STATE OF CALIFORNIA GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION

SOS VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298

Krishnan Kasiviswanathan
SVP Supply and Strategic Development
Just Energy Solutions, Inc.
6 Centerpointe Drive, #750
La Palma, CA 90623

CITATION FOR VIOLATION OF RESOURCE ADEQUACY (RA) REPORTING REQUIREMENTS UNDER RESOLUTION E-4195, AS MODIFIED BY DECISIONS 10-06-036, 11-06-022 and 14-06-050

Citation No. E-4195-48 **Issued: January 15, 2019**

Re: December 2018 Month Ahead Resource Adequacy Compliance Filing

Dear Mr. Krishnan Kasiviswanathan:

Pursuant to Resolution E-4195, subsequently modified by Decisions I0-06-036, D.11-06-022 and 14-06-050, Just Energy Solutions, Inc. is hereby cited for the following specified violation:

1. Failure to file Historic Load Data at the time and manner required.	☐
2. Failure to file a Preliminary Load Forecast at the time and manner required.	☐
3. Failure to file a Month-Ahead System Resource Adequacy Compliance Filing at the time and manner required.	☐
4. Failure to file a Preliminary Local Resource Adequacy Compliance Filing, or a Year-Ahead System Resource Adequacy Compliance Filing at the time and manner required.	☐
5. Failure to comply with a request for information from Energy Division that is reasonably related to implementation of the resource adequacy requirements in the time and manner required.	☐
6. Deficiency cured within five business days from the date of notification by Energy Division.	☐

7. Deficiency remedied after five business days from the date of Energy Division notification or not remedied at all.	

Evidence of Violation

A. Summary

Just Energy Solutions, Inc. (Just Energy) failed to meet its December 2018 Month-Ahead ("MA") Resource Adequacy ("RA") obligation. On October 17, 2018, Just Energy filed its December 2018 MA RA compliance showing. On November 1, 2018, Just Energy filed a revised December 2018 MA RA compliance showing to correct an error in the original filing. On November 2, 2019, Energy Division (ED) issued a deficiency notice to Just Energy, indicating a need for 1 megawatt (MW) of flexible capacity, and provided a revised filing deadline of November 9, 2018. On November 9, 2018, Just Energy emailed ED stating that they are not able to obtain the required resources by the deadline. This violation is for a Flexible RA deficiency not replaced after five business days from the date of notification by ED. Scheduled penalties prescribe a $3.33/kW-month for a Flexible RA deficiency not replaced after five business days from the date of notification. Accordingly, Just Energy is being cited $3,330.00 for its 1 MW Flexible RA deficiency.

B. Just Energy's MA 2018 RA Deficiency

On November 2, 2018, ED emailed Just Energy a deficiency notice. ED stated that Just Energy was deficient with their December 2018 MA flexible RA obligation. Just Energy had a December flexible capacity requirement of 12.00 MW. However, according to supply plans received from the CAISO, Just Energy was confirmed for 11.00 MW of flexible capacity. The deficiency notice was to procure 1.00 MW of flexible capacity and file with the California Public Utilities Commission by November 9, 2018.

On November 9, 2018, Just Energy emailed ED stating that they are not able to obtain the required resources by the deadline.

C. Scheduled Penalty for Just Energy's Deficiency

Resolution E-4195, as modified by Decisions 10-06-036, 11-06-022 and 14-06-050, specifies that the penalty for a Flexible RA deficiency not remedied after five business days from the date of notification by the ED is $3.33/k.W-month. The fine for this violation is $3,330.00 (1.00 MW x ($3.33/k.W-month) x 1,000 kW/MW) for the flexible deficiency.

You are hereby called upon to answer this citation within **30** days from the date of the citation by completing the attached form. By way of such answer you may either:

(1) Comply with this Citation and pay the fine, by check or money order, payable to the California Public Utilities Commission, in the amount of $3,330.00 pursuant to the Specified Violations and Scheduled Penalties (D.11-06-022, Appendix B). This will be deemed a waiver of your rights to a hearing and to a formal disposition by the Commission.

OR

(2) Appeal this citation. In such event, you must file a Notice of Appeal with the Commission's Docket Office within 30 days of the date of this citation, in addition to the appeals procedures outlined below.

The Notice of Appeal must be concurrently served on the delegate of Consumer Protection and Enforcement Division's (CPED's) Director at the following address:

CALIFORNIA PUBLIC UTILITIES COMMISSION
Consumer Protection and Enforcement Division
ATTN: Jeanette Lo, Utility Enforcement Branch Chief
505 Van Ness Avenue, Room 2205
San Francisco, CA 94102

The Notice of Appeal must also be served on the Chief Administrative Law Judge (with an electronic copy to: ALJ_Div_Appeals_Coordinator@cpuc.ca.gov). No later than seven business days after the Notice of Appeal is filed, Staff issuing the citation will file a Compliance Filing with the Commission's Docket Office which includes a complete copy of the citation and all attachments. Appeals will be heard in the Commission's San Francisco courtrooms on regularly scheduled days. You may order a transcript of the hearing and must pay the cost of the transcript in accordance with the Commission's

specified procedures. An attorney or other representative may represent you at the hearing, but any such representation will be at your expense.

If you fail to notify CPED of acceptance of the Scheduled Penalty and pay the full amount within 30 days or file a Notice of Appeal within 30 days, you will be in default. Upon default, CPED may take any action provided by law to recover unpaid penalties and ensure compliance with applicable statutes and Commission orders, decisions, rules, directions, demands, or requirements. Any unpaid balance of a Scheduled Penalty shall accrue interest at the legal rate of interest for judgments.

Jeanette Lo
Utility Enforcement Branch Chief
Consumer Protection and Enforcement Division