

ALAMEDA MUNICIPAL POWER

**ENFORCEMENT PROGRAM OF THE
RENEWABLE ENERGY RESOURCES PROCUREMENT PLAN
(PER SENATE BILL X1 2)**

Approved by the Alameda Public Utilities Board: August 19, 2013

1. INTRODUCTION

Senate Bill (SB) X1 2 which was enacted in the 2011-2012 First Extraordinary Session of the Legislature, modifies the state's renewable portfolio standard (RPS) program and sets forth new RPS requirements applicable to publicly owned utilities (POUs). AMP, as a POU, is covered under the new legislation. Under Public Utility Code (PUC) § 399.30(e), each POU must adopt and implement a "program for the enforcement" of the RPS Procurement Plan and update this program as appropriate, at a publicly noticed meeting. This document replaces the enforcement program for the RPS Procurement Plan (RPS Enforcement Program) approved by the Public Utilities Board (the Board) on November 21, 2011, Resolution No. 4885 and reflects the many changes that resulted from the California Energy Commission's (CEC) adoption of the *Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities* (RPS Regulations) on June 12, 2013.

2. PURPOSE

This document sets forth the provisions comprising AMP's program for the enforcement of its RPS Procurement Plan.

3. FREQUENCY OF REVIEW

Annually, the AMP General Manager shall cause AMP's RPS Procurement Plan to be reviewed for purposes of assessing compliance with the requirements of SB X1 2 and the RPS Regulations.

4. SCOPE OF REVIEW

AMP's review of its performance under the RPS Procurement Plan shall include annual progress reviews and compliance period reviews, plus the timely filing of RPS compliance reports to the CEC pursuant to SB X1 2 and the RPS Regulations.

A. Annual Reviews

The annual reviews shall include consideration of each of the following elements consistent with the RPS Procurement Plan.

- a. By September 1, 2013, or 30 calendar days after the effective date of the RPS Regulations, whichever is later, ensure that AMP is making progress toward

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achieving the 20 percent RPS procurement requirements for compliance period 1 (January 1, 2011-December 31, 2013).

- b. By July 1, 2015, ensure that AMP is making progress toward achieving the 25 percent RPS procurement requirements for compliance period 2 (January 1, 2014-December 31, 2016).
- c. By July 1, 2016, ensure that AMP is making progress toward achieving the 25 percent RPS procurement requirements for compliance period 2 (January 1, 2014-December 31, 2016).
- d. By July 1, 2018, ensure that AMP is making progress toward achieving the 33 percent RPS procurement requirements for compliance period 3 (January 1, 2017-December 31, 2020).
- e. By July 1, 2019, ensure that AMP is making progress toward achieving the 33 percent RPS procurement requirements for compliance period 3 (January 1, 2017-December 31, 2020).
- f. By July 1, 2020, ensure that AMP is making progress toward achieving the 33 percent RPS procurement requirements for compliance period 3 (January 1, 2017-December 31, 2020).

B. Compliance Period Reviews

Compliance period reviews shall include consideration of each of the following elements, consistent with the RPS Procurement Plan:

- a. By July 1, 2014:
 - i. Verify that AMP has procured an average of at least 20 percent of its retail electric sales with eligible renewable resources for the period January 1, 2011 to December 31, 2013, and
 - ii. That the required amount of eligible renewable resources not met with historic carryover or portfolio content category (PCC)0 resources consists of at least 50 percent PCC1 and no more than 25 percent PCC3.
- b. By July 1, 2017:
 - i. Verify that AMP has procured electricity products sufficient to meet or exceed the sum of 20 percent of its 2014 retail electric sales, 20 percent of its 2015 retail electric sales and 25 percent of its 2016 retail electric sales with eligible renewable resources for the period January 1, 2014 to December 31, 2016, and
 - ii. That the required amount of eligible renewable resources not met with historic carryover or PCC0 resources consists of at least 65 percent PCC1 and no more than 15 percent PCC3.

- c. By July 1, 2021:
 - i. Verify that AMP has procured electricity products sufficient to meet or exceed the sum of 27 percent of its 2017 retail electric sales, 29 percent of its 2018 retail electric sales, 31 percent of its 2019 retail electric sales and 33 percent of its 2020 retail electric sales with eligible renewable resources for the period January 1, 2017 to December 31, 2020, and
 - ii. That the required amount of eligible renewable resources not met with historic carryover or PCC0 resources consists of at least 75 percent PCC1 and no more than 10 percent PCC3.
- d. By July 1, 2022 and every July 1 thereafter:
 - i. Verify that AMP has procured electricity products sufficient to meet or exceed 33 percent of its retail electric sales with eligible renewable resources for the previous calendar year, and
 - ii. That the required amount of eligible renewable resources not met with historic carryover or PCC0 resources consists of at least 75 percent portfolio content category PCC1 and no more than 10 percent PCC3.

C. RPS Compliance Reporting

Staff shall inform the Board when AMP submits its RPS compliance reports to the CEC, the content of which shall be consistent with the requirements of the RPS Regulations.

5. FAILURE TO COMPLY WITH THE RPS PROCUREMENT PLAN

A. Inability to meet annual RPS procurement targets

If AMP is unable to comply with the provisions of its RPS Procurement Plan for any year of a compliance period, AMP shall take corrective steps, including reviewing the RPS Procurement Plan and making necessary changes to ensure compliance by the end of the next year.

B. Inability to meet compliance period RPS procurement targets

If AMP is unable to comply with the provisions of its RPS Procurement Plan for any compliance period, AMP shall take corrective steps, including the following:

- a. Reviewing the RPS Procurement Plan and making necessary changes to ensure compliance in the next compliance period;
- b. Requiring quarterly reports from Staff regarding AMP's progress and all steps being taken to ensure AMP's ability to meet its compliance obligation for the next compliance period.

C. If, after following the steps in the preceding section B, AMP is still unable to meet the State's compliance period targets, Staff shall provide the Board with a recommendation for the application of any of the following optional compliance measures, consistent with the provisions of the RPS Procurement Plan:

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- a. Delay of Timely Compliance
- b. Cost Limitations
- c. Portfolio Balance Requirement Reduction

6. MODIFICATIONS

This RPS Enforcement Program may be modified by an affirmative vote of the Board during a public meeting with not less than 10 days prior notice given to the public.