

PACIFIC GAS AND ELECTRIC COMPANY
Energy Efficiency 2018-2025 Rolling Portfolio Business Plan
Application 17-01-015
Data Response

PG&E Data Request No.:	CCEE_001-Q01		
PG&E File Name:	EnergyEfficiency2018-2025-RollingPortfolioBusinessPlan_DR_CCEE_001-Q01		
Request Date:	March 22, 2017	Requester DR No.:	001
Date Sent:	April 7, 2017	Requesting Party:	California Coalition for Energy Efficiency
		Requester:	Thomas A. Enslow

SUBJECT: APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U338E) FOR APPROVAL OF ENERGY EFFICIENCY ROLLING PORTFOLIO BUSINESS PLAN AND RELATED MATTERS. CCE-DR01

QUESTION 1

Decision 12-11-015 at p. 126 directed the utilities to “develop pilot approaches collaboratively with stakeholders to incorporate workforce diversity and inclusion goals into their third-party contractor selection process.”

- (a) Please describe what actions were taken in response to this direction and provide copies of any studies or reports prepared as a result of this decision.
- (b) Please provide a copy of any workforce diversity and/or inclusion requirements or goals that have been incorporated into energy efficiency programs (pilot or otherwise) and identify what programs have required compliance with these goals.

ANSWER 1

Question 1 refers to Conclusion of Law (COL) 70 of D.12-11-015, which states:

70. The utilities should develop pilot approaches collaboratively with stakeholders to incorporate workforce diversity and inclusion goals into their third-party contractor selection process.

Answer to Q1, subsection (a):


The utilities are precluded from adopting a preference for contractors with diverse workforces. This is not allowed by the Commission, which has consistently stated that “utilities are not authorized or permitted to design their [minority enterprise diversity] programs utilizing set-asides, quotas, preferences, or preferential treatment.” (83 Cal.P.U.C.2d 57, 59); See also *PegaStaff v. Pacific Gas & Electric Co.*, 239 Cal.App.4th, 1303, Aug. 28, 2015.

Answer to Q1, subsection **(b)**:

PG&E requires contractors delivering or supporting the energy efficiency programs to comply with all applicable laws and regulations. It also requires contractors to follow PG&E's Contractor, Consultant, and Supplier Code of Conduct; and PG&E's Supplier Diversity Purchasing Policy.

PG&E's Supplier Chain Responsibility Policy (Policy) is part of all energy efficiency contracts which address workforce diversity and inclusion goals. The Policy requires contractors and all tiers of sub-contractors under contract to provide that small and diverse businesses, which include Small Business Enterprises (SBEs); Women, Minority and Disabled Veteran Business Enterprises (WMDVBEs); and Lesbian, Gay, Bisexual, and Transgender Business Enterprises (LGBTBEs), have maximum practicable opportunity to participate in performing contracts.

In furtherance of the Policy, contractors and subcontractors are requested to populate and sign a Prime Supplier Subcontracting Plan (Plan) based on the template **attached**, demonstrating their efforts to include workforce diversity and inclusion goals.

 Atch01_CCEE_001_Prime Supplier Subcontracting Plan_Q01.pdf