

**DOCKETED**

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**Comments of the Coalition of California Utility Employees on the Draft  
Regulations for the Power Source Disclosure Program**

*Additional submitted attachment is included below.*

**STATE OF CALIFORNIA ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION**

In the matter of: )  
 )  
 ) Docket No. 16-OIR-05  
AB 1110 Implementation Rulemaking )  
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**COMMENTS OF THE COALITION OF CALIFORNIA UTILITY EMPLOYEES  
ON THE DRAFT REGULATIONS FOR THE POWER SOURCE DISCLOSURE  
PROGRAM**

October 28, 2019

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Attorneys for the Coalition of California  
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Pursuant to the September 20, 2019 notice of lead commissioner workshop, the Coalition of California Utility Employees (CUE) submits these comments on the draft regulatory amendments to the Power Source Disclosure Program.

CUE is a coalition of unions that represents approximately 43,000 people who work for investor-owned and publicly-owned utilities in California, and for contractors who perform work for utilities and project developers. CUE appreciates Energy Commission staff's work on the draft regulations which allow consumers to understand the impacts of their electricity use and to effectively choose the electricity portfolio that suits them. CUE strongly supports the draft regulations' delineation of carbon free resources and urges the Commission to maintain the delineation in the final regulations.

#### **I. THE DRAFT REGULATIONS PROPERLY DO NOT COUNT UNBUNDLED RECs AS CARBON FREE**

The draft regulations do not allow unbundled RECs to count as carbon free when calculating or adjusting the fuel mix or GHG emissions intensity of an electricity portfolio disclosed on a Power Content Label. CUE strongly supports this delineation because it more accurately portrays the emissions profile of a portfolio. Allowing unbundled RECs to adjust the emissions intensity of a portfolio is also inconsistent with CARB's accounting principle. CUE also supports requiring retired unbundled RECs to be separately disclosed on the Power Content Label.

#### **II. THE DRAFT REGULATIONS PROPERLY DO NOT COUNT FIRMED AND SHAPED PRODUCTS AS CARBON FREE**

The draft regulations do not allow firmed and shaped products to count as carbon free. CUE strongly supports this delineation. GHG emissions should be assigned to firmed and shaped products based on the emissions profile of the delivered substitute

electricity. This is good policy and is consistent with CARB's treatment of firmed and shaped products.

We understand there is some concern about the draft regulations' proposed treatment of firmed and shaped products. The draft regulations allow retail suppliers to report emissions intensity for firmed and shaped contracts executed before January 1, 2019. CUE believes that grandfathering current firmed and shaped contracts until the end of the contract is a good compromise. CUE urges the Commission not to extend the grandfathering date to include contracts executed after January 1, 2019. Extending the date would incentivize last-minute deals for firmed and shaped products.

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Respectfully submitted,

/s/

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