



In the matters of:

Amendments to Regulations Specifying
Enforcement Procedures for the
Renewables Portfolio Standard
for Local Publicly Owned Electric Utilities

California Air Resources Board Pre-
Rulemaking to Consider Potential
Regulations on Renewables Portfolio
Standard Penalties for Local Publicly Owned
Electric Utilities

) Docket No. 14-RPS-01

) RE: Notice of Joint Staff Workshop

California Energy Commission

DOCKETED

14-RPS-01

TN # 7611 I

SEP 25 2015

Notice of Joint Staff Workshop

California Energy Commission staff and California Air Resources Board staff will conduct a joint workshop to receive public comment on the Energy Commission's proposed modifications to the Renewables Portfolio Standard (RPS) regulations for local publicly owned electric utilities (POUs) and the potential development of a California Air Resources Board (ARB) RPS penalty regulation for POUs on:

Thursday, April 9, 2015

Beginning at 9:30 am

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

First Floor, Art Rosenfeld Hearing Room (Hearing Room A)

Sacramento, California

Wheelchair Accessible

Remote Access Available by Computer or Phone via WebEx™
(Instructions below)

Notice of this staff workshop is also provided in the Energy Commission's Notice of Proposed Action (NOPA) published in the Office of Administrative Law's March 27, 2015, California Regulatory Notice Register and available on the Energy Commission's website at: http://www.energy.ca.gov/portfolio/pou_rulemaking/2014-RPS-01/.

Agenda

Energy Commission staff will present modifications to the RPS regulations for POUs, followed by an opportunity for public comment. ARB staff will then discuss pre-rulemaking language for RPS penalty regulations for POUs, followed by opportunity for public comment.

Background

The Energy Commission's RPS regulations for the RPS for POUs were adopted on June 12, 2013, pursuant to Public Utilities Code section 399.30, as enacted by Senate Bill X1-2 (Stats. 2011, 1st Ex. Sess., ch. 1) and subsequently revised by Assembly Bill 2227 (Stats. 2012, ch. 606, sec. 8). Public Utilities Code section 399.30 (m) directs the Energy Commission to adopt regulations specifying procedures for the enforcement of the RPS for POUs and requires that the regulations include a public process under which the Energy Commission may issue a notice of violation and correction against a POU for failure to comply with the RPS, and for referral of violations to the ARB for penalties. The regulations took effect on October 1, 2013.

Public Utilities Code section 399.30 was subsequently amended by Senate Bill 591 (SB 591, Stats. 2013, ch. 520)¹ after the regulations were adopted by the Energy Commission. SB 591 modifies the RPS requirements for a qualifying POU. In addition to the modifications needed to implement SB 591, the Energy Commission has identified several areas in the regulations that need clarification. These areas of clarification are related to the following: i) the definitions of "bundled," "resale," and the "Western Electricity Coordinating Council," ii) the requirements for qualifying electricity products procured under agreement executed prior to June 1, 2010, iii) the requirements for electricity products qualifying as dynamic transfers, iv) the portfolio content category classification of electricity products from POU-owned resources, v) the excess procurement rules related to amended contracts, vi) the application of optional compliance measures, vii) select reporting requirements, and viii) procedural provisions for complaints of noncompliance.

Public Utilities Code section 399.30 (n) specifies that, after the Energy Commission refers any notices of violation and correction to the ARB, the ARB "may impose penalties to enforce this article consistent with Part 6 (commencing with Section 38580) of Division 25.5 of the Health and Safety Code. Any penalties imposed shall be comparable to those adopted by the commission [California Public Utilities Commission] for noncompliance by retail sellers."

Energy Commission and ARB staffs are considering regulatory actions to address these statutory requirements.

¹ SB 591 amended Public Utilities Code section 399.30, subdivision (k), and renumbered subsequent subdivisions, so that former Public Utilities Code section 399.30, subdivisions (k) – (n) became subdivisions (l) – (o), respectively.

Public Comment on Proposed Modifications to RPS Regulations

Public comments on the Energy Commission's proposed modifications to the RPS regulations for POUs will be accepted as specified in the NOPA.

At this workshop, any person may present oral and written comments on the proposed modifications to the RPS regulations for POUs. Persons may submit written comments as specified below. Energy Commission commissioners may attend this workshop.

The Energy Commission appreciates receiving written comments at the earliest possible date. E-mail is preferred. If possible, please submit written comments to be considered at the staff workshop by April 2, 2015. Written comments will also be accepted at the workshop; however, the Commission may not have time to review them before the conclusion of the meeting. For additional information, see Standing Order re: Proceedings and Confidentiality Procedural Requirements for Filing, Service, and Docketing Documents with the Energy Commission, available at: www.energy.ca.gov/commission/chief_counsel/docket.html.

Any comments made at the workshop on the proposed modifications to the RPS regulations for POUs will become part of the public record in the Energy Commission's RPS rulemaking proceeding. Additionally, written comments may be posted to the Energy Commission's website for the proceeding. Please note that your written and oral comments, attachments, and associated contact information (e.g. your address, phone, email, etc.) become part of the viewable public record. This information may become available via Google, Yahoo, and any other search engines.

The Energy Commission encourages comments by e-mail. Please include your name and any organization name. Comments should be in a downloadable, searchable format such as Microsoft® Word (.doc) or Adobe® Acrobat® (.pdf). Please include the docket number 14-RPS-01 and indicate "Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities" in the subject line. Send comments to:

docket@energy.ca.gov

If you prefer, you may send a paper copy of your comments to:

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 14-RPS-01
1516 Ninth Street
Sacramento, CA 95814-5512

Additionally, any person may provide comments on the proposed modifications to the RPS regulations for POUs after the workshop as specified in the NOPA, which states

that the public comment period for the proposed modifications to the RPS regulations as written in the 45-day language Express Terms is March 27, 2015, through and including May 11, 2015. For additional information on providing comments after the workshop refer to the NOPA.

Public Adviser and Other Commission Contacts

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Public Adviser, Alana Matthews, at PublicAdviser@energy.ca.gov or (916) 654-4489, or toll free at (800) 822-6228.

If you have a disability and require assistance to participate, please contact Lou Quiroz at lquiroz@energy.ca.gov or (916) 654-5146 at least five days in advance.

Media inquiries should be sent to the Media and Public Communications Office at mediaoffice@energy.ca.gov or (916) 654-4989.

If you have questions on the subject matter of this meeting, please contact Angie Gould, angela.gould@energy.ca.gov or (916) 654-4881. If you have specific questions concerning the status of ARB's development of a potential RPS penalty regulation for POU's, please contact Gary Collord at gcollord@arb.ca.gov or (916) 324-5548.

Remote Attendance

You may participate in this meeting through WebEx, the Energy Commission's online meeting service. Presentations will appear on your computer screen, and you may listen to audio via your computer or telephone. Please be aware that the meeting may be recorded.

To join a meeting:

VIA COMPUTER: Go to <https://energy.webex.com> and enter the unique meeting number: **922 381 183**. When prompted, enter your name and the following meeting password: **meeting@930**.

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1. To call into the meeting: Select "I will call in" and follow the on-screen directions.
2. International Attendees: Click on the "Global call-in number" link.
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4. To listen over the computer: If you have a broadband connection, and a headset or a computer microphone and speakers, you may use VoIP (Internet audio) by going to the Audio menu, clicking on "Use Computer Headset," then "Call Using Computer."

VIA TELEPHONE ONLY (no visual presentation): Call 1-866-469-3239 (toll-free in the U.S. and Canada). The call-in toll number (from U.S. and Canada) is 1-650-429-3300. When prompted, enter the unique meeting number: **922 381 183**. International callers may select their number from <https://energy.webex.com/energy/globalcallin.php>

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If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

Availability of Documents

Documents and presentations for this meeting will be available online at:
http://www.energy.ca.gov/portfolio/pou_rulemaking/2014-RPS-01/

Date: March 30, 2015

Mail List: Renewable