

| <b>DOCKETED</b>         |  |
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| <b>Docket Number:</b>   | 16-OIR-05  |
| <b>Project Title:</b>   | Power Source Disclosure - AB 1110 Implementation Rulemaking  |
| <b>TN #:</b>            | 231175   |
| <b>Document Title:</b>  | Steve Uhler Comments - Petition requesting rulemaking implementing PUC 454-53, re resource shuffling |
| <b>Description:</b>     | This document was also filed in 19-BUSMTG-02.  |
| <b>Filer:</b>           | System   |
| <b>Organization:</b>    | Steve Uhler  |
| <b>Submitter Role:</b>  | Other Interested Person  |
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*Comment Received From: Steve Uhler*  
*Submitted On: 12/12/2019*  
*Docket Number: 16-OIR-05*

**BUSMTG-19-02 Petition requesting rulemaking implementing PUC 454-53, re resource shuffling**

BUSMTG-19-02 Petition requesting rulemaking implementing PUC 454.53, re resource shuffling

Filed with the California Energy Commission per Title 20 Section 1208. Filing of Documents.

To:  
Drew Bohan, Executive Director  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5122

Request per Government Code - GOV 11340.6.

Except where the right to petition for adoption of a regulation is restricted by statute to a designated group or where the form of procedure for such a petition is otherwise prescribed by statute, any interested person may petition a state agency requesting the adoption, amendment, or repeal of a regulation as provided in Article 5 (commencing with Section 11346). This petition shall state the following clearly and concisely:

Government Code - GOV 11340.6. (a)

(a) The substance or nature of the regulation, amendment, or repeal requested.

Government Code - GOV 11340.6. (b)

(b) The reason for the request.

Government Code - GOV 11340.6. (c)

(c) Reference to the authority of the state agency to take the action requested.

Government Code - GOV 11340.7. (a)

(a) Upon receipt of a petition requesting the adoption, amendment, or repeal of a regulation pursuant to Article 5 (commencing with Section 11346), a state agency shall notify the petitioner in writing of the receipt and shall within 30 days deny the petition indicating why the agency has reached its decision on the merits of the petition in writing or schedule the matter for public hearing in accordance with the notice and hearing requirements of that article.

The name, address, and telephone number of the petitioner;

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(a) the substance or nature of the regulation, amendment, or repeal requested;

Implement that California shall not allow resource shuffling pursuant to Public Utilities Code - PUC 454.53 as it relates to ARTICLE 14. Disclosure of Sources of Electrical Generation [398.1 - 398.5]

Public Utilities Code - PUC 454.53. (a)

(a) It is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. The achievement of this policy for California shall not increase carbon emissions elsewhere in the western grid and shall not allow resource shuffling. The commission and Energy Commission, in consultation with the State Air Resources Board, shall take steps to ensure that a transition to a zero-carbon electric system for the State of California does not cause or contribute to greenhouse gas emissions increases elsewhere in the western grid, and is undertaken in a manner consistent with clause 3 of Section 8 of Article I of the United States Constitution. The commission, the Energy Commission, the State Air Resources Board, and all other state agencies shall incorporate this policy into all relevant planning.

Public Utilities Code - PUC 454.53. (d)

(d) The commission, Energy Commission, and state board shall do both of the following:

Public Utilities Code - PUC 454.53. (d) (1)

(1) Utilize programs authorized under existing statutes to achieve the policy described in subdivision (a).

(b) the reasons for the request;

The Energy Commission in a proceeding docketed as 16-OIR-05 claimed resource shuffling is required for equations used in greenhouse gas calculations. Not allowing resource shuffling will require the Energy Commission to include the losses incurred from point of generation to point of retail sale which will remove the requirement for resource shuffling in the current calculations. This will bring the Energy Commission into compliance pursuant to Public Utilities Code - PUC 454.53 for not allowing resource shuffling.

(c) reference to the authority of the commission to take the action requested.

Authority cited: Sections 25213 and 25218 (e), Public Resources Code; and Section 454.53 (a) and 454.53 (d)(1), Public Utilities Code. Reference: Sections 398.4, Public Utilities Code.

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