

ASSEMBLY BILL

No. 200

Introduced by Assembly Member Leslie

January 31, 2005

An act to add Section 399.17 to the Public Utilities Code, relating to renewable energy resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 200, as introduced, Leslie. Renewable energy resources: California Renewables Portfolio Standard Program.

The Public Utilities Act imposes various duties and responsibilities on the Public Utilities Commission with respect to the purchase of electricity and requires the commission to review and adopt a procurement plan and a renewable energy procurement plan for each electrical corporation pursuant to the California Renewables Portfolio Standard Program. The program requires that a retail seller of electricity, including electrical corporations, community choice aggregators, and electric service providers, but not including local publicly owned electric utilities, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources, as defined, in any given year as a specified percentage of total kilowatthours sold to retail end-use customers each calendar year (renewables portfolio standard). The renewables portfolio standard requires each electrical corporation to increase its total procurement of eligible renewable energy resources by at least an additional 1% of retail sales per year so that 20% of its retail sales are procured from eligible renewable energy resources no later than December 31, 2017.

This bill would adopt certain modifications to the renewables portfolio standard program that are applicable only to an electrical

corporation with 60,000 or fewer customer accounts in California that serves retail end-use customers outside California.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 399.17 is added to the Public Utilities
2 Code, to read:

3 399.17. (a) Subject to the provisions of this section, the
4 requirements of this article apply to an electrical corporation with
5 60,000 or fewer customer accounts in California that serves retail
6 end-use customers outside California.

7 (b) For an electrical corporation with 60,000 or fewer
8 customer accounts in California that serves retail end-use
9 customers outside California, an eligible renewable energy
10 resource includes a facility that is located outside California, if
11 the facility is connected to the Western Electricity Coordinating
12 Council (WECC) transmission system, provided all of the
13 following conditions are met:

14 (1) The electricity generated by the facility is procured by the
15 electrical corporation on behalf of its California customers, and is
16 not used to fulfill renewable energy procurement requirements in
17 other states.

18 (2) The electrical corporation participates in, and complies
19 with, the accounting system administered by the Energy
20 Commission pursuant to subdivision (b) of Section 399.13.

21 (3) The Energy Commission verifies that the electricity
22 generated by the facility is eligible to meet the annual
23 procurement targets of this article.

24 (c) The commission shall determine the annual procurement
25 targets for an electrical corporation with 60,000 or fewer
26 customer accounts in California that serves retail end-use
27 customers outside California, as a specified percentage of total
28 kilowatthours sold by the electrical corporation to its retail
29 end-use customers in California in a calendar year.

30 (d) An electrical corporation with 60,000 or fewer customer
31 accounts in California that serves retail end-use customers
32 outside California, may use an integrated resource plan prepared
33 in compliance with the requirements of another state utility

1 regulatory commission, to fulfill the requirement to prepare a
2 renewable energy procurement plan pursuant to this article,
3 provided the plan meets the requirements of Sections 399.11,
4 399.12, 399.13, and 399.14, as modified by this section.

5 (e) Procurement and administrative costs associated with
6 long-term contracts entered into by an electrical corporation with
7 60,000 or fewer customer accounts in California that serves retail
8 end-use customers outside California, for eligible renewable
9 energy resources pursuant to this article, at or below the market
10 price determined by the commission pursuant to subdivision (c)
11 of Section 399.15, shall be deemed reasonable per se, and shall
12 be recoverable in rates of the electrical corporation's California
13 customers, provided the costs are not recoverable in rates in other
14 states served by the electrical corporation.