

DOCKETED

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Comment Received From: John Leslie

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Additional submitted attachment is included below.

October 17, 2016

Via CEC Electronic Commenting System

California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Re: Docket No. 16-OIR-03: Shell Energy Comments
on Draft Revised Title 20 Data Collection Regulations

To: Energy Commission:

In accordance with the schedule (as amended) established in the “notice” that was issued on September 1, 2016 in the above-referenced proceeding, Shell Energy North America (US), L.P. (“Shell Energy”) provides its comments on the Commission Staff’s draft revised data collection regulations under Title 20. These proposed regulations relate to implementation of SB 350, AB 802, and improved California-related energy analytics. Shell Energy’s comments address the following issues:

1. Section 1307(c) Should be Deleted: Proposed Section 1307(c) directs each gas retailer with an annual natural gas demand of 200 million therms or more (in the two preceding calendar years) to provide, on a quarterly basis, detailed information regarding the gas retailer’s monthly gas sales and deliveries to each customer. This proposed section should be deleted. The customer-specific information solicited in Section 1307(c)(1)(A-J) is identical to the customer-specific information to be provided to the Commission by each gas utility in accordance with proposed Section 1308(d). No justification exists for imposing a burdensome and duplicative reporting obligation on all gas retailers. The customer-specific information sought by the Commission is fully provided by the gas utilities through Section 1308(d).

In addition, there is no legal authority for the Commission to request a gas retailer’s “monthly revenue” for each customer. With the exception of a “gas utility,” a gas retailer’s prices and revenues for sales of gas to individual customers are not regulated by the CPUC. The agreed upon gas sales price between a gas retailer and a customer is proprietary, confidential information that is not subject to disclosure to the Commission. There is no legal justification for the Commission to require a gas retailer (other than a gas utility) to report to the Commission its monthly “revenue,” or monthly “bill total” for each customer.

For the foregoing reasons, Section 1307(c) should be stricken from the proposed regulations.

2. Section 1344(a) Should be Clarified or Deleted: Section 1344(a) directs each LSE with peak electricity demand of 50 MW or more (in the two preceding calendar years) to submit an annual report providing annual hourly load data, including losses, for all customers for which the LSE provides generation services. The information requested in Section 1344(a) appears to be the same information that an LSE must report to this Commission on an annual basis for purposes of developing the Commission's resource adequacy ("RA") load forecasting information. The filing instructions for the RA reporting template (Form 1) are as follows: "Each LSE reports hourly loads at the distribution level for [previous] calendar year." The filing instructions (Form 2) are as follows: "Each LSE reports customer counts by class for each month of [previous] calendar month." This is exactly the information that is solicited in Section 1344(a).

The historical load reporting requirement in Section 1344(a) duplicates the RA template reporting requirement for all LSEs. An LSE should not be required to report hourly load data in two separate reports. The LSE reporting requirement of Section 1344(a) should be deleted.

Thank you for your consideration of these comments. If you have questions regarding the issues raised in these comments, please do not hesitate to contact the undersigned.

Best regards,



John W. Leslie
of
Dentons US LLP
on behalf of
Shell Energy North America (US), L.P.