

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Order Instituting Rulemaking to Continue
Electric Integrated Resource Planning and
Related Procurement Processes.

Rulemaking 20-05-003
(Filed May 7, 2020)

**CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE AND SIERRA CLUB REPLY
COMMENTS ON ADDITIONAL PROPOSAL FOR A RELIABLE AND CLEAN
POWER PROCUREMENT PROGRAM**

Katherine Ramsey
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
Telephone: (415) 977-5627
Email: katherine.ramsey@sierraclub.org

Deborah Behles
California Environmental Justice Alliance
2912 Diamond Street, No. 162
San Francisco, CA 94131
Telephone: (415) 841-3304
Email: deborah.behles@gmail.com

Nina Robertson
Earthjustice
1 Sansome St. Suite 1700
San Francisco, CA 94104
Telephone: (415) 217-2000
Email: nrobertson@earthjustice.org

Shana Lazerow
Kaitlin Alcontin
Communities for a Better Environment
340 Marina Way
Richmond, CA 94801
Telephone: (925) 240-3241
Email: slazerow@cbecal.org
Email: kalcontin@cbecal.org

Attorneys for the Sierra Club

**Attorneys for the California
Environmental Justice Alliance**

Dated: September 2, 2026

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The California Environmental Justice Alliance (“CEJA”) and Sierra Club respectfully submit these comments on Administrative Law Judge (“ALJ”) Fitch’s Ruling Seeking Additional Comment (“Ruling”) issued June 23, 2026. These comments are timely filed pursuant to that Ruling and the July 10, 2026 ruling extending the deadline to August 14, 2026.

INTRODUCTION AND SUMMARY

Along with many other parties, CEJA and Sierra Club maintain that Option 3 is the best option presented for the Reliable and Clean Power Procurement Program (“RCPPP”) as it best links LSE planning and procurement to the integrated resource planning (“IRP”) and transmission planning processes, preserves community priorities, and can accommodate local reliability and distributed and demand-side resources. CEJA and Sierra Club agree with parties urging greenhouse gas compliance through the Clean System Power (“CSP”) Calculator, which can be updated over time to ensure accuracy. CEJA and Sierra Club also join parties recommending a core RCPMP framework that is tested and refined in R.25-06-019 using the August 2026 IRPs, stakeholder workshops, and real-world data. As numerous parties have emphasized, using Slice-of-Day (“SOD”) and overall energy metrics rather than fluctuating marginal effective load carrying capacity (“ELCC”) values will provide a more accurate and actionable procurement signal.

CEJA and Sierra Club agree with parties emphasizing that the Commission should include local reliability and create pathways for clean, distributed energy resource (“DER”) procurement, especially in disadvantaged communities (“DACs”). At same time, the Commission should reject the self-interested arguments of industry parties urging gas

repowering and carbon capture and sequestration (“CCS”) as these polluting technologies remain costly, unreliable, and inconsistent with California’s climate, air-quality, and affordability mandates. The transition away from fossil reliance in local areas is not optional—it is required under California law—and must therefore be a Commission priority in any future RCPPP. Thanks to Commission leadership, California has made great strides in deploying record levels of clean resources; much more work is required. The Commission should therefore remain focused on catalyzing the transition away from fossil-fueled resources and avoid costly distractions like gas generation paired with CCS.

DISCUSSION

I. The Commission Should Adopt Option 3 as the Best RCPPP Option.

Option 3 is the best of the RCPPP options because it is the only proposal that closes the long-standing disconnect between planning and procurement in IRP.¹ Option 3 alone ties LSE procurement to the resource and transmission portfolios the Commission has already vetted through its robust IRP and Transmission Planning Process (“TPP”), consistent with the Public Utilities Code’s requirement that the Commission “determine if there is a need for the procurement of eligible energy resources based on a review of the integrated resource plans submitted by load-serving entities.”²

A wide and diverse array of parties agrees.³ TURN explains that Option 3 would “hardwire its LSE procurement obligations to the existing long-term planning process” and that this “hard linkage is critical to ensuring consistency between planning and reality.”⁴ The CAISO supports the additional proposal, particularly for using “RCPPP as a critical bridge to connect Integrated Resource Planning (IRP), transmission planning, and load-serving entity (LSE) procurement,” and urges prioritizing locational procurement that aligns with IRP’s busbar mapping.⁵ And CURE confirms that Option 3 “is consistent with the Commission’s integrated

¹ CEJA and Sierra Club Opening Comments, pp. 1–2.

² Cal. Pub. Util. Code § 454.52(a)(4).

³ PG&E Opening Comments, p. 1 (supporting a modified Option 3), SDG&E Opening Comments, p. 1, American Clean Power–California, p. 1, LSA-SEIA Opening Comments, p. 12, the LDES Council Opening Comments, p. 5, and Milepost West Opening Comments (supporting a modified Option 3).

⁴ TURN Opening Comments, pp. 2, 5.

⁵ CAISO Opening Comments, pp. 1–2, 3–4.

resource planning statutory mandate,” concluding that requiring LSEs to procure the resources in the system plan “is exactly right; it’s what the Legislature intended when creating the IRP program.”⁶

Option 3 is also uniquely suited to support local procurement. Because Option 3 begins with each LSE’s own IRP and assumes that LSEs will procure the resources in the quantities they identified in their plans, it preserves the community priorities.⁷ That plan-based structure also makes Option 3 the best vehicle for the distributed energy resource and local reliability priorities discussed below, including a pathway for LSEs to receive procurement credit for distributed and demand-side resources. UCS and NRDC agree, stating that Option 3 “has the most potential for easily integrating local reliability procurement requirements” and would yield greater resource diversity than recent procurement, which “has largely yielded solar and energy storage.”⁸ No other option so directly channels community-informed planning into procurement.

CEJA and Sierra Club also reiterate their Opening Comments’ recommendation that the Commission use the CSP Calculator as a GHG true-up check on each LSE’s procurement. The CSP calculator can be used to ensure that procurement meets GHG reduction targets and should be used to determine LSE GHG compliance. The Public Advocates Office agrees, explaining that a “CSP Calculator-based compliance tool” would “test the total GHG level of the portfolio of resources that each LSE brings online” and thereby “function as a true-up requirement for each LSE to procure additional GHG emissions-reducing resources” if it procures near the minimum of any resource category.⁹ This mass-based, delivery-focused check builds on existing emissions reporting and closes the gap Cal Advocates identifies between Option 3’s net qualifying capacity (“NQC”) true-up and its GHG obligations, without erecting a new compliance regime.

The principal opposition comes from CalCCA, which urges the Commission to reject Option 3 in favor of “Option 1 + CES.”¹⁰ But CalCCA’s core objections are not objections to Option 3—they are objections to binding procurement generally, and they apply with equal or greater force to the options CalCCA prefers. CalCCA argues that Option 3 rests on “planning

⁶ CURE Opening Comments, pp. 1, 4.

⁷ CEJA and Sierra Club Opening Comments, pp. 6–7, 10.

⁸ UCS/NRDC Opening Comments, pp. 1, 7.

⁹ Cal Advocates Opening Comments, p. 11.

¹⁰ CalCCA Opening Comments p. 24.

assumptions that may not reflect market realities,” imposes “rigid compliance requirements,” strains “constrained resource pools,” and fails to account for “load forecast uncertainty and individual LSE portfolio needs.”¹¹ Yet Options 1 and 2 also set binding procurement obligations off the very same preferred system plan (“PSP”) and RESOLVE modeling, so CalCCAs concern about modeling uncertainty is not unique to Option 3. If anything, Option 3 is the most responsive to these concerns because it is the only option grounded in each LSE’s own IRP. Also, it incorporates flexibility through the minimum-and-maximum procurement ranges to balance flexibility with the need to meet procurement requirements. Other CCAs identified refinements the Commission can make within Option 3, like recommending adaptive planning and allocation of procurement based on LSE’s individual open position rather than system load.¹²

Finally, Option 3 need not include an additional Clean Energy Standard (“CES”), as some parties recommend.¹³ CEJA and Sierra Club share UCS and NRDC’s objectives of ensuring real, additional clean energy and preventing resource shuffling, but a credit-based CES is not the way to accomplish it. It would require the Commission to stand up an entirely new regulatory scheme—including definitions of “zero-carbon resource” and “zero-carbon credit” that depend on the still-unfinished SB 100 interagency process—and would risk inviting the unbundled-credit shuffling that UCS and NRDC rightly warn against. Instead, the Commission should determine GHG compliance through the already-vetted CSP Calculator, a mass-based approach keyed to the actual emissions of each LSE’s portfolio. This approaches UCS and NRDC’s shared goals more directly and durably. CURE’s correct insistence that RCPPP compliance require GHG-free electricity “actually delivered to California consumers”¹⁴ reinforces that a delivery-based check rather than tradeable credits would result in meaningful GHG reductions.

II. The Commission Should Decide the Framework in This Proceeding and then Test and Continue to Define it in R.25-06-019.

As described above, the Commission should move forward with Option 3 for the RCPPP because: it is more consistent with the statutory framework and past Commission decisions than

¹¹ CalCCA Opening Comments, pp. 5–13.

¹² SVCE Opening Comments, pp. 4, 12-13.

¹³ UCS/NRDC Opening Comments, p. 4.

¹⁴ CURE Opening Comments, pp. 8–9.

other options; it would utilize the Commission's robust planning; it would help ensure procurement is more consistent with TPP portfolios; and it is supported by a wide diversity of parties. Nevertheless, CEJA and Sierra Club recognize that some additional steps are necessary to make Option 3 fully implementable including inclusion local reliability considerations, determination of how to properly incentivize demand-side and distributed energy resources, and consideration of how best to ground-truth and improve the planning inputs and assumptions. Given this, CEJA and Sierra Club request that the Commission issue a decision in this proceeding setting forth the Option 3 framework for the RCPPP. This framework can then be tested using the recently submitted LSE IRPs in R.25-06-019 to determine more specific parameters, metrics and values for the Option 3 requirements. This type of testing in R.25-06-019 would be similar to the test year that the Commission conducted before fully implementing and enforcing the Slice-of-Day framework.

The Option 3 framework issued here should include the basic parameters of the eventual framework. This basic framework should at least include:

- Clarity of the Interaction of the LSE IRPs to the PSP: CEJA and Sierra Club, along with several other parties such as UCS and NRDC, interpreted Option 3 as first assuming that LSEs generally procure what is in their IRPs and that the PSP calculates whether a gap exists for meeting reliability and GHG metrics.¹⁵ This interpretation was described in detail in PG&E's Opening Comments. It appears that the CCAs may have interpreted Option 3 as requiring LSEs to procure the resources in the PSP, regardless of their plans, so this clarification is important. This clarification is also important as it would help to ensure that community feedback in the planning process can be used in eventual procurement.
- Inclusion of Local Reliability: CEJA and Sierra Club's Opening Comments discussed why Option 3 provides a crucial opportunity to consider local reliability. A number of other parties also support this inclusion, including CAISO and PG&E, as discussed below. It is important that the initial framework include a commitment to considering and addressing local reliability needs.

¹⁵ See CEJA/SC Opening Brief, UCS/NRDC Opening Comments, p. 5.

- Clear GHG Checks: CEJA and Sierra Club’s Opening Comments requested that the Commission require LSEs to use the Clean System Power calculator in their procurement to ensure consistency with GHG requirements. Public Advocates also supported this request.
- Requirements to Consider Air Quality and Disadvantaged Communities: The Code and Commission precedent require utilities to minimize emissions with a priority for disadvantaged communities. The RCPPP should include requirements to ensure that these mandates are considered in procurement decisions.
- Consideration of Energy Metrics, Not Solely ELCC-Type Metrics: As discussed below, many parties agree with CEJA and Sierra Club that the Commission must move beyond narrow consideration of ELCC in procurement to consider metrics that better reflect reliability and the Slice-of-Day needs.
- Proper Incentives for Demand-Side and Distributed Energy Resources: Option 3 provides a valuable opportunity for LSEs prioritizing innovative demand-side and distributed energy resources in their plans. A commitment to considering and incentivizing these resources should be an integral part of a framework.

While the Commission has a sufficient record to set forth this basic framework, it does not have sufficient information to set forth specifics such as resource ranges and the compliance timeline in a vacuum. In addition, this pivot to consider planning for informing procurement provides a valuable opportunity to examine the inputs and models to ensure that they are as realistic as possible. CEJA and Sierra Club recommend that the instructions to R.25-06-019 at least include:

- Instructions to Utilize the August 10, 2026 IRPs to Develop the PSP and Test Procurement Requirements: The August 10, 2026 IRPs submitted in R.25-06-019 provide a valuable opportunity to test how Option 3 would work in practice. This is the best way to determine the metrics that are necessary for ensuring close alignment with procurement and the TPP/PSP.

- Development of Local Reliability Framework: As discussed further below, several LSEs have already developed ways to prioritize local procurement in their IRPs. Dedicated Commission consideration is important for developing the process by which LSEs should examine local reliability and procurement.
- Consideration of How to Better Include and Incentivize DERs and Demand-Side Resources: A stakeholder process is needed to consider how to better incentivize and account for DERs and demand-side resources that are above CEC load modifying assumptions.
- Workshops and a Stakeholder Process to Vet Inputs and Assumptions: CEJA and Sierra Club agree with parties such as SCE¹⁶ and Form Energy¹⁷ that the pivot to Option 3 provides an important opportunity to take a closer look at the inputs and assumptions, as well as the models used to inform planning. These inputs and assumptions should be compared to reality to determine how well they reflect actual procurement and operations.
 - As described below, thorough vetting with real-world data is especially important before emerging and unproven technologies, such as CCS, are considered in planning and procurement.
 - This analysis should also examine the models that LSEs use in their IRPs to determine hourly reliability compliance to determine if they better reflect reliability needs.

These considerations can also include attempting to consolidate filings from other related proceedings as requested by parties such as SDG&E. These detailed directions will ensure that Option 3 can be developed into a robust RCPMP in the near future.

¹⁶ SCE Opening Comments, p. 41.

¹⁷ Form Energy Opening Comments, p. 15.

III. The Commission Should Look at Overall Generation Metrics and Enforcement Measures to Ensure Just and Reasonable Procurement Rather than ELCC; the Best Direction is to Incorporate Slice-of-Day Metrics.

In opening comments, CEJA and Sierra Club urged the Commission to use SOD metrics to guide long-term planning and procurement rather than marginal ELCC because marginal ELCCs' individual snapshots of resources change as procurement starts to occur. Rather than anchor binding procurement to a fluctuating capacity metric, the Commission should express procurement requirements in terms of overall generation and energy, including minimum megawatt-hour targets for clean energy generation and storage that can be transparently tracked and enforced. This approach would lead to alignment between RA and IRP programs.

A broad and diverse set of parties agree. SVCE “continues to support the use of SOD accounting metrics in the RCPMP,” warning that applying “marginal ELCC in RCPMP and SOD in RA would impose two potentially conflicting accreditation systems on the same portfolio,” driving “higher customer costs with no associated reliability benefit.”¹⁸ SVCE points out that SOD, by contrast, “provide[s] a more actionable procurement signal by showing how a resource contributes to the LSE's own portfolio.”¹⁹ CalCCA similarly recommends that the Commission adopt SOD accounting in the RCPMP so that LSEs “show sufficient SOD capacity in critical months and hours.”²⁰ This support is widely shared: as SVCE notes, the parties presenting on SOD at the June 2026 workshop included SEIA, Pioneer Community Energy, AReM, SDG&E, Hydrostor, Ava Community Energy, CalWEA, PG&E, Clean Power Alliance, SVCE, ACP-California, and Westlight Energy.²¹

The LSEs' own individual IRPs submitted August 10, 2026 in R.25-06-019, confirm both the misalignment between ELCC-based planning and SOD compliance and the need to reconcile the two. SVCE's IRP finds that “there may be a meaningful discrepancy between implied SOD needs and the IRP reliability constraint under ELCCs,” and that its modeling “suggests a potential misalignment between the IRP ELCCs and likely SOD accounting rules within the next decade.”²² Clean Power Alliance likewise tested its portfolio under the Slice-of-Day program

¹⁸ SVCE Opening Comments, pp.14–15.

¹⁹ *Id.*

²⁰ CalCCA Opening Comments, p. 31.

²¹ SVCE Opening Comments, p. 15 & n.11.

²² R.25-06-019, SVCE 2026 IRP, pp. 5, 25,
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K891/613891266.PDF>.

and found that, while “generally adequate,” the portfolio revealed “seasonal gaps . . . in certain summer or winter months under Slice-of-Day counting rules.”²³ CPA concluded that these results “reinforce the importance of aligning IRP planning accounting with compliance accounting used in the RA program and procurement orders, since differences in rules can lead to a portfolio that is either over-committed (increasing costs to customers) or short in specific critical months that may not be fully captured by an annual ELCC framework.”²⁴ SCPA's IRP shows that hourly, energy-based analysis is also necessary to retire gas, as it developed a model that “looks at hourly emissions through the year,” which “more effectively allows gas to retire,” reflecting a SOD rather than an ELCC approach.²⁵ These real-world results underscore that overall generation and SOD-based metrics are better for ensuring just and reasonable procurement that meets GHG reduction targets.

IV. Option 3 Should Include Local Reliability Considerations.

CEJA and Sierra Club’s Opening Comments described how Option 3 provides an important opportunity to include local reliability considerations and why inclusion of local reliability is critical at this time. A diverse set of parties also agree with the importance of including local reliability, especially given how much of future procurement will be driven by local demand. As CESA describes:

This [local reliability] structure is increasingly important as project-driven load growth reshapes local reliability needs. The 2025 IEPR forecast shows that data centers, building electrification, EV charging, and other project-driven loads are increasingly defining the risk profile. Future reliability needs therefore depend not only on aggregate statewide capacity, but also on where and when capacity is available.²⁶

Local reliability also must be addressed to phase out reliance on gas plants. As Form Energy describes:

“a substantial share of the state's total reliability requirement (by the Commission's own calculations, roughly half) is driven by local capacity needs rather than system-wide needs, and much of that local requirement continues to be met by existing gas-fired generation. A procurement framework built to optimize cost, reliability, and GHG

²³ R.25-06-019, CPA 2026 IRP, p. 25,
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K988/613988337.PDF>.

²⁴ *Id.*

²⁵ R.25-06-019, SCPA 2026 IRP, pp. 5, 7,
<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K988/613988303.PDF>.

²⁶ CESA Opening Comments, pp. 9-10.

reduction at the system level, while leaving roughly half of the state's total reliability requirement outside that optimization, cannot fully achieve the goals the Ruling sets for RCPPP.”²⁷

CAISO also encourages the Commission to prioritize local procurement, requesting that the Commission prioritize “[l]ocal procurement needs that align with IRP’s busbar mapping and that support transmission assumptions and solutions.”²⁸ Other parties, including EDF, UCS, and NRDC also urge the Commission to include local procurement requirements into the RCPPP.²⁹

The IRPs submitted in R.25-06-019 on August 10, 2026 provide further support for inclusion of local reliability considerations. In its IRP, PG&E describes how:

The lack of a local reliability assessment continues to be a gap in the IRP process that needs to be addressed immediately. The Assigned Commissioner's Ruling related to identifying replacement resources (including local capacity need) to allow the retirement of Aliso Canyon highlights the needs for a systematic and coordinated effort between the CAISO and the CPUC to develop a plan for local area capacity requirements to address the local need in a timely manner. A significant amount of existing capacity on the CAISO system is located in local areas. These local areas must rely on local resources due to transmission limitations. . . .given the aging gas-fired resources and plan for significant load growth due to electrification demand (building and transportation), conducting a local capacity need assessment should be in scope of CPUC’s IRP process in close coordination with the CAISO.³⁰

Other LSEs further show additional reasons why Commission guidance is needed. For example, CEA’s IRP describes how local procurement has been difficult and calls for “further study and engagement with local, regional and State stakeholders to determine potential paths to decarbonization for key load centers such as CEA’s heavily constrained San Diego load pocket.”³¹ Other LSEs are attempting to prioritize and procure local resources such as Sonoma Clean Power Authority.³² These innovative utilities can help provide real-world expertise to inform pathways for meeting local procurement and reliability needs to transition away from

²⁷ Form Energy Opening Comments, p. 11.

²⁸ CAISO Opening Comments, pp. 3-4.

²⁹ EDF Opening Comments, p. 18; UCS/NRDC Opening Comments, p. 7.

³⁰ PG&E Opening Comments, p. 158.

³¹ R.25-06-019, CEA 2026 IRP, p. 35,

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K859/613859299.PDF>.

³² R.25-06-019, SCPA 2026 IRP,

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K988/613988303.PDF>.

fossil resources. As EDF aptly describes, this transition away from fossil reliance in local areas is not optional—it is required under SB 887.³³

V. The Commission Should Consider Distributed Energy Resources and Create a Pathway for Their Procurement.

In Opening Comments, CEJA and Sierra Club described how Option 3 can be used to better incentivize and prioritize distributed energy resources (“DERs”). This work should be coordinated with the CEC. We agree with others’ findings that RCPPP provides an important opportunity to allow DERs, like solar plus storage, to compete on equal footing with other resources.³⁴ To that end, we support the proposal from Protect Our Communities Foundation (“PCF”) for Energy Division to study incorporating behind-the-meter (“BTM”) solar plus storage and virtual power plants into RESOLVE as supply and for incorporating updated modeling into the RESOLVE modeling underlying the PSP portfolio.³⁵

CEJA and Sierra Club reiterate that compliance with SB 350’s requirement to “consider the role of existing renewable generation, grid operational efficiencies, energy storage, and distributed energy resources” calls for enhancing treatment of DERs in RCPPP.³⁶ As PCF points out, the RESOLVE model underpinning the proposal currently only rewards LSEs for utility-scale contracts that require costly transmission and take much longer to deploy.³⁷ The IRPs submitted in R.25-06-019 on August 10, 2026 illustrate why a dedicated pathway for DER consideration and procurement is critical for an affordable energy clean transition.³⁸ For example, one LSE with 47,000 existing solar systems identified that mobilizing 30 MW of residential BTM batteries for daily four-hour peak dispatch (approximately 20,000 batteries) would save its ratepayers \$11.6 million per year.³⁹ Another LSE noted that the limited ability for DERs to be recognized for their reliability and load-reduction benefits is thwarting its procurement interests, leading to it excluding FTM DERs from its portfolio.⁴⁰ This demonstrates

³³ EDF Opening Comments.

³⁴ PCF Opening Comments, p. 2.

³⁵ PCF Opening Comments, p. 20.

³⁶ Cal. Pub. Util. Code § 454.52(a)(3).

³⁷ PCF Opening Comments, p. 2.

³⁸ PCF Opening Comments, p. 4.

³⁹ R.25-06-019, The City of San José’s 2026 IRP, p. 27,

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M614/K481/614481258.PDF>.

⁴⁰ R.25-06-019, SDCP 2026 IRP, p. 49,

<https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M614/K487/614487839.PDF>.

how neglecting to properly value DERs under Option 3 would risk their exclusion from individual portfolios and thus the PSP, leading to a cycle that locks DERs out of procurement.

LSEs' individual IRPs also indicate that specific consideration for DERs would advance the Commission's obligations to minimize local air pollution while prioritizing DACs⁴¹ and reducing reliance on nonpreferred resources in local capacity areas.⁴² Southern California Edison's Clean Energy Access Working Group, representing DACs in the Los Angeles Basin and the Central Valley, has asserted strong interest in enhancing distributed solar.⁴³ Furthermore, several CCAs have initiated programs that should be further incentivized like solar and storage programs aimed at DACs in the San Diego region,⁴⁴ microgrids strategically sited in DACs with chronic reliability issues,⁴⁵ and renter-friendly battery storage to shift away from high emission peaker resources.⁴⁶ Innovative programs that can rapidly deploy DERs, especially generation, to DACs and other strategic areas are becoming increasingly important as local capacity areas approach their charging limitations.⁴⁷ Accordingly, Option 3 must be adjusted to recognize DERs as a distinct resource to be optimized in modeling.

VI. The Commission Should Reject Gas Plant Repowering and CCS Resources in Any RCPPP Option as Inconsistent with State Climate Law, Commission Precedent, and Just and Reasonable Ratemaking.

The RCPPP aims to procure reliable and clean power, but gas plant repowering and CCS retrofits are neither. Accordingly, the Commission should exclude them from every RCPPP option. Repowering and CCS retrofits extend the combustion of fossil fuel as well as the GHG and criteria-pollutant emissions that the IRP process aims to reduce.⁴⁸ A gas unit that is

⁴¹ SB 350; Pub. Util. Code § 454.52(a)(1)(I).

⁴² SB 887.

⁴³ R.25-06-019, SCE 2026 IRP, pp. 163-164, <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K859/613859311.PDF>.

⁴⁴ R.25-06-019, CEA 2026 IRP, pp. 19-20, <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K859/613859299.PDF>.

⁴⁵ R.25-06-019, Westlight Energy IRP, p. 96, <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M613/K727/613727768.PDF>.

⁴⁶ R.25-06-019, OCPA 2026 IRP, pp. 15, 24, <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M614/K487/614487837.PDF>.

⁴⁷ CAISO 2027 Local Capacity Technical Report, p. 2, <https://stakeholdercenter.caiso.com/InitiativeDocuments/Final-2027-Local-Capacity-Technical-Report.pdf>.

⁴⁸ Cal. Pub. Util. Code § 454.52(a)(1).

repowered or fitted with partial carbon capture still burns gas and still vents pollution into the frontline communities that host it, contrary to SB 887's command that the Commission “substantially reduce, no later than 2035, the need to rely on nonpreferred resources in local capacity areas.”⁴⁹ The Commission has authority to establish an IRP process that results in the GHG reductions and minimizes air pollution,⁵⁰ and it should use that authority to keep repowered gas and CCS out of the RCPPP.

Beyond its inconsistency with state law, CCS fails on its own terms and cannot support just and reasonable procurement. CCS is among the most expensive resources under consideration, and it carries an energy penalty that increases a plant's fuel consumption (including upstream methane leakage) to run the capture equipment. More fundamentally, electric-sector CCS has a long and unbroken record of failing to deliver its projected capture rates: real-world projects have consistently captured far less carbon than marketed—when they have operated at all—while suffering severe cost overruns, as with the Kemper project, which was abandoned and demolished after billions in overruns.⁵¹ Before including them in IRP modeling, the Commission and stakeholders must fully vet and ground-truth assumptions and inputs for CCS and other emerging technologies before they enter modeling, much less binding procurement. Loading speculative CCS and repowering projects into the PSP would saddle ratepayers with the cost and performance risk of technologies that have not yet worked as advertised. Including CCS represents an unreasonable use of both ratepayer dollars and scarce Commission resources when proven, non-combustion clean-firm alternatives such as geothermal and long-duration storage are currently available.

⁴⁹ Cal. Pub. Util. Code § 454.57(e)(4)(A).

⁵⁰ Cal. Pub. Util. Code § 454.52(a)(1).

⁵¹ R.25-06-019, CEJA and Sierra Club Reply Comments on ALJ Ruling re RCPPP (Oct. 31, 2025), p. 2 (citing MIT Carbon Capture and Sequestration Technologies, Kemper County IGCC Fact Sheet: Carbon Dioxide Capture and Storage Project, <https://sequestration.mit.edu/tools/projects/kemper.html>; David Schlissel, IEEFA U.S.: Southern Company Demolishes Part of the \$7.5 Billion Kemper Power Plant in Mississippi (Oct. 14, 2021), <https://ieefa.org/resources/ieefa-us-southern-company-demolishespart-75-billion-kemper-power-plant-mississippi>; Jeffrey Rissman & Robbie Orvis, Carbon Capture & Storage Is Too Expensive for Reducing Power Sector Emissions, CleanTechnica (2017), <https://cleantechnica.com/2017/08/18/carbon-capture-storageexpensive-reducing-power-sector-emissions/>; National Energy Technology Laboratory, W.A. Parish Post-Combustion CO₂ Capture and Sequestration Demonstration Project: Final Scientific/Technical Report, U.S. Department of Energy (Mar. 31, 2020), <https://www.osti.gov/servlets/purl/1608572>). Carbon capture and storage: An evidence-based review of its limitations and missed promises, <https://www.sciencedirect.com/science/article/pii/S2096249525000973>.

The Commission should reject requests from Calpine, the Independent Energy Producers Association (“IEP”), and California Resources Corporation (“CRC”) to make the RCPPP “technology-neutral” and to let CCS retrofits and repowered gas compete as “clean firm” resources.⁵²

First, “technology neutrality” cannot mean neutrality between clean and polluting resources. The Legislature designed the IRP requirements to reduce emissions and protect disadvantaged communities, and accordingly, the IRP process cannot treat a gas plant with partial capture as a zero-emission resource because it doesn’t deliver a zero-emission outcome.

Second, CRC’s central authority—the CEC’s 2025 SB 100 Draft Results purportedly showing “15 GW of clean, firm power (natural gas + carbon capture)” as the “most affordable pathway”⁵³—does not prove that the Commission should define CCS a non-emitting resource eligible for mandated procurement. Those results are not final and do not require the Commission to procure gas-plus-CCS. Neither the SB 100 process nor CARB’s Scoping Plan converts a still-emitting resource into one eligible for a “clean” procurement program.

Third, IEP’s and Calpine’s complaint that an attribute- or ELCC-based need determination “undervalues” CCS and repowered gas is an argument for better analysis of the inputs and assumptions for these resources, as CEJA and Sierra Club recommend, rather than propping up emitting resources as clean resources. Finally, CRC’s contention that CCS “leverage[s] existing generating sites, transmission interconnections, and [infrastructure]”⁵⁴ actually cuts the other way—those brownfield sites and interconnection rights can and should be repurposed for clean, non-combustion resources, capturing the same locational and cost benefits without perpetuating fossil generation in overburdened communities. In short, repowered gas and CCS are too costly, too unproven, and too polluting to belong in a Reliable and Clean Power Procurement Program. We urge the Commission to maintain its exclusion against CCS in whatever RCPPP option it ultimately adopts.

⁵² Calpine Opening Comments, pp. 1–2, 5; IEP Opening Comments, pp. 3–4, 11; CRC Opening Comments, p. 2.

⁵³ CRC Opening Comments, p. 6.

⁵⁴ CRC Opening Comments, p. 2.

VII. Conclusion

For the reasons described above, CEJA and Sierra Club urge the Commission to move forward with Option 3.

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Respectfully submitted,

/s/ Katherine Ramsey

Katherine Ramsey
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
Telephone: (415) 977-5627
Email: katherine.ramsey@sierraclub.org

Nina Robertson
Earthjustice
1 Sansome St. Suite 1700
San Francisco, CA 94104
Telephone: (415) 217-2000
Email: nrobertson@earthjustice.org

Attorneys for the Sierra Club

/s/ Deborah Behles

Deborah Behles
California Environmental Justice Alliance
2912 Diamond Street, No. 162
San Francisco, CA 94131
Telephone: (415) 841-3304
Email: deborah.behles@gmail.com

Shana Lazerow
Kaitlin Alcontin
Communities for a Better Environment
340 Marina Way
Richmond, CA 94801
Telephone: (925) 240-3241
Email: slazerow@cbecal.org
Email: kalcontin@cbecal.org

**Attorneys for the California
Environmental Justice Alliance**