

DOCKETED

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Southern California Public Power Authority Comments re: RPS Implementation

Additional submitted attachment is included below.



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March 4, 2016 | Submitted Electronically

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 16-RPS-01
1516 Ninth Street
Sacramento, California 95814-5512

RE: SCPPA Comments on Modifying Select Elements of the RPS Eligibility Guidebook – Docket No. 16-RPS-01.

Thank you for the opportunity to provide comments on select modifications to the Renewables Portfolio Standard (RPS) Eligibility Guidebook as proposed for adoption at the Energy Commission's March 9, 2016 Business Meeting.

The Southern California Public Power Authority (SCPPA) is a joint powers agency whose members include the cities of Anaheim, Azusa, Banning, Burbank, Cerritos, Colton, Glendale, Los Angeles, Pasadena, Riverside, and Vernon, and the Imperial Irrigation District. Each Member owns and operates a publicly-owned electric utility governed by a board of local officials. Our Members collectively serve nearly five million people in Southern California.

We commend staff for recommending procedural flexibilities by allowing publicly-owned utilities to move surplus retired Renewable Energy Credits (RECs) reported for a specified compliance period to the next compliance period under certain circumstances (Item 4a). We also suggest making improvements to the proposed resolution regarding the RPS certification appeals process (Item 4b), which could otherwise hinder the appeals process. Specifically, SCPPA recommends that:

- **Maximize RECs Utilization.** For “first” efforts implementing and complying with California’s RPS – particularly given the intermittent nature of renewable resources that complicate long-term planning; regulatory uncertainties, including changing rules and delays with the certification and verification processes; and limited governmental staff resources – SCPPA recommends that the Energy Commission provide for the ability to retire RECs for previous compliance periods as well. Doing so would further assist publicly-owned utilities making good faith compliance efforts by “truing up” any shortfalls or remedying over-compliance scenarios. SCPPA further suggests against limiting to only one request per compliance period the ability to withdraw surplus retired RECs, as it could unintentionally strand valuable compliance assets over timing issues beyond the utility’s control.
- **Avoid Unnecessary Litigation.** SCPPA is concerned that proposed revisions to the appeals process would unnecessarily complicate the certification appeals process by forcing publicly-owned utilities and the Energy Commission to resolve differences in court. Better options are available. Limiting avenues to appeal decisions (in whole or in part) only complicates compliance efforts for California utilities to achieve the nation’s most aggressive RPS goals. SCPPA supports recommendations offered by the City of Los Angeles Department of Water and Power that would maintain the administrative appeal structure as it currently exists with modifications that would afford greater certainties and timely decision-making towards remedying disputes subject to appeals.

Thank you for your time and consideration. SCPPA welcomes opportunities for continued collaboration with the Energy Commission to ensure that the regulations ultimately put forth effectively and fairly meet the intent of the RPS program.

Respectfully submitted,

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