

DOCKETED

Docket Number:	16-RPS-02
Project Title:	Appeal by Los Angeles Department of Water & Power re Renewables Portfolio Standard Certification Eligibility
TN #:	221388
Document Title:	Corrected Signature Page for Proposed Decision
Description:	Date corrected to October 5, 2017. That is the only change to Document TN 221308.
Filer:	Paul Kramer
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	10/5/2017 1:07:52 PM
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13. The “grandfathering” provision in Section 399.16(d) allows POUs to use past contracts that satisfy the legal requisites of eligible renewable energy resources to reduce the total amount of renewable procurement required without regard to the category requirements, but does not entitle LADWP to meet its Article 16 obligations with a renewable resource that is not certified;

~~15.~~14. The rules in place for BC Hydro are the RPS Program statutes and the applicable Energy Commission Guidebook, but LADWP failed to timely file for certification of the BC Hydro facilities before the deadline of December 31, 2013;

15. Our interpretation of rules in place did not impose new or different liabilities on LADWP as a result of it entering into the Powerex BC Hydro PPAs to meet its PUC 387 obligations, affect LADWP’s rights under the BC Hydro contracts, nor did it impair LADWP’s ability to comply with Section 387;

~~13.~~16. The rules in place for biomethane are the RPS Program statutes and the Energy Commission’s RPS Eligibility Guidebook, Third Edition; and

~~14.~~17. The Energy Commission’s RPS Eligibility Guidebook, Third Edition does not contain any prohibition on the use of an exchange agreement for delivery of biomethane to certified facilities.

Order on LADWP’s Appeal

Therefore, the Commission **ORDERS** the following with respect to LADWP:

1. LADWP’s Scattergood, Harbor, Valley, and Haynes generating stations are eligible renewable energy resources and their electricity generation under the Biomethane Agreements, upon verification by staff, will count in full toward LADWP’s RPS Program procurement obligations.
2. The RECs from the generation from the BC Hydro generation cannot be counted toward LADWP’s RPS Program procurement obligations.

Dated: October 5, 2017, at Sacramento, California.

Original signed by:

ROBERT B. WEISENMILLER
Chair and Presiding Member
LADWP Appeal Committee

Original signed by:

DAVID HOCHSCHILD
Commissioner and Associate Member
LADWP Appeal Committee