

**RESOLUTION NO: XX**

**STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION**

**WHEREAS**, the California Energy Commission has developed its Renewable Energy Program, including elements related to California's Renewables Portfolio Standard (RPS), pursuant to Public Resources Code section 25740 et seq., Public Utilities Code section 399.11 et seq., and former Public Utilities Code sections 381, 383.5, and 445; and

**WHEREAS**, Public Resources Code section 25747 authorizes the California Energy Commission to adopt guidelines to govern the administration of its Renewable Energy Program, including elements related to the state's RPS; and

**WHEREAS**, on April 21, 2004, the California Energy Commission adopted guidelines, entitled the *Renewables Portfolio Standard Eligibility Guidebook*, to address the eligibility requirements and process for certifying eligible renewable energy resources for purposes of meeting the state's RPS pursuant to Public Resources Code section 25740 et seq. and Public Utilities Code section 399.11 et seq., and has subsequently revised these guidelines pursuant to this authority; and

**WHEREAS**, the California Energy Commission staff, with guidance and input from Lead Commissioner David Hochschild, have proposed revisions to the *Renewables Portfolio Standard Eligibility Guidebook*, as set forth in the "Ninth Edition," to i) address changes in law as a result of Senate Bill 350 (De León, Chapter 547, Statutes of 2015) and Senate Bill 1393 (De León, Chapter 677, Statutes of 2016), ii) incorporate requirements and criteria adopted by the Energy Commission in 2016 under Resolution Nos. 16-0309-04a, and 16-0309-4b, iii) clarify various requirements and processes related to RPS certification and verification, and iv) transition to the RPS Online System to streamline RPS certification application and annual reporting processes; and

**WHEREAS**, on July 11, 2016 and December 7, 2016, the California Energy Commission publicly noticed staff's proposed revisions to the Renewables Portfolio Standard Eligibility Guidebook, and offered stakeholders and interested members of the public an opportunity to comment on the proposed guideline revisions; and

**WHEREAS**, from August 2016 through November 2016, the California Energy Commission publicly noticed and offered training and focus group sessions for stakeholders to review, test

and provide comments on the RPS Online System to be used under the *Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition*; and

**WHEREAS**, in response to public comments staff revised its proposed revisions to the *Renewables Portfolio Standard Eligibility Guidebook* to clarify the changes to the guidelines affecting renewable facilities, and subsequently provided public notice of its revised proposed revisions to the guidelines on December 7, 2016; and

**WHEREAS**, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of revisions to the *Renewables Portfolio Standard Eligibility Guidebook* and concluded that the adoption of these guideline revisions is exempt from CEQA, either because it is not a "project" subject to CEQA pursuant to Title 14, California Code of Regulations, section 15378 (b)(2), in that it deals with the continuation of administrative and maintenance activities related to general policy and procedure making, or because the action is exempt under the "common sense" exception of Title 14, California Code of Regulations, section 15061 (b)(3), where it can be seen with certainty that there is no possibility the action may have a significant effect on the environment; and

**WHEREAS**, the California Energy Commission has reviewed staff's proposed revisions to the *Renewables Portfolio Standard Eligibility Guidebook*, as set forth in the "Ninth Edition," and presented and discussed at the January 25, 2017, Business Meeting, and finds that the adoption of these guideline revisions is exempt from CEQA for the reasons concluded by legal counsel, and accepts and approves these guideline revisions for the purpose of implementing the RPS; and

**THEREFORE BE IT RESOLVED**, the California Energy Commission hereby adopts staff's proposed guideline revisions as set forth in the *Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition*, and authorizes the Executive Director, or his designee, to implement the RPS as specified in this guidebook.

#### CERTIFICATION

The undersigned Secretariat to the California Energy Commission does hereby certify that the foregoing is a full, true, and correct copy of a RESOLUTION duly and regularly adopted at a meeting of the California Energy Commission held on January 25, 2017.

AYE:

NAY:

ABSENT:

ABSTAIN:

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Cody Goldthrite,  
Secretariat