

**DOCKETED**

<b>Docket Number:</b>	16-RPS-03
<b>Project Title:</b>	Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities
<b>TN #:</b>	233979
<b>Document Title:</b>	Steve Uhler Comments - RPS-16-03 participating customer may elect
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Steve Uhler
<b>Submitter Role:</b>	Other Interested Person
<b>Submission Date:</b>	7/22/2020 6:36:55 AM
<b>Docketed Date:</b>	7/22/2020

*Comment Received From: Steve Uhler  
Submitted On: 7/22/2020  
Docket Number: 16-RPS-03*

## **RPS-16-03 participating customer may elect**

RPS-16-03 participating customer may elect

Pursuant to 3204(b)(9)(A), how does the commission determine when the participating customer of the POU does not elect to have some or all of its retail sales needs satisfied with electricity products procured by the POU from specified eligible renewable energy resources or specified types of eligible renewable energy resources?

The use of "may" in the provision allows the participating customer of the POU the option to not elect to have some or all of the customer's retail sales needs satisfied while participating in the POU's voluntary green pricing or shared renewable generation program.

An example of not electing to have some or all of a customer's retail sales needs satisfied would be a customer purchase of a set amount of kilowatthours purely for the environmental attributes to ensure the POU must procure additional electricity products from eligible renewable energy resources, including renewable energy credits, as a specified percentage of total kilowatthours sold to the utility's retail end-use customers, each compliance period.

The use of "may" pursuant to 3204(b)(9) allows the option for the POU to not elect to exclude from its retail sales the MWhs generated by an eligible renewable energy resource that is credited to customers participating in the POU's voluntary green pricing or shared renewable generation program.

What is the disposition of any renewable energy credits associated with electricity credited to a participating customer when the POU does not elect to exclude from its retail sales the MWhs generated by an eligible renewable energy resource that is credited to customers participating in the POU's voluntary green pricing or shared renewable generation program?

3204(b)(9)(A) should require the voluntary green pricing or shared renewable generation program to be registered with the commission to ensure no double counting pursuant to Public Utilities Code - PUC 399.21.(a)(1).

There appears to be no regulations specifying procedures for enforcement of Public Utilities Code - PUC 399.21.(a)(1) in the proposed regulations.

Public Utilities Code - PUC 399.30. (n) requires The Energy Commission to adopt regulations specifying procedures for enforcement of Public Utilities Code - PUC 399.21.(a)(1).

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