



FILED

04-26-10
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop Additional Methods to Implement the California Renewables Portfolio Standard Program.

Rulemaking 06-02-012
(Filed February 16, 2006)

Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.

Rulemaking 08-08-009
(Filed August 21, 2008)

**ADMINISTRATIVE LAW JUDGE'S RULING
REQUESTING POST-WORKSHOP COMMENTS**

Energy Division staff convened a workshop on April 23, 2010 to consider issues related to the use of tradable renewable energy credits (TREC)s for compliance with the renewables portfolio standard (RPS). Staff requested that pre-workshop comments be submitted by April 16, 2010. In order to advance the process of addressing the questions considered in the workshop, an initial round of post-workshop comments and reply comments would be useful.

Comments of not more than 30 pages addressing the following questions may be filed and served¹ not later than April 30, 2010:

1. How may the North American Electric Reliability Corporation (NERC) e-tag protocols be used to verify that

¹ For purposes of the post-workshop comments and reply comments *only*, filing should be made in both Rulemaking (R.) 06-02-012 and R.08-08-009, and service should be made on both service lists.

- RPS-eligible generation has been delivered to California?
Please address firm transmission arrangements, dynamic transfer arrangements, and firming/shaping arrangements.
2. What, if any, are the implications for ratepayers and for the administration of the RPS program of defining a California balancing authority area as that of a balancing authority located primarily in California (as set out in the pre-workshop comments of Pacific Gas and Electric Company, Iberdrola Renewables, and Shell Energy North America), rather than as a balancing authority having substations in California (as set out in the pre-workshop comments of San Diego Gas & Electric Company and Sempra Generation).
 3. At what points in a transaction utilizing firm transmission is it possible for the buyer to remarket the energy? Is it possible to trace and verify any remarketing using information from NERC e-tags?
 4. What transactional parameters should be required if firm transmission transactions are considered bundled? Consider, for example, the type, capacity and duration of transmission arrangements; contractual obligations of the buyer and seller for the RPS contract; and after-the-fact verification.
 5. Which topics discussed at the workshop appear to be resolved? What is the resolution, and what is the basis for concluding that a resolution has occurred?
 6. Which topics discussed at the workshop appear to require further work? What is the basis for that evaluation?
 7. Any other issues related to the use of TRECs discussed at the workshop that the commenter believes should be addressed further.

Post-workshop reply comments of not more than 20 pages may be filed and served not later than May 5, 2010.

Solely for purposes of these post-workshop comments and reply comments, comments and reply comments should be filed in both R.06-02-012

and R.08-08-009. Comments and reply comments should be served on the service lists of both R.06-02-012 and R.08-08-009.

IT IS RULED that:

1. Post-workshop comments of not more than 30 pages addressing the questions set forth above may be filed and served not later than April 30, 2010.
2. Reply comments of not more than 20 pages may be filed and served not later than May 5, 2010.
3. Solely for purposes of these post-workshop comments and reply comments, comments and reply comments should be filed in both Rulemaking (R.) 06-02-012 and R.08-08-009. Comments and reply comments should be served on the service lists of both R.06-02-012 and R.08-08-009.

Dated April 26, 2010, at San Francisco, California.

/s/ ANNE E. SIMON

Anne E. Simon
Administrative Law Judge

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a copy of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the copy of the filed document is current as of today's date.

Dated April 26, 2010, at San Francisco, California.

/s/ OYIN MILON

Oyin Milon

N O T I C E

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