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OAKLEY | PINOLE | PITTSBURG | RICHMOND | SAN PABLO | SAN RAMON | WALNUT CREEK

February 15, 2018

CA Public Utilities Commission
Energy Division
Attention: Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102-3298

Re: GHG Environmental Performance Standard (EPS) Compliance Filing 2018

Pursuant to Ordering Paragraph No. 4 of Decision (“D.”) 07-01-039, issued in R. 06-04-009 on January 25, 2007, Marin Clean Energy submits this annual Attestation Letter affirming that its **2017** financial commitments for generation procurement are in compliance with the greenhouse gas (“GHG”) emissions performance standard (“EPS”). Specifically, Marin Clean Energy is in compliance with the EPS. Documentation supporting that compliance is provided below.

Effective Date: March 15, 2018

Tier Designation: Tier 2 Designation

Purpose

This Attestation Letter provides information and documentation required by D.07-01-039 for LSEs (electrical corporation, electric service provider, or community choice aggregator) with new long-term financial commitments (defined on Page 3 in Attachment 7 of D.07-01-039). This Attestation Letter demonstrates that for **2017** all financial commitments entered into by Marin Clean Energy are compliant with the EPS.

Background

D.07-01-039 requires all Load Serving Entities (“LSEs”) to file annual Attestation Letters, due February 15th of each year, attesting to the Commission that the financial commitments entered into for generation procurement during the prior calendar year are in compliance with the EPS. D.07-01-039 requires LSEs to file Attestation Letters as an advice letter and serve the Attestation Letter on the service list in Rulemaking (“R.”) 06-04-009. This Attestation Letter is filed pursuant to that decision.

D.07-01-039 requires LSEs to list long-term financial commitments of five years or longer that they have entered into during the prior year. Note that long-term financial commitments can be compliant if any of the following apply:

1. Not in a baseload powerplant;
2. Generation using pre-approved renewable resource technology;

3. Existing combined-cycle combustion turbine (in operation/or permitted to operate as of 6/30/07) with an increase in rated capacity less than 50 megawatts (MW);
4. Net emission rate of each baseload facility underlying a covered procurement does not exceed 1,100 lbs of CO₂ per megawatt hour (MWh);
5. Exemption related to: reliability exemption, extraordinary circumstances or financial harm, and CO₂ sequestration through injection in geological formations.

D.07-01-039 requires all LSEs to disclose the investment amount and type of alteration to retained generation, by generation facility and unit. D.07-01-039 also advises LSEs to present documentation regarding the design and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in § 8341(b)(4), as well as any other sources of documentation that they believe will be relevant to this determination.

D.07-01-039 emphasizes that the key concept is to establish the design and intended use of the powerplant. Accordingly, documentation of the annualized plant capacity factor for the powerplant should include historical annual averages in order to help determine whether the plant is “designed and intended” to be used for baseload generation. D.07-01-039 requires LSEs to provide documentation of capacity factors, heat rates and corresponding emissions rates that reflect the actual, expected operations of the plant.

This Attestation Letter comports with the requirements outlined above.

Protests

This compliance filing is not subject to protest pursuant to General Order 96-B, Energy Industry Rule 9.

Correspondence

Any correspondence regarding this compliance filing should be sent by email to the attention of:

Martha Serianz
Manager of Compliance Operations
Marin Clean Energy
1125 Tamalpais Ave.
San Rafael, CA 94109
(415) 464-6043
mserianz@mceCleanEnergy.org

Compliance Documentation

The following list and/or table provides detailed and specific information regarding Marin Clean Energy contracts and long-term financial commitments that are subject to the EPS requirements. The compliance documentation must match the compliance category outlined previously. For example, the information provided must demonstrate that the net emissions rate of each baseload facility underlying a covered procurement is no higher than 1,100 lbs of carbon dioxide (CO₂) per megawatt hour (MWh).

1. Include a complete and detailed listing of the new long-term financial commitments of five years or longer they have entered into during the prior year with documentation to demonstrate:
 - a. Documentation demonstrating that such procurements are EPS compliant, including any contracts with a term of five years or longer that include provisions for substitute energy purchases;
 - b. For any requested reliability-based exemptions that have been pre-approved by the Commission, reference to the application and Commission decision number.
2. The complete listing of new long-term financial commitments of five years or longer must include “linked” contracts whose combined term is five years or longer.
3. Disclosure of LSE investments in retained generation, including “deemed-compliant” combined cycle gas turbines (CCGTs). All LSEs are to disclose the investment amount and a breakdown of alterations or refurbishments to retained generation, by generation facility and unit.
4. Present documentation regarding the designed and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in § 8341 (b)(4), as well as any other sources of documentation relevant to the determination.
5. Provide documentation of capacity factors (for definition of capacity factor see Section 5.6 of D.07-01-039.), heat rates and corresponding emissions rates that reflect the actual, expected operation of the plant (not full load heat rate). Documentation of the annualized plant capacity factor for the power plant should include historical annual averages in order to determine whether the plant is “designed and intended” to be used for baseload generation at an annualized plant capacity factor of at least 60 percent.

MCE’s long term financial commitments entered into during the prior year are detailed in the following table. These long-term financial commitments are EPS compliant as they are with non-baseload generation resources or with pre-approved renewable energy technologies.

Table 1 – EPS Compliant Contracts

Contract	Execution Date	Technology	EPS Compliant	Compliance Category
Tenaska/PCWA Middlefork	12/7/2017	Hydro	Yes	Non-Baseload
FPL Energy Green Power	11/8/2017	Wind	Yes	Non-Baseload

Exemption Process Requirements (if applicable)

Or if Marin Clean Energy is claiming an exemption the following applies:

1. All LSEs are required to file (1) an application requesting Commission pre-approval for a reliability exemption, (2) a petition for modification of the decision where the request is based on “extraordinary circumstances, catastrophic events, or threat of significant financial harm” or (3) an application for covered procurements that employ geological formation inject for CO₂ sequestration.

Marin Clean Energy is not claiming any exemptions for generation procurement in **2017**.

Certification

1. I have reviewed, or have caused to be reviewed, this compliance submittal.
2. Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.
3. Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission orders, rules, and regulations.



By:

Dated: **February 15, 2018**

Dawn Weisz, Chief Executive Officer

Marin Clean Energy
1125 Tamalpais Ave.
San Rafael, CA 94109
(415) 464-6020

dweisz@mceCleanEnergy.org

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY LSE (Attach additional pages as needed)

Marin Clean Energy

Utility type:

ELC GAS
 PLC HEAT WATER

Martha Serianz

Phone #: 415-464-6043

E-mail: mserianz@mcecleanenergy.org

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas
PLC = Pipeline HEAT = Heat WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL): 22-E

Subject of AL: GHG Emission Performance Standard (EPS) filing 2018

Tier Designation: 1 2 3

Keywords (choose from CPUC listing):

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution: D.07-01-039

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL _____

Summarize differences between the AL and the prior withdrawn or rejected AL¹: _____

Resolution Required? Yes No

Requested effective date: March 15, 2018

No. of tariff sheets:

Estimated system annual revenue effect: (%):

Estimated system average rate effect (%):

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected:

Service affected and changes proposed¹:

Pending advice letters that revise the same tariff sheets:

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division
Attention: Tariff Unit
505 Van Ness Ave.,
San Francisco, CA 94102
EDTariffUnit@cpuc.ca.gov

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¹ Discuss in AL if more space is needed.