

## DOCKETED

<b>Docket Number:</b>	16-OIR-05
<b>Project Title:</b>	Power Source Disclosure - AB 1110 Implementation Rulemaking
<b>TN #:</b>	222149
<b>Document Title:</b>	Notice of Staff Pre-Rulemaking Workshop on Updates to the Power Source Disclosure Regulations
<b>Description:</b>	January 29, 2018
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<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
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<b>Docketed Date:</b>	1/17/2018



In the matter of:	)	Docket No. 16-OIR-05
	)	
AB 1110 Implementation Rulemaking	)	STAFF WORKSHOP
	)	RE: AB 1110 Implementation
_____	)	

## Notice of Staff Pre-Rulemaking Workshop on Updates to the Power Source Disclosure Regulations

California Energy Commission staff will conduct a pre-rulemaking workshop to solicit stakeholder comment on proposed changes to the Power Source Disclosure (PSD) Program regulations, including those required by Assembly Bill 1110 (Ting, Chapter 656, Statutes of 2016), on:

**January 29, 2018**  
 1:00 p.m. (PT)  
 CALIFORNIA ENERGY COMMISSION  
 1516 Ninth Street  
 First Floor, Arthur Rosenfeld Hearing Room  
 Sacramento, California  
 Wheelchair Accessible

Remote Access Available by Computer or Phone via WebEx™  
 (Instructions below)

Discussion topics include:

- Greenhouse Gas (GHG) emissions intensity factor methodology
- Treatment of Renewable Energy Credits (RECs), including unbundled RECs, in power mix and GHG emissions accounting
- A GHG emissions intensity factor adjustment for regulated entities that meet certain provisions in the statute
- Anticipated revisions to the power content label and PSD annual reporting templates
- Other potential revisions to the PSD Program Regulations

The agenda will be made available prior to the workshop.

## Background

The California Energy Commission plans to institute a formal rulemaking to consider modifications to the Electricity Generation Source Disclosure regulations, Title 20, California Code of Regulations, section 1390 et seq. These regulations implement a program referred to as the Power Source Disclosure Program (PSD Program) and the regulations are referred to here as the PSD Regulations. The PSD Program requires retail suppliers to disclose to consumers the sources of electricity in their products compared with the mix of electricity sources providing power for California as a whole. The PSD Program was initially authorized by Senate Bill 1305 (Sher, Chapter 796, Statutes of 1997) which required retail electricity providers to disclose quarterly and annual fuel mix information to retail customers in the form of a Power Content Label (PCL). The PSD Regulations were amended through a formal rulemaking in 2016 to address statutory amendments and to make improvements in response to feedback from regulated entities and retail consumers.

Under AB 1110, the PSD Program will additionally require retail suppliers to disclose to customers the greenhouse gas (GHG) emissions intensity factors of the retail supplier's electric service portfolios and the quantity of unbundled Renewable Energy Credits (RECs) procured by the retail supplier in association with its electric service products. Retail suppliers will begin disclosing their GHG emissions intensities on the PCL in 2020 for 2019 calendar year data. The planned rulemaking will address the statutory requirements of AB 1110 as well as revisions to clarify existing provisions, improve program operations, and streamline reporting requirements.

Energy Commission staff held a workshop on February 21, 2017, to initiate pre-rulemaking activities and solicit input on several scoping questions under consideration for the AB 1110 implementation process. On July 14, 2017, Energy Commission staff held another workshop to present a pre-rulemaking implementation proposal for AB 1110, which was developed in consultation with the California Air Resources Board and stakeholder input to the scoping questions.

Energy Commission staff will use the workshop on January 29, 2018, to present a revised proposal for the implementation of AB 1110, as well as other programmatic updates to the PSD Program. Energy Commission staff developed the revised implementation proposal in consultation with the California Air Resources Board and with consideration of feedback from the California Public Utilities Commission and public comments submitted by stakeholders.

The revised AB 1110 implementation proposal and any other related materials will be posted before the workshop on the Energy Commission's website at: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=16-OIR-05> .

Development of the amendments to the PSD Regulations is currently in the "pre-rulemaking" phase. As needed, pre-rulemaking workshops are held by the Energy Commission to seek early public input for developing and refining draft regulations. The "rulemaking phase" commences with the publication of a Notice of Proposed Regulatory

Action and proposed regulations. Once adopted by the Energy Commission, the regulations will be submitted to the Office of Administrative Law for review.

More information about the California state government rulemaking process can be found at: [http://www.oal.ca.gov/rulemaking\\_process/regular\\_rulemaking\\_process/](http://www.oal.ca.gov/rulemaking_process/regular_rulemaking_process/).

## **Public Comment**

Oral comments. Staff will accept oral comments during the workshop. Comments may be limited to five minutes per speaker. Any comments may become part of the public record in this proceeding.

Written comments. Written comments should be submitted to the Dockets Unit by **5:00 p.m. on February 19, 2018**. Written comments will be also accepted at the workshop; however, the Commission may not have time to review them before the conclusion of the meeting.

Please note that your written and oral comments, attachments, and associated contact information (e.g. 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.

The Energy Commission encourages use of its electronic commenting system. Visit the website at <https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=16-OIR-05>.

This will take you to the page for adding comments to this docket. Please enter your contact information, any organization name, and a comment title describing the subject of your comments. You may include comments in the box titled "Comment Text" or attach a file in a downloadable, **searchable format** in Microsoft® Word (.doc, .docx) or Adobe® Acrobat® (.pdf). Maximum file size is 10 MB.

Written comments may also be submitted by e-mailing them (include the docket number 16-OIR-05 and AB 1110 Implementation Rulemaking in the subject line) to the Docket Unit at:

[docket@energy.ca.gov](mailto:docket@energy.ca.gov)

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

California Energy Commission  
Docket Unit, MS-4  
Re: Docket No. 16-OIR-05  
1516 Ninth Street  
Sacramento, CA 95814-5512

## Public Adviser and Other Commission Contacts

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](mailto:PublicAdviser@energy.ca.gov) or (916) 654-4489, or toll free at (800) 822-6228.

If you have a disability and require assistance to participate, please contact Poneh Jones at [poneh.jones@energy.ca.gov](mailto:poneh.jones@energy.ca.gov) or (916) 654-4425 at least five days in advance.

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

If you have questions on the subject matter of this meeting, please contact Jordan Scavo at [Jordan.Scavo@energy.ca.gov](mailto:Jordan.Scavo@energy.ca.gov) or 916-654-5189.

## Remote Attendance

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VIA TELEPHONE ONLY (no visual presentation): Call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the unique meeting number above.

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## **Availability of Documents**

Documents and presentations for this meeting will be available online at:  
<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=16-oir-05>.

DATE: January 17, 2018

Signature of file \_\_\_\_\_

Natalie Lee

Acting Deputy Director, Renewable Energy Division

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