

## DOCKETED

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*Comment Received From: Small Publicly Owned Utility Coalition*

*Submitted On: 3/30/2016*

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**Comments of the Small Publicly Owned Utility Coalition on Staff Workshop on Future Edition of RPS Eligibility Guidebook**

*Additional submitted attachment is included below.*

**BEFORE THE CALIFORNIA ENERGY COMMISSION**

**In the Matter of:**

*Developing Guidelines for the 50 Percent  
Renewables Portfolio Standard*

**Docket No. 16-RPS-01**

**RE: Renewables Portfolio Standard  
Eligibility Guidebook**

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**SMALL PUBLICLY OWNED UTILITY COALITION COMMENTS ON STAFF  
WORKSHOP ON THE FUTURE EDITION OF RENEWABLES PORTFOLIO  
STANDARD ELIGIBILITY GUIDEBOOK**

The Small Publicly Owned Utility Coalition (“Small POU Coalition”) respectfully submits these comments in response to the California Energy Commission’s (“Commission”) Staff Workshop on the Future Edition of the Renewables Portfolio Standard (“RPS”) Eligibility Guidebook (“Workshop”), held on March 17, 2016. At the Workshop, Commission staff discussed potential changes to the next edition of the Eligibility Guidebook, including items related to Senate Bill 350. Commission staff invited comments on the potential changes, and provided a list of questions for response.<sup>1</sup> The Small POU Coalition hereby provides the following comments on the Workshop questions.

**I. INTRODUCTION**

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 POU’s formed in the last two decades, following deregulation and the California Energy Crisis. POU’s in the Coalition have a

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<sup>1</sup> See Workshop Slides at 7-9 (March 17, 2016) (for list of questions).

substantially smaller load and administrative capacity in comparison to many of the other utilities within California. Though smaller in size, Coalition members serve a diverse array of agricultural, commercial, industrial, and residential customers throughout California.

## II. COMMENTS ON WORKSHOP QUESTIONS

### 1. **Should the allowed time be reduced from 24 months to 12 months when requesting creation of retroactive RECs for any generation that precedes the date of request? If not, what is a reasonable timeframe?**

The allowed time should not be reduced to 12 months from 24 months when requesting creation of retroactive RECs for any generation that precedes the date of the request. Stakeholders raised concerns with this proposal at the workshop, and noted that because RECs may not be discovered for some time, moving the timeframe any earlier would impact the effectiveness and flexibility of the program.<sup>2</sup> The Small POU Coalition shares these concerns. Though staff explained at the Workshop that the REC creation time reduction proposal is due to the potential for the request processing period to approach the 36-month retirement window, the Small POU Coalition agrees with the assessment from stakeholders at the Workshop that these conditions are rare and that there are other means to address that problem in those instances.

### 2. **Should the requirement of 90 days within commercial operations date be removed when determining the eligibility date of a facility? Is it fair to require that if a facility is not certified by the utility reporting deadline, generation cannot be reported until the next reporting period? If not, what is a balanced approach?**

The Small POU Coalition supports use of the existing process whereby an applicant can request extension of the the certification application deadline, and recommends that the 90-day requirement remain as a default.

### 3. **Should extensions of certification application deadlines be limited to no more than 2 years? If not, what is an acceptable limit, and why?**

Since a request for extension is already subject to the Executive Director's review and

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<sup>2</sup> See, e.g., Workshop Transcript at 26-27, 43-44 (March 28, 2016) (for stakeholder concerns).

approval, and the Executive Director evaluates the requestor's diligence in responding to a missed deadline as part of this review,<sup>3</sup> the Small POU Coalition opposes a set limitation for the extension of certification application deadlines.

**4. Are the proposed conditions under substantial amendments to RPS certification logical? (use of energy storage, decrease in nameplate capacity, changes within an aggregated unit, additions to a certified facility) If not, how should these circumstances be handled?**

The Small POU Coalition has no response on this issue at this time.

**5. What documentation is acceptable to verify the RECs generated by entities participating under the western EIM?**

The Small POU Coalition believes more information is needed on what entities will be generating under the EIM before this issue can be properly evaluated.

**6. Should we continue using the ITS for limited circumstances? If so, in what conditions?**

The Commission should continue use of the ITS. Though the ITS may apply in limited instances, stakeholders at the workshop highlighted several instances where the ITS has provided needed flexibility.<sup>4</sup> Given the utility of the ITS in these instances, the Small POU Coalition supports the continuation of the ITS.

**7. In the adopted resolution for moving RECs, is the limitation of one request per RPS compliance period reasonable? If not, should this requirement be modified or removed?**

Since Resolution 16-0309-4a details a sixteen step process for receiving Executive Director approval for moving surplus RECs, and the process will only be used in limited circumstances, the Small POU Coalition supports the removal of the restriction of one request per RPS compliance period.

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<sup>3</sup> Eighth Edition of the RPS Eligibility Guidebook at 75, Section VII(D)(3)(d).

<sup>4</sup> See, e.g., Workshop Transcript at 32-33 (March 28, 2016) (for stakeholder comment on ITS application).

### III. CONCLUSION

The Small POU Coalition appreciates the opportunity to provide comments on the March 17, 2016 Workshop, and thanks the Commission for its review and consideration of these comments.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dan Griffiths".

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