

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

California Energy Commission

DOCKETED

11-RPS-01

TN # 70751

MAY 09 2013

**RESOLUTION
LIFTING SUSPENSION OF RPS ELIGIBILITY GUIDELINES
RELATED TO BIOMETHANE**

WHEREAS, the California Energy Commission is charged with certifying electric generation facilities (i.e. power plants) as eligible renewable energy resources for purposes of California's Renewables Portfolio Standard (RPS) pursuant to Public Resources Code section 25740 et seq. and Public Utilities Code section 399.11 et seq., and

WHEREAS, Public Resources Code section 25747 authorizes the California Energy Commission to adopt guidelines to govern its implementation of the RPS; and

WHEREAS, on April 21, 2004, the California Energy Commission adopted guidelines, entitled the *Renewables Portfolio Standard Eligibility Guidebook*, that describe the requirements, conditions, and process to certify power plants as eligible renewable energy resources for the RPS pursuant to Public Resources Code section 25740 et seq. and Public Utilities Code section 399.11 et seq., and has subsequently revised these guidelines pursuant to this authority; and

WHEREAS, on December 15, 2010, the California Energy Commission adopted the *Renewables Portfolio Standard Eligibility Guidebook, Fourth Edition*, which, among other things, identifies biomethane as a renewable resource and allows power plants that use biomethane to generate electricity to be certified as eligible for the RPS, subject to the requirements and conditions specified in the guidebook; and

WHEREAS, on March 28, 2012, the California Energy Commission suspended the RPS eligibility of biomethane as specified in the *Renewables Portfolio Standard Eligibility Guidebook, Fourth Edition*, so it could evaluate the continued RPS eligibility of biomethane in light of changes to law under Senate Bill X1-2 (Stats. 2011, 1st ex. Sess., ch. 1); and

WHEREAS, the Legislature has subsequently enacted Assembly Bill 2196 (Stats. 2012, ch. 605), which clarifies the RPS eligibility of biomethane in light of changes to law under Senate Bill X1-2 and establishes new RPS eligibility requirements for biomethane; and

WHEREAS, on April 30, 2013, the California Energy Commission adopted revisions to the *Renewables Portfolio Standard Eligibility Guidebook*, as set forth in the *Seventh Edition*, that address and implement the new RPS eligibility requirements for biomethane as specified in Assembly Bill 2196; and

WHEREAS, California Energy Commission staff is recommending that the March 28, 2012, suspension be lifted effective at 5:00 p.m. on April 30, 2013, and that interested parties now be allowed to submit new applications and revise or supplement existing applications for the RPS certification of power plants that use biomethane, subject to the requirements and conditions specified in the adopted *Renewables Portfolio Standard Eligibility Guidebook, Seventh Edition*, once this version of the guidebook and the related application and supplemental forms are finalized and posted on the California Energy Commission's website; and

WHEREAS, the California Energy Commission has considered staff's recommendation to lift the March 28, 2012, suspension related to biomethane, and to allow interested parties to now submit new applications and revise or supplement existing applications for the RPS certification of power plants that use biomethane; and

THEREFORE BE IT RESOLVED, the California Energy Commission hereby lifts the March 28, 2012, suspension related to biomethane in accordance with the following conditions:

1. The suspension is lifted effective at 5:00 p.m. on April 30, 2013.
2. Interested parties may submit new applications and revise or supplement existing applications for the RPS certification of power plants that use biomethane in accordance with the requirements and conditions specified in the *Renewables Portfolio Standard Eligibility Guidebook, Seventh Edition*.
3. New applications and revised or supplemented existing applications for the RPS certification of power plants that use biomethane may be submitted to the California Energy Commission after the suspension is lifted and the *Renewables Portfolio Standard Eligibility Guidebook, Seventh Edition*, and related application and supplemental forms are finalized and posted on the California Energy Commission's website.

The Executive Director, or his designee, is hereby authorized and directed to lift the suspension related to biomethane as specified herein.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on April 30, 2013.

AYE: Weisenmiller, Douglas, McAllister, Scott

NAY: None

ABSENT: Hochschild

ABSTAIN:



Harriet Kallemeyn,
Secretariat