

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION ADOPTING
RENEWABLES PORTFOLIO STANDARD
2008-2010 PROCUREMENT VERIFICATION REPORT

California Energy Commission

DOCKETED
11-RPS-01

TN # 72340

NOV 14 2013

WHEREAS, Public Utilities Code Section 399.25 (b) requires the California Energy Commission to design and implement an accounting system to verify compliance with the renewables portfolio standard by retail sellers, to ensure that electricity generated by an eligible renewable energy resource is counted only once for the purpose of meeting the renewables portfolio standard of this state or any other state, and for verifying retail product claims in this state or any other state; and

WHEREAS, the California Energy Commission, in collaboration with the California Public Utilities Commission (CPUC), has adopted guidelines addressing its responsibilities under Public Utilities Code Section 399.25 (b) as well as other provisions of California's Renewables Portfolio Standard (RPS) law; and

WHEREAS, in furtherance of Public Utilities Code Section 399.25 (b) the Energy Commission prepares a Renewables Portfolio Standard Procurement Verification Report (Verification Report) to reports its findings on the amount of eligible renewable energy procured each year by retail sellers subject to California's RPS pursuant Public Utilities Code Section 399.11, et seq; and

WHEREAS, the Verification Report applies the statutory requirements as specified in the California Energy Commission's guidelines and the CPUC's adopted rules in determining the amount of renewable energy procurement that qualifies toward each retail seller's RPS procurement requirements; and

WHEREAS, the California Energy Commission transmits the Verification Report to the CPUC, so the CPUC may determine a retail seller's compliance with California's RPS; and

WHEREAS, the California Energy Commission's Renewables Lead Commissioner has directed the preparation of a Verification Report for calendar years 2008-2010 entitled the *Renewables Portfolio Standard 2008-2010 Procurement Verification Report - Lead Commissioner Draft Report*; and

WHEREAS, the scope of the *Renewables Portfolio Standard 2008-2010 Verification Report* includes RPS procurement verification findings for 16 retail sellers, including large and multijurisdictional investor-owned utilities, electric service providers and one community choice aggregator, and also includes procurement data updates for select retail sellers for 2001, 2003 -2007 as appropriate; and

WHEREAS, the *Renewables Portfolio Standard 2008-2010 Verification Report* addresses the following items with respect to each of the 16 retail sellers:

- Verifies RPS-eligibility of the renewable energy resources (i.e. electrical generation facilities) from which each reporting retail seller procured electricity and the associated renewable energy attributes,
- Verifies, to the extent possible, that the amount of electricity procured by each retail seller was sufficiently generated by each RPS-eligible electrical generation facility,
- Verifies, to the extent possible, that RPS procurement exclusively serves California's RPS and does not support another renewable energy regulatory or voluntary market claim,
- Identifies the eligible, ineligible, and/or withdrawn RPS procurement claims per retail seller and provides the total amount of eligible RPS procurement,
- Verifies that out-of-state RPS-eligible electrical generation facilities satisfy the Energy Commission's RPS delivery requirements,
- Provides analysis of RPS-eligible procurement claims, including availability of generation data for verification, RPS-eligible procurement by resource type, and procurement from new and repowered facilities,
- Discusses the limitations of the Energy Commission's Interim Tracking System for purposes of verifying RPS compliance; and

WHEREAS, the *Renewables Portfolio Standard 2008-2010 Verification Report* identifies the following circumstance under which select retail sellers have pending procurement claims:

- Several retail sellers did not include the specific information required by the Energy Commission's *Renewables Portfolio Standard Eligibility Guidebook, Third and Fourth Editions*, to verify procurement claims from out-of-state RPS-eligible electrical generation facilities with energy delivery. However, because each of these retail sellers provided additional documentation to support their pending procurement claims, staff recommends that these pending procurement claims be accepted as eligible in the final *Renewables Portfolio Standard 2008-2010 Verification Report* approved by the Energy Commission; and

WHEREAS, one retail seller had procurement claims associated with renewable energy credits from January, February and March of 2008, which were not reported for retirement purposes by February 28, 2011, as required by the CPUC. However, the retail seller in this case sought and obtained the approval of Energy Commission staff on January 27, 2011, to delay reporting the retirement of these 2008 renewable energy credits until an outstanding issue regarding the RPS-eligibility of these renewable energy credits could be resolved by staff. The outstanding issue was subsequently resolved in March 2011, allowing the retail seller to correctly report on the retirement of these renewable energy credits. Under these circumstances staff determined that the retail seller effectively reported for retirement purposes the 2008 renewable energy credits on January 27, 2011, in advance of the required retirement date of February 28, 2011; and

WHEREAS, the California Energy Commission has considered the *Renewables Portfolio Standard 2008-2010 Verification Report*, including staff's recommendations on the pending procurement claims discussed in the report as published on October 4, 2013, and staff's minor, non-substantive changes to the report as noted during the November 14, 2013, Business Meeting, and accepts and approves the *Renewables Portfolio Standard 2008-2010 Verification Report* with the minor, non-substantive changes noted at the Business Meeting; and

THEREFORE BE IT RESOLVED, the California Energy Commission hereby adopts the *Renewables Portfolio Standard 2008-2010 Verification Report* and authorizes the Executive Director, or his designee, to finalize the report and transmit it to the CPUC.

CERTIFICATION

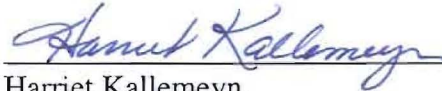
The undersigned Secretariat to the California Energy Commission does hereby certify that the foregoing is a full, true, and correct copy of a RESOLUTION duly and regularly adopted at a meeting of the California Energy Commission held on November 14, 2013.

AYE: Weisenmiller, Douglas, McAllister, Hochschild, Scott

NAY: None

ABSENT: None

ABSTAIN: None

A handwritten signature in blue ink, reading "Harriet Kallemeyn", is written over a horizontal line.

Harriet Kallemeyn,
Secretariat