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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 Emissions Standards into Procurement Policies.	)	Rulemaking 06-04-009 (Filed April 13, 2006)

ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA

In the Matter of: Order Instituting Informational Proceeding on a Greenhouse Gas Emissions Cap	)	Docket 07-OIIP-01

REPLY OF THE CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION TO THE WASHINGTON-OREGON LETTERS ON A GHG REPORTING PROTOCOL

July 20, 2007

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REPLY OF THE
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In accordance with the *Administrative Law Judges' Ruling Granting Motions to Late File Comments and for Party Status and Providing Opportunity for Reply Comments on Two Letters Regarding Reporting Issues* dated July 13, 2007, in the R.06-04-009, and pursuant to the Rules of Practice and Procedure of the Public Utilities Commission ("CPUC") of the State of California, the California Municipal Utilities Association ("CMUA") hereby files this Reply to the letters from the States of Oregon and Washington.[1] CMUA also files this Reply with the California Energy Commission ("CEC") in Docket 07-OIIP-01. In this Reply, the CPUC and CEC will collectively be called the "Joint Agencies."

Both now and in the future, non-specific resource contracts for portions of import and export power serve well the reliability and commercial interests of Californians. Accuracy and predictability of carbon in imported power will allow non-specific contracts to continue their important role. Therefore, CMUA asks the Joint Agencies to work collaboratively with Oregon and Washington in developing a uniform method for measuring and allocating emissions before rejecting or endorsing any methodology.

1. "We believe it is desirable for California and the Northwest states to reach a mutual agreement on an appropriate methodology for determining both historical baselines and future measurement."[2]

To the extent explained below, CMUA supports the two states' requests to work together with California in developing an accurate and regionally uniform methodology for valuing GHG emissions attributable to electricity imports/exports. These requests are in total harmony with the position advocated by CMUA in its Reply Comments, i.e., ***accuracy,***

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[1] *Comments on Rulemaking 06-04-009 on California Energy Commission staff's proposed methodology for estimating the generation mix of California's electricity imports*, Dept. of Community, Trade and Economic Development of the State of Washington, filed with the Joint Agencies on July 10, 2007 (hereinafter the *Washington Comments*). *Oregon Letter to the Joint Agencies*, Oregon Public Utility Commission and Oregon Department of Energy, filed on July 10, 2007 (hereinafter the *Oregon Letter*).

[2] *Washington Comments* at 1.

consistency, and a collaborative effort to develop a protocol using solid reasoning and evidence.[3]

2. "We recommend California adopt a methodology to account for greenhouse gas emissions from non-specific Northwest imports consistent with the accounting procedures used by Oregon and Washington. We further recommend a uniform methodology for the West be developed through a regional forum such as the Western Climate Initiative."[4]

CMUA agrees that the valuation measurement eventually recommended by the Joint Agencies should be consistent with the other states in the western interconnect.

3. "We believe that it is essential for the two regions to use a consistent methodology for valuing both imports and exports. There is no perfect system, and every system will have flaws. *We have a suggestion to open the discussion, and welcome alternative approaches*. We suggest that an adopted approach would then be applied equally to historical periods (i.e., 1990 baselines, or more recent entity-specific baselines) and to future unspecified sales."[5] "We welcome the opportunity to explore these issues further."[6]

CMUA's Reply Comments stated that the valuation mechanism must use "the most accurate emission factors possible in a consistent application across all time periods and geographical boundaries. This consistency must span the time frame between 1990 baseline and today, as well as from year to year going forward."[7] Therefore, CMUA supports the states' comments suggesting this same principle. As stated by Washington, there is no doubt difficulty in achieving a perfect solution and some assumptions will be necessary in the short term. Yet, the extent of these assumptions should be minimized otherwise the very goals espoused in AB 32 may be subverted and the emission "reductions" may not be real.

CMUA supports the legislative goals expressed in AB 32 and believes that much effort will be required to achieve them, both in the development of regulations and the implementation by the various sectors. Accordingly, CMUA does not believe that any

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[3] CMUA Reply Comments filed in R.06-04-009/D.07-OIIP-1 on July 10, 2007.

[4] *Oregon Letter* at 1.

[5] *Washington Comments* at 2 (emphasis added).

[6] *Oregon Letter* at 2.

[7] CMUA Reply Comments at 3.

approach should be adopted wholesale without the further gathering and sharing of information. In sum, CMUA respectfully asks the Joint Agencies to engage in additional and reasoned exploration with Oregon and Washington to develop a uniform method for measuring and allocating emissions.

Dated: July 20, 2007 Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the attached:

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on all known parties to R.06-04-009 by transmitting an e-mail message with the document attached to each party named in the official service list. I served a copy of the document on those without e-mail addresses by mailing the document by first-class mail addressed as follows:

See attached service list

Executed this 20th day of July 2007, at Sacramento, California.

Vicki Ferguson

Service List R.06-04-009, updated July 19, 2007

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