

DOCKETED

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Sacramento, California 95814Main website: www.energy.ca.gov

In the matter of:)	Docket No. 16-RPS-01
)	
Developing Guidelines for the 50)	REQUEST FOR COMMENTS
Percent Renewables Portfolio Standard)	RE: Guideline Revisions for
)	RPS Implementation

**Notice Requesting Public Comments on Draft Final
*Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition***

California Energy Commission staff is seeking written comments on the Draft Final *Renewables Portfolio Standard Eligibility Guidebook (RPS Guidebook), Ninth Edition* (Publication No. CEC-300-2016-006-ED9-SF). The document is available in both clean and underline/strikeout format at:

<http://www.energy.ca.gov/portfolio/16-RPS-01/documents/>

The *RPS Guidebook* describes the eligibility requirements and process for certifying renewable resources as eligible for California's RPS and describes how the Energy Commission verifies compliance with the Renewables Portfolio Standard (RPS). The *RPS Guidebook* is revised periodically to reflect statutory, market, and regulatory developments and to respond to lessons learned through implementing the RPS program.

Senate Bill 350 (De León, Chapter 547, Statutes of 2015) amended the existing law to increase the RPS procurement requirements for load serving entities to 50 percent by 2030 and amended the eligibility requirements for a municipal solid waste combustion facility. Changes under Senate Bill 350 are identified below and reflected in the Draft Final *RPS Guidebook*. Similarly, Senate Bill 1393 (De León, Chapter 677, Statutes of 2016), which was recently approved in September 2016, clarified the eligibility requirements for a municipal solid waste combustion facility as originally amended by Senate Bill 350. Additional changes as they relate to RPS under Senate Bill 350 and Senate Bill 1393 will be implemented through amendments to the Energy Commission's *Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities*, as set forth in the California Code of Regulations, Title 20, sections 1240, 3200 - 3208.

The Draft Final *RPS Guidebook, Ninth Edition* is a result of a collaborative effort among staff, stakeholders, and interested individuals. Initially, staff held a scoping workshop in March 2016, to solicit public comments on staff's proposed revisions to the *RPS Guidebook, Eighth Edition*. Staff announced and described at the scoping workshop that the Energy Commission was developing a new web-based RPS Online System based on the RPS forms in the *RPS Guidebook, Eighth Edition*. This new system will replace the RPS forms and allow for online submission of RPS certification applications and reports.

Both oral and written comments were considered by staff and presented to the Renewables Lead Commissioner. Accordingly, a Draft *RPS Guidebook, Ninth Edition* was released in July 2016, which reflected both Lead Commissioner and stakeholder feedback. Staff held several focus group meetings and public workshops from February to October 2016, to describe and

demonstrate to RPS participants the use of the web-based RPS Online System. These meetings and workshops gave participants numerous opportunities to provide feedback on the new system during the development stage. The web-based RPS Online System will be operational when the *RPS Guidebook, Ninth Edition* takes effect.

Staff received 7 sets of written comments on the proposed changes to the Draft *RPS Guidebook, Ninth Edition* published in July 2016. These written comments are available at: <http://www.energy.ca.gov/portfolio/16-RPS-01/documents/>. Staff considered all written comments, discussed them with the Renewables Lead Commissioner, and made revisions to the proposed guidebook accordingly. These revisions are included in the Draft Final *RPS Guidebook, Ninth Edition*.

The proposed guidebook changes relate to the following topics:

- Increasing the renewable energy procurement target for the RPS to 50 percent by 2030, and amending the RPS eligibility requirements of a facility engaged in the combustion of municipal solid waste.
- Incorporating changes to address the launch of the RPS Online System, which will replace the RPS certification application, supplemental certification forms and verification reporting forms, and change the process for submitting RPS certification applications, requests for time extensions for certification applications, and the annual facility and load-serving entity verification reports.
- Recasting the Interim Tracking System as a process for making Western Renewable Energy Generation Information System (WREGIS) adjustments, and describing how the WREGIS adjustment process may be used in limited circumstances using the RPS Online System.
- Clarifying the eligibility date and extending the deadline for submitting a certification application from 90 days to 180 days after a facility's commercial operation date, if requirements are met.
- Extending the deadline for amending a certification application from within 90 days of the change to 180 days, to align with the 180-day deadline when determining the eligibility date of a facility; and clarifying the criteria for amendments.
- Offering an alternate documentation requirement for biomethane facilities delivered through a common carrier pipeline if a biomethane procurement contract does not exist or the biomethane production facility and the electrical generation facility are owned by the same entity or individual.
- Clarifying the eligibility for biomethane delivered using a fuel container.
- Clarifying the eligibility requirements of hydroelectric generation facilities operated as part of water supply or conveyance system.
- Clarifying the WREGIS registration requirement for certification application.
- Expanding the requirements and clarifying the process for creating retroactive renewable energy credits (RECs) in WREGIS. Allowing resubmittal of compliance reports if retroactive RECs are created in WREGIS.
- Clarifying the de minimis allowance for existing facilities that were recertified under the *RPS Guidebook, Eighth Edition*.
- Clarifying the requirements of energy storage.
- Refining the description of facility statuses.
- Updating the RPS certification types.
- Clarifying that precertification applications are not allowed for aggregate unit applications.

- Clarifying reporting requirements for common carrier pipeline biomethane and functionally dedicated pipeline biomethane.
- Modifying the requirements for deadlines and submission dates for applications, reports, or supplemental information using the RPS Online System.
- Incorporating Resolution Nos. 16-0309-04a and 16-0309-04b adopted by the Energy Commission at the March 2016 Business Meeting that (1) updated the language in the Appeals section of the *RPS Guidebook*, and (2) established a process for local publicly owned electric utilities to request to move surplus retired RECs reported for a specified compliance period to the following compliance period.
- Removing topics or sections that are no longer applicable from the main body of the guidebook and adding them to the guidebook's Archive Appendix for historical reference only.
- Other minor clarifications and corrections.

Staff will consider written public comments on the proposed changes to the Draft Final *RPS Guidebook, Ninth Edition* and incorporate any needed revisions in a revised version of the guidebook which will be considered by the full Energy Commission at a regularly scheduled business meeting. **Staff anticipate taking the Draft Final *RPS Guidebook, Ninth Edition* for full Commission adoption at the January 2017, business meeting.** Public Resources Code Section 25747 authorizes the Energy Commission to approve substantive changes to the guidebook upon providing ten days public notice. Typically, changes take effect upon adoption by the Energy Commission at a publicly noticed meeting, however, the Energy Commission may specify a later effective date.

Written Comments

Written comments should be submitted to the Energy Commission's e-commenting online system no later than **5:00 p.m. on December 20, 2016.**

1. Go to the Energy Commission's website: <http://www.energy.ca.gov/e-filing/>.
2. Click "Comment on a Proceeding" in the Additional Information box.
3. Type "16-RPS-01" into the Select a Proceeding field.
4. Click "Continue" to Add a Comment.
5. Commenters are required to input their full name, email address, and comment title. Comment title should be "Jane Doe or Company Name Comment re Draft Final RPS Guidebook."
6. Type comments into the "Comment Text" field or upload a document with comments. Comments should be in a downloadable, searchable format such as Microsoft® Word (.doc or .docx) or Adobe® Acrobat® (.pdf).
7. Enter the CAPTCHA that is used to prevent spamming on the website. Then click on "Agree and Submit your Comments".

For additional information, see Standing Order re: Proceedings and Confidentiality Procedural Requirements for Filing, Service, and Docketing Documents with the Energy Commission, available at: www.energy.ca.gov/commission/chief_counsel/docket.html.

Additionally, written comments will be posted to the Energy Commission's website for the proceeding. Please note that your written comments, attachments, and associated contact information (for example, your address, phone, email, etc.) become part of the viewable public record. This information may become available via Google, Yahoo, and any other search engines.

If you prefer, you may send a paper copy of your comments to:

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

Public Adviser

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Public Adviser, Alana Mathews, at PublicAdviser@energy.ca.gov or (916) 654-4489 (toll free at (800) 822-6228).

Other Commission Contacts

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

If you have questions on the subject matter of this issue, please contact Jennifer Campagna at Jennifer.Campagna@energy.ca.gov or (916) 654-4710.

Date: December 7, 2016
Mail List: renewable