

DOCKETED

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Description:	RESOLUTION - RE: REVISIONS TO CLARIFY THE RPS CERTIFICATION REQUIREMENTS FOR AGGREGATED UNITS IN CHAPTER 5, SECTION C.2 OF THE RPS ELIGIBILITY GUIDEBOOK, NINTH EDITION (REVISED)
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Organization:	California Energy Commission
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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION – RE: REVISIONS TO CLARIFY THE RPS CERTIFICATION
REQUIREMENTS FOR AGGREGATED UNITS IN CHAPTER 5, SECTION C.2 OF
THE RPS ELIGIBILITY GUIDEBOOK, NINTH EDITION (REVISED)

WHEREAS, the California Energy Commission is charged with certifying eligible renewable energy resources for purposes of California’s Renewables Portfolio Standard (RPS) pursuant to Public Utilities Code section 399.11 et seq. and Public Resources Code section 25740 et seq.; and

WHEREAS, the California Energy Commission has adopted guidelines as set forth in the *Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition (Revised)* (RPS Guidebook), to address the eligibility requirements and process for certifying electrical generation facilities as eligible renewable energy resources for the RPS pursuant to Public Utilities Code section 399.11 et seq. and Public Resources Code section 25740 et seq.; and

WHEREAS, chapter 5, section C.2 of the RPS Guidebook establishes RPS certification requirements to certify a group of distributed generation facilities as an aggregated unit; and

WHEREAS, chapter 5, section C.2 of the RPS Guidebook lists various requirements for certifying aggregated units, including a requirement that aggregated units be comprised of only facilities that 1) have received benefits from a ratepayer-funded incentive program, 2) participate in a net metering tariff with a Load Serving Entity, or 3) primarily serve onsite load; and

WHEREAS, California Energy Commission staff have reviewed the origins of the aggregated unit requirements, beginning with the RPS Eligibility Guidebook, Fourth Edition, when certification of distributed generation facilities was precluded until issues pertaining to the use of tradable renewable energy credits for the RPS were resolved, through the adoption of the RPS Eligibility Guidebook, Fifth Edition, which permitted groups of distributed generation facilities to be RPS certified as aggregated units if they fell within one of the three specified categories, and finally through the RPS Eligibility Guidebook, Sixth Edition, which introduced language that inadvertently limited the

eligibility of aggregated units, leading to the requirement that facilities must fall within one of the three specified categories for an aggregated unit to qualify for RPS certification; and

WHEREAS, California Energy Commission staff, based on its review of the Fourth, Fifth and Sixth Editions of the RPS Guidebook, believe that the change in language in the Sixth Edition of the RPS Guidebook was inadvertent and not intended to limit the RPS eligibility of aggregated units, and therefore recommend that the provisions in chapter 5, section C.2 of the RPS Guidebook be revised as noted in Attachment A to clarify the eligibility of aggregated units and allow such units to be certified for the RPS even when the facilities do not fall within one of the three specified categories; and

WHEREAS, on June 30, 2017, the California Energy Commission issued a public notice in accordance with Public Resources Code section 25747 that identified and discussed staff's recommended revisions to chapter 5, section C.2 of the RPS Guidebook, and offered stakeholders and interested members of the public an opportunity to comment on staff's recommended revisions; and

WHEREAS, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of staff's recommended revisions to chapter 5, section C.2 of the RPS Guidebook, and concluded that the adoption of these revisions is exempt from CEQA, because it is not a "project" subject to CEQA pursuant to the California Code of Regulations, title 14, section 15378 (b)(2), in that it deals with the continuation of administrative and maintenance activities related to general policy and procedure making, and because the action is exempt under the "common sense" exception of the California Code of Regulations, title 14, section 15061 (b)(3), where it can be seen with certainty that there is no possibility the action may have a significant effect on the environment; and

WHEREAS, the California Energy Commission has reviewed staff's recommended revisions to Chapter 5, section C.2 of the RPS Guidebook, as shown in Attachment A, and finds that the adoption of these revisions is exempt from CEQA for the reasons concluded by legal counsel, and accepts and approves these revisions for the purpose of implementing the RPS; and

THEREFORE BE IT RESOLVED, the California Energy Commission hereby adopts staff's recommended revisions to chapter 5, section C.2 of the RPS Guidebook as shown in Attachment A.

The Executive Director, or his designee, is hereby authorized and directed to implement the adopted revisions to chapter 5, section C.2 of the RPS Guidebook.

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 July 12, 2017.

AYE: Douglas, McAllister, Hochschild, Scott

NAY: None

ABSENT: Weisenmiller

ABSTAIN: None



Cody Goldthrite
Secretariat

ATTACHMENT A

Revisions to Clarify the RPS Certification Requirements for Aggregated Units in Chapter 5, Section C.2 of the RPS Eligibility Guidebook, Ninth Edition (Revised)

The revisions to chapter 5, section C.2, that follow begin on page 54 of the RPS Guidebook and are shown in underline and strikeout font.

2. Aggregated Units

An applicant seeking RPS certification of a group of facilities as part of an aggregated unit shall submit an aggregated application using the RPS Online System. Aggregated units are generally treated as a single facility in the RPS program. An application for an aggregated unit will not be approved unless all facilities in the unit are eligible. If the Energy Commission determines that one facility in an approved unit is not RPS-eligible, the applicant shall have 30 days, once notified, to submit an amended application that removes any ineligible facilities from the aggregated unit, or the entire unit will lose its certification. The aggregated unit shall:

- a) Be registered and approved in WREGIS as a single Distributed Generation Aggregation Project,¹ and all facilities that are part of the WREGIS Distributed Generation Aggregation Project are included in the aggregated unit.
- b) Be commercially operational.
- c) Contain only facilities using the same renewable energy resource.
- d) Generate electricity using either wind or solar photovoltaic.
- e) ~~Contain only facilities that meet one of the following:~~
 - 1) ~~Have received benefits from a ratepayer-funded incentive program.~~
 - 2) ~~Participate in a net metering tariff with an LSE.~~
 - 3) ~~Primarily serves onsite load.~~
- ef) Include only facilities meeting all RPS eligibility requirements.
- fg) Have a total aggregated unit nameplate capacity not exceeding 250 kW for the initial application, allowing growth up to a maximum of 360 kW.

Aggregated units that have never been represented in an application are assigned a six-digit RPS identification number, consisting of five numerical digits followed by a single-letter suffix of "R." Facilities in the unit will be assigned a five-digit identifier, consisting of four numerical digits followed by a single-letter suffix of "A" for certification so the extended RPS ID number for a facility in an aggregated unit will have the format #####R-####A.

¹ See the WREGIS Operating Rules Appendix F: Small Scale Aggregation.
<https://www.wecc.biz/WREGIS/Pages/Default.aspx>.