

*Comment Received From: Steve Uhler
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RPS-16-03 Produced using renewable energy

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PUC 399.30(c)(4) expressly prohibits sale or transfer of the renewable energy credits, there are many other way the monetize the renewable credits for kilowatthours excluded.

Ever see a product that claims it was produced using renewable energy.

The company selling such a product wishes to profit from using renewable energy.

This type of monetizing falls in the otherwise monetized for any purpose category listed in PUC 399.30(c)(4) and is prohibited. It is also prohibited pursuant to 399.21(a)(2) as a form of double counting. A POU in verifying retail product claims for exclusion from retail sales pursuant to 399.30(c)(4) counts the renewable energy credits for that purpose. If a business uses the same renewable energy credits to profit from using renewable energy, the renewable energy credits are counted more than once.

Businesses wishing to make these claims of renewable energy use are directly affect by the now adopted RPS regulations.

Perhaps the Energy Commission should provide guidance through a regulatory advisory to notify such businesses in the State of California that they may not make such claims.

Below attached is a example of a regulatory advisory intended to prevent double counting.

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Additional submitted attachment is included below.

DOCKETED

Docket Number:	20-PSDP-01
Project Title:	Power Source Disclosure Program - 2019
TN #:	233802
Document Title:	Clarification of Power Source Disclosure Unbundled Renewable Energy Credit Reporting Requirements
Description:	Regulatory advisory providing official guidance from the California Energy Commission regarding sections 1394(b)(2)(A) and 1394.2(b)(1)(B)(4) of the Power Source Disclosure (PSD) Program Regulations
Filer:	Ariel Lee
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Regulatory Advisory

July 8, 2020

Clarification of Power Source Disclosure Unbundled Renewable Energy Credit Reporting Requirements

This advisory provides official guidance from the California Energy Commission (CEC) regarding sections 1394(b)(2)(A) and 1394.2(b)(1)(B)(4) of the Power Source Disclosure (PSD) Program Regulations.

The Modification of Regulations Governing the PSD Program (PSD Program Regulations), became effective May 4, 2020. The regulatory rulemaking process to update the PSD Program Regulations compliant with Assembly Bill 1110 was extensive, covering various topics and concerns raised by stakeholders.

Official Guidance

The CEC recognizes that reporting unbundled renewable energy credits (RECs) retired during the previous year may not account for all RECs that were retired and associated with 2019 electricity portfolios. To align with the requirements of other programs and the schedules in which RECs are issued in the Western Renewable Energy Generation Information System, and ensure consistent reporting across retail suppliers, the CEC officially advises retail suppliers to report unbundled RECs retired in 2019 and 2020 and associated with electricity portfolios offered for sale in 2019 in their 2019 PSD Annual Report. Unbundled RECs reported in a prior year's PSD Annual Report and Power Content Label (PCL) cannot be reported again in subsequent years. If RECs retired in 2019 were previously reported in the 2018 PSD Annual Report and PCL, then these RECs may not be reported again in the 2019 filings as RECs may not be used more than once.

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