

DOCKETED

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| Docket Number: | 18-RPS-01 |
| Project Title: | Complaint Against the Stockton Port District re: RPS Program Compliance |
| TN #: | 222694 |
| Document Title: | Notice of Committee Conference |
| Description: | WEDNESDAY, MARCH 7, 2018 Beginning at 3:00 p.m. California Energy Commission Imbrecht Hearing Room (Hearing Room B) 1516 Ninth Street Sacramento, CA 95814 (Wheelchair Accessible) |
| Filer: | Cody Goldthrite |
| Organization: | California Energy Commission |
| Submitter Role: | Committee |
| Submission Date: | 2/23/2018 2:25:01 PM |
| Docketed Date: | 2/23/2018 |



**Before the Energy Resources Conservation and Development
Commission of the State of California**
1516 Ninth Street, Sacramento, CA 95814
1-800-822-6228 – www.energy.ca.gov

IN THE MATTER OF:

**COMPLAINT AGAINST STOCKTON
PORT DISTRICT FOR
NONCOMPLIANCE WITH THE
RENEWABLES PORTFOLIO
STANDARD**

Docket No. 18-RPS-01

NOTICE OF COMMITTEE CONFERENCE

PLEASE TAKE NOTICE that the Energy Commission Committee¹ (Committee) assigned to conduct proceedings on the Complaint filed by Energy Commission Executive Director Drew Bohan against the Stockton Port District (Port), alleging noncompliance with the Renewables Portfolio Standard (RPS), has scheduled a Committee Conference as follows:

WEDNESDAY, MARCH 7, 2018
Beginning at 3:00 p.m.

California Energy Commission
Imbrecht Hearing Room (Hearing Room B)
1516 Ninth Street
Sacramento, CA 95814
(Wheelchair Accessible)

TELECONFERENCE OPTION: You may participate in the Committee Conference either in person, by telephone, and/or by computer via the “WebEx” conferencing system. Please see the **Remote Attendance** section below.

¹ The Committee consists of Commissioner Karen Douglas, Presiding Member, and Commissioner David Hochschild, Associate Member. The Commission made this Committee assignment at an Energy Commission Business Meeting on February 21, 2018.

Background

On January 8, 2018, Drew Bohan, the Executive Director of the California Energy Commission (Energy Commission), filed a Complaint against the Port, alleging noncompliance with the RPS.² The Complaint alleges that the Port failed to satisfy two separate RPS procurement requirements: the “procurement target” requirement, and the “portfolio balance” requirement. The Complaint was accompanied by a Motion to Bifurcate (Motion), in which Energy Commission staff (Staff) moved the Energy Commission conduct the proceeding in a two-phased manner whereby, the mitigating circumstances identified in the Complaint are considered separate and in advance of the merits of the Complaint. If the Energy Commission finds that the mitigating circumstances excuse the Port’s alleged violations, the Energy Commission would end the adjudication of the Complaint and other local publicly owned electric utilities would be allowed to provide input on whether the mitigating factors identified in the Complaint impacted their procurement activities during the 2011-2013 RPS compliance period. The Port would be permitted to first file an initial answer addressing the mitigating circumstances portion of the proceeding, and then be permitted to file a subsequent answer regarding the alleged violations in the Complaint if the Energy Commission determines the Port’s procurement deficits are not excused by the mitigating circumstances.

On January 18, 2018, Energy Commission Chair Robert B. Weisenmiller docketed a memo stating that any response of the Port to the Motion should be filed on or before January 31, 2018. The Port filed a response supporting the Motion and requesting that the proceeding schedule be modified such that the Port’s answer to the Complaint be changed to the earlier of either 30 days after the date that the Energy Commission rules on the motion; or 30 days after March 21, 2018, if the Energy Commission does not issue a ruling on the Motion and it is deemed denied.

On February 14, 2018, Chair Weisenmiller, pursuant to California Code of Regulations, title 20, section 1203, subdivision (f) and in anticipation of the appointment of a Committee to oversee the proceeding, issued an Order modifying the deadline for the Port’s answer to be either any such deadline established by the Committee, or March 21, 2018, whichever is later.

On February 21, 2018, the Energy Commission assigned a Committee consisting of Commissioner Karen Douglas, Presiding Member, and Commissioner David Hochschild, Associate Member, to oversee this Complaint proceeding.

² The complaint and all other documents filed in the proceeding can be found in the docket for this proceeding:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-RPS-01>

Purpose of the Committee Conference, Agenda, and Notice of Closed Session Deliberations

The purpose of the Committee Conference is to allow the parties to make short presentations about the Motion and the proceeding schedule, as well as to allow the Committee to deliberate in closed session in accordance with California Government Code section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body is required by law to conduct pursuant to provisions of the Administrative Procedure Act.

The presentations by the parties addressing the Motion and the proceeding schedule will begin at 3:00 p.m., and the closed session will follow after an opportunity for public comments.

Public Participation and Public Comment

As noted above, the Committee will conduct a public session prior to adjourning to closed session. Members of the public may offer comments at the public session of the Committee Conference. Written comments may be submitted throughout the proceeding and should be electronically submitted via the Energy Commission's electronic commenting system:

<https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=18-RPS-01>

Alternatively, written comments may be submitted by e-mailing them to docket@energy.ca.gov, or by U.S. Mail to:

California Energy Commission
Docket Unit
Docket Number: 18-RPS-01
1516 Ninth Street, MS-4
Sacramento, CA 95814

For all written comments, please include the docket number and proceeding name, **"Docket No. 18-RPS-01; Complaint Against the Stockton Port District re: RPS Program Compliance,"** in the subject line and on the cover page.

PLEASE NOTE: Your written and oral comments, attachments, and associated contact information (e.g., your address, phone, e-mail, etc.) become part of the viewable public record. This information may also become available via search engines such as Google and Yahoo.

Public Adviser and Other Commission Contacts

The Energy Commission's Public Adviser's Office is available to assist the public in understanding the proceedings and to facilitate meaningful participation. For assistance,

contact Alana Mathews, Public Adviser, at (916) 654-4489 or (800) 822-6228, or by e-mail at publicadviser@energy.ca.gov.

If you have a disability and need assistance to participate in any events, contact Poneh Jones at least five days prior to the event at (916) 654-4425, or by e-mail at poneh.jones@energy.ca.gov.

Questions of a procedural nature should be directed to Caryn Holmes, Hearing Officer, at 916-654-4178, or by e-mail at caryn.holmes@energy.ca.gov.

Media inquiries should be directed to the Media and Public Communications Office at (916) 654-4989 or by e-mail at mediaoffice@energy.ca.gov.

Remote Attendance

You may participate in this meeting through WebEx™, the Energy Commission's on-line meeting service. Any presentations will appear on your computer screen, and you may listen to audio via your computer or telephone. Please be aware that the meeting may be recorded.

To join a meeting:

VIA COMPUTER: Go to <https://energy.webex.com/ec>. If this Event is shown on the list of events, click on its "Join" link. If it is not listed, click the "Unlisted Events" link on the left your screen and enter the meeting number: **924 813 880**. When prompted, enter your name and email address. No meeting password is needed.

The "Join Conference" menu will offer you a choice of audio connections:

1. To call into the meeting: Select "I will call in" and follow the on-screen directions.
2. International Attendees: Click on the "Global call-in number" link.
3. To have WebEx call you: Enter your phone number and click "Call Me."
4. To listen over the computer: If you have a broadband connection, and a headset or a computer microphone and speakers, you may use VoIP (Internet audio) by going to the Audio menu, clicking on "Use Computer Headset," then "Call Using Computer."

VIA TELEPHONE ONLY (no visual presentation): Call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the unique meeting number: **924 813 880**. International callers may select their number from:

<https://energy.webex.com/energy/globalcallin.php>.

VIA MOBILE ACCESS: Access to WebEx meetings is now available from your mobile device. To download an app, go to: www.webex.com/products/web-conferencing/mobile.html.

Please be aware that WebEx audio and on-screen activity may be recorded. WebEx Technical Support is available at 1 (866) 229-3239.

Muting:

We appreciate your cooperation in reducing unwanted noise on the audio connection by muting your line when you are not speaking. Mute your line rather than placing your phone on hold. Using WebEx, you may mute yourself by right clicking on your name in the panelists or attendees list and selecting "Mute." If you are only using a telephone connection, press "*6" once to mute and again to unmute.

Availability of Documents

Information regarding the status of this proceeding, as well as committee notices, orders, and other relevant documents pertaining to this proceeding, may be found by consulting the Docket Log at:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-RPS-01>.

Dated: February 23, 2018, at Sacramento, California

Original Signed by:

KAREN DOUGLAS

Commissioner and Presiding Member
Complaint Against Stockton Port District
for Noncompliance with the Renewable
Portfolio Standard Committee

Original Signed by:

DAVID HOCHSCHILD

Commissioner and Associate Member
Complaint Against Stockton Port District
for Noncompliance with the Renewable
Portfolio Standard Committee