



September 19, 2025

VIA ELECTRONIC MAIL edtariffunit@cpuc.ca.gov

Public Utilities Commission of the State of California
Energy Division
Attention: Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

Advice Letter 19-E Apple Valley Choice Energy	Advice Letter 63-E Ava Community Energy	Advice Letter 50 -E Central Coast Community Energy
Advice Letter 14-E Clean Energy Alliance	Advice Letter 38-E Clean Power Alliance of Southern California	Advice Letter 40-E CleanPowerSF
Advice Letter 14-E Desert Community Energy	Advice Letter 10-E Energy For Palmdale's Independent Choice	Advice Letter 36-E Lancaster Energy
Advice Letter 90-E Marin Clean Energy	Advice Letter 14-E Orange County Power Authority	Advice Letter 46-E Peninsula Clean Energy
Advice Letter 31-E Pico Rivera Innovative Municipal Energy	Advice Letter 23-E Pioneer Community Energy	Advice Letter 14-E Pomona Choice Energy
Advice Letter 17-E Rancho Mirage Energy Authority	Advice Letter 28-E Redwood Coast Energy Authority	Advice Letter 33-E San Diego Community Power
Advice Letter 29-E San Jacinto Power	Advice Letter 46-E San José Clean Energy	Advice Letter 10-E Santa Barbara Clean Energy
Advice Letter 38-E Silicon Valley Clean Energy	Advice Letter 27-E Sonoma Clean Power	Advice Letter 24-E Valley Clean Energy

**RE: Joint Community Choice Aggregator's Financial Monitoring and Reporting
Guidelines Tier 1 Advice Letter Pursuant to Resolution E-5406**

The California Community Choice Association (CalCCA) submits this Tier 1 Advice Letter (Advice Letter) on behalf of Apple Valley Choice Energy, Ava Community Energy, Central Coast Community Energy, Clean Energy Alliance, Clean Power Alliance of Southern California, CleanPowerSF, Desert Community Energy, Energy For Palmdale's Independent Choice, Lancaster Energy, Marin Clean Energy, Orange County Power Authority, Peninsula Clean Energy, Pico Rivera Innovative Municipal Energy, Pioneer Community Energy, Pomona Choice Energy, Rancho Mirage Energy Authority, Redwood Coast Energy Authority, San Diego

Community Power, San Jacinto Power, San José Clean Energy, Santa Barbara Clean Energy, Silicon Valley Clean Energy, Sonoma Clean Power, and Valley Clean Energy (collectively, the Joint CCAs).¹ This Advice Letter is submitted pursuant to Ordering Paragraph 4 of Resolution E-5406.² The Joint CCAs request the approval of this Advice Letter with the attached guidance document incorporating the process for financial monitoring of CCAs consistent with D.24-04-009,³ and modified in accordance with the Resolution.

I. TIER DESIGNATION

The Joint CCAs hereby submit this Advice Letter with a Tier 1 designation.

II. EFFECTIVE DATE

This Advice Letter will become effective upon disposition.

III. BACKGROUND

The California Public Utilities Commission (Commission) opened the Provider of Last Resort (POLR) proceeding, R.21-03-011, on March 18, 2021,⁴ to implement Senate Bill 520.⁵ SB 520 directed the Commission to develop rules and regulations for a POLR should a community choice aggregator (CCA) or Energy Service Provider cease load service. SB 520 identified the investor-owned utilities (IOU) as the initial POLRs and ordered the Commission to ensure cost recovery, continuity of service and reliability, and continuation of California's clean energy goals. R.21-03-011 considered, among other things, financial monitoring and reporting requirements to provide the Commission with advance notice of CCA financial positions that may indicate a potential customer return to the POLR.

D.24-04-009 adopted financial monitoring and reporting requirements aimed at “promot[ing] greater situational awareness for any CCA that is at risk of defaulting on its procurement obligations, and which may lead to the involuntary return of customers to POLR service.”⁶ The Decision adopted two tiers of financial monitoring and reporting requirements for CCAs. Under the first tier, all CCAs, regardless of their financial standing or years of operation, are required to provide Energy Division with a copy of their most recent audited financial information. The audited financial statement is to be provided once a year, in January or July,

¹ The Joint CCAs have provided CalCCA with authority to submit this Advice Letter on their behalf.

² Resolution E-5406, *Addressing the Financial Monitoring and Reporting Requirements that were Adopted in Decision 24-04-009* (July 24, 2025) (Resolution): <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M574/K912/574912882.PDF>.

³ D.24-04-009, *Decision Implementing Senate Bill 520 Regarding Standards for Provider of Last Resort*, Rulemaking (R.) 21-03-011 (Apr. 22, 2024) (Decision): <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M529/K986/529986322.PDF>.

⁴ *Order Instituting Rulemaking to Implement Senate Bill 520 and Address Other Matters Related to Provider of Last Resort*, R.21-03-011 (Mar. 18, 2021): https://apps.cpuc.ca.gov/apex/f?p=401:56:::RP:57,RIR:P5_PROCEEDING_SELECT:R2103011.

⁵ Senate Bill 520 (SB 520) (Hertzberg, Chapter 408, Statutes of 2019): https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB520.

⁶ Decision, at 73.

whichever comes earlier relative to the availability of the audited financial statement. Under the second tier, CCAs must report additional financial information if they meet certain conditions indicative of financial strain.

On July 1, 2024, CalCCA filed a Consolidated Joint CCA Advice Letter (Consolidated Advice Letter) requesting approval of a “Financial Monitoring Guidance Document” (Guidance Document) to clarify certain reporting requirements required by the Decision, including:

- Tier 2 reporting conditions, with an explanation of each condition;
- How and when CCAs must report the occurrence of a Tier 2 condition;
- When a CCA may cease a previously triggered Tier 2 report;
- How a CCA requests confidential treatment of market sensitive information reported to Energy Division; and
- The enforcement mechanism used to ensure that CCAs report to Energy Division on time in accordance with the applicable deadlines.

On July 22, 2024, Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E) (the Joint IOUs) protested the Consolidated Advice Letter, challenging the following changes proposed by CalCCA:

- The calculation of Days Liquidity on Hand (DLOH);
- The timeline for trigger letters notifying Energy Division that a trigger has been met (Trigger Letter);
- The confidential nature of the letter to Energy Division; and
- Modifying the number of required triggers and the required meeting with Energy Division after certain financial triggers are triggered.

On July 29, 2024, CalCCA filed a Consolidated Reply to the Joint IOUs’ Protest which included a Revised Financial Monitoring Guidance Document (Revised Guidance Document).

In the Resolution, the Commission provides the following direction concerning the Revised Guidance Document:

- Approves the Joint CCAs’ interpretation of the requirement that CCAs report a trigger event within 10 days, as 10 *business* days;
- Finds that CCAs are not required to meet with Commission staff prior to submission of a trigger letter; and
- Denies the requested modification by the Joint CCAs of the definition of eligible unused bank lines of credit to *letters of credit and credit agreements* in the calculation of DLOH, finding that this would be a substantive revision to the Decision prohibited by GO 96-B.⁷

⁷ General Order 96-B (updated by Resolution ALJ-346, May 10, 2018) (GO 96-B):
<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M023/K381/23381302.PDF#page=17>.

The Resolution orders CalCCA to resubmit the Revised Guidance Document in a Tier 1 Advice Letter to incorporate the Resolution's findings. Attached to this Advice Letter is a redline and clean version of the Revised Guidance Document, with the following changes: (1) removal of the terms "letters of credit" and "credit agreements"; and (2) clarification that reporting is due within 10 *business* days of when the CCA could have reasonably become aware of the occurrence or as soon as the financial statement is generated, whichever is sooner.

IV. PROPOSAL

CalCCA hereby submits this Advice Letter with a modified Revised Guidance Document attached, with the changes required by the Resolution incorporated in both redline and clean versions.

V. PROTEST

Anyone wishing to protest this Advice Letter may do so only by electronic mail. Protests must be received no later than 20 days after the date of this Advice Letter. Protests must be submitted to the Commission's Energy Division at:

E-mail: EDTariffunitA@cpuc.ca.gov

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

CALIFORNIA COMMUNITY CHOICE ASSOCIATION

Attn: Leanne Bober

Director of Regulatory Affairs/Deputy General Counsel
regulatory@cal-cca.org.

CALIFORNIA COMMUNITY CHOICE ASSOCIATION

Attn: Eric Little

Director of Market Design
eric@cal-cca.org.

CALIFORNIA COMMUNITY CHOICE ASSOCIATION

Attn: Lauren Carr

Senior Manager, Regulatory Affairs and Market Policy
lauren@cal-cca.org.

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (GO 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 a 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 (GO 96-B, Section 3.11).

CALIFORNIA COMMUNITY CHOICE ASSOCIATION

1121 L Street, Suite #400, Sacramento, CA 95814

info@cal-cca.org | cal-cca.org

VI. NOTICE

In accordance with GO 96-B, General Rule 4, a copy of this Advice Letter is being provided by electronic mail to each party of record in the official service list for R.21-03-011. For changes to this service list, please contact the Commission's Process Office at (415) 703-2021, or by electronic mail at Process_Office@cpuc.ca.gov.

VII. CORRESPONDENCE

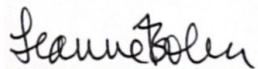
All questions concerning this Advice Letter should be directed to Leanne Bober at (510) 980-9459, or by electronic mail at regulatory@cal-cca.org.

VIII. CONCLUSION

The Joint CCAs respectfully request that the Commission approve this Advice Letter, which incorporates the attached modified Financial Monitoring and Reporting Guidelines.

Respectfully submitted,

CALIFORNIA COMMUNITY CHOICE ASSOCIATION



Leanne Bober,
Director of Regulatory Affairs and Deputy General Counsel

cc via email:

Service List: [R.21-03-011](#)



**ATTACHMENT
TO
JOINT CCAS' CCA FINANCIAL MONITORING AND REPORTING GUIDELINES
TIER 1 ADVICE LETTER PURSUANT TO RESOLUTION E-5406**

Redline

Proposed text deletions show as ~~strikethrough~~

Proposed text additions show as double underlined

**COMMUNITY CHOICE AGGREGATORS (CCA)
FINANCIAL MONITORING AND REPORTING GUIDELINES
UPDATED ~~JULY 29, 2024~~ SEPTEMBER 19, 2025**

Decision (D.) 24-04-009 adopted two tiers of financial monitoring and reporting requirements for CCAs. Under the first tier, all CCAs, regardless of their financial standing or years of operation, are required to provide the Energy Division with a copy of their most recent audited financial information. The audited financial statement shall be provided once a year, in January or July, whichever comes earlier relative to the availability of the audited financial statement. Under the second tier, CCAs must report additional financial information if they meet certain conditions indicative of financial strain. This guideline document supplements D.24-04-009 with additional guidance on (1) how and when to evaluate the conditions for tier-two financial reporting, and (2) reported financial information for tier-two reporting.

I. Conditions that Trigger Tier-Two Financial Reporting

Tier 2 reporting applies to CCAs that meet any of the following conditions in Table 1:

Table 1: Tier-Two Reporting Conditions

Condition	Explanation
The CCA receives a credit rating below BBB-/Baa3 from S&P & Moody's	This condition applies only to CCAs who are downgraded from an investment grade rating to a noninvestment grade rating. This condition does not require all CCAs to obtain a credit rating.
Days Liquidity on Hand (DLOH) is less than 45 days <i>Note: this condition triggers Tier 2 reporting only if the Adjusted DSCR trigger is also met.</i>	DLOH is defined as a CCA's available unrestricted cash and investments and eligible unused bank letterslines <u>of credit</u> , credit agreements , and capacity under commercial paper programs, multiplied by 365. This amount shall then be divided by the total of the last twelve months of the CCA's operating and maintenance

	expenses, excluding depreciation and amortization.
Adjusted Debt Service Coverage Ratio (DSCR) is less than 1.0 <i>Note: this condition triggers Tier 2 reporting only if the DLOH trigger is also met.</i>	Adjusted DSCR is defined as: Numerator: For the last twelve months, recurring revenue plus interest income plus withdrawals from a Rate Stabilization Fund, minus recurring cash operating expenses and General Fund Transfers over the prior twelve-month period (where recurring revenue and recurring expenses exclude special, one-time items, and annual operating expenses exclude depreciation and amortization expenses). Denominator: Aggregate debt service over the prior twelve-month period (i.e., principal, interest, and fees, as applicable, associated with the debt).
Cash reserves for the CCA fall below 5 percent of annual expenses	Cash reserves are defined as cash, cash equivalents, short-term investments, and unused credit facilities. The measure of cash reserves must be directly tied to the CCA. It shall not consider a city's general fund cash reserves. Where "annual expenses" are defined as the last twelve months of the CCA's operating and maintenance expenses, excluding depreciation and amortization.
The CCA defaults on one or more procurement contracts required to meet RA requirements due to non-payment	This condition is specific to the occurrence of an event of default for buyer non-payment after opportunities for disputes and cures have been exhausted as provided within the contract.
The CCA defaults to its CAISO scheduling coordinator due to non-payment	N/A
The CCA becomes insolvent or files for bankruptcy, or the CCA has a reasonable expectation that either event will occur	N/A

II. Tier-Two Reporting Requirements

The following conditions must be reported via a letter to the Director of Energy Division within 10 business days of the occurrence:

- The CCA receives a credit rating below BBB-/Baa3 from S&P & Moody's;
- The CCA defaults on one or more procurement contracts required to meet RA requirements due to non-payment;

- The CCA defaults to its CAISO scheduling coordinator due to non-payment; and
- The CCA becomes insolvent or files for bankruptcy, or the CCA has a reasonable expectation that either event will occur.

The following conditions must be reported via a letter to the Director of Energy Division within 10 business days of the time the CCA could have reasonably become aware of the occurrence or as soon as the financial statement is generated, whichever is sooner ~~of the CCA's acceptance of a financial statement:~~⁸

- DLOH is less than 45 days and DSCR is less than 1.0; and
- Cash reserves for the CCA fall below 5 percent of annual expenses.

Upon meeting any of the Tier 2 reporting conditions above and submitting the letter to Energy Division, the CCA must meet with Energy Division as requested, up to one meeting per month, and provide the following information:

- Energy and hedging contracts for the next six months with term details;
- Status of all procurement contracts, in particular, those at risk of default;
- Detailed financial information as requested by the Commission including, but not limited to, the CCA's most recent financial statements and DLOH; and
- Plan for financial correction and/or market exit.

III. Graduating from Tier-Two Reporting Requirements

A CCA will graduate from the Tier 2 reporting requirements if it does not meet any Tier 2 triggers (except for the insolvency/bankruptcy condition) for six consecutive months.

IV. Confidentiality

If a CCA believes that its letter notifying the Energy Division of a triggered Tier 2 condition, or any of its attendant reporting, is market sensitive, the CCA must follow the regular Commission process for securing confidential treatment.

V. Enforcement

A CCA that fails to submit a letter to the Energy Division by the deadlines outlined in Section 2 will incur a penalty of \$1,000 per incident plus \$500 per day for the first ten days the filing was late and \$1,000 for each day thereafter. Commission Staff and the Commission may take any action provided by law to recover unpaid penalties and ensure compliance with applicable statutes and Commission orders, decisions, rules, directions, demands, or requirements.

⁸ CCAs regularly review and update financial statements. Unaudited financial statements should be prepared as soon as practicable and, in any event, within sixty days after the end of each month in which the trigger occurred. If updated financial information is obtained after such submittal, the CCA will provide that update to the Director of the Energy Division to help inform any prior trigger reporting.



Clean

COMMUNITY CHOICE AGGREGATORS (CCA) FINANCIAL MONITORING AND REPORTING GUIDELINES UPDATED SEPTEMBER 19, 2025

Decision (D.) 24-04-009 adopted two tiers of financial monitoring and reporting requirements for CCAs. Under the first tier, all CCAs, regardless of their financial standing or years of operation, are required to provide the Energy Division with a copy of their most recent audited financial information. The audited financial statement shall be provided once a year, in January or July, whichever comes earlier relative to the availability of the audited financial statement. Under the second tier, CCAs must report additional financial information if they meet certain conditions indicative of financial strain. This guideline document supplements D.24-04-009 with additional guidance on (1) how and when to evaluate the conditions for tier-two financial reporting, and (2) reported financial information for tier-two reporting.

I. Conditions that Trigger Tier-Two Financial Reporting

Tier 2 reporting applies to CCAs that meet any of the following conditions in Table 1:

Table 2: Tier-Two Reporting Conditions

Condition	Explanation
The CCA receives a credit rating below BBB-/Baa3 from S&P & Moody's	This condition applies only to CCAs who are downgraded from an investment grade rating to a noninvestment grade rating. This condition does not require all CCAs to obtain a credit rating.
Days Liquidity on Hand (DLOH) is less than 45 days <i>Note: this condition triggers Tier 2 reporting only if the Adjusted DSCR trigger is also met.</i>	DLOH is defined as a CCA's available unrestricted cash and investments and eligible unused bank lines of credit, and capacity under commercial paper programs, multiplied by 365. This amount shall then be divided by the total of the last twelve months of the CCA's operating and maintenance expenses, excluding depreciation and amortization.
Adjusted Debt Service Coverage Ratio (DSCR) is less than 1.0 <i>Note: this condition triggers Tier 2 reporting only if the DLOH trigger is also met.</i>	Adjusted DSCR is defined as: Numerator: For the last twelve months, recurring revenue plus interest income plus withdrawals from a Rate Stabilization Fund, minus recurring cash operating expenses and General Fund Transfers over the prior twelve-month period (where recurring revenue and recurring expenses exclude special, one-time items, and annual operating

	expenses exclude depreciation and amortization expenses). Denominator: Aggregate debt service over the prior twelve-month period (i.e., principal, interest, and fees, as applicable, associated with the debt).
Cash reserves for the CCA fall below 5 percent of annual expenses	<p>Cash reserves are defined as cash, cash equivalents, short-term investments, and unused credit facilities.</p> <p>The measure of cash reserves must be directly tied to the CCA. It shall not consider a city's general fund cash reserves.</p> <p>Where "annual expenses" are defined as the last twelve months of the CCA's operating and maintenance expenses, excluding depreciation and amortization.</p>
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The CCA defaults to its CAISO scheduling coordinator due to non-payment	N/A
The CCA becomes insolvent or files for bankruptcy, or the CCA has a reasonable expectation that either event will occur	N/A

II. Tier-Two Reporting Requirements

The following conditions must be reported via a letter to the Director of Energy Division within 10 business days of the occurrence:

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- The CCA defaults on one or more procurement contracts required to meet RA requirements due to non-payment;
- The CCA defaults to its CAISO scheduling coordinator due to non-payment; and
- The CCA becomes insolvent or files for bankruptcy, or the CCA has a reasonable expectation that either event will occur.

The following conditions must be reported via a letter to the Director of Energy Division within 10 business days of the time the CCA could have reasonably become aware of the occurrence or as soon as the financial statement is generated, whichever is sooner:⁹

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- Energy and hedging contracts for the next six months with term details;
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A CCA will graduate from the Tier 2 reporting requirements if it does not meet any Tier 2 triggers (except for the insolvency/bankruptcy condition) for six consecutive months.

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⁹ CCAs regularly review and update financial statements. Unaudited financial statements should be prepared as soon as practicable and, in any event, within sixty days after the end of each month in which the trigger occurred. If updated financial information is obtained after such submittal, the CCA will provide that update to the Director of the Energy Division to help inform any prior trigger reporting.