

April 19, 2023

Advice No. 141-E
(Center for Sustainable Energy®)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
ENERGY DIVISION

SUBJECT: Proposed Revisions to the Solar On Multifamily Affordable Housing (SOMAH) Program Handbook and Program Implementation Plan pursuant to Decision (D.)23-03-007

PURPOSE

Pursuant to California Public Utilities Commission (CPUC or Commission) Decisions (D.)17-12-022 and D.23-03-007, Center for Sustainable Energy® (CSE), on behalf of the Program Administrator (PA) Team for the SOMAH Program, respectfully submits this Advice Letter to propose necessary revisions to the SOMAH Program Handbook and Program Implementation Plan.

BACKGROUND

Assembly Bill (AB) 693 (Stats. 2015, Ch. 582) created the Multifamily Affordable Housing Solar Roofs Program, funded at up to \$100 million annually from the investor-owned utilities' (IOU) share of greenhouse gas (GHG) auction proceeds. Commission Decision D.17-12-022 implemented AB 693 and changed the name of the program to the Solar On Multifamily Affordable Housing (SOMAH) Program to distinguish it from other state clean energy and low-income solar programs. D.17-12-022 established the program's budget, incentive structure, and eligibility policies, and, among other items, it determined that the SOMAH Program would be administered by a single statewide program administrator (PA) selected through a competitive request for proposal process.

D.17-12-022 additionally directed the SOMAH PA to submit a proposed SOMAH Program Handbook and a proposed Program Implementation Plan (PIP) via Tier 3 Advice Letter for Commission consideration, subject to approval in a formal resolution. The SOMAH Program Handbook was approved via disposition of GRID Alternatives' Advice Letter 11 and its supplement, GRID Alternatives' Advice Letter 11-B, effective May 9, 2019 per Resolution E-4987 Ordering Paragraphs. The SOMAH PIP was approved via disposition of CSE Advice

Letter 92 and its supplement, CSE Advice Letter 92-A, effective May 9, 2019 per Resolution E-4987 Ordering Paragraphs.

On August 11, 2022, CSE filed a Petition for Modification of D.17-12-022 (PFM), requesting to eliminate SOMAH's annual incentive step-down methodology, to increase current incentive levels, to establish a differentiated incentive structure that provides higher incentives for eligible properties located in disadvantaged communities (DACs), and that the SOMAH PA be able to propose future adjustments to incentive levels via Advice Letter.

On March 21, 2023, the Commission issued D.23-03-007, partially granting the PFM to increase current incentive levels and eliminate the annual step-down in incentives established in D.17-12-022 but denying the request that the PA be able to propose future adjustments to incentive levels via Advice Letter and deferring consideration of a differentiated incentive for properties in DACs to a forthcoming ruling.

Ordering Paragraph (OP) 1 of D.23-03-007 directed the SOMAH PA to submit a Tier 2 Advice Letter within 30 days after the issue date of the Decision to revise the SOMAH PIP and Program Handbook "to implement the revised incentive levels and request form for property owners of currently planned projects, and further to reflect the extension of income tax credits and other incentives provided by the federal Inflation Reduction Act; and to eliminate the incentive step-down methodology."¹ Accordingly, CSE, on behalf of the SOMAH PA Team, hereby timely proposes necessary revisions to the SOMAH PIP and Program Handbook.

DISCUSSION

This Advice Letter proposes revisions to the SOMAH PIP and SOMAH Program Handbook.

Proposed Revisions to SOMAH PIP

The proposed revisions to the SOMAH PIP are summarized below and also shown in redlined format in Attachment A.

A. Elimination of the Annual Step-Down in Incentives

This PIP change will:

- Remove all references to the incentive step-down methodology.

Justification:

1. An incentive step-down is not required to comply with statutory direction for the SOMAH program.
2. The National Renewable Energy Laboratory's quarterly "U.S. Photovoltaic Prices and Cost Breakdowns" Technical Report is based on small-scale, single-family home installations, which are distinct from solar installations for multifamily affordable housing.

¹ D.23-03-007, *Decision Modifying Incentives and Eliminating Incentive Step-Down Methodology for the Solar on Multifamily Affordable Housing Program*, March 21, 2023, page 15, OP 1.

3. The MASH program did not include an incentive step-down process.

Affected PIP Section(s):

- Section D. Incentive Budget, 1. Incentive Rates

B. Update of the Incentive Tables

This PIP change will:

- Update the Incentive Rate table to represent the new incentive rates
- Update the “Estimated Maximum MWs Installed Per Year” table to represent revised program data
- Update the “Estimated Incentive Funding Needed to Reach 300 MW Goal” table to represent the new incentive rates.

Justification:

1. An incentive step-down is not required to comply with statutory direction for the SOMAH program. Therefore, “year one” references were removed, and the incentive rate table was updated with the revised incentive level that will exist without an annual step-down.
2. The SOMAH PA has updated estimations showing:
 - a. Installed MW projections
 - b. Collections and the 300 MW goal were considered with the revised incentive levels.

Affected PIP Section(s):

- Section IV. Program Budget, D. Incentive Budget, 1. Incentive Rates
- Section X. Interim Targets for Capacity Goals, “Estimated Maximum MWs Installed Per Year” table
- Section X. Interim Targets for Capacity Goals, “Estimated Incentive Funding Needed to Reach 300 MW Goal” table

Proposed Revisions to SOMAH Program Handbook

The proposed revisions to the SOMAH Program Handbook are summarized below and also shown in redlined format in Attachment B.

A. Increased Incentive Levels

This Handbook change will:

- Implement the revised incentive levels for newly submitted applications and establish a process for the revised incentive level request for property owners of existing applications that have not yet submitted their Incentive Claim Milestone documentation. This will improve the economic viability of currently planned projects and/or increase tenant benefit for improved terms for the property owner, thereby enabling properties and their tenants to remain in the pipeline.

Justification:

Participation in the SOMAH program has stalled after initial demand was satisfied and reported project costs have increased. The Handbook has been updated to reflect the table of approved, revised incentive levels with reference to the effective date and eligibility terms. Because D.23-03-007 permits existing applications and their corresponding property owners to request the revised incentive level, the proposed Handbook changes provide a pathway for property owners of existing applications to request the revised incentive. While the initial request is to come from the property owner, to finalize the claim of the 2023 revised incentive levels for their existing application(s), the assigned applicant is required to provide supporting documentation to confirm that the higher incentive results in a benefit for the property owner and the tenants. This results in a two-step process: 1) the property owner's initial request; and 2) the applicant's submission of required documentation to finalize and claim the higher incentive.

A sample of what property owners can expect for the VersaForm request is included in Appendix X to the Handbook, along with a checklist resource outlining the criteria for the required supporting documentation, included in Appendix Y. This resource provides a table of requirements based on the system ownership type and the timeline for submission based on where the project is in the application lifecycle. The supporting documentation will be reviewed and approved by the SOAMH PA in partnership with the standard application milestones to ensure there is no undue delay in application processing.

To ensure timely attention and to support transition of applications to the updated incentive levels adopted in D.23-03-007, the VersaForm opt-in direct email link will be available through December 31, 2023, for eligible projects to request the 2023 revised incentive. The VersaForm request is due by December 31, 2023; the supporting documentation submittal does not share the December 31, 2023 deadline and instead aligns with the existing application timeline. The direct email link(s) will be issued to all Property Owners with eligible applications upon approval of this version of the SOMAH Program Handbook. The SOMAH PA can also re-send the direct email link upon request, as needed. The SOMAH PA will track the requests for higher incentives and related data points through PowerClerk, including relevant information in the Semiannual Progress Reports. This tracking will also support transparency between the PA and IOUs to ensure proper records and payment for existing projects that are approved for the revised incentive.

Affected Handbook Section(s):

- 3.2 Accounting for Other Funding
- 3.6 Request for 2023 Revised Incentive
- Appendix X, VersaForm – Request for 2023 Revised Incentive
- Appendix Y, 2023 Revised Incentive Checklist

B. Elimination of the Annual Step-Down in Incentives

This Handbook change will:

- Remove all references to the incentive step-down methodology.

Justification:

1. An incentive step-down is not required to comply with statutory direction for the SOMAH program.
2. The National Renewable Energy Laboratory's quarterly "U.S. Photovoltaic Prices and Cost Breakdowns" Technical Report is based on small-scale, single-family home installations, which are distinct from solar installations for multifamily affordable housing.
3. The MASH program did not include an incentive step-down process.

Affected Handbook Section(s):

- 1.1.5 Capacity Targets
- 3.2 Accounting for Other Funding
- Appendix A, Acronyms (NREL)

TIER DESIGNATION

Pursuant to General Order (GO) 96-B, Energy Industry Rule 5.2, and D.23-03-007, this Advice Letter is submitted with a Tier 2 designation.

PROTESTS

Anyone wishing to protest this Advice Letter may do so by letter sent electronically, which must be received no later than May 9, 2023, which is twenty (20) calendar days after the submittal of this Advice Letter. Protests should be emailed to:

CPUC Energy Division
Attention: Tariff Unit
Email: EDTariffUnit@cpuc.ca.gov

Copies of the protest should also be emailed to the CPUC's Energy Division Director.

In addition, protests and all other correspondence regarding this Advice Letter should also be sent electronically to CSE on the same date it is emailed to the Commission to the attention of:

Sephra Ninow
Director, Regulatory Affairs
Center for Sustainable Energy®
E-mail: sephra.ninow@energycenter.org

There are no restrictions as to who may submit a protest, but the protest shall set forth specifically the grounds upon which it is based and shall be submitted expeditiously.

EFFECTIVE DATE

CSE requests that this Advice Letter become effective on regular notice, May 19, 2022, which is thirty (30) calendar days after the date of submittal.

NOTICE

CSE is providing a copy of this Advice Letter to service list R.14-07-002, A.16-07-015 (consolidated).



Sephra A. Ninow, J.D.
Director, Regulatory Affairs
Center for Sustainable Energy®

cc: Service List R.14-07-002, A.16-07-015 (consolidated)

Attachments: Attachment A – Proposed Revised SOMAH Program Implementation Plan (redlined)
Attachment B – Proposed Revised SOMAH Program Handbook (redlined)



ADVICE LETTER SUMMARY

ENERGY UTILITY

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

Company name/CPUC Utility No.: Center for Sustainable Energy® (CSE)

Utility type:

- ELC GAS WATER
 PLC HEAT

Contact Person: Sephra Ninow

Phone #: (858) 244-1186

E-mail: sephra.ninow@energycenter.org

E-mail Disposition Notice to: sephra.ninow@energycenter.org

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

April 19, 2023

Advice Letter (AL) #: 141-E

Tier Designation: 2

Subject of AL: Proposed Revisions to the Solar On Multifamily Affordable Housing (SOMAH) Program Handbook and Program Implementation Plan pursuant to Decision (D.)23-03-007.

Keywords (choose from CPUC listing): Rebates; Solar

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: D.23-03-007; D.17-12-022

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: N/A

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: N/A

Resolution required? Yes No

Requested effective date: 5/19/23

No. of tariff sheets: 0

Estimated system annual revenue effect (%): 0

Estimated system average rate effect (%): 0

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: Proposed Revisions to the Solar On Multifamily Affordable Housing (SOMAH)

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

¹Discuss 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

Name: Sephra Ninow
Title: Director, Regulatory Affairs
Utility Name: Center for Sustainable Energy®
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Title:
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ENERGY Advice Letter Keywords

Affiliate	Direct Access	Preliminary Statement
Agreements	Disconnect Service	Procurement
Agriculture	ECAC / Energy Cost Adjustment	Qualifying Facility
Avoided Cost	EOR / Enhanced Oil Recovery	Rebates
Balancing Account	Energy Charge	Refunds
Baseline	Energy Efficiency	Reliability
Bilingual	Establish Service	Re-MAT/Bio-MAT
Billings	Expand Service Area	Revenue Allocation
Bioenergy	Forms	Rule 21
Brokerage Fees	Franchise Fee / User Tax	Rules
CARE	G.O. 131-D	Section 851
CPUC Reimbursement Fee	GRC / General Rate Case	Self Generation
Capacity	Hazardous Waste	Service Area Map
Cogeneration	Increase Rates	Service Outage
Compliance	Interruptible Service	Solar
Conditions of Service	Interutility Transportation	Standby Service
Connection	LIEE / Low-Income Energy Efficiency	Storage
Conservation	LIRA / Low-Income Ratepayer Assistance	Street Lights
Consolidate Tariffs	Late Payment Charge	Surcharges
Contracts	Line Extensions	Tariffs
Core	Memorandum Account	Taxes
Credit	Metered Energy Efficiency	Text Changes
Curtable Service	Metering	Transformer
Customer Charge	Mobile Home Parks	Transition Cost
Customer Owned Generation	Name Change	Transmission Lines
Decrease Rates	Non-Core	Transportation Electrification
Demand Charge	Non-firm Service Contracts	Transportation Rates
Demand Side Fund	Nuclear	Undergrounding
Demand Side Management	Oil Pipelines	Voltage Discount
Demand Side Response	PBR / Performance Based Ratemaking	Wind Power
Deposits	Portfolio	Withdrawal of Service
Depreciation	Power Lines	

Notice of Availability

On behalf of the Program Administrator (PA) Team for the Solar On Multifamily Affordable Housing (SOMAH) Program, Center for Sustainable Energy® (CSE) hereby provides notice that due to the size of Attachment A, an electronic copy of the redlined Proposed Revised SOMAH Program Implementation Plan illustrating the proposed revisions may be viewed at:

www.calsomah.org/PIPV2

and due to the size of Attachment B, an electronic copy of the redlined Proposed Revised SOMAH Program Handbook illustrating the proposed revisions may be viewed at:

<http://www.calsomah.org/redlines11>

If you have any problems accessing these documents, please contact Kaily Wakefield via e-mail at kaily.wakefield@energycenter.org.

Thank you!

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop a
Successor to Existing Net Energy Metering
Tariffs Pursuant to Public Utilities Code
Section 2827.1, and to Address Other
Issues Related to Net Energy Metering.

RULEMAKING 14-07-002
(Filed July 10, 2014)

And Related Matter.

Application 16-07-015

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of this *CSE Advice Letter 141-E*, on all known parties of record in this proceeding by delivering a copy via email to the current service list for R.14-07-002, A.16-07-015 (consolidated).

Executed on April 19, 2023, in San Diego, CA.



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California
Public Utilities
Commission



[CPUC Home](#)

CALIFORNIA PUBLIC UTILITIES COMMISSION Service Lists

PROCEEDING: R1407002 - CPUC - OIR TO DEVELO
FILER: CPUC
LIST NAME: LIST
LAST CHANGED: MARCH 30, 2023

[Download the Comma-delimited File](#)
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[Back to Service Lists Index](#)

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