

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**

Order Instituting Rulemaking to Implement the)
Commission's Procurement Incentive Framework)
and to Examine the Integration of Greenhouse)
Gas Emissions Standards into Procurement)
Policies.)
_____)

Rulemaking 06-04-009
(Filed April 13, 2006)

BEFORE THE CALIFORNIA ENERGY COMMISSION

In The Matter Of,)
)
AB 32 Implementation – Greenhouse Gas)
Emissions.)
_____)

Docket 07-OIIP-01

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REPLY OF SOUTHERN CALIFORNIA EDISON (U 338-EL) ON
NATURAL GAS ISSUES

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Pursuant to the “Administrative Law Judges’ Ruling Extending Deadline for Comments and Incorporating Responses to Staff Data Request on Natural Gas Issues,” issued December 10, 2007, Southern California Edison Company (“SCE”) replies to several parties’ comments on the natural gas issues raised by the California Public Utilities Commission (“CPUC”).

A few parties have suggested that a cap-and-trade system is not the appropriate way to implement Assembly Bill (“AB”) 32 for the natural gas sector. Southwest Gas Corporation (“SWG”) asserts that “while a market-based system that includes a C&T program may be the most efficient and least costly alternative to achieve greenhouse gas (GHG) emission reductions

in the electric generation sector, the incremental benefits of a C&T program for the natural gas distribution sector are limited. Natural gas local distribution companies (LDCs) do not have the same opportunities as electric utilities to reduce GHG emissions, as they have no ability to substitute low carbon alternatives to natural gas.”¹ Pacific Gas & Electric (“PG&E”) asserts “there may be little or no cost-savings available by including this segment in a cap-and-trade program.”² SCE disputes these assertions.

Adopting similar GHG emissions reduction regulations for all sectors and all fuel sources is fairer than carving out special rules for special sectors. Since the natural gas sector constitutes a large percentage of California’s total GHG emissions, including this sector within a statewide cap-and-trade program appropriately and equitably assigns responsibility for GHG reduction to a key emitting sector. The use of a broad cap-and-trade system that includes the natural gas sector along with other major emitting sectors of the economy will lead to optimal and cost-effective GHG reduction choices, not only for the stakeholders directly involved in the natural gas sector, but also for those in other sectors who are also regulated under such a cap-and-trade system. A variety of studies show that a comprehensive cap and trade system leads to economically efficient emissions reductions. For example, EPRI’s “Economic Analysis of California Climate Initiatives” shows that meeting the AB 32 standard through a comprehensive cap-and-trade program will reduce state economic welfare by about \$230 billion. However, if sector-specific rules are used in place of comprehensive cap-and-trade approach the reduction in state economic welfare rises to \$370 billion by 2020.³

Such flexibility stands in stark contrast to command-and-control programs, which do not provide regulated entities with the flexibility to adjust to changing economics and market conditions. Command and control programs will result in less than optimal (least cost) solutions.

¹ “Comments of Southwest Gas Corporation (U 905 G) on Type and Point of Regulation Issues for Natural Gas Utilities,” filed December 17, 2007 (“SWG Comments”), p. 3.

² “Opening Comments of Pacific Gas and electric Company (U 39 E) on Type and Point of Regulation of Greenhouse Gas Emissions in the Natural Gas Sector Under AB 32,” filed December 17, 2007, p. 3.

³ “Economic Analysis of California Climate Initiatives: An Integral Approach,” Volume 2, December 2007.

In this regard, SCE agrees with the National Resources Defense Council (“NRDC”), which states that a cap-and-trade program would complement other market-based or regulatory programs to meet the overall goals of AB 32.⁴ If the CPUC sees merit in adopting a cap-and-trade system for the electrical sector, there is no compelling reason for not applying the same type of system to the natural gas sector to ensure the least cost solution across all GHG emitting sectors.

II.

NATURAL GAS VEHICLES SHOULD BE REGULATED AS PART OF THE STATE’S OVERALL GHG PROGRAM

Several parties including the Indicated Producers suggest further review of methods for considering natural gas usage in natural gas vehicles (“NGV”) when attempting to meet California’s GHG emissions reduction goals. Indicated Producers suggest that a review be conducted to determine if GHG from NGVs should be addressed within the natural gas sector or within the transportation sector.⁵ Other parties, including San Diego Gas & Electric (“SDG&E”)/SoCalGas (“SCG”) and PG&E suggest that NGVs should be included under the transportation sector and viewed as an offset, not as a source that should be capped.

SCE agrees that NGVs are cleaner than vehicles powered by conventional fuels and that they have the potential to significantly reduce emissions within the transportation sector.⁶ Although NGVs do not currently contribute to a significant percentage of emissions in the transportation sector, it is essential to include NGVs in California’s overall GHG reduction analysis in order to determine the extent of the impact of NGVs on GHG emissions in the transportation sector over a long-term planning horizon. Additionally, if NGVs are considered

⁴ “Opening Comments of the Natural Resources Defense Counsel (NRDC) and Union of Concerned Scientists (UCS) on Type and Point of Regulation Issues for the Natural Gas Sector,” filed December 17, 2007 (“NRDC/UCS Comments”), p. 3.

⁵ “Comments of the Indicated Producers on Type and Point of Regulation Issues,” filed December 17, 2007 (“Indicated Producers Comments”), p. 14.

⁶ “Comments of San Diego Gas & Electric Company (U 902 M) and Southern California Gas Company (U 904 G) on Administrative Law Judge’s Ruling Requesting Comments on Type and Point of Regulation Issues for the Natural Gas Sector,” filed December 17, 2007 (“SDG&E/SCG Comments”), p. 6.

within the transportation sector, GHG emissions reductions resulting from use of natural gas will be evident and should benefit the transportation sector as well as the energy fuels sector. This benefit would accrue from the fact that as NGVs displace conventional vehicles using fuels such as gasoline and/or diesel with the cleaner burning natural gas GHG emissions from the transportation sector, as well as the overall state/regional basis, would be reduced.

III.

SMALL USERS SHOULD NOT BE EXEMPT FROM CAP-AND-TRADE PROGRAM

SDG&E/SCG asserts that, “Since it is likely that the critical infrastructure facilities are going to be regulated as large point sources by the ARB, the near term focus should be on these large facilities.”⁷ It asserts, along with PG&E, that small consumers (i.e., residential and commercial customers) should be regulated under existing programmatic methods rather than under a cap-and-trade program. As the total amount of GHG emissions created from small users’ natural gas usage is a significant share of California’s total GHG emissions, it is important that the CPUC choose a methodology that appropriately includes such small consumers within the State’s overall GHG regulation structure.

To this end, SCE suggests that such small consumers be regulated via their LDC, as set forth in Section IV, below.

IV.

THE POINT OF REGULATION FOR SMALL USERS SHOULD BE THE LDC

PG&E, SDG&E/SCG, and SWG contend that residential and commercial customers are too small to be considered within a cap-and-trade program. While it is neither practical nor possible to make individual residential and commercial customers the point of regulation in the natural gas sector, such customers could be regulated further upstream—at the LDC level. Large customers, on the other hand, could be regulated directly.

⁷ SDG&E/SCG Comments, p. 6.

As the CPUC is aware, a load-based approach is being contemplated for the electrical sector. SCE and others have argued that there are several reasons why a load-based approach is not ideal for the electrical sector. These reasons primarily stem from an inability to match the source of electricity with the load, which leads to significant issues such as leakage, contract shuffling and having to rely excessively on administratively (and potentially arbitrarily) determined default emissions factors.⁸ However, unlike the electricity sector, in the natural gas sector, the primary metric is the amount of gas consumed, perhaps paired with a variety of categories of use that might have marginal differences in GHG profiles. Since the gas that is delivered has generally the same GHG emitting characteristics and is generally of the same quality, there is no need to pair the source of gas with the end-user load. As a result, the complications observed in the electricity sector do not exist in the natural gas sector. Therefore, the CPUC should consider a load-based approach for small consumers within the natural gas sector, while simultaneously adopting a source-based approach for large users of natural gas who can be regulated as sources.

V.

THE CPUC SHOULD REJECT NRDC'S THRESHOLD FOR MTCO_{2e}

NRDC/UCS suggests that the threshold value for GHG emissions related to natural gas sector should be 10,000 MTCO_{2e}.⁹ NRDC contends that this limit is equivalent to the level used in distinguishing between small or bundled core customers and large transportation customers by the LDCs. This lower threshold is inappropriate for two reasons.

⁸ Electricity is produced from a variety of generation resources, for example, hydro, nuclear, wind, solar, geothermal, biomass, co-generation facilities, gas fired combined cycle gas turbine, gas fired combustion turbines, pulverized coal, integrated gasification combined cycle turbines. Each of these have dramatically different GHG emissions profiles. This variation in GHG emissions associated with the MWhs is the root cause of the need to match sources with the load that consume electricity from these sources, especially in a load-based system.

⁹ NRDC/UCS Comments, p. 12.

First, small users should be covered in the GHG regulation program via their LDCs. By doing so, a threshold value of 25,000 MTCO₂e could distinguish between small customers and large customers who would be regulated as direct point sources.

Second, a lower level such as 10,000 MTCO₂e would be more burdensome in terms of the ability to monitor and measure the emissions from smaller point source locations emitting between 10,000 and 25,000 MTCO₂e. As noted by Wild Goose Storage, the gains in reducing the threshold from 25,000 to 10,000 would only be marginal.¹⁰

VI.

A LIFE-CYCLE EMISSIONS ANALYSIS IS NOT NECESSARY IN IMPLEMENTING THE AB 32 PROGRAM

Community Environmental Council (“CE Council”) states that, “Attempting to mitigate climate change without considering lifecycle emissions could lead to highly counter-productive results.”¹¹ CE Council further suggests that “lifecycle emissions analysis should be conducted when determining policies for mitigating climate change. Accordingly, the Commission is alone in declining to utilize lifecycle emissions analysis.”¹² CE Council’s suggestion that a life-cycle analysis be conducted for the State’s natural gas fuels should be rejected. A life-cycle analysis for each component of a comprehensive AB 32 implementation program would be extremely complicated, if not virtually impossible, and will likely lead to misleading and counter-intuitive results. In addition, GHG emission reduction programs are local and national, as well as global in nature. One of the CPUC’s objectives is to design a GHG measurement and reduction approach that can be emulated by others in other states and possibly other countries. In this regard, the CPUC should give deference to a simpler design.

¹⁰ “Comments of Wild Goose Storage, LLC on Type and Point of Regulation Issues,” filed December 17, 2007 (“WGS Comments”), p. 6.

¹¹ “Comments of Community Environmental Council on Natural Gas Sector Point of Regulation Issues,” filed December 17, 2007 (“CE Council Comments”), p. 12.

¹² CE Council Comments, pp. 12-13.

VII.

THE NATURAL GAS SECTOR SHOULD ONLY BE DEFERRED IF OTHER SECTORS ARE DEFERRED

Several parties including Green Power Institute (“GPI”) and Kern River Gas Transmission Company oppose implementation of a GHG program for the natural gas sector alone.¹³ Several other parties suggest that a natural gas GHG program could be deferred until a regional or national program is in place.¹⁴ SCE agrees.

However, if the CPUC adopts a cap-and-trade program for other sectors, there is no need to defer implementation of a GHG regulation program for the natural gas sector. Including the natural gas sector in a comprehensive and simultaneous implementation of AB 32 will result in a fair, consistent and least cost treatment of all sectors.

NRDC/UCS suggests that, “the state should begin implementing a system of its own now, rather than waiting for a regional or national system.”¹⁵ Indicated Producers suggest that California can be a leader by adopting a GHG program and that the natural gas sector should be included in any state cap-and-trade program.¹⁶ PG&E suggests that a cap-and-trade program for the natural gas sector (excluding small customers) should be adopted if other regions do not implement any systems for the natural gas sector, while CE Council suggests a system for the natural gas sector should be adopted immaterial of any regulatory program used. SCE would support deferring a GHG regulation program for the natural gas sector if the CPUC and the California Air Resources Board also contemplate deferring GHG reduction programs for all other sectors (i.e., until a national program is developed and implemented).

¹³ “Comments of Green Power Institute on Type and Point of Regulation Issues for the Natural Gas Sector,” filed December 17, 2007 (“GPI Comments”), p. 6; “Comments of Kern River Gas Transmission Company on Type and Point of Regulation Issues for the Natural Gas Sector,” filed December 17, 2007 (“Kern River Comments”), p. 8.

¹⁴ SWG Comments, p. 5.

¹⁵ NRDC/UCS Comments, p. 14.

¹⁶ Indicated Producers Comments, pp. 17-18.

VIII.

CONCLUSION

For all of the foregoing reasons, the CPUC should structure a gas sector GHG program that most thoroughly addresses all of the issues identified herein.

Respectfully submitted,

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January 08, 2008

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commissioner's Rules of Practice and Procedure, I have this day served a true copy of REPLY COMMENTS OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) on all parties identified in the attached service list(s).

Transmitting the copies via e-mail to all parties who have provided an e-mail address.
First class mail will be used if electronic service cannot be effectuated.

Executed this **8th day of January, 2008**, at Rosemead, California.

/s/ RAQUEL IPPOLITI

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