

STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

In the matter of:

Developing Regulations and Guidelines for the
33 Percent Renewables Portfolio Standard

and

Implementation of Renewables Investment Plan
Legislation

Docket No. 11-RPS-01

Docket No. 02-REN-1038

**COMMENTS OF SHELL ENERGY
NORTH AMERICA (US), L.P. ON THE
DRAFT FORMS ACCOMPANYING THE
SEVENTH EDITION OF THE
RPS ELIGIBILITY GUIDEBOOK**

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Date: April 15, 2013

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Subject: RPS Proceeding

In accordance with the instructions provided in the “Notice” issued by the California Energy Commission (“Commission”) on April 8, 2013, Shell Energy North America (US), L.P. (“Shell Energy”) submits its comments on the Commission Staff’s proposed “forms” accompanying the Seventh Edition of the RPS Eligibility Guidebook. The draft forms were posted on April 8, 2013. Shell Energy’s comments focus on the form in Appendix B entitled: “Draft CEC-RPS-GEN.”

I.

GENERAL COMMENT

The “General Instructions” provide that the filing requirements apply to publicly-owned utilities (“POU”). Shell Energy is not a POU, but it is an electric service provider (“ESP”) and a

load-serving entity (“LSE”) that must meet RPS compliance obligations. In the event that the California Public Utilities Commission (“CPUC”) adopts the Commission’s proposed forms, Shell Energy has a direct interest in ensuring consistency in the procedures employed by the CPUC and by this Commission.

The General Instructions provide that a POU must submit completed schedules via electronic mail as well as by regular (U.S.) mail. In view of the magnitude of the data that must be submitted, it would be unduly burdensome to require hard copies of all schedules to be submitted. Shell Energy suggests that instead of providing a complete hard copy of the original, a POU should only be required to submit a hard copy version of the attestation.

II.

SPECIFIC COMMENTS

Shell Energy’s comments that are specific to the Appendix B Draft form CEC_RPS_Hourly.xlsx, entitled Report of Scheduled into a CBA – PCC1 Claims (attached), are as follows:

1. The General Instructions provide that a POU must submit one form per RPS – certified facility. Please clarify that the expectation is for the obligated entity (POU) to submit one “workbook” for each facility, or one Schedule 4 worksheet for each facility for which the POU will claim PCC 1(S) or PCC 1 (DT).

2. Footnote 3: The footnote provides that if there are multiple tags in an hour, each tag should be reported on a separate row, yet the meter data remains the same. Therefore, if the formula calculates the “lesser of” on a line-by-line basis, the Commission will be receiving inaccurate data.

For example, if a POU has a contract for 95 MWs in each hour, and the POU has multiple tags in one hour, it might look like this:

Date	Hour Ending	E-Tag ID Number	Final Schedule (MWh)	Hourly Meter Data (MWh)	Percent Share of Final Schedule (%)	Percent Share of Facility Output (%)	Eligible PCC 1 Volume (MWh)
40909	3	CAXX_PSEX#####_CISO	15.0000	95.0000	100.00%	100.00%	15.0000
40909	3	CAXX_PSEX#####_CISO	30.0000	95.0000	100.00%	100.00%	30.0000
40909	3	CAXX_PSEX#####_CISO	36.0000	95.0000	100.00%	100.00%	36.0000
40909	3	CAXX_PSEX#####_CISO	14.0000	95.0000	100.00%	100.00%	14.0000
40909	3	CAXX_PSEX#####_CISO	22.0000	95.0000	100.00%	100.00%	22.0000
40909	3	CAXX_PSEX#####_CISO	3.0000	95.0000	100.00%	100.00%	3.0000
40909	3	CAXX_PSEX#####_CISO	4.0000	95.0000	100.00%	100.00%	4.0000
40909	3	CAXX_PSEX#####_CISO	4.0000	95.0000	100.00%	100.00%	4.0000
40909	3	CAXX_PSEX#####_CISO	16.0000	95.0000	100.00%	100.00%	16.0000
40909	3	CAXX_PSEX#####_CISO	12.0000	95.0000	100.00%	100.00%	12.0000

Because the meter data is the same in hour-ending “three” (95 MWs), it would be entered multiple times and calculated multiple times as “eligible volume” if the Commission’s formula were to calculate by line. In the example below, only 95 MWs can be claimed in hour ending three as opposed to the 156 MWs reflected above.

The attached spreadsheet (Exhibit A) addresses this issue by creating a formula (embedded in the Excel spreadsheet) that adds all of the tag volume in one hour prior to taking the “lesser of” between the tag and the meter.

Date	Hour Ending	E-Tag ID Number	Final Schedule (MWh)	Hourly Meter Data (MWh)	Percent Share of Final Schedule (%)	Percent Share of Facility Output (%)	Eligible PCC 1 Volume (MWh)
40909	3	CAXX_PSEX#####_CISO	15.0000	95.0000	100.00%	100.00%	15.0000
40909	3	CAXX_PSEX#####_CISO	30.0000	95.0000	100.00%	100.00%	30.0000
40909	3	CAXX_PSEX#####_CISO	36.0000	95.0000	100.00%	100.00%	36.0000
40909	3	CAXX_PSEX#####_CISO	14.0000	95.0000	100.00%	100.00%	14.0000
40909	3	CAXX_PSEX#####_CISO	22.0000	95.0000	100.00%	100.00%	0.0000
40909	3	CAXX_PSEX#####_CISO	3.0000	95.0000	100.00%	100.00%	0.0000
40909	3	CAXX_PSEX#####_CISO	4.0000	95.0000	100.00%	100.00%	0.0000
40909	3	CAXX_PSEX#####_CISO	4.0000	95.0000	100.00%	100.00%	0.0000
40909	3	CAXX_PSEX#####_CISO	16.0000	95.0000	100.00%	100.00%	0.0000
40909	3	CAXX_PSEX#####_CISO	12.0000	95.0000	100.00%	100.00%	0.0000

3. Footnote 7: Shell Energy acknowledges that there are instances in which multiple POU's own a portion of a facility's output. However, there are a number of scenarios where entering the POU's percentage share could be confusing. For example, if a POU contracts with a facility for a "not to exceed" amount, rather than a percentage of the output, or if the contract is for a fixed amount (e.g., 50 MWs), then the report would provide for 100% of 50 MW. In any event, this field should only apply to POU's, as it is unlikely that LSEs would collectively own a portion of one facility's output. If the CPUC adopts a similar format for LSEs, this category should be omitted.

4. Footnote 8: See comments and example for Footnote No. 3, referenced above.

5. Footnote 9: "Retirement" is irrelevant for this Report. This Report is only intended to verify RPS-eligible volumes. The Commission requires a separate Retirement Report. To require retirement information in this cell (including retirements by hour) would be unduly burdensome and unnecessary.

6. Footnote 10: Please refer to the comment above for Footnote 9. The issue here is the same: "Retirement" is irrelevant because RECs can be carried over to future years (and compliance periods), depending upon when the energy is generated. It would be more relevant to request the year in which the REC must be retired (i.e., 36 months after generation).

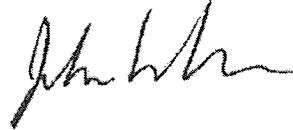
7. Footnote 11: The form directs the POU to enter the "contract number." Some entities do not utilize contract numbers for their power purchase contracts. In that event, please clarify that a POU may use whatever name or number the POU assigns to the contract.

III.

CONCLUSION

Shell Energy appreciates the opportunity to submit these written comments.

Respectfully submitted,



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EXHIBIT A

