sub-contractors” in relation to role of the Market Transformation Administrator;
- **Supply Chain Responsibility:** Clarification on how non-profit entities demonstrate diverse business status;
- **Cost Effectiveness:** Clarification on MTI cost effectiveness and use of Cost-Effectiveness Tool (CET) or other to-be-determined method.

Responses to these questions during allotted question and answer (Q&A) period for the solicitation were provided in PowerAdvocate and available to all entities registered for the RFP event.

(e) RFP Evaluation

RFP Evaluation Team Training: The MTA Scoring Committee consisted of 11 evaluators from the three stakeholder groups: EE Program Administrators, Public Interest and California Regulatory Agencies. Prior to receiving proposals for evaluation, Energy Division staff offered two market transformation trainings to the Scoring Committee. The trainings were held on June 9, 2021, and June 15, 2021, and covered basic market transformation concepts as well as the CPUC’s MT Framework adopted in D.19-12-021. PG&E and the IEs held a third and mandatory training for the Scoring Committee on June 23, 2021. This mandatory training session included an overview of the evaluation process, orientation to the scorecard, and guidance on how to apply the scoring criteria consistently and fairly.

RFP Submission and Validation: As required by D.19-12-021, the RFP remained open to Bidders for more than three months, from March 10, 2021, until the RFP Proposal due date, June 30, 2021.

On June 30, 2021, PG&E received seven (7) Proposals from seven (7) unique counterparties submitted through the PowerAdvocate platform. Prior to scoring, each Proposal was reviewed for conformance with solicitation eligibility requirements which included: missing/incomplete solicitation documents, providing duplicate document uploads, exceeding the page limit requirements, or being outside the scope of this RFP. One proposal was eliminated because the Proposal did not meet the minimum screening criteria. A breakdown of the proposals received can be found below in *Table 5 – Breakdown of Proposals Received*.

Table 5 – Breakdown of Proposals Received		
Proposals Received	Non-Conforming	Proposals Evaluated
7	1	6

RFP Evaluation: In total six (6) proposals from six (6) individual bidders were evaluated in the RFP. Individual scoring of proposals started in early July and lasted for 3 weeks. Each proposal was reviewed against the evaluation criteria and sub-criteria listed in *Table 4 – Statewide MTA RFP Evaluation Criteria*. MTA Scoring Team members individually assigned a preliminary score for each sub-criterion. The IE performed a parallel evaluation of each proposal.

RFP Calibration: On August 4, 2021, PG&E conducted calibration discussions across all scoring criteria. Preliminary scores from the MTA Scoring Committee members and the IEs were collected and compared. Calibration discussions were an opportunity to discuss points of disagreement observed in scoring and evaluation team members could adjust preliminary scores based on the insights shared by others. The IEs participated in these calibration meetings and also monitored to ensure the discussion did not impart unfair bias for/against any Bidder. The process prioritized discussions on criteria that exhibited high levels of disagreement and proposals with sub criteria scores (including IE scores) with a range between the maximum and minimum score of 3 or greater.

RFP Final Scores: After the calibration discussions concluded, any scoring adjustments from MTA Scoring Committee members were recorded and final proposal scores were calculated. Final proposal scores only considered MTA Scoring Committee scores and did not include any IE scores.

RFP Shortlist: On August 11, 2021, PG&E presented the RFP shortlist to the MTA Scoring Committee and discussed the proposed shortlisting approach.

PG&E engaged the top-scoring bidder and only planned to expand negotiations to next tier bidders if negotiations faltered.

A breakdown of the shortlisted proposals can be found below in *Table 6 – Statewide MTA RFP Shortlist*. PG&E dismissed one (1) proposal from the RFP and shortlisted two (2) proposals.

Table 6 – Statewide MTA RFP Shortlist			
Proposals Received	Non-Conforming	Proposals Evaluated	Advance to Negotiations
7	1	6	1

(f) Contract Negotiation

Negotiations – Contracting: PG&E’s EE General Conditions served as the starting point for negotiation of an executable agreement. In contract negotiations, CPUC, PG&E and the bidder engaged in detailed discussions of how and when the new organization would transition to an independent non-profit and the structure of the future non-profit, refinements to the ideation stage and quick start initiatives, coordination with emerging technology and other programs, how cost should be categorized, how to ensure that evaluation, measurement and verification (EM&V) activities would be robust and independently conducted, and budgeting during the start-up phase.

The conflict-of-interest (COI) provisions took more time to complete than other topic areas of negotiations. This was driven by the need to ensure the contracted MTA would be free from financial interests that may inhibit its ability to act as an unbiased administrator of MT funding. In negotiating COI terms, CPUC leveraged public contracting guidelines to ensure the MTA would be free from financial interests in “Covered Entities,” where Covered Entities include the four California IOUs, municipal utilities, and certain industry association, non-profits and other organization that could potentially benefit from decisions made by the MTA. The RFP had not anticipated strict COI conditions and therefore did not include all aspects of COI requirements. During negotiations, it took time to sort out the application of California’s public contracting requirements given the breadth and scope of the MT Administrator role. Ultimately COI negotiations resulted in a firewall agreement, whereby MTA staff acting in a decision-making role under the MTA contract are prohibited from working on contracts with Covered Entities or sharing critical information with other staff working on those contracts.

Additional time for negotiations was also required to handle the complexity of coordinating negotiations among the three parties involved (CPUC, vendor and PG&E).

Final contract award occurred when all parties were able to reach mutually-agreeable terms that met the requirements of the MTA Decision.

MTA Negotiations: Below *Table 7 – Statewide MTA Contract Awards* depicts the number of submissions that were actively engaged in negotiation discussions, how many were held as negotiation alternatives, and how many contracts were ultimately awarded.

Table 7 –Statewide MTA RFP Contract Awards		
Active Negotiations	Negotiation Alternative	Contract Awards
1	1	1

As MTA negotiations were concluded, CPUC and PG&E came to agreement on terms with one (1) counterparty and executed one (1) contract. Negotiations with the top bidder were successful and discussions did not extend to alternates.

II. Independent Evaluators

Two IEs from the Commission's approved list of IEs were engaged for this Statewide MTA RFP process. The two IE firms assigned to observe the solicitation are listed below in *Table 8 – PG&E EE Independent Evaluator*. IE activities included the review of solicitation materials such as solicitation plans, solicitation language, evaluation criteria, solicitation procedural steps, solicitation scoring, and contract(s), as well as monitoring of pre-bid meetings and contract negotiations to assist in implementing fairness and consistency with State of California statutes and Commission policies, guidance, and Decision 19-12-021, *Decision Regarding Frameworks For Energy Efficiency Regional Energy Networks And Market Transformation*. Regular communication via email and phone to discuss issues was the typical baseline engagement and ebbed and flowed dependent on the varying phase and intensity of activities during the solicitation process.

Table 8 – PG&E EE Independent Evaluator	
Organization / Company	Independent Evaluator
Great Work Energy LLC	Kim Crossman
The Mendota Group, LLC	Grey Staples

The IEs were engaged throughout the solicitation process. IE feedback was openly received, considered, and discussed. The principal areas of engagement with the IEs included:

- Review of solicitation documentation before the solicitation was issued;
- Support for the MTA Scoring Committee;
- Independent evaluation of the abstract and proposal submissions;
- Shortlist development;
- Monitoring communications, feedback calls, and contract negotiations with bidders.

The IE Final Solicitation Report¹⁴ is provided as Public Attachment A, and the supplemental IE Final Report is provided as Confidential Appendix A.

(a) Summary of IE input in RFP

Throughout the development of the RFP solicitation materials and during the review of final solicitation documents, the IEs provided input and recommendations to the general instructions and response forms, the scoring criteria and weightings, and alignment between

¹⁴ "Given that we are not requiring that all third-party contracts be submitted for formal approval by the commission, we will require a formal IE report to accompany only those contracts required to be submitted via a Tier 2 advice letter." D. 18-01-004 p. 37.

the scoring criteria and solicitation documents. The IEs attended meetings with the Scoring Committee, monitored the Pre-Bid conference, monitored all communications with bidders, and reviewed PG&E responses to bidder questions. The solicitation process, including the scoring step, was extremely collaborative between the IEs, Energy Division lead, and PG&E. Input and feedback was solicited from the IEs throughout the process with the aim of ensuring that the process ran smoothly and was fair and transparent. IE suggested changes to the solicitation process were considered and incorporated. IE comments on the RFP and scorecard documents were considered and most were accepted. Some of the key IE observations and recommendations incorporated into the RFP materials and process included the following:

- Clarifying and correcting the MTA start-up period duration and budget available;
- Ensuring that RFP requirements align with and support what was anticipated in the decision.
- Recommending removal of requirements for all bidders to develop and submit an Operations Manual and ABAL template as part of their proposal.
- Improving evaluability of bids through clear mapping of information requested from bidders to unique, well-defined scoring criteria and eliminating redundancy.

(b) Summary of IE input in Negotiations

The IEs reviewed the draft contract forms prior to kicking off contract negotiations. The IEs also monitored communications between PG&E and bidders during Contract Negotiations to ensure discussions were conducted fairly.

III. Communications with Bidders

Communications between Commission, PG&E and Bidders were managed within the PowerAdvocate platform. Use of a single communications platform during a solicitation reduces the risk of conflicting information being shared in different venues, maintains a complete record of communications, and allows easy access for the IE to monitor discussion for bias. Communications with Bidders in this process can broadly be categorized into two types: one-way communications and two-way communications. One-way communications were typically informational messages, instructions, or status updates from PG&E or the Commission to the bidders that did not require a response beyond acknowledgement of receipt. Examples of one-way communications with bidders included mid-process status updates, and shortlist notifications. Two-way communications most often took the form of a question which required a response or a request for additional information. Most two-way communications occurred during the RFP Q&A period.

(a) Other Key Communication Points

Other major topic(s) that required a tailored communication approach include:

- **Vendor Teaming:** Sharing contact information among entities registered for the MTA RFP event for the purpose of potential vendor partnerships in the submission of

Proposal(s).

IV. Solicitation Timelines

The following table, *Table 9 – Statewide MTA RFP Solicitation Process Events*, depicts the timeline of solicitation events for Statewide MTA RFP.

Table 9 – Statewide MTA RFP Solicitation Process Events	
Event	Date(s)
RFP Material Development Developed solicitation materials, scoring rubric, scoring elements and criteria and presented to and reviewed by IEs and MTA Scoring Committee.	September 2020 – February 2021
Marketing and Outreach	January 2021-March 2021
RFP Issued RFP documents were available to bidders in PowerAdvocate for download.	March 10, 2021
RFP Pre-Bid Conference Pre-Bid Conference event registration and webinar access instructions available in PowerAdvocate.	April 7, 2021
RFP Q&A Deadline Written questions regarding the RFP were due to PG&E in PowerAdvocate.	April 21, 2021
PG&E Q&A Response Deadline Bidders had access to review PG&E's responses to all written questions submitted in the RFP.	May 4, 2021
Proposal Submission Deadline Bidders Proposals submission due date. Registration in PowerAdvocate was required to submit a Proposal.	June 30, 2021
RFP Evaluation and Scoring Scoring and Calibration	July 7, 2021 – August 1, 2021
RFP Shortlist Presented to MTA Scoring Committee	August 11, 2021
RFP Shortlist Notification Bidders were notified whether their Proposal(s) were Advancing through PowerAdvocate	August 20, 2021
Contract Negotiations	October 13, 2021 – August 24, 2022

Table 9 – Statewide MTA RFP Solicitation Process Events	
Event	Date(s)
Detailed contract discussion	
Execute Agreements Successful agreement with counterparties reflected in executed Agreements	October 19, 2022
Advice Letter Filed	October 26, 2022

2. CONFIDENTIALITY

In support of this advice letter, PG&E provides the following confidential information: executed Market Transformation Administrator contract, information about the participants and offers submitted in response to Statewide MTA RFP including the evaluation and analysis of the value of such offers, information and program metrics, financial and performance statistics of the parties, and the confidential results of the solicitation.

A Declaration Seeking Confidential Treatment is submitted in support of this advice letter, as required by D. 08-04-023, to demonstrate the confidentiality of material and to invoke the Commission's protection of confidential utility data and information provided under D.06-06-066 (see, Appendix 1, ("IOU Matrix")) and Appendix C D. 08-04-023 or General Order 66-D.

Confidential Attachments:

Confidential Appendix A: Final Independent Evaluator (IE) Report MTA (Redacted version included with public submittal)

Confidential Appendix B: Solicitation Process Overview

Confidential Appendix C: MTA Solicitation Selection Spreadsheet

Confidential Appendix D: Contract

Public Attachment A

Final Independent Evaluator (IE) Report MTA (Public)

Energy Efficiency Independent Evaluator's Final Solicitation Report

Pacific Gas & Electric Company

Statewide Market Transformation Solicitation

Contract:

Resource Innovations, LLC

Prepared by:



Grey Staples
Independent Evaluator



Kim Crossman
Independent Evaluator

October 19, 2022

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Executive Summary

In compliance with the requirements of the California Public Utilities Commission's (CPUC) Decision (D.) 19-12-021, Pacific Gas & Electric (PG&E or the Company), with close coordination and direction from CPUC Energy Division staff, conducted a solicitation to select a contractor to serve as a statewide market transformation program administrator. From this solicitation, PG&E, selected Resource Innovations, LLC to serve as the Market Transformation Administrator (MTA). As was laid out in the Decision establishing the MTA role and function, the final contract includes a total budget of \$303.8 million supporting up to three years for development of an initial portfolio of market transformation initiatives (MTIs), followed by five full years for implementation of the market transformation portfolio.

The Mendota Group LLC and Great Work Energy LLC are the Independent Evaluators assigned to monitor and report on the MTA solicitation. PG&E and ED staff encouraged and actively sought IE monitoring and feedback on RFP materials, process steps and all decisions made throughout the process. In our view, the MTA solicitation was conducted fairly, transparently and without bias. IE observations and assessments are detailed in this Final Solicitation Report, including:

- RFP materials were well designed, clear and straightforward to use.
- Market response to the solicitation facilitated robust competition.
- Scoring criteria focused on the expertise, capabilities and operational feasibility required of an independent administrator of a portfolio of successful market transformation initiatives.
- Scorecards and RFP materials incorporated feedback from the IEs and Scoring Team.
- PG&E consistently applied the evaluation methodology to all bids to determine final scores and bid rankings
- The negotiation process was fair, well managed and productive.
- The final contract meets the objectives laid out in the solicitation and in the CPUC – adopted Market Transformation framework.

The solicitation faced challenges in implementing a process as dictated by D. 19-12-021 that both deviated from the traditional third-party energy efficiency program solicitation process outlined by D. 18-01-004 and involved selecting a “program administrator” instead of a “program implementer”. Ultimately, the PG&E-Energy Division Solicitation Team overcame these challenges to deliver the contract that is the subject of this report.

Although aspects of the solicitation process took considerably longer than anticipated, this did not affect the outcome. This was a unique solicitation, but lessons learned could reduce similar delays in future relevant solicitations.

1. Introduction

1.1 Purpose of the Report

The Independent Evaluator Final Solicitation Report (Report) provides an assessment of the process and outcomes associated with the Market Transformation Administration solicitation by the assigned Independent Evaluators (IEs). This Report is intended to reflect and provide a record of the entire solicitation in compliance with California Public Utilities Commission direction¹, and accompanies the contract and Advice Letter the IOU submits to the Commission for review and approval.

For its Statewide Market Transformation Administrator solicitation, PG&E assigned two IEs, with The Mendota Group, LLC serving as the primary IE and Great Work Energy LLC supporting as a subject matter expert IE. The IEs worked together on general oversight and feedback to PG&E, the Energy Division and the Scoring Committee and were involved in reviewing RFP documents, shadow scoring proposals, and tracking contract negotiations. Consistent IE monitoring of each step provided the basis for assessment of the fairness and transparency of the solicitation

1.2 Background: A New Regulatory Framework for Market Transformation

The RFP General Instructions included a brief background of EE market transformation in California that addresses the challenges faced in past MT efforts and provides useful context for the new regulatory framework adopted in 2019.

California has a long history of support for market transformation approaches. Market transformation was a primary focus of EE policy in the late 1990s. CPUC Decision 95-12-063 called for EE spending to shift towards activities that would transform markets. In the late 1990's, the CPUC authorized utilities to perform statewide studies to assess the development and delivery of MTIs. As part of this process, a set of statewide "market assessment and evaluation" studies were developed for the 1999 program year. However, the energy crisis of 2000/2001 diverted public and policy attention, and prompted a renewed emphasis on resource acquisition.

By the mid-2000s, policy makers began to turn back to market transformation concepts, making substantial efforts to reset EE policy to reflect long-term objectives and comprehensive strategies. In 2007, D.07-10-032 initiated the development of the 2008 California Long Term Energy Efficiency Strategic Plan (Strategic Plan). The Strategic Plan, ratified by the CPUC in 2008, intended to shift EE policy beyond a focus on short-term activities and toward longer-term market transformation objectives.

The 2008 Strategic Plan set out comprehensive strategies and long-term goals for EE. The CPUC, with input from the California Investor-Owned Utilities (IOUs) and other stakeholders, developed market transformation indicators to track the progress of the Strategic Plan goals. However, these indicators could not readily be tied to an

¹ D. 19-12-021, "Decision Regarding Frameworks for Energy Efficiency Regional Energy Networks and Market Transformation", (R. 13-11-005), California Public Utilities Commission, December 5, 2019, p. 57. Also referenced in this document as the "Decision".

incentive mechanism for Program Administrators, or a defined methodology for recognizing energy savings accomplishments. Thus, the mechanisms through which the CPUC credits energy savings accomplishments to EE programs remains largely unchanged, and without established methods to reward longer-term market-level accomplishments, executing the needed shifts in programmatic approaches has been difficult.²

The CPUC's most recent regulatory inquiry on the topic of market transformation, and the one resulting in the MT Framework adopted in D.19-12-021, began with the establishment of Rulemaking 13-11-005. In R.13-11-005's Order Instituting Rulemaking (OIR), the CPUC stated, "Looking forward, we will consider whether to further refine the definition of 'market transformation.' We will also consider how to incorporate the lessons learned from prior market transformation efforts into ongoing and new programs."³ The proceeding's ALJ ruled on August 29, 2018, seeking comment on a staff proposal for a new market transformation framework.⁴

In connection with the ALJ's ruling, ED Staff held two workshops, on September 19, 2018 and November 6, 2018. At the conclusion of the second workshop, several of the interested parties agreed to reconvene as part of the California Energy Efficiency Coordinating Committee (CAEECC) to form a market transformation working group (MTWG) to further refine a MT framework proposal and work toward consensus among stakeholders.

The Natural Resources Defense Council (NRDC), one of the participants, submitted the MTWG's final product to the CPUC on March 19, 2019.⁵ The ALJ issued a subsequent ruling on April 10, 2019, seeking comment on the MTWG proposed framework for market transformation initiatives submitted by NRDC on behalf of the MTWG."⁶

On December 5, 2019, the CPUC approved Decision 19-12-021, which adopted a framework for establishing and implementing market transformation initiatives (MTI) and a dedicated, independent program administrator to administer the effort. As detailed in the Decision (and the MTA RFP) The proceeding relied on the definition of market transformation from the CPUC's 2009 Decision 09-09-047 (and repeated it in D. 19-12-021's Attachment A). D. 09-09-047 defined market transformation as:

Long-lasting, sustainable changes in the structure or functioning of a market achieved by reducing barriers to the adoption of energy efficiency measures to the point where continuation of the same publicly funded intervention is no longer appropriate in that specific market. Market transformation includes promoting one

² "Statewide Market Transformation Administrator Request for Proposal, #109962" (Statewide MTA RFP), March 10, 2021, p. 6.

³ "Order Instituting Rulemaking Concerning Energy Efficiency Rolling Portfolios, Policies, Programs, Evaluations, and Related Issues" (R. 13-11-005), California Public Utilities Commission, November 21, 2013, page 20.

⁴ "Administrative Law Judge's Ruling Seeking Common on Market Transformation Staff Proposal" (R. 13-11-005), California Public Utilities Commission, August 29, 2018.
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M225/K059/225059924.PDF>

⁵ The Natural Resource Defense Council (NRDC) Motion Seeking Commission Ruling and Comment Period on the California Energy Efficiency Coordinating Committee Market Transformation Working Group Report" (R. 13-11-005), Natural Resources Defense Council, March 19, 2019.

⁶ Statewide MTA RFP p. 7.

set of efficient technologies, processes or building design approaches until they are adopted into codes and standards (or otherwise substantially adopted by the market), while also moving forward to bring the next generation of even more efficient technologies, processes or design solutions to the market.⁷

1.3 Roles and Responsibilities of the MTA Solicitation Team

The MTA solicitation is not a third-party EE program solicitation, but it benefitted from applying some of the same processes and approach as have been employed successfully in those solicitations over the past 4 years. Roles and responsibilities are one of the areas where the MTA solicitation leverages but diverges from what has been done in recent third-party EE program solicitations.

The MTA Solicitation Team (Solicitation Team), referenced throughout this report, consisted of CPUC Energy Division staff and the assigned solicitation lead from PG&E's EE Procurement Project Management Office.

CPUC Energy Division

The CPUC's preference was "to have the market transformation entity be accountable to and connected with the Commission directly, to ensure alignment with all aspects of our energy efficiency policy."⁸ However, this would have entailed the Commission directly soliciting for and contracting with the selected administrator. Acknowledging the inherent difficulties associated with state budgeting and contracting (and likely long time-frame required to complete such an effort), the CPUC ordered a utility (PG&E) to fulfill these responsibilities on behalf of the Commission.

The assigned ED representative shepherded the development of the new MT regulatory framework and has deep expertise in its meaning and intent. The representative led the solicitation from a content/substance perspective, including development of RFP materials and the scorecard, responding to Scoring Committee and IE feedback, and negotiating the scope of work.

This ED leadership on the MTA Solicitation Team ensured that the substance of the RFP and its outcomes remained clearly and firmly grounded in the adopted Decision. It is expected that this same representative will manage the contract, including reviewing and approving invoices and deliverables and other key performance management tasks.

PG&E

The Decision assigned PG&E to lead the solicitation "both because of its inherent size and infrastructure, as well as its experience administering the statewide energy efficiency market campaign under the umbrella of Energy Upgrade California and collaborating with NEEA."⁹

PG&E issued this RFP at the direction of the CPUC's Energy Division (ED). PG&E's role is to manage the RFP process and, upon reaching a final agreement with the selected Bidder as determined by the MTA Scoring Committee, will execute a contract, subject to CPUC approval (Contract). PG&E's sole obligations under the Contract will be to act as the fiscal agent and be responsible for all fiscal oversight functions, including managing the balancing accounts related to Market Transformation activities, supporting the MTA's filings, and paying ED-approved invoices

⁷ D. 09-09-047, "Decision Approving 2010 to 2012 Energy Efficiency Portfolios and Budgets" (A.08-0-11-005, et. al.), California Public Utilities Commission, August 29, 2018, OP 8.

⁸ D. 19-12-021, p. 56.

⁹ D. 19-12-021, COL 24, p. 87.

from the contracted MTA.

The CPUC designated PG&E to act as the contracting and fiscal agent. PG&E relied upon D. 19-12-021 and, in particular, its Attachment A to guide the MTA solicitation process. Attachment A is the “Adopted Market Transformation Framework”, which is a modified version of the framework developed by California Energy Efficiency Coordinating Committee (CAEECC) Market Transformation Working Group’s (MTWG) Market Transformation Framework. D. 19-12-021 also specified that PG&E would undertake its task with the assistance of the current statewide energy efficiency procurement review group (PRG) and independent evaluators. The Decision dictated that the solicitation follow the procedures for third party solicitations established by D. 18-01-004, to “ensure (a) fair and well-managed procurement.”¹⁰ D. 18-01-004 defines “third-party” programs, which are programs proposed, designed, implemented, and delivered by non-utility personnel under contract to a utility program administrator (“third-party solicitation process”).

The Market Transformation Administrator solicitation is separate from utility third-party EE solicitations and is selecting a “program administrator” rather than an energy efficiency “program”. As an independent program administrator, the selected contractor will be tasked with developing and administering a portfolio of initiatives, managing a Market Transformation Advisory Board (MTAB), submitting advice letters and other filings to the CPUC, and generally functioning as an administrator rather than an implementer. The selected contractor, however, will need to work closely with PG&E as PG&E is the MTA’s fiscal agent.¹¹

Independent Evaluators

The CPUC per D.18-01-004 requires that IOUs solicit and contract with a pool of independent evaluators (IEs) with energy efficiency expertise to serve as consultants to PRG and IOUs. The IEs are directed to observe and report on the IOU’s entire solicitation, evaluation, selection, and contracting process. The IEs review and monitor the IOU solicitation process, valuation methodologies, selection processes, and contracting to confirm that an unbiased, fair, and transparent competitive process is conducted that is devoid of market collusion or manipulation. The IEs are privy to viewing all bidder submissions. The IEs are invited to participate in the IOU’s solicitation-related discussions and are bound by confidentiality obligations.

Key concerns the CPUC expressed about third-party solicitations and items that IEs are charged with helping to mitigate are risks associated with:

- Contracting bias. Because many utilities have existing third party relationships, likely including both positive and negative experiences from past interactions, there is a risk that utilities could exhibit some bias for or against certain contractors, including smaller contractors, in the RFA/RFP process. This could result in contract or program failure.
- Poor RFP design. Another possible risk is that the ultimate RFP design by the utilities intentionally or inadvertently thwarts the intentions of successful program design, delivery, and realized savings, for some or all sectors and subsectors of customers. Again, contract or program failure could be a result.¹²

¹⁰ D. 19-01-021, p. 57.

¹¹ Of note, IOU PAs also act as fiscal agents for Regional Energy Networks (REN) and Community Choice Aggregator (CCA) program administrators.

¹² D. 18-01-004, p. 32.

D. 19-09-012 directed that the Market Transformation Solicitation also utilize independent evaluators to monitor the process.

Scoring Committee

In contrast to third-party EE program solicitations, the MTA solicitation did not utilize IOU personnel to score proposals. Rather, the solicitation used a Scoring Committee composed of non-financially interested stakeholders and CPUC Energy Division staff to evaluate proposals. As discussed further in section 3.5(b), the Scoring Committee was split into three groups: California Regulatory Agencies, Program Administrators and Public Interest representatives. Final bidder scores were based on combining scores from each group, with each group allocated an equal share to the final score.

The RFP described the Scoring Committee's role and its membership. "The CPUC requires all Scoring Committee members are financially disinterested in the solicitation's outcome. Scoring Committee members are obligated to keep all matters related to the MTA solicitation confidential as set forth in the RFP's Confidentiality provisions."¹³ The RFP further stated that PG&E is not involved in scoring the RFP and is not a member of the MTA Scoring Committee. As further indicated in the RFP, "Organizations and individuals that are part of the Scoring Committee shall be ineligible to bid on MTI work solicited by the MTA for two years following Contract approval with the selected MTA."¹⁴

The Decision also indicated that the solicitation should use the statewide procurement review group to play the procurement review group (PRG) function for the solicitation. With third-party energy efficiency solicitations, PRGs function as advisory groups to utilities. Among their other responsibilities, IEs provide consulting support to PRGs. "The PRGs shall consist of non-financially-interested parties, representing diverse stakeholder interests, as well as Commission staff, including ORA."¹⁵

Because no statewide PRG exists, in addition to scoring, MTA Scoring Committee members provided essential stakeholder input and feedback on the design and content of the RFP and scoring rubric. In effect, the solicitation's scoring committee also served as its PRG. PG&E also consulted with its own PRG for feedback on the initial solicitation approach and offered members of its PRG the opportunity to participate in the Scoring Committee.

2. Solicitation Overview

2.1 Overview

PG&E utilized a single-stage RFP process with a Request for Proposal to select a single, independent, statewide Market Transformation Administrator. The solicitation sought proposals from third parties to serve as program administrator to implement the state's market transformation framework as adopted by CPUC Decision 19-12-021.

The single-stage solicitation approach differs from the third-party EE program solicitation process,

¹³ "Statewide Market Transformation Administrator, Request for Proposal (#109962)", Pacific Gas & Electric, March 10, 2021, p. 9.

¹⁴ Statewide MTA RFP, p. 9.

¹⁵ D. 18-01-004, p. 35.

which primarily utilizes a two-stage approach, with a Request for Abstract (RFA) followed by an RFP. The two-stage approach is generally used with more open solicitations that do not have a specific framework that is being implemented and bidders have more discretion to design their proposed programs. The MTA solicitation sought to select a program administrator tasked with implementing an MTA framework that the CPUC had adopted by decision. Therefore, a single-stage approach was the most logical structure for this solicitation.

2.2 Scope

The CPUC in D. 19-12-021 prescribed the scope the MTA RFP sought to address. The Decision's Attachment A, "Adopted Market Transformation Framework," is a 70-page document that outlines how the Commission intends for the MTA to function and conduct its activities, including:

- the role of the Market Transformation Administrator,
- stakeholder roles and responsibilities (MTA, Market Transformation Advisory Board, Independent Review Committees)
- how the MTA will conduct its "stage-gate" approach to soliciting, selecting and implementing Market Transformation Initiatives (MTIs),
- the administrative structure for the MT portfolio,
- budget and duration of contract,
- the market transformation cost-effectiveness framework, and
- how the MTA will coordinate MTIs with resource acquisition programs, among other details.

The CPUC also stated that, ideally, they preferred that "the market transformation organization selected be focused entirely on the purpose of transformation of energy efficiency markets in California" and noted that "(n)on-profit organizations have had success in this arena in many other states." Of note, the contract for the MTA discussed in this report envisions the MTA transitioning to a non-profit over the course of the contract's implementation.¹⁶

In this sense, the selected contractor will have a clear roadmap in terms of how the CPUC expects it to conduct its business. As discussed further in this report, references to these important considerations are incorporated into the MTA's contract.

2.3 Objectives

PG&E issued the RFP in its capacity as contracting agent for the CPUC, "to solicit proposals (Proposal) from qualified entities (Bidders) to serve as the independent statewide Market Transformation Administrator (MTA)." As described in the RFP, "the MTA will be responsible for administering the Market Transformation Framework (MT Framework) in California and developing a new portfolio of Market Transformation Initiatives (MTIs) in accordance CPUC Decision 19-12-021 and its Attachment A."¹⁷

The solicitation's objectives were to "select a single, independent, statewide MTA that embodies a

¹⁶ D. 19-12-021, p. 56.

¹⁷ Statewide MTA RFP, p. 4.

mission-driven organization focused on market transformation objectives.”¹⁸ As further described in the RFP, the effort “is intended to facilitate coordination with other similar, independent organizations in other states. Since most EE product markets are national or international, having such an administrator is critical in the market transformation sphere.”¹⁹ The CPUC highlighted that the MTA would be a “mission-driven organization focused on market transformation objectives” because, as the Decision explained, “this will allow a focus not only on market transformation, but also help facilitate coordination with other similar, independent organizations in other states. Since most energy efficiency product markets are national or international, this is very important in the market transformation sphere.”²⁰

It is intended that the MTA will be able to conduct activities on behalf of the CPUC, and to coordinate with other entities such as municipal utilities that, although they are not IOUs, have robust energy efficiency offerings. With D. 19-12-021, the CPUC endowed the MTA with “freedom to go beyond traditional approaches to EE that may have been constrained by the regulatory model inherent in CPUC oversight of utility programs. This broader perspective and mission of the MT Framework is designed to help facilitate the long term, transformative approaches the state is seeking in the next generation of EE market transformation. Meeting the goals of Senate Bill 350 for doubling of EE in buildings requires new approaches that are innovative and untested.”²¹

2.4 Milestones in the Solicitation Process

PG&E experienced delays in releasing the RFP and significant delays in finalizing the contract with Resource Innovations (“RI”). The CPUC issued D. 19-12-021 on December 5, 2019. The Decision did not indicate by when it hoped the Market Transformation Administrator would be able to begin its implementation activities. PG&E is submitting its Advice Letter for the MTA contract approximately 3 years after the Decision, with anticipated launch in early 2023. The contracting process itself, which took approximately 14 months, experienced delays. It also took approximately 15 months post-decision to launch the RFP on March 10, 2021.

There were delays with the initial RFP launch due to the need for PG&E to understand the role it would play as fiscal and contracting agent for the MTA, to develop the solicitation documents and scorecard, and for the principals involved in managing the solicitation to create new processes and protocols since there was no direct analog for the solicitation among existing third-party EE solicitations. The reason there was not a direct analog among third-party EE solicitations is that most EE solicitations seek energy efficiency programs (vs. the program administrator sought with the MTA solicitation), the third-party is assigned primary responsibility for designing the program, the programs are generally shorter length than the MTA contract, there exist a clear set of guidelines (“Energy Efficiency Procurement Review Group Solicitation Guidelines”) for IOUs and IEs to follow in implementing the solicitations, and there are numerous CPUC decisions that prescribe the solicitation process (e.g. D. 16-08-019, D. 18-01-004, D. 18-05-041, D. 18-10-008 [and corrections], D. 19-08-006 [for Local Government Programs]).

The non-contracting portion of the solicitation process, from launch on March 10, 2021 to bidder notifications sent on August 10, 2021 did not experience delays. As discussed further in this

¹⁸ Statewide MTA RFP, p. 12.

¹⁹ Statewide MTA RFP, p. 12.

²⁰ D. 19-12-021, p. 55.

²¹ Statewide MTA RFP, p. 12.

document, the contracting process experienced significant delays. Some of the contracting delays may have been avoided by changes to the RFP documents. However, at the time of drafting, the principals involved in developing the documents (and the independent evaluators who reviewed the documents) did not fully anticipate the issues that arose during contracting. It is unclear whether some of the issues could have been anticipated as they were unique to this contracting process.

The solicitation process's timeline is shown in Table 2.1.

Table 2.1 - Key Milestones		
Milestones	Completion Date	Weeks to Complete
RFP		
Solicitation Launch	March 10, 2021	23 weeks
Bidders’ Conference	April 7, 2021	
Proposal Submittal Deadline	June 30, 2021	
Interviews	N/A	
Scoring Committee Calibration	August 4, 2021	
Contracting Notification	August 20, 2021	
Selections & Contracting Stage		
Contracting and Negotiations Period	August 20, 2021 – October 19, 2022	60 weeks
Contract Execution	October 19, 2022	

2.5 Key Observations

Table 2.2 summarizes key observations and recommendations from the assigned IEs in this solicitation.

Table 2.2: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome / Lessons Learned
General			
Manner in which an IOU acts as fiscal agent and contract administrator	D. 19-12-021 requires that PG&E act as statewide lead and contracting and fiscal agent. This role is not clearly described and meant that the Solicitation Team and PG&E and CPUC legal and regulatory staffs develop protocols and procedures for fulfilling this delayed the overall process.	For future similar solicitations that the CPUC directs, the Commission should more clearly outline the role of a contracting and fiscal agent for the solicitation, and potentially use the approach adopted with the MTA solicitation as a guide.	This is a recommendation for the CPUC and not the IOU.

Table 2.2: Key Issues and Observations

Topic	Observation	IE Recommendation(s)	Outcome / Lessons Learned
Statewide procurement review group roles	D. 19-02-021 requires that PG&E follow the third-party energy efficiency solicitation process per D. 18-01-04, and indicated the need to use an IE and the statewide procurement group to ensure fairness, but did not fully anticipate the differences between an MTA solicitation and third-party program solicitations. Scoring Committee members acted like a PRG by providing feedback on the RFP design and documents, but could not continue effectively serving in an advisory role once scoring began. This meant that the Solicitation Team needed to make decisions together, without ongoing input from a PRG.	If it is the Commission's intent for the solicitation to utilize a statewide procurement group to provide ongoing input into the solicitation process, the CPUC should indicate which entities should participate in the PRG and provide direction for the role the PRG will play in the solicitation.	This is a recommendation for the CPUC and not the IOU.
RFP Stage			
Implementer conflict language in the RFP	D. 19-02-021 specifies in COL 22 that "Organizations should not be disqualified from bidding to become the independent statewide MTA because of potential financial conflicts of interest. Any such conflicts should only be required to be resolved in the event the entity is selected and before it assumes the MTA role." However, it is not clear from this statement what the CPUC perceives to be a conflict nor how such	With solicitations that seek to establish program administrators (or other implementers who are, in effect, working on behalf of the CPUC and the State), it is important to clearly establish in RFP documents what conflict "looks like", what remedies might exist to mitigate these conflicts, and what standards will be applied to the selected entity to determine whether conflicts have, in fact, been mitigated.	It is unclear whether the CPUC will seek similar entities in the future. However, experience with the MTA solicitation can serve as a guide for how such solicitations can be managed and what information can be included in the RFP that could help shorten the contracting process.

Table 2.2: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome / Lessons Learned
	conflicts should be resolved.		
Scoring process benefited from careful planning	Solicitation Team dedicated considerable effort to constructing the scoring rubric, considering how to train the Scoring Committee and ensuring that scoring was fair and unbiased.	The thoughtful approach applied to the scoring portion of the solicitation should be considered an effective practice in that it facilitated a fair, thorough and productive scoring process and resulted in a good outcome.	IOUs, particularly in cases where the subject matter differs from a typical solicitation, should give careful consideration to how to construct the scoring process, ensure that scoring team members are well-versed in scoring requirements and consider the scoring process continuous with regular check-ins with scoring team members and other tools to put members on the same page.
Contracting			
Define roles that parties will play in contracting.	For contracts where an IOU is acting on behalf of the CPUC and statewide IOUs, it is important to define roles that parties will play in contracting. With the MTA contracting process, both PG&E and Energy Division legal staffs played meaningful roles, particularly as related to terms and conditions and conflict issues. Lack of clarity regarding roles and misaligned expectations about requirements slowed the contracting process.	Before the RFP is launched, the lead IOU and Energy Division staff should establish clear roles that both will play in contracting and solicit input and feedback from staff (to include legal staff) regarding requirements and what information should be collected from bidders in the RFP.	This recommendation is being reviewed.

3. Request for Proposal

3.1 RFP Development

The Solicitation Team provided the Independent Evaluators and the Scoring Committee ample opportunity to review its Request for Proposal documents and scorecard. Scoring Committee

members reviewed and provided feedback on RFP drafts and scorecards between October 2020 and early December 2020.

The RFP documents were well-designed to strike an appropriate balance between obtaining sufficient information while not overburdening bidders. The two IEs coordinated closely and provided input on RFP and scorecard drafts. The Solicitation Team also conferred with and received comments from members of the Scoring Committee. They received 125 written comments and several verbal comments during meetings with the Scoring Committee and carefully considered all comments received. The Solicitation Team revised documents as appropriate to accept a large majority of all recommendations received. Most recommendations not accepted were misaligned or inconsistent with the CPUC's D. 19-12-021 requirements.

The RFP solicitation package included the following documents:

- **RFP Instructions** – A Microsoft Word document providing the regulatory context, submission requirements, and the instructions for all bidders to follow in preparing their proposals.
- **RFP Narrative Response Form** – A Microsoft Word document with questions for each bidder to answer. Additional guidance for specific questions in the form is also given. Word limits were given for each response.
- **Data Response Form** – A Microsoft Excel Workbook designed to capture program financial and energy related data (savings) for the proposed program. There were also worksheet tabs for bidders to depict the proposed program's logic model, describe the program schedule and key deliverables, present the proposed payment structure and KPIs, and provide details regarding the bidders' prior experience.
- **Subcontractor and Supplier Utilization Plan Instructions (Exhibit 1) and Subcontractor and Supplier Utilization Plan (Exhibit 1A)** – Documents that provide instructions for and ask for details regarding Bidders' subcontracting plans.
- **Supply Chain Responsibility Policy** – Document that explains PG&E's commitment to supply chain responsibility, including supplier diversity, sustainability, and ethical supply chain practices.
- **Other Documents** – Bidders also submitted Letters of Intent (LOIs) from identified subcontractors and other collaborators, Conflict of Interest (COI) statements, team resumes, and example reports (examples that represent the types, style and substance of reporting proposed to be developed and delivered by the MTA).
- **Supplier Sustainability Questions and Supply Chain Responsibility Questions** – As part of their proposal submissions, Bidders also completed online questionnaires in PowerAdvocate in relation supplier sustainability and supply chain responsibility.

3.2 Outreach to Potential Bidders

Considering the CPUC's desire to provide maximum opportunity for bidder participation and given the significant role the Market Transformation Administrator will play in California's efforts to transform how customers use energy, there was a concerted effort to publicize the Market Transformation Administrator solicitation.

The Solicitation Team promoted the solicitation through the following means:

- Posted information to PG&E's Bidding Opportunities website;
- Posted information PG&E's third-party EE Solicitations website;
- Posted information to the California Statewide IOU Energy Efficiency Proposal Evaluation & Proposal Management Application (PEPMA) website;
- Emailed information to the California Energy Efficiency Coordinating Committee's (CAEECC) distribution list;
- Sent emails to relevant CPUC service lists, including (R. 13-11-005, A. 17-01-013, A.17-01-012);
- Sent emails to regional market transformation organizations (NEEA, MEEA, NEEP, SEEA) and other state, regional and national organizations with a potential interest in market transformation.

As a result, more than 90 organizations registered in PG&E's PowerAdvocate solicitation tool to gain access to the RFP.

3.3 Bidders' Conference and Q&A

PG&E hosted a Bidders' Conference on April 7, 2021. The conference provided only virtual attendance and was broadcast on the web through Microsoft Teams. Bidders were permitted to submit questions prior to the conference, which the Solicitation Team hoped to answer as part of the presentation. The platform muted all participants but allowed them to submit written questions during the event. There were 39 individual participants in the Bidders' Conference.

The Bidders' Conference went smoothly, with members of PG&E program management office (PMO) and sourcing staff presenting most of the content and a member of the CPUC's Energy Division staff introducing the conference. The presentation covered solicitation logistics, described PG&E, IE and Scoring Committee roles, described the solicitation documents and high-level scoring rubric, and offered an opportunity for question and answer (Q&A).

PG&E received 3 questions before and 15 questions during and shortly after the Bidders' Conference. The questions focused on Administrator Eligibility, Budget, MTIs, Reporting Requirements, RFP Document Formatting, Scoring Criteria, Subcontracting, and Supply Chain Responsibility topics.

The Solicitation Team drafted answers, which were reviewed by the IEs for clarity, accuracy and alignment with the solicitation documents and objectives. PG&E posted answers to bidder questions in PowerAdvocate in two batches, one on April 14, 2021 and another on May 4, 2021.

In order to facilitate teaming, bidders were offered an opportunity to share their organization's contact information with others registered for the solicitation in PowerAdvocate. Seven organizations submitted their contact information and PG&E posted the information to PowerAdvocate for all registered bidders to access.

3.4 RFP Bidders Response

The Solicitation Team did not provide a projection regarding how many responses it expected to receive in order to be considered sufficiently competitive. The MTA scope of work is large, specialized and fairly unique, so it was difficult to predict the number of potential bidders in the market. The Solicitation Team sought to attract a competitive number of high quality proposals,

rather than trying to maximize the number of proposals received. EE stakeholders and MT experts had been involved in the development of the new MT Framework, and there appeared to be high awareness and anticipation of this major new procurement.

In designing the RFP, the Solicitation Team initially proposed that all Bidders, including prime contractors and subcontractors, only be eligible to participate in a single MTA bid. Due to the specialized Market Transformation expertise required to fulfill the scope of work, there was some concern that teaming of the same firms in different configurations across multiple bids could make it difficult to distinguish between proposals and hinder competition. In reviewing the RFP approach and documents, Scoring Committee members were concerned that these eligibility constraints could greatly limit the number of bids received. They recommended against this, and especially that subcontractors should not be prevented from participating as team members on multiple bids. The Solicitation Team adopted the recommendation by removing these eligibility constraints from subcontractors. The requirement that prime bidders only be allowed to participate in their submitted proposal was retained in the RFP, which supported differentiating between bids.

PG&E received seven proposals and disqualified one because it was not a complete response. Given the specialized nature of the solicitation subject matter and the size and complexity of the MTA scope, six qualified bids was considered a good response.

A summary of the proposals received is shown in Table 3.1.

Table 3.1: RFP Response	
Item	Number
Proposals Expected	N/A
Proposals Received	7
Proposals Disqualified	1
Proposals Scored	6

3.5 Proposal Selection Process

Bid Screening Process and Management of Deficient Bids

As described in the RFP Instructions, the Solicitation Team screened all proposals for conformance with solicitation eligibility requirements prior to scoring. The screening criteria included:

- It was received after the RFP submission deadline in RFP Schedule;
- It does not include all the required forms, is missing requested information, or is otherwise substantively incomplete;
- It fails to adhere to stated page limits or word count response requirements;
- It is not responsive to the objectives and requirements of this RFP;
- The Bidder fails to adhere to solicitation communication protocols.

The one bid screened out failed to provide all required forms and was deemed substantively

incomplete. The IEs reviewed the criteria and findings and confirmed that the decision to screen out the bid was appropriate.

Scoring Rubric Design

As shown in Table 3.2, PG&E sought to align the scoring rubric and weightings for individual scoring categories with the CPUC’s solicitation priorities as provided in D. 19-12-021. The Scoring Committee reviewed and provided feedback on the rubric and the Solicitation Team made adjustments to some of the weightings. As discussed in the Key Observations section, the IEs found the RFP scoring instructions, rubric and training worked very well to facilitate thorough, unbiased and fair review of bidder proposals.

The scorecard included three levels or “tiers” at which criteria were weighted. The highest-level categories (Tier 1) included evaluating bidders’ approaches to MT Administration [REDACTED], their proposed Budget and Payment Structure [REDACTED], Bidders’ Qualifications and Staffing Plan [REDACTED], and Supply Chain Responsibility considerations [REDACTED]. These categories were further broken into scoring criteria (Tier 2) and further divided into scored sub-criteria (Tier 3). Tier 3 Scored Sub-criteria is the level against which proposals were evaluated and scores assigned.

Table 3.2 Proposal Scoring Rubric				
Category	Scoring Criterion		Scored Sub-criterion	
	Criterion	Weighting	Sub-criterion	Weighting
Approach to MT Administration [REDACTED]	Stakeholder Engagement, MTA Governance and Accountability Structure		MTA Governance and Accountability Structure	
			Stakeholder Engagement (MTAB)	
	Implementation of MT Framework		MT Framework	
			Proposed Stage-gate Process	
			MTI examples	
			MT Interventions and Strategies	
			Coordination with EE Rolling Portfolio	
	Reporting and EM&V		Reporting	
			EM&V	
	Support for California's Policy Objectives		Workforce development	
HTR/DAC				

Table 3.2 Proposal Scoring Rubric				
Category	Scoring Criterion		Scored Sub-criterion	
	Criterion	Weighting	Sub-criterion	Weighting
	(Workforce, HTR/DAC, GHG)		GHG	
	Solicitations Management		Solicitation Management	
Budget and Payment Structure	Budget and Schedule		Budget	
			Schedule	
	Compensation Structure and Performance		Compensation structure	
			Performance	
Bidder Qualifications and Staffing Plan	Team Composition & Qualifications		Team Composition & Qualifications	
	Hiring, retention and subcontractor management		Hiring, retention and subcontractor management	
Supply Chain Responsibility	Diverse Supplier (includes SBE)			
Total Score				100%

Scores from individual Scoring Committee members were averaged within each Scoring Group, and then weighted equally (1/3 each) to produce a final score for each proposal. This approach sought to ensure that each group had, in effect, equal representation in the finally produced scores. Each group had three or more members, which also helped facilitate diversity in scoring perspectives.

Scoring Committee Profile

The Scoring Committee was a very diverse group, representing a broad range of interests. As was anticipated in the Decision, individuals on the Scoring Committee were placed into one of three groups based on their roles: California Regulatory Agencies, Program Administrators, and Public Interest. Within the Program Administrator category, two members of Regional Energy Networks (RENs) and one Community Choice Aggregator (CCA) participated. The four IOUs declined to participate.

Table 3.3: Proposal Scoring Committee		
Organization	Scoring Group	Areas Scored*
SoCal REN	Program Administrators	All
3C-REN	Program Administrators	All

Table 3.3: Proposal Scoring Committee		
Organization	Scoring Group	Areas Scored*
Marin Clean Energy (MCE)	Program Administrators	All
Small Business Utility Advocates (SBUA)	Public Interest	All
IBEW-NECA LMCC	Public Interest	All
MTA Subject Matter Expert	Public Interest	All
Natural Resources Defense Council (NRDC)	Public Interest	All
CPUC Public Advocates Office	Public Interest	All
California Air Resources Board (CARB)	Regulatory Agencies	All
California Energy Commission (CEC)	Regulatory Agencies	All
CPUC Energy Division	Regulatory Agencies	All
CPUC Energy Division	Regulatory Agencies	Supply Chain Responsibility

* Members of the scoring committee scored all aspects of proposals except the Supply Chain Responsibility portion. The CPUC Energy Division representative scored all aspects, including Supply Chain Responsibility. Each organization listed had a single representative on the Scoring Committee.

The Solicitation Team put considerable time and effort into thinking through the scoring aspects of the solicitation process. Different from third-party energy efficiency solicitations where the scoring teams consist of IOU staff with expertise in certain areas relevant to bidder proposals (e.g. program management, technical, marketing and outreach, etc.), the Market Transformation Administrator Scoring Committee included some individuals with limited experience either in scoring bids or in the relevant subject matter. In consultation with the Independent Evaluators, the Solicitation Team developed clear protocols for how to score bids, including documented processes and a strategy for training Scoring Committee members.

The Solicitation Teams' strategy for training the Scoring Committee consisted of:

- Use of a SharePoint site to share information with Scoring Committee members,
- Documented descriptions of the scoring process and written scoring instructions,
- Multiple training sessions,
- Check-ins with Scoring Committee members during the scoring process.

Scoring Committee members participated in three training sessions before individual scoring began. A first session on June 9, 2021 focused on Market Transformation fundamentals and terminology. This grounding in the basics included presentations from Ed Wisniewski, Executive Director of the Consortium for Energy Efficiency (CEE) and Kim Crossman, an Independent Evaluator assigned to this solicitation. On June 15, 2021, Christie Torok from the CPUC's Energy Division led the second training session, focused on California's Market Transformation Framework.

PG&E led the third training session on June 23, 2021. This session provided scoring ground rules, a description of the overall bid evaluation process and schedule, scoring protocols, and a section

related to “how-to” score. The IEs considered this a very thoughtful and useful way of bringing scoring members up-to-speed both in terms of the relevant subject matter and how to score proposals.

Additionally, PG&E posted to a SharePoint questions posed by Scoring Team members about scoring processes and ways to score specific questions. The Solicitation Team worked with the IEs to craft answers to these questions and to ensure that responses were not biased to benefit (or harm) any bidder. The Solicitation Team also held a scoring kick-off and three check-ins (“office hours”) with Scoring Committee members. The office hours allowed Members to ask questions that arose while scoring proposals.

Evaluation Processes and Scoring Calibration

The actual scorecard that Scoring Committee members completed was at the sub-criterion level, meaning that Committee members filled-in scores on a 1-5 scale based on how well bidder responses answered questions related to, for example, MTA Governance and Accountability Structure and Stakeholder Engagement. The scaling placed a 1 equivalent to “unacceptable” and a 5 equivalent to “exceptional”. Average time to score each proposal was approximately 6-8 hours, which is significant, but within expectations for a solicitation of this complexity and magnitude. Scoring Committee members committed substantial amounts of time to review six proposals. Narrative portions of bidder proposals averaged about 100 pages. This was supplemented by additional information included in the Data Response form.

The following table shows the steps followed to review proposals.

Table 3.4 Planned Proposal Review Process	
Activity	Details
Screening	<ul style="list-style-type: none"> • All bids screened to confirm each is in compliance with RFP • Requirements (page length, timely, in scope, complete package)
Scoring	<ul style="list-style-type: none"> • All Proposals reviewed and scored by all members of the Scoring Committee. • Scorecards submitted back to PG&E. • IEs score all proposals (shadow scoring). IEs' scores are not included in final calculated bid score.
Calibration	<ul style="list-style-type: none"> • Calibration meeting facilitated by PG&E to discuss bid strengths and weaknesses, scoring variations and deviations of scores at sub-criterion level. Not a consensus scoring exercise. • Scoring Committee may adjust scores as a result of calibration discussions and re-submit scorecard to PG&E.
Shortlisting	<ul style="list-style-type: none"> • Calculate final scores using post-calibration scorecards and rank bids • Highest scoring bid(s) shall advance over lower scoring bid(s) • Identify top candidates for interviews, as needed, or negotiations

Table 3.4 Planned Proposal Review Process	
Activity	Details
Interview (Optional step, not utilized)	<ul style="list-style-type: none"> Utilize if score of highest ranked bid does not demonstrate it as the clear frontrunner. <i>Objective:</i> gather additional information which better informs selection. Bid-specific questions focusing on strengths & weaknesses identified in scoring + common questions for all interviews
Selection for Negotiation	<ul style="list-style-type: none"> Final scores incorporate post-interview adjustments, if applicable. Highest ranking bidder is finalist, with the second runner up being alternate. Advancing bidder(s) move into negotiation Non-advancing bidders dismissed; alternate(s) put on hold.

During the individual scoring period, Independent Evaluators also “shadow scored” all proposals to better understand how well the scorecards worked in practice and to provide input during calibration sessions. IE scores are not counted in overall scores and input from IEs during calibration mainly aims to ensure that Scoring Committee members are consistent with one another in terms of interpreting scorecard elements. PG&E’s calibration facilitator plays a similar role, although the facilitator has not scored proposals.

PG&E held a single, six-hour calibration session with all Scoring Committee members participating, along with both IEs. In our view, discussions among Scoring Committee members were robust, respectful and constructive. Scoring Committee members had effectively utilized the scoring instructions to evaluate the proposals consistently and fairly, with no indication of bias. All participants had an opportunity to speak and the PG&E facilitator did a good job of engaging all participants, eliciting input and facilitating changes to individual scores where Committee members felt it was appropriate. The calibration process that PG&E administers does not require consensus on each scored item but, rather, allows Scoring Committee members to adjust their scores if information they receive during calibration changes their views. As a result, several Scoring Committee members modified their scores; however, these score changes were marginal and few, and they did not affect the overall ranking of bids. Most importantly, the dialogue in calibration regarding key issues and topics was thorough.

Interviews were considered an optional step, and one that PG&E would utilize if there was significant uncertainty about bidder final scores or if there was not a clear leading scorer. As discussed in the next section, the results did not trigger the need for interviews.

Final Selection

Resource Innovations, LLC received the highest score among the six evaluated proposals, both pre- and post-calibration. Scoring Committee members did not believe there was sufficient reason to conduct interviews with top scoring bidders because it was not believed that interviews would change the results.

Having scored proposals, participated in calibration and reviewed the post-calibration results, the IEs agreed that this was the appropriate course. IE shadow scores had generally aligned with the

results from the Scoring Committee. The scoring rubric facilitated direct comparisons among bids and resulted in a wide range of final weighted scores. In reviewing proposals, Scoring Committee members used the full range of scores (meaning, they were comfortable giving 1s to answers deemed inferior and 5s to answers deemed superior). This is not always the case with scoring teams as frequently scoring teams gravitated to average scoring unless the scorecard itself provides very clear distinctions between scoring levels. Evidenced by the final scores, the scorecard and instructions worked well to support clear differentiation among bids.

Table 3.5: Proposals Received	
Bidder	Subcontractors

Table 3.5: Proposals Received	
Bidder	Subcontractors
Resource Innovations, LLC	

Table 3.6: Market Transformation Administrator RFP Scores	
Bidder	Score

The IEs supported the Solicitation Team’s recommendation to advance Resource Innovations, LLC to contracting while retaining the second ranked bidder as an alternate in the event that the Solicitation Team could not complete contract negotiations with Resource Innovations, and dismissing the remaining bidders. PG&E notified all bidders through PowerAdvocate on August 20, 2021 about their status.

Table 3.7: IE Observations on RFP Scoring and Shortlist Summary	
Scoring and Shortlisting Summary	IE Finding
Was there a conflict of interest with any of the scorers?	No conflict of interest
Was it a fair process?	Yes, consistently fair.
Do IEs agree with the scoring?	Yes, IEs’ assessments of bids were well-aligned with Scoring Committee scores.

Table 3.7: IE Observations on RFP Scoring and Shortlist Summary	
Scoring and Shortlisting Summary	IE Finding
Were there major differences of opinions on scoring team? If so, why?	No major differences. Minor differences reflected the broad range of perspectives/ roles/ experience on the Scoring Committee.
Did Scoring Team members have a similar understanding of the scoring criteria?	Yes
Did the IOU articulate a clear philosophy about how many bidders to advance to the negotiations? Did they adhere to this plan?	The Solicitation Team aimed to contract with a single, statewide MT Administrator in this solicitation and adhered to this plan.
Does the approach to ranking bids and selection make sense and comport with the overall goals of the adopted CA MT Framework?	Yes
Did the Solicitation Team identify the marginal cases (hard calls)?	Bids were clearly differentiated, with natural breaks between bids in the final scores. There were no hard calls or marginal cases.
Things to fix moving forward? Did the bid review and scoring reveal any places where the solicitation instructions were unclear or incomplete?	All RFP criteria/scoring worked well as planned during bid evaluation. Later, in negotiations, it became clear that COI requirements had not been adequately defined or addressed in the RFP.

3.1 Scoring Committee and IE Feedback to RFP Process and Selections

The Solicitation Team provided Scoring Committee members numerous opportunities for input and feedback on the RFP design, both in written comments and during three meetings held to discuss the RFP drafts and their feedback. The Solicitation Team also addressed the more than 100 individual comments from Scoring Committee members. All comments were addressed, with the vast majority of these accepted or otherwise resolved through changes to RFP documents and the scorecard. The few comments that were not accepted were interpreted to run counter to the CPUC's goals, objectives and guidance as outlined in D. 19-12-021. In total, ten members of the Scoring Committee provided written feedback on RFP and scorecard drafts.

The Solicitation Team accepted virtually all IE comments on the RFP and scorecard documents and was very open to suggested changes to the solicitation process. The solicitation process, including the scoring step, was extremely collaborative. The Solicitation Team sought input and feedback from its IEs throughout the process with the aim of ensuring that the process ran smoothly and was fair and transparent.

4. Contracting Process

4.1 Contract Negotiations

There was a small delay in the start of contract negotiations as PG&E worked with the Energy

Division representative to modify the company's contract templates to apply to a market transformation administrator. The contract package included the following documents:

- **General Conditions** – Includes contract's terms and conditions (Ts&Cs). Includes 10 exhibits related to subcontractor utilization, supply chain responsibility, policy regarding utilization of small business and small disadvantaged businesses, and supplier code of conduct, among other documents
- **Scope of Work (SOW)** – Details the scope of activities the MTA will implement to fulfill the contract's requirements. The document includes budget information, deliverables, timelines, annual performance metrics, and roles and responsibilities. Exhibits to the SOW include time and materials (T&M) compensation rates, guidelines for the operating the Market Transformation Advisory Board and Initiative Review Committees, Guidelines for establishing an independent non-profit organization, and Guidelines for MTA-managed solicitations and conflict of interest.
- **Supplemental Conflict of Interest Certification (Individual)** – Individuals expected to work on the MTA contract completed the Individual conflict of interest (COI) form. This form prohibits individuals for doing work for the MTA while also performing work for a covered entity (IOUs, municipal utilities, industry associations materially impacted by MTA work, and any manufacturer, distributor, and/or retailer who could stand to benefit from MT initiatives). Energy Division has the discretion to request updates to Individual COIs, which are also subject to audit.
- **Supplemental Conflict of Interest Certification (Contractor)** – Organizations (prime and subcontractors) expected to work on the MTA contract completed the Contractor COI form. This form requested a listing of recent and current contracts that the contractor has with covered entities, requests that the contractor certify that their activities are not likely to raise the appearance of a financial conflict of interest, impropriety, or impairment of objectivity. The form also requires that the contractor notify the ED of any instances of potential conflict of interest that may arise after contract signature.

Prior to the start of negotiations, the Solicitation Team developed a list of priority negotiation topics to discuss with Resource Innovations. By the end of 2021, most priority issues to be incorporated into contract documents were largely resolved. These topics included: how and when the new organization would transition to an independent non-profit and the structure of the future non-profit; refinements to the ideation stage for MTIs and quick start initiatives; coordination with emerging technology and other programs; how cost should be categorized for CPUC reporting; how to ensure that evaluation, measurement and verification (EM&V) activities would be robust and independently conducted; and budgeting processes during the start-up phase.

Early in the negotiation process, the CPUC ED representative on the Solicitation Team identified the need to clarify how conflict of interest concerns would be handled. The RFP repeated language from D. 19-12-021 that stated bidders need not be free from conflict to bid on the MTA RFP but that any conflicts must be removed from assuming the MTA role. The RFP required that bidders submit a Conflict of Interest statement, attesting that, among other things the Bidder and its proposed team members, including employees, subcontractors, and/or anyone performing work do the following:

1. Comply with Public Contract Code (PCC) Sections 10410, 10411 and 10430(e);
2. Provide a full disclosure regarding all potential conflicts of interest under the terms of this solicitation;
3. Notify PG&E, the CPUC and the Scoring Committee promptly of any potential or actual conflict of interest, including those of all team members, and
4. Disclose to PG&E, the CPUC and the MTAB any changes or newly identified potential conflicts of interest that arise during term of the Contract.²²

Resource Innovations, like all bidders, submitted a Conflict of Interest statement attesting that it complied with the requirements. The statement largely focused on RI's statement that it did not currently possess conflicts; that the company and its subcontractors would not bid on MTIs, and that the company would adopt policies that required immediate disclosures from staff or subcontractors of any potential conflicts. [REDACTED]

Discussions in late 2021 turned to the CPUC's interest in RI and its subcontractors disclosing lists of their existing contracts to determine the nature and size of those held with covered entities, with an eye toward understanding how to mitigate potential conflicts of interest. Although not defined in the RFP, CPUC legal staff offered a definition of covered entity that was incorporated into the contract. Covered Entities include without limitation:

- 1) Pacific Gas & Electric (PG&E), Southern California Edison (SCE), San Diego Gas & Electric (SDG&E) and Southern California Gas (SCG) (collectively referred to as IOU);
- 2) any California municipal or publicly owned utility;
- 3)
 - a) any industry association whose members could be materially affected by the market transformation initiative work or
 - b) any non-profit organization advocating for energy-efficient technologies (unless pre-approved by the CPUC Contract Manager); and/or
 - c) any manufacturer, distributor, and/or retailer that is, i) bidding to provide any product or service associated with the market transformation initiative, b) whose product and/or service is subject to the Contractor's review, c) in which the RI Team currently has or formerly had a financial interest, or any publicly known parent thereof. Covered Entities do not include manufacturers, distributors or retailers that are providing products or services as part of ratepayer-funded energy efficiency program implementation contracts with any member of the RI Team.²⁴

²² MTA RFP, p. 27.

²⁴ Statewide Market Transformation Administrator Scope of Work, p. 7.

The contract also defines Conflict of Interest. As discussed previously, the RFP requested that bidders disclose existing conflicts and agree to notify the Solicitation Team if, during implementation, additional conflicts arise. The RFP did not define Conflict of Interest. Section 10.1 of the contract's Scope of Work states:

A Conflict of Interest (COI) shall mean any financial interest or contractual relationship that may impair the ability of a decision making MTA Team member to be impartial in the manner with which they conduct business related to the Contract and to deliver impartial and unbiased work. "Conflict of Interest" includes situations where a decision-making RI Team member or entity's financial interests or contractual relationships interfere with its ability to perform its duties or obligations related to the MTA Contract impartially or objectively.²⁵

Back-and-forth discussions between RI and CPUC staff, including CPUC legal, required more time for the contract negotiation process with both sides seeking clarity regarding ways to ensure that any perceived conflicts of interest could be either eliminated or mitigated. Ultimately, parties agreed to a four-part approach which involved: RI disclosing its existing and subcontractor contracts with Covered Entities that could pose concerns; RI and its subcontractors providing signed Individual and Contractor Conflict of Interest certifications; incorporating into the SOW definitions of COI and Covered Entities and establishing firewalls between the RI Team's decision-making personnel and any ongoing work for Covered Entities; and committing to notify the Energy Division contract manager of any COI or potential COI as soon as they arise.

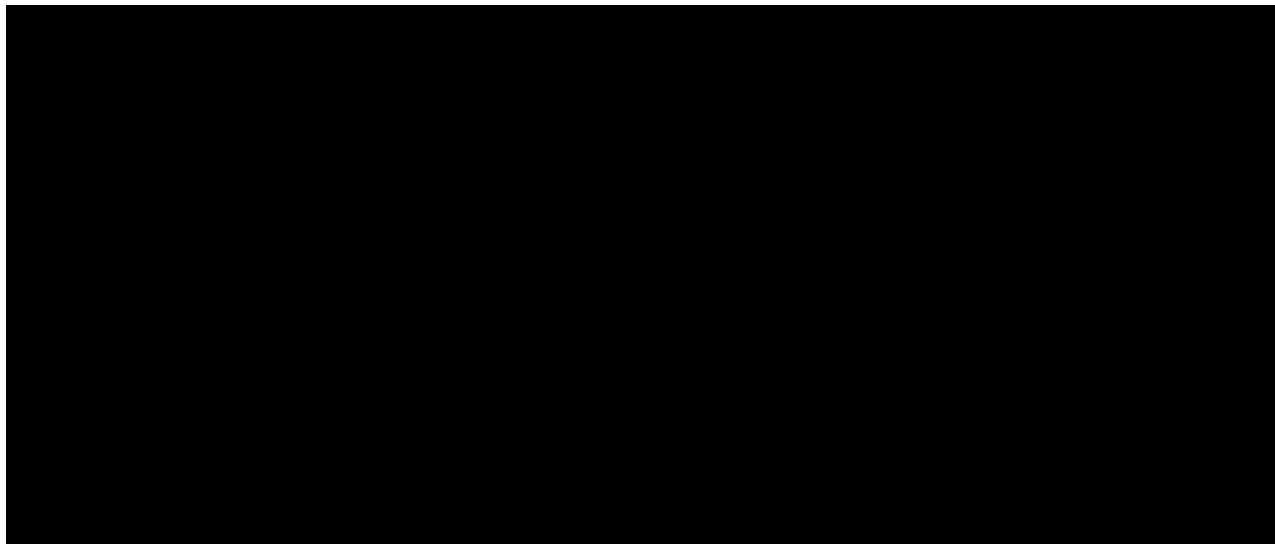
Two major challenges complicated the discussions, namely RI's and its subcontractors' extensive contracts with Covered Entities and CPUC staff's uncertainties about how to best address perceived existing and potential conflicts of interest. The parties ultimately came to a satisfactory resolution of issues.

A lesson learned from this experience is that it would have been very useful to include in the RFP additional clarity regarding the definition of a conflict of interest and what requirements would apply to bidders with perceived conflicts of interest. CPUC D. 19-12-021 clearly stated that bidders need not be free of conflicts to bid on the solicitation; however, the Decision did not provide further guidance regarding what CPUC believed would constitute a conflict for an MTA or how conflict of interest issues should be addressed. Therefore, it fell to the team developing the RFP to create mechanisms to collect information from bidders about conflicts and anticipate ways that potential conflicts could be addressed. Unfortunately, at the time of RFP development, the team did not have sufficient information with which to create these mechanisms as much of this information was revealed as part of contract negotiations.

Collaboration on Final Scope

The contracting process was very collaborative with both parties actively engaged in developing the MTA's scope and finalizing details to create a framework to successfully implement the contract. The CPUC-adopted MT Framework, the RFP and the bidder's proposal provided a strong basis to create the contract's scope and other terms. This narrowed the number of items that needed to be resolved in contract negotiations.

²⁵ Statewide Market Transformation Administrator Scope of Work, p. 7.



Budget

The standard CPUC cost categories for EE programs do not map well onto the MTA scope of work. To support consistency in reporting and ED oversight, the final contract clearly defines the cost categories that will be tracked and reported by Resource Innovations as follows: MTA Administration, MTA Operations, Initiative/Concept Development, and MTI Market Deployment and Evaluation.

The annual budget available and contract duration were specified in the Decision, but bidders had flexibility to propose the duration and budget associated with the start-up phase, as long as it did not exceed \$20 million/ year or a 3-year duration. [REDACTED]

Due to the very lengthy negotiations and contracting process, RI's assumptions about when the Start-up Phase would begin were more than a year off. [REDACTED]

[REDACTED] The final contract column in the table below shows the amount that will be approved upon Notice to Proceed, and is tied to the specific scope and budget proposed by RI. The Advice Letter submitted for approval will include close to the full amount that was set in the Decision (\$19.6 million in Year 1). [REDACTED]

A small amount of the annual budget available has been held aside from this contract for PG&E's costs as fiscal agents for the MTA contract. The contract allows the MTA to request reallocation of unspent PG&E administrative funds back to the MTA in future years if actual PG&E administrative costs do not require the full amount of budget allocated.

The table below compares the budget proposed by RI to the budget that was allocated in the final contract. As allowed in the Decision and specified in the final contract SOW, actual disbursement and authorization for using the Authorized Application Budget is subject to modification and may be modified or affirmed when the MTA files its MTI application to implement the first tranche of MTIs. The Authorized Application Budget during the MTI Administration Phase may carry-over

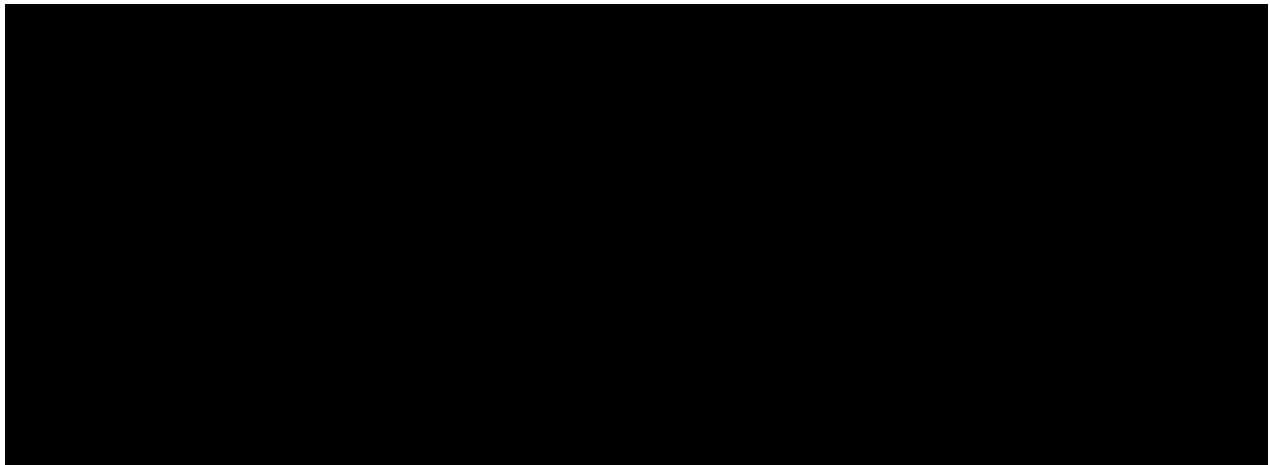
and/or shift across years, subject to CPUC approval.

Table 4.1: Comparison of Proposed to Final Budget			
Start-Up Phase	Decision	RI Proposal	Final Contract
Year 1	NTE \$20 million		\$14,363,730
Year 2	NTE \$20 million		\$19,600,000*
Year 3	NTE \$20 million		\$19,600,000*
Total Start-up budget	\$60 million		\$58,800,000
Year 4	\$50 million		\$49,000,000*
Year 5	\$50 million		\$49,000,000*
Year 6	\$50 million		\$49,000,000*
Year 7	\$50 million		\$49,000,000*
Year 8	\$50 million		\$49,000,000*
Total MTI Administration Budget	\$250 million		\$245,000,000
Total MTA Contract Budget	\$310 million		\$303,800,000

*Annual budgets for all years are based on D.19-12-021 and allocated in the Final Contract. For years beyond 2023, actual annual budgets and compensation details will be subject to Advice Letter approval.

Compensation

The RFP emphasized that bidders would propose Milestone, Deliverables or T&M-based compensation as this was most appropriate for the Administrator scope. As provided in the RFP, it was not anticipated that bidders would propose performance-based compensation tied to energy savings, because the MTA would not be proposing specific MTIs or their associated savings goals in this RFP. Instead, quantifiable outcomes such as savings goals and cost-effectiveness will be developed and incorporated in each MTI plan by the MTA, vetted by the MTAB and ultimately filed for CPUC approval via Advice Letter before being implemented.



[REDACTED]

[REDACTED] It details the specific deliverables and payment amounts applicable to Year 1 (2023) of the start-up period. For years beyond 2023, budgets and specific compensation amounts will be authorized through the submission of an ABAL. Notably, the scope and deliverables of the first year of the start-up phase is not representative of what will be occurring during later years once MTA implementation begins. While not a perfect comparison, the compensation structure that RI originally proposed versus what was contracted for Year 1 is shown in Table 4.2.

Table 4.2: Comparison of Proposed to Final Compensation Structure		
Compensation Category	Proposal: All Years	Contract :Year 1
[REDACTED]		

Fairness of Negotiations

Negotiations are fair if both sides receive something from the contracting process and one side does not unduly influence the outcome to the detriment of the other party. By this measure, the contract negotiation process was fair. That said, as discussed elsewhere in this report, there was a need for Resource Innovations to produce a lot more information than initially provided in response to the RFP. This was not unfair to RI, but it would have been useful, in fairness to all potential bidders, if the RFP had included more detailed information about conflict of interest requirements.

The contract documents evolved during the negotiation process to better capture the activities that the MTA was expected to implement, how these activities would be tracked, how they would be reported, and how they would be paid for. There was also considerable thought given to the role PG&E as contract administrator and fiscal agent and the role of CPUC’s Energy Division. In effect, the CPUC’s Energy Division will manage the contract, but as the contract administrator and fiscal agent, PG&E will be responsible for facilitating the administrator’s operations. For example, PG&E will submit budget advice letter filings and other filings where the MTA lacks the capacity to file on its behalf but will not be responsible for review, oversight or approval of any MTA work nor ensuring the MTA complies with CPUC orders and directives.

Changes to Contract Terms and Conditions

D. 19-12-021 did not require that the Market Transformation Administrator contract include the Standard and Modifiable Contract Terms and Conditions that apply to third-party energy efficiency programs per D. 18-10-008. The Solicitation Team considered the standard terms and conditions

and incorporated them as applicable as a starting point for creating the MTA contract's terms and conditions. Some terms were modified to apply to a "program administrator" rather than a "program implementer". In addition, the terms needed to reflect the roles that PG&E, Resource Innovations and the CPUC's Energy Division would play in contract implementation. Counsel from PG&E, CPUC and Resource Innovations were actively involved in crafting the final agreement.

Due to the significant differences between the MTA contract and third-party EE program contracts, PG&E did not use their EE program contract templates to develop the MTA contract. Instead PG&E leveraged their corporate, standard General Conditions contract template as a starting point for laying out the MTA terms and conditions. The Statement of Work template was developed for this solicitation by the ED representative, and the final SOW content was developed in collaboration with Resource Innovations. It reflects what RI proposed and incorporates the changes agreed to in negotiations.

Conformance with CPUC Policies and Objectives

As detailed throughout this report, the contract between PG&E and Resource Innovations thoughtfully and thoroughly incorporates key elements to comply with and conform to the CPUC's policy goals and objectives for a statewide market transformation portfolio administrator. ED staff involved in negotiations took special care to ensure that the Scope of Work aligned with and supported the content and spirit of D.19-12-021.

The contract effectively reflects the Decision in recognizing that future MTIs have not been identified at this time, and that this work of identifying and developing MTIs will be done by the MTA as part of their scope in start-up years. Because of this, there are no energy savings targets or other quantifiable outcomes of MTIs included in this contract; these will be addressed in the MTI Plans that will be submitted with the application for CPUC approval of the MTI implementation budget. Because MTIs are unknown, so are certain details about the scope of the MTA in years 3-8. While details about future filings and reporting remain to be worked out between CPUC and the new MTA during the start-up period, the contract terms address CPUC filings that will be required to approve annual budgets and compensation.

Additional policy context for the CPUC decision that led to this contract is stated in California's Senate Bill (SB) 350²⁶, which directs that the California Public Utilities Commission (CPUC), in a new or existing proceeding, shall review and update its policies governing energy efficiency programs funded by utility customers to facilitate achieving the targets established pursuant to subdivision (c) of Section 25310 of the Public Resources Code [requiring the setting of goals to achieve a doubling of energy efficiency (EE) savings by 2030]. In updating its policies, the CPUC shall, at a minimum, do all of the following:

Authorize market transformation programs with appropriate levels of funding to achieve deeper energy efficiency savings ...".²⁷

D.19-12-021 discusses at a high level how the MTA solicitation should be executed. The MTA solicitation process complied with the Decision's direction by:

- Utilizing applicable best practices from recent third-party EE program solicitations;

²⁶ SB 350, "Clean Energy and Pollution Reduction Act of 2015", October 7, 2015.

²⁷ SB 350, Section 399.4 subsection (d).

- Assigning IEs to monitor and report on the fairness and transparency of the solicitation;
- Recruiting and managing a Scoring Committee made up of key stakeholders including program administrators, state agencies and public interest organizations.

As described in Section 1 of this report, the Decision also encouraged use of the statewide EE PRG to advise this solicitation process. Because there is no Statewide PRG, the Solicitation Team adjusted by utilizing PG&E's PRG to vet the solicitation approach and by asking Scoring Committee members to essentially serve as PRG by providing review and feedback on the RFP as it was developed. By doing so, the Solicitation Team secured meaningful input on all of the key decisions made in designing and developing the solicitation and evaluation processes.

In response to feedback from the Scoring Committee during development, the RFP instructions and scored criteria were revised to assess how the proposed MTA would support California policy objectives related to greenhouse gases, EE workforce, and Hard to Reach/ Disadvantaged Communities. Resource Innovation's proposal scored well on these criteria, which together were weighted at [REDACTED] of the total points available.

4.2 Contract Execution

PG&E and Resource Innovations executed the contract on October 19, 2022, subject to CPUC approval of the Company's Advice Letter (AL). Actual implementation (Notice to Proceed) begins on the day the CPUC issues its AL Disposition.

4.3 IE Feedback to Contracting

During the contracting process, PG&E and Energy Division staff included the Independent Evaluators in all relevant discussions. IEs attended every negotiation session with RI and conferred with PGE/ED between meetings. IE feedback and actual input into the contracting process is generally limited to ensuring that the process is fair, equitable and communications among parties is transparent. The feedback IEs provided during the contracting process was well received by PG&E/ED and incorporated into negotiations appropriately.

5. Assessment of Final Contract

5.1 Bid Selection Responds to Portfolio Needs

As defined in D.19-12-021, the MTA will serve as an independent administrator of a portfolio of Market Transformation Initiatives in California. In addition to deep expertise in Market Transformation, to be successful the selected MTA must be able to successfully manage an operation that is highly complex and emphasizes transparency, within an already-robust EE market and portfolio structure, to effectively drive innovation and evaluable change. The proposal submitted by Resource Innovations demonstrated that their team was best prepared and qualified to deliver on these high expectations, which was evident in their ranking as the top scoring bid in all categories.

Per the contract, the MTA will coordinate with the IOUs and other California EE program administrators on its efforts to ensure that the MTA's portfolio of Market Transformation Initiatives is discrete but complementary and additional to their efforts. This coordination will be especially important for programs such as PG&E's Statewide Codes and Standards (C&S) programs, and

Southern California Edison's (electric) and Southern California Gas's (gas) Statewide Emerging Technology (ET) programs. Both C&S and ET have considerable tangents to market transformation, with C&S working to save energy through advocacy for updates to and implementation of codes and standards and the ET program developing new, early stage technologies that could become good candidates for future market transformation initiatives to increase awareness, acceptance and ultimately adoption by the market.

5.2 Bid Selection Provides Best Overall Value to Ratepayers

For third-party EE program solicitations, PRG members asked IEs to assess the value of the bid selected in IE Final Reports. The question of ratepayer value most often refers to the comparative costs and savings outcomes of Resource Acquisition programs; however, more recently, utilities have contracted Equity and some Market Support programs that aim to deliver other quantifiable outcomes, such as number of participants served.²⁸ Quantitative comparisons between dissimilar bids in a solicitation are imperfect at best, and only tied to contracted savings and cost-effectiveness goals, not actual program outcomes. But as long as there is a budget (denominator) and consistently defined quantifiable outcomes (numerator), this analysis is possible.

In D. 19-12-021, the CPUC established a maximum budget of \$310 million for the MTA. The contract reflects this maximum, not-to-exceed (NTE) budget, and reserves \$6.2 million for PG&E administration of the contract. The remainder, \$303.8 million, is the Administrator's total NTE budget.

Although the budget is set, it is not possible to quantitatively assess whether the bid selected provides the best overall value to ratepayers because this was not an EE program solicitation. Savings and cost-effectiveness outcomes of the MTA's work were not requested in the RFP nor evaluated in the MTA solicitation. Rather, this information will be derived from the portfolio of Market Transformation Initiatives the MTA will implement. The MTA contract includes an initial startup period during which the administrator will stand up the MTA functions, begin its MTI intake and ideation processes, assemble its MTAB, and select an initial tranche of MTIs. After this startup period, Resource Innovations will develop a Tier 2 Advice Letter filing (to be submitted by PG&E) that requests CPUC authorization to begin its five-year market deployment and long-term monitoring process. This deployment phase Advice Letter filing will also include details regarding how the MTA will shift to an independent non-profit organization.

The contract includes a schedule of work products and milestones aligned with the Decision and what was agreed in negotiations. The contract also includes annual performance metrics that serve as indicators of success and provide a contract management tool for both RI and the ED contract manager.

²⁸ The CPUC's Decision 21-05-031 (5/26/01) established a new paradigm for energy efficiency programs, requiring that all energy efficiency program administrators segment their portfolios into three categories, with the primary purposes of resource acquisition, market support, and equity.

Table 5.1: MTA Contract Metrics	
Annual Metric	Metric Details

6. Summary: Overall Assessment of Solicitation

As planned and executed, the solicitation process was in accordance with D.19-12-021, including using a one-stage RFP process similar to that used in two-stage third-party EE program solicitations; establishing a Scoring Committee composed of Program Administrators, California Regulatory Agencies and Public Interest representatives; and allowing IE monitoring and feedback on all aspects of the solicitation.

As has been detailed throughout this report, the Solicitation Team was fair and consistent with all bidders in their administration of the MTA solicitation. The IEs saw no indication of conflict of interest or positive or negative bias from PG&E or ED staff at any time in the process. The Solicitation Team consistently maintained strict communication protocols with bidders and did not stray from planned evaluation methodologies that had been presented to IEs and the Scoring Committee.

The solicitation process resulted in the best bid being selected and negotiations produced a fair contract that is aligned with the letter and intent of the California MT Framework. IE monitoring of the entire solicitation process and review of the final contract did not find any outstanding issues and there appear to be no concerns that should be addressed prior to approving the contract.

PACIFIC GAS AND ELECTRIC COMPANY

PART 2 CONFIDENTIAL VERSION

October 26, 2022

Confidential Appendix A

Final Independent Evaluator (IE) Report MTA

(Confidential)

Confidential Appendix B

**Statewide Market Transformation
Administrator Solicitation Advice Letter**

**Solicitation Process Overview
(Confidential)**

Confidential Appendix C

**Statewide Market Transformation
Solicitation Advice Letter**

**Selection Spreadsheet
(Confidential)**

Confidential Appendix D

**Statewide Market Transformation
Solicitation Advice Letter**

**Contract
(Confidential)**

**PG&E Gas and Electric
Advice Submittal List
General Order 96-B, Section IV**

AT&T
Albion Power Company

Alta Power Group, LLC
Anderson & Poole

Atlas ReFuel
BART

Barkovich & Yap, Inc.
Braun Blaising Smith Wynne, P.C.
California Cotton Ginners & Growers Assn
California Energy Commission

California Hub for Energy Efficiency
Financing

California Alternative Energy and
Advanced Transportation Financing
Authority
California Public Utilities Commission
Calpine

Cameron-Daniel, P.C.
Casner, Steve
Center for Biological Diversity

Chevron Pipeline and Power
City of Palo Alto

City of San Jose
Clean Power Research
Coast Economic Consulting
Commercial Energy
Crossborder Energy
Crown Road Energy, LLC
Davis Wright Tremaine LLP
Day Carter Murphy

Dept of General Services
Don Pickett & Associates, Inc.
Douglass & Liddell

East Bay Community Energy Ellison
Schneider & Harris LLP
Engineers and Scientists of California

GenOn Energy, Inc.
Goodin, MacBride, Squeri, Schlotz &
Ritchie
Green Power Institute
Hanna & Morton
ICF
International Power Technology

Intertie

Intestate Gas Services, Inc.
Kelly Group
Ken Bohn Consulting
Keyes & Fox LLP
Leviton Manufacturing Co., Inc.

Los Angeles County Integrated
Waste Management Task Force
MRW & Associates
Manatt Phelps Phillips
Marin Energy Authority
McClintock IP
McKenzie & Associates

Modesto Irrigation District
NLine Energy, Inc.
NRG Solar

OnGrid Solar
Pacific Gas and Electric Company
Peninsula Clean Energy

Pioneer Community Energy

Public Advocates Office

Redwood Coast Energy Authority
Regulatory & Cogeneration Service, Inc.

Resource Innovations

SCD Energy Solutions
San Diego Gas & Electric Company

SPURR
San Francisco Water Power and Sewer
Sempra Utilities

Sierra Telephone Company, Inc.
Southern California Edison Company
Southern California Gas Company
Spark Energy
Sun Light & Power
Sunshine Design
Stoel Rives LLP

Tecogen, Inc.
TerraVerde Renewable Partners
Tiger Natural Gas, Inc.

TransCanada
Utility Cost Management
Utility Power Solutions
Water and Energy Consulting Wellhead
Electric Company
Western Manufactured Housing
Communities Association (WMA)
Yep Energy