

**BEFORE THE
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE
STATE OF CALIFORNIA**

In the Matter of:)
Enforcement Procedures for the)
Renewables Portfolio Standard for Local)
Publicly Owned Electric Utilities)

Docket No. 13-RPS-01

**COMMENTS OF THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY ON
THE CALIFORNIA ENERGY COMMISSION'S LEAD COMMISSIONER WORKSHOP
FOR RENEWABLES PORTFOLIO STANDARD IMPLEMENTATION FOR LOCAL
PUBLICLY OWNED ELECTRIC UTILITIES**

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Pursuant to the procedures established by the California Energy Commission (Energy Commission, or CEC) in the Notice of Lead Commissioner Workshop for Renewables Portfolio standard (RPS) Implementation for Local Publicly Owned Electric Utilities (Notice), dated April 19, 2013, the Southern California Public Power Authority (SCPPA) respectfully submits the following comments on the CEC’s proposed reporting spreadsheets for the Renewables Portfolio Standard (RPS) for Local Publicly Owned Electric Utilities (POUs).

I. INTRODUCTION

SCPPA is a joint powers authority consisting of eleven municipal utilities and one irrigation district. SCPPA members deliver electricity to approximately 2 million customers over an area of 7,000 square miles, with a total population of 4.8 million. SCPPAs members include the municipal utilities of the cities of Anaheim, Azusa, Banning, Burbank, Cerritos, Colton, Glendale, Los Angeles, Pasadena, Riverside and Vernon, and the Imperial Irrigation District.

SCPPA would like to take this opportunity to thank CEC staff for their work on the proposed reporting spreadsheets and for providing stakeholders with this opportunity to comment.

II. COMMENTS

a. POU RPS Compliance Workbook

i. Static Contract Information Tab

1. Item 9 – Contract Start Date

For water supply or conveyance system hydro resources, the contract start date is not necessarily the date electricity products were procured by the buyer, as these resources were in production prior to any RPS, but were not eligible for the state RPS until the passage of SB X1-2. SCPPA recommends that the CEC modify the description to state the following:

| |
|--|
| Indicate the first date that electricity products were or will be procured by the buyer or the date the resource became eligible for the RPS. |
|--|

2. Item 17 – EIA ID

SCPPA appreciates that the CEC is willing to conduct research to match the data received for the RPS with existing data resources, such as the Energy Information Administration. However, the CEC needs to realize that the EIA and RPS reporting timeframes are different, therefore, may contain discrepancies. These discrepancies may be caused by refinements in data (such as adjustments due to meter errors) or just plain human error.

Therefore, SCPPA requests that the language provided for the EIA ID section be modified to the following:

As a point of reference, Energy Commission staff compares RPS procurement claims with generation data obtained from the various sources, including the United States Energy Information Association (EIA). Please provide the EIA number associated with the facility, if known.

3. Item 21 – Historic Carryover

SCPPA requests that the CEC place hyperlinks to the Guidebook next to the adoption dates provided.

4. Item 22 – Historic Carryover

For resources that would be eligible for Historic Carryover, a utility would need to have the resource certified. In many cases, this would be addressed under a Limited Certification Process. When the resource is granted eligibility under a Limited basis, the CEC has already acknowledged that the resource did, in fact, comply with the requirements of the Guidebook in place at the time of procurement. To request that a utility again prove that the resource complies with a legacy edition of the Guidebook is superfluous. Therefore, SCPPA recommends that the CEC solely rely on the RPS IDs for resources that qualify under Historic Carryover.

ii. Static Contract Information for PCC1, 2 and 3 Tabs

Column I requests that:

“[i]f the Contract Execution Date is Before January 1, 2005, Does the Contract Contain Explicit Terms and Conditions Specifying the Ownership or Disposition of the RECs?”

SCPPA believes that this column is unnecessary for these tabs. In order to qualify under a PCC, it is understood that the contract/agreement needs to be executed on or after June 1, 2010. Therefore, this column would be null for all post-June 1, 2010 resources.

In the case where a resource is categorized under Section 3202 (a)(3)¹, such resources are utility-built with no available contract or agreement. Therefore, such requirement is unnecessary. SCPPA recommends that the CEC remove this column from the Static Contract Information Tabs.

iii. List of Narratives Tab

This spreadsheet requests that POUs provide narratives for 2011-2013 for various items, including Public Goods Funds collected for each respective year. However, several data reporting requirements were supplanted from the Public Utilities Code (PUC) with the passage of Assembly Bill (AB) 2227 (Bradford, 2012), including Senate Bill (SB) X1-2, Sections 399.30 (g) and (l).

SCPPA requests that the CEC add a footnote to each of the requested items in the workbook which ties the requested data to the requirements in statute.

b. CEC RPS e-Tag Spreadsheet

i. General Instruction Tab

Under the General Instructions, the CEC states that:

| |
|--|
| This form is to be used only when the WREGIS NERC e-Tag data is not available to the reporting entity in WREGIS. |
|--|

If the CEC already acknowledges that the reporting entity does not have access to e-Tag information, then why is detailed e-Tag information being requested from the reporting entity under Schedule 2 and Schedule 3? Further, who is the CEC's target audience under the term "reporting entity?"

¹ The only resources that SCPPA is aware of that would fall under this category are Small Hydroelectric Resources operated as part of a water supply or conveyance system. The only SCPPA member that utilizes such resources in its renewable portfolio mix is the Los Angeles Department of Water and Power.

ii. Tribal Lands

Currently e-Tags are not generated for all renewable energy that is located within a POU/Balancing Authority that is used to serve load within the BA. The lack of e-Tags only becomes a reporting issue if the generation is located on Sovereign Tribal Lands that are within the POU/BA because the RPS regulations treat energy generated on Tribal Lands as produced “out of state.”

SCPPA recommends that the CEC create a separate form or column on the e-Tag spreadsheet specifically to identify MWs directly connected to a California BA but located “out of state” on Tribal Lands that do not generate e-Tags.

c. CEC-RPS-HCO Spreadsheet

i. CEC-RPS-HCO Footnotes Tab

Under Item 6 of the CEC-RPS-HCO Footnotes tab, the CEC references a tab called the “Procurement Detail tab,” which is not readily available in this workbook.

d. Biomethane Verification Forms

The July 29 CEC workshop focused primarily on the implementation of Renewable Portfolio Standards for local public owned utilities. The workshop also introduced draft biomethane verification forms which most if not all of the Participants did not have the opportunity to review. The CEC, in a call placed after the workshop, welcomed comments on the proposed forms by August 16.

Below are comments from a number of the biomethane consumers.

- Who is best suited to supply what information? A preponderance of the purchase contracts call for the delivery and title to the biomethane to pass to the consuming party at the city gate. Actual information upstream of the delivery

point belongs to the shipper. The generator's role upstream of the delivery point would have to be limited to that of one reporting what information it receives from the shipper.

- A generator receiving deliveries and title at the city gate is in no position to report under penalty of perjury that the upstream information is true and accurate. Again, the generator can only report (pass on) what it receives from the shipper.
- It appears that the information asked for is on a daily basis. A monthly tally submitted annually should serve as an adequate safeguard to protecting the integrity of the program. Daily information could be required in the event a verification proceeding turned up some suspicious activity.
- In the case where a generator is "tolling" biomethane for more than one entity (such as Magnolia Power Project), who is the responsible party for preparing, attesting to and submitting the report? The tolling party would appear to be the responsible party since it would have title to the biomethane and scheduling responsibilities as well.
- Where a party has more than one generating facility, are the reports made as if there were only one facility, or is the party responsible for reporting each facility on a separate form(s)?

III. CONCLUSION

SCPPA would like to thank CEC staff for their time and effort spent in developing the proposed reporting spreadsheets. SCPPA remains willing to work with CEC staff on these important matters.

Dated: August 16, 2013

Respectfully Submitted,

A handwritten signature in blue ink, reading "Oscar Herrera", written over a horizontal line.

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