

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

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

Rulemaking 11-05-005
(Filed May 5, 2011)

COMMENTS OF TRANSWEST EXPRESS LLC

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Dated: August 30, 2011

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Pursuant to the July 15, 2011, Administrative Law Judge’s Ruling Requesting Comments on New Procurement Targets and Certain Compliance Requirements for the Renewables Portfolio Standard Program (“July 15 Ruling”), TransWest Express LLC (“TransWest”) respectfully submits comments regarding administration of the California Renewables Portfolio Standard program (“RPS”) pursuant to the recently signed California Senate Bill (SB) 2 (1X).¹

COMMENTS

TransWest has reviewed the questions posed by the Administrative Law Judge in its July 15 Ruling and notes that several of the issues outlined within the July 15 Ruling most directly affect details of retail sellers’ RPS procurement compliance. However, TransWest also notes that the Commission is likely to receive a variety of proposals setting forth competing views on, among other things, the ways in which retail sellers should be required to calculate and report their compliance with the procurement targets to the Commission. As a transmission developer and stakeholder in the implementation of SB 2 (1X), TransWest has certain general

¹ Senate Bill 2 (2011-12 First Extraordinary Session, Stats 2011, Ch 1) (“SB 2 (1X)”). TransWest filed a Motion for Party Status on May 31, 2011 which was granted pursuant to the ALJ’s Ruling Granting Motions for Party Status dated June 9, 2011.

comments on these issues for consideration by the Commission.²

Implementation of requirements for retail sellers to (i) satisfy previous deficits (as discussed in Questions 5 and 9) and (ii) procure minimum quantities of eligible renewable energy resources through long-term contracts (as discussed in Question 6), as well as any excess or “banking” calculations (as discussed in Questions 7 and 8) and earmarking rules (as discussed in Question 13) ultimately adopted by the Commission, must require adequate transparency. All stakeholders, not only retail sellers subject to the compliance requirements but also parties participating in the RPS program as providers of eligible renewable energy resources pursuant to Section 399.16 of SB 2 (1X), should be adequately apprised through public filings of how entities subject to RPS procurement are complying with such details of procurement.

Moreover, the Commission’s review of compliance verification processes proposed by parties in response to Questions 17 and 19 should include a review of the ways in which such processes relate to the proposals—and any rules ultimately adopted by the Commission regarding verification of compliance with the portfolio content category requirements of Section 399.16—so as to ensure consistent, just and efficient administration of the RPS program.

TransWest urges the Commission to promptly adopt appropriate rules implementing SB 2 (1X) to facilitate the ability of those entities subject to the procurement

² TransWest notes that while it submits general comments herein, it may submit additional comments to specific questions posed in the July 15 Ruling within its reply comments to be filed on September 12, 2011.

targets and compliance requirements to meet such requirements, consistent with the comments herein.

Respectfully submitted,

/s/ Jared W. Johnson

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On behalf of TransWest Express LLC

Dated: August 30, 2011

VERIFICATION

I am an officer of TransWest Express LLC, and am authorized to make this verification on its behalf. I have read the foregoing *Comments of TransWest Express LLC* dated August 30, 2011. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 30th day of August, 2011 at Denver, Colorado.

/s/ Roxane J. Perruso

Roxane J. Perruso
Vice President
TransWest Express LLC