



**SAN DIEGO GAS AND ELECTRIC COMPANY**  
ELECTRIC AND FUEL PROCUREMENT DEPARTMENT  
8315 CENTURY PARK COURT, CP21D  
SAN DIEGO, CA 92123

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# **SAN DIEGO GAS & ELECTRIC COMPANY**

## **REQUEST FOR PROPOSALS**

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Seeking  
2020-2022 LOCAL SAN DIEGO-  
IMPERIAL VALLEY (SD-IV)  
RESOURCE ADEQUACY CAPACITY

**ISSUED**  
MARCH 15, 2019

**PROPOSALS DUE**  
APRIL 2, 2019

**RFP WEBSITE**  
<http://www.sdge.com/2020-2022rarfp>

**EMAIL QUESTIONS/COMMENTS TO**  
[RArfp@semprautilities.com](mailto:RArfp@semprautilities.com)  
With a CC to: [hjudd@acciongroup.com](mailto:hjudd@acciongroup.com)  
(Independent Evaluator)

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## 1.0 INTRODUCTION

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San Diego Gas & Electric Company (“SDG&E”) seeks to acquire by purchase/swap 2020, 2021 and 2022 Local Resource Adequacy (“RA”) capacity products with load serving entities, marketers and generators (“Respondents”) to assist in optimizing its 2020, 2021 and 2022 RA portfolios. It is the intention of this solicitation to help minimize the procurement cost impact for ratepayers while also meeting SDG&E’s local Resource Adequacy Requirement (“RAR”). Any transaction(s) resulting from this Request for Proposals (“RFP”) will become effective only after full execution of a negotiated contract (“Confirmation”) substantially in conformance with the accompanying 2020-2022 RA RFP *Confirmation Template* (“*Confirmation Template*” or “*Confirm*”).

SDG&E welcomes and encourages Diverse Business Enterprises (“DBE”), as defined in G.O. 156[1], to participate in this Resource Adequacy RFP. SDG&E is seeking to increase opportunities for diverse business entities to compete for SDG&E’s business, through both direct and indirect contracting. DBEs can request additional information by contacting SDG&E at [vendorrelations@semprautilities.com](mailto:vendorrelations@semprautilities.com). Additional information on SDG&E’s DBE program can be found at:

<https://www.sdge.com/more-information/doing-business-with-us/supplier-diversity>  
<http://www.cpuc.ca.gov/puc/supplierdiversity/>

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## 2.0 PROCUREMENT PROCESS

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This solicitation sets forth the terms and conditions of SDG&E's 2020-2022 Local Multi-Year RA RFP and the purpose of this document is to provide an overview of the process that SDG&E will use to implement this RFP. It will set forth each Respondent's obligations with respect to the RFP as well as describe the procedures to which each Respondent must adhere. If there is a conflict or inconsistency between the terms and conditions contained here and the terms and conditions contained within the Confirmation Template attached to these instructions, the terms and conditions in the Confirmation Template will prevail. Respondents to this solicitation shall comply with the requirements described in this RFP document. By responding to this RFP, the Respondent agrees to be bound by all the terms, conditions, and other provisions of this RFP and any changes or supplements to it that may be issued without notice by SDG&E prior to the Respondent's response.

All Proposals shall meet the minimum eligibility requirements as set forth in Section 3.0 Eligibility Requirements. All conforming Proposals will be evaluated in accordance with the Evaluation Criteria described in Section 6.0 of the RFP. Proposals that are evaluated as most attractive via the quantitative and qualitative methodology may be shortlisted. SDG&E intends for resources selected from this RFP to count towards SDG&E's local, system, and flexible RA obligations, as applicable.

All purchases will be made according to the terms and conditions set forth in the Confirmation Template. These RFP Instructions set forth the procedures a Respondent must follow to participate in the RFP. Capitalized terms used in these RFP Instructions, but not otherwise defined herein, have the meanings set forth in the Confirmation Template.

The RFP Schedule is subject to change at SDG&E's sole discretion at any time. All changes to the RFP Schedule will be posted to SDG&E's RFP website <http://www.sdge.com/2020-2022rarfp>. The RFP Schedule may be affected by (but not limited to) issues such as: discussions with shortlisted Respondents, proceedings before the CPUC, and efforts to obtain regulatory approval. SDG&E intends to notify Respondents of any schedule change, but will not be liable for any change in schedule or for failing to provide notice of any change.

SDG&E's RA RFP includes only one round of Proposals and considers Proposals received as firm, therefore, Respondents should submit their best Proposal by the Proposal due date.

SDG&E reserves the right to execute agreements with individual Respondents at any time after short listing and to seek CPUC approval for individual agreements to expedite the approval process if necessary.

This *RFP Description* document and all revisions and other RFP documents are available for download from the RFP website <http://www.sdge.com/2020-2022rarfp>. Potential Respondents are responsible for monitoring the RFP Website for subsequent updates, notices and postings. The RFP website contains RFP forms and documents, RFP Schedule, and a Question and Answer forum.

### **A. RESOURCE ADEQUACY – SYSTEM ATTRIBUTE**

Based on statutory language contained in Public Utilities Code 380<sup>1</sup> the California Public Utilities Commission’s (“Commission” or “CPUC”) RA program applies to Load Serving Entities (“LSE”) such as SDG&E. CPUC Decision (D.) 05-10-042 established a Year-Ahead and Month-Ahead System RAR for LSEs. System RAR is calculated based on a one-in-two-year peak-load forecast plus a 15% reserve margin and is adjusted for demand response. Annually, at the end of October, LSEs must submit a Year-Ahead System RAR compliance filing which demonstrates sufficient RA capacity resource procurement to meet 90% of its assigned System RAR obligation for the five summer months of May through September during the upcoming compliance year. Additionally, monthly during the RA compliance-year, an LSE must submit a Month-Ahead System RAR compliance filing demonstrating sufficient RA capacity resource procurement to meet 100% of its assigned System RAR obligation for that compliance month.

### **B. RESOURCE ADEQUACY – LOCAL ATTRIBUTE**

Subsequently, D.06-06-064 (i) expanded the RA program to include a Year-Ahead Local RAR and (ii) determined that an annual study of Local Capacity Requirements (“LCR”), based on a one-ten-year peak-load forecast without a reserve margin, performed by the California Independent System Operator (“CAISO”) would form the basis for the Commission’s annual Local RA program requirements. Each year, following the CAISO’s publication of its LCR study, the CPUC issues a decision in which it adopts specific local procurement obligations for each local capacity area based on the CAISO’s LCR determinations. Annually, at the end of October, LSEs must submit a Multi-Year-Ahead Local RAR compliance filing which demonstrates sufficient RA capacity resource procurement to meet (100% of forward Year 1 and 2, and 50% of Year 3) of its assigned Local RAR obligation for all months of the upcoming compliance years. In Decision 19-02-022, the Commission adopted requirements for implementation of a minimum three-year forward local RA capacity procurement framework.

### **C. RESOURCE ADEQUACY – FLEXIBLE ATTRIBUTE<sup>2</sup>**

In this RFP, SDG&E is seeking Local RA resources. In addition, to the degree these Local RA resources can provide flexible attributes of RA capacity, SDG&E values and is seeking flexible RA as well. Sellers must provide pricing with and without flexible attributes if the resource is dispatchable.

As intermittent renewable generation resources continue to become an increasing proportion of the CAISO grid and as once-through-cooling units are retired, the need for assuring sufficient flexible quick response generation resources available to the grid has become apparent. As a result, the 2014 Resource Adequacy Decision (D.13-06-024) introduced an expansion of RA

<sup>1</sup> As amended by Stats. 2008, ch. 558, Sec. 13, effective January 1, 2009.

<sup>2</sup> See Section 10.3 of the CAISO BPM for more information:  
<https://bpmcm.caiso.com/Pages/BPMDetails.aspx?BPM=Reliability%20Requirements>

requirements to include the flexibility attribute of RA capacity. Flexible RAR is under ongoing development and refinement by both the CPUC and CAISO. Continuing into 2015 and 2016, both D.14-06-050 and D15-06-063 (i) establish Flexible RA requirements for each LSE to have in its Resource Adequacy portfolio, (ii) mandate a reporting requirement, enforceable by referral to the Safety & Enforcement Division, that all eligible flexible resources in an LSE's RA portfolio be reported in the RAR compliance filings, and (iii) propose a must-offer obligation (MOO) with a good-faith effort to submit economic bids (vs. self-schedules) into the Day-Ahead and Real-Time markets for flexible resources committed to meeting an LSE's Flexible RAR in the Month-Ahead RAR compliance filings.

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### 3.0 ELIGIBILITY REQUIREMENTS

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Respondents to this solicitation shall comply with the requirements herein including, but not limited to, the RFP response instructions contained in Section 9.0–RFP Response Instructions. Respondents not meeting minimum participation criteria could be deemed ineligible and their Proposals may not be considered. SDG&E, at its sole discretion, may change the terms, requirements and schedule of this solicitation. Respondents should monitor the RFP Website<sup>3</sup> for announcements regarding any updates or changes including posted questions & answers.

By submitting a Proposal into this RFP, the Respondent specifically acknowledges the following:

- 1) Transactions resulting from this RFP will become valid only after full execution of a Confirmation.
- 2) Respondents for shortlisted Proposals will enter good faith negotiations to execute an agreement substantially in the form of the *Confirmation Template* that is a part of this RFP. Respondents may make suggested changes to the *Confirmation Template* in their Proposal; however, extensive and material modifications are discouraged. SDG&E, in its sole discretion, will determine whether any proposed modifications or alterations of the *Confirmation Template* are material and reserves the right to decline to execute any agreement with a selected Respondent for any reason.
- 3) Proposals shall remain valid and effective as proposed through June 30, 2019.
- 4) The shortest acceptable contract term is one day.
- 5) The contract delivery term cannot occur prior to January 1, 2020 and must end no later than December 31, 2022
- 6) Any proposed Resource Adequacy capacity must either be owned by the Respondent or the Respondent must have a contractual right to the capacity proposed.
- 7) For 2020 proposals the resource must be eligible to receive an NQC and must have obtained a valid CAISO Resource ID number by the confirm execution date.
- 8) There is no restriction on resource type that the NQC may come from (conventional, energy storage, renewable, DR, etc.)
- 9) Neither a power purchase agreement (PPA) nor an enabling Master Agreement needs to be in place between the Respondent and SDG&E to enter into a contract resulting from this RA RFP. Only an executed RA Confirmation as posted on the RFP website is necessary.

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<sup>3</sup> <http://www.sdge.com/2020-2022rarfp>

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## 4.0 PRODUCT DESCRIPTION

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All products sought by this RFP are associated with Local Resource Adequacy capacity. RA capacity submitted into this RFP must be from specific identified generating units located within the CAISO Balancing Authority Area. Such RA capacity must be eligible for inclusion in both Year-Ahead and Month-Ahead compliance filings with the CPUC and CAISO. All products are for RA compliance years 2020, 2021 and 2022. Net Qualifying Capacity (“NQC”) 2019 values for RA resources are available online<sup>4</sup>. If any of the Offers or products are mutually exclusive, please explain in the comment section of the Proposal Form.

### A. PRODUCTS SOLICITED

*Table 1 – RA Products* shown below designate SDG&E’s specific interests in Resource Adequacy Proposals indicating Local SD-IV RA products are desired. These products will be considered on an annual, quarterly, monthly and/or daily basis.

**Table 1 – RA Products**

<b>Product ID</b>	<b>Product</b>
1	Local SD-IV– with System and without Flex or with Flex Category 1, 2, or 3 (SDG&E Buys Local SD-IV RA (Annually, Quarterly, Monthly, Daily))

### B. SCHEDULED MAINTENANCE OUTAGES

SDG&E is seeking to buy firm, fixed quantity RA with the only excuse for non-delivery being force majeure. Please note that in accordance with the [CAISO Tariff](#), sellers will be fully responsible for providing replacement in the event of outages and SDG&E expects this requirement to be met by Respondents.

### C. OTHER PRODUCT CONSIDERATIONS

- SDG&E is seeking agreements with resources located in a Local Capacity Area, and as stated above, both the Local and System RA attributes will become part of and included in any transaction resulting from this RFP which involves MWs from such resources.
- Product quantities may be proposed in any whole MW increment. SDG&E reserves the right to request a modification of the proposed quantities of a Respondent’s Proposal as necessary to fulfill SDG&E’s remaining RA need after considering higher ranked Proposals.
- Offers for 2022 RA product cannot be inclusive of other years in this solicitation

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<sup>4</sup>The Resource Adequacy NQC quantities are available on CAISO’s website at:  
<http://www.caiso.com/Pages/documentsbygroup.aspx?GroupID=9A94E71F-5542-49E8-BFBF-B9E00A2EC11B>.



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## **5.0 CREDIT TERMS & CONDITIONS**

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SDG&E has the right to evaluate and determine the creditworthiness of the Respondent relative to this RFP, including submission of a completed credit application and audited financial statements. Collateral requirements will be negotiated based on the counterparty's creditworthiness as assessed by SDG&E. When required, collateral may be posted as cash or letter of credit.

As a California regulated utility SDG&E does not generally post collateral. Proposals requiring SDG&E to post collateral will likely not be selected. Payments are made in arrears following the respective RA compliance month.

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## 6.0 EVALUATION CRITERIA

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All incoming proposals will be initially assessed for conformance with the basic submittal requirements set forth in this RFP description. Respondents should conform to such participation criteria to be considered. In addition, there will be both quantitative and qualitative criteria utilized in evaluating Proposals for placement on the shortlist.

### A. QUANTITATIVE EVALUATION

SDG&E will rank the Proposals based on per unit pricing. SDG&E will accept well-priced Proposals based on the best value to ratepayers in meeting SDG&E's Resource Adequacy obligations relative to the products being sought. By submittal of a Proposal, Respondent agrees that SDG&E may evaluate Proposals in the manner indicated, and that SDG&E may accept or reject any or all of the Respondent's Proposal.

### B. QUALITATIVE EVALUATION

Aside from the quantitative evaluation methods described above, there are several qualitative factors that could be considered in evaluating Proposals. These may include, among others, proposed revisions to the *Confirmation Template*, Resource Category (i.e., MCC bucket), flexible RA category, counterparty concentration and creditworthiness, and SDG&E's RA portfolio balance.

### C. OTHER CONSIDERATIONS

Respondents are responsible for the accuracy of all discussions, figures and calculations in their Proposal(s).

### **BID CONFORMANCE EVALUATION**

<sup>1</sup> In addition to the elements described above, SDG&E may also reject a Proposal if:

1. SDG&E uncovers evidence of market manipulation in the bid preparation and Proposal process;
2. the Respondent does not provide adequate evidence that it meets minimum participation criteria;
3. the Respondent cannot fulfill the terms and conditions of the Confirmation Template; and/or,
4. the Respondent is unable to comply with RFP timing and other solicitation requirements.

SDG&E WILL NOT REIMBURSE RESPONDENTS FOR THEIR EXPENSES UNDER ANY CIRCUMSTANCES, REGARDLESS OF WHETHER THE RFP PROCESS PROCEEDS TO A SUCCESSFUL CONCLUSION OR IS ABANDONED BY SDG&E IN ITS SOLE DISCRETION.

<sup>1</sup> Offers for 2022 RA product cannot be inclusive of other years in this solicitation

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## 7.0 NON-BINDING RFP SCHEDULE

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The following schedule and deadlines apply to this RFP. SDG&E reserves the right to revise this schedule at any time and in SDG&E's sole discretion. Offerors are responsible for monitoring the RFP Website for updated schedules and possible amendments to the RFP or the solicitation process.

**LATE PROPOSALS WILL NOT BE ACCEPTED!**

No	Event	Date
1	Launch RFP	Fri-Mar-15
2	Deadline to submit any questions	Wed-Mar-27
3	Answers to all Questions will be posted	Fri-Mar-29
4	Offer package due no later than <b>12 pm PPT</b> on this date	Tue-Apr-02
5	SDG&E Notifies shortlisted Offerors of selection	Wed-Apr-24
6	Shortlisted Offerors notify IOUs of acceptance/rejection	Wed-May-01
7	All contracts are executed	Fri-May-31

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## 8.0 RFP WEBSITE AND COMMUNICATION

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The RFP website contains RFP forms and documents, the RFP Schedule, and a Question and Answer forum.

ALL questions or other communications regarding this RFP should be submitted via email to [RAREFP@semprautilities.com](mailto:RAREFP@semprautilities.com) with a CC to [hjudd@acciongroup.com](mailto:hjudd@acciongroup.com) (Independent Evaluator). Only questions submitted by the RFP QUESTION SUBMITTAL deadline as specified in above table through this email address will be assured a response on the RFP Website. Questions received after this deadline may not receive a response. SDG&E will not accept questions or comments in any other form, except during scheduled bidders' conferences, if any.

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## 9.0 RFP RESPONSE INSTRUCTIONS

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Respondents are required to submit their Proposals with firm pricing via the PowerAdvocate® website (per link in below paragraph). The submitted *Proposal Form* and *Confirmation Template* must be in their original format, i.e., not converted to a Portable Document Format (PDF). Failure to provide the listed information may result in the Proposal being deemed non-responsive [non-conforming?] and may disqualify the Proposal from further consideration. Hard copies of Proposals are not necessary.

Respondents intending to bid but who do not yet have an existing account with PowerAdvocate® must first register to create a username/password to receive access to the event (event code 90419). Users with an existing PowerAdvocate® account may request access using:

<https://www.poweradvocate.com/pR.do?okey=90419&pubEvent=true>

### **Required Participation Documents:**

- 1) ***Proposal Form*** – Each Respondent may submit one or more Proposal forms. If one *Proposal Form* (i.e., spreadsheet) is submitted to cover all products being proposed, it must clearly indicate which products, if any, are mutually exclusive (don't hesitate to use the comments sections). Otherwise, separate *Proposal Forms* will be treated as exclusive of all other *Proposal Forms* submitted by a Respondent.

For any product that can provide Flexible RA, we request two separate Proposals: one for the RA Product and one for the RA Product plus Flexible RA Product. Also for any product that can provide Flexible RA the Respondent must also list the Flexible Category type (1, 2, or 3).

The NQC and EFC should be listed monthly on the Proposal form. If you are providing an annual Proposal, it should be included in the Calendar Year section of the Proposal form.

List all pricing in \$/kW-MONTH. Upon being selected, SDG&E will divide the pricing by the appropriate days in a given month and use that value for the pricing in the Confirm.

- 2) ***Confirmation Template*** –If a Respondent has no suggested changes, then an unmodified *Confirmation Template* should be returned with the Proposal. Otherwise, submit a redlined *Confirmation Template* with the Proposal. As noted in Section 3–Eligibility Requirements and Section 6.0 – Evaluation Criteria, excessive mark-ups to the *Confirmation Template* are discouraged and could result in a Proposal being rejected.

The *Confirmation Template* provided as part of this RFP is intended for Local RA where SDG&E is the buyer.

SDG&E will not accept a confirmation from the respondent or any other contract form than those on the RA RFP website.

All Proposal emails must be time-stamped no later than **12 pm**, Pacific Prevailing Time (PPT), on the PROPOSAL DUE deadline date as specified in table (see Section 7–RFP Schedule). However, early submittals are permitted and encouraged. Proposal materials submitted shall be subject to the confidentiality provisions of Section 10.0–Confidentiality and Disclaimers. SDG&E may or may not review and utilize information, if any, submitted by a Respondent that is not

specifically requested as a part of any required RFP documentation. During all stages of the RFP process, SDG&E reserves the right to request additional information and clarification from individual Respondents or to request that any Respondent submit supplemental materials in fulfillment of the content requirements of this RFP or to meet additional information needs. SDG&E also reserves the unilateral right to waive any technical or format requirements contained in the RFP.

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## 10.0 CONFIDENTIALITY AND DISCLAIMERS

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EXCEPT WITH THE PRIOR WRITTEN CONSENT OF SDG&E, RESPONDENTS MAY NOT DISCLOSE TO ANY OTHER RESPONDENT OR POTENTIAL RESPONDENT THEIR PARTICIPATION IN THIS RFP, AND RESPONDENTS MAY NOT DISCLOSE, COLLABORATE ON, OR DISCUSS WITH ANY OTHER RESPONDENT, PROPOSAL STRATEGIES OR THE SUBSTANCE OF PROPOSALS, INCLUDING WITHOUT LIMITATION THE PRICE OR ANY OTHER TERMS OR CONDITIONS OF ANY INDICATIVE OR FINAL PROPOSAL.

SDG&E WILL USE THE HIGHER OF THE SAME STANDARD OF CARE IT USES WITH RESPECT TO ITS OWN PROPRIETARY OR CONFIDENTIAL INFORMATION OR A REASONABLE STANDARD OF CARE TO PREVENT DISCLOSURE OR UNAUTHORIZED USE OF RESPONDENT'S CONFIDENTIAL AND PROPRIETARY INFORMATION THAT IS LABELED AS "PROPRIETARY AND CONFIDENTIAL" ON THE PROPOSAL PAGE ON WHICH THE PROPRIETARY INFORMATION APPEARS ("CONFIDENTIAL INFORMATION"). RESPONDENT SHALL SUMMARIZE ELEMENTS OF THE PROPOSAL(S) IT DEEMS CONFIDENTIAL. CONFIDENTIAL INFORMATION MAY BE MADE AVAILABLE ON A "NEED TO KNOW" BASIS TO SDG&E'S DIRECTORS, OFFICERS, EMPLOYEES, CONTRACTORS, CONSULTANTS, THE INDEPENDENT EVALUATOR, AGENTS AND ADVISORS ("REPRESENTATIVES") FOR THE PURPOSE OF EVALUATING RESPONDENT'S PROPOSAL, BUT SUCH REPRESENTATIVES SHALL BE REQUIRED TO OBSERVE THE SAME CARE WITH RESPECT TO DISCLOSURE AS SDG&E.

NOTWITHSTANDING THE FOREGOING, SDG&E MAY DISCLOSE ANY OF THE CONFIDENTIAL INFORMATION TO COMPLY WITH ANY LAW, RULE, OR REGULATION OR ANY ORDER, DECREE, SUBPOENA OR RULING OR OTHER SIMILAR PROCESS OF ANY COURT, SECURITIES EXCHANGE, CONTROL AREA OPERATOR, GOVERNMENTAL AGENCY OR GOVERNMENTAL OR REGULATORY AUTHORITY AT ANY TIME EVEN IN THE ABSENCE OF A PROTECTIVE ORDER, CONFIDENTIALITY AGREEMENT OR NON-DISCLOSURE AGREEMENT, AS THE CASE MAY BE, WITHOUT NOTIFICATION TO THE RESPONDENT AND WITHOUT LIABILITY OR ANY RESPONSIBILITY OF SDG&E TO THE RESPONDENT.

IT IS EXPRESSLY CONTEMPLATED THAT MATERIALS SUBMITTED BY A RESPONDENT IN CONNECTION WITH THIS RFP WILL BE PROVIDED TO THE CPUC, ITS STAFF, THE CEC, ITS STAFF, AND SDG&E'S PROCUREMENT REVIEW GROUP ("PRG"). SDG&E WILL ALSO SEEK CONFIDENTIALITY PROTECTION FROM THE CALIFORNIA ENERGY COMMISSION ("CEC") FOR RESPONDENT'S CONFIDENTIAL INFORMATION AND WILL SEEK CONFIDENTIALITY AND/OR NON-DISCLOSURE AGREEMENTS WITH THE PRG. SDG&E CANNOT, HOWEVER, ENSURE THAT THE CPUC OR CEC WILL AFFORD CONFIDENTIAL TREATMENT TO A RESPONDENT'S CONFIDENTIAL INFORMATION OR THAT CONFIDENTIALITY AGREEMENTS OR ORDERS WILL BE OBTAINED FROM AND/OR HONORED BY THE PRG, CEC, OR CPUC.

SDG&E, ITS REPRESENTATIVES, SEMPRA ENERGY, AND ANY OF THEIR SUBSIDIARIES DISCLAIM ANY AND ALL LIABILITY TO A RESPONDENT FOR DAMAGES OF ANY KIND RESULTING FROM DISCLOSURE OF ANY OF RESPONDENT'S INFORMATION.

SDG&E MAKES NO GUARANTEE THAT A CONTRACT AWARD SHALL RESULT FROM THIS RFP EVEN AFTER A PROPOSAL HAS BEEN SHORTLISTED. SDG&E RESERVES THE RIGHT AT ANY TIME, AT ITS SOLE DISCRETION, TO ABANDON THIS RFP PROCESS, TO CHANGE THE BASIS FOR EVALUATION OF PROPOSALS, TO TERMINATE FURTHER PARTICIPATION IN THIS PROCESS BY ANY PARTY, TO ACCEPT ANY PROPOSAL OR TO ENTER INTO ANY DEFINITIVE AGREEMENT, TO EVALUATE THE QUALIFICATIONS OF ANY RESPONDENT OR THE TERMS AND CONDITIONS OF ANY PROPOSAL, OR TO REJECT ANY OR ALL PROPOSALS, ALL WITHOUT NOTICE AND WITHOUT ASSIGNING ANY REASONS AND WITHOUT LIABILITY OF SEMPRA ENERGY, SDG&E, OR ANY OF THEIR SUBSIDIARIES, AFFILIATES, OR REPRESENTATIVES TO ANY RESPONDENT. SDG&E SHALL HAVE NO OBLIGATION TO CONSIDER ANY PROPOSAL.

SDG&E WILL NOT REIMBURSE RESPONDENTS FOR THEIR EXPENSES UNDER ANY CIRCUMSTANCES, REGARDLESS OF WHETHER THE RFP PROCESS PROCEEDS TO A SUCCESSFUL CONCLUSION OR IS ABANDONED BY SDG&E IN ITS SOLE DISCRETION.

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## 11.0 ROLE OF THE PRG AND IE

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### PROCUREMENT REVIEW GROUP

The Procurement Review Group (PRG), a CPUC-endorsed entity, is composed of non-market bidders such as ratepayers' advocacy groups, state energy and water commissions, power authorities, utility-related labor unions and other non-commercial, energy-related special interest groups. Each Investor-Owned Utility ("IOU") has its own PRG. The PRG is charged with overseeing the IOU's procurement process, reviewing procedural fairness, examining overall procurement prudence and providing feedback during all stages. From RFP language development to Proposal evaluation to contract negotiation, each IOU briefs its PRG on a periodic basis during the entire process.

Respondents are hereby notified that revealing confidential Proposal information to the PRG is required during PRG briefings in accordance with Section 10.0 ("Confidentiality and Disclaimers"). Each Respondent must clearly identify, as part of its Proposal, what information it considers to be confidential.

### INDEPENDENT EVALUATOR

The CPUC requires each IOU to use an Independent Evaluator ("IE") to evaluate and report on the IOU's entire solicitation, evaluation, and selection process. The IE will review SDG&E's implementation of the RFP process and final selections. The IE also makes periodic presentations regarding its findings to the IOU and the IOU's PRG, including the CPUC Energy Division staff. The intent of these IE presentations is to preserve the independence of the IE by ensuring free and unfettered communication between the IE and the CPUC, as well as an open, fair, and transparent process that the IE can affirm.

The Independent Evaluator ("IE") for this solicitation is Harold Judd from Accion Group. All correspondences regarding this RFP must cc [hjudd@acciongroup.com](mailto:hjudd@acciongroup.com).

The IE will review and validate methods of processing the Proposal information and evaluating Proposals to ensure that the evaluation is done fairly with no preferential treatment to any Respondent, monitoring IOU solicitation and discussion processes, valuation methodologies, selection processes, reviewing Proposals to assure competitive process and no market collusion or market manipulation, and reporting to the Commission on the RFP process. The IE is privy to viewing all Proposals, invited to participate in all discussions, reviews all Proposals, review Proposal scoring and selection, and must be copied on all correspondence between each IOU and their Respondents.

Affiliate Proposals will be closely examined to ensure the Proposal is evaluated in the same manner as the other Proposals. If an Affiliate Proposal were to be shortlisted, then all communications and negotiations will be closely monitored and assessed by the IE to ensure no preferential terms and conditions are included in the Proposal and Confirm. An Affiliate Proposal is one where the Respondent is an affiliate or if the Scheduling Coordinator of the Respondent is an affiliate.

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## 12.0 SDG&E BACKGROUND

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[SDG&E](#) is a regulated public utility that provides safe and reliable energy service to 3.6 million consumers through 1.4 million electric meters and 873,000 natural gas meters in San Diego and southern Orange counties. The utility's area spans 4,100 square miles. SDG&E is committed to creating ways to help customers save energy and money every day. SDG&E is a subsidiary of [Sempra Energy](#) (NYSE: SRE), a Fortune 500 energy services holding company based in San Diego. Connect with SDG&E's Customer Contact Center at 800-411-7343, on [Twitter](#) (@SDGE) and [Facebook](#).

