

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
 SACRAMENTO, CA 95814-5512
 www.energy.ca.gov



March 21, 2011

RE: California Energy Commission Renewable Energy Office Reporting Requirements

Dear Retail Provider:

Retail providers of electricity must submit several reports, forms, and data to the California Energy Commission's Renewable Energy Office within the next few months. This letter is intended to assist you in responding to these reporting requirements.

In October 2009, Assembly Bill 162 was enacted (Stats. 2009. ch. 313). This legislation made a number of changes to the Power Source Disclosure (PSD) Program, which requires retail electricity providers to disclose information to retail consumers and report purchase and sales information to the Energy Commission. These statutory requirements apply to all retail providers offering an electricity product for sale to retail consumers in California. Please refer to the table below outlining new reporting dates for PSD Program submissions.

In addition to reporting for the PSD Program, retail sellers subject to California's Renewables Portfolio Standard (RPS) obligations must also submit RPS-eligible procurement data to the Energy Commission, and Publicly Owned Electric Utilities are also responsible for data submission. These reporting requirements are also summarized in the table below.

The table below identifies all reporting requirements necessary for retail providers to report on previous the year's data. A discussion of each requirement immediately follows the table.

REPORTING REQUIREMENTS	DUE DATE	FORMS TO FILE
ALL RETAIL PROVIDERS MUST SUBMIT		
2010 Annual Report: Power Source Disclosure Program	June 1, 2011	Annual Report to the California Energy Commission: Power Source Disclosure Program
2010 Annual Power Content Label	October 1, 2011	Copies of Annual Power Content Labels
Power Source Disclosure Program Independent Audit	October 1, 2011	No specific form

REPORTING REQUIREMENTS	DUE DATE	FORMS TO FILE
RETAIL SELLERS SUBJECT TO RPS		
2009 Renewable Portfolio Standard Procurement Data	May 1, 2011	WREGIS State/Provincial/Voluntary Compliance Report and WREGIS Report Attestation
2009 Renewable Energy Delivery Data if NERC e-tags are not available in WREGIS	May 1, 2011	CEC-RPS-Delivery
2010 Renewable Portfolio Standard Procurement Data	June 1, 2011	WREGIS State/Provincial/Voluntary Compliance Report and WREGIS Report Attestation
2010 Renewable Energy Delivery Data if NERC e-tags are not available in WREGIS	June 1, 2011	CEC-RPS-Delivery
PUBLICLY OWNED ELECTRIC UTILITIES ONLY		
Status In Implementing a Renewables Portfolio Standard (RPS)	June 1, 2011	CEC-REO-POU

The Power Source Disclosure Program Annual Report Filing

Retail providers must submit a 2010 PSD Program Annual Report to the Energy Commission on **June 1, 2011**. Retail providers are required to submit an Annual Report for each specific purchase claim offered during the previous calendar year. The format for the Annual Report (including the form for the attestation) is available on the Energy Commission's website at: <http://www.energy.ca.gov/sb1305/>. All instructions for completing the form are located at the beginning of that document.

The Annual Power Content Label

Retail providers must submit a 2010 Annual Power Content Label to consumers, which must contain an annual disclosure of electricity products and specific purchases the provider claimed during the previous calendar year. This annual disclosure must be provided to consumers by **October 1** each calendar year using a format specified in the Energy Commission's regulations. Copies of the Annual Power Content Label must also be submitted to the Energy Commission by **October 1**. For more information on the format and content requirements for the Annual Power Content Label, please refer to either the PSD Program home page at: <http://www.energy.ca.gov/sb1305/index.html> or to the AB 162 Rulemaking page at: http://www.energy.ca.gov/power_source_disclosure/index.html.

The Independent Audit

In an effort to ensure the accuracy of marketing claims to consumers and to prevent the misuse of public funds, the Energy Commission's regulations require PSD Program participants to have their electricity purchases and sales independently verified. Updated regulations will require an independent audit of the Annual Power Content Label and the

Annual Report by **October 1** each calendar year. In general, the regulations require an audit of the following:

1. Fuel types used by each generating facility identified in the Annual Report.
2. Contracts and/or certificates of specific generation necessary to trace sales of electricity from the generator to the retailer.
3. Retail sales to consumers to verify the accuracy of both the annual fuel mix disclosed to consumers and the Annual Report.

A set of agreed-upon procedures (instructions or protocols expected to guide the accountant through the necessary verification process) is allowed for meeting the verification requirements.

Retail Sellers Subject to California's RPS Program

Retail sellers subject to the California RPS obligations are required to submit annual data on their RPS-eligible procurement consistent with the Fourth Edition of the Energy Commission's *RPS Eligibility Guidebook*. The upcoming reporting dates are as follows:

1. Total RPS procurement for the 2009 compliance year must be submitted using the WREGIS State/Provincial/Voluntary Compliance Report and CEC-RPS-Delivery form (if NERC e-Tag data for out-of-state procurement are not available in WREGIS) by **May 1, 2011**. (Please disregard the 2009 compliance year reporting date of April 1, 2011, that was incorrectly listed in Appendix D of the *RPS Eligibility Guidebook*.)
2. Total RPS procurement for the 2010 compliance year must be submitted using the WREGIS State/Provincial/Voluntary Compliance Report and CEC-RPS-Delivery form (if NERC e-Tag data for out-of-state procurement are not available in WREGIS) by **June 1, 2011**. For the 2011 compliance year and beyond, RPS procurement data will be due on June 1 of the following year.

Instructions for WREGIS reporting can be found in Appendix A of the *RPS Eligibility Guidebook*. The *RPS Eligibility Guidebook*, along with the WREGIS Report Attestation and CEC-RPS-Delivery form, are available on the Energy Commission's website at: <http://www.energy.ca.gov/renewables/documents/index.html#rps>.

Publicly Owned Utilities

Publicly Owned Electric Utilities in California are required by law to implement an RPS program, as outlined in the *RPS Eligibility Guidebook*. The Energy Commission encourages publicly owned utilities to submit this information to the Energy Commission by **June 1, 2011**, using the newly updated CEC-REO-POU form. This form incorporates the previous CEC-RPS-POU questionnaire as well as the PSD Program Annual Report information, so there is no additional need to file a separate PSD Program Annual Report form. A separate Annual Power

Content Label and independent audit will still need to be submitted to consumers and to the Energy Commission by **October 1, 2011**.

All forms will be available on the Energy Commission's website at <http://www.energy.ca.gov/renewables/>. All Energy Commission forms should be provided electronically in a tabular spreadsheet or database format. Please submit forms as follows:

- SB 1305 Annual Report, email to sb1305@energy.state.ca.us
- CEC-RPS-Track, CEC-RPS-Delivery, WREGIS State/Provincial/Voluntary Compliance Report and WREGIS Report Attestation, email to RPSTrack@energy.state.ca.us
- CEC-REO-POU, email to RPSTrack@energy.state.ca.us, with "POU Report" as the subject.

In addition, because each filing contains an attestation, please mail hard copies of the filings to the California Energy Commission at the appropriate address listed below.

For 2010 Annual Report: Power Source Disclosure Program and POU Status in Implementing a Renewables Portfolio Standard reporting, mail to:

Lorraine Gonzalez
California Energy Commission
1516 9th Street, MS-45
Sacramento, CA 95814

For 2009 and 2010 Renewables Portfolio Standard reporting, mail to:

Theresa Daniels
CA RPS Program
1516 9th Street, MS-45
Sacramento, CA 95814

Additionally, you will soon receive notice from the Energy Commission on the release of the second draft of the Power Source Disclosure Program regulations for stakeholder comment. There will be a two week comment period before staff finalizes the regulations for official submission to the Office of Administrative Law.

Energy Commission staff is available to answer any of your questions. Questions for the Power Source Disclosure Program should be directed to Lorraine Gonzalez at (916) 654-3842 or by email at: lgonzale@energy.state.ca.us. Questions for the Renewables Portfolio Standard Program should be directed to Theresa Daniels at (916) 654-4669 or by email at: tdaniels@energy.state.ca.us.

Sincerely,

Kate Zocchetti
RPS Supervisor
Renewable Energy Office