

DOCKETED

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Project Title:	Appeal by Los Angeles Department of Water & Power re Renewables Portfolio Standard Certification Eligibility
TN #:	213394
Document Title:	Supporting Letters from PG&E, Shell, and Others
Description:	N/A
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Docketed Date:	8/31/2016

December 15, 2008

VIA EMAIL AND U.S. MAIL

Chad Curran
Manager, Renewable and QF Contracts
Pacific Gas and Electric Co.
P.O. Box 770000, Mail Code N12E
San Francisco, CA 94177-0001

Re: Microgy, Inc., PG&E Log No. M-R-7014, CEC Attestation

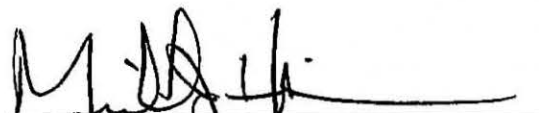
Dear Mr. Curran:

Mircogy, Inc. ("Microgy") and Pacific Gas and Electric Company ("PG&E") are Parties to that certain Agreement For The Sale And Purchase Of Gas executed on February 23, 2007, as amended (the "Agreement"). All capitalized terms used, but not defined herein, shall have the meaning set forth in the Agreement.

I, Michael Hvisdos, Executive Vice President, of Microgy, Inc. ("Seller"), attest that Seller's Product (as defined in the Agreement) consists of pipeline-quality biomethane gas derived from agricultural waste and the Product injected from Seller's Site(s) (as defined in the Agreement) into the natural gas pipeline system meets the eligibility requirements for "biogas injected into a natural gas pipeline" contained on Page 20 in the Third Edition, of the California Energy Commission's RPS Eligibility Guidebook for use in a California RPS-certified facility.

Dated: December 15, 2008

MICROGY, INC.


Michael Hvisdos, Exec. Vice President

July____, 2008

VIA EMAIL AND U.S. MAIL

Ted Yura
Manager, Contract Management
Pacific Gas and Electric Co.
P.O. Box 770000, Mail Code N12E
San Francisco, CA 94177-0001

Re: BioEnergy Solutions, LLC, PG&E Log No. M-R-7013, CEC Attestation

Dear Mr. Yura:

BioEnergy Solutions, LLC ("BES") and Pacific Gas and Electric Company ("PG&E") are Parties to that certain Biogas Purchase And Sale Agreement executed on December 11, 2006 (the "Agreement"). All capitalized terms used, but not defined, herein shall have the meaning set forth in the Agreement.

I, David Albers, CEO of BioEnergy Solutions, LLC ("Seller"), attest that Seller's Product (as defined in the Agreement) consists of pipeline-quality biomethane gas derived from agricultural waste (cow manure) and the Product injected from Seller's Site(s) (as defined in the Agreement) into the natural gas pipeline system meets the eligibility requirements for "biogas injected into a natural gas pipeline" contained on Page 20 in the Third Edition, of the California Energy Commission's RPS Eligibility Guidebook for use in a California RPS-certified facility.

Dated: 8-04-08.

BIOENERGY SOLUTIONS, LLC

A handwritten signature in blue ink, appearing to read "D. Albers", is written over a horizontal line.

David Albers, CEO

PACIFIC GAS AND ELECTRIC COMPANY
ATTESTATION OF INTENT TO PROCURE RPS-ELIGIBLE BIOGAS FUEL
IN SUPPORT OF RPS CERTIFICATION OF THE
GATEWAY GENERATING STATION

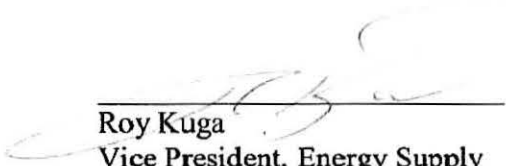
I, Roy Kuga, am the Vice President, Energy Supply, of Pacific Gas and Electric Company (PG&E). PG&E owns, is constructing, and will be operating the Gateway Generating Station (Gateway). PG&E is applying to the California Energy Commission for Gateway to be certified as a California Renewables Portfolio Standard (RPS) - eligible facility using multiple fuels. The Gateway multi-fueled facility will use both RPS-eligible fuel and ineligible natural gas.

PG&E intends to procure biogas fuel that meets RPS eligibility criteria for the generation of RPS-eligible electricity by Gateway.

The RPS-eligible biogas will be nominated directly to the Gateway facility.

The Gateway facility is also being registered in the Western Renewable Energy Generation Information System (WREGIS) accounting system and will be compliant with WREGIS' requirements.

Dated: 12/11/08



Roy Kuga
Vice President, Energy Supply
Pacific Gas and Electric Company

Beacon Landfill Gas Holdings, LLC
7913 Westpark Drive, Suite 101
McLean Virginia 22102

August 9, 2010

Shell Energy North America (US), L.P.
909 Fannin Street
Houston, Texas 77010

Re: ATTESTATION LETTER



This attestation letter ("**Letter**") is given by Beacon Landfill Gas Holdings, LLC ("**Beacon**") for the benefit of Shell Energy North America (US), L.P. ("**Shell Energy**") and its designees. Beacon and Shell Energy are in negotiations regarding that certain Base Contract for Sale and Purchase of Natural Gas and that certain Transaction Confirmation (collectively, the "**Biomethane Contracts**") each as dated the same date as this Letter. The following attestation shall be effective as of September 1, 2010:

The undersigned hereby attests that the Renewable Biomethane (as defined in the Biomethane Contract) being sold by Beacon to Shell Energy is pipeline quality gas generated from the conversion of raw landfill gas at the landfill gas extraction, refinement and transmission facilities located at either (a) **Kersey, Pennsylvania** or (b) **Imperial Pennsylvania** (collectively, the "**Projects**") and such Renewable Biomethane:

(i) is "Biogas", as that term is defined in the California Energy Commission's Renewable Energy Program Overall Program Guidebook (January 2008), as amended, or natural gas that may be sold into an alternative market as provided herein;

(ii) contains all credits or payments associated with the reduction in or avoidance of Greenhouse Gas emissions generated or owned by the Projects, including emission reduction credits, verified emission reductions, voluntary emission reductions, offsets, allowances, voluntary carbon units, avoided compliance costs, emission rights and authorizations, and CO2 reduction and sequestration and the environmental attributes associated with the use of a pipeline quality Biogas derived fuel for the generation of electric power ("**Environmental Attributes**"). However, Environmental Attributes do not include (a) any federal or state tax credits associated with the collection, production, transfer or sale of such Biogas, (b) any emission reduction credits required or available for the operation of a digester gas processing facility at the Project to convert collected Biogas to pipeline quality natural gas standards. For purposes hereof, "**Greenhouse Gas**" means carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, or any other substance or combination of substances that may become regulated or designated as Greenhouse Gases under any federal, state or local law or regulation, or any emission reduction registry, trading system, or reporting or reduction program for Greenhouse Gas emission reductions that is established, certified, maintained, or recognized by any international, governmental (including U.N., federal, state, or local agencies), or non-governmental agency from time to time, in each case measured in increments of one metric tonne of carbon dioxide equivalent; and

(iii) the Biogas from the Projects is injected into the National Fuel Gas Supply Corporation ("NFG") interstate pipeline for delivery to Shell Energy at a delivery point on the NFG system.

IN WITNESS THEREOF, each of the parties hereto has caused this Letter to be executed on its behalf by its duly authorized officer(s), all as of the day and year first above written.

BEACON LANDFILL GAS HOLDINGS LLC

By: enXco LFG Holding, LLC, its Manager

By: enXco, Inc., its Manager

BY:  _____

NAME: Tristan Grimbart

TITLE: President and CEO

Georecover – Live Oak, LLC
171 17th Street NW, Suite 1550
Atlanta, GA 30363

November 13, 2009

Glenn T. Wright
Senior Vice-President
Shell Energy North America (US), L.P.
909 Fannin Street, Plaza Level 1
Houston, Texas 77010
United States of America



Re: CEC Attestation

Dear Glenn:

Shell Energy North America (US), L.P. ("Shell Energy") and Georecover - Live Oak, LLC ("Live Oak") have negotiated a Base Contract for Sale and Purchase of Natural Gas and relevant Transaction Confirmation (collectively, the "NAESB Contract"). Upon execution of the NAESB Contract, the following Attestation will be effective:

The undersigned hereby attests that the Renewable Bio Gas portion of the product ("RB") being sold by Live Oak to Shell Energy is pipeline quality gas generated from the conversion of raw landfill gas at Live Oak's processing facilities located at the Georecover - **Live Oak, LLC Landfill Gas Processing Facility** in Conley, GA (the "Project"), and contains all the environmental attributes associated with the use of a pipeline quality landfill gas-derived fuel for the generation of electric power including (a) 50% of all Internal Revenue Code Section 29 Tax Credits, if any, (other than NOx allowances, as defined below) or any other similar state or other federal or local credits or deductions, payments and benefits available to landfill gas producers and arising from (i) the Seller's production, collection, extraction and sale of RB from the Project, (ii) the purchase of RB, or (iii) using RB as a fuel, that are not superseded by any production tax credits that a third-party buyer may be earning from the production of renewable power through the consumption of RB (the remaining 50% of such credits as referred to in this clause (a) specifically being retained by Live Oak), (b) all emissions credits (other than NOx allowances) arising from the generation, collection, production, use, reduction, conservation, destruction or sale of RB from the Project or as a result of Seller's activities to convert collected landfill gas to pipeline quality standards, including, without limitation, with the generation of energy, whether existing or inchoate, known or unknown, accrued, absolute, contingent or otherwise, and whether currently or

prospectively accredited, registered, approved, sanctioned, recognized, governed or regulated by an existing or to be formed location, municipal, state, federal, regional, provincial or international governmental, quasi-governmental, public or private body, enterprise or entity, and (c) any credits or payments associated with the capture and destruction of methane, or the reduction in or avoidance of Greenhouse Gas emissions at the Project (but excluding NOx allowances), including emission reduction credits, verified emission reductions, voluntary emission reductions, offsets, allowances, voluntary carbon units, avoided compliance costs, emission rights and authorizations, and CO2 reduction and sequestration. For purposes hereof, "Greenhouse Gas" means carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, or any other substance or combination of substances that may become regulated or designated as Greenhouse Gases under any federal, state or local law or regulation, or any emission reduction registry, trading system, or reporting or reduction program for Greenhouse Gas emission reductions that is established, certified, maintained, or recognized by any international, governmental (including U.N., federal, state, or local agencies), or non-governmental agency from time to time, in each case measured in increments of one metric ton of carbon dioxide equivalent. For purposes hereof, "NOx Allowances" means any reductions, credits, allowances or offsets relating to NOx arising from the generation, collection, production, use, reduction, conservation, destruction or sale of RB from the landfill, including from or in connection with the Project and/or the above-referenced activities at the Project or the landfill. For purposes hereof, RB shall have the meaning in the Transaction Confirmation that is part of the NAESB Contract.

The undersigned further attests that Live Oak has not agreed to sell the environmental attributes associated with any gas to be delivered to Shell Energy, and that have not been retained or excluded as set forth herein, to any other party.

Georecover - Live Oak, LLC

By: Jacoby Energy Development, Inc., its Managing Member

By: 

Name: James F. Jacoby

Its: CEO



September 28, 2010

Kate Zocchetti
California Energy Commission
Renewable Energy Office
1516 Ninth Street, MS 45
Sacramento, CA 95814-5512

Re: Wildflower Indigo Units 1,2,3
Biogas Attestation

Shell Energy North America (US), L.P.
4445 Eastgate Mall
Suite 100
San Diego, CA 92121

Tel +1 858-526-2118
www.shell.com/us/energy



Dear Ms. Zocchetti:

Shell Energy North America (US), L.P. ("SENA") has procured the Biogas supplies identified in Exhibit A and provides this Attestation with respect to such Biogas supply:

I, Thomas Ingwers, attest that the Biogas i) consists of pipeline-quality Landfill Gas or Biogas, as these terms are defined in the California Energy Commission's ("CEC") Renewable Energy Program Guidebook (January 2008), ii) contains all the necessary environmental attributes to be a RPS eligible renewable fuel pursuant to the CEC's Renewables Portfolio Standard Eligibility Guidebook, (Third Edition) (the "Guidebook"), and iii) is injected into a natural gas transportation pipeline system and delivered into California consistent with the delivery requirements in the Guidebook.

Dated: September 28, 2010

SHELL ENERGY NORTH AMERICA (US), L.P.

Thomas Ingwers
Vice President, Environmental Solutions

LOS MEDANOS ENERGY CENTER, LLC
ATTESTATION OF INTENT TO PROCURE RPS-ELIGIBLE
BIOGAS FUEL IN SUPPORT OF RPS CERTIFICATION OF
LOS MEDANOS ENERGY CENTER

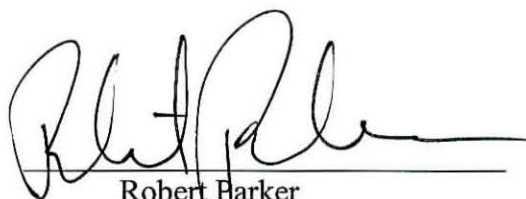
I, Robert Parker, am the Vice President of Los Medanos Energy Center, LLC ("Los Medanos"). Los Medanos owns and operates the Los Medanos Energy Center ("LMEC"). Los Medanos is applying to the California Energy Commission for LMEC to be certified as a California Renewables Portfolio Standard ("RPS") – eligible facility using multiple fuels. The LMEC multi-fueled facility will use both RPS-eligible fuel and ineligible natural gas.

Los Medanos intends to procure biogas fuel that meets RPS eligibility criteria for the generation of RPS-eligible electricity by LMEC.

The RPS-eligible biogas will be nominated into the State of California and designated for use at the RPS eligible facility.

The LMEC facility is also being registered in the Western Renewable Energy Generation Information System (WREGIS) accounting system and will be compliant with WREGIS' requirements.

Dated: 12/7/10



Robert Parker
Vice President
Los Medanos Energy Center, LLC



PASTORIA ENERGY FACILITY, L.L.C.
ATTESTATION OF INTENT TO PROCURE RPS-ELIGIBLE
BIOGAS FUEL IN SUPPORT OF RPS CERTIFICATION OF
PASTORIA ENERGY FACILITY

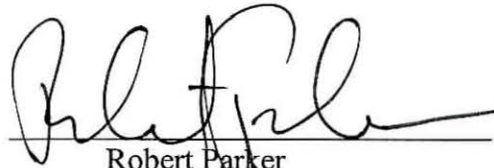
I, Robert Parker, am the Vice President of Pastoria Energy Facility, L.L.C. ("Pastoria"). Pastoria owns and operates the Pastoria Energy Facility ("PEF"). Pastoria is applying to the California Energy Commission for PEF to be certified as a California Renewables Portfolio Standard ("RPS") – eligible facility using multiple fuels. The PEF multi-fueled facility will use both RPS-eligible fuel and ineligible natural gas.

Pastoria intends to procure biogas fuel that meets RPS eligibility criteria for the generation of RPS-eligible electricity by PEF.

The RPS-eligible biogas will be nominated into the State of California and designated for use at the RPS eligible facility.

The PEF facility is also being registered in the Western Renewable Energy Generation Information System (WREGIS) accounting system and will be compliant with WREGIS' requirements.

Dated: 12/7/10



Robert Parker
Vice President
Pastoria Energy Facility, L.L.C.

RM



February 23, 2009

Mike DeAngelis
Sacramento Municipal Utility District
6301 'S' Street
Sacramento, CA 95817-1899

Shell Energy North America
4445 Eastgate Mall, Suite 100
San Diego, CA 92121
Tel 1+ 858 526 2109
www.shell.com/us/energy

**Re: Shell Energy North America (US), L.P., Sacramento Municipal Utility District,
CEC Attestation**

Dear Mike:

Shell Energy North America (US), L.P. ("SENA") and Sacramento Municipal Utility District ("SMUD") are currently negotiating a Transaction Confirmation to be executed pursuant to that certain Base Contract for Sale and Purchase of Natural Gas dated May 1, 2003 (collectively, the "NAESB Contract"). Upon execution of the Transaction Confirmation, the following Attestation will be effective:

I, Beth Bowman, attest that the Renewable Natural Gas (as defined in the NAESB Contract) i) consists of pipeline-quality Landfill Gas, as that term is defined in the California Energy Commission's ("CEC") Renewable Energy Program Overall Program Guidebook (January 2008), and ii) contains all the necessary environmental attributes required be a RPS eligible renewable fuel pursuant to the CEC's Renewables Portfolio Standard Eligibility Guidebook, (Third Edition).

Dated: February 23, 2009

SHELL ENERGY NORTH AMERICA (US), L.P.

By: Beth Bowman
Its: Senior Vice President