<table>
<thead>
<tr>
<th><strong>Docket Number:</strong></th>
<th>16-RPS-03</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Title:</strong></td>
<td>Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities</td>
</tr>
<tr>
<td><strong>TN #:</strong></td>
<td>238812</td>
</tr>
<tr>
<td><strong>Document Title:</strong></td>
<td>OAL Notice of Approval of Regulatory Action and endorsed Form 400</td>
</tr>
<tr>
<td><strong>Description:</strong></td>
<td>Office of Administrative Law's approval of the modifications to the RPS regulations for POUs. Approval issued on July 12, 2021 with an effective date of the regulatory action of July 12, 2021.</td>
</tr>
<tr>
<td><strong>Filer:</strong></td>
<td>Gregory Chin</td>
</tr>
<tr>
<td><strong>Organization:</strong></td>
<td>California Energy Commission</td>
</tr>
<tr>
<td><strong>Submitter Role:</strong></td>
<td>Commission Staff</td>
</tr>
<tr>
<td><strong>Submission Date:</strong></td>
<td>7/12/2021 4:55:59 PM</td>
</tr>
<tr>
<td><strong>Docketed Date:</strong></td>
<td>7/12/2021</td>
</tr>
</tbody>
</table>
The California Energy Commission (CEC) in 2013 adopted regulations specifying procedures for enforcement of the Renewables Portfolio Standard (RPS) on local, publicly-owned electric utilities (POUs). The RPS was created to increase the amount of electricity generated from eligible renewable energy sources. Eligible sources generally mean: wind, solar, biomass, ocean wave, tidal current, landfill or digester gas, geothermal, and small hydroelectric. These regulations were updated in 2016. Now CEC is amending these regulations due to the passage of four bills, SB 350 (Stats. 2015, ch. 547), SB 1393 (Stats. 2016, ch. 677), SB 100 (Stats. 2018, ch. 312), and SB 1110 (Stats. 2018, ch. 605). These amendments provide how POUs comply with the long-term procurement requirement and how the RPS procurement targets for compliance periods after 2020 will be enforced. These regulations also update rules implementing the requirements for accrual and use of excess procurement, use of a qualifying green pricing or shared renewable generation program to adjust retail sales, and use of the delay of timely compliance and cost limitation measures. In addition, rules are established for RPS procurement target exemptions for qualifying large hydroelectric generation, unavoidable long-term coal contracts, and qualifying gas-fired generation.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/12/2021.

Date: July 12, 2021

Peggy J. Gibson
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Drew Bohan, Executive Director
Copy: Gregory Chin
## A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. **SUBJECT OF NOTICE**
   - Enforcement Procedures for the RPS for POUs

2. **FIRST SECTION AFFECTED**
   - 1240; 3201

3. **REQUESTED PUBLICATION DATE**
   - May 8, 2020

4. **SUBJECT OF REGULATION(S)**
   - Enforcement Procedures for the RPS for POUs

5. **SECTION(S) AFFECTED**
   - 3201, 3202, 3204, 3205, 3206, 3207, 3208, and 1240.

6. **TYPE OF FILING**
   - Regular Rulemaking (Gov. Code §11346)

7. **ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDITIONAL TO THE RULEMAKING FILE**

8. **EFFECTIVE DATE OF CHANGES**
   - Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(e))

9. **CONTACT PERSON**
   - Gregory Chin

10. **SIGNATURE OF AGENCY HEAD OR DESIGNEE**
    - Drew Bohan, Executive Director

---

**Office of Administrative Law**

---

**California Energy Commission**