BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

FILED
11-02-11
11:42 AM

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.	Rulemaking 11-05-005 (Filed May 5, 2011)

COMMENTS OF PACIFICORP (U 901 E) ON OCTOBER 13, 2011 REVISED DRAFT RENEWABLE FEED-IN TARIFF ENERGY DIVISION STAFF PROPOSAL

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November 2, 2011

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Pursuant to the October 13, 2011 Administrative Law Judge's Ruling (1) Issuing Staff Proposal (2) Entering Staff Proposal and Other Documents Into the Record and (3) Setting Comment Dates (ALJ Ruling), PacifiCorp (U-901-E), d.b.a. Pacific Power (PacifiCorp or Company) hereby submits the following comments on the October 13, 2011 Revised Draft Renewable Feed-In Tariff (FIT) Energy Division Staff Proposal (Revised Staff Proposal).

I. Introduction and Background

PacifiCorp is a multi-jurisdictional electric utility (MJU) with approximately 1.7 million customers in California, Idaho, Oregon, Utah, Washington and Wyoming. Approximately 45,000 of those customers are located in Shasta, Modoc, Siskiyou and Del Norte counties in Northern California, representing less than two percent of the total retail load served across PacifiCorp's six-state system. PacifiCorp's California service territory is not connected to the California Independent System Operator (CAISO), but rather PacifiCorp is the balancing authority for its California service territory, which is operated on an integrated basis with other states in the western portion of its multi-state territory.

In previously filed comments, PacifiCorp has asked the California Public Utilities Commission (Commission) to modify the Section 399.20 program for PacifiCorp based on

PacifiCorp's unique characteristics.[1] The Commission appears to have recognized PacifiCorp's unique situation and has determined that an exemption from the program is appropriate for PacifiCorp and other electrical corporations with less than 100,000 service connections. According to the June 27, 2011 Administrative Law Judge's Ruling Setting Forth Implementation Proposal for SB 32 and SB 2 1X Amendments to Section 399.20 (June 27, 2011 ALJ Ruling):

> Based on the goals of administrative ease, reducing costs of implementation, an exemption from the program for all electrical corporations with less than 100,000 service connections appears reasonable. This recommendation would represent a modification to D.07-07-027.[2]

PacifiCorp appreciates the Commission's recognition of the unique challenges that utilities with relatively small numbers of California customers face with respect to implementing a renewable FIT. As an electrical corporation with less than 100,000 service connections, PacifiCorp's comments are limited to the issue of how the exemption will apply and how the existing FIT will be treated.

II. PacifiCorp Is Exempt From Any Requirements to Implement a New Section 399.20 RPS FIT and Requests Clarification Regarding How to Treat its Existing FIT

Based on the June 27, 2011 ALJ Ruling, PacifiCorp requests that the Commission or the Revised Staff Proposal clarify and specify that PacifiCorp is exempt from any requirement to implement the Section 399.20 program. Ultimately, this clarification should be included in a

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[1] *See* the May 31, 2011 Comments of PacifiCorp on the Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard, available at http://docs.cpuc.ca.gov/efile/CM/136276.pdf; *see also* the March 7, 2011 California Association of Small and Multi-Jurisdictional Utilities (CASMU) Brief on Implementation of Senate Bill 32 Jointly Provided by Bear Valley Electric Service, a Division of Golden State Water Company (U 913 E), California Pacific Electric Company, LLC (U 933 E), Mountain Utilities (U 906 E), and PacifiCorp (U 901 E), available at http://docs.cpuc.ca.gov/efile/BRIEF/132678.pdf.

[2] June 27, 2011 ALJ Ruling, p. 20.

Commission decision. Additionally, as the June 27, 2011 ALJ Ruling provides that the Commission's determination is "a modification to D.07-07-027," PacifiCorp requests clarity regarding how it should treat its existing FIT implemented pursuant to D.07-07-027. Pursuant to the June 27, 2011 ALJ Ruling's conclusion that PacifiCorp is exempt from the FIT program, PacifiCorp recommends that the Commission clarify that PacifiCorp is no longer obligated to offer its existing Section 399.20 FIT.

III. Conclusion

For the reasons described above, PacifiCorp requests that the Commission clarify that PacifiCorp is exempt from any requirement to implement the new Section 399.20 FIT program and is no longer required to offer the existing Section 399.20 FIT as electrical corporations with less than 100,000 service connections are exempted from the Section 399.20 FIT program.

Dated: November 2, 2011

Respectfully submitted,

/s/

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VERIFICATION

I am the attorney for PacifiCorp, dba Pacific Power (PacifiCorp); PacifiCorp is absent from the County of Sacramento, California, where I have my office, and I make this verification for that reason. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the forgoing is true and correct.

Executed on November 2, 2011 at Sacramento, California.

/s/

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