

January 25, 2023, California Energy Commission Business Meeting

Item #11. Renewables Portfolio Standard Retail Sellers Procurement Verification Results Report.

[Proposed] Resolution Adopting Renewables Portfolio Standard 2017-2020 Retail Sellers Procurement Verification Report for Compliance Period 3:

Attached below

Notice of Availability and Request for Comments on the Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report:

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=248317&DocumentContentId=82698>

Renewables Portfolio Standard 2017-2020 Retail Sellers Procurement Verification Staff Draft Report (Updated January 2023):

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=248383&DocumentContentId=82811>

Notice of Availability of the Renewables Portfolio Standard Verification and Compliance Methodology Staff Report, Third Edition:

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=247673&DocumentContentId=82005>

Renewables Portfolio Standard Verification and Compliance Methodology Report, Third Edition:

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=247672&DocumentContentId=82006>

List of Documents filed in the Docket Log (21-RPS-01) for this proceeding, Renewables Portfolio Standard Compliance Period 3 (2017-2020) Verification and Compliance:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-01>

California Energy Commission webpage related this item:

<https://www.energy.ca.gov/programs-and-topics/programs/renewables-portfolio-standard/renewables-portfolio-standard>

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION ADOPTING RENEWABLES PORTFOLIO STANDARD 2017-2020
RETAIL SELLERS PROCUREMENT VERIFICATION REPORT FOR COMPLIANCE
PERIOD 3

WHEREAS, Public Utilities Code Section 399.25 (b) requires the California Energy Commission (CEC) to design and implement an accounting system to verify compliance with California's Renewables Portfolio Standard (RPS) by retail sellers and local publicly owned electric utilities, to ensure that electricity generated by an eligible renewable energy resource is counted only once for the purpose of meeting the renewables portfolio standard of this state or any other state, and for verifying retail product claims in this state or any other state; and

WHEREAS, the CEC, in collaboration with the California Public Utilities Commission (CPUC), has adopted guidelines, as set forth in the *Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition (Revised)*, addressing its verification responsibilities under Public Utilities Code Section 399.25 (b) as well as other provisions of California's RPS law, and has further clarified the process used to conduct its RPS verification in the *Renewables Portfolio Standard Verification Methodology Report, Third Edition*; and

WHEREAS, in furtherance of Public Utilities Code Section 399.25 (b), the CEC prepares a *Renewables Portfolio Standard Procurement Verification Report* (Verification Report) to report its findings on the amount of eligible renewable energy procured each year by retail sellers subject to California's RPS pursuant Public Utilities Code Section 399.11, et seq.; and

WHEREAS, the Verification Report applies the statutory requirements in the Public Utilities Code, the requirements specified in the *Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition (Revised)*, and the CPUC's adopted RPS program rules in determining the amount of renewable energy procurement that qualifies toward each retail seller's RPS procurement requirements; and

WHEREAS, the CEC transmits the Verification Report to the CPUC, so the CPUC may determine a retail seller's compliance with California's RPS; and

WHEREAS, CEC staff has prepared a draft Verification Report for calendar years 2017-2020 entitled the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report*; and

WHEREAS, CEC staff published the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report* along with a Notice of Availability and Request for Comments to the RPS Compliance Period 3 (2017 - 2020) Verification and Compliance docket (21-RPS-01) on November 23, 2022 for a 15-day comment period; and

WHEREAS, CEC staff issued a Notice of Postponement of Adoption of Renewables Portfolio Standard 2017-2020 Retail Sellers Procurement Verification Report to the RPS Compliance Period 3 (2017-2020) Verification and Compliance docket (21-RPS-01) on December 12, 2022, which postponed the CEC's consideration of adopting the draft Verification Report at the December 14, 2022, Business Meeting; and

WHEREAS, in response to information provided to CEC staff by a retail seller, CEC staff made several changes to the draft Verification Report and republished the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report* with a Notice of Availability and Request for Comments to the RPS Compliance Period 3 (2017-2020) Verification and Compliance docket (21-RPS-01) on January 4, 2023, for a 15-day comment period; and

WHEREAS, the scope of the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report* includes RPS procurement verification findings for 44 retail sellers, including three investor-owned utilities, three small and multi-jurisdictional utilities, 15 electric service providers and 23 community choice aggregators; and

WHEREAS, the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report* addresses the following items with respect to each of the 44 retail sellers:

- Verifies RPS-eligibility of the renewable energy resources (i.e. electrical generation facilities) from which each reporting retail seller has claimed renewable energy procurement;
- Verifies, to the extent possible, that the amount of renewable energy procurement claimed by each retail seller was sufficiently generated by each RPS-eligible electrical generation facility;
- Verifies, to the extent possible, that the claimed RPS procurement exclusively serves California's RPS and does not support another renewable energy regulatory or voluntary market claim;
- Identifies the eligible, ineligible, and/or withdrawn RPS procurement claims per retail seller and provides the total amount of eligible RPS procurement;
- Provides analysis of RPS-eligible procurement by resource type; and

WHEREAS, CEC staff has considered the application of the California Environmental Quality Act (CEQA) to this item and determined that the adoption of the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report* is not a project under California Code of Regulations, title 14, section 15378 (b)(5).

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to CEQA:

- The CEC has considered the application of CEQA to the adoption of the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report* and concluded it not to be a project under California Code of Regulations, title 14, section 15378 (b)(5).

THEREFORE, BE IT RESOLVED, the CEC has considered and hereby adopts the *Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Staff Draft Report* and directs the Executive Director, or their designee, to finalize the report, including making any necessary typographical or non-substantive changes, and transmit it to the CPUC.

FURTHER BE IT RESOLVED, that documents and other materials that constitute the entire record of this approval can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in Docket Number [21-RPS-01](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-01), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-01>.

CERTIFICATION

The undersigned Secretariat to the CEC 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 CEC held on January 25, 2023.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

Liza Lopez
Secretariat