

CALIFORNIA ENERGY COMMISSION1516 Ninth Street
Sacramento, California 95814Main website: www.energy.ca.gov**DOCKET****11-RPS-01**DATE June 09 2011RECD. Aug 16 2011

Notice of Intent to Implement 33 Percent Renewables Portfolio Standard

Senate Bill X1 2 (Simitian, Chapter 1, Statutes of 2011, First Extraordinary Session), was signed by Governor Brown on April 12, 2011, increasing the Renewables Portfolio Standard (RPS) procurement target to 33 percent by 2020. This legislation also expanded the target to local publicly-owned electric utilities (POUs), revised the responsibilities of the California Public Utilities Commission (CPUC), and gave the California Energy Commission new responsibilities. These responsibilities include establishing eligibility for renewable resources for the POUs, monitoring the program for POUs, and adopting regulations specifying compliance with and enforcement of POU RPS procurement targets to be enforced by the California Air Resources Board (CARB).

The CPUC issued its Order Instituting Rulemaking (OIR) for the 33 percent RPS proceeding¹ for retail sellers on May 5, 2011, and expresses the intent of agencies to continue working together to coordinate implementing the RPS program. All regulated entities, including POUs, are encouraged to monitor or participate in this CPUC proceeding so that, where appropriate, the Energy Commission and CPUC may coordinate program development. To receive information on this CPUC proceeding, please sign up with the CPUC Process Office for the R11-05-005 service list by completing the Addition/Change to Service List Form² and forward it as described on the second page of the form.

The Energy Commission envisions that it will implement the POU program through a combination of the existing RPS guideline amendment process and a related regulatory process for POU compliance. The Energy Commission anticipates that it will amend the *RPS Eligibility Guidebook (Guidebook)* to include changes in the law as a result of SB X1 2, although these changes will not be applicable until the law goes into effect ninety days after the closing of the legislative special session. Because of this uncertainty in the timing of the law, the Energy Commission does not know at this time when an amended version of the *Guidebook* will be adopted. In addition, some of the more complex changes in the law resulting from SB X1 2 will not be included in this revision of the *Guidebook*, as they will require resolution of issues that have not yet been determined by the Energy Commission and CPUC. These additional changes will

¹ Rulemaking (R) 11-05-005. This is a successor proceeding to Rulemaking (R) 08-08-009.

² This form is found at: http://www.cpuc.ca.gov/forms/service_list_addition_change.pdf

be included in future *Guidebook* revisions. All parties who would like to receive future updates on the *Guidebook* amendment process should sign up for the Energy Commission's Renewable listserver.³

SB X1 2 set a target date of July 1, 2011, for the Energy Commission to adopt regulations governing the compliance of POU's with RPS procurement targets. However, pending legislation may extend this adoption date.⁴

The Energy Commission will publish a notice in the near future to initiate the rulemaking proceeding for the POU regulations. That notice will include a schedule for the development of the regulations. As part of the rulemaking proceeding, the Energy Commission expects that it will hold an issue conference and one or more informational or design workshops before proposing draft regulations for public comment. The Energy Commission expects to work closely with the CARB in developing the POU regulations. All POU's and other load serving entities are encouraged to sign up for the Energy Commission's Renewable listserver to receive updates on upcoming meetings and publications. Parties with questions on implementation are invited to provide them in writing to RPS33@energy.state.ca.us, and they will be answered after the rulemaking process begins. There will be time for parties to identify issues and make recommendations during the course of the rulemaking.

Please direct all news media inquiries to the Media and Public Communications Office at (916) 654-4989, or by e-mail at [\[mediaoffice@energy.state.ca.us\]](mailto:mediaoffice@energy.state.ca.us). For technical program questions, please contact Angela Gould, at (916) 654-4881 or by e-mail at [\[agould@energy.state.ca.us\]](mailto:agould@energy.state.ca.us).

Date: June 9, 2011

CARLA PETERMAN
Commissioner and Presiding Member
Renewables Committee

Electronic Mail Lists: Renewable; Power Source Disclosure (AB 162); 33by2020

³ To sign up for this listserver, select "renewable" on this Website page:

<http://www.energy.ca.gov/listservers/index.html>, then select "Send Subscription."

⁴ Senate Bill 23 (Simitian), as amended April 26, 2011, would extend the date of adoption for these regulations to July 1, 2012.