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Document Title:	Clarification of Power Source Disclosure Reporting Requirements
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Regulatory Advisory

March 25, 2021

Clarification of Power Source Disclosure Reporting Requirements

This advisory provides official guidance from the California Energy Commission (CEC) pertaining to Power Source Disclosure (PSD) Program Regulation sections 1394(b)(2)(A), 1394.1(g), and 1394.2(b)(1)(B)(4) and, in particular, the requirements for unbundled Renewable Energy Credit (REC) reporting and greenhouse gas (GHG) emissions intensity reporting for new community choice aggregators (CCA).

The [Modification of Regulations Governing the PSD Program](#) (PSD Program Regulations), became effective May 4, 2020.

Official Guidance

PSD Program Regulations Sections 1394(b)(2)(A) and 1394.2(b)(1)(B)(4). The CEC recognizes that reporting unbundled RECs retired during the previous year may not account for all RECs that were retired in association with 2020 electricity portfolios. To align with industry practices and the schedules in which the Western Renewable Energy Generation Information System (WREGIS) issues RECs, and ensure consistent reporting across retail suppliers, the CEC officially advises retail suppliers to report in their 2020 PSD Annual Report, unbundled RECs retired in 2020 and 2021 in association with electricity portfolios offered for sale in 2020. Unbundled RECs reported in a prior year's PSD Annual Report and Power Content Label (PCL) cannot be reported again in subsequent years. If RECs retired in 2020 were previously reported in the 2019 PSD Annual Report and PCL, then these RECs may not be reported again in the 2020 filings as RECs may not be claimed more than once. This guidance is consistent with the [regulatory advisory](#) issued by the CEC in July 2020 for the 2019 reporting year.

PSD Program Regulations Section 1394.1(g). The CEC recognizes that this section might be interpreted as inconsistent with Public Utilities Code (PUC) section 398.4 (k)(2)(F)(ii), which is controlling law. The CEC officially advises retail suppliers to refer to the statutory provision under PUC section 398.4 (k)(2)(F)(ii), which states that CCAs formed after January 1, 2016, shall not be required to report data on GHG emissions intensity associated with retail sales until at least 24 months, but shall be required to report that data no later than 36 months, after serving its first retail customer. For example, a CCA that served its first retail customer in June 2018, is required to report GHG emissions intensities beginning with the 2020 PSD Annual Report due in June 2021.

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The CEC intends to permanently clarify these provisions in PSD Program Regulations after the 2020 reporting year.

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