

DOCKETED

Docket Number:	16-RPS-03
Project Title:	Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities
TN #:	212645
Document Title:	Notice of Staff Workshop on Proposed Pre-Rulemaking Amendments
Description:	This document supersedes TN 212624. Notice of Staff Workshop on Proposed Pre-Rulemaking Amendments to regulations for enforcement procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities and to solicit stakeholder comment. The notice has been updated with working webpage links.
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Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	8/5/2016 10:02:22 AM
Docketed Date:	8/5/2016



In the matter of:)	Docket No. 16-RPS-03
)	
Amendments to Regulations Specifying)	STAFF WORKSHOP
Enforcement Procedures for the)	RE: Enforcement Procedures for
Renewables Portfolio Standard for)	the Renewables Portfolio Standard
Local Publicly Owned Electric Utilities)	for Publicly Owned Electric Utilities

Notice of Staff Workshop on Proposed Pre-Rulemaking Amendments

California Energy Commission staff will conduct a workshop to discuss proposed Pre-Rulemaking Amendments to *Regulations for Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities (RPS Regulations)*¹ and to solicit stakeholder comment.

August 18, 2016

Beginning at 1:30 p.m.

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

First Floor, Arthur Rosenfeld Hearing Room

Sacramento, California

Wheelchair Accessible

Remote Access Available by Computer or Phone via WebEx™
(Instructions below)

Background

The Renewables Portfolio Standard (RPS) requires retail sellers of electricity and local publicly owned electric utilities (POUs) to increase the amount of renewable energy they procure until 50 percent of their retail sales are served by renewable energy by December 31, 2030. The Energy Commission is required to certify eligible renewable energy resources that retail sellers of electricity and POUs may use to satisfy their RPS procurement requirements, develop an accounting system to verify retail sellers' and POUs' compliance with the RPS, and adopt regulations specifying procedures for

¹ California Code of Regulations, Title 20, Division 2, Chapter 13, Sections 3200-3208 and Chapter 2, Article 5, Section 1240.

enforcement of the RPS for the POUs. The Energy Commission adopted the regulations June 2013, and they became effective October 1, 2013.

In October 2013, the passage of Senate Bill (SB) 591 (Canella, Chapter 520, Statutes of 2013) amended Section 399.30 of the Public Utilities Code related to the RPS for POUs. SB 591 provided that a POU is not required to procure additional eligible renewable energy resources in excess of specified levels if it receives 50 percent or greater of its annual retail sales from its own hydroelectric generation meeting specified requirements. The Energy Commission amended regulations for POUs to implement SB 591, and to make other clarifications to existing provisions. The amended regulations were adopted by the Energy Commission on October 15, 2015, and they became effective on April 12, 2016.

On October 7, 2015, SB 350 (de León, Chapter 547, Statutes of 2015), also called the Clean Energy and Pollution Reduction Act, was signed into law establishing new clean energy goals for 2030 and beyond. Among other things, SB 350 increases California's RPS procurement goal from 33 percent by 2020 to 50 percent by 2030. To implement new provisions in SB 350 relating to the RPS, the Energy Commission adopted an Order Instituting Rulemaking proceeding at its January 13, 2016, business meeting.

SB 350 makes the following changes to California's RPS program, to be incorporated in the *RPS Regulations*:

- Establishes new RPS procurement targets for POUs: 40 percent renewables by December 31, 2024, 45 percent by December 31, 2027, and 50 percent by December 31, 2030
- Requires POUs to procure more renewable resources through long-term contracts; beginning January 1, 2021, at least 65 percent of procurement must be from contracts of 10 years or more in duration or from ownership agreements
- Revises rules for the calculation of excess procurement used to satisfy POU's procurement requirements for subsequent compliance periods
- Establishes requirements for offsetting retail sales served by a POU's voluntary green pricing program or shared renewable generation program
- Creates special exemptions for POUs procuring electricity from qualifying large hydroelectric generation and for POUs that have qualifying unavoidable long-term contracts for electricity from coal-fired power plants

In addition to implementing relevant sections of SB 350, staff is proposing minor revisions to the regulations to streamline reporting requirements, and to clarify other existing provisions.

The proposed amendments to the *RPS Regulations*, and any other related materials, will be posted before the workshop on the Energy Commission's website at:

www.energy.ca.gov/portfolio/pou_rulemaking/2016-RPS-03/

Development of the amendments to the *RPS Regulations* is currently in the “pre-rulemaking” phase. As needed, pre-rulemaking workshops are held by the Energy Commission to seek early public input for developing and refining draft regulations. The “rulemaking phase” (45-day language) commences with the publication of a Notice of Proposed Regulatory Action and proposed regulations. Once adopted by the Energy Commission, the regulations will be submitted to the Office of Administrative Law for review.

More information about the California state government rulemaking process can be found at: http://www.oal.ca.gov/regular_Rulemaking_Process.htm.

Public Comment

Oral comments are encouraged during the workshop, and may be limited to 5 minutes per speaker. All comments may become part of the public record in this proceeding. Written comments should be submitted to the Energy Commission’s e-commenting online system no later than **5:00 p.m. on September 2, 2016**.

1. Go to the Energy Commission’s website: <http://www.energy.ca.gov/e-filing/>.
2. Click “Comment on a Proceeding” in the Additional Information box.
3. Type “16-RPS-03” into the Select a Proceeding field then hit Enter.
4. Click “Select” to Select a Proceeding.
5. Click “Continue” to Add a Comment.
6. Commenters are required to input their full name, email address, and comment title. Comment title should be “Jane Doe or Company Name Comment re RPS Pre-Rulemaking Workshop.”
7. Type comments into the “Comment Text” field or upload a document with comments. Comments should be in a downloadable, searchable format such as Microsoft® Word (.doc or .docx) or Adobe® Acrobat® (.pdf).
8. Enter the CAPTCHA that is used to prevent spamming on the website. Then click on “Agree and Submit your Comments.”

Written comments will be also accepted before or at the workshop; however, Energy Commission staff may not have time to review them before the conclusion of the meeting. For additional information, see Standing Order re: Proceedings and Confidentiality Procedural Requirements for Filing, Service, and Docketing Documents with the Energy Commission, available at: www.energy.ca.gov/commission/chief_counsel/docket.html.

Additionally, written comments will be posted to the Energy Commission’s website for the proceeding. Please note that your written and oral comments, attachments, and associated contact information (for example, your address, phone, email, etc.) become part of the viewable public record. This information may become available via Google, Yahoo, and any other search engines.

If you prefer, you may send a paper copy of your comments to:

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 16-RPS-03
1516 Ninth Street
Sacramento, CA 95814-5512

Public Adviser and Other Commission Contacts

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Public Adviser, Alana Mathews, at PublicAdviser@energy.ca.gov or (916) 654-4489, or toll free at (800) 822-6228.

If you have a disability and require assistance to participate, please contact Pouneh Jones at Pouneh.Jones@energy.ca.gov or (916) 654-4425 at least five days in advance.

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

If you have questions on the subject matter of this meeting, please contact Emily Chisholm, Emily.Chisholm@energy.ca.gov or (916) 654-4006.

Remote Attendance

You may participate in this meeting through WebEx, the Energy Commission's online meeting service. 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> and enter the unique meeting number: **921 838 329**. When prompted, enter your name and the following meeting password: **workshop@1:30**

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: **921 838 329**. International callers may select their number from <https://energy.webex.com/energy/globalcallin.php>

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If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

Availability of Documents

Documents and presentations for this meeting will be available online at: http://www.energy.ca.gov/portfolio/pou_rulemaking/2016-RPS-03/.

August 4, 2016

Original signed by:

COURTNEY SMITH
Deputy Director

Mail List: Renewable listserv