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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue
Implementation and Administration, and
Consider Further Development, of California
Renewables Portfolio Standard Program.

R.18-07-003

**CALIFORNIA COMMUNITY CHOICE ASSOCIATION'S
COMMENTS ON ADMINISTRATIVE LAW JUDGE'S RULING
REQUESTING COMMENTS ON STAFF PROPOSAL**

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SUMMARY OF RECOMMENDATIONS

- 1 Adopt the Staff proposal with limited modifications.
 - 2 Withdraw the proposed additional reporting requirement for February 15 as it will result in incomplete, inaccurate, year-end reporting.
 - 3 Merge qualitative reporting questions that are duplicative across the existing IRP and RPS reports.
 - 4 Limit requests for procurement policy data that does not change frequently to on-year reports.
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The California Community Choice Association (CalCCA)¹ submits these comments in response to the *Administrative Law Judge's Ruling Requesting Comments on Staff Proposal* dated September 18, 2020 (Ruling). CalCCA appreciates the Energy Division Staff's (Staff) efforts to identify and pursue opportunities for administrative efficiencies in requesting data from CCAs and other load-serving entities (LSEs). CalCCA offers several pragmatic recommendations below in the interest of reducing the reporting burden on LSEs and Staff.

Overall, CalCCA supports the direction of the Staff proposal with the following recommendations:

- Withdraw the proposed additional reporting requirement on February 15 as it will not be feasible for LSEs to provide accurate or complete year-end data by this time;

¹ California Community Choice Association represents the interests of 24 community choice electricity providers in California: Apple Valley Choice Energy, Baldwin Park Resident Owned Utility District, CleanPowerSF, Central Coast Community Energy, Clean Energy Alliance, Clean Power Alliance, Desert Community Energy, East Bay Community Energy, Lancaster Choice Energy, Marin Clean Energy, Peninsula Clean Energy, Pico Rivera Innovative Municipal Energy, Pioneer Community Energy, Pomona Choice Energy, Rancho Mirage Energy Authority, Redwood Coast Energy Authority, San Diego Community Power, San Jacinto Power, San José Clean Energy, Silicon Valley Clean Energy, Solana Energy Alliance, Sonoma Clean Power, Valley Clean Energy, and Western Community Energy.

- Where applicable, merge qualitative reporting questions that are duplicative across the existing Integrated Resource Planning (IRP) and Renewable Portfolio Standard (RPS) reports; and
- Limit requests for procurement policy data that does not change frequently to on-year reports.

Most significantly, the proposed February 15 reporting requirement needs further consideration. As discussed in greater detail below, it is unlikely that LSEs will have sufficient, validated year-end information to complete the proposed February 15 data request. Under the current process, there is a significant lag from when renewable energy is generated and transacted to when it is validated and provided to LSEs through the Western Renewable Energy Generation Information System (WREGIS). CalCCA acknowledges the Public Utilities Commission of the State of California's (Commission) statutory obligation to provide complete and accurate information to the Legislature by May 1 and hopes to work with the Commission and stakeholders to identify a workable solution.

I. THE PROPOSED FEBRUARY 15 REPORTING DEADLINE IS INFEASIBLE

The Ruling proposes to transition the Cost Quantification reporting from the LSEs' annual RPS Procurement Plans (RPS Plans), which are submitted generally on June 1 of each year, to an annual February 15 reporting requirement. The intent of this request is two-fold: to provide public-facing data on RPS procurement and sales cost information and to report annually to the Legislature by May 1 as required by Public Utilities Code § 913.3.²

While the Commission's desire for earlier reporting is understandable, LSEs will not be able to provide accurate, complete, and verified renewables cost data by February 15 due to the delay between some renewable transactions and receipt of verified data from generators through the WREGIS system. Specifically, under the current process, generators are required to submit

² Staff Proposal, p. 5.

data on renewable production to WREGIS, after which WREGIS has 90 days to validate and verify the information. The LSE will not receive a validated REC until it is verified by WREGIS, which in many cases may be as long as 80 days after production. This means that complete and validated RECs for renewable production in November and December may not be available until the end of March and April, respectively. As a result, by February 15 of each year, LSEs may not have full access to complete data for renewable production.³

While the Staff's proposal thus is not fully feasible, stakeholders should explore alternatives that enable the Commission to meet its statutory obligation to provide accurate RPS cost information to the Legislature by May 1 of each year.

II. RESPONSES TO QUESTIONS POSED BY RULING

1. ***Is the Proposed Framework consistent with statutory requirements? If not, provide citation to the requirement(s) and explain why the Proposed Framework is not consistent with the requirement(s).***

CalCCA reserves comment on this issue at this time.

2. ***Does the Proposed Framework adequately ensure that information is provided on LSEs planning and procurement to achieve the goal of reducing California's GHG emissions at the lowest cost? If not, explain why it does not and how the Proposed Framework could be modified.***

As discussed above, the proposed February 15 reporting requirement is not feasible and would result in incomplete and/or inaccurate LSE RPS reporting.

3. ***Are there additional efficiencies that the CPUC should consider? If so, explain in detail the additional efficiency and how it increases efficiencies for LSEs, parties, and the CPUC, while meeting the statutory and CPUC requirements.***

³ By February 15, LSEs can only be certain to have complete, validated information for generation occurring prior to November 17 of the prior year (90 days prior).

Questions regarding procurement policies, such as risk assessment methodology, bid protocols, and price adjustment mechanisms are unlikely to change annually. For Commission and LSE efficiency, these items should be omitted in off-year reports.

Further, for efficiency, certain questions may be better merged into the IRP narrative rather than added as additional questions. Specifically, efficiencies could be gained by combining Lessons Learned (IRP and RPS), Potential Barriers (IRP), and Risk (RPS) into a single section given significant overlap across the four questions. Additionally, a number of RPS Procurement Plan requirements were proposed to be added to IRP 3.a Study Results/Conforming and Alternative Portfolios section that would be more appropriate discuss elsewhere in the narrative. Refer to the table below for a proposal of where RPS Procurement Plans sections could be incorporated in the IRP narrative template to address CalCCA’s proposals.

Item Number from 2020 RPS Procurement Plan Checklist	RPS Procurement Plan Requirement	Proposed Section in IRPs based on 2020 IRP Narrative Template
2	Executive Summary	New ‘RPS Status and Progress Update’ Section IRP I. Executive Summary
3	Summary of Legislative Compliance	New ‘RPS Status and Progress Update’ Section IRP II.s Objectives
4	Assessment of RPS Portfolio Supplies and Demand	IRP 3.a Study Results/Conforming and Alternative Portfolios
4.A	Portfolio Supply and Demand	IRP 3.a Study Results/Conforming and Alternative Portfolios
4.A.1	Portfolio Optimization	New ‘RPS Status and Progress Update’ Section IRP IV Action Plan
4.B	Responsiveness to Policies, Regulations, and Statutes	New ‘RPS Status and Progress Update’ Section IRP 3.a Study Results/Conforming and Alternative Portfolios

Item Number from 2020 RPS Procurement Plan Checklist	RPS Procurement Plan Requirement	Proposed Section in IRPs based on 2020 IRP Narrative Template
4.B.1	Long-Term Procurement	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP IV.b Procurement Activities
4.C	Portfolio Diversity and Reliability	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP III.f System Reliability Analysis
4.D	Lessons Learned	New ‘RPS Status and Progress Update’ Section IRP V Lessons Learned
5	Project Development Status Update	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP IV.a Proposed Activities
6	Potential Compliance Delays	New ‘RPS Status and Progress Update’ Section IRP IV.c Potential Barriers
7	Risk Assessment	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP IV.c Potential Barriers
8	Renewable Net Short Calculation	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP II.b.ii Modeling Approach
9	Minimum Margin of Procurement (MMoP)	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP II.b.ii Modeling Approach
9.A	MMoP Methodology and Inputs	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP II.b.ii Modeling Approach

Item Number from 2020 RPS Procurement Plan Checklist	RPS Procurement Plan Requirement	Proposed Section in IRPs based on 2020 IRP Narrative Template
9.B	MMoP Scenarios	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP II.b.ii Modeling Approach
10	Bid Solicitation Protocol	IRP 3.e Study Results/Cost and Rate Analysis IRP IV.b Procurement Activities
10.A	Solicitation Protocols for Renewable Sales	IRP 3.e Study Results/Cost and Rate Analysis IRP IV.b Procurement Activities
10.B	Bid Selection Protocols	IRP 3.e Study Results/Cost and Rate Analysis IRP IV.b Procurement Activities
10.C	LCBF Criteria	IRP 3.e Study Results/Cost and Rate Analysis IRP IV.b Procurement Activities
11	Safety Considerations	IRP 3.a Study Results/Conforming and Alternative Portfolios IRP IV.b Procurement Activities
12	Consideration of Price Adjustment Mechanisms	IRP 3.a Study Results/Cost and Rate Analysis IRP IV.b Procurement Activities
13	Curtailement Frequency, Forecasting, Costs	IRP 3.e Study Results/Cost and Rate Analysis IRP IV.c Potential Barriers
14	Cost Quantification	N/A February 15 June Data Request

4. *Are there additional ways to increase transparency? If so, please explain in detail the proposed modification(s) and how it increases transparency.*

CalCCA reserves comment on this issue at this time.

5. *Are there any additional aspects that should be added to the Proposed Framework? If so, please explain in detail and provide justification for adding.*

CalCCA reserves comment on this issue at this time.

- 6. *How should consideration of safety be reported and examined in the on-year and off-year plans? How should all LSEs report on safety culture and policies for procurement, including renewables? What safety-related disclosures should be included? What standards should renewable and other resources be required to meet?***

CCAs take very seriously the safety of their employees, the employees of project developers, and the safety of the public. To date, CCAs have utilized third-party developers to build new projects rather than CCA staff, and these developers have been responsible for ensuring safety during the development and operational phase of these projects.

It is unclear what safety standards, beyond current state and federal law, would be incorporated into this reporting process. Further, it would be administratively burdensome to require LSEs to report on the safety performance of third-party developers and asset operators.

- 7. *How should reporting include consideration of low income and disadvantaged communities? Should these regulatory filings be more widely disseminated?***

While no formal or uniform metric has been yet adopted across CCAs, several CCAs are exploring metrics for internal reporting on DAC expenditures, including:

- Megawatts per dollar (MW/\$) invested in DACs (including community benefits);
- Income-qualified program enrollment in DAC census tracts (Californian Alternate Rates for Energy / Family Electric Rate Assistance); and
- Qualitative descriptions of efforts to address barriers to customer-owned resource adoption in DACs and non-DAC low-income communities.

- 8. *What is the impact, if any, of the Proposed Framework on local communities in terms of transparency, costs, energy services, and consequences of projects and policies?***

CalCCA reserves comment on this issue at this time.

- 9. *What consideration should equity be given in development of the off-year plans and the IRP filings? Are there any useful benchmarks or metrics to evaluate social equity considerations that could be included in these filings?***

CalCCA reserves comment on this issue at this time.

III. CONCLUSION

For all the foregoing reasons, CalCCA respectfully requests consideration of the proposals specified herein and looks forward to an ongoing dialogue with the Commission and stakeholders.

Respectfully submitted,

A handwritten signature in blue ink that reads "Evelyn Kahl".

Evelyn Kahl
General Counsel to the
California Community Choice Association

October 9, 2020