

Energy - Docket Optical System

From: Randy Lack [rlack@elementmarkets.com]
Sent: Monday, April 15, 2013 10:30 AM
To: Energy - RPSTrack; Energy - Docket Optical System; Energy - RPS33
Cc: Zocchetti, Kate@Energy; Kevin Coyle; Keri Richardson Bevel
Subject: Comments to Appendices and Forms - Biomethane

California Energy Commission
Dockets Office, MS-4
**Re: Docket No. 11-RPS-01, and
Docket No. 02-REN-1038**
RPS Proceeding
1516 Ninth Street
Sacramento, CA 95814-5512



Via Email: docket@energy.ca.gov and RPS33@energy.ca.gov

Subject: Comments to Appendices and Forms - Biomethane

Ladies and Gentlemen:

Element Markets Renewable Energy LLC (Element Markets) offers the following comments concerning the proposed appendices and forms to the *Renewables Portfolio Standard Guidebook, 7th Ed.* (the "Guidebook"):

We appreciate the opportunity to review the proposed forms regarding biomethane in advance of the Commission's release of the Guidebook, and we have a few suggestions to assist in compliance administration and management. First, we were expecting to see new versions of the S-5 forms for required for certification of biomethane production facilities. While the reporting deadline document does reference CEC-RPS-S1 forms, we would appreciate some clarification as to whether new S-5 forms will be required or if the S-5 1A and 1B forms previously submitted will suffice to certify (and pre-certify, as applicable) facilities under existing contracts.

In addition, we respectfully request that the quantities of biomethane transported on each pipeline be submitted without reference to specific meters. The specific meter to which biomethane is delivered on the same pipeline can change daily between a number of meters in the same approximate location due to congestion in the pipelines, so the response would be incredibly cumbersome. Similarly, we believe that providing the requested data on an annual basis would be sufficient to ensure accurate recordkeeping without imposing an extraordinary burden on the reporting parties. We would propose a table without the meter data requirement and the reporting on an annual basis per pipeline, which can be easily reconciled with pipeline supporting documentation.

One of the requested columns in the form also asks for date of execution for pipeline contracts. Some pipeline transportation contracts relating to deliveries of biomethane have been in place for some time and were executed or amended using the pipeline's electronic bulletin board system without paper copies. While we do have the contract numbers and commencement/completion dates, the execution date for each contract is not available in all cases. We respectfully request that this column be removed or treated as optional since the execution date does not impact the validity of the underlying transportation contract.

Additionally, we would like to note that not all pipeline transportation contracts have stated maximum volumes; in the case of interruptible contracts, for example, the customer is permitted to flow a quantity of gas up to the full capacity available on the pipeline at a given time. In many cases (i.e. at the Kern and SoCal City Gate delivery points), the maximum volume is based upon the volume of several contracts to which Element Markets is a party (the maximum volume for Element Markets is the total of all sources utilizing the pipeline for CA biomethane agreements, in the aggregate) and this maximum volume, if any, will be the same on all applications submitted by Element Markets with respect to the applicable delivery points. If CEC deems it more appropriate, Element Markets will fill in the full potential flow quantity based upon all Element Markets contracts in place on the pipeline instead of listing N/A for interruptible contracts.

Kindest Regards,

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