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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Implement the Commission's Procurement Incentive Framework and to Examine the Integration of Greenhouse Gas Emission Standards into Procurement Policies	Rulemaking 06-04-009 (Filed April 13, 2007)

and

BEFORE THE CALIFORNIA ENERGY COMMISSION

AB 32 Implementation	07-OIIP-01

REPLY COMMENTS OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR TO THE JOINT CPUC AND CEC STAFF PROPOSAL FOR AN ELECTRIC RETAIL PROVIDER GHG REPORTING PROTOCOL

Introduction

Pursuant to the Ruling of ALJs TerKeurst and Lakritz dated June 12, 2007, the California Independent System Operator Corporation ("CAISO") submits its reply comments regarding the Joint California Public Utilities Commission and California Energy Commission Staff Proposal for an Electricity Retail Provider GHG Reporting Protocol (hereafter "Staff Reporting Proposal"). The Staff Reporting Proposal is a draft protocol for the tracking and reporting of Greenhouse Gas ("GHG") emissions associated with electricity retail sales in California and is the point of departure for developing a set of CPUC and CEC recommendations to present to the California Air Resources Board ("ARB") in September 2007.

The General Approach of the Joint Staff Proposal

The Staff Reporting Proposal addresses reporting rules for a load-based tracking and reporting approach, that assigns responsibility to each electric retail provider for the GHG emissions associated with the electricity generated to serve its load.[1] To quantify those emissions, the proposal takes the approach of assigning fuel sources to all generation produced to serve the California load.[2] In part, the proposal draws upon a body of CEC work conducted from 1988 to the present; this work has attempted to ascertain the resources used to serve the California load, and then estimate the fuels types of those resources.[3]

Staff Reporting Proposal Treatment of CAISO Markets

The Staff Reporting Proposal notes that fuel sources must be estimated for unspecified purchases, which is complicated by certain conceptual difficulties. The CAISO's real time market (RTM) and integrated forward market (IFM) are identified among other in-state unspecified purchases.[4] The proposal assigns default emission factors for these power pools, because it correctly notes that

> "[s]ince the companies whose bids are accepted can change from day to day, season to season, and year to year, creating a reliable ex ante emission factor based on specific plants or fleets of plants for purchases from these markets is not feasible.[5]

Accordingly, the proposal has set default emission standards for the RTM and IFM, at 900 and 1,000, respectively.[6] The Staff Reporting Proposal indicates that the RTM default factor of 900 was proposed "for further discussion."[7] As to the IFM default

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[1] See Staff Reporting Proposal, Section 1.1 [*Implementing a Load-based Tracking System in the Electricity Sector*], p.1, and n.1.
[2] Staff Reporting Proposal, Section 1.1 [*Implementing a Load-based Tracking System in the Electricity Sector*], p.1.
[3] Staff Reporting Proposal, Section 3.1 [*Regional Averages for Imports*], p. 8.
[4] Staff Reporting Proposal, Section 1.3 [*In-state Unspecified Purchases*], p. 2.
[5] Staff Reporting Proposal, Section 5.2.3 [*Supplier, CAISO Markets*], p. 17.
[6] Staff Reporting Proposal, Section 5.3.4 [*Unspecified Purchases within California*], p. 20. All factors in the proposal and in these Reply Comments represent a rate of pounds of CO2 per MW hour.
[7] *Ibid.*

factor, the staff notes that it considered three options and recommended 1,000, which staff indicates is "the 2005 average emissions factor for all California, NW and SW natural gas," and "is based on measured emissions of the principal marginal resource in the WECC region." With respect to this IFM default factor, the proposal states that staff proposed it as a "starting" factor, "in the hopes that after a year of operation, the CAISO can provide information to the State that will enable the calculation of a more accurate factor."[8]

The CAISO's Opening Comments Regarding the CAISO Market Default Factors

In our opening comments, the CAISO recommended that the proposal be modified to assign the same default factor to both markets and that this emissions level initially be set at 1,100 lbs per megawatt hour, the standard that the CEC and CPUC have established for their AB 1368 emissions performance standard.

The CAISO proposed the 1,100 number, in part, because of the CAISO's understanding that, after receiving stakeholder input on CCGT performance, the CEC and CPUC adjusted their initially proposed 1,000 emissions performance standard to 1,100, to account for the varying performance levels based age and specifications of various units (i.e. LM6000s) and other factors, such as the elevation and ambient temperature where CCGTs may be sited.

In this regard, the CEC's Initial Statement of Reasons, supporting its proposed SB 1368 regulations, noted that:

> The greenhouse gases emission performance standard is set at 1,100 pounds of carbon dioxide per megawatt hour. This standard of performance for baseload generation is the same as that adopted by the CPUC and was reached by evaluating the performance of existing combined cycle natural gas baseload powerplants throughout the west. Special attention was paid to the performance of units within California, and the standard was set so that new, clean units in adverse conditions

[8] *Ibid*.

such as high altitude or hot temperatures would not be crowded out by a standard that was too restrictive.[9]

The CAISO's Reply Comments Regarding Treatment of the CAISO Markets

1. The CAISO's primary point of concern with regard to the Staff Reporting Proposal is the proposal's creation of two separate default factors for the RTM and IFM. As discussed in our opening comments, CAISO is concerned that setting two different rates might distort behavior those markets by creating an incentive for market participants to behave based on GHG emissions consequences. Further, CAISO is concerned that the different default levels will complicate market analysis of the performance of these markets, especially the upcoming IFM. Accordingly, the CAISO's utmost concern is that one default emissions factor, whatever that may be, is used for both RTM and IFM.

2. The CAISO's position with regard the recommended 1,110 emissions level is not intractable. The CAISO would be willing to accept a CAISO Markets default emission factor of 1,000 or within the range of 1,000 to 1,100. The CAISO is willing to be flexible in this regard, because we recognize that the SB 1368 emissions performance standard (EPS) of 1,100 would be applied differently for SB 1368 purposes than it would be as a default emissions factor under the Staff Reporting Proposal. In general, SB 1368 rules apply the EPS as a unit/facility specific gateway standard with regard to baseload generation, whereas the default emissions factor will be applied to a power pool resource mix covering the entire load curve. Moreover, the proposal specifically acknowledges that the CAISO Market default emission factor will be a "starting" factor which may be refined after operation.

3. The Staff Reporting Proposal impliedly requests, with respect to the IFM, that "after a year of operation, the CAISO can provide information to the State that will enable the calculation of a more accurate factor."[10] At the present time, the CAISO's

[9] Initial Statement of Reasons, at p.3. This document is posted on the CEC Internet website and can be accessed at the hyperlink http://www.energy.ca.gov/ghgstandards/documents/index.html .
[10] Staff Reporting Proposal, Section 5.3.4 [*Unspecified Purchases within California*], p. 20.

data systems do not have the functionality to provide data that would show, for example, an aggregated breakdown of the resources of a given fuel type that will have participated in the CAISO IFM over a given time frame. The CAISO would need to determine the technical and cost feasibility of creating or modifying its computer software applications to obtain this functionality, and the time frame for doing so. The CAISO will look into the feasibility of modifying its software to provide data which might provide useful information as to the fuel mix with respect to participants in the CAISO IFM, and communicate with the State entities in this regard. The CAISO notes that any such information as the CAISO would provide would of necessity be in an aggregated form, so as not to disclose confidential data in a manner harmful to individual market participants.

July 10, 2007

Respectfully submitted,

CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION

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CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2007. I served, by electronic mail, a copy of the foregoing REPLY COMMENTS OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR TO THE JOINT CPUC AND CEC STAFF PROPOSAL FOR AN ELECTRIC RETAIL PROVIDER GHG REPORTING PROTOCOL, as follows

On all parties to the service list for CPUC Docket R.06-04-009, attached below, by email delivery to those parties specifying an email address for delivery, and by regular mail to those parties who have not designated an email address.

To the CEC Docket Office for CEC Docket 07-OIIP-01, by delivery to docket@energy.state.ca.us

To Karen Griffin, CEC Project Manager for CEC Docket 07-OIIP-01, by delivery to kgriffin@energy.state.ca.us

Executed on July 10, 2007 at Folsom, California

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