

DOCKETED

Docket Number:	19-BSTD-08
Project Title:	Community Shared System Applications
TN #:	230911
Document Title:	Steve Uhler Comments - BSTD-19-08 SMUD should consider deletion of use of PUC 399-30(c)(4)
Description:	N/A
Filer:	System
Organization:	Steve Uhler
Submitter Role:	Other Interested Person
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Comment Received From: Steve Uhler
Submitted On: 12/1/2019
Docket Number: 19-BSTD-08

BSTD-19-08 SMUD should consider deletion of use of PUC 399-30(c)(4)

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The SMUD application should remain tabled until the adoption of amendments to Chapter 13. Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities.

An alternative to the application remaining tabled is to vote to deny the application on grounds that rules for use of Renewable Energy Credits for monitoring to demonstrate performance of the PV system as required by 7.2.3.4 Remote Monitoring Capability do not exist at this time.

It appears that SMUD wishes to utilize PUC 399.30(c)(4) as a means for monitoring the PV system to demonstrate the PV system provides the same or better energy performance.

Perhaps SMUD has overlooked that the enforcement procedures for PUC 399.30(c)(4) for Chapter 13. Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities have not been adopted pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, also known as the APA.

Title 24 does not govern the use of Renewable Energy Credits for the purpose of monitoring the performance of a Community Shared Solar Electric Generation System.

Title 24 does require JA11.5 System Monitoring Requirements to demonstrate performance compliance.

Title 24 requires the following:

10-115 (a) 2. Energy Performance. The community shared solar electric generation system and/or community shared battery storage system shall be demonstrated to provide the same or better energy performance equal to the partial or total compliance with the energy performance of the onsite solar electric generation and/or battery storage system that would otherwise have been required for the building, computed by compliance software certified for use by the Commission.

7.2.3.4 Remote Monitoring Capability

The PV system must have a web portal and a mobile device application that enable the occupants monitor the performance of their PV system, to identify, report, and correct performance issues with the panels, inverters, shading, or other issues that may adversely impact the performance of the PV system. At a minimum, the occupants must have access to the following information:

- (a) The nominal kW rating the PV system.
- (b) Number of PV modules and the nominal watt rating of each module.
- (c) Hourly (or 15-minute interval), daily, monthly, and annual kWh production in numeric and graphic formats for the system.
- (d) Running total of daily kWh production.
- (e) Daily kW peak power production.
- (f) Current kW production of the entire PV system.

Certificates and Availability: The PV installer shall certify on the Certificate of Installation that all provisions of JA11 are met and provide PV array geometries used in the performance calculation if applicable. The Certificate of Installation shall be available on the building site for inspections.

Enforcement Agency Responsibilities: The local enforcement agency shall verify that the Certificate of Installation is valid complete and correct, and uploaded into a Commission approved registry.

The APA, Public Utilities Code - PUC and Title 20 requires the following:

Docket 16-RPS-03 is the pre-rulemaking proceeding for amendments to Chapter 13. Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities.

PUC 399.30(n) expressly requires the Energy Commission to adopt regulations specifying procedures for enforcement for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities.

The CEC plans to initiate a formal rulemaking to consider amendments to its RPS POU Regulations in Title 20, California Code of Regulations, Sections 1240 and 3200-3208. The regulations specify the enforcement procedures the CEC uses to assess publicly owned electric utilities (POUs) compliance with California's Renewable Portfolio Standard (RPS). The amendments to the regulations will implement changes in the law, and make clarifications to existing regulatory provisions. See <https://efiling.energy.ca.gov/GetDocument.aspx?tn=230867>

In the formal rulemaking to consider amendments to its RPS POU Regulations in Title 20, PUC 399.30(c)(4) will be considered. In the consideration of PUC 399.30(c)(4), the use of Renewable Energy Credits and what are eligible renewable energy resources that are located in reasonable proximity to program participants will be adopted by the Energy Commission pursuant to the APA.

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Additional submitted attachment is included below.

DOCKETED

Docket Number:	16-RPS-03
Project Title:	Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities
TN #:	230867
Document Title:	Notice of Lead Commissioner Pre-Rulemaking Workshop
Description:	N/A
Filer:	Gregory Chin
Organization:	California Energy Commission
Submitter Role:	Commission Staff
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CALIFORNIA ENERGY COMMISSION

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Sacramento, California 95814

Main website: www.energy.ca.gov

CEC-70 (Revised 1/19)



IN THE MATTER OF:

***Amendments to Regulations
Specifying Enforcement
Procedures for the Renewables
Portfolio Standard for Local
Publicly Owned Electric Utilities***

Docket No. 16-RPS-03

WORKSHOP

RE: Enforcement Procedures for the
Renewables Portfolio Standard for
Local Publicly Owned Electric
Utilities

NOTICE OF LEAD COMMISSIONER PRE-RULEMAKING WORKSHOP

The Lead Commissioner for Renewable Energy of the California Energy Commission (CEC), Karen Douglas, is conducting a workshop to present proposed amendments to the *Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities* (RPS POU Regulations). A quorum of commissioners may attend, but no votes will be taken.

**Thursday, December 12, 2019
10:00 AM**

**Warren-Alquist State Energy Building
1516 Ninth Street
1st Floor, Arthur Rosenfeld Hearing Room
Sacramento, California 95814
(Wheelchair Accessible)**

Remote access is available by computer or phone via WebEx.™
(Instructions below.)

Agenda

CEC staff is presenting proposed draft amendments to the regulations to implement legislative changes to the RPS POU Regulations from Senate Bill (SB) 350 (de León, Chapter 547, Statutes of 2015), SB 1393 (de León, Chapter 677, Statutes of 2016), SB 1110 (Bradford, Chapter 605, Statutes of 2018), SB 100 (de León, Chapter 312, Statutes of 2018), and make clarifications to existing regulatory provisions.

A final agenda, and any additional related materials will be posted prior to the workshop at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=16-RPS-03>.

Background

The CEC plans to initiate a formal rulemaking to consider amendments to its RPS POU Regulations in Title 20, California Code of Regulations, Sections 1240 and 3200–3208. The regulations specify the enforcement procedures the CEC uses to assess publicly owned electric utilities (POUs) compliance with California’s Renewable Portfolio Standard (RPS). As described above, the amendments to the regulations will implement changes in the law, and make clarifications to existing regulatory provisions.

Among other requirements, California’s RPS requires retail sellers and POUs to increase their procurement of eligible renewable energy resources to 60 percent of retail sales by 2030. The RPS is administered by the CEC and the California Public Utilities Commission (CPUC). As part of its responsibilities, the CEC oversees RPS compliance and enforcement of the POUs. The RPS POU Regulations specify the rules and procedures the CEC uses to assess a POU’s procurement actions and determine whether those actions meet the RPS requirements. The CEC initially adopted the RPS POU regulations on June 12, 2013, with an effective date of October 1, 2013. The CEC subsequently modified the RPS POU Regulations, and the amended regulations were adopted by the CEC on October 14, 2015, with an effective date of April 12, 2016.

In August 2019, the CEC published a staff paper on implementation options for the long-term procurement requirement, one of several requirements established by SB 350, and held a pre-rulemaking workshop on this topic on September 10, 2019.¹ Staff received public comment on the implementation of this requirement and considered this feedback in developing pre-rulemaking draft regulatory amendments.

Staff is developing pre-rulemaking draft regulatory amendments that include the full range of proposed regulatory changes to the RPS POU Regulations. Staff will present proposed regulatory changes and seek additional public input through oral and written comments during and after this workshop.

Public Comment

Oral comments: The Lead Commissioner for Renewable Energy will accept oral comments during the workshop. Comments may be limited to five minutes per speaker and one speaker per organization. Any comments may become part of the public record for this proceeding.

Written comments. Written comments must be submitted to the Docket Unit by **5:00 p.m. on January 8, 2020**. Written comments will also be accepted at the workshop; however, the CEC may not have time to review them before the conclusion of the workshop.

¹ https://ww2.energy.ca.gov/portfolio/pou_rulemaking/2016-RPS-03/

Written and oral comments, attachments, and associated contact information (e.g. address, phone number, email address) become part of the viewable public record. This information may also become available via any Internet search engine.

The CEC encourages use of its electronic commenting system. Visit <https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=16-RPS-03>, which links to the comment page for this docket. Select or enter a proceeding to be taken to the “Add Comment” page. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the “Comment Text” box or attached in a downloadable, searchable Microsoft® Word (.doc, .docx) or Adobe® Acrobat® (.pdf) file. Maximum file size is 10 MB.

Written comments may also be submitted by email. Include the docket number 16-RPS-03 and “Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities” in the subject line and send to docket@energy.ca.gov.

If preferred, a paper copy may be sent to:

California Energy Commission
Docket Unit, MS-4
Re: Docket No.16-RPS-03
1516 Ninth Street
Sacramento, CA 95814-5512

Public Advisor and Other Commission Contacts

The CEC’s Public Advisor’s Office provides the public assistance in participating in CEC proceedings. For information on how to participate in this forum, please contact Public Advisor, Noemí O. Gallardo, at PublicAdvisor@energy.ca.gov, (916) 654-4489 or toll free at (800) 822-6228.

Please direct requests for reasonable accommodation to Yolanda Rushin at Yolanda.Rushin@energy.ca.gov or (916) 654-4310 at least five days in advance.

Media inquiries should be directed to the Media and Public Communications Office at MediaOffice@energy.ca.gov or (916) 654-4989.

Questions on the subject matter of this meeting should be directed to Katharine Larson at Katharine.Larson@energy.ca.gov or (916) 651-1231.

Remote Attendance

WebEx is the CEC’s online meeting service. When attending remotely, presentations will appear on your computer/laptop/mobile device screen and audio may be heard via the device or telephone. Please be aware that the WebEx meeting may be recorded. WebEx technical support is available at 1-866-229-3239.

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Availability of Documents

Documents and presentations for this meeting will be available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=16-RPS-03>.

Dated: November 26, 2019 at Sacramento, California



Karen Douglas
Lead Commissioner
Mail Lists: Renewable listserv