DOCKETED	
Docket Number:	21-RPS-02
Project Title:	Renewables Portfolio Standard 10th Edition Guidebook Update
TN #:	266696
Document Title:	California Municipal Utilities Association Comments - on the Draft Renewables Portfolio Standard Eligibility Guidebook, 10th Ed
Description:	N/A
Filer:	System
Organization:	California Municipal Utilities Association
Submitter Role:	Public
Submission Date:	10/20/2025 4:46:30 PM
Docketed Date:	10/20/2025

Comment Received From: California Municipal Utilities Association
Submitted On: 10/20/2025
Docket Number: 21-RPS-02

on the Draft Renewables Portfolio Standard Eligibility Guidebook, 10th Ed

Additional submitted attachment is included below.

October 20, 2025

California Energy Commission
Docket Unit, MS-4
Docket No. 21-RPS-02
715 P Street,
Sacramento, CA 95814

RE: Comments of the California Municipal Utilities Association on the Draft Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition [CEC Docket #21-RPS-02]

Dear Commissioner Gallardo and Commission Staff,

The California Municipal Utilities Association (CMUA) respectfully submits these comments to the California Energy Commission (Commission) on the *Draft Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* (Draft Guidebook), issued on September 17, 2025. CMUA appreciates the Commission's engagement with stakeholders in this process and responsiveness to prior comments. The Draft Guidebook includes many important modifications and clarifications that will improve the Renewables Portfolio Standard (RPS) program in California. Subject to the recommendations below, CMUA urges the Commission to adopt this updated edition of the RPS Guidebook.

I. COMMENTS ON THE DRAFT 10TH EDITION OF THE RPS ELIGIBILITY GUIDEBOOK

A. Paired Energy Storage

1. *CMUA Supports the Draft RPS Guidebook Proposal to Change the Loss Accounting Rules Applied to Renewable Generating Facilities Paired with Energy Storage.*

The Draft Guidebook would clarify that loss accounting for round trip efficiency losses would only apply if both the storage facility and the generating facility are located behind the same meter that is used to report generation to both WREGIS and the Energy Commission. As proposed, a storage facility that is located behind the same point of interconnection, but not the same meter used to report generation to both WREGIS and the Commission, would not be certified as part of the renewable generating facility, and therefore, no loss accounting for round trip efficiency losses would be applied to the

renewable facility's generation. This revised treatment represents a significant improvement and will help to align the RPS Guidebook with California's broader environmental and reliability goals. While CMUA strongly urges the Commission to adopt this proposal, CMUA recommends two clarifying changes to the proposed Draft Guidebook language, which are described below.

2. *CMUA Recommends that the Commission Provide Additional Clarifications Regarding Allowable Configurations and Use Different Terminology to Describe Storage that is not Subject to Loss-Accounting.*

The Draft Guidebook should clarify that loss accounting for round trip efficiency losses should not apply to paired storage configurations where the generation from the renewable facility is able to be accurately metered and where the losses associated with the transmission of that energy to the interconnection point can be either metered or estimated. While CMUA generally supports the removal of the energy storage configuration diagrams from the RPS Guidebook and the inclusion of those configuration diagrams in an informal guidance document, this does create the potential for confusion. The Commission should ensure that the allowable configurations are absolutely clear in the RPS Guidebook language in order to avoid a circumstance where the Commission's informal diagrams included in a separate document could be viewed as re-interpreting, expanding, or narrowing the scope of allowable configurations. To address this concern, CMUA recommends adding language to the RPS Guidebook to clarify that if a paired storage facility is not independently metered, an estimation methodology can be utilized to determine the amount of renewable energy delivered to the interconnection point without reduction due to the round trip efficiency loss accounting associated with the storage facility. This recommended language is provided below.

Additionally, CMUA recommends that the Commission use a different term for a storage facility that is behind the same point of interconnection but not located behind the meter used to report generation to WREGIS and the Energy Commission. The more common usage of "standalone storage" is distinct from the concept that the Commission is describing and therefore could lead to confusion. As more commonly used, "standalone storage" refers to a storage facility behind a point of interconnection without any generating facilities behind the same interconnection point. Generally, a standalone storage facility is not capable of being charged by a paired generating facility. Using the term "standalone storage" could lead to an inaccurate perception that the scope of storage facilities not subject to loss accounting for roundtrip efficiency losses is narrower than it actually is. To address this issue, the Commission could use a term that conveys the concept of independence without using this potentially confusing term. One option would be to use the term "independent storage."

The two recommendations described above are shown in redline format below:

> **Section 3.6.1 Paired Energy Storage** An energy storage device can be paired with an eligible renewable facility if it is behind a single point of interconnection, as either an addition or enhancement or as ~~a stand-alone~~ an independent energy storage device. An energy storage device shall be considered an addition or enhancement to an eligible

renewable facility, consistent with Public Resources Code Section 25741, subdivision (a)(1), if the energy storage device is paired with a renewable energy resource and is located behind the meter used to report generation to both WREGIS and the Energy Commission. For more information on metering requirements, please refer to Chapter 3.1.2 Metering Requirements for specific guidance.

. . .

The loss accounting requirements outlined in this chapter apply only to energy storage devices that meet the definition of an addition or enhancement.

~~Stand-alone~~ Independent energy storage devices behind the same point of interconnection but not located behind the meter used to report the generation of a facility to RPS and WREGIS shall not be considered an addition or enhancement to an eligible renewable facility. Therefore, these ~~stand-alone~~ independent energy storage devices are not subject to loss accounting and shall not be certified as part of the facility. In addition, an energy storage device cannot be considered an addition or enhancement if it is able to be registered in WREGIS as a generator and create RECs. If an independent storage facility is not separately metered, an estimation methodology may need to be utilized to determine the losses attributable to the generation facility that occur between the generation facility meter and the point of interconnection.

3. *The Commission Should Create a Simple Streamlined Process for Existing Paired Facilities*

The changed treatment for paired storage facilities that is provided in this edition of RPS Guidebook should be available to all existing facilities that were certified under an earlier edition of the RPS Guidebook. The RPS Guidebook should both clarify that this treatment is retroactive and specify the process for obtaining this treatment. Rather than requiring an existing facility to submit an amended application for certification, the RPS Guidebook should create a simple streamlined process for a facility to obtain this new treatment. For example, the Commission could clarify that this revised treatment automatically applies to all existing facilities with an option for facilities to opt out. This would reduce the burden on facility owners by avoiding the need to submit an application and reduce the burden on Commission staff by avoiding the need to process and approve any such applications. Alternatively, the Commission could create a simplified attestation form, which could include any additional necessary documentation regarding metering and measurement requirements.

B. Renewable Hydrogen

1. *The Commission Should take Actions to Support RPS Eligibility for Turbines Utilizing Hydrogen Produced with Electricity from Eligible Renewable Energy Resources*

During the October 6, 2025 Staff Workshop on the Draft Renewables Portfolio Standard 10th Edition (Staff Workshop), Commission staff clarified that they did not believe that the Commission has the statutory authority to certify as RPS-eligible a turbine generator that is combusting hydrogen derived with renewable energy. As CMUA has previously stated, the use of renewable hydrogen by utility scale turbine generators will be an essential tool to ensure that California can meet its environmental goals in a manner that preserves the reliability of the grid and reduces the economic impacts on electricity ratepayers. In recognition of this need, many utilities are already developing projects that will utilize renewable hydrogen as a fuel source in turbine generators. In order to support these goals and provide clarity to early actors, CMUA encourages the Commission to evaluate what actions it can take in this or future Guidebooks, or in other Commission proceedings, that would support the expanded use of renewable hydrogen.

C. Additional POU Reporting Requirements

1. *The Guidebook Should Clarify that a Publicly Owned Utility (POU) can Retire a Renewable Energy Credit (REC) in an Earlier Vintage Year as Long as it is Within the Same Compliance Period as the Date of Generation.*

CMUA supports the proposed deletion of the language in Section 7.2 the Draft Guidebook that prohibited retiring RECs in a reporting year that is earlier than the vintage year for the RECs. As described during the Staff Workshop, the intent of this deletion is to clarify that a POU can retire a REC in an earlier vintage year as long as it is within the same compliance period as the year of generation. CMUA agrees that there are circumstances where this flexibility would be valuable. For example, where an error occurs and the RECs provided by a seller cannot be used for compliance by a POU buyer, that seller may provide replacement RECs in a subsequent year. For purposes of the POU's reporting, that POU may want to retire the RECs in an earlier year (which matches the year of generation of the contracted-for RECs) rather than the year of the generation of the replacement RECs.

However, simply deleting this language does not clearly convey that this is actually authorized. CMUA recommends that the RPS Guidebook include relevant clarifications to the REC retirement rules for POUs which are specified in Section 3202 of the Commission's Enforcement Procedures for POUs.[1] Specifically, the RPS Guidebook direction should provide positive statements on the allowable REC retirement timelines, rather than just deleting the prohibitions; it may be unclear to someone simply reading the finalized Guidebook that this is allowable and what the limitations are. CMUA recommends

[1] 20 C.C.R. § 3202.

that Commission provide a positive statement both for retiring RECs in an earlier vintage year as well as a later vintage year, as follows:

> **Section 7.2 Additional POU Reporting Requirements**
>
> . . .
>
> For all count-in-full, PCC 1, and PCC 2 electricity products, the REC vintage shall not precede the contract execution or the ownership agreement date. ~~Furthermore, RECs cannot be counted for a reporting year earlier than the vintage year of the RECs.~~ RECs may be counted for a reporting year earlier than the vintage year of the RECs if the reporting year and vintage year are both in the same compliance period. RECs may also be counted for a reporting year later than the vintage year of the RECs as long as they are retired within 36 months from initial month of generation of the associated RECs.

2. *CMUA Supports the Draft Guidebook Proposal to Remove e-Tag Requirements for Pseudo-Ties*

The Draft Guidebook would incorporate Staff's proposal from the May 21, 2025 *Scoping Meeting on Proposed Updates for the Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* and specify that e-tag and hourly reports are not required for pseudo-tie resources. CMUA strongly supports this proposal, consistent with its prior comments, and encourages the Commission to adopt it.[2]

D. Revocation of RPS Certification

1. *The RPS Guidebook Should Clarify what Circumstances Would Lead to a Facility Losing its RPS Certification as Result of Not Complying with Applicable Laws and Regulations.*

The Draft Guidebook includes new language clarifying that a facility may lose its RPS Certification if it does not comply with applicable laws and regulations. However, this language does not clarify what entity is responsible for making this determination and how such a determination is made. Given the significant consequences associated with the loss or RPS eligibility, the RPS Guidebook should clearly and narrowly define how this would occur. To provide this necessary clarification, the RPS Guidebook should specify that a violation of any such law is not made independently by the Commission, but is instead made by a court of competent jurisdiction, or an agency having jurisdiction in an enforcement proceeding. Further, the RPS Guidebook should clarify that this only applies if there is a final adjudication of such a violation. A facility should not lose eligibility if there is simply an allegation or investigation, and the Commission should not draw conclusions regarding legal compliance based on pending proceedings.

[2] *See*, Comments of the California Municipal Utilities Association on the Scoping Meeting on Proposed Updates for the Draft Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition, Jun. 5, 2025.

CMUA proposes the following language:

> **Section 8.4.1 Revocation of RPS Certification**
>
> The Energy Commission, through its executive director, may revoke the RPS certification of any awardee if it is determined that the RPS-certified facility no longer satisfies the requisite eligibility requirements under the guidebook in place when certification was approved. RPS certification of a facility ~~make~~ may also be revoked if a court of competent jurisdiction, or an agency having jurisdiction in an enforcement proceeding, makes a final determination that the facility has violated ~~violates~~ existing laws related to the RPS program, including failure to comply with licensing, permitting, and reporting regulations set by state, federal, and local agencies. The executive director shall notify the awardee in writing of the basis for revoking the awardee's RPS certification and the effective date of the revocation. The written notice required by this subsection shall be given at least 15 days before the effective date of the revocation.

II. CONCLUSION

CMUA appreciates the opportunity to provide these comments on the Draft 10th Edition of the RPS Eligibility Guidebook and thanks the Commission for its consideration of these comments.

Sincerely,

Priscilla Quiroz

Priscilla Quiroz
Manager of Energy Policy
California Municipal Utilities Association