

155 FERC ¶ 61,244  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

June 6, 2016

In Reply Refer To:  
San Diego Gas & Electric  
Company  
Docket No. ER16-1374-000

San Diego Gas & Electric Company  
8330 Century Park Court  
CP32D  
San Diego, CA 92123

Attention: Georgetta J. Baker  
Attorney for San Diego Gas & Electric Company

Reference: Tariff Revisions and Request for Waiver

Dear Ms. Baker:

1. On April 8, 2016, San Diego Gas & Electric Company (SDG&E) filed revisions to its transmission owner tariff pertaining to its Reliability Services Rate Schedule. SDG&E proposes to add a new Medium & Large Commercial/Industrial class rate associated with the Electric Vehicle-Grid Integration (VGI) Pilot Program that was authorized by the California Public Utilities Commission (CPUC) on January 28, 2016.<sup>1</sup> In addition, SDG&E requests a waiver of section 4 of Appendix VI of its tariff to permit the proposed VGI rate design and related rates to become effective June 7, 2016.

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<sup>1</sup> According to SDG&E, the VGI Pilot Program targets the installation of 3,500 electric vehicle charging stations at 350 sites over an initial three-year sign-up period. SDG&E states that the CPUC authorized a \$45 million start-up budget for the VGI Pilot Program, plus cost recovery through future general rate case proceedings for justified capital and operations and maintenance expenses. SDG&E states that the CPUC adopted the VGI Pilot Program in Decision D.16-01-045, 2016 Cal. PUC LEXIS 67 (2016) (D.16-01-045).

2. SDG&E states that its proposed revisions to Appendices VII and IX of its tariff are designed solely to implement the VGI Pilot Program, consistent with the CPUC's directives. In particular, SDG&E proposes to revise the Summary of Reliability Services Retail Transmission Rates in Appendix VII by adding a volumetric rate of \$0.00011 per kWh applied to customers participating in the VGI Pilot Program. SDG&E states that this rate is based on, and derived from, SDG&E's currently-effective Medium & Large Commercial/Industrial customer class average rate. SDG&E also proposes to revise the Derivation of SDG&E's End-Use Customer Transmission Rates in Appendix IX to reflect that forecasted metered energy will be used for the rate applicable to the VGI Pilot Program.<sup>2</sup>

3. In addition, SDG&E requests a waiver of the requirement in its transmission owner tariff<sup>3</sup> that SDG&E revise its Reliability Services charges on an annual basis on January 1 of each year, so that its proposal can be effective on June 7, 2016. SDG&E maintains that good cause exists to grant waiver. SDG&E states that the proposed revisions are limited to implementing the VGI Pilot Program and do not affect any other currently-effective rates. SDG&E adds that only VGI customers will be affected by the proposed revisions.

4. Notice of SDG&E's filing was published in the *Federal Register*, 81 Fed. Reg. 22,069 (2016), with protests and interventions due on or before April 29, 2016. Southern California Edison Company filed a motion to intervene out of time. No protests or comments were filed. Pursuant to Rule 214(d) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(d) (2015), we will grant Southern California Edison Company's late-filed motion to intervene given its interest in the proceeding, the early stage of the proceeding, and the absence of undue prejudice or delay.

5. We find that SDG&E's proposed revisions are just and reasonable and not unduly discriminatory or preferential, and we accept them effective June 7, 2016, as requested. We also grant SDG&E's request for waiver of the filing requirement in Appendix VI of its tariff. The Commission has granted waiver of tariff provisions where: (1) the applicant acted in good faith; (2) the waiver is of limited scope; (3) the waiver addresses a concrete problem; and (4) the waiver does not have undesirable consequences, such as harming third parties.<sup>4</sup> We find that SDG&E's requested waiver satisfies the foregoing

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<sup>2</sup> SDG&E Transmittal at 3, Fang Test at 3-5.

<sup>3</sup> SDG&E Transmission Owner Tariff, Original Volume 11, Appendix VI, Reliability Services Rate Schedule, section 4, Reliability Service Revenue Requirement.

<sup>4</sup> See, e.g., *Midcontinent Indep. Sys. Operator, Inc.*, 154 FERC ¶ 61,059, at P 14 (2016); *Calpine Energy Serv., L.P.*, 154 FERC ¶ 61,082, at P 12 (2016); *New York Power Auth.*, 152 FERC ¶ 61,058, at P 22 (2015).

criteria. First, we find that SDG&E has acted in good faith because SDG&E sought approval for the VGI Pilot Program in April 2014, which was authorized on January 28, 2016.<sup>5</sup> Thus, SDG&E was unable to meet the deadline in its tariff. Second, we find that SDG&E's request is limited in scope because the proposed revisions are limited solely to implementing the CPUC-authorized VGI Pilot Program. The proposed revisions do not affect any other currently-effective rates on file with the Commission, and no customers other than the VGI customers will be affected. Third, we find that SDG&E's request addresses the concrete problem that the proper implementation of the CPUC-authorized VGI Pilot Program would not be possible without the proposed tariff revisions. Fourth, we find that SDG&E's request for waiver will prevent undesirable consequences by ensuring that SDG&E may recover the costs associated with the deployment of the program in a timely manner. For these reasons, we grant SDG&E's waiver request, as discussed herein.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>5</sup> See D.16-01-045 at 2, 180-181.