

**DOCKETED**

<b>Docket Number:</b>	19-RPS-01
<b>Project Title:</b>	Petition for Rulemaking re: Public Utilities Code, section 399.30(c)(4)
<b>TN #:</b>	228721
<b>Document Title:</b>	Steve Uhler Comments Rebuttal to PROPOSED ORDER DENYING THE PETITION FOR RULEMAKING HEARING
<b>Description:</b>	N/A
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*Comment Received From: Steve Uhler*  
*Submitted On: 6/7/2019*  
*Docket Number: 19-RPS-01*

## **Rebuttal to PROPOSED ORDER DENYING THE PETITION FOR RULEMAKING HEARING**

Rebuttal to PROPOSED ORDER DENYING THE PETITION FOR RULEMAKING HEARING.

Energy commission staff recommends denying the petition because Petitioner's request is not necessary.

In late 2016, Energy Commission staff suspended pre-rulemaking activities anticipating that the rulemaking process would resume following completion of verification activities for Compliance Period 1 of the Renewables Portfolio Standard (RPS).

The petition is necessary. Energy Commission staff did not docket notice of such a suspended pre-rulemaking in 16-RPS-03. The proceeding appeared to be a "Zombie" with no one controlling it, will-less and speechless for more than two years.

On June 7, 2019, Commission Staff filed a response to the petition recommending denial of the petition because a rulemaking hearing is not necessary.

The petition is necessary. I am requesting a hearing pursuant to GOV 11346.8.

If, according to the staff recommendation, pre-rulemaking activities supporting an update to the Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities have already been initiated and the planned update will implement the provisions of PUC 399.30(c)(4), where is the "Notice Of Proposed Action" (NOPA) and schedule for hearing?

The public has a right to know what it means to be a "participating customer pursuant to a voluntary green pricing or shared renewable generation program." without delay if the state wishes to obtain the value of green pricing or shared renewable generation programs through a taking.

The petition has had other value.

The petition helped to identify the public adviser that requested docket "19-BUSMTG-O2 Public Comment on California Energy Commission Business Meetings" to be opened, feels that the public petitioning the commission's legislative body is not to be done through 19-BUSMTG-02 and in so doing, appears to not support the U.S. Constitution's right to petition our government without frustration in doing so.

The petition helped to identify where I should petition for adoption of rules that should be a

standard effecting a open class for filing of documents with the commission. That petition is in the works and will be filed shortly. I trust the current public adviser will not delay the filing of that petition as the prior public adviser did this petition you are now considering.

Please schedule the matter for public hearing in accordance with the notice and hearing requirements of Article 5 (commencing with Section 11346) as required by GOV 11340.7(a).

take care,

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