

## DOCKETED

<b>Docket Number:</b>	16-OIR-05
<b>Project Title:</b>	AB 1110 Implementation Rulemaking
<b>TN #:</b>	216575
<b>Document Title:</b>	Small Publicly Owned Utility Coalition Comments: On the Pre-Rulemaking Workshop on Updates to the Power Source Disclosure Regulation
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Small Publicly Owned Utility Coalition
<b>Submitter Role:</b>	Public Agency
<b>Submission Date:</b>	3/15/2017 4:38:15 PM
<b>Docketed Date:</b>	3/15/2017

*Comment Received From: Small Publicly Owned Utility Coalition*

*Submitted On: 3/15/2017*

*Docket Number: 16-OIR-05*

**On the Pre-Rulemaking Workshop on Updates to the Power Source Disclosure Regulation**

*Additional submitted attachment is included below.*

# **Braun Blaising McLaughlin & Smith P.C.**

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Attorneys at Law

March 15, 2017

California Energy Commission  
Docket Office, MS-4  
Re: Docket No. 16-OIR-05  
1516 Ninth Street  
Sacramento, CA 95814-5512

## **Comments of the Small POU Coalition on the Pre-Rulemaking Workshop on Updates to the Power Source Disclosure Regulation**

The Small Publicly Owned Utility Coalition (“Small POU Coalition”) respectfully submits these comments in response to the Assembly Bill (“AB”) 1110 Implementation Pre-Rulemaking Workshop on February 21, 2017 (“Workshop”). The Workshop provided information on the Commission’s pre-rulemaking activities for AB 1110 implementation, and outlined guiding principles for this implementation. The Workshop also provided next steps for the future rulemaking process, that (among other things) will examine how to provide greenhouse gas emissions intensity information to customers.

The Small POU Coalition is an *ad hoc* coalition of small publicly owned utilities (“POUs”) in California. The Coalition includes the Cities of Rancho Cucamonga, Moreno Valley, Corona, Colton, Needles, Cerritos, and Victorville, Eastside Power Authority, Pittsburg Power Company, and the Power & Water Resources Pooling Authority. Most of these POUs formed in the last two decades, following deregulation and the California Energy Crisis. POUs in the Coalition have a substantially smaller load and administrative capacity in comparison to many of the other utilities.<sup>1</sup>

Given this small administrative capacity, the Small POU Coalition urges the Commission to be mindful of the administrative burden of regulatory reporting measures in the development of the AB 1110 regulations. On slide 11 of the Workshop presentation, Commission staff states that a guiding principle of this implementation process is to “minimize the reporting burden.”<sup>2</sup> The Workshop’s Supplemental Materials also provides that the Commission shall seek to “minimize the reporting cost and burden it imposes on retail sellers.”<sup>3</sup>

The Small POU Coalition strongly agrees with this guiding principle for AB 1110 implementation. Indeed, such actions are explicitly required in AB 1110. Specifically, Cal. Pub. Util. Code section 398.5(d) states that “In developing the rules and procedures specified in this section, the Energy

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<sup>1</sup> See, e.g., California Energy Commission, *California Energy Demand Data and Forecast*, Mid Demand Base Case, available at [http://docketpublic.energy.ca.gov/PublicDocuments/15-IEPR-03/TN205236-3\\_20150703T141327\\_California\\_Energy\\_Demand\\_Forecast\\_2016\\_\\_2026\\_Preliminary\\_Mid\\_De.xlsx](http://docketpublic.energy.ca.gov/PublicDocuments/15-IEPR-03/TN205236-3_20150703T141327_California_Energy_Demand_Forecast_2016__2026_Preliminary_Mid_De.xlsx).

<sup>2</sup> Workshop Presentation Slide 11 (February 21, 2017).

<sup>3</sup> Workshop Supplementary Materials at 2 (February 21, 2017).

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Commission shall seek to minimize the reporting burden and cost of reporting that it imposes on retail suppliers.”

To be consistent with AB 1110, the Small POU Coalition urges the Commission to describe steps that it is taking to reduce administrative burden and cost of reporting related to the Power Source Disclosure regulations, particularly as related to smaller utilities. Such steps could include, but are not limited to, reducing duplication of information provided to the Commission in various proceedings (such as load data) and providing flexibility in data collection and enforcement. Reducing the administrative burden and associated cost of compliance will provide benefits to California customers by limiting the need for future rate increases. Consolidating regulatory reporting requirements will also increase staffing and financial resources available to small POU's to reduce their carbon footprint and integrate renewable energy more effectively.

The Small POU Coalition appreciates the efforts of Commission staff in preparing the Workshop materials, and looks forward to continued communication and coordination with staff leading up to the release of draft regulatory language.

Thank you for your consideration of these comments.

Respectfully submitted,

/s/ Dan Griffiths

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