

DOCKETED

Docket Number:	16-RPS-03
Project Title:	Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities
TN #:	231498
Document Title:	Steve Uhler Comments - RPS-16-03 Changes to Section 3204- RPS Procurement Requirements- (b) (9)
Description:	N/A
Filer:	System
Organization:	Steve Uhler
Submitter Role:	Public
Submission Date:	1/15/2020 8:56:10 AM
Docketed Date:	1/15/2020

Comment Received From: Steve Uhler
Submitted On: 1/15/2020
Docket Number: 16-RPS-03

**RPS-16-03 Changes to Section 3204- RPS Procurement Requirements- (b)
(9)**

RPS-16-03 Changes to Section 3204. RPS Procurement Requirements. (b) (9)

The following changes are required to ensure renewable energy credits are not double counted pursuant to Public Utilities Code - PUC 399.21. (a) (1).

See attached below.

Steve Uhler
sau@wwmpd.com

Additional submitted attachment is included below.

RPS-16-03 Changes to Section 3204. RPS Procurement Requirements. (b) (9)

The following changes are required to ensure renewable energy credits are not double counted pursuant to Public Utilities Code - PUC 399.21. (a) (1).

Section 3204. RPS Procurement Requirements. (b) (9)

(9) Beginning January 1, 2014, a **local publicly owned electric utility** may **exclude** from its retail sales the **kilowatthours** generated by an eligible renewable energy resource **and sold as a retail sale**, that is credited to a **customer** participating in the **local publicly owned electric utility's** voluntary green pricing or shared renewable generation program.

Section 3204. RPS Procurement Requirements. (b) (9) (A)

(A) For purposes of this subparagraph, a "voluntary green pricing or shared renewable generation program" refers to a program through which a participating customer of the **local publicly owned electric utility** may elect to have some or all of **the customer's energy** needs satisfied with **kilowatthours provided as a retail sale of energy** by the **local publicly owned electric utility** from specified eligible renewable energy resources or specified types of eligible renewable energy resources.

Section 3204. RPS Procurement Requirements. (b) (9) (B)

(B) A **local publicly owned electric utility** may **exclude** from its retail sales, the **kilowatthours sold as retail sales of energy**, credited to a participating customer in a voluntary green pricing or shared renewable generation program if all of following requirements are met:

Section 3204. RPS Procurement Requirements. (b) (9) (B) (1)

1. The **kilowatthours** are generated by an **facility certified pursuant to Public Utilities Code - PUC 399.25. (a)**.

Section 3204. RPS Procurement Requirements. (b) (9) (B) (2)

2. The **kilowatthours** satisfy the criteria of Portfolio Content Category 1, as specified in section 3203 (a). **Kilowatthours** that meet the criteria of section 3202 (a) (2) may be **excluded** if they also satisfy the criteria of Portfolio Content Category 1 **and were not applied to a voluntary claim pursuant to section 3201 (p)**.

Section 3204. RPS Procurement Requirements. (b) (9) (B) (3)

3. The **renewable energy credits** associated with the **kilowatthours** are retired in a WREGIS **account** designated for the benefit of **the participating customer**. These **renewable energy credits** shall not be counted toward compliance with the **local publicly owned electric utility's** RPS procurement requirements and shall not be further sold, transferred, or otherwise monetized for any purpose.

Section 3204. RPS Procurement Requirements. (b) (9) (B) (3) (i)

i. For purposes of this section 3204 (b) (9), "monetized" means to

earn revenue from the **a right to claim renewable energy credits** that are retired in a WREGIS **account** designated for the benefit of **the participating customer**, other than the revenue earned through the tariff or subscription for the voluntary green pricing or shared renewable generation program. **Prohibited monetizing includes but not limited to the following, advertising the production or use of renewable energy that was excluded from retail sales by the local publicly owned electric utility, use for compliance with Title 24 requirements such as section 10-115, and power content labels of any kind for that include kilowatthours excluded from a local publicly owned electric utility's retail sales.**

Section 3204. RPS Procurement Requirements. (b) (9) (B) (4)

4. To the extent possible, the **local publicly owned electric utility** sought to procure the **kilowatthours** from RPS certified facilities that are located in reasonable proximity to program participants, **and are metered by the program participant's retail meter.**

Section 3204. RPS Procurement Requirements. (b) (9) (C)

(C) For the purposes of calculating the RPS procurement requirements, a **local publicly owned electric utility** that qualifies for the retail sales **exclusion** under this section 3204 (b) (9) for a given year may substitute its retail sales after **excluding** the **kilowatthours** that meet the criteria of paragraph (B) in place of its total retail sales for that year.