

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

Order Instituting Rulemaking Regarding
Microgrids Pursuant to Senate Bill 1339 and
Resiliency Strategies.

Rulemaking 19-09-009

**CLEAN COALITION REPLY COMMENTS ON PROPOSED DECISION DENYING
COMPENSATION TO GREEN POWER INSTITUTE FOR LACK OF SUBSTANTIAL
CONTRIBUTION TO DECISION 24-11-004**

/s/ BEN SCHWARTZ

Ben Schwartz

Policy Director

Clean Coalition

1800 Garden Street

Santa Barbara, CA 93101

Phone: 626-232-7573

ben@clean-coalition.org

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I. INTRODUCTION

Pursuant to Rule 14.3 of the California Public Utilities Commission (“the Commission”) Rules of Practice and Procedure, the Clean Coalition respectfully submits these reply comments on the *Proposed Decision* (“PD”) *Denying Compensation to Green Power Institute (“GPI”) for Lack of Substantial Contribution to Decision* (“D.”) 24-11-004, issued by the Commission on July 8, 2026, and pursuant to the *Email Ruling Granting GPI’s Request for Extension*, dated July 13, 2026. Clean Coalition supports the comments of The Utility Reform Network (“TURN”) and Center for Accessible Technology (“CforAT”) regarding the PD’s application of the intervenor compensation standards and additionally opposes the PD’s proposed closure of R.19-09-009.

- The PD applies an incorrect standard for substantial contribution and should be modified consistent with TURN and CforAT’s comments.
- The Commission should not close R.19-09-009 while the Microgrid Incentive Program remains under implementation.
- Accordingly, the Commission should delete Ordering Paragraph 4.

II. COMMENTS

A. The PD Applies an Incorrect Standard for Substantial Contribution

Clean Coalition submits these comments in support of the comments filed by TURN and CforAT regarding the PD denying intervenor compensation to GPI. As TURN and CforAT explain, when parties participate in parallel, the relevant inquiry is whether the intervenor provided “significant additional value” in assisting the Commission—not whether the Commission relied exclusively or primarily on that intervenor.¹

Clean Coalition agrees that the PD applies the Commission’s substantial-contribution standard

¹ Comments of TURN and CforAT on the PD Denying Compensation to GPI for Lack of Substantial Contribution to D. 24-11-004, at p. 3.

incorrectly. In particular, an intervenor should not be denied compensation because its advocacy was not the “sole or primary” basis for an adopted outcome or because other parties advocated similar positions. Public Utilities Code Section 1802.5 expressly recognizes that participation which materially supplements, complements, or contributes to another party’s presentation may be compensable. The PD similarly should not treat the Commission’s non-adoption of a recommendation as dispositive of whether an intervenor substantially contributed to the Commission’s decision-making process.

These standards matter beyond GPI’s individual claim. The Intervenor Compensation Program exists to enable meaningful participation by organizations that otherwise lack the resources of regulated utilities and other well-funded parties. Clean Coalition has itself experienced the denial of intervenor compensation claims, albeit on different grounds, and the loss of access to intervenor compensation materially limits Clean Coalition’s ability to participate in Commission proceedings. Clean Coalition would participate in substantially more proceedings, and at a substantially greater level, if intervenor compensation were available to support that participation. Applying a standard under which intervenors may be denied compensation because another party made a similar argument, or because the Commission ultimately selected a different outcome, therefore does not merely create uncertainty for intervenors; it can directly reduce the breadth and depth of public-interest participation before the Commission.

Clean Coalition therefore supports TURN and CforAT’s recommendation that the Commission modify the PD to apply the Commission’s established standards for substantial contribution and reconsider GPI’s compensation request under those standards.

B. The Commission Should Not Close R.19-09-009 While the Microgrid Incentive Program Remains Under Implementation

Although the PD primarily concerns GPI’s request for intervenor compensation, Ordering Paragraph 4 would also close R.19-09-009. The proposed closure of the underlying proceeding is not reflected in the title or primary subject of the PD, but it has significant implications for the ongoing implementation of the Microgrid Incentive Program (“MIP”) and warrants Commission consideration before the proceeding is closed.

The MIP remains under active implementation. Clean Coalition is currently working with multiple MIP projects, providing firsthand visibility into the implementation process and the types of programmatic issues that may arise as projects proceed toward operation. Maintaining R.19-09-009

provides an important forum in which MIP developers, awardees, and other stakeholders can raise implementation barriers and propose changes for Commission consideration rather than relying primarily on utility-filed advice letters to initiate modifications to the program.

Keeping the proceeding open is also consistent with the Commission's stated purpose for the MIP. In D. 23-04-034, the Commission explained that "lessons learned from these incentive programs shall inform future regulatory action to the benefit of all ratepayers."² The Commission also required ongoing Program and Project Status Reports, including identification of material implementation issues and any resulting program modifications necessary to avoid unintended outcomes and ensure that the MIP's primary goals are not undermined.³ These requirements recognize that the MIP is not simply a funding mechanism, but an ongoing program from which implementation experience is intended to inform subsequent Commission action.

Closing R.19-09-009 while MIP projects remain under development would eliminate the proceeding most directly associated with the program before those implementation lessons have been fully developed and considered. The Commission should therefore remove Ordering Paragraph 4 and retain R.19-09-009 as a forum for MIP implementation, evaluation, and any necessary program modifications.

III. CONCLUSION

For the reasons stated above, Clean Coalition respectfully requests that the Commission modify the PD to apply the Commission's established standards for substantial contribution and reconsider GPI's intervenor compensation request consistent with the comments of TURN and CforAT. Clean Coalition further requests that the Commission delete Ordering Paragraph 4 and retain R.19-09-009 as a forum for continued MIP implementation, evaluation, and any necessary program modifications.

/s/ BEN SCHWARTZ

Ben Schwartz
Policy Director
Clean Coalition
1800 Garden Street
Santa Barbara, CA 93101
Phone: 626-232-7573

² D. 23-04-034, at p. 34.

³ D. 23-04-034., at p. 25.

ben@clean-coalition.org

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