



October 8, 2015

California Energy Commission
Dockets Office, MS-4
Re: Docket Nos. 14-RPS-01
1516 Ninth Street
Sacramento, CA 95814-5512

RE: Express Terms: Modification of Regulations Establishing Enforcement Procedures for the Renewables Portfolio Standard for Publicly Owned Electric Utilities

The Independent Energy Producers Association (IEP), the California Wind Energy Association (CalWEA), and the Large-scale Solar Association (LSA), collectively the Joint Parties, appreciate the opportunity to comment on the Express Terms modifying the Regulations Establishing Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities (POUs) scheduled to be heard by the Commission on Wednesday, Oct 14, 2015.

The Joint Parties continue to oppose the proposed language in Section 3201- Definitions related to a “Bundled” RPS electricity product for the reasons expressed in our joint comments filed on July 21, 2015 related to the proposed 15-Day Language. Since consideration of the 15-Day Language, SB 350 has been signed by the Governor, which undoubtedly will necessitate that the Commission revisit these regulations in light of changed circumstances. Accordingly, the Joint Parties urge the Commission to defer adoption of the proposed definition related to “Bundled” RPS electricity products pending consideration of the changes compelled by SB 350. We note that SB 350 (Sec. 399.21(a)(6)) specifically references the CPUC decision that classifies renewable energy credits from generation on the customer side of the meter as unbundled, potentially qualifying for the RPS only under Product Content Category 3. The proposed language for POUs is unclear (which is itself problematic), but could be interpreted in a way that markedly differs from the rules that apply to CPUC-jurisdictional retail sellers.

In any case, we reserve the right to revisit our concerns regarding the appropriateness of the definition for a Bundled RPS electricity product in any future proceeding related to Renewables Portfolio Standard (RPS) enforcement procedures for local publicly owned electric utilities.

Respectfully submitted,



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cc: Chair Robert Weisenmiller
Commissioner Karen Douglas
Commissioner David Hochschild
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