

**DOCKETED**

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*Comment Received From: Nicholas Blair*  
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## **Southern California Public Power Authority- Letter to the Journal**

Attached is a copy of SCPPA's "Letter to the Journal" written and submitted by bill author Senate President Pro Tempore Kevin de Leon (D-Los Angeles) regarding emissions-free resources. This was done in response to a SCPPA request to clarify recognition of our two large emissions-free resources under long-term contracts: Hoover Dam and the Palo Verde Nuclear Generating Station. A number of other utility interests had requested a copy of it given the prevalence of "large hydro" particularly in Northern California (and especially for public power utilities).

*Additional submitted attachment is included below.*

STATE CAPITOL  
ROOM 5108  
SACRAMENTO, CA 95814  
TEL (916) 651-4024  
FAX (916) 651-4924



DISTRICT OFFICE  
1808 W. SUNSET BLVD  
LOS ANGELES, CA 90026  
TEL (213) 483-9300  
FAX (213) 483-9305

SENATOR KEVIN DE LEÓN  
PRESIDENT PRO TEMPORE EMERITUS

August 30, 2018

Daniel Alvarez, Secretary of the Senate  
State Capitol Room 400  
Sacramento, CA 95814

**RE: Letter to Senate Daily Journal on SB 100**

Dear Mr. Secretary:

I am writing to request that the following letter be entered into the Senate Daily Journal.

This letter is to clarify my intent of my SB 100.

First, it is my intent that the third sentence of new Public Utilities Code Section 454.53 be applied to the entirety of subdivision (a). Stated more clearly, it is my intent that the prohibition against any resource shuffling and increase in greenhouse gas emissions in the western grid in Section 454.53 should be implemented by state agencies in a manner that does not run afoul of the Dormant Commerce Clause of the United States Constitution or other applicable laws, .

Second, SB 100 has two separate, but inter-related, provisions. First, it accelerates the 2030 Renewable Portfolio Standard (RPS) target from 50% to 60%, and further accelerates interim targets in the intervening years (the "RPS portion").

Separately, and relevant to this letter of clarification, SB 100 establishes a new target that eligible renewable *and* "zero-carbon" generating facilities supply all electricity procured to serve California end-use customers no later than December 31, 2045 (the "zero-carbon" portion").

Consistent with this purpose, the zero-carbon portion of SB 100 is intended to be more inclusive than the RPS portion in terms of the types or resources that are eligible. Specifically, that portion is intended to be inclusive of all zero-carbon resources, including RPS eligible resources and existing zero-carbon resources serving California customers. That portion of the bill is technology neutral—if an energy generation resource does not produce greenhouse gas emissions, it would be eligible to meet the 100% renewable and zero-carbon target.

SB 100 does not seek to require retail sellers of electricity to default on existing contractual obligations to deliver electricity to California customers from existing zero-carbon generation facilities.

On July 18, 2017, I accepted an amendment offered by the Assembly Utilities and Energy Committee to strike a provision that expressly included existing nuclear generation facilities such as Palo Verde in the zero-carbon portion. This amendment, according to the Committee analysis, was intended to reinforce the broader planning goal of SB 100, and to avoid being too prescriptive at this early date. The amendment was not intended to suggest elimination of existing zero carbon generation from the 40% portion of SB 100. Accordingly, the amendment was appropriate in ensuring that the original intent of including all existing zero-carbon generating facilities serving California customers was realized.

Thank you for this opportunity to clarify the intent of SB 100.

Sincerely,

A handwritten signature in black ink that reads "Kevin De Leon". The signature is written in a cursive, flowing style.

Kevin De Leon  
Senator, 24th District