

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

Order Instituting Rulemaking to Revisit Net
Energy Metering Tariffs Pursuant to
Decision 16-01-044, and to Address Other
Issues Related to Net Energy Metering.

Rulemaking R20-08-020
(Filed August 27, 2020)

**MOTION FOR IMMEDIATE REVERSION TO NEM 2.0 OR NEM 1.0 IN RESPONSE
TO THE LACOFD SOLAR BATTERY BLOCKADE**

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Dated March 19, 2024

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4

5 Dear Commissioners, ALJs, Rulemaking Body Members and Stakeholders

6 In light of the ongoing and detrimental Solar Battery Blockade enforced by the Los
7 Angeles County Fire Department (LACoFD), ABC Solar Incorporated respectfully submits this
8 motion to the CPUC NEM Rulemaking Body, under R20-08-020, with an urgent plea for
9 immediate regulatory intervention. Our request is twofold: firstly, for a temporary reversion to
10 Net Energy Metering (NEM) 2.0 or NEM 1.0 for Los Angeles County, and secondly, for the
11 establishment of a task force to address and rectify the blockade that stands in stark contradiction
12 to California’s clean energy laws and objectives.

13 **The Need for Immediate Reversion to NEM 2.0 or NEM 1.0**

14 The CPUC’s implementation of NEM 3.0 was predicated on the assumption of
15 widespread consumer adoption of solar battery systems, a cornerstone for advancing the state’s
16 renewable energy goals. However, the LACoFD’s Solar Battery Blockade creates
17 insurmountable barriers to this adoption, directly impacting the foundational premises of NEM
18 3.0 and hindering progress towards our shared energy and environmental objectives.

19 **Quote from Proposed Decision R.20-08-020 ALJ/KHY/nd3:**

20 The high differential electrification retail import rates in combination with the variable retail
21 export compensation rates provided by the Avoided Cost Calculator send strong price signals to

22 customers to shift their use of energy from the grid to mid-day and export electricity during the evening
23 hours, which promotes the installation of storage with the solar systems. These price signals also benefit
24 customers who electrify their vehicles, home devices, and appliances. The changes will improve the
25 reliability of electricity in California and reduce greenhouse gas emissions.

26 To ensure the sustainable growth of customer-sited renewable distributed generation, the
27 successor tariff provides a glide path in the form of an adder based on the values in the Avoided Cost
28 Calculator. The glide path allows for a transition period for the solar industry to adapt to a solar paired
29 with storage marketplace.

30 This decision also adopts revisions that offer customers in low-income households more access
31 to distributed generation systems, including solar systems paired with storage. To improve such
32 opportunities, this decision provides a glide path with a higher adder to ensure eligible customers
33 achieve the same nine-year payback target for stand-alone solar systems that all other residential
34 customers receive. To ensure affordability of the successor tariff and equity among all customers, this
35 decision directs an evaluation of these elements preceded by a three-year data collection period.
36 Affordability is front and center in this proceeding, given the finding that a significant and growing cost
37 shift exists in the previous tariff and, to a lesser extent, remains in the adopted successor tariff. This cost
38 shift is created by the ability of distributed generation customers to avoid fixed costs, including grid
39 costs and public purpose program costs, which then become the responsibility of non-participating
40 ratepayers, including low-income customers. The successor tariff adopted in this decision is designed to
41 compensate customers for the value of their exports to the grid based on the Avoided Cost Calculator.
42 This improved valuation will significantly reduce the cost shift and improve affordability for
43 nonparticipating ratepayers, particularly low-income ratepayers. Additionally, the Commission has
44 initiated a rulemaking (Rulemaking 22-07-005, the Rulemaking to Advance Demand Flexibility Through
45 Electric Rates) to broadly restructure the way fixed costs are collected, moving from volumetric charges

46 to -4 R.20-08-020 ALJ/KHY/nd3 PROPOSED DECISION (Rev.1) an income-graduated fixed charge on all
47 residential customers. This fixed charge will further reduce cost shifts through an equitable approach to
48 the distribution of electric costs. Finally, eligible customers of the successor tariff will have the
49 opportunity to take advantage of new funding for up-front incentive payments for solar paired with
50 storage systems and stand-alone storage. This funding allows the Commission to offer a total of \$900
51 million, with \$630 million set aside for low-income customers, to reduce the cost of these systems. This
52 funding will provide the financial means for eligible customers to access these systems while further
53 supporting the sustainable growth of customer-sited renewable generation.

54 **End Quote from Proposed Decision R.20-08-020 ALJ/KHY/nd3**

55 As the above quote from Proposed Decision R.20-08-020 ALJ/KHY/nd3 elucidates,
56 NEM 3.0 is predicated on the adoption of solar systems paired with storage, leveraging price
57 signals to encourage the shift from grid energy consumption to more efficient, renewable
58 sources, particularly during peak hours. This framework significantly relies on the integration of
59 storage systems to improve California's electricity reliability and reduce greenhouse gas
60 emissions. The decision meticulously outlines a transition strategy for the solar industry towards
61 a storage-paired marketplace, offering specific incentives and glide paths to support this shift,
62 particularly for low-income households.

63 However, the current blockade imposed by the LACoFD on solar battery installations
64 directly undermines the foundational premises of NEM 3.0, stalling the intended transition
65 towards a solar plus storage ecosystem. This blockade not only hampers the state's
66 environmental goals but also exacerbates the inequity among ratepayers, particularly affecting
67 those in low-income communities who stand to benefit most from the transition. The blockade,
68 by impeding the deployment of storage systems, inadvertently maintains a higher reliance on
69 grid energy, negating the intended cost shifts and efficiency gains envisioned by NEM 3.0.

70 Given these circumstances, it is imperative to argue for an emergency reversion to NEM
71 2.0 or NEM 1.0 for ratepayers impacted by the AHJ Solar Battery Blockade. Such a reversion
72 would serve as a provisional measure to safeguard the interests of consumers and ensure
73 equitable access to renewable energy benefits during this blockade. This action is within the
74 legal authority of the CPUC, as delineated in its Rules of Practice and Procedure regarding
75 emergency actions. Reverting to earlier NEM versions would temporarily alleviate the barriers to
76 achieving California's clean energy goals, ensuring that the solar industry and ratepayers are not
77 unduly penalized for circumstances beyond their control. This measure would underscore the
78 CPUC's commitment to equity, sustainability, and the proactive management of the state's
79 energy infrastructure in alignment with legislative mandates and environmental objectives.

80 The blockade, through its imposition of restrictive and unjustified permitting
81 requirements, not only contradicts the spirit and letter of state laws such as SB 100 and SB 379
82 but also places Los Angeles County in a position of egregious non-compliance. This not only
83 affects the deployment of solar battery systems but also destabilizes the market conditions
84 anticipated by the transition to NEM 3.0, thus warranting an emergency reversion to NEM 2.0 or
85 NEM 1.0. This reversion would serve as an interim measure to maintain the integrity of the
86 state's renewable energy efforts while comprehensive solutions are sought.

87 **NEM 3.0 has been a disaster**, but the LACoFD Solar Battery Blockade made it worse
88 by stopping adoption 100%. The "Lobby Day 2024 Flyers" (Appendix A) document highlights
89 the dire need for accelerated solar energy growth in California, emphasizing the state's shortfall
90 in meeting its clean energy and decarbonization goals. It points out the substantial increase in
91 electricity demand due to electrification and population growth, contrasting this with the
92 inadequate pace of solar energy development under current policies, specifically under "NEM 3."

93 The document reports an 87% decline in new residential solar system sales and a 50% decline in
94 battery sales since the initiation of Net Billing ("NEM 3"), marking a significant setback for
95 California's 100% clean energy ambitions. This decline is attributed to the CPUC's policies,
96 which have been criticized for hindering the solar industry, leading to job losses, making clean
97 energy less accessible, especially in growing middle and working-class markets, and failing to
98 ensure robust growth in battery storage. This evidence can strengthen the argument for reverting
99 to NEM 2.0 or NEM 1.0, highlighting the adverse effects of NEM 3.0 on California's solar and
100 storage market and its broader clean energy goals.

101 That is before the LACoFD Solar Battery Blockade with negate NEM 3.0 founding
102 principle, namely ratepayer owned storage adoption.

103 **Launch of a New Task Force**

104 Furthermore, the complexity and persistence of the issues presented by the Solar Battery
105 Blockade necessitate the formation of a specialized task force. This body should be charged with
106 conducting a thorough examination of the blockade's origins, its impact on compliance with state
107 laws, and the broader effects on the adoption of solar battery systems in Los Angeles County.
108 The task force should comprise representatives from the CPUC, local government, industry
109 stakeholders, consumer advocacy groups, and legal experts, ensuring a multidisciplinary
110 approach to resolving the blockade.

111 **Conclusion**

112 The situation at hand is not merely a local issue but a significant impediment to
113 California's clean energy future. The actions of the LACoFD, if left unaddressed, threaten to
114 undermine the state's leadership in renewable energy and environmental stewardship. Therefore,
115 we implore the CPUC to take decisive action by reverting to NEM 2.0 or NEM 1.0 as an

116 immediate measure and by initiating a task force dedicated to resolving the Solar Battery
117 Blockade.

118 We stand ready to support the CPUC in these efforts, committed to overcoming the
119 current challenges and ensuring that Los Angeles County, and indeed all of California, can
120 continue to advance towards a sustainable and resilient energy future.

121

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149 **I. INTRODUCTION**

150 **Urgent Request for Reversion to NEM 2.0 or NEM 1.0 Due to the LACoFD Solar Battery**
151 **Blockade**

152 As President of ABC Solar Incorporated, a committed advocate for renewable energy in
153 California, I am reaching out to underscore the critical situation that has arisen due to the Solar
154 Battery Blockade enforced by the Los Angeles County Fire Department (LACoFD). This
155 blockade is not only a significant impediment to our state's clean energy ambitions but also
156 places undue hardship on ratepayers, the solar industry, and stakeholders deeply invested in
157 California's renewable future.

158 The blockade, characterized by its restrictive and, in many instances, unjustified
159 permitting requirements, starkly contradicts California's legislative directives, particularly SB
160 100 and SB 379. These laws were designed to facilitate the transition to renewable energy,
161 emphasizing the importance of solar battery systems in achieving our state's environmental and
162 energy goals. Unfortunately, the blockade severely hampers these efforts, leading to delays,
163 increased costs, and stifled innovation in the solar sector.

164 Given these circumstances, we respectfully request the CPUC's immediate intervention,
165 specifically advocating for a temporary reversion to Net Energy Metering (NEM) 2.0 or NEM
166 1.0 for ratepayers within Los Angeles County. This reversion is a necessary interim measure to
167 alleviate the blockade's detrimental effects and sustain the momentum towards our shared
168 renewable energy targets.

169 Moreover, we propose the establishment of a task force dedicated to addressing and
170 resolving the issues presented by the Solar Battery Blockade. This task force should include
171 representatives from the CPUC, local government, the solar industry, consumer advocacy

172 groups, and other relevant stakeholders. Its primary goal would be to ensure a collaborative
173 approach to reinstating a regulatory environment conducive to the rapid deployment of solar
174 technologies, in alignment with California's clean energy laws and objectives.

175 The need for immediate action cannot be overstated. The LACoFD's blockade directly
176 undermines the foundational premises of NEM 3.0, which assumes widespread consumer
177 adoption of solar battery systems. By reverting to NEM 2.0 or NEM 1.0, we can provide
178 immediate relief to affected parties while working towards a permanent resolution that aligns
179 with state mandates and the public interest.

180 We are at a pivotal moment in our pursuit of a sustainable energy future for California.
181 The decisions made by the CPUC in response to this situation will have lasting impacts on our
182 ability to meet our clean energy goals, protect the interests of ratepayers, and maintain
183 California's leadership in renewable energy and environmental stewardship.

184 I urge you to consider this motion with the gravity and urgency it demands. Together, we
185 can navigate this challenge and emerge stronger, ensuring that Los Angeles County, and indeed
186 all of California, continues to advance towards a sustainable, resilient, and clean energy future.

187 Thank you for your attention to this critical matter. We stand ready to assist in any
188 capacity to facilitate a swift and effective resolution.

189

190 **II. BACKGROUND**

191 The legislative framework underpinning California's clean energy transition is defined by
192 ambitious goals aimed at reducing carbon emissions and promoting renewable energy sources.

193 Central to this framework are Senate Bill 100 (SB100) and Senate Bill 379 (SB379), which
194 together establish a foundation for California's renewable energy policy and implementation
195 strategies.

196 **Senate Bill 100 (SB100) Objectives:**

197 Sets a landmark goal for California to achieve 100% renewable energy and zero-carbon
198 electricity by 2045.

199 Focuses on accelerating the state's transition towards renewable energy sources, including
200 solar power.

201 **Senate Bill 379 (SB379) - Real-Time Permitting Mandates:**

202 Enacted to streamline the permitting process for residential solar and solar-paired energy
203 storage systems.

204 Mandates local jurisdictions, including fire departments, to adopt real-time, automated
205 permitting processes, facilitating quicker and more efficient installations of solar energy systems.

206 Aims to remove bureaucratic hurdles and support the rapid deployment of solar
207 technologies to meet California's renewable energy goals.

208 **Contradiction with SB379 Goals:**

209 The Solar Battery Blockade, enforced by the LACoFD, directly contradicts the mandates
210 of SB379 by imposing restrictive and cumbersome permitting processes for solar battery
211 installations.

212 This blockade not only delays the adoption of solar energy systems but also places Los
213 Angeles County in a precarious position of non-compliance with state laws designed to promote
214 clean energy.

215 **Summary of Actions Taken by Bradley Bartz:**

216 **FOIA Requests:**

217 **Purpose:** To uncover details about the implementation and oversight of SB1, which initiated the
218 CEC Solar Equipment List, and to assess the legality and rationale of the LACoFD's blockade in
219 the context of SB379's real-time permitting requirements.

220 **Objective:** To demonstrate the impact of the blockade on ABC Solar's operations and the
221 broader solar industry, and to highlight the potential financial and legal repercussions for Los
222 Angeles County.

223 **Notice of Tort Claim Filed Against Los Angeles County:**

224 **Objective:** To challenge the Solar Battery Blockade's legality, citing significant financial and
225 emotional harm to ABC Solar and its stakeholders, and to compel compliance with SB379's real-
226 time permitting mandates.

227 These actions underscore a critical standoff between ABC Solar's pursuit of renewable
228 energy integration and the regulatory barriers imposed by local authorities. The blockade not
229 only hampers progress towards California's clean energy targets but also exposes Los Angeles
230 County to potential legal and financial liabilities due to its deviation from state mandates.

231 Continuing with the detailed background section focusing on SB 379's mandate for real-
232 time permits and how the LACoFD's actions constitute a significant deviation from compliance:

233

234

235 **Senate Bill 379 (SB 379) Specifics:**

236 Enacted to streamline the solar permitting process, SB 379 mandates local governments
237 and authorities to adopt an expedited, streamlined permitting process for small residential
238 rooftop solar energy systems.

239 A key component of SB 379 is the requirement for real-time, or near real-time, permitting
240 to facilitate quicker adoption and installation of solar energy systems.

241 **LACoFD's Deviation from SB 379:**

242 Despite the clear mandates of SB 379, the LACoFD has imposed regulations and
243 practices that significantly delay the permitting process for solar battery systems, thereby
244 violating the statute's intent for streamlined and expedited permitting.

245 This deviation not only hampers the growth of renewable energy within the county but
246 also puts Los Angeles County in a precarious position, being out of compliance with state law.

247 **Chief Stillwagon's Role:**

248 It's evident that Chief Stillwagon's actions, including the resistance to following UL
249 certifications and CEC guidelines, represent a direct challenge to the authority and directives
250 established by state legislation.

251 The implication is that these actions are not supported by sufficient resources or
252 justification, exacerbating the issue, and leading to unnecessary conflict and harm.

253 **Impact of FOIA Requests Filed by Bartz:**

254 **Details of Request:** Seeking information related to the budgets, structures, operations, and
255 specific details of SB1, which initiated the CEC Solar Equipment List.

256 **Objective:** To highlight the financial and operational ramifications of supporting Chief
257 Stillwagon's actions against the backdrop of state compliance requirements.

258 **Outcome Anticipated:** Remind the Los Angeles County Board of Supervisors of the potential
259 financial and reputational risks associated with backing an out-of-compliance stance that
260 jeopardizes the county's alignment with state renewable energy goals.

261 **Call to Action:** The situation necessitates a reconsideration of the LACoFD's current stance and
262 an alignment with SB 379's requirements.

263 Urges the Los Angeles County Board of Supervisors to intervene and correct the course
264 to prevent further financial and emotional harm to stakeholders and ensure compliance with state
265 laws.

266 This section underscores the gravity of the Solar Battery Blockade's implications,
267 emphasizing the legal, financial, and emotional toll on ABC Solar, the renewable energy
268 industry, and Los Angeles County's alignment with California's clean energy ambitions. The
269 detailed exposition of actions taken by Bartz, particularly the strategic use of FOIA requests,
270 serves as a testament to the commitment to advocating for regulatory clarity and operational
271 efficiency in the face of significant obstacles.

272

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277 **III. Argument for Reversion**

278 The Solar Battery Blockade, as enforced by the Los Angeles County Fire Department
279 (LACoFD), presents a series of legal and regulatory contradictions that significantly impact ABC
280 Solar, the broader solar industry, and the alignment of Los Angeles County with California's
281 state mandates. This blockade has ripple effects that extend far beyond the immediate operational
282 challenges faced by one company, hinting at a systemic issue that threatens the state's clean
283 energy objectives.

284 **A. Legal and Regulatory Contradictions:**

285 **Contradiction with SB 379:** The blockade stands in direct opposition to the mandates of SB
286 379, which requires real-time permitting for solar installations. This statute was designed to
287 streamline the adoption of solar energy by simplifying and expediting the permitting process,
288 thereby supporting California's ambitious goal of achieving 100% renewable energy and zero-
289 carbon electricity by 2045 as outlined in SB 100. The blockade, by introducing unnecessary
290 delays and bureaucratic hurdles, effectively undermines these efforts, creating a significant
291 barrier to the deployment of solar energy solutions.

292 **Deviation from State Law:** Chief Stillwagon's actions, notably his reluctance to align with
293 UL certifications and the California Energy Commission's (CEC) established equipment lists,
294 represent a clear departure from state law. This stance not only jeopardizes the legal and
295 financial standing of Los Angeles County but also poses a challenge to the state's unified
296 approach to clean energy adoption. The refusal to recognize established safety standards and to
297 comply with the equipment lists endorsed by the CEC raises questions about the rationale and
298 authority behind such decisions.

299

300 **Impact on ABC Solar and the Industry:** The blockade's implications extend to ABC
301 Solar's operations, affecting its ability to contribute to LA County's renewable energy goals. The
302 restrictions have led to project delays, financial losses, and operational inefficiencies, mirroring
303 the broader challenges faced by the solar industry within the county. This situation has sparked a
304 need for advocacy and legal action, including FOIA requests aimed at uncovering the blockade's
305 compliance with state mandates and a Notice of Tort Claim to challenge the blockade's legality.

306 **Call for Regulatory Alignment:** The ongoing situation underscores the urgent need for
307 regulatory alignment with state laws. It highlights the importance of a collaborative approach
308 involving state regulatory bodies, local authorities, and industry stakeholders to address the
309 blockade's challenges. This includes revisiting and potentially revising local regulations to
310 ensure they facilitate rather than hinder the adoption of solar energy, in line with California's
311 clean energy ambitions.

312 The Solar Battery Blockade, as it stands, represents a critical juncture for renewable
313 energy policy and implementation in Los Angeles County. Addressing the legal and regulatory
314 contradictions highlighted by this blockade is essential for moving forward. It requires a
315 concerted effort to ensure that local practices align with state mandates, supporting the transition
316 to a sustainable and clean energy future for California.

317

318 **IV. DETAILED ANALYSIS**

319 **Operational and Financial Impact on ABC Solar and the Industry:**

320 The Solar Battery Blockade enforced by the LACoFD has precipitated a host of
321 operational and financial challenges for ABC Solar, severely hampering its ability to conduct
322 business as usual. These challenges are not isolated; they reflect a broader industry-wide struggle
323 that undermines the growth and sustainability of the solar sector in Los Angeles County.

324

325 **Project Delays:** ABC Solar has encountered significant delays in project execution, a
326 direct result of the blockade's stringent and, at times, unclear regulatory requirements. Projects
327 that were once on a clear path to completion now face indefinite postponements, disrupting
328 schedules and undermining client trust.

329 **Financial Losses:** The financial repercussions for ABC Solar due to halted installations
330 are substantial. Each delayed project represents not only lost revenue but also increased costs
331 related to prolonged project management, administrative overheads, and opportunity costs. These
332 losses have a cascading effect, impacting the company's ability to invest in new technologies,
333 hire additional staff, and expand operations.

334 **Impact on Industry Growth:** The blockade's restrictive nature has created a chilling
335 effect on the regional solar industry's growth. At a time when renewable energy adoption is
336 critical for environmental and economic reasons, the blockade serves as a significant deterrent to
337 potential investors, entrepreneurs, and customers interested in solar energy solutions.

338 **Cumulative Financial Impact:** The broader implications for the solar industry are
339 evidenced by real-world examples from ABC Solar and anecdotal evidence from affected
340 competitors. There's a pattern of harm, with multiple entities within the industry reporting similar

341 experiences of project delays, financial losses, and regulatory challenges. This collective
342 experience underscores the blockade's detrimental impact on the industry's financial health and
343 its ability to contribute to California's clean energy goals.

344 The operational and financial impacts of the Solar Battery Blockade on ABC Solar and
345 the wider solar industry in Los Angeles County are profound. Addressing these challenges
346 requires a concerted effort from regulatory bodies, industry stakeholders, and policymakers to
347 ensure that the region can fully capitalize on the benefits of solar energy, aligned with
348 California's broader objectives for a sustainable and prosperous energy future.

349 **B. Chief Stillwagon's Authority and Actions: A Coup de Tat?**

350 The actions taken by Chief Stillwagon in the implementation of the Solar Battery
351 Blockade have raised significant concerns regarding the potential overreach of authority. This
352 segment explores the notion that these actions could be construed as a coup de tat against
353 established safety standards set by Underwriters Laboratories (UL) and guidelines provided by
354 the California Energy Commission (CEC), raising questions about the motivations and
355 implications behind such moves.

356 **Overreach of Authority:** Chief Stillwagon's directives concerning the Solar Battery
357 Blockade, notably the deviation from UL certifications and the CEC's equipment lists, suggest a
358 unilateral decision-making process that appears to sidestep established regulatory frameworks
359 and industry standards. This approach challenges the normative procedures for regulatory
360 updates and raises concerns about the legitimacy of the authority exercised in enacting the
361 blockade.

362 **Motivations Behind the Blockade:** Delving into the motivations behind Chief
363 Stillwagon's actions invites a broader analysis of potential influences, including:

364 **Safety Concerns:** It's conceivable that an earnest concern for public safety, especially
365 regarding the risks associated with energy storage systems, might drive the insistence on
366 stringent regulations. However, the alignment of these concerns with the blockade's specific
367 measures warrants scrutiny, particularly when existing standards like UL certifications already
368 address safety comprehensively.

369
370 **External Influences:** The possibility of influence from external parties or vested interests cannot
371 be dismissed. This influence could stem from various sources, including political pressures,
372 industry lobbying, or a misalignment of interests that favors restrictive over progressive
373 regulatory approaches. Such influences call into question the impartiality and objectivity of the
374 blockade's implementation.

375 **Lack of Resources and Justification:** The apparent scarcity of resources and justification
376 for the drastic measures introduced by the blockade suggests a mismatch between the purported
377 goals and the means employed to achieve them. This discrepancy highlights the need for a
378 transparent, evidence-based approach to regulation that considers the broader implications for the
379 solar industry and the state's clean energy objectives.

380 **Necessity for Transparency and Accountability:** The scenario underscores the critical
381 need for transparency in the decision-making process and accountability for the consequences of
382 regulatory actions. Establishing clear channels for stakeholder engagement, providing access to
383 the rationale behind regulatory changes, and implementing mechanisms for review and appeal
384 are essential steps toward ensuring that regulatory practices serve the public interest and
385 facilitate, rather than hinder, the adoption of renewable energy.

386 In summary, the exploration of Chief Stillwagon's authority and actions in the context of
387 the Solar Battery Blockade reveals a complex interplay of regulatory power, safety
388 considerations, and potential external influences. Addressing these issues necessitates a return to
389 principles of transparency, accountability, and alignment with established safety standards and
390 state mandates for renewable energy.

391 **C. SB 379 and the Imperative for Compliance:**

392 Senate Bill 379 (SB 379), part of California's comprehensive legislative framework to
393 accelerate the adoption of renewable energy technologies, plays a pivotal role in this mission
394 through its mandate for streamlined permitting processes for solar installations. SB 379 was
395 designed with the explicit goal of reducing barriers to solar energy adoption, recognizing that
396 bureaucratic delays and complex permitting processes could significantly impede the state's
397 progress towards its ambitious renewable energy targets as outlined in SB 100.

398 **The imperatives of SB 379 are clear:**

399 Streamlined Permitting Processes: SB 379 mandates local authorities, including the Los
400 Angeles County Fire Department (LACoFD), to adopt and implement expedited permitting
401 processes for residential solar systems. This legislation acknowledges the critical need for
402 efficiency in the approval of solar installations to foster a more rapid transition to renewable
403 energy sources.

404 **Legal Obligation for Local Authorities:**

405 Compliance with SB 379 is not merely a recommendation but a legal obligation for local
406 governments and their respective departments. This statute was enacted to ensure uniformity
407 across California in the adoption of solar energy, eliminating local bottlenecks and
408 inconsistencies that could derail the state's clean energy goals.

409 **Urgency for Los Angeles County Alignment:**

410 The actions taken by the LACoFD, as part of the Solar Battery Blockade, directly
411 contradict the mandates of SB 379 by introducing additional hurdles and delays in the permitting
412 process. The urgency for Los Angeles County to realign its practices with SB 379, and by
413 extension with California's overarching clean energy legislation, cannot be overstated. Failure to
414 do so not only undermines state law but also exposes the county to potential legal and financial
415 repercussions.

416 The role of SB 379 in facilitating the adoption of solar technologies through streamlined
417 permitting processes is foundational to California's renewable energy strategy. The blockade
418 currently enforced by the LACoFD not only hampers this strategy but places the department and
419 Los Angeles County in a precarious position of being out of compliance with state law. It is
420 imperative for the integrity of California's renewable energy initiatives and for the protection of
421 the legal and financial interests of local authorities and their constituents that Los Angeles
422 County promptly aligns its practices with SB 379. This alignment is crucial for continuing the
423 state's progress towards a sustainable, clean energy future and for avoiding unnecessary legal
424 challenges and financial liabilities that non-compliance may incur.

425

426 **V. Proposed Solutions for Regulatory Alignment:**

427 In addressing the Solar Battery Blockade and realigning regulatory practices with state
428 mandates for solar energy deployment, it's imperative that decisive, concrete actions are taken.
429 Our advocacy for change is both diligent and forceful, underscoring the urgent need for systemic
430 adjustments to facilitate rather than hinder progress towards California's clean energy future.
431 Here are the proposed solutions for immediate consideration and action:

432 **Immediate Cessation of Restrictive Practices:**

433 The LACoFD must immediately halt the enforcement of the Solar Battery Blockade. This
434 means discontinuing the requirement for a 3-foot spacing between battery modules within a
435 single energy storage system that contradicts established safety standards and practical
436 engineering principles.

437 **Adoption of State-Approved Equipment Lists and Standards:**

438 Align with the California Energy Commission (CEC)'s established equipment lists and
439 recognize Underwriters Laboratories (UL) certifications. This alignment ensures that the
440 equipment used in solar energy systems meets rigorous safety and performance standards,
441 facilitating the adoption of solar technologies while maintaining public safety.

442 **Implementation of Real-Time Permitting as Mandated by SB 379:**

443 LACoFD and Los Angeles County must adopt real-time or near real-time permitting
444 processes for solar installations. This change is crucial to comply with SB 379, designed to
445 streamline the permitting process and remove unnecessary barriers to solar adoption.

446 Collaborative Review and Revision of Guidelines:

447 A collaborative approach involving key stakeholders—ABC Solar, LACoFD, the CEC,
448 and other relevant parties—is essential to review and revise current guidelines. This
449 collaboration should aim to:

450 Evaluate the current regulatory framework and identify areas of misalignment with state
451 mandates.

452 Develop clear, practical, and standardized guidelines that support the safe and efficient
453 deployment of solar energy solutions.

454 Ensure that revised guidelines facilitate the adoption of solar technologies in alignment
455 with California's renewable energy goals.

456 **Establishment of a Stakeholder Working Group:**

457 Form a working group comprising representatives from the solar industry, regulatory
458 bodies, safety experts, and consumer advocates. This group's mandate would be to oversee the
459 implementation of the proposed solutions, monitor compliance, and ensure that the regulatory
460 environment adapts to technological advancements and market needs.

461 **Public Reporting and Accountability Measures:**

462 Implement mechanisms for public reporting on the progress of regulatory alignment
463 efforts and the impact on solar energy deployment. Transparency and accountability measures
464 should be put in place to build trust among stakeholders and ensure that regulatory practices are
465 in the public interest.

466 These proposed solutions represent a forceful call to action, demanding an immediate and
467 concerted effort to dismantle barriers to solar energy adoption. By aligning regulatory practices
468 with state mandates, we can unlock the full potential of solar energy in Los Angeles County and
469 contribute significantly to California's ambitious clean energy future.

470 **VI. The Role of Advocacy and Legal Action:**

471 The journey ABC Solar, led by Bradley Bartz, has embarked upon in challenging the
472 Solar Battery Blockade through advocacy and legal actions serves as a testament to the power of
473 individual and corporate resolve in the face of regulatory adversity. This path has not only
474 highlighted the crucial role of transparency, accountability, and adherence to legal standards but
475 also underscored the personal sacrifices and broader implications for the renewable energy sector
476 in California.

477 **Strategic Use of FOIA Requests and Notice of Tort Claim:**

478 The decision to leverage Freedom of Information Act (FOIA) requests was a strategic
479 move aimed at uncovering the underlying rationale and legality of the LACoFD's Solar Battery
480 Blockade. This effort seeks to compel a level of transparency and accountability often obscured
481 in bureaucratic processes.

482 Filing a Notice of Tort Claim further escalates the matter by legally challenging the
483 blockade's validity and enforcing the rights of ABC Solar under California law. This action not
484 only underscores the seriousness of the blockade's impact on ABC Solar but also signals to other
485 stakeholders the importance of standing firm in legal rights and industry standards.

486 **Personal Harm to Bradley Bartz, ABC Solar, Employees and Clients:**

487 The advocacy and legal battles spearheaded by Bartz have not come without personal
488 cost. Facing potential backlash, navigating legal complexities, and shouldering the financial
489 burden of these actions exemplify the sacrifice made in the interest of a greater good. Despite
490 these challenges, Bartz's commitment to the cause has garnered "secret" thanks from industry
491 stakeholders, who recognize the importance of his fight for the broader solar industry but are
492 themselves wary of direct confrontation.

493 **Broader Implications for the Renewable Energy Sector:**

494 The advocacy efforts transcend the interests of ABC Solar, echoing throughout the
495 renewable energy sector in California. By challenging regulatory barriers and advocating for
496 compliance with state mandates, these actions help safeguard the interests of the entire industry.
497 They underscore the importance of legal mechanisms in resolving disputes, ensuring regulatory
498 clarity, and advancing the state's energy goals.

499 The outcome of this advocacy will likely influence regulatory practices, potentially
500 easing the path for future solar installations and contributing to California's renewable energy
501 ambitions. It sets a precedent for how legal challenges and advocacy can be employed to
502 navigate regulatory hurdles and advance the collective interests of the renewable energy sector.

503 By dissecting the role of advocacy and legal action in the fight against the Solar Battery
504 Blockade, this motion aims to present a comprehensive argument for regulatory clarity,
505 operational efficiency, and alignment with California's renewable energy mandates. The ultimate
506 goal remains clear: to dismantle unnecessary barriers to solar adoption, ensuring a sustainable
507 and prosperous future for Los Angeles County and reinforcing the importance of individual and
508 corporate advocacy in shaping the energy landscape.

509 **G. Impact of Blockade on Los Angeles County's Clean Energy Goals:**

510 The Solar Battery Blockade in Los Angeles County unfolds as a significant narrative, a
511 blend of political ambition and the harsh reality of bureaucratic entanglements. This situation
512 presents a stark contrast between the aspirational goals set forth by legislation such as Senate Bill
513 100 (SB 100) and the tangible obstacles imposed by red-tape tautologies. Here, we delve into
514 this dichotomy, examining the broader implications for the county's clean energy objectives.

515 **Between Fantasy and Reality:**

516 The political statements supporting SB 100 and other related legislation paint a visionary
517 picture of California's future — one where 100% renewable energy powers our homes,
518 businesses, and vehicles by 2045. This ambition, while commendable, encounters the reality of
519 regulatory challenges, such as the Solar Battery Blockade, which serves as a cautionary tale of
520 good intentions meeting the quagmire of execution.

521 The blockade's restrictive measures on solar battery system installations exemplify a red-
522 tape tautology that directly conflicts with the state's clean energy and carbon reduction goals.
523 Rather than facilitating the transition to renewable energy, these regulations inadvertently create
524 barriers, slowing progress and fostering frustration among stakeholders.

525 Implications for Clean Energy Goals:

526 The blockade undermines Los Angeles County's ability to effectively contribute to
527 California's statewide efforts to combat climate change. By hampering the deployment of solar
528 battery systems, it restricts the region's capacity to reduce carbon emissions, a critical component
529 of the state's environmental strategy.

530 Solar battery systems play a crucial role in enhancing grid stability and resilience,
531 especially in an era marked by increasing climate-related challenges such as wildfires,
532 heatwaves, and droughts. These systems provide essential energy storage capabilities, enabling
533 the integration of intermittent renewable resources like solar and wind, and ensuring a stable
534 electricity supply during peak demand periods or grid disruptions.

535 **Undermining Critical Infrastructure Improvements:**

536 The Solar Battery Blockade not only impedes the adoption of renewable energy
537 technologies but also compromises efforts to modernize and improve the resilience of

538 California's electrical grid. At a time when the state faces unprecedented environmental
539 challenges, fostering a robust, resilient, and clean energy infrastructure should be a top priority.

540 The blockade's effect on delaying or halting solar battery system installations represents a
541 missed opportunity for Los Angeles County to contribute to grid modernization efforts. These
542 systems are vital for ensuring that renewable energy can reliably meet the demands of the
543 community, particularly during extreme weather events or other conditions that strain the grid.

544 In conclusion, the juxtaposition of political aspirations for a renewable energy future
545 against the reality of regulatory hurdles like the Solar Battery Blockade highlights a critical gap
546 that needs bridging. For Los Angeles County, and indeed for California as a whole, to achieve its
547 ambitious clean energy goals, a concerted effort is required to remove unnecessary barriers to
548 solar adoption. This includes reevaluating restrictive practices, aligning regulatory frameworks
549 with state mandates, and embracing the potential of solar battery systems to enhance grid
550 stability and resilience. Only then can the fantasy of a fully renewable-powered state become a
551 tangible reality.

552 **H. Community and Consumer Impact:**

553 The Solar Battery Blockade in Los Angeles County not only disrupts the operational
554 landscape for solar vendors like ABC Solar but also significantly affects the broader community
555 of residents and businesses. The blockade's ripple effects extend deep into the fabric of society,
556 manifesting in various adverse consequences:

557 **Increased Costs and Delayed Access:** For residents and businesses eager to transition to
558 renewable energy, the blockade represents a major roadblock. It leads to increased costs
559 associated with delayed installations and, in some cases, forces consumers to rely on more
560 expensive and less environmentally friendly energy sources. The delay in accessing renewable

561 energy solutions not only impacts financial planning but also hinders efforts to reduce carbon
562 footprints.

563 **Stifling Innovation:** At a time when clean technology sectors are burgeoning with
564 innovation, regulatory hurdles like the Solar Battery Blockade can significantly dampen
565 progress. Entrepreneurs and startups, often at the forefront of developing new energy solutions,
566 may find themselves mired in red tape, unable to bring their innovations to market. This stifling
567 effect could deter investment in clean tech, slow down technological advancements, and
568 ultimately keep groundbreaking solutions out of reach for consumers and businesses.

569 **Emotional and Financial Stress:** Behind every permit application caught in the
570 blockade's web is a story of emotional and financial strain. Homeowners who envisioned a
571 sustainable future powered by solar energy are met with frustration and disillusionment.
572 Businesses looking to reduce operational costs and contribute to environmental sustainability
573 face hurdles that threaten their viability. The stress of navigating an uncertain regulatory
574 landscape, coupled with the financial implications of delayed projects, underscores the human
575 element of this impasse.

576 **Blame on Solar Vendors:** Amidst this turmoil, it's often the solar vendors who bear the
577 brunt of consumer frustration. Despite their best efforts to navigate the complex regulatory
578 environment, vendors like ABC Solar find themselves in the unenviable position of explaining
579 delays and increased costs to their clients. This scenario not only strains vendor-client
580 relationships but also unfairly tarnishes the reputation of solar businesses, casting a shadow over
581 their commitment to advancing renewable energy.

582 The community and consumer impact of the Solar Battery Blockade paints a picture of
583 thwarted ambitions, unmet potential, and tangible hardship. It's a stark reminder of the need for

584 regulatory frameworks that support rather than hinder the transition to renewable energy. For Los
585 Angeles County to truly embrace its clean energy future, it's imperative that obstacles like the
586 blockade are dismantled, allowing residents, businesses, and innovators to thrive in a sustainable,
587 forward-looking society.

588 **I. Legal Precedents and the Role of Judicial Intervention:**

589 In addressing the complexities of the Solar Battery Blockade as enforced by the Los
590 Angeles County Fire Department (LACoFD), it becomes essential to explore the role of judicial
591 intervention and relevant legal precedents. Such examination is not only critical for
592 understanding the legal landscape but also for guiding the resolution of this impasse in a manner
593 that aligns with state mandates and the broader public interest. This exploration is presented with
594 the utmost professionalism, bearing in mind the importance of these issues to the CPUC
595 Commissioners and their pivotal role in shaping California's energy future.

596 **A. Exploration of Legal Precedents:**

597 The judicial system has a rich history of addressing cases where regulatory actions have
598 potentially overstepped legal bounds or conflicted with legislative mandates. Relevant legal
599 precedents include instances where:

600 Regulatory bodies' interpretations of statutes have been challenged for not adhering to the
601 legislative intent.

602 Judicial rulings have clarified the scope of regulatory authority, particularly where it
603 intersects with state or federal mandates promoting renewable energy and environmental
604 sustainability.

605 These cases serve as valuable references for understanding the balance between regulatory
606 oversight and adherence to overarching legislative goals. They underscore the judiciary's role in

607 ensuring that regulatory practices do not inadvertently hinder policy objectives aimed at
608 promoting renewable energy adoption and environmental protection.

609 **B. Judicial Intervention as a Mechanism for Resolution:**

610 The potential for judicial intervention in the current situation presents a pathway to rectify
611 discrepancies between LACoFD's actions and California's renewable energy mandates. Such
612 intervention could take the form of:

613 A judicial review to assess the legality and reasonableness of the Solar Battery Blockade
614 against the backdrop of state laws such as SB 379 and SB 100.

615

616 Orders or injunctions that compel regulatory alignment with state mandates, thereby
617 facilitating the intended streamlined adoption of solar technologies.

618 Judicial intervention would not only address the immediate concerns raised by the blockade
619 but also set a precedent for the proper interpretation and application of laws designed to
620 accelerate California's transition to renewable energy.

621 **C. Aligning Regulatory Actions with State Mandates and Public Interest:**

622 The resolution of the blockade through legal means emphasizes the importance of regulatory
623 actions being in harmony with state mandates and the public interest. It is a reminder of the
624 critical oversight role that judicial and regulatory bodies play in:

625 Ensuring that regulatory interpretations and implementations are consistent with the
626 objectives of state legislation.

627 Protecting the rights and interests of stakeholders, including consumers, businesses, and the
628 broader community, in the pursuit of a sustainable and clean energy future.

629 In conclusion, the exploration of legal precedents and the potential for judicial intervention
630 highlight a clear path forward. It is one that respects the legal framework, aligns regulatory
631 practices with state energy goals, and ultimately supports California's leadership in renewable
632 energy and environmental stewardship. The CPUC Commissioners, as key stakeholders in this
633 process, have a vital role in overseeing and guiding the resolution of regulatory challenges to
634 ensure they serve the state's long-term interests.

635 D. Bagley-Keene Open Meeting Act

636 In accordance with the CPUC's established Rules of Practice and Procedure, specifically the
637 provisions governing emergency actions, this motion seeks the Commission's exercise of its authority to
638 implement an emergency reversion from NEM 3.0 to NEM 2.0 or NEM 1.0 for ratepayers adversely
639 impacted by the AHJ Solar Battery Blockade. The urgency and exceptional circumstances presented by
640 the blockade justify the invocation of these emergency provisions, enabling the Commission to take
641 immediate action to safeguard the interests of consumers and support California's clean energy goals.

642 The CPUC's Rules of Practice and Procedure provides the legal authority for the
643 commissioners to make an emergency decision. Specifically, the document outlines conditions
644 under which the Commission may consider matters not on the agenda of a meeting, including
645 unforeseen emergency situations as defined by the Bagley-Keene Open Meeting Act. This
646 includes situations where:

- 647 • The Commission determines by majority vote that an unforeseen emergency situation
648 exists.
- 649 • The Commission determines by a two-thirds majority (or unanimously if less than
650 two-thirds of the Commissioners are present) that there is a need to take immediate
651 action that came to the Commission's attention after the agenda for the meeting was
652 issued.

- 653 • Any condition permitted by the Bagley-Keene Open Meeting Act for addressing
654 matters not on the agenda.

655 This framework could provide the necessary legal basis for the CPUC to consider and
656 potentially act on your request for an emergency reversion to NEM 2.0 or NEM 1.0 due to the
657 Solar Battery Blockade, as it outlines the procedural allowances for emergency actions that were
658 not pre-scheduled on the Commission's agenda.

659 **J. Call for a Unified Regulatory Framework:**

660 In light of the challenges posed by the Solar Battery Blockade and the evident need for
661 regulatory harmony across different levels of government, we advocate for the immediate
662 development of a unified regulatory framework. This framework should seamlessly integrate
663 state mandates, such as those outlined in SB 100, with industry standards and local expertise.
664 The goal is to ensure that the permitting process for solar battery installations is not only
665 streamlined but also upholds the highest standards of safety and efficiency.

666 To this end, we propose the establishment of a dedicated working group. This group
667 would be comprised of a diverse array of stakeholders, including:

668 State Regulators: Representatives from the California Public Utilities Commission
669 (CPUC) and the California Energy Commission (CEC), whose insights and authority are crucial
670 for guiding policy and regulatory standards at the state level.

671 Industry Representatives: Members from the solar and energy storage sectors, including
672 both large corporations and smaller businesses, to provide a broad perspective on industry needs,
673 challenges, and best practices.

674 Local Authorities: Officials from the Los Angeles County Fire Department (LACoFD)
675 and other relevant local governmental bodies, to bring in local regulatory perspectives and
676 requirements.

677 Other Stakeholders: This could include consumer advocates, environmental groups, and
678 academic experts in energy policy and technology, to ensure a comprehensive understanding of
679 the implications of regulatory decisions.

680 The mandate of this working group would be to address and reconcile the discrepancies
681 currently observed between state mandates and local regulations affecting solar battery
682 installations. Specifically, it would focus on:

683 Reviewing existing regulations and identifying areas of conflict or inefficiency.

684 Proposing amendments or new regulations that align with California's clean energy goals,
685 particularly the ambitions of SB 100, while maintaining public safety and industry viability.

686 Facilitating dialogue and collaboration between state and local regulatory bodies to
687 ensure that policies are consistently applied and support the state's transition to renewable
688 energy.

689 Given the critical role of the State Fire Marshal in overseeing fire safety standards related
690 to solar battery systems, it is imperative that they are mandated to be an active participant in the
691 SB 100 team. Their involvement is crucial for ensuring that safety considerations are
692 appropriately balanced with the need to promote renewable energy adoption.

693 This call for a unified regulatory framework, backed by a collaborative and inclusive
694 working group, represents a proactive and professional approach to overcoming regulatory
695 hurdles. By fostering collaboration and consensus-building, we can create a regulatory

696 environment that supports California's clean energy transition, ensures public safety, and
697 promotes industry growth.

698 **K. The Necessity of Immediate Action and Long-term Solutions:**

699 The urgency to address the Solar Battery Blockade transcends immediate operational
700 concerns, extending to Los Angeles County's broader commitment to renewable energy and
701 environmental stewardship. Immediate action to revert to NEM 2.0 or NEM 1.0 is essential not
702 just as a remedy but as a strategic incentive for Investor-Owned Utilities (IOUs) to participate
703 actively in dismantling the blockade. This step would signal a collective commitment to
704 facilitating rather than obstructing the county's renewable energy objectives.

705 **Immediate Actions:**

706 **Lifting the Blockade:** Urgent measures must be implemented to remove the restrictive
707 practices currently in place. This action is foundational to restoring the momentum of solar
708 energy adoption in Los Angeles County.

709 **Incentivizing IOU Support:** By reverting to NEM 2.0 or NEM 1.0, a clear message is
710 sent to IOUs about the shared responsibility in promoting solar energy. This move encourages
711 IOUs to align their practices and policies with the state's renewable energy goals, leveraging
712 their significant influence to advocate for regulatory clarity and efficiency.

713 **Long-term Solutions:**

714 **Ongoing Dialogue and Collaboration:** Establishing continuous communication
715 channels among stakeholders, including regulatory bodies, IOUs, solar vendors, and community
716 representatives, ensures that all voices are heard and considered in shaping the future regulatory
717 landscape.

718 **Periodic Review of Regulations:** Implement a systematic approach to reviewing and
719 updating regulations in line with technological advancements and market dynamics. This
720 adaptability is crucial for maintaining a regulatory environment that supports innovation while
721 ensuring safety and reliability.

722 **Dispute Resolution Mechanisms:** Develop efficient and amicable mechanisms for
723 resolving disputes that may arise between stakeholders, minimizing the need for litigation and
724 fostering a cooperative approach to addressing challenges.

725

726

727 **VII. Conclusion: The Path Forward:**

728 As we stand at the crossroads of innovation and regulation, the saga of the Solar Battery
729 Blockade in Los Angeles County not only underscores the challenges faced by the renewable
730 energy sector but also casts a spotlight on the broader implications for California's clean energy
731 ambitions. This detailed exploration of the blockade's multifaceted impact—spanning legal,
732 financial, operational, and societal dimensions—offers a clarion call for immediate action and a
733 strategic vision for the future.

734 **Legal Imperatives:**

735 The legal basis for the California Public Utilities Commission (CPUC) to take emergency
736 action lies in its mandate to ensure the provision of safe, reliable utility service and infrastructure
737 at reasonable rates, with a commitment to environmental stewardship. The blockade contravenes
738 several key legislative frameworks, most notably SB 379, which mandates streamlined
739 permitting processes for solar installations, and SB 100, which sets ambitious renewable energy
740 targets for the state. The CPUC, armed with the authority to oversee and enforce these mandates,
741 is positioned to act decisively in rectifying the regulatory misalignments presented by the
742 blockade.

743 **Financial and Operational Urgency:**

744 The financial strain and operational disruptions borne by ABC Solar and its industry
745 counterparts illuminate the pressing need for regulatory clarity. The delays in project execution
746 and the financial losses from halted installations not only jeopardize the viability of businesses
747 dedicated to advancing renewable energy but also threaten the state's progress toward its clean
748 energy and carbon reduction goals.

749

750 **Societal Implications:**

751 Beyond the boardrooms and balance sheets, the blockade's reach extends into the lives of
752 Los Angeles County's residents and businesses, who face increased costs, delayed access to
753 renewable energy, and the stifling of innovation. This situation calls into question the collective
754 resolve to transition to a sustainable energy future and highlights the critical role of public policy
755 in nurturing, rather than inhibiting, this transition.

756 **A Unified Call to Action:**

757 In response to these challenges, ABC Solar reaffirms its commitment to collaborating
758 with regulatory bodies, industry peers, and the community at large. Together, we can dismantle
759 the barriers erected by the Solar Battery Blockade, aligning regulatory practices with the state's
760 clean energy mandates. This collaboration offers a roadmap for navigating out of the current
761 impasse towards a future where regulatory alignment, operational efficiency, and innovation
762 drive the fulfillment of California's ambitious clean energy goals.

763 The path forward demands not only immediate emergency action by the CPUC but also a
764 concerted effort by all stakeholders to establish a regulatory environment that fosters the growth
765 of renewable energy. By embracing this challenge, we can ensure that Los Angeles County, and
766 California at large, remains at the forefront of the global transition to sustainable, clean energy—
767 a beacon of progress, resilience, and environmental stewardship.

768 In conclusion, the resolution of the Solar Battery Blockade presents an opportunity not
769 only to address the immediate concerns of the solar industry but also to lay the groundwork for a
770 sustainable energy future. It is a chance to reaffirm our commitment to environmental
771 stewardship, economic prosperity, and the well-being of future generations.

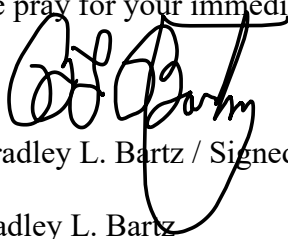
772

773 The time for action is now, and the California Public Utilities Commission, alongside
774 other stakeholders, must rise to the occasion, leveraging legal precedents, regulatory authority,
775 and a shared vision for a cleaner, greener California.

776

777 We pray for your immediate consideration and thoughtful action.

778

A handwritten signature in black ink, appearing to read 'Bradley L. Bartz', is written over the text of line 778 and extends down into line 779.

779 /Bradley L. Bartz / Signed Electronically March 19, 2024

780 Bradley L. Bartz

781 President

782 ABC Solar Incorporated

783 1-310-993-3240 cell direct

784

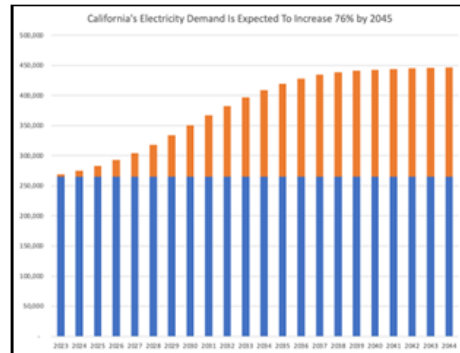
CALIFORNIA NEEDS A LOT MORE SOLAR

Yet We're Heading in the Wrong Direction

California's dual goals of 100% clean energy by 2045 combined with ambitious decarbonization goals through electrification mean the state must prioritize energy efficiency and conservation while also accelerating the growth of solar, including customer-sited (e.g. "rooftop") solar—the state's second largest renewable energy market. Under today's policies, California is not on pace to meet its goals. Instead, it is on pace to fail.

Electricity Demand Is On The Rise

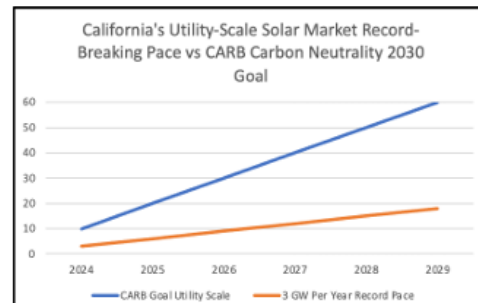
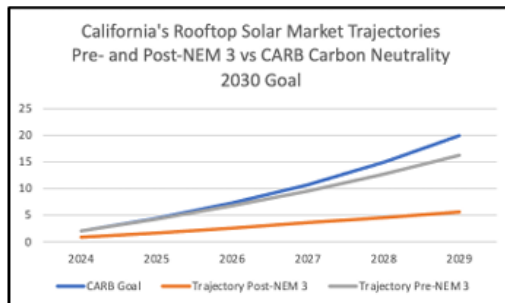
Electricity use will increase by at least 26% by 2030 due to electrification and population growth.[1] The average electric car consumes 4,000 kWh per year.[2] Adding one million electric cars to the road every year – what's needed to meet the state's climate goals – will increase electricity demand by 4,000 gigawatt-hours (GWh), adding 1.5% in demand every year. This chart shows 2022 annual electricity demands for California (blue) and CARB estimated growth in electricity needs every year (orange).



We Are Not Building Enough Solar Energy

To meet its climate goals, California must add at least 20,000 MW of rooftop solar by 2030.[3] If California had made no changes to NEM, or if it had made more gradual changes, it would have added 16,000 MW by 2030.[4] Today, under "NEM 3", we are on pace to add just 6,000 MW; 70% below goal.[5]

California cannot make up for the losses in the rooftop market via utility scale solar. This is because we must also add 10,000 MW of utility-scale solar every year to meet our climate goals. In the past 5 years, this sector has added 1,600 MW/yr on average, meaning this market is also behind and in no position to make up for rooftop solar losses.[6]

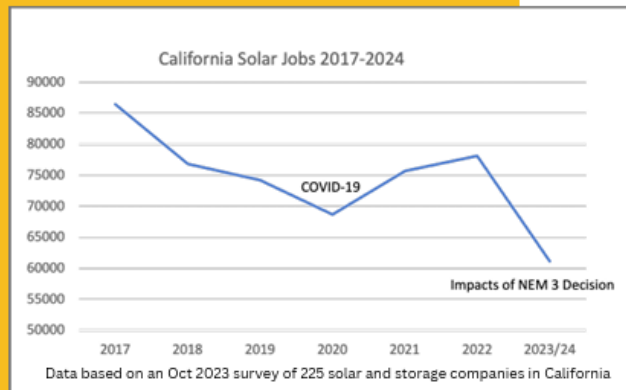


(1) CARB, "2022 Scoping Plan For Achieving Carbon Neutrality", Nov. 16, 2022, pg. 202.
 (2) <https://news.energysage.com/how-many-years-to-charge-if-you-own/#:~:text=As%20outlined%20above%2C%20for%20an%20on%20%20to%20%20%20Watt%20range.>
 (3) CARB, pg. 203. (4) Assumes a 12% annual growth rate through 2029. (5) Assumes a 60% decline in the market in 2024, a gradual build out of the NEM 2.0 backlog, and a 5% annual growth rate 2026-2029. (6) California Energy Commission, "Total System Electric Generation 2009-2022"

17,000 GREEN JOBS LOST SINCE APRIL

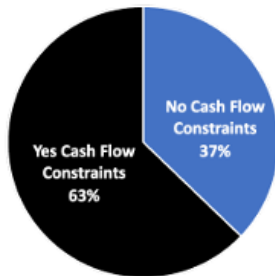
"The CPUC's final proposal is a loser for California on many levels. For the solar industry, it will result in business closures and the loss of green jobs. For middle class and working class neighborhoods where solar is growing fastest, it puts clean energy further out of reach. For our grid reliability needs, it fails to promise robust growth in battery storage. And for California's race to clean energy, it puts us behind our goals and out of step with the national pro-solar agenda. The proposal is a step backwards when we really need to be moving forward with solar and battery storage. It is a dark day in California when the utility regulators try to block out the sun."

-CALSSA Statement, December 14, 2022



Industry data based on an October 2023 CALSSA member survey of 225 solar and storage companies.

Residential Solar and Storage Contractors Cash Flow Constraints



Cash Flow Constraints by Region	%
North Valley/Foothills/North Coast	76%
Los Angeles/Desert	57%
Central Coast	50%
San Diego Region	48%
Central Valley	44%
Greater Bay Area	41%



787

788

87% DECLINE IN SOLAR 50% DECLINE IN STORAGE

Since the start of Net Billing (“NEM 3”) in April 2023, California’s distributed solar and storage market (“rooftop solar”) experienced an 87% decline in the sale of new residential solar systems and a 50% decline in the sale of batteries. This is the largest decline in history and a huge set back for the state’s ability to reach its 100% clean energy goals. Although a higher percentage of residential solar systems sold under the new tariff came with a battery, the severe gutting of California’s net metering market by the California Public Utilities Commission resulted in a net loss of battery sales in California. Under the previous program (NEM 2.0), California consumers installed more than 120 MW of residential batteries from May-December 2022. In contrast, under the new tariff during these same months in 2023, residential battery sales added to only 50 MW.

