

**DOCKET**

03-RPS-1078/ 02-REN-1038

DATE MAR 09 2007RECD. MAR 09 2007

March 9, 2007

California Energy Commission

**Re: Docket No. 03-RPS-1078 and Docket No. 02-REN-1038**

Docket Unit, MS-4

1516 Ninth Street

Sacramento, CA 95814-5504

Dear Commissioners:

The California Biomass Energy Alliance (“CBEA”) supports the changes made in the Committee Draft to the *Existing Renewable Facilities Guidebook* (“Guidebook”) and would like to highlight a couple issues needing further consideration.

First, CBEA thanks the Committee and staff for their efforts on this document. The enabling legislation was difficult to interpret and the staff has struck a balance that addresses all of the biomass and solar thermal industries’ concerns, as well as meets both the letter and intent of SB 1250.

One issue that was raised in the previous draft but seems to be absent here is how to address the issue of contract terms and conditions that are confidential. There are a handful of facilities with this issue, but it is not clear what the process is to provide the information without making it public. We believe staff are aware of this and intend to address it before a final vote on the *Guidebook*.

The second issue relates specifically to the fuel restrictions for biomass facilities. Page 20 of the *Guidebook* requires that not only the facilities attest to the source of the biomass fuel, the Committee is asking that every fuel supplier do so as well. This would be quite problematic for several reasons. Many facilities have over one hundred fuel suppliers. We are not very confident we could get every one of them to make that attestation. Suppliers would not be legally bound to do so, nor is there any incentive for them to comply. In some instances we expect a request for compensation. The requirement is clearly duplicative and we would recommend it be deleted.

Thank you again for your efforts on this.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Julia Walsh-Billy'.

Public Policy Advocates, LLC