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May 6, 2024

Advice No. 6307-G
(U 904 G)

Public Utilities Commission of the State of California

Subject: Southern California Gas Company Request for Approval of Contract Amendments for the Senate Bill 1383 Dairy Biomethane Pilot Project

Southern California Gas Company (SoCalGas) hereby submits for approval with the California Public Utilities Commission (Commission) contract amendments for the California Producer Interconnection Agreement (CPIA) and SB 1383 Dairy Pilot Project Funding Agreement for the Senate Bill (SB) 1383 Dairy Pilot Project between CalBioGas Buttonwillow LLC and SoCalGas.

Background

On June 22, 2017, the Commission issued Rulemaking (R.) 17-06-015 to develop a framework to direct gas corporations to implement not less than five dairy biomethane pilot projects to demonstrate interconnection to the common carrier pipeline system and allow for rate recovery of reasonable infrastructure costs pursuant to SB 1383.

On December 18, 2017, the Commission issued Decision (D.) 17-12-004, which established the implementation and selection framework to implement the dairy biomethane pilots required by SB 1383. Ordering Paragraph (OP) 6 of D.17-12-004 directed respondents to submit a Tier 2 Advice Letter seeking approval of the contracts with the selected Dairy Biomethane Pilot Projects within 30 days of the notification award by the Selection Committee.

On December 3, 2018, the Selection Committee issued a press release identifying the selected six Dairy Biomethane Pilot Projects. Of the six projects, four are in SoCalGas' service territory: (1) CalBioGas Buttonwillow LLC; (2) CalBioGas North Visalia LLC; (3) CalBioGas South Tulare LLC; and (4) Lakeside Pipeline LLC.

On December 21, 2018, the Investor-Owned Utilities (IOUs) requested a 30-day extension to comply with OP 6 of D.17-12-004. On December 24, 2018, the Executive Director granted the IOUs' extension request to February 1, 2019.

On January 25, 2019, the IOUs requested a second extension to March 4, 2019 to comply with OP 6 of D.17-12-004 due to final details on some contracts that needed further resolution. On January 31, 2019, the Executive Director granted the IOUs' second extension request to March 4, 2019.

On March 5, 2019, SoCalGas submitted Advice No. 5432, Establishment of Contracts with the Selected Dairy Biomethane Pilot Projects, Pursuant to Decision (D.) 17-12-004, which became effective on April 4, 2019 and was approved by the Commission on April 30, 2019.

Proposed Revisions

The proposed amendment to the CPIA and SB 1383 Dairy Pilot Project Funding Agreement for the SB1383 Dairy Pilot Project between CalBioGas Buttonwillow LLC and SoCalGas is to replace the Oasis Holsteins Dairy, one of the eight dairies originally approved, with Poso Creek 1 and 2 Dairies (single location). Oasis Holsteins Dairy has elected not to participate in the project at this time.

The proposed amendment to the CPIA and SB 1383 Dairy Pilot Project Funding Agreement is provided herein as Attachment A. The public version of this amendment redacts confidential information and is provided within this Advice Letter submittal. A confidential, unredacted version of the amendment is provided to the Commission pursuant to Public Utilities Code Section 583 and General Order (GO) 66-D.

Protests

Anyone may protest this Advice Letter to the Commission. The protest must state the grounds upon which it is based, including such items as financial and service impact, and should be submitted expeditiously. The protest must be submitted electronically and must be received within 20 days after the date of this Advice Letter, which is May 26, 2024. Protests should be submitted to the attention of the Energy Division Tariff Unit at:

E-mail: EDTariffUnit@cpuc.ca.gov

In addition, protests and all other correspondence regarding this Advice Letter should also be sent electronically to the attention of:

Attn: Gary Lenart
Regulatory Tariff Manager
E-mail: GLenart@socalgas.com
E-mail: Tariffs@socalgas.com

Effective Date

This submittal is subject to Energy Division disposition and should be classified as Tier 2 (effective after staff approval) pursuant to General Order (GO) 96-B and OP 6 of D.17-12-004. Therefore, SoCalGas respectfully requests that this submittal be approved on June 5, 2024, which is 30 calendar days after the date submitted.

Notice

A copy of this Advice Letter is being sent to SoCalGas' GO 96-B service list and the Commission's service list in R.17-06-015. Address change requests to the GO 96-B service list should be directed via e-mail to Tariffs@socalgas.com or call 213-244-2424. For changes to all other service lists, please contact the Commission's Process Office at 415-703-2021 or via e-mail at Process_office@cpuc.ca.gov.

/s/ Joseph Mock
Joseph Mock
Director – Regulatory Affairs

Attachments



ADVICE LETTER SUMMARY

ENERGY UTILITY

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

Company name/CPUC Utility No.:

Utility type:

ELC GAS WATER
 PLC HEAT

Contact Person:

Phone #:
E-mail:
E-mail Disposition Notice to:

EXPLANATION OF UTILITY TYPE

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

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #:

Tier Designation:

Subject of AL:

Keywords (choose from CPUC listing):

AL Type: Monthly Quarterly Annual One-Time Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL:

Summarize differences between the AL and the prior withdrawn or rejected AL:

Confidential treatment requested? Yes No

If yes, specification of confidential information:

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:

Resolution required? Yes No

Requested effective date:

No. of tariff sheets:

Estimated system annual revenue effect (%):

Estimated system average rate effect (%):

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:

Service affected and changes proposed¹:

Pending advice letters that revise the same tariff sheets:

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:
Title:
Utility Name:
Address:
City: State:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

Name:
Title:
Utility Name:
Address:
City: State:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

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

**DECLARATION OF ARMANDO INFANZON
REGARDING CONFIDENTIALITY OF CERTAIN DATA/DOCUMENTS
PURSUANT TO D.21-09-020**

I, Armando Infanzon, do declare as follows:

1. I am Director of Clean Energy Business Development, for Southern California Gas Company (“SoCalGas”). I have been delegated authority to sign this declaration by Jawaad Malik, Chief Strategy & Sustainability Officer. I have reviewed the confidential information as listed in Advice Letter 6307-G, including attachments, submitted concurrently herewith. I am personally familiar with the facts in this Declaration and, if called upon to testify, I could and would testify to the following based upon my personal knowledge and/or information and belief.

2. I hereby provide this Declaration in accordance with Decision (“D.”) 21-09-020 and General Order (“GO”) 66-D to demonstrate that the confidential information (“Protected Information”) provided in Advice Letter 6307-G is within the scope of data protected as confidential under applicable law.

3. In accordance with the narrative justification described in Attachment A, the Protected Information should be protected from public disclosure.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Executed this 2nd day of May 2024, at Los Angeles.



Armando Infanzon
Director of Clean Energy Business Development

ATTACHMENT A
SoCalGas Request for Confidentiality
on the following information in Advice Letter 6307-G including
Attachments

Location of Protected	Legal Citations	Narrative Justification
<p>Estimated Manure Equivalent Milkers and Estimated Biomethane gray shaded in:</p> <p><u>CalBioGas Buttonwillow LLC.</u></p> <ul style="list-style-type: none"> • Attachment A: page 1, page 2 	<p>CPRA Exemption, Gov't Code § 6254.7(d) (Trade Secrets)</p> <p>CPRA Exemption, Gov't Code § 6254(k) ("Records, the disclosure of which is exempted or prohibited pursuant to federal or state law")</p> <ul style="list-style-type: none"> • Cal. Evid. Code § 1060 • Cal. Civil Code §§ 3426 et seq. (relating to trade secrets) • <i>TMX Funding Inc. v. Impero Technologies, Inc.</i>, 2010 WL 2745484 at *4 (N.D. Cal. 2010) (defining trade secret in an injunction to include "business plans and strategies") • <i>Whyte v. Schlage Lock Co.</i>, 101 Cal. App. 4th 1443, 1453, 1456 (2002) (giving a list of what may be trade secret and holding that "[t]he ultimate determination of trade secret status is subject to proof presented at trial") • <i>Morton v. Rank America, Inc.</i>, 812 F. Supp. 1062, 1073 (1993) (denying motion to dismiss because "actual or probable income, expenses and capital needs of [a company], the financial, operational, marketing and other business strategies and methods" could constitute trade secret) • 5 U.S.C. § 552(b)(4) (Exemption 4 of FOIA protecting "trade secrets and commercial or financial information obtained from a person and privileged or confidential") 	<p>The information is proprietary and represents and contains commercially sensitive content not intended for public disclosure. This information contains data that amounts to market-sensitive information, providing a competitive advantage to other businesses. If this information was released, it could pose negative financial impacts that could be detrimental to the CalBioGas Buttonwillow LLC (Interconnector) in future business opportunities and expansions.</p> <p>This information is also specifically covered by a Confidentiality Agreement between Interconnector and SoCalGas, and SoCalGas is contractually prohibited from publicly disclosing this information.</p>

ATTACHMENT A

Advice No. 6307-G

**Proposed Amendment to the CPIA and SB 1383 Dairy Pilot Project
Funding Agreement**

PUBLIC VERSION - REDACTED

**Confidential and Protected Materials Pursuant to PUC Section 583, GO
66-D, and D.21-09-020**

AMENDMENT NO. 1

to

CALIFORNIA PRODUCER INTERCONNECTION AGREEMENT and SB 1383 DAIRY PILOT PROJECT FUNDING AGREEMENT for SB 1383 DAIRY PILOT PROJECT between CALBIOGAS BUTTONWILLOW LLC and SOUTHERN CALIFORNIA GAS COMPANY

This Amendment No. 1 to California Producer Interconnection Agreement and SB 1383 Dairy Pilot Project Funding Agreement (“Amendments”), dated and effective as of the last signatory date below (“Amendment Effective Date”), is entered into by and between Southern California Gas Company, a California corporation (“SoCalGas”), and CalBioGas Buttonwillow LLC, a California limited liability company (“Calbio”). Initially capitalized terms used but not defined in this Amendment have the meaning ascribed to them in the California Producer Interconnection Agreement (CPIA), dated February 26, 2019, by and between SoCalGas and Calbio.

RECITALS

WHEREAS, the CPIA set forth Calbio’s defined Interconnect Capacity and the terms and conditions under which SoCalGas agrees to provide facilities for the Interconnect Capacity from Calbio’s facilities located at or near 35°26’29.7”N 119°24’07.3”W in Buttonwillow, California to SoCalGas’ existing utility system;

WHEREAS, Calbio may be eligible for SoCalGas Tariff Rule 45 monetary incentives and, if Calbio applies and is approved, Calbio must deliver at or above the minimum Interconnect Capacity as specified in Rule 45;

WHEREAS, Calbio requested SoCalGas review and approve the replacement of a dairy;

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Amendments.

The following row in the table on page 20 in Exhibit A of the CPIA is removed:

Dairy	Estimated Manure Equivalent Milkers	Estimated Biomethane (MScfD)
Oasis Holsteins Dairy	██████████	██████████

and is hereby amended and replaced as follows:

Dairy	Estimated Manure Equivalent Milkers	Estimated Biomethane (MScfD)
Poso Creek 1 and 2 Dairies	██████████	██████████

The following row in table on page 20 in Exhibit A of the CPIA is removed:

Dairy	Estimated Manure Equivalent Milkers	Estimated Biomethane (MScfD)
Total	██████████	██████████

and is hereby amended and replaced as follows:

Dairy	Estimated Manure Equivalent Milkers	Estimated Biomethane (MScfD)
Total	██████████	██████████

The following in the SB 1383 Dairy Pilot Project Funding Agreement, Page 1, Section 6: Brief Description of Project is removed:

Oasis Holsteins Dairy

is hereby amended and replaced as follows:

Poso Creek 1 and 2 Dairies

2. Miscellaneous. Other than as specifically modified above, the CPIA and SB 1383 Dairy Pilot Project Funding Agreement shall remain in full force and effect and is hereby ratified, approved, and confirmed. This Amendment No. 1 is subject to all of the terms and conditions of the CPIA and SB 1383 Dairy Pilot Project Funding Agreement as if it were a part thereof, including, without limitation, any provision with respect to choice of law, venue, and/or jurisdiction.

IN WITNESS WHEREOF, the authorized representatives of the parties hereto have executed duplicate originals of this Amendment No. 1 effective as of the Amendment No. 1 Effective Date.

SOUTHERN CALIFORNIA GAS COMPANY <small>DocuSigned by:</small> _____	CALBIOGAS BUTTONWILLOW LLC <small>DocuSigned by:</small> _____
By: <u>Jawaad Malik</u> <small>0E9E20B899D042F...</small>	By: <u>David DeGroot</u> <small>9C1E874015554F7...</small>
Name: <u>Jawaad Malik</u>	Name: <u>David DeGroot</u>
Title: <u>Chief Strategy & Sustainability Officer</u>	Title: <u>Chief Operating Officer</u>
Date: <u>5/3/2024</u>	Date: <u>5/2/2024</u>

Approved as to legal form: ^{DS}
al