

DOCKETED

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Project Title:	Petition for Rulemaking re: Public Utilities Code, section 399.30(c)(4)
TN #:	228425
Document Title:	Steve Uhler Comments I am looking for the information SMUD submitted to comply with Title 20, 3207 (d)(4)
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Comment Received From: Steve Uhler
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I am looking for the information SMUD submitted to comply with Title 20, 3207 (d)(4)

Ms. Martin-Gallardo,

In your duties as acting public adviser, please assist me in obtaining access to the public records of the commission pursuant to GOV 11125.1.

I am looking for the information SMUD submitted to comply with Title 20, 3207 (d)(4) in calculating the procurement requirements under ARTICLE 16. California Renewables Portfolio Standard Program [399.11 - 399.33] pursuant PUC 399.30 (c)(4).

The report "Sacramento Municipal Utility District - Final RPS Verification Results Report for Compliance Period 2" TN-227566 Submitted 4/9/2019 (<https://efiling.energy.ca.gov/GetDocument.aspx?tn=227566>) claims "For purposes of calculating the procurement requirements, Sacramento Municipal Utility District received a reduction in total retail sales to account for sales associated with a green pricing program (GPP).".

The report was adopted by the commission in resolution <https://efiling.energy.ca.gov/GetDocument.aspx?tn=227327>.

The tallies in the report for procurement retired appear to not identify, for purposes of calculating the procurement requirements, amount of procurement retired when utilizing PUC 399.30 (c)(4).

To clarify my request, following are regulations and statutes that are to be enforced by the Energy Commission pursuant PUC 399.30 (n).

PUC 399.30 (n) The Energy Commission shall adopt regulations specifying procedures for enforcement of this article. The regulations shall include a public process under which the Energy Commission may issue a notice of violation and correction against a local publicly owned electric utility for failure to comply with this article, and for referral of violations to the State Air Resources Board for penalties pursuant to subdivision (o).

Title 20 3207 (d) By July 1, 2014; July 1, 2017; July 1, 2021; and by July 1 of each year thereafter, each POU shall submit to the Commission a compliance report that addresses the reporting requirements of section 3207 (c) and the following information for the preceding compliance period:

Title 20 3207 (d)(4) The amount of procurement retired, in MWh, that the POU wishes to claim toward the RPS procurement target for calculating the portfolio balance requirements.

PUC 399.30 (c)(4) Beginning January 1, 2014, in calculating the procurement requirements under this article, a local publicly owned electric utility may exclude from its total retail sales the kilowatthours generated by an eligible renewable energy resource that is credited to a participating customer pursuant to a voluntary green pricing or shared renewable generation program. Any exclusion shall be limited to electricity products that do not meet the portfolio content criteria set forth in paragraph (2) or (3) of subdivision (b) of Section 399.16. Any renewable energy credits associated with electricity credited to a participating customer shall not be used for compliance with procurement requirements under this article, shall be retired on behalf of the participating customer, and shall not be further sold, transferred, or otherwise monetized for any purpose. To the extent possible for generation that is excluded from retail sales under this subdivision, a local publicly owned electric utility shall seek to procure those eligible renewable energy resources that are located in reasonable proximity to program participants.

Please identify the information SMUD submitted to comply with Title 20 3207 (d)(4) in calculating the procurement requirements under ARTICLE 16. California Renewables Portfolio Standard Program [399.11 - 399.33] pursuant PUC 399.30 (c)(4).

Please identify Energy Commission's adopted regulations pursuant PUC 399.30 (n) specifying procedures for enforcement of ARTICLE 16. California Renewables Portfolio Standard Program [399.11 - 399.33] implementing PUC 399.30 (c)(4).

Please docket your reply under 19-RPS-01.

thanks,

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