



# ADVICE LETTER SUMMARY

## ENERGY UTILITY



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

Company name/CPUC Utility No.: Bear Valley Electric Service, Inc. (U 913-E)

Utility type:

- ELC       GAS       WATER  
 PLC       HEAT

Contact Person: Jeff Linam

Phone #: (909) 394-3600 x664

E-mail: jeff.linam@gswater.com

E-mail Disposition Notice to: RegulatoryAffairs@bvesinc.com

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 486-E

Tier Designation: Tier 2

Subject of AL: Bear Valley Electric Service, Inc.'s GHG Environmental Performance Standard (EPS) Compliance Filing for 2023

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.07-01-039

Does AL replace a withdrawn or rejected AL?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Summarize differences between the AL and the prior withdrawn or rejected AL:

Confidential treatment requested?  Yes  No

If yes, specification of confidential information:

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:

Resolution required?  Yes  No

Requested effective date: March 15, 2024      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 proposed<sup>1</sup>: N/A

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

<sup>1</sup>Discuss in AL if more space is needed.

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

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, CA 94102  
Email: [EDTariffUnit@cpuc.ca.gov](mailto:EDTariffUnit@cpuc.ca.gov)

Name: Jeff Linam  
Title: Regulatory Affairs Manager  
Utility Name: Bear Valley Electric Service, Inc.  
Address: 630 East Foothill Blvd.  
City: San Dimas  
State: California Zip: 91773  
Telephone (xxx) xxx-xxxx: (909) 394-3600 x664  
Facsimile (xxx) xxx-xxxx:  
Email: [RegulatoryAffairs@bvesinc.com](mailto:RegulatoryAffairs@bvesinc.com); [jeff.linam@gswater.com](mailto:jeff.linam@gswater.com)

Name: Alicia Menchaca  
Title: Rate Analyst, Regulatory Affairs  
Utility Name: Bear Valley Electric Service, Inc.  
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Bear Valley Electric Service, Inc.  
P.O. Box 9028  
San Dimas, CA 91773-9028  
A Subsidiary of American States Water Company

February 15, 2024

Advice Letter No. 486-E

(U 913 E)

## California Public Utilities Commission

Bear Valley Electric Service, Inc. ("BVES") hereby transmits for filing the following:

**SUBJECT:** *GHG Environmental Performance Standard (EPS) Compliance Filing For Calendar Year 2023*

### **PURPOSE**

Pursuant to Ordering Paragraph No. 4 of Decision No. ("D.") 07-01-039, issued in Rulemaking No. 06-04-009, BVES submits this annual Attestation Letter affirming that the financial commitments BVES has entered into for generation during the prior calendar year are in compliance with the greenhouse gas ("CHG") emissions performance standard ("EPS"). Specifically, BVES is in compliance with the EPS. Documentation supporting BVES's compliance is provided below.

This Attestation Letter provides information and documentation required by D.07-01-039 for Load Serving Entities ("LSEs") (electrical corporation, electric service provider, or community choice aggregator) with new long-term financial commitments (defined on Page 3 in Attachment 7 of D.07-01-039). This Attestation Letter demonstrates that for 2023 all financial commitments entered into by BVES are compliant with the EPS.

### **BACKGROUND**

D.07-01-039 requires all LSEs to file annual Attestation Letters, on February 15 of each year, attesting to the Commission that the financial commitments entered into for generation during the prior calendar year are in compliance with the EPS. D.07-01-039 requires LSEs to file Attestation Letters as an advice letter and serve the Attestation Letter on the service list in R.06-04-009. This Attestation Letter is being submitted pursuant to that process.

D.07-01-039 requires LSEs to list long-term financial commitments of five years or longer that they have entered into during the prior year. Note that long-term financial commitments are deemed compliant if any of the following apply:

- 1) not in a baseload powerplant;
- 2) generation using pre-approved renewable resource technology;

- 3) existing combined-cycle combustion turbine (in operation/or permitted to operate as of June 30, 2007) with an increase in rated capacity less than 50 megawatts (MW);
- 4) net emission rate of each baseload facility underlying a covered procurement does not exceed 1,100 lbs of CO<sub>2</sub> per megawatt hour (MWh);
- 5) Exemption related to: reliability exemption, extraordinary circumstances or financial harm, and CO<sub>2</sub> sequestration through injection in geological formations.

D.07-01-039 requires all LSEs to disclose the investment amount and type of alteration to retained generation, by generation facility and unit. D.07-01-039 also advises LSEs to present documentation regarding the design and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in California Public Utilities Code § 8341(b)(4), as well as any other sources of documentation that they believe will be relevant to this determination.

D.07-01-039 emphasizes that the key concept is to establish the design and intended use of the powerplant. Accordingly, documentation of the annualized plant capacity factor for the power plant should include historical annual averages in order to help determine whether the plant is “designed and intended” to be used for baseload generation. D.07-01-039 requires LSEs to provide documentation of capacity factors, heat rates, and corresponding emissions rates that reflect the actual, expected operations of the plant.

### **COMPLIANCE**

This Attestation Letter fully complies with the requirements in D. 07-01-039.

### **TIER DESIGNATION**

This advice letter is submitted with a Tier 2 designation.

### **EFFECTIVE DATE**

BVES respectfully requests this advice letter becomes effective on March 15, 2024.

### **NOTICE AND PROTESTS**

A protest is a document objecting to the granting in whole or in part of the authority sought in this advice letter. A response is a document that does not object to the authority sought, but nevertheless presents information that the party tendering the response believes would be useful to the Commission in acting on the request.

A protest must be mailed within 20 days of the date the Commission accepts the advice letter for submission. The Calendar is available on the Commission's website at [www.cpuc.ca.gov](http://www.cpuc.ca.gov).

A protest must state the facts constituting the grounds for the protest, the effect that approval of the advice letter might have on the protestant, and the reasons the

protestant believes the advice letter, or a part of it, is not justified. If the protest requests an evidentiary hearing, the protest must state the facts the protestant would present at an evidentiary hearing to support its request for whole or partial denial of the advice letter.

The utility must respond to a protest within five days.

**All protests and responses should be sent to:**

California Public Utilities Commission, Energy Division  
505 Van Ness Avenue  
San Francisco, California 94102  
E-mail: [EDTariffUnit@cpuc.ca.gov](mailto:EDTariffUnit@cpuc.ca.gov)

The protest or correspondence should also be sent via U.S. mail and/or electronically, if possible, to BVES at the addresses shown below on the same date it is delivered to the Commission.

Bear Valley Electric Service, Inc.  
Regulatory Affairs  
E-mail: [RegulatoryAffairs@bvesinc.com](mailto:RegulatoryAffairs@bvesinc.com)

If you have not received a reply to your protest within 10 business days, please contact Jeff Linam at (909) 630-5555.

**Correspondence:**

Any correspondence regarding this compliance filing should be sent by regular mail or e-mail to the attention of:

Jeff Linam  
Manager, Regulatory Affairs  
Bear Valley Electric Service, Inc.  
630 East Foothill Blvd.  
San Dimas, California 91773  
Email: [RegulatoryAffairs@bvesinc.com](mailto:RegulatoryAffairs@bvesinc.com)

The protest shall set forth the grounds upon which it is based and shall be submitted expeditiously. There is no restriction on who may file a protest.

Sincerely,

/s/Alicia Menchaca  
Alicia Menchaca  
Rate Analyst, Regulatory Affairs

Bear Valley Electric Service, Inc.

c: Jenny Au, Energy Division  
R. Mark Pocta, California Public Advocates Office  
BVES General Order 96-B Service List

# **ATTACHMENT A**

**BEAR VALLEY ELECTRIC SERVICE, INC.**

**Compliance Filing for LSEs who have no Long-Term Financial  
Commitments**

## Compliance Filing for LSEs with Long-Term Financial Commitments

February 15, 2024

CA Public Utilities Commission  
Energy Division  
Attention: Tariff Unit  
Served by Email

Re: GHG Environmental Performance Standard (EPS) Compliance Filing 2023

Pursuant to Ordering Paragraph No. 4 of Decision (“D.”) 07-01-039, issued in R. 06-04-009 on January 25, 2007, Bear Valley Electric Service, Inc. (“BVES”) submits this annual Attestation Letter affirming that the financial commitments BVES has entered into for generation during the prior calendar year are in compliance with the greenhouse gas (“GHG”) emissions performance standard (“EPS”). Specifically, BVES is in compliance with the EPS. Documentation supporting that compliance is provided below.

**Effective Date:** March 15, 2024

**Tier Designation:** Tier 2 Designation

### **Purpose**

This Attestation Letter provides information and documentation required by D.07-01-039 for LSEs (electrical corporation, electric service provider, or community choice aggregator) with new long-term financial commitments (defined on Page 3 in Attachment 7 of D.07-01-039). This Attestation Letter demonstrates that for **2023** all financial commitments entered into by BVES are compliant with the EPS.

### **Background**

D.07-01-039 requires all Load Serving Entities (“LSEs”) to file annual Attestation Letters, due February 15<sup>th</sup> of each year, attesting to the Commission that the financial commitments entered into for generation during the prior calendar year are in compliance with the EPS. D.07-01-039 requires LSEs to file Attestation Letters as an advice letter and serve the Attestation Letter on the service list in Rulemaking (“R.”) 06-04-009. This Attestation Letter is filed pursuant to that process.

D.07-01-039 requires LSEs to list long-term financial commitments of five years or longer that they have entered into during the prior year. Note that long-term financial commitments can be compliance if any of the following apply:

- 1) not in a baseload powerplant;
- 2) generation using pre-approved renewable resource technology;
- 3) existing combined-cycle combustion turbine (in operation/or permitted to operate as of 6/30/07) with an increase in rated capacity less than 50 megawatts (MW);



- 4) net emission rate of each baseload facility underlying a covered procurement does not exceed 1,100 lbs of CO<sub>2</sub> per megawatt hour (MWh);
- 5) Exemption related to: reliability exemption, extraordinary circumstances or financial harm, and CO<sub>2</sub> sequestration through injection in geological formations.

D.07-01-039 requires all LSEs to disclose the investment amount and type of alteration to retained generation, by generation facility and unit. D.07-01-039 also advises LSEs to present documentation regarding the design and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in California Public Utilities Code § 8341(b)(4), as well as any other sources of documentation that they believe will be relevant to this determination.

D.07-01-039 emphasizes that the key concept is to establish the design and intended use of the powerplant. Accordingly, documentation of the annualized plant capacity factor for the power plant should include historical annual averages in order to help determine whether the plant is “designed and intended” to be used for baseload generation. D.07-01-039 requires LSEs to provide documentation of capacity factors, heat rates, and corresponding emissions rates that reflect the actual, expected operations of the plant.

This Attestation Letter comports with the requirements outlined above.

### **Protests**

This compliance filing is not subject to protest pursuant to General Order 96-B, Energy Industry Rule 9.

### **Correspondence**

Any correspondence regarding this compliance filing should be sent by email to the attention of:

Jeff Linam  
Manager, Regulatory Affairs  
Bear Valley Electric Service, Inc.  
630 East Foothill Blvd.  
San Dimas, California 91773  
Phone: (909) 394-3600  
Email: [RegulatoryAffairs@bvesinc.com](mailto:RegulatoryAffairs@bvesinc.com)

### **Compliance Documentation**

The following listings and/or tables provide detailed and specific information regarding BVES contracts and long-term financial commitments that are subject to the EPS requirements. The compliance documentation must match the compliance category outlined previously. For example, the information provided must demonstrate that the net emissions rate of each baseload facility underlying a covered procurement is no higher than 1,100 lbs of carbon dioxide (CO<sub>2</sub>) per megawatt hour (MWh).

BVES' only long-term financial commitment entered into in 2023 was its long-term renewable power purchase agreement with Shell Energy North America (the "Shell PPA"). As noted in Resolution E-5275, which approved the Shell PPA:

...the Shell PPA limits renewable generation to be from facilities that have an annualized plant capacity factor of less than 60 percent or emit CO2 at a rate less than 1,100lbs/MWh. Thus, the Shell PPA is not covered procurement subject to the EPS because the generating facilities either have a forecast annualized capacity factor of less than 60 percent or will be from baseload facilities that are exempt under the Adopted Interim EPS Rules.<sup>1</sup>

Given that BVES' only long-term financial commitment, the Shell PPA, is not covered procurement subject to the EPS, BVES complied with the EPS.

### **Certification**

- (1) I have reviewed, or have caused to be reviewed, this compliance submittal.
- (2) Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.
- (3) Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission orders, rules, and regulations.

Include the name and contact information for the LSE officer(s) certifying the above:

Paul Marconi

**Paul Marconi,** Digitally signed by Paul  
Marconi, President  
**President** Date: 2024.02.14  
14:23:07 -08'00'

President, Treasurer and Secretary  
Bear Valley Electric Service, Inc.  
630 East Foothill Blvd.  
San Dimas, California 91773  
Phone: (909) 866-4678  
Email: Paul.Marconi@bvesinc.com

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<sup>1</sup> Resolution E-5275, p. 10, footnote omitted, underlining in original.

BEAR VALLEY ELECTRIC SERVICE, INC.

G.O. 96-B  
SERVICE LIST

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