



## **FILING INSTRUCTIONS: RECONSIDERATION OF AN EXECUTIVE DIRECTOR OR STAFF DETERMINATION OF A LONG-TERM CONTRACT**

Section 3207 (c)(5)(C)<sup>1</sup> of the Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities, generally referred to as the RPS POU Regulations, provides publicly owned electric utilities (POUs) the opportunity to request reconsideration of an Executive Director determination under RPS POU Regulations, section 3207 (c)(5)(A), or a staff determination under RPS POU Regulations, section 3207 (c)(5)(B). These regulations describe the process for a voluntary request for early review of a contract and the process for annual and compliance period review of long-term contract classification, respectively.

### **Deadline to Submit a Petition for Reconsideration of a Long-Term Contract Determination**

A POU requesting reconsideration of an Executive Director determination under Section 3207 (c)(5)(A) or a staff determination under Section 3207 (c)(5)(B) shall submit a complete petition for reconsideration to the California Energy Commission (CEC) **within 30 calendar days of issuance of that determination.**

### **Filing a Petition for Reconsideration of a Long-Term Contract Determination**

A POU requesting reconsideration of a long-term contract determination shall follow the instructions below. Please note there are separate instructions depending on whether the long-term contract determination was made solely by CEC staff or by the Executive Director. The petition for reconsideration shall be filed and processed in a manner consistent with a request for investigation pursuant to sections 1231 – 1232.5.

**Staff determinations:** If the long-term contract determination was made solely by CEC staff under section 3207 (c)(5)(B), the petition for reconsideration shall be filed with the Executive Director in a manner consistent with a request for investigation pursuant to section 1231. Petitions for reconsideration of a staff determination shall be filed in accordance with section 1208 and submitted via email to [docket@energy.ca.gov](mailto:docket@energy.ca.gov) and [RPSTrack@energy.ca.gov](mailto:RPSTrack@energy.ca.gov) with 21-RPS-01 and “Petition for Reconsideration of staff determination” in the subject line. Complete petitions will be processed in a manner consistent with Title 20, California Code of Regulations, section 1232. For purposes of this section, a determination shall be deemed to be made solely by staff if it is signed by the Renewable Energy Division (RED) Deputy Director, RED Assistant Deputy

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<sup>1</sup> All code references are to Title 20 of the California Code of Regulations unless otherwise noted.

Director, any supervisor or manager within RED, or any other staff employee within RED.

**Executive Director determinations:** If the long-term contract determination was made by the Executive Director under section 3207 (c)(5)(A) or by the Executive Director in conjunction with staff under section 3207 (c)(5)(B), the petition shall be filed with the Executive Director, who shall submit the request to the CEC Chair. The petition shall be made in writing and filed in accordance with section 1208 and must contain all required elements for a request for investigation within section 1231(a)-(f). Petitions for reconsideration of an Executive Director determination shall be submitted via email to [doCKET@energy.ca.gov](mailto:doCKET@energy.ca.gov) and [RPSTrack@energy.ca.gov](mailto:RPSTrack@energy.ca.gov) with 21-RPS-01 and “Petition for Reconsideration of Executive Director determination” in the subject line. Complete petitions will be reviewed in a manner consistent with Title 20, California Code of Regulations, Section 1232.5. For purposes of this section, a determination shall only be deemed to be made by the Executive Director or by the Executive Director in conjunction with staff if it is signed by the Executive Director.