BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

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

2006-2007 VERIFIED AND AUGUST 2011 RENEWABLES PORTFOLIO STANDARD COMPLIANCE REPORT OF COMMERCE ENERGY, INC.

Pursuant to California Public Utilities Commission ("Commission") Staff instructions contained in the Reporting and Compliance Worksheet Instructions of the attached spreadsheets, Commission decision implementing the Renewables Portfolio Standard ("RPS"), as well as Order Instituting Rulemaking Regarding Implementation and Administration of the Renewables Portfolio Standard Program (R.11-05-005), Commerce Energy, Inc. ("Commerce") hereby respectfully submits this 2006-2007 Verified and August 2011 Renewables Portfolio Standard Compliance Report ("Compliance Report"). This Compliance Report also meets the verified reporting requirements and serves as the verified compliance report confirming data in the California Energy Commission's Renewables Portfolio Standard 2007 Procurement Verification Report, adopted on June 15, 2011.

As described in detail in its Supplemental Filing Concerning 2006-2007 Verified and August 2011 Renewables Portfolio Standard Compliance Report of Commerce Energy, Inc. ("Supplemental Filing"), appended hereto as Attachment A, Commerce is seeking deferrals of RPS deficits and minimum contracting requirement obligations. Based on these requested deferrals, Commerce is submitting two versions of its Compliance Report: one version using the "unlocked" version of the energy service provider ("ESP") RPS Compliance Template provided by Energy Division showing the deferrals that Commerce is seeking, appended hereto as Attachment C, and another version using the "locked" ESP template that does not include Commerce's requested deferrals, appended hereto as Attachment D. Both the "unlocked" and the "locked" templates are eligible for confidential treatment described in the Declaration of Inger Goodman in Support of Claims of Confidentiality of Commerce Energy, Inc., appended hereto as Attachment B.

If there are questions concerning these materials, please contact the undersigned.

Dated: August 1, 2011

Respectfully Submitted,

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Inger Goodman Commerce Energy, Inc. 1 Centerpointe Dr., Suite 350 La Palma, CA 90623 Telephone: (714) 425-1063 Facsimile: (714) 481-6589 Email: <u>igoodman@commerceenergy.com</u>

ATTACHMENT A: SUPPLEMENTAL FILING CONCERNING 2006-2007 VERIFIED AND AUGUST 2011 RENEWABLES PORTFOLIO STANDARD COMPLIANCE REPORT OF COMMERCE ENERGY, INC.

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)

SUPPLEMENTAL FILING CONCERNING 2006-2007 VERIFIED AND AUGUST 2011 RENEWABLES PORTFOLIO STANDARD COMPLIANCE REPORT OF COMMERCE ENERGY, INC.

Pursuant to the Reporting and Compliance Worksheet Instructions provided in the August 1, 2011 Renewables Portfolio Standard ("RPS") Compliance Report template as well as the California Public Utilities Commission's ("Commission") decisions implementing the RPS, Commerce Energy, Inc. ("Commerce") hereby submits this supplemental filing concerning Commerce's August 1, 2011 RPS Compliance Report.

I. Introduction

Commerce submits this supplemental filing to request deferral of its 2006 RPS procurement deficit due to insufficient response to its 2006 RPS solicitation. As described in greater detail below, despite repeated efforts to procure eligible renewable generation in 2006, Commerce could not secure sufficient generation to meet its RPS procurement target for that year. Commerce's 2006 RPS procurement deficit is greater than 25% of its incremental procurement target ("IPT") for that year, the maximum deferral allowed without an excuse. Accordingly, Commerce seeks a deferral of its entire shortfall for 2006.

Additionally, Commerce seeks deferrals of the minimum contracting requirement for long-term contracts or contracts with new facilities established by Commission Decision ("D.") 07-05-028 for years 2008 and 2009. Commerce made good faith and reasonable commercial efforts to procure eligible renewable generation in 2008 and 2009, but was unable to meet the minimum contracting requirement for those years. At the time, Commerce also mistakenly $\{00015464;2\}$ 1 believed that it was allowed to defer fulfillment of the minimum contracting requirement for up to three years, as allowed for certain RPS procurement deficiencies. Upon realization of its misunderstanding of the flexible compliance rules, Commerce was able to procure sufficient eligible renewable generation to satisfy the minimum contracting requirement not only for 2010, but so that Commerce could use 2010 procurement to offset the minimum contracting requirement deficits for years 2008 and 2009. This is in line with RPS program goals and should be authorized by the Commission. Commerce therefore seeks permission to fulfill its minimum contracting requirement for years 2008 and 2009 with procurement from 2010.

Alternatively, if the Commission does not permit Commerce to defer its minimum contracting requirement for years 2008 and 2009, Commerce seeks to defer the resulting RPS procurement deficit for those years. Without being allowed to defer the minimum contracting requirement for years 2008 and 2009, Commerce will have a procurement deficit for years 2008 and 2009 in excess of 25% of its IPT. Therefore, should this occur, Commerce seeks a deferral of its RPS procurement deficit for years 2008 and 2009.

II. Commerce had an Insufficient Response to its 2006 RPS Solicitation and Accordingly Seeks Deferral of its 2006 RPS Procurement Deficit.

Commerce seeks to defer its 2006 RPS procurement deficit which exceeds 25% of its 2006 IPT. Commerce brings this issue to the Commission's attention at this time based on its earlier misunderstanding of the law: Commerce mistakenly believed that it could defer its entire 2006 deficit. Commerce did not seek to deceive the Commission or act in bad faith, it simply misunderstood a complex set of rules and requirements. Upon learning of its mistake, Commerce now seeks deferral of its 2006 procurement obligation.

In 2006, Commerce attempted to procure renewable generation to meet its RPS procurement requirement. Despite numerous good faith efforts, Commerce was unable to obtain

the renewable generation needed to meet its procurement requirement for that year. At that time and until recently, Commerce also misunderstood the procurement requirement rules and believed that it could defer its entire 2006 procurement deficit to future years.

D.03-06-071 provides that "annual shortfalls in excess of 25% of APT...would be permitted upon a demonstration of one of four conditions," including an insufficient response to an RPS solicitation.¹ Commerce sought renewable procurement and was unable to obtain enough to meet its RPS procurement requirements for 2006. This satisfies the condition of insufficient response to an RPS solicitation. Accordingly, Commerce has demonstrated a condition warranting a deferral of its 2006 RPS procurement deficit.

III. Commerce Seeks Deferral of the Minimum Contracting Requirement for 2008 and 2009 in Accordance with the Overall Procurement Objectives of the RPS Program.

A. Necessity for a Deferral.

Commerce seeks to defer the minimum contracting requirement established by D.07-05-028 for years 2008 and 2009. In both of those years, Commerce sought to procure renewable generation from new facilities in order to meet its minimum contracting requirements. Commerce engaged its traditional counterparties as well as renewable brokers in efforts to procure renewables from new facilities, but was unable to contract with new facilities in those years at reasonable prices. This was largely due to Commerce's very small load and the unwillingness of new facilities to contract with Commerce for such small amounts of energy.

Furthermore, until very recently, Commerce was operating under the misunderstanding that the flexible compliance rules allowed deferral of the minimum contracting requirement. Accordingly, Commerce assumed that in 2008 and 2009 it could defer its minimum contracting requirement to future years. As evidence of Commerce's misunderstanding, Commerce made sufficient renewable purchases under short-term contracts with existing facilities to meet its RPS

¹ D.03-06-071, p. 50.

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requirements for 2008 and 2009 had there been no minimum contracting requirement. This demonstrates Commerce's belief that it could defer its minimum contracting requirement for 2008 and 2009. If Commerce did not believe that the renewable procurement from those years would count for RPS purposes, it would not have paid a premium for renewable energy.

B. A Deferral is Consistent with RPS Program Goals.

Deferral of the minimum contracting requirements is also consistent with RPS goals. D.03-06-071 provides that the supplemental filing represents the "opportunity to seek approval for annual shortfalls greater than 25% of the APT if the conditions of §399.14(c) are triggered *or* to convince the Commission that a deferral would promote ratepayer interests and the overall procurement objectives of the RPS program."² Consistent with promoting the overall procurement objectives of the RPS program, deferral of the minimum contracting requirement for 2008 and 2009 can still advance program goals provided that sufficient contracting occurs with new facilities (or for the long term). In 2010 Commerce entered into contracts with new facilities in an amount sufficient to not only cover its minimum contracting requirements for 2010, but to cover the minimum contracting deficits for 2008 and 2009. This helps advance demand for new renewable facilities and furthers the goals of the RPS program. Commerce submits that this over-procurement in 2010 should therefore be allowed to count for the minimum contracting requirements for 2008 and 2009.

C. If the Commission does not allow a Deferral of the Minimum Contracting Requirements for 2008 and 2009, The Commission Should Allow a Deferral of the RPS Procurement Deficit for Years 2008 and 2009.

Without a deferral of the minimum contracting requirements for years 2008 and 2009, the renewable generation procured by Commerce in those years will not count for RPS-purposes and Commerce will have an RPS procurement deficit for both 2008 and 2009 exceeding 25% of the

² D.03-06-071, p. 53, footnote omitted, emphasis added.

IPT for each year. Therefore, if the Commission does not allow Commerce to defer its minimum contracting requirements for years 2008 and 2009, Commerce requests in the alternative that the Commission allow Commerce to defer its RPS procurement deficit for both 2008 and 2009.

IV. Conclusion

For the reasons provided above, Commerce requests that it be allowed to defer its 2006 RPS procurement deficit. Additionally, Commerce requests that it be allowed to defer its minimum contracting requirements for 2008 and 2009. Alternatively, if Commerce is not allowed to defer its minimum contracting requirement for 2008 and 2009, Commerce requests deferral of the RPS procurement deficits for years 2008 and 2009 resulting from the disallowance of RPS procurement from those years.

Dated: August 1, 2011

Respectfully submitted,

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Inger Goodman Commerce Energy, Inc. 1 Centerpointe Dr., Suite 350 La Palma, CA 90623 Telephone: (714) 425-1063 Facsimile: (714) 481-6589 Email: igoodman@commerceenergy.com

ATTACHMENT B: DECLARATION OF INGER GOODMAN IN SUPPORT OF CLAIMS OF CONFIDENTIALITY OF COMMERCE ENERGY, INC.

 $\{00015809;1\}$

DECLARATION OF INGER GOODMAN IN SUPPORT OF CLAIMS OF CONFIDENTIALITY OF COMMERCE ENERGY, INC.

I, Inger Goodman, declare as follows:

- 1. I am employed by Commerce Energy, Inc. ("Commerce") in the position of Regulatory Affairs Specialist.
- 2. I have reviewed, or caused to be reviewed, the August 1, 2011 RPS Compliance Report of Commerce.
- 3. The statements in this declaration are based on my knowledge, information, or belief.
- 4. I am authorized to make this declaration on behalf of Commerce.
- 5. Those portions of Commerce's RPS Compliance Report identified in Table 1 below are eligible for confidentiality protection pursuant to Decision ("D.") 06-06-066 and D.08-04-023 and the Matrix of Allowed Confidential Treatment for Energy Service Provider Data ("ESP Matrix") attached as Appendix B to the latter decision.
- 6. The data for which Commerce requests confidentiality and thereby protection from public disclosure are of the types and correspond to the category (or categories) in the ESP Matrix specified below:

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Summary 2010": RPS Summary Report: Cells D9:D12, D28, D31 (Current Year Total Retail Sales MWh, Annual Procurement Target MWh, Total RPS-Eligible Procurement percentage, Annual Procurement Surplus/(Deficit) MWh, Adjusted Procurement Percentage)	Actual procurement and procurement targets and associated percentages within "window of confidentiality" period.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Accounting" MWh detail for RPS Procurement and Targets: Cells K13:O15, K16, K17:O17, L19:O20 (for 2010- 2014: Actual and Forecast Bundled Retail Sales in MWhs; Annual Procurement Target MWhs; Incremental Procurement Target MWhs; Preliminary Procurement Surplus/(Deficit) MWhs; Actual Procurement Percentage; Adjusted Procurement Percentage.)	Retail sales (MWhs) for prior year, current year and 3 years of retail sales forecasts, actual procurement and procurement targets for same "window of confidentiality" period.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP.
Worksheet "Accounting" MWh detail for Flexible Compliance – IPT Deferral: Cells L25:O25 (for 2011-2014: Maximum Deficit Eligible for Deferral MWhs)	MWhs applied for flexible compliance within window of confidentiality period. Disclosure would allow calculation of retail sales and forecasts procurement / requirements.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Accounting" MWh detail for Flexible Compliance – Earmarking: Cells L56:O56 (for 2011-2014: Portion of Current Year Deficit Eligible for Earmarking MWhs)	MWhs applied for flexible compliance within window of confidentiality period. Disclosure would allow calculation of retail sales and forecasts procurement / requirements.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP.
Worksheet "Accounting" MWh detail for Bundled Surplus Procurement Bank: Cells L79:O79, K80:O82 (for 2010- 2014: Surplus Procurement Bank Balance as of Prior Year MWhs; Application of Banked Surplus Procurement to Current Year Deficit MWhs; Adjusted Current Year Annual Surplus Procurement MWhs; Cumulative Surplus Procurement Bank Balance MWhs.)	Bundled Surplus Procurement Bank MWhs within window of confidentiality period if disclosed would allow calculation of retail sales and forecasts / procurement needs.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Accounting" MWh detail for TREC Surplus Procurement Bank: Cells L85:O90 (for 2011-2014: Surplus Procurement Bank Balance as of Prior Year MWhs; Surplus TRECs in Current Year MWhs; Total Banked TRECs MWhs; Banked TRECs Eligible to Apply to Current Year MWhs; Application of Banked Surplus Procurement to Current Year Deficit MWhs; Cumulative Surplus Procurement Bank Balance MWhs.)	TREC Surplus Procurement Bank MWhs within window of confidentiality period if disclosed would allow calculation of retail sales and forecasts / procurement needs.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP.
Worksheet "Accounting" MWh detail of Adjusted Deficit: Cells L95:O96 (for 2011-2014: Adjusted Annual Procurement Deficit MWhs; Adjusted Deficit Deferred MWhs)	Adjusted Deficit MWhs within window of confidentiality period if disclosed would allow calculation of retail sales and forecasts / procurement needs.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Procurement Detail" MWh detail of Procurement Summary: Cells J9:N24 (for 2010- 2014: Total RPS Eligible Procurement; Total Bundled Procurement; Adjusted Total TREC Procurement – Pre Bank; Adjusted Total TREC Procurement – With Bank; TRECs Executed Prior to January, 2013; 25% of APT; TREC Limit; Amount above TREC limit; Existing and/or Signed Contracts; Bundled; TREC; Short- listed/Under Negotiation/Pending Approval; Bundled; TREC; Generic Future Contracts)	Retail sales (MWhs) for prior year, current year and retail sales forecasts, actual procurement and procurement targets if disclosed would allow calculation of retail sales and forecasts / procurement needs.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP. C) RPS Contracts: Contract summaries public, including counterparty, resource type, location, capacity, expected deliveries, delivery point, length of contract and online date. Other terms confidential for three years; or until one year following expiration, whichever comes first.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Procurement Detail" MWh detail of Procurement Summary: Cells J27:N31 (for 2010-2014: RPS Contracts: long- term and/or new facilities/bundled; RPS Contracts: short-term with existing facilities/bundled; Surplus Contracting Quota Bank as of Prior Year; Current Year / Banked MWh Applied to Annual Quota; Cumulative Surplus Contracting Quota Bank)	Retail sales (MWhs) for prior year, current year and retail sales forecasts, actual procurement and procurement targets if disclosed would allow calculation of retail sales and forecasts / procurement needs.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP. C) RPS Contracts: Contract summaries public, including counterparty, resource type, location, capacity, expected deliveries, delivery point, length of contract and online date. Other terms confidential for three years; or until one year following expiration, whichever comes first.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Procurement Detail" MWh detail of RPS-Eligible Procurement By Resource Type: Cells J48:N48 (for 2010-2014: Wind)	Retail sales (MWhs) for prior year, current year and retail sales forecasts, actual procurement and procurement targets if disclosed would allow calculation of retail sales and forecasts / procurement needs.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP. C) RPS Contracts: Contract summaries public, including counterparty, resource type, location, capacity, expected deliveries, delivery point, length of contract and online date. Other terms confidential for three years; or until one year following expiration, whichever comes first.

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION		
RPS Compliance Report Worksheet Location	Type of Data	Matrix Category
Worksheet "Procurement Detail" MWh detail of Contract Detail: Cells J224:N228, Z225:Z228 (for 2010-2014: 2010 Contracts and Contract Volume (MWh)) Cells J287:T289 (for 2010-2020: Expired Contracts/Contracts Expiring Before 2020) Cells K290:T290 (for 2011-2020: Expired Contracts/Contracts Expiring Before 2020)	Retail sales (MWhs) for prior year, current year and retail sales forecasts, actual procurement and procurement targets if disclosed would allow calculation of retail sales and forecasts / procurement needs.	 I – Renewables Portfolio Standard (RPS) Information. A) RPS compliance filings required by CPUC, by ESP: data redacted because disclosure of first three years of forecast retail sales and resource mix data (MWh) and of historical retail sales and supply data (MWh) for prior year would reveal entire net short of ESP. B) Annual RPS compliance filings, by ESP: data redacted because disclosure of first three years of forecast retail sales and supply data would reveal the entire net short of ESP. C) RPS Contracts: Contract summaries public, including counterparty, resource type, location, capacity, expected deliveries, delivery point, length of contract and online date. Other terms confidential for three years; or until one year following expiration, whichever comes first.

- 7. The data for which Commerce is claiming confidentiality is not already public.
- 8. The confidentiality of the data for which Commerce is claiming confidentiality would not be compromised if it were first aggregated with the equivalent data of all other load serving entities before being made public. Other than by the aforesaid process, the data cannot be aggregated, redacted, summarized, masked or otherwise protected in a way that allows partial disclosure.
- 9. Commerce's customers may be harmed by the loss of confidentiality insofar as members of the public not eligible to review the data as non-market participating parties— primarily other market participants such as other ESPs or suppliers—can use this data to derive detailed estimates of Commerce-specific procurement requirements and Commerce's current compliance position.

Declared under penalty of perjury that the aforesaid is true of my own knowledge, except as to matters that are stated on information or belief and as to those matters I believe them to be true.

Dated: August 1, 2011

Inger Goodman Commerce Energy, Inc. 1 Centerpointe Dr. Suite 350 La Palma, CA 90623 T: (714) 425-1063 E: <u>igoodman@commerceenergy.com</u>

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ATTACHMENT C: UNLOCKED VERSION OF THE 2006-2007 VERIFIED AND AUGUST 2011 RENEWABLES PORTFOLIO STANDARD COMPLIANCE REPORT OF COMMERCE ENERGY, INC.

PUBLIC VERSION

{00015809;1}

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 10, 2011)

Commerce Energy, Inc.

2006-2007 VERIFIED and August 2011 SEMI-ANNUAL COMPLIANCE REPORT PURSUANT TO THE CALIFORNIA RENEWABLES PORTFOLIO STANDARD

PUBLIC VERSION

1-Aug-11

Name:Inger GoodmanTitle:Regulatory Affairs SpecialistEmail:igoodman@commerceenergy.comPhone:714-425-1063Fax:714-481-6589Address:1 Centerpointe Dr., Suite 350La Palma, CA 90623

CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

Reporting and Compliance Worksheet Instructions

 California's RPS Program requires Investor Owned Utilities (IOU), Multi-Jurisdictional Utilities (MJU), Electric Service Providers (ESP), and Community Choice Aggregators (CCAs) to file a minimum of two reports each year illustrating performance within the program. Parties may refer to the November 20, 2008 Assigned Commissioner Ruling Addressing Process Issues Relative to RPS Compliance Reports for more information.

> The March 1 report (with updates after the California Energy Commission (CEC) verifies procurement, as needed) is used by the Commission to determine compliance for the prior year(s). This reportstates historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement data for at least three years (Decision (D.) 06-10-050, page 45, 49). Going forward, all March reports will forecast procurement data out to 2020.

> The August 1 report states historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement levels for each year forward through 2020 (D.06-10-050, page 45, 51). The August report may be used by the Commission to make a final determination of compliance for the prior year(s).

- 2. Any load serving entity (LSE) seeking confidentiality protection should file a declaration. Confidentiality requests shall compy with the substantive and procedural rules set forth in D.06-06-066, as modified by D.08-04-023, the Commission's decision in its Confidentiality proceeding, Rulemaking (R.) 05-06-040, and any subsequent decisions issued in the same or successor proceeding. A declaration for confidentiality should include the identification of all redacted information by tab name and cell reference, not to be confused with the line numbers provided in the Accounting tab.
- 3. RPS compliance reports will be submitted to the Commission as specified below:
 - > Serve a public version on the service list in proceeding R.11-05-005. All pages must be legible. LSEs are responsible for maintaining confidentiality when serving a redacted report No more than 35 CPUC e-mail addresses can be included in the same e-mail.

> File a confidential Excel version utilizing the locked spreadsheet with the Energy Division by e-mailing an electronic version to sean.simon@cpuc.ca.gov and rpscompliance@cpuc.ca.gov.

- > Send paper copies (confidential and public) to each of the assigned Administrative Law Judges (ALJs):
 - Regina M. DeAngelis, Burton W. Mattson, and Anne E. Simon

California Public Utilities Commission

505 Van Ness Avenue

San Francisco, CA 94102

> Do not send paper copies of the confidential version to anyone except the persons listed above, unless specifically requested.

4. Any questions regarding the completion and/or filing of this report can be directed to:

- Sean Simon, Energy Division, California Public Utilities Commission:sean.simon@cpuc.ca.gov, (415) 703-3791
- 5. Include the Title Page and fill out the following information:
 - > Name of the LSE filing the Report
 - > Date the Report is being filed > Contact information

8.

- 6. Complete the Officer Verification Form in the format provided (Rule 1.11)
- 7. Yellow cells throughout the spreadsheet indicate user supplied data by the LSE where and when applicable.
- All data must be entered in MWh out to three decimal points to accurately account for retail sales, procurement and targets. The spreadsheet will display MWh throughout. Do not round any reporting data, as this may trigger some cells to turn red.
- The spreadsheet included in this report has locked cells to ensure that targets, procurement and penalties are accurately
 calculated and reported from the data provided by the user. An unprotected version of the spreadsheet is also available by
 request.
- 10. Line #s in the "Accounting" tab hyperlink to the "Calculations" tab, which provides additional information on the particular lne item or section of the "Accounting" tab.

SUMMARY TAB

- 11. The "Summary" tab is linked to the "Accounting" tab and "Procurement Detail" tab, no data entry is required.
- 12. If the LSE determines that additional information is required in order to present a full and complete report, mark the box provided on the "Summary" tab. Any additional information should support the LSE's claim within the guidelines of the eight allowable reasons for noncompliance. Furthermore, please state anything else the filing LSE believes is necessary for a full and complete reporting to the Commission in order to allow an informed decision on compliance. This may include, for example, footnotes and other explanatory information as necessary and reasonable.

ACCOUNTING TAB

 Begin by entering the relevant data for Lines 1-3, this will calculate the LSE's Baseline Procurement Amount. Enter actual and forecasted sales figures to generate Incremental Procurement Targets (IPTs) and Annual Procurement Targets (APTs). 14. In deficit years, the spreadsheet calculates what portion of the deficit is eligible for IPT deferral and earmarking. The user records how they elect to treat the deficit(s) in the relevant sections, including using surplus procurement. The spreadsheet calculates the allowable IPT deferral and Earmarking amount through 2020.

EARMARKING DETAIL TAB

15. Enter information for contracts that are eligible for earmarking and are being used for flexible compliance purposes. Data populates the earmarking section in the "Accounting" tab. LSEs should including power purchase agreements used for earmarking with their compliance filings, so Energy Division may verify eligibility. If the LSE has provided the power purchase agreement in a prior report or filing, it does not need to be provided again.

PROCUREMENT DETAIL TAB

16. <u>Procurement Summary</u>: Total RPS Eligible Procurement is differentiated by three categories, existing and or signed contracts, short-listed/under negotiation/pending approval, and generic future contracts. This section is populated by completing the Contract Detail section below. If the LSE has entered into contracts that are short-term or with existing facilities but cannot meet its Annual Minimum Contracting Requirement, then deliveries from those contracts may not be used for compliance in any year (D.07-05-028).

> Annual Contracting Quota Requirement: LSEs must enter into long-term contracts or contracts with new facilities for energy deliveries equivalent to at least 0.25% of that LSE's prior years' retail sales, if it intends to use deliveries from short-term contracts and/or existing facilities, for RPS compliance purposes. LSEs must submit supporting documentation proving that the requirement has been met (i.e. a power purchase agreement for a long-term and/or new contract). If the LSE has provided the power purchase agreement in a prior report or filing, it does not need to be provided again.

- Contracts are differentiated by Contract term-length and type (row 15:16). All deliveries from "long-term and/or new" are automatically entered into "Cumulative Surplus Contracting Quota Bank" (row 19) and the user must input the MWh in row 18 that the LSE needs to comply with the Annual Contracting Quota Requirement, if necessary.

- 17. <u>RPS Eligible Procurement by Resource Type</u>: This report must state the amount procured or projected to be procured from each resource type (D.05-07-039, Appendix A, D.06-10-050, page 47-48). This information is reported in rows 25-38 in the "Procurement Detail" tab and populated by completing the "Contract Detail" section.
- <u>Contract Detail</u>: For each contract, enter actual and forecasted delivery data throughout the contract term. Do not assume that an expiring contract will be renegotiated.
 - > Pre-2002 Contracts: Input total annual deliveries by resource type
 - > 2002-Present years' Contracts: List contracts by name, annual deliveries (MWh), project status, facility status and resource type.

> 2005-Present years' Contracts: In addition to the requirements above, contracts from these years should be identified by term-length, short-term (less than 10 years) and long-term, as well as, by type, existing or new (defined below). 2005 and 2006 contracts that were signed prior to 2007 can be identified as "n/a" for this purpose.

- "Contract Length / Type" (Column "X") Pursuant to D.07-05-028, starting in 2007, each RPS-obligated LSE must, in order to be able to count for any RPS compliance purpose energy deliveries from contracts of less than 10 years' duration ("short-term") with RPS-eligible facilities that commenced commercial operation prior to January 1, 2005 ("existing facilities"), in each calendar year enter into contracts with facilities of at least 10 years' duration ("long-term") and/or short-term contracts with facilities that commenced commercial operation or after January 1, 2005 ("new facilities") for energy deliveries equivalent to at least 0.25% of that LSE's prior year's retail sales ("minimum quantity").

- "Contract Volume" (Column "Y") Input the total MWh over the term of the contract identified in the power purchase agreement. Compliance with the minimum quota requirement is measured by contracted-for-energy, not deliveries.

> "Generic Future Contracts": Input total forecasted annual deliveries by resource type

"Expired Contracts": Any contract expiring prior to 2020 should be listed in this section. User should identify expired contract by name and input annual deliveries (MVIh) in the first year the contract is no longer delivering for the LSE (per existing contract) and in every year thereafter. For example, if a contract with annual deliveries of 10,000 MWh expired 12/31/2007, user should enter 10,000 MWh in 2008 and in every year thereafter. If this same contract expired 6/30/2007, user should enter 5,000 MWh in 2007 and 10,000 in every year thereafter. If an expired or expiring contract is re-signed, remove contract information from "Expired Contracts" section and enter it under the appropriate contracting year, as you would for any other contract.

- 19. In the "Contract Status" column, "short-listed and/or under negotiation" is an option; use the short-listed option only for projects for which the LSE has a high level of confidence that a contract will be executed.
- 20. If any procurement data for a specific contract differs from what is entered into the CEC-RPS-Track form for that year, the specific cell should be highlighted and the discrepancy should be explained.

Spreadsheet user notes

> Protecting confidential data: Individual cells may be formatted black, which will serve to redact info when excel file is converted to pdf. Select cell - click on "fill color" icon - choose black. Note: Once converted to pdf, additional steps are necessary to ensure redacted data is not accessible.

> Adding and/or deleting rows. The "Earmarking Detail" tab and "Procurement Detail" tab allows users to add to or delete rows. Within the desired section, highlight entire row(s) by selecting the excel row number(s) - right click and select "copy" - right click again and select "insert copied cells"

Commerce Energy, Inc.	2006
1-Aug-11	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	759,407	
Annual Procurement Target (APT)	7,594	1.0%
Total RPS Eligible Procurement	0	0.0%
Annual Procurement Surplus/(Deficit)	(7,594)	
Adjusted Procurement Percentage*		1.0%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	0	0.0%
Geothermal	0	0.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	0	0.0%

Flexible Compliance	MWh
IPT Deferral	7,594
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	7,594

Deficits and Penalties	2006
Preliminary Procurement (Deficit)	(7,594)
Adjusted Annual Procurement Deficit	(0)
Adjusted Deficit Deferred	0
Potential Penalty	\$0
Current Penalty (with flexible compliance)	\$0

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

X Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

- Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)(2)(C)(ii).)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferral promotes ratepayer interests and RPS objectives, Showing of good cause, Insufficient transmission]

- If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy deliveries match what is listed in "Earmarking Detail" and "Procurement Detail" tabs.

Commerce Energy, Inc.	2007
1-Aug-11	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	721,269	
Annual Procurement Target (APT)	14,807	2.1%
Total RPS Eligible Procurement	22,991	3.2%
Annual Procurement Surplus/(Deficit)	8,184	
Adjusted Procurement Percentage*		2.1%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	0	0.0%
Geothermal	22,991	100.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	22,991	100.0%

Flexible Compliance	MWh
IPT Deferral	0
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	0

Deficits and Penalties	2007
Preliminary Procurement (Deficit)	0
Adjusted Annual Procurement Deficit	0
Adjusted Deficit Deferred	0
Potential Penalty	\$0
Current Penalty (with flexible compliance)	\$0

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

- Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)(2)(C)(ii).)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferral promotes ratepayer interests and RPS objectives, Showing of good cause, Insufficient transmission]

If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy
deliveries match what is listed in "Earmarking Detail" and "Procurement Detail" tabs.

Commerce Energy, Inc.	2008
1-Aug-11	•••••••••••••••••••••••••••••••••••••••

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	587,241	
Annual Procurement Target (APT)	20,679	3.5%
Total RPS Eligible Procurement	21,256	3.6%
Annual Procurement Surplus/(Deficit)	577	
Adjusted Procurement Percentage*		3.6%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	1,805	8.5%
Muni Solid Waste	0	0.0%
Biopower Subtotal	1,805	8.5%
Geothermal	19,451	91.5%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	21,256	100.0%

Flexible Compliance	MWh
IPT Deferral	0
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	0

Deficits and Penalties	2008
Preliminary Procurement (Deficit)	0
Adjusted Annual Procurement Deficit	0
Adjusted Deficit Deferred	0
Potential Penalty	\$0
Current Penalty (with flexible compliance)	\$0

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

X Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

 Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferr

- If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy deliveries match what is listed in "Earmarking Detail" and "Procurement Detail" tabs.

Commerce Energy, Inc.	2009
1-Aug-11	•••••••••••••••••••••••••••••••••••••••

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	588,156	
Annual Procurement Target (APT)	26,561	4.5%
Total RPS Eligible Procurement	28,908	4.9%
Annual Procurement Surplus/(Deficit)	2,347	
Adjusted Procurement Percentage*		4.9%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	0	0.0%
Geothermal	19,996	69.2%
Small Hydro	8,912	30.8%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	28,908	100.0%

Flexible Compliance	MWh
IPT Deferral	0
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	0

Deficits and Penalties	2009
Preliminary Procurement (Deficit)	0
Adjusted Annual Procurement Deficit	0
Adjusted Deficit Deferred	0
Potential Penalty	\$0
Current Penalty (with flexible compliance)	\$0

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

X Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

 Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferr

- If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy deliveries match what is listed in "Earmarking Detail" and "Procurement Detail" tabs.

	AB	С	D	
1			_	
2 3		RPS Compliance Report: Summary		
4		Commerce Energy, Inc.	2010	
5		1-Aug-11		
6				
7				
8 9		RPS Summary Report	MWh	%
9 10		Current Year Total Retail Sales Annual Procurement Target (APT)	***	* 'Adjusted Procurement Percentage'
11		Total RPS Eligible Procurement		20.0% includes flexible compliance as proposed by 20.5% the LSE, it is not necessarily used to
12		Annual Procurement Surplus/(Deficit)		determine compliance.
13		Adjusted Procurement Percentage*		20.5%
14				
15 16		BBS Eligible Brequrement	BRAD	······
10		RPS Eligible Procurement	MWh 0	0.0%
18		Digester Gas	0	0.0%
19		Biodiesel	Ő	0.0%
20		Landfill Gas	0	0.0%
21		Muni Solid Waste	0	0.0%
22		Biopower Subtotal	0	0.0%
23 24 25 26 27		Geothermal Small Hydro	0	0.0%
25		Conduit Hydro	0	0.0%
26		Solar PV	0	0.0%
27		Solar Thermal	0	0.0%
28		Wind		100.0%
29 30		Ocean/Tidal		0.0%
		Fuel Cells		0.0%
31		Total RPS Eligible Procurement		100.0%
32 33				
34		Flexible Compliance	MWh	
35		IPT Deferral	0	
36		Earmarking	0	
37		Banked Procurement Applied	0	
38		Total Flexible Compliance	0	
39 40				
40		Deficits and Penalties	2010	
41		Preliminary Procurement (Deficit)	2010	** Potential Penalty is calculated based on
43		Adjusted Annual Procurement Deficit	0	'Adjusted Annual Procurement Deficit' and may be
44		Adjusted Deficit Deferred	0	deferred or waived if LSE provides allowable
45		Potential Penalty	\$0	reasons and/or uses flexible compliance.
46		Current Penalty (with flexible compliance)	\$0	
47 48				
49				
50		Check box (x) if LSE is including supplemental ma	terials necessary for a	a full and complete report (include attachments
51		as needed).	-	
52				
52 53 54	_	Any supplemental materials should state each reason	asserted in sunnort of	f deferral or waiver of penalty, consistent with
55	-	allowable reasons for non-compliance listed below. (E		
56		Section 399.14(a)		
57				
58		[Insufficient response to RFO, Contracts alread	y executed will provide	e future deliveries sufficient to satisfy current
59 60		year deficits, Inadequate public goods funds to c	over above-market cos	sts, Seller non-performance, Lack of effective
60		competition, Deferr		
62				
63	-	If stating earmarked contracts as a reason for a tempo	orary deferral, make su	ure contract names and planned energy
64		deliveries match what is listed in "Earmarking Detail"	and "Procurement Deta	ail" tabs.

RPS (Compliance Report: Accounting			Commerce Er 1-Aug-															
1	RPS Baseline Calculation 2001 Total CA Reali Sales 2005 Total CA Reali Sales 2005 Total CA Retail Sales 2005 Baseline Procurement Amount	(INVh)	0 0 0 0		Input Requ Forecasted Actual Data	Data		ng 1, 2,11,11 m m m									Natura (1994) - 1974 - 1974		
	RPS-Procurement and Targets (MVM) Bundled Retail Sales	2003 N/A	2064 N/A	2805	A 2006 721,269	ctual 2007 687,241	2008 588.15	5 2009 367.09	2010	2011	2012	2013	2014	For 2015 205.308	2016 164.777	2017	2018 149.669	2019	1;
6	Total RPS Eligible Procurement Annual Procurement Target (APT) Incremental Procurement Target (IPT)	N/A N/A N/A	N/A N/A N/A	0 0 N/A	0 7,594 7,594	22,991 14,807 7,213	21,256 20,679 5,872	28,908 26,561 5,882		17,234				0 41.062	0 36,955	0 33,260	0 29,934	0 26,940	2
9 10	Preliminary Procurement Surplus(Deficit) APT Percentage	N/A N/A	N/A N/A	0 N/A	(7,594) 1.0%	8,184 2.1%	577 3.5%	2,347	20.0%	20.0%			20.0%	(41.062) 20.0%	(36,955) 20.0%	(33,260) 20.0%	(29,934) 20.0%	(26,940) 20.0%	(4
10 11 12	Actual Procurement Percentage Adjusted Procurement Percentage*	N/A N/A	N/A N/A	0.0% N/A	0.0% 1.0%	3.2% 2.1%	3.6% 3.6%	4.9% 4.9%	20.5% 20.5%					0.0% 0.0%	0.0% 0.0%	0.0%	0.0% 0.0%	0.0% 0.0%	
	Flexible Compliance - IPT Deferral	2003	2004	2005	2006	ctual 2007	2008	2009	2010	2011	2012	2013	2014	Fon 2015	ecast 2016	2017	2018	2019	
<u>13</u>	Maximum Deficit Eligible for Defenal Bundled Deficit being Carried Forward to Year + 1	N/A N/A	N/A	N/A	1.699 7.594	0	0	0 2003/2007 10 /2006	0 (2010)0000000000000000000000000000000000					570 500 (100)	513 2000 2000 2000 2000 2000 2000 2000 200	- 462 06040306030554	416 2010-1460-000	- 374 18856866888	
15 16	Deficit being Carried Forward to Year + 2 Deficit being Carried Forward to Year + 3	N/A N/A	N/A N/A	N/A N/A	0	0	0 0	0 0	0 0	0	0 0	0 0	0 0	0 0	0 0	Ŭ 9	0 0	0 0	
14 15 16 17 18 19 20 21 22 23 24	Total Current Year Deficit Carried Forward Remaining Deficit from Year - 1 to Be Filled in Current Year Remaining Deficit from Year - 2 to Be Filled in Current Year	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A	0 (7,594) N/A	0	0	0	0	0	0 0	0	0	0	0	0	0	
20 21	Remaining Deficit from Year - 3 to Be Filled in Current Year Total Prior Year Deficits That Must Be Filled This Year	N/A N/A	N/A N/A	N/A N/A	N/A G	N/A (7,594)	N/A C	ů c	0 G	0 C	0	0 G	0 0	0	0	0	0	0	
22	Current Year Surplus Procurement Applied to Year - 1 Deficit Current Year Surplus Procurement Applied to Year - 2 Deficit Current Year Surplus Procurement Applied to Year - 3 Deficit	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	7.594 N/A N/A	0 0 N/0	0	0	0	0	0	0	0 0	0	0	0 0	0	
25	Total Deliveries Applied to Prior Year IPT Deficits TREC	N/A	N/A	N/A	: N/A N/A	(7,694)	. N/A 0	0 0	0	0	Û	C C	0	0	0 0	erset extension (9 60,000) C	0 0	C C	neteoreted
14 15 16 17 18 19 20 21 22 23 24 25	Deficit being Camed Forward to Year + 1 Deficit being Camed Forward to Year + 2 Deficit being Carried Forward to Year + 3	N/A N/A	N/A N/A	N/A N/A	0 0	0 0	0 0	0 0	0 0	0 0	0 0	6 0	0 0	0 0	0 0	. 0 0	0 0	0 0	
16 17 18	Deficit being Carried Forward to Year + 3 Total Current Year Deficit Carried Forward Remaining Deficit from Year - 1 to Be Filled in Current Year	N/A N/A N/A	N/A N/A N/A	: N/A N/A	0 N/A	0 0	0 0 0	0	0 0 0	0	0 0	0 0	0 0	0 0 0	0	0 0 0	0	0 0	
19 20	Remaining Deficit from Year - 2 to Be Filled in Current Year Remaining Deficit from Year - 3 to Be Filled in Current Year	N/A N/A	N/A	N/À N/A	N/A N/A	N/A N/A	0 N/A		0	0	0	0	0	0	Ö	0	0	0	•••
2 <u>1</u> 22	Total Prior Year Deficits That Must Be Filled This Year Current Year Surplus Procurement Applied to Year -1 Deficit Current Year Surplus Procurement Applied to Year -2 Deficit	N/A N/A	N/A N/A N/A	N/A N/A	N/A N/A N/A	0 0 N/A	0 0	0	0	0	0	0	0	0	0	0 0	0 Q	0	
24	Current Year Surpus Procurement Applied to Year - 2 Dencit Current Year Surplus Procurement Applied to Year - 3 Deficit Total Deliveries Applied to Prior Year IPT Deficits	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A	0	0	0	0	0 0	0	U O	0	0	0	0	
	sous deliverse applied to this hear is a delicita.	. 1025									*		•		*		*		
	Flexible Compliance - Earmarking	2003	2004	2005	A 2006	ctual 2067	2008	2009	2010	2011	2012	2013	2014	For 2015	ecast 2016	2017	2018	2019	1 × 1 × 4 × 1
26	Portion of Current Year Deficit Bigible for Earmarking Bundted Future Year Deliveries Earmarked from Year + 1	N/A	. : N/A		5.690							,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		2 40.491 · •	36,442	32,798	29.618	26,566	
28 29	Future Year Deliveries Earmarked from Year + 2 Future Year Deliveries Earmarked from Year + 3	N/A N/A	N/A N/A	N/A N/A	0	0	0	0	0	0	0	0	0	0	0 0	0	0	0	
30 31	Total Projected Procurement Earmarked to Current Year Current Year Deliveries Earmarked to Year - 1	N/A N/A	N/A N/A	0 N/A	D N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Current Year Deliveries Earmarked to Year - 2 Current Year Deliveries Earmarked to Year - 3 Total Deliveries Earmarked to Prior Year Earmarked Deficits	N/A N/A N/A	N/A N/A	N/A N/A N/A	N/A N/A 0	N/A N/A	N/A	0		0 0	0	0 0	0 0	U D	0	U 0	0		
	TREC Future Year Deliveries Earmarked from Year + 1	N/A	: N/A	: N/A	: 0	0		0		0	0	0	0	0	0		0	0	
27 28 29 30	Future Year Deliveries Earmarked from Year + 2 Future Year Deliveries Earmarked from Year + 3 Total Projected Procurement Earmarked to Current Year	N/A N/A N/A	N/A N/A	N/A N/A	0 0 n	0	0 0	0	0 0 0	0	0	0 0	0	0 0	0	0 0 n	0	0 0 0	
31 32	Current Year Deliveries Earmarked to Year - 1 Current Year Deliveries Earmarked to Year - 2	N/A N/A	N/A N/A	N/A N/A	N/A N/A	0 N/A	D D	0 D	0 D	0 0	0 0	Ŭ D	Ŭ D	0 D	Ŭ D	0	Ŭ O	0	
33 34	Current Year Deliveries Earmarked to Year - 3 Total Deliveries Earmarked to Prior Year Earmarked Deficits	N/A N/A	N/A N/A	N/A N/A	N/A D	N/A 0	: N/A 0	0	0	0	0	0	0	0	0	0	0	0	
	Bundled Surplus Procurement Bank Surplus Procurement Bank Balance as of Prior Year	2003 N/A	2004 N/A	2005	A 2006	ctual 2007	2008 8,184	2009 8,761	2010 11,108	2011	2012	2013	2014	For 2015 12.941	ecast 2016 12.941	2017 12 541	2018 12.941	2019 12.941	1
35 36 37 38	Application of Banked Surplus Procurement to Current Year Deficit Adjusted Current Year Annual Surplus Procuremen	N/A N/A	N/A N/A N/A			8,184 8,184	577	2,347 11,108							0	0	0	0	
	Cumulative Surplus Procurement Bank Balance	N/A 2093	N/A 2004	0 2005		8,184 ctual 2007	8,761 2008	11,108 2009	2010	2011	2912	2013	2014	12.941 Fore 2015	12,941 ecast 2016	12.941 2017	12,941 2018	12,941 2019	1
<u>36</u> 43	Surplus Procurement Bank Balance as of Prior Year Surplus TRECs in Current Year	N/A N/A	2004 N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A		XER	Crux	2014	D N/A	2016 0 N/A	0 N/A	2018 0 N/A	0 N/A	
$ \frac{36}{43} \\ \frac{47}{44} \\ \frac{36}{46} $	Total Banked TRECs Banked TRECs Eligible to Apply to Current Year	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A					0	0 0	0	0 0	0 0	
<u>36</u>	Application of Banked Surplus Procurement to Current Year Deficit Cumulative Surplus Procurement Bank Balance	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A 0					Dense Provident D	0	0	0	0	
39	Adjusted Deficit Adjusted Amual Procurement Deficit	2003 N/A	2004 N/A	2005 N/A	A 2006 (0)	ctual 2007 Ú	2008 0	2009 0	2010 0	2011	2012	2013	2014	For 2015 (41,062)	ecast 2016 (36.956)	2017 (33,260)	2018 (29.934)	2019 (26,940)	(2
41 :	Adjusted Deficit Deferred Potential Penalty	N/A N/A	N/A N/A	N/A N/A	0 \$0	0 \$0	0 \$0	0 \$0	0 \$0					0	0	0	0	0	
	Current Penalty (with flexible compliance) It Penalty may be deferred or waived if LSE provides allowable readons.	: N/A	N/A	N/A	\$6	\$0	. \$6	\$0	\$8										

RPS Compliance Report: Bundled Earmarking Detail

Input Required Forecasted Data Commerce Energy, Inc.

1-Aug-11

Note: All deliveries from transactions that transfer both renewable energy credits and energy from the selfer to the buyer but does not meet the Commission's criteria for considering a procurement transaction a bundled transaction for purposes of compl with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as a bundled deliveries of bounded deliveries were made prior to March 11, 2010 and after March 11, 2010 should be listed in the separate earmarking tabs based on whether deliveries were made prior to March 11, 2010 or after March 11, 2010.

	2010/10/201		Ar	tual		121222222222					Fore	ecast				
Total Annual Earmarked Generation (MWh)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A N/A	0 N/A	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Heal 4 3	020	N/A	I IVA			0		0	0	0		0	v	v	Ū	0
Contract Name Contracted Generation	1															
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A N/A	N/A														
Allocated to Year - 3	N/A	N/A	N/A													
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	N/A															
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A														
Contract Name Contracted Generation	19/0	INA														
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	1								1							
Allocated to Year - 2	N/A															
Allocated to Year - 3 Contract Name Contracted Generation	N/A	N/A		Contraction of the second s					1							
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	Ĭ				, in the second							, in the second	, in the second	MARKANA		
Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A														
Contracted Generation Eligible for IYEARI deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	U	i i se i	U	0	U	0	U	U	U	U	U	U	U	0	U	U
Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A	sector contraction of the sector of the sect													
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation	16/1															
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1																
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A														
Allocated to Year - 3 Contract Name Contracted Generation	IN/A	N/A		1												
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1																
Allocated to Year - 2	N/A	1							1	A Province and						
Allocated to Year - 3 Contract Name Contracted Generation	N/A	N/A	-						-							
Contracted Generation Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	Ĭ				, in the second second	la suis suis	, in the second second		l Č				i an			
Allocated to Year - 2	N/A										1					
Allocated to Year - 3	N/A	N/A														
Contracted Generation Eligible for IYEARI deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	U	U U	U U	U	U U	Ů	U U	v	U U	U	U U	U	U	U	U	U
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Allocated to Year - 3	N/A	N/A	1.1.4.1.000.000.000.000.000000000000000													
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	NVA.															
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A	CARGE CONTRACTOR OF CONTRACT													
Contract Name Contracted Generation	000								1							
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	1															
Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A								Service and the service of the servi						

RPS Compliance Report: TREC Earmarking Detail

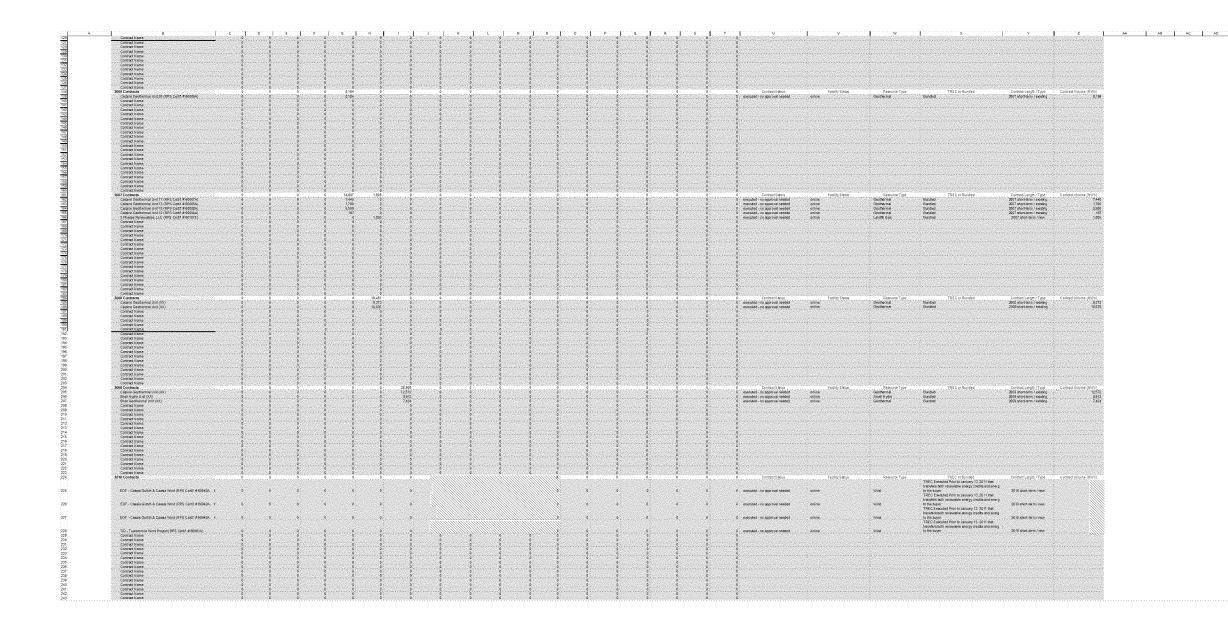


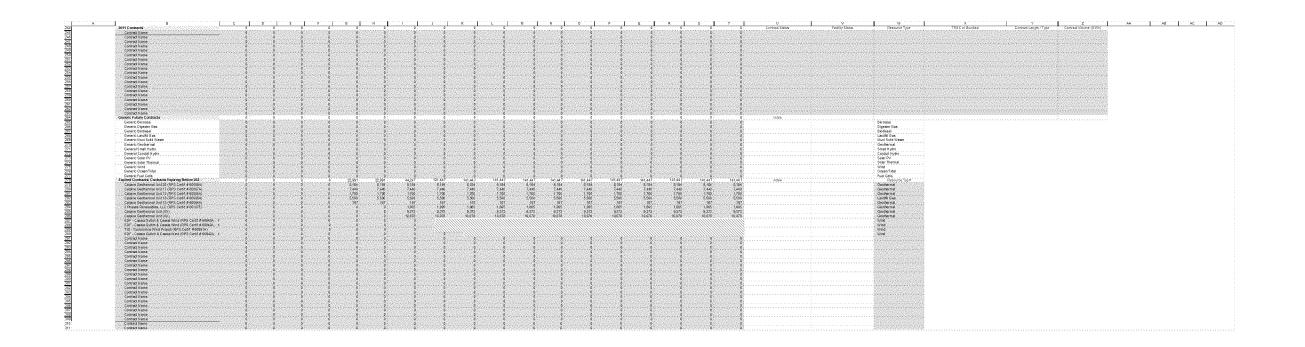
Commerce Energy, Inc. 1-Aug-11

Actual Data Note: All deliveries from transactions that transfer both renewable energy credits and energy from the seller to the buyer but does not meet the Commission's criteria for considering a procurement transaction a bundled transaction for purpo s compliance with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as bundled deliveri es of both renewable energy credits and energy for purposes of compliance with the California renewables portfolio standard. TREC contracts used for earnarking with deliveries prior to March 11, 2010 or after March 11, 2010 or after March 11, 2010. Earnarking of TREC contracts is only allowed between an RPS-obligated LSE and one RPS-eligible generator that is providing all the RECs.

			Ar	tual			Forecast											
Total Annual Earmarked Generation (MWh)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020		
Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Withdrawal from Current Year	0	0	0	0	0	Ö	0	0	0	0	0	0	Ö	0	0	0		
Allocated to Year - 1	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 2	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 3	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0		
Contract Name Contracted Generation																		
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1	N/A																	
Allocated to Year - 2	N/A	N/A																
Allocated to Year - 3	N/A	N/A	N/A															
Contract Name Contracted Generation Eligible for IYEARI deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Eligible for [YEAR] deficit. Withdrawal from Current Year Allocated to Year - 1	0	U Sertitives and sectors	U U	U	1 0	0	0	U	0	U U	0	0	U U	U U	U	0		
Allocated to Year - 1 Allocated to Year - 2	N/A	888815797577557718577				1												
Allocated to Year - 3	N/A	N/A		Construction of the														
Contract Name Contracted Generation	19/5	1100			1		1											
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1		Statistica and													0.0000000000000000000000000000000000000			
Allocated to Year - 2	N/A	Children and Child		1	1													
Allocated to Year - 3	N/A	N/A																
Contract Name Contracted Generation							and second											
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1					1				- All and a second			1						
Allocated to Year - 2	N/A																	
Allocated to Year - 3	N/A	N/A																
Contract Name Contracted Generation																		
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1 Allocated to Year - 2	N/A																	
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A																
Contract Name Contracted Generation	N/A	IN/A			-						-							
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1	ľ	and the second	ana ana amang ang ang ang ang ang ang ang ang ang					ເດຍອາດັ່ງອາກາ			Calleng Callenning							
Allocated to Year - 2	N/A	100000000000000000000000000000000000000																
Allocated to Year - 3	N/A	N/A	Volospozierentessirier///															
Contract Name Contracted Generation																		
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1																		
Allocated to Year - 2	N/A																	
Allocated to Year - 3	N/A	N/A																
Contract Name Contracted Generation																		
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1																		
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A	Rest Constant States					1					1		1000			
Contract Name Contracted Generation	in//A	INVA												1				
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1	IŬ	and the second s				Dennikova	de generalise son			(การสารเรียงการสา		สารเรียงสาย				b er se internet		
Allocated to Year - 2	N/A	10000152002200000000000000000	1		1	1					la serie de la ser							
Allocated to Year - 3	N/A	N/A			1	1	1											
Contract Name Contracted Generation				1	1	1										1		
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1																		
Allocated to Year - 2	N/A			1	1								1					
Allocated to Year - 3	N/A	N/A		Section Sectio			and the second second											
Contract Name Contracted Generation																		
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Allocated to Year - 1				1	1								1					
Allocated to Year - 2	N/A				1		1											
Allocated to Year - 3	N/A	N/A																
Contract Name Contracted Generation Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	ľ	v	l v	L v	, v	L V	U U	v	, v	v	U.S. Contraction	, v	l v	L v	, v	L U		
Allocated to Year - 1 Allocated to Year - 2	N/A	Constantine Constant		1	1								1	1				
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A	Participanti and a second s	1	1	1								and the second		-		
Allocated to 1eal - 3	1 19/5	I INVA	1	Encould and a constraint of the		action 11 11 11 11 11 11 11 11 11 11 11 11 11	-			Kanadaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa	Brandli and in an and a state of the		9 1 7 100 100 100 100 100 100 100 100 100		F. CONTRACTOR CONTRACT	Constitution of the second sec		

8 C	D E hput Required Forecasted Data Actual Data	F G M I Commerce Energy: Inc. 1-Aug-11	J K L M H	0 P 0 R 5 7	U V W X Y Z AA AB AC
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Contract Name Contrac				Image: state	Control Team Participana Descrite Tara Tara Control La Descrite Cara Control Levine C
Control Nume Control Nume					Constant Vision Facility Status Resource Type TREC or Builded Constal Legis / Type Contract Visions (Vivin)





RPS Compliance Report: Calculations

RPS	Baseline Inputs (MWh)									
ine#	Calculation Notes									
		2005 Initial Baseline Procurement Amountfor the electric service providers (ESPs) is calculated using the CA RPS-eligible Procurement / 2001 total CA retail sales X 2005 total CA retail sales								
1-4	ESPs beginning retail sales in California between January 1, 2002 and December 31, 2005, the analogous formula is:									
	CA RPS-eligible procurement in first year of CA retail sales / first-year CA retail sales X 2005 total CA retail sales									
	ESPs beginning retail sales after December 31, 2005, the Baseline Procurement Amount is equal to first year's RPS-Eligible Procurement									
RPS	Procurement and Targets (MWh)									
	Calculation	Notes								
1	User supplied data	Annual Retail Sales								
2	Data from "Procurement Detail"	tab In current and past years, this line should equal Total RPS Eligible Procurement in procurement detail tab.								
3	Prior year Line 7 + Line 8									
-	· · · · · · · · · · · · · · · · · · ·									

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	8	1% of line 5 {Y-1}	
	9	Line 6 - Line 7	
	10	Line 7 / Line 5 {Y-1}	
1	11	Line 6 / Line 5 {Y-1}	In 2003, 2003 RPS procurement is divided by 2001 retail sales rather than 2002 retail sales.
1	12	(Line 6 + Line 17 + Line 25 + Line 30 + Line	RPS procurement percentage after applying flexible compliance, assuming all allowable planned deliveries
1		34 + Line 36) / Line 5 {Y-1}	come online as planned.

Flexib	le Compliance - IPT Deferral	
	Calculation	Notes
13	Up to 0.25% of Prior Year Retail Sales	The first year with an IPT, 100% of the IPT can be deferred for up to 3 years without explanation.
14-16	User supplied data	
17	Sum of Lines 14:16	Current year deficit carried forward. Warning if cell value is greater than Line 13.
18-20	Record of Lines 14:16	Deferred IPT obligations due in current year.
21	Sum of Lines 18-20	Total deferred IPT obligations due in current year
	User supplied data	Past year IPT obligations retired with current year surplus procurement. Per accounting rules D. 06-10-050,
22-24		Attachment A, page 9-10, current year deliveries may only be applied to past year IPT deficits after earmarked deliveries have been subtracted, and after any deliveries needed to meet current year APT have also been
		subtracted (D.03-06-0711, Conclusion of Law 25).
25	Sum of Lines 22-24	Total current year surplus applied to prior year IPT obligations due in current year

Flexib	e Compliance - Earmarking	
	Calculation	Notes
26	Line 9 + Line 13 + Line 34	Portion of current year deficit greater than allowable IPT Deferral
27-29	Data from "Earmarking Detail" tab	User supplied data
30	Sum of Lines 27:29	
	Data from "Earmarking Detail" tab	
31-33		User supplied data.
34	Sum of Lines 31:33	Total current year surplus subtracted to meet prior years Earmarking obligations due in current year

Surpl	us Procurement Bank	
	Calculation	Notes
35	Line 38 {Y-1}	
36	User supplied data	
37	Line 9+ Line 25 + Line 34	Current year surplus procurement less any prior year IPT obligations and/or Earmarking obligations
38	Sum of Lines 35:37	
43	Row 16 from "Procurement Detail" tab	TRECs that must be banked because the entity is over the TREC limit
	Data from "Procurement Detail" tab	Value if entity has not exceeded its TREC limit in the current year, and has excess TRECs from exceeding the
44		limit in a prior year.
45	Line 43 - Line 45	
47	Line 35 + Line 43	
46	Sum of Lines 35:37	

	Calculation	Notes
39	Line 9 + balance of IPT obligations after 3 years + balance of Earmarking obligations after 3 years	In any current year, the adjusted annual procurement deficit is the LSE's annual deficit less any deliveries used to meet IPT or Earmarking obligations for prior years deficits. Any portion of adjusted annual procurement deficit that remains after the following three years is subject to penalty.
40	Balance of IPT obligations after 3 years + balance of Earmarking obligations after 3	In any current year, the adjusted deficit temporarily excused is the sum of IPT deferral and Earmarked deliveries (line 17+ line 30). Any portion of line 40 remaining after 3 years will be reflected in line 39 and subject to penalty.
41	Line 39 * \$50.0	Per accounting rules, LSEs must list penalty based the size of on adjusted annual procurement deficit, even if allowable reasons are being given for why the penalty is not yet due and payable. Penalties are assessed at \$0.05/kWh deficit.
42	(Line 39 + 40) * \$50.0	LSE's have the opportunity to make up annual procurement deficits through existing flexible compliance rules. Accordingly, if an LSE has a deficit in year 1, and is able to fully exercise flexible compliance mechanisms, the penalty for year 1 compliance may not apply.

OFFICER VERIFICATION FORM

I am an officer of the reporting corporation herein, and am authorized to make this verification on its behalf. 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. The spreadsheet format used to file this compliance report has not [has] been altered from the version issued or approved by Energy Division [, with the alterations described in this report].

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2011 at La Palma , Califor
--

(Date)

(Name of city)

Blake Lasuzzo, Vice President Supply

ATTACHMENT D: LOCKED VERSION OF THE 2006-2007 VERIFIED AND AUGUST 2011 RENEWABLES PORTFOLIO STANDARD COMPLIANCE REPORT OF COMMERCE ENERGY, INC.

PUBLIC VERSION

{00015809;1}

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 10, 2011)

Commerce Energy, Inc.

2006-2007 VERIFIED and August 2011 SEMI-ANNUAL COMPLIANCE REPORT PURSUANT TO THE CALIFORNIA RENEWABLES PORTFOLIO STANDARD

PUBLIC VERSION

1-Aug-11

Name:Inger GoodmanTitle:Regulatory Affairs SpecialistEmail:igoodman@commerceenergy.comPhone:714-425-1063Fax:714-481-6589Address:1 Centerpointe Dr., Suite 350La Palma, CA 90623

CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

Reporting and Compliance Worksheet Instructions

 California's RPS Program requires Investor Owned Utilities (IOU), Multi-Jurisdictional Utilities (MJU), Electric Service Providers (ESP), and Community Choice Aggregators (CCAs) to file a minimum of two reports each year illustrating performance within the program. Parties may refer to the November 20, 2008 Assigned Commissioner Ruling Addressing Process Issues Relative to RPS Compliance Reports for more information.

> The March 1 report (with updates after the California Energy Commission (CEC) verifies procurement, as needed) is used by the Commission to determine compliance for the prior year(s). This reportstates historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement data for at least three years (Decision (D.) 06-10-050, page 45, 49). Going forward, all March reports will forecast procurement data out to 2020.

> The August 1 report states historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement levels for each year forward through 2020 (D.06-10-050, page 45, 51). The August report may be used by the Commission to make a final determination of compliance for the prior year(s).

- 2. Any load serving entity (LSE) seeking confidentiality protection should file a declaration. Confidentiality requests shall compy with the substantive and procedural rules set forth in D.06-06-066, as modified by D.08-04-023, the Commission's decision in its Confidentiality proceeding, Rulemaking (R.) 05-06-040, and any subsequent decisions issued in the same or successor proceeding. A declaration for confidentiality should include the identification of all redacted information by tab name and cell reference, not to be confused with the line numbers provided in the Accounting tab.
- 3. RPS compliance reports will be submitted to the Commission as specified below:
 - > Serve a public version on the service list in proceeding R.11-05-005. All pages must be legible. LSEs are responsible for maintaining confidentiality when serving a redacted report No more than 35 CPUC e-mail addresses can be included in the same e-mail.

> File a confidential Excel version utilizing the locked spreadsheet with the Energy Division by e-mailing an electronic version to sean.simon@cpuc.ca.gov and rpscompliance@cpuc.ca.gov.

- > Send paper copies (confidential and public) to each of the assigned Administrative Law Judges (ALJs):
 - Regina M. DeAngelis, Burton W. Mattson, and Anne E. Simon

California Public Utilities Commission

505 Van Ness Avenue

San Francisco, CA 94102

> Do not send paper copies of the confidential version to anyone except the persons listed above, unless specifically requested.

 Any questions regarding the completion and/or filing of this report can be directed to: Sean Simon, Energy Division, California Public Utilities Commission:sean.simon@cpuc.ca.gov, (415) 703-3791

- 5. Include the Title Page and fill out the following information:
 - > Name of the LSE filing the Report
 - > Date the Report is being filed > Contact information

8.

- 6. Complete the Officer Verification Form in the format provided (Rule 1.11)
- 7. Yellow cells throughout the spreadsheet indicate user supplied data by the LSE where and when applicable.
- All data must be entered in MWh out to three decimal points to accurately account for retail sales, procurement and targets. The spreadsheet will display MWh throughout. Do not round any reporting data, as this may trigger some cells to turn red.
- The spreadsheet included in this report has locked cells to ensure that targets, procurement and penalties are accurately
 calculated and reported from the data provided by the user. An unprotected version of the spreadsheet is also available by
 request.
- 10. Line #s in the "Accounting" tab hyperlink to the "Calculations" tab, which provides additional information on the particular lne item or section of the "Accounting" tab.

SUMMARY TAB

- 11. The "Summary" tab is linked to the "Accounting" tab and "Procurement Detail" tab, no data entry is required.
- 12. If the LSE determines that additional information is required in order to present a full and complete report, mark the box provided on the "Summary" tab. Any additional information should support the LSE's claim within the guidelines of the eight allowable reasons for noncompliance. Furthermore, please state anything else the filing LSE believes is necessary for a full and complete reporting to the Commission in order to allow an informed decision on compliance. This may include, for example, footnotes and other explanatory information as necessary and reasonable.

ACCOUNTING TAB

 Begin by entering the relevant data for Lines 1-3, this will calculate the LSE's Baseline Procurement Amount. Enter actual and forecasted sales figures to generate Incremental Procurement Targets (IPTs) and Annual Procurement Targets (APTs). 14. In deficit years, the spreadsheet calculates what portion of the deficit is eligible for IPT deferral and earmarking. The user records how they elect to treat the deficit(s) in the relevant sections, including using surplus procurement. The spreadsheet calculates the allowable IPT deferral and Earmarking amount through 2020.

EARMARKING DETAIL TAB

15. Enter information for contracts that are eligible for earmarking and are being used for flexible compliance purposes. Data populates the earmarking section in the "Accounting" tab. LSEs should including power purchase agreements used for earmarking with their compliance filings, so Energy Division may verify eligibility. If the LSE has provided the power purchase agreement in a prior report or filing, it does not need to be provided again.

PROCUREMENT DETAIL TAB

16. <u>Procurement Summary</u>: Total RPS Eligible Procurement is differentiated by three categories, existing and or signed contracts, short-listed/under negotiation/pending approval, and generic future contracts. This section is populated by completing the Contract Detail section below. If the LSE has entered into contracts that are short-term or with existing facilities but cannot meet its Annual Minimum Contracting Requirement, then deliveries from those contracts may not be used for compliance in any year (D.07-05-028).

> Annual Contracting Quota Requirement: LSEs must enter into long-term contracts or contracts with new facilities for energy deliveries equivalent to at least 0.25% of that LSE's prior years' retail sales, if it intends to use deliveries from short-term contracts and/or existing facilities, for RPS compliance purposes. LSEs must submit supporting documentation proving that the requirement has been met (i.e. a power purchase agreement for a long-term and/or new contract). If the LSE has provided the power purchase agreement in a prior report or filing, it does not need to be provided again.

- Contracts are differentiated by Contract term-length and type (row 15:16). All deliveries from "long-term and/or new" are automatically entered into "Cumulative Surplus Contracting Quota Bank" (row 19) and the user must input the MWh in row 18 that the LSE needs to comply with the Annual Contracting Quota Requirement, if necessary.

- 17. <u>RPS Eligible Procurement by Resource Type</u>: This report must state the amount procured or projected to be procured from each resource type (D.05-07-039, Appendix A, D.06-10-050, page 47-48). This information is reported in rows 25-38 in the "Procurement Detail" tab and populated by completing the "Contract Detail" section.
- <u>Contract Detail</u>: For each contract, enter actual and forecasted delivery data throughout the contract term. Do not assume that an expiring contract will be renegotiated.
 - > Pre-2002 Contracts: Input total annual deliveries by resource type
 - > 2002-Present years' Contracts: List contracts by name, annual deliveries (MWh), project status, facility status and resource type.

> 2005-Present years' Contracts: In addition to the requirements above, contracts from these years should be identified by term-length, short-term (less than 10 years) and long-term, as well as, by type, existing or new (defined below). 2005 and 2006 contracts that were signed prior to 2007 can be identified as "n/a" for this purpose.

- "Contract Length / Type" (Column "X") Pursuant to D.07-05-028, starting in 2007, each RPS-obligated LSE must, in order to be able to count for any RPS compliance purpose energy deliveries from contracts of less than 10 years' duration ("short-term") with RPS-eligible facilities that commenced commercial operation prior to January 1, 2005 ("existing facilities"), in each calendar year enter into contracts with facilities of at least 10 years' duration ("long-term") and/or short-term contracts with facilities that commenced commercial operation or after January 1, 2005 ("new facilities") for energy deliveries equivalent to at least 0.25% of that LSE's prior year's retail sales ("minimum quantity").

- "Contract Volume" (Column "Y") Input the total MWh over the term of the contract identified in the power purchase agreement. Compliance with the minimum quota requirement is measured by contracted-for-energy, not deliveries.

> "Generic Future Contracts": Input total forecasted annual deliveries by resource type

"Expired Contracts": Any contract expiring prior to 2020 should be listed in this section. User should identify expired contract by name and input annual deliveries (MVIh) in the first year the contract is no longer delivering for the LSE (per existing contract) and in every year thereafter. For example, if a contract with annual deliveries of 10,000 MWh expired 12/31/2007, user should enter 10,000 MWh in 2008 and in every year thereafter. If this same contract expired 6/30/2007, user should enter 5,000 MWh in 2007 and 10,000 in every year thereafter. If an expired or expiring contract is re-signed, remove contract information from "Expired Contracts" section and enter it under the appropriate contracting year, as you would for any other contract.

- 19. In the "Contract Status" column, "short-listed and/or under negotiation" is an option; use the short-listed option only for projects for which the LSE has a high level of confidence that a contract will be executed.
- 20. If any procurement data for a specific contract differs from what is entered into the CEC-RPS-Track form for that year, the specific cell should be highlighted and the discrepancy should be explained.

Spreadsheet user notes

> Protecting confidential data: Individual cells may be formatted black, which will serve to redact info when excel file is converted to pdf. Select cell - click on "fill color" icon - choose black. Note: Once converted to pdf, additional steps are necessary to ensure redacted data is not accessible.

> Adding and/or deleting rows. The "Earmarking Detail" tab and "Procurement Detail" tab allows users to add to or delete rows. Within the desired section, highlight entire row(s) by selecting the excel row number(s) - right click and select "copy" - right click again and select "insert copied cells"

Commerce Energy, Inc.	2006
1-Aug-11	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	759,407	
Annual Procurement Target (APT)	7,594	1.0%
Total RPS Eligible Procurement	0	0.0%
Annual Procurement Surplus/(Deficit)	(7,594)	
Adjusted Procurement Percentage*		0.2%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	0	0.0%
Geothermal	0	0.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	0	0.0%

Flexible Compliance	MWh
IPT Deferral	1,899
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	1,899

Deficits and Penalties	2006
Preliminary Procurement (Deficit)	(7,594)
Adjusted Annual Procurement Deficit	(0)
Adjusted Deficit Deferred	(5,696)
Potential Penalty	\$0
Current Penalty (with flexible compliance)	\$284,778

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

X Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

- Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)(2)(C)(ii).)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferral promotes ratepayer interests and RPS objectives, Showing of good cause, Insufficient transmission]

Commerce Energy, Inc.	2007
1-Aug-11	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	721,269	
Annual Procurement Target (APT)	14,807	2.1%
Total RPS Eligible Procurement	22,991	3.2%
Annual Procurement Surplus/(Deficit)	8,184	
Adjusted Procurement Percentage*		2.1%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	0	0.0%
Geothermal	22,991	100.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	22,991	100.0%

Flexible Compliance	MWh
IPT Deferral	0
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	0

Deficits and Penalties	2007
Preliminary Procurement (Deficit)	0
Adjusted Annual Procurement Deficit	0
Adjusted Deficit Deferred	0
Potential Penalty	\$0
Current Penalty (with flexible compliance)	\$0

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

- Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)(2)(C)(ii).)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferral promotes ratepayer interests and RPS objectives, Showing of good cause, Insufficient transmission]

Commerce Energy, Inc.	2008
1-Aug-11	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	587,241	
Annual Procurement Target (APT)	20,679	3.5%
Total RPS Eligible Procurement	1,805	0.3%
Annual Procurement Surplus/(Deficit)	(18,874)	
Adjusted Procurement Percentage*		0.7%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	1,805	100.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	1,805	100.0%
Geothermal	0	0.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	1,805	100.0%

Flexible Compliance	MWh
IPT Deferral	1,468
Earmarking	0
Banked Procurement Applied	590
Total Flexible Compliance	2,058

Deficits and Penalties	2007
Preliminary Procurement (Deficit)	(18,874)
Adjusted Annual Procurement Deficit	(16,451)
Adjusted Deficit Deferred	(365)
Potential Penalty	\$822,543
Current Penalty (with flexible compliance)	\$840,796

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

X Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

 Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferr

Commerce Energy, Inc.	2009
1-Aug-11	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	588,156	
Annual Procurement Target (APT)	26,561	4.5%
Total RPS Eligible Procurement	0	0.0%
Annual Procurement Surplus/(Deficit)	(26,561)	
Adjusted Procurement Percentage*		0.3%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	0	0.0%
Geothermal	0	0.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	0	0.0%

Flexible Compliance	MWh
IPT Deferral	1,470
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	1,470

Deficits and Penalties	2007	
Preliminary Procurement (Deficit)	(26,561)	** Potential Penalty is calculated based on
Adjusted Annual Procurement Deficit	(26,561)	'Adjusted Annual Procurement Deficit' and may
Adjusted Deficit Deferred	1,470	be deferred or waived if LSE provides allowable
Potential Penalty	\$1,328,037	reasons and/or uses flexible compliance.
Current Penalty (with flexible compliance)	\$1,254,517	

X Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

 Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferr

A B C D E F 1 2 3 4 5 6 7 2010 1-Aug-11 6 7 8 RPS Summary Report MWh % 9 Current Year Total Retail Sales ••••• ••••	G H I
3 4 5 Commerce Energy, Inc. 5 1-Aug-11 6 7 7 8 8 RPS Summary Report	
5 1-Aug-11 6 7 7 8 8 RPS Summary Report 9 Wh	
6 7 8 RPS Summary Report MWh %	
7 8 8 RPS Summary Report	
8 RPS Summary Report MWh %	
	djusted Procurement Percentage'
	ludes flexible compliance as proposed by LSE, it is not necessarily used to
	ermine compliance.
13 Adjusted Procurement Percentage* 20.0%	
14	
15 16 RPS Eligible Procurement	
16 RPS Eligible Procurement MWh % 17 Biomass 0 0.0%	
17 Dimass 18 Digester Gas 0 0.0%	
19 Biodiesel 0 0.0%	
20 Landfill Gas 0 0.0%	
21 Muni Solid Waste 0 0.0%	
22 Biopower Subtotal 0 0.0% 23 Geothermal 0 0.0%	
23 Geothermal 0 0.0% 24 Small Hydro 0 0.0% 25 Conduit Hydro 0 0.0% 26 Solar PV 0 0.0% 27 Solar Thermal 0 0.0%	
25 Conduit Hydro 0 0.0%	
26 Solar PV 0 0.0%	
27 Solar Thermal 0 0.0%	
28 Wind 100.0% 29 Ocean/Tidal 0 0.0%	
29 0 0.0% 30 Fuel Cells 0 0.0%	
Şaannaannaannaannaannaannaannaannaannaa	
31 Total RPS Eligible Procurement 100.0% 32	
33	
34 Flexible Compliance MWh	
35 IPT Deferral 0	
36 Earmarking 0	
37 Banked Procurement Applied 0	
38 Total Flexible Compliance 0 39 0	
40	
41 Deficits and Penalties 2007	
	alty is calculated based on
43 Adjusted Annual Procurement Deficit 0 'Adjusted Annua	al Procurement Deficit' and may be
	ved if LSE provides allowable
Totenauri enauty	uses flexible compliance.
46 Current Penalty (with flexible compliance) \$0 47 \$0	
48	
49	
50 Check box (x) if LSE is including supplemental materials necessary for a full and complete re	eport (include attachments
as needed).	
52	
52 53 54 - Any supplemental materials should state each reason asserted in support of deferral or waiver or	f penalty, consistent with
allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and	
56 Section 399.14(a)	
58 [Insufficient response to RFO, Contracts already executed will provide future deliveries suf	,
year deficits, Inadequate public goods funds to cover above-market costs, Seller non-perfo	rmance, Lack of effective
61 competition, Deferr	
62	
63 - If stating earmarked contracts as a reason for a temporary deferral, make sure contract names a	and planned energy
64 deliveries match what is listed in "Earmarking Detail" and "Procurement Detail" tabs.	

RPS Compliance Report: Accounting			Commerce En 1-Aug-1															
Lms# RPS Baseline Calculation 1 2001 Total CA Reals Sales 2 2001 Cl CA RPS Explose Procurement 1 2005 Total CA Real Sales 2 2005 Total CA Real Sales 1 2005 Baseline Procurement Amount	(MWh) 523,293 0 759,407 0			Input Requin Forecasted (Actual Data	Data													
RPS Procurement and Targets (IKMh) 5 Bundled Retail Sales	2003 N/A N/A	2004 N/A	2005	Act 2006 721,259	2007	2008	2009	2010	2011	2012	2013	2014	Fon 2015 205,308	2016 184.777	2017 165,299	2018 149.669	2019 134.702	
Total RPS Eligible Procurement Annual Procurement Target (APT) Incremental Procurement Target (IPT)	N/A N/A	N/A N/A	0 0 N/A	D 7,594 7,594	22,991 14,807 7,213	1,805 20,679 5,872	0 26,561 6,882		17,234				0 41,062 0	0 36,955 0	0 33,260 0	0 29,934 0	26,940 0	
Preliminary Procurement Surplus/Deficit) AFT Percentage AFT Percentage Actual Procurement Percentage Z Adjusted Procurement Percentage*	N/A N/A N/A	N/A N/A N/A	0 N/A 0.0%	(7,594) 1.0% 0.0%	8,184 2.1% 3.2%	(18,874) 3.5% 0.3%	(26,561) 4.5% 0.0%	20.0% 20.5%	20.0%	20.0%	20.0%	20.0%	(41,062) 20.0% 0.0%	(36,955) 20.0% 0.0%	(33,260) 20.0% 0.0%	(29,934) 20.0% 0.0%	(26,940) 20.0% 0.0%	
12 Adjusted Procurement Percentage*	N/A	N/A	N/A	0.2%	2.1%	0.7%	0.3%	20.0%					0.0%	0.0%	0.0%	0.0%	0.0%	
Flexible Compliance - IPT Deferral 13 Maximum Deficit Eligible for Deferral	2003 N/A	2004 NA	2005	Act 2006 1.639	ual 2007	2908 1.466	2009	2010	2011	2012	2013	2014	For 2015	2016	2017	2018	2019	
Bundled	N/A N/A	N/A N/A	N/A N/A	1,899 0	0	0 1.468	0	0	9	0	0	C D	0	0	0 0	e 0	0	
Dekt being Camed Forward to Year + 1 Dekt being Camed Forward to Year + 2 Dekt being Camed Forward to Year + 2 Toral Camer Year Dekt Camed Forward to Year + 3 Toral Camer Year - 10 De File II Camerin Year Toral Proximation Year - 10 De File II Camerin Year Toral Prox Year Dekt Toral Year - 10 De File II Camerin Year Camer Year StrapLe Procement Applies to Year - 10 Dekt Cumm Year StrapLe Procement Applies to Year - 2 Dektol Cumm Year StrapLe Procement Applies to Year - 2 Dektol Cumm Year StrapLe Procement Applies to Year - 2 Dektol Cumm Year StrapLe Procement Applies to Year - 2 Dektol	N/A N/A	N/A N/A	N/A N/A	0 1,899	0	0	1,470 1,470	0	0		0	0 0	0	0	0	0	0	
13 Remaining Deficit from Year -1 to Be Filled in Current Year 19 Remaining Deficit from Year -2 to Be Filled in Current Year 20 Remaining Deficit from Year -3 to Be Filled in Current Year	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	(1,899) N/A N/A	0 0 N/A	0	0 (1,468) 0	0	0 0 (1,470)	U 0 0	0 D	U 0 0	U 0 0	0	0	0	
21 Total Prior Year Deficits That Must Be Filled This Year 22 Current Year Surplus Procurement Applied to Year -1 Deficit 23 Current Year Surplus Procurement Applied to Year -2 Deficit	N/A N/A	N/A N/A N/A	N/A N/A N/A	0 N/A N/A	(1,899) 7,594 N/A	0 0 0	0	(1.468) 0 1.833	0 0	(1,470) 0	0 0 0	0 0	0 0 0	0 0	0 8 0	0 0 0	0 0 0	
Current Year Surplus Procurement Applied to Year - 3 Deficit Total Deliveries Applied to Prior Year IPT Deficits TREC	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A (7,594)	N/A C	0 C	0 (1,833)	0 0	0 0	0 C	0 0	0 O	0 C	0 C	0 0	0 0	
14 Deficit being Carried Forward to Year + 1 15 Deficit being Carried Forward to Year + 2	N/A N/A	N/A N/A	N/A N/A	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	
16 Defict being Carried Forward to Year + 3 17 Total Current Year Deficit Carried Forward 18 Remaining Deficit from Year - 1 to Be Filled in Current Year	N/A N/A N/A	N/A N/A N/A	N/A N/A	0 C N/A	0 0 0	0 0 0	0 () ()	0 0 . 0	0 0 0	0 0 1 0	0 0 0	0 0 0	0 C D	0 0 0	0 0 0	0 0 0	0 0 0	995(559))
19 Remaining Deficit from Year - 2 to Be Filed in Current Year 20 Remaining Deficit from Year - 3 to Be Filed in Current Year 21 Tobal Prior Year Deficits That Must Be Filed This Year	N/A N/A N/A	N/A N/A N/A	N/A N/A	N/A N/A N/A	N/A N/A	0 N/A	0	0	0	0	0	0 0	0	0	0	0 0	0	• • • • •
fotal Prior Year Deficits i hat Must be Filled This Year Current Year Surplus Procurement Applied to Year - 1 Deficit Current Year Surplus Procurement Applied to Year - 2 Deficit	N/A N/A	N/A N/A	N/A N/A	N/A N/A	0 N/A	0	0	0 0	0	0	0	0	0 0	0	0 0	0	0 0	
24 Current Year Surplus Procurement Applied to Year -3 Deficit 25 Total Deliveries Applied to Prior Year IPT Deficits	N/A N/A	N/A N/A	N/A N/A	N/A N/A	0 0	0 Û	0 C	0	0	0 0	0 0	0 0	0 0	0 0	0 C	0 0	0	343539
Flexible Compliance - Earmarking Ze Perion of Current Year Dolich Engine for Earmarking	2003 N/A	2004 10/A	2005 N/A	Act 2006 5.690	ual 2007	2008 17,406	2009 25.090	2018	2011	2012	2013	2014	For 2015 40.491	ecast 2016	2017 12,798	2018	2019 26.566	2
Bundled	N/A N/A	N/A N/A	N/A N/A		0	0	0	0	0	0	0	0	0	0	0	0		
22 Future Year Deliveries Earmarked from Year + 2 25 Future Year Deliveries Earmarked from Year + 3 30 Total Projected Procurement Earmarked to Current Year	N/A N/A	N/A N/A	N/A	0	0	0	0	0	0	0	0	0 0	0	0	0	0	ů.	
27 Future Year Deliveries Estimated from Year + 1 28 Future Year Deliveries Estimated from Year + 2 29 Future Year Deliveries Estimated from Year + 3 30 Tobil Projected Procuments Estimated to Year - 1 31 Current Year Deliveries Estimated to Year - 1 32 Current Year Deliveries Estimated to Year - 2 33 Current Year Deliveries Estimated to Year - 2 33 Tobil Projecties Estimated to Prior - 2	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	0 N/A N/A	0 D N/A	0	0	0	0	0 0 0	0 	0 0 0	0	0	0	0	
TREC	N/A N/A	N/A	N/A	0	0	0 ; n	0			0 : n		0	0 	. p	. n	0	Ö	
28 Future Year Deliveries Earmarked from Year + 2 29 Future Year Deliveries Earmarked from Year + 3	N/A N/A	N/A N/A	N/A N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
30 Totel Projected Procurement Lemnarked to Current Year 31 Current Year Deliveries Earmarked to Year - 1 32 Current Year Deliveries Earmarked to Year - 2	N/A N/A N/A	N/A N/A N/A	0 N/A N/A	0 N/A N/A	0 0 N/A	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
31 Current Year Deliveriae Earmarked to Year -1 2 Current Year Deliveriae Earmarked to Year -2 32 Current Year Deliveriae Earmarked to Year -3 33 Current Year Deliveriae Earmarked to Prior Year Earmarked Deliveriae Earmarked to Prior Year Earmarked Deliveriae	N/A NiA	N/A N/A	N/A N/A	N/A D	N/A 0	N/A D	0	0 0	: 0 0	0	0	0	0 0	0	0	0	0	
Bundled Surplus Procurement Bank 35 Surplus Procurement Bank Balance as of Prior Year	2003 N/A	2004 N/A	2005 0	Act 2006	wal 2007	.2008 8,184	2009 7,594	2010 7,594	2011	2012	2013	2014	Fon 2015 9,427	ecast 2016 9.427	2017 9,427	2018 9.427	2019 9,427	
36 Application of Banked Surplus Procurement to Current Year Deficit 37 Adjusted Current Year Annual Surplus Procuremen	N/A N/A N/A	N/A N/A N/A	0	0	8,184 8,184	590 0 7,594	0						0 9,427	0 9,427	0 9,427	0 9,427	9,427 0 9,427	
-TREC Surplus Procurement Bank	2003	2004	2005	Act 2006	tual 2007	2008	7,594 200 9	2010	2011	2912	2013	2014	9.427 For 2015	9,427 ecast 2016	9.427 2017	9,427 2018	9,427 7019	
Surplus Procurement Bank Balance as of Prior Year Surplus TRECs in Current Year Total Banked TRECs	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A					D N/A D	0 N/A 0	D N/A	0 N/A 0	0 N/A 0	(Alaphasia)
Banked TRECs Eligible to Apply to Current Year Application of Banked Surplus Procurement to Current Year Deficit	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A					0 Q	0	0 0	0 Q	0 0	 Riddiad
46 Cumulative Surplus Procurement Bank Balance	N/A	N/A	N/A	N/A Act	N/A	. N/A	N/A	0					0	. 0	: 0	: 0	: 0	20011010
Adjusted Deficit Adjusted Annual Procurement Deficit Adjusted Deficit Deferred	2003 N/A N/A	2004 N/A N/A	2005 N/A N/A	2006 (0) (5.696)	2007 0 0	2008 (16,451) (365)	2009 (26.561) 1.470	2010 0 0	2011	2012	2013	2014	2015 (41.062) 0	2016 (36.955) 0	2017 (33,260) 0	2018 (29,934) 0	2019 (26.940) 0	C.
36 Adjusted Amusi Procurement Deficit 40 Adjusted Deficit Deferred 41 Potentisi Penalty 42 Current Penalty (with flexible compliance)	N/A N/A	N/A N/A	N/A N/A	\$0 \$284,778	\$0 \$0	\$822,543 \$840,796	\$1,328,037 \$1,254,517	\$0 \$0							-			

RPS Compliance Report: Bundled Earmarking Detail

Input Required Forecasted Data Commerce Energy, Inc.

1-Aug-11

Note: All deliveries from transactions that transfer both renewable energy credits and energy from the selfer to the buyer but does not meet the Commission's criteria for considering a procurement transaction a bundled transaction for purposes of compl with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as a bundled deliveries of bounded deliveries were made prior to March 11, 2010 and after March 11, 2010 should be listed in the separate earmarking tabs based on whether deliveries were made prior to March 11, 2010 or after March 11, 2010.

	200000000		۵c	tual							Fore	vast				
Total Annual Earmarked Generation (MWh)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Withdrawal from Current Year Allocated to Year - 1	0 N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A	0 N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 3	N/A	N/A	N/A	ŏ	ŏ	ŏ	ő	ŏ	ō	ŏ	ŏ	ő	ŏ	ő	õ	ŏ
Contract Name Contracted Generation Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	N/A	0	U U	U	0	0	0	0		0	U	U	0	0	0	0
Allocated to Year - 2	N/A	N/A				Constant and										
Allocated to Year - 3 Contract Name Contracted Generation	N/A	N/A	N⁄A													
Contract Name Contracted Generation Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	°															
Allocated to Year - 2	N/A															
Allocated to Year - 3 Contract Name Contracted Generation	N/A	N/A														
Eligible for IYEARI deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1																
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A														
Contract Name Contracted Generation	INA	DVA.														
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1																
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A														
Contract Name Contracted Generation	190	190														
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A															
Allocated to Year - 2 Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation																0
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 2	N/A									and the second						
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	°,									l i i i i i i i i i i i i i i i i i i i		122020000000				
Allocated to Year - 2	N/A															
Allocated to Year - 3 Contract Name Contracted Generation	N/A	N/A														
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1																
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A														
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A								1							
Allocated to Year - 2 Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation	•															
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 2	N/A		1													
Allocated to Year - 3	N/A	N/A														

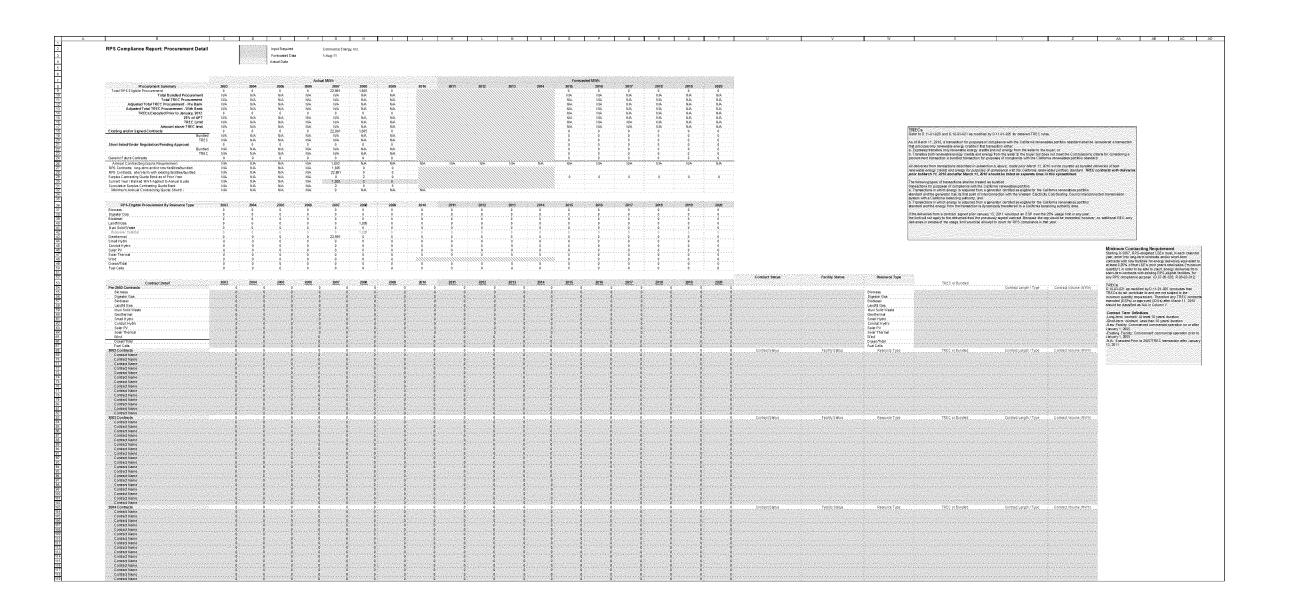
RPS Compliance Report: TREC Earmarking Detail

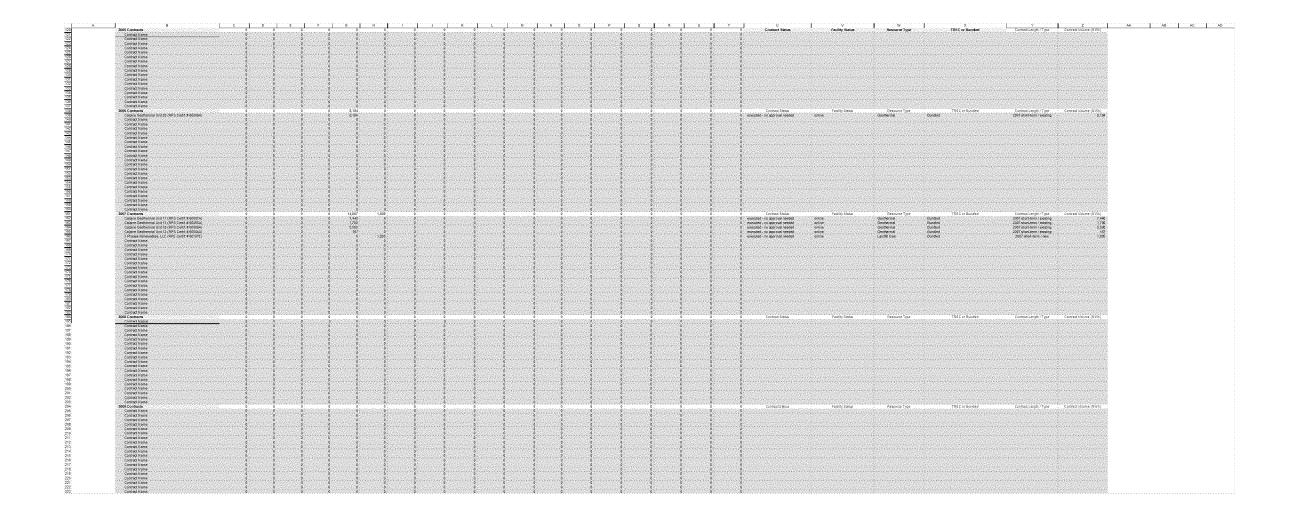


Commerce Energy, Inc. 1-Aug-11

Actual Data Note: All deliveries from transactions that transfer both renewable energy credits and energy from the seller to the buyer but does not meet the Commission's criteria for considering a procurement transaction a bundled transaction for purpo s compliance with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as bundled deliveri es of both renewable energy credits and energy for purposes of compliance with the California renewables portfolio standard. TREC contracts used for earnarking with deliveries prior to March 11, 2010 or after March 11, 2010 or after March 11, 2010. Earnarking of TREC contracts is only allowed between an RPS-obligated LSE and one RPS-eligible generator that is providing all the RECs.

			Ar	tual							For	ecast				
Total Annual Earmarked Generation (MWh)	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Withdrawal from Current Year	0	0	0	0	0	Ö	0	0	0	0	0	0	Ö	0	0	0
Allocated to Year - 1	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 2	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 3	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	N/A															
Allocated to Year - 2	N/A	N/A														
Allocated to Year - 3	N/A	N/A	N/A													
Contract Name Contracted Generation Eligible for IYEARI deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit. Withdrawal from Current Year Allocated to Year - 1	0	U Sertitives and sectors	U U	U	1 0	0	0	U	0	U U	0	0	U U	U U	U	0
Allocated to Year - 1 Allocated to Year - 2	N/A	888815797577557718577				1										
Allocated to Year - 3	N/A	N/A		Construction of the												
Contract Name Contracted Generation	19/5	1100			1		1									
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1		Statistica and													0.0000000000000000000000000000000000000	
Allocated to Year - 2	N/A	Children and Child		1	1											
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation							and second									
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1					1				- All and a second							
Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1 Allocated to Year - 2	N/A					1										
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A														
Contract Name Contracted Generation	N/A	IN/A			-						-					
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	ľ	and the second	ana ana amang ang ang ang ang ang ang ang ang ang					ເດຍອາດັ່ງອາກາ			Calleng Callenning					
Allocated to Year - 2	N/A	100000000000000000000000000000000000000														
Allocated to Year - 3	N/A	N/A	000000000000000000000000000000000000000													
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1																
Allocated to Year - 2	N/A															
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1																
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A	Rest Constanting States					1					1		1000	
Contract Name Contracted Generation	in//A	INVA												1		
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1	IŬ	and the second s				Dennikova	de generalise son			(การสารเรียงการสา		สารเรียงสาย				b er se internet
Allocated to Year - 2	N/A	10000152002200000000000000000	1		1	1					la serie de la ser					
Allocated to Year - 3	N/A	N/A			1	1	1									
Contract Name Contracted Generation				1	1	1										1
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1					1											
Allocated to Year - 2	N/A			1	1								1			
Allocated to Year - 3	N/A	N/A		Section Sectio			and the second second									
Contract Name Contracted Generation																
Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated to Year - 1				1	1								1			
Allocated to Year - 2	N/A				1		1									
Allocated to Year - 3	N/A	N/A														
Contract Name Contracted Generation Eligible for [YEAR] deficit Withdrawal from Current Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit Withdrawal from Current Year Allocated to Year - 1	ľ	v	l v	L v	, v	L V	U U	v	, v	v	U U	, v	l v	L v	, v	L U
Allocated to Year - 1 Allocated to Year - 2	N/A	Constantine Constant		1	1								1	1		
Allocated to Year - 2 Allocated to Year - 3	N/A N/A	N/A	Participanti and a second s	1	1	1								and the second		-
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DF - Casala Guildh & Casala Wind (RFS Centri # 689424, 1 8 8 8	00	· · · · · •									0			executed in approval mediat	ontsie	Wind	transfere bith renewable energy credits and energy to the buyer TREC Executed Prior to January 13, 2011 that	2016 short-term / new
DF - Casala Guilet-& Casala Wind (HPS Central #GD40A, J 0 0 0	0 0 0	0	a					Ø	ø	Þ.	0	•	D	executed - no approvel needed	antine	Wind	transfers both renewable energy credits and energy to the survey TREC Executed Prior to January 13, 2011 that	2010 short-larm / new
DF - Casese Guinci & Casese Wind (RPS Certif # 609434, 4 0 0 0	o o 0	0	a					0	0	a j	Ø		b	executed - no approval runded	anline	Wind	transfers both intervalue energy credits and every to the bayer TRECExecuted Pror to January 13, 2011 the	2010 stort-turn / new
ID - Tuolemmes Wird Propert (RPS Certif # 603914) (8 0 under Name 8 0 0	0 0 0	0	9			ď		0	9	0	2	2	9	executed - no approval meeting	anina	Wind	transfers both renewable energy credits and energy to the buyer	2010 short-term / new
ontract Name 0 0 0 ontract Name 0 0 0	0 0 0 0 0 0	0 D	0 0 0 0	i i i i i i i i i i i i i i i i i i i	0 0	0 0	o o	a a	ů o	0 0			0					
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ontract None 0 0 0		0 0	0 0	9 0	0 0 0	0 0	0	0 0	0 0 0	0 0 0			0 0	Contract S MU/E	Facility Status	Resource Type	TREC or Bundwd	Centrad Leight / Type Centrad Volume (MWh)
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ostact Name 0 0 0 0	0 0 0 0 0 0	0 0	0 0		0 0	0	0 0	4 0	0	0		1	0					
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eneric Nuni Sold Waste 0 0 0 eneric Gedthermal 0 0 0	00000000		0 0 0	····· }:	0 0 0	0 0		0 0		0 0			0		····;·····	Muni Solid Waste Geothermal		
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spine Gesternes Unit 20 (RPS Centri # 500094) 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 8.154 0 0 7.440 0 0 1700	22,991 - 8,104 7,440 1,706 3,500	44.247 121.447 8.184 8.184 7.440 7.440 1.700 1.700 5.500 5.500	8,184 7,440 1,700	8 184 7 440 1 70 0	8,184 7,440 1,700	8,184 7,440 1,70.0	8 184 7 440 1 760 5 508	8,184 7,440 1,700	8 184 7 440 1 700	8,184 7,440 1,700	8,184 7,440 1,700	8 184 7 440 5 700			Geothermal Geothermal Geotherma		
Advance Graphemma Junit 13, 18795 Centil # 6600554 0 0 0 Apure Casemanima Junit 13, 18795 Centil # 660054 8 0 0 Apure Georgianma Junit 12, 18795 Centil # 6600540 8 0 0	0 0 £500 0 0 107	5 500 167		5 500 167	5.500 187 1.305	5 500 167 1805	5,500 187	167	5,600 . 167	6 500 167	5,509 167	5.500 167	5,500 167			Landfil Gas Geothormai		
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RPS Compliance Report: Calculations

RPS	Baseline Inputs (MWh)	
ine#	Calculation Notes	
		2005 Initial Baseline Procurement Amountfor the electric service providers (ESPs) is calculated using the CA RPS-eligible Procurement / 2001 total CA retail sales X 2005 total CA retail sales
1-4	ESPs beginning retail sales in	California between January 1, 2002 and December 31, 2005, the analogous formula is:
	CA RPS-eligible	procurement in first year of CA retail sales / first-year CA retail sales X 2005 total CA retail sales
	ESPs beginning retail sales a	fter December 31, 2005, the Baseline Procurement Amount is equal to first year's RPS-Eligible Prourement
RPS	Procurement and Targets (MWh)	
	Calculation	Notes
1	User supplied data	Annual Retail Sales
2	Data from "Procurement Detail"	tab In current and past years, this line should equal Total RPS Eligible Procurement in procurement detail tab.
3	Prior year Line 7 + Line 8	-
-		

- C	· ·	i nor jour Ente i Ente e	·
	8	1% of line 5 {Y-1}	
	9	Line 6 - Line 7	
	10	Line 7 / Line 5 {Y-1}	
1	11	Line 6 / Line 5 {Y-1}	In 2003, 2003 RPS procurement is divided by 2001 retail sales rather than 2002 retail sales.
1	12	(Line 6 + Line 17 + Line 25 + Line 30 + Line	RPS procurement percentage after applying flexible compliance, assuming all allowable planned deliveries
1		34 + Line 36) / Line 5 {Y-1}	come online as planned.

Flexib	e Compliance - IPT Deferral	
	Calculation	Notes
13	Up to 0.25% of Prior Year Retail Sales	The first year with an IPT, 100% of the IPT can be deferred for up to 3 years without explanation.
14-16	User supplied data	
17	Sum of Lines 14:16	Current year deficit carried forward. Warning if cell value is greater than Line 13.
18-20	Record of Lines 14:16	Deferred IPT obligations due in current year.
21	Sum of Lines 18-20	Total deferred IPT obligations due in current year
	User supplied data	Past year IPT obligations retired with current year surplus procurement. Per accounting rules D. 06-10-050,
22-24		Attachment A, page 9-10, current year deliveries may only be applied to past year IPT deficits after earmarked deliveries have been subtracted, and after any deliveries needed to meet current year APT have also been
		subtracted (D.03-06-0711, Conclusion of Law 25).
25	Sum of Lines 22-24	Total current year surplus applied to prior year IPT obligations due in current year

Flexib	e Compliance - Earmarking	
	Calculation	Notes
26	Line 9 + Line 13 + Line 34	Portion of current year deficit greater than allowable IPT Deferral
27-29	Data from "Earmarking Detail" tab	User supplied data
30	Sum of Lines 27:29	
	Data from "Earmarking Detail" tab	
31-33		User supplied data.
34	Sum of Lines 31:33	Total current year surplus subtracted to meet prior years Earmarking obligations due in current year

Surpl	us Procurement Bank	
	Calculation	Notes
35	Line 38 {Y-1}	
36	User supplied data	
37	Line 9+ Line 25 + Line 34	Current year surplus procurement less any prior year IPT obligations and/or Earmarking obligations
38	Sum of Lines 35:37	
43	Row 16 from "Procurement Detail" tab	TRECs that must be banked because the entity is over the TREC limit
	Data from "Procurement Detail" tab	Value if entity has not exceeded its TREC limit in the current year, and has excess TRECs from exceeding the
44		limit in a prior year.
45	Line 43 - Line 45	
47	Line 35 + Line 43	
46	Sum of Lines 35:37	

	Calculation	Notes
39	Line 9 + balance of IPT obligations after 3 years + balance of Earmarking obligations after 3 years	In any current year, the adjusted annual procurement deficit is the LSE's annual deficit less any deliveries used to meet IPT or Earmarking obligations for prior years deficits. Any portion of adjusted annual procurement deficit that remains after the following three years is subject to penalty.
40	Balance of IPT obligations after 3 years + balance of Earmarking obligations after 3	In any current year, the adjusted deficit temporarily excused is the sum of IPT deferral and Earmarked deliveries (line 17+ line 30). Any portion of line 40 remaining after 3 years will be reflected in line 39 and subject to penalty.
41	Line 39 * \$50.0	Per accounting rules, LSEs must list penalty based the size of on adjusted annual procurement deficit, even if allowable reasons are being given for why the penalty is not yet due and payable. Penalties are assessed at \$0.05/kWh deficit.
42	(Line 39 + 40) * \$50.0	LSE's have the opportunity to make up annual procurement deficits through existing flexible compliance rules. Accordingly, if an LSE has a deficit in year 1, and is able to fully exercise flexible compliance mechanisms, the penalty for year 1 compliance may not apply.

OFFICER VERIFICATION FORM

I am an officer of the reporting corporation herein, and am authorized to make this verification on its behalf. 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. The spreadsheet format used to file this compliance report has not [has] been altered from the version issued or approved by Energy Division [, with the alterations described in this report].

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2011 at La Palma Californi	Executed off August 1, 2011 at La Fainta , Camorina	Executed on August 1, 2011	at <u>La Palma</u>	, Californi
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(Date)

(Name of city)

Blake Lasuzzo, Vice President Supply