

**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.

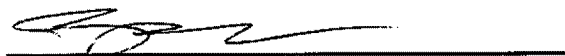
As described in detail in its Supplemental Filing Concerning 2006-2007 Verified and August 2011 Renewables Portfolio Standard Compliance Report of Commerce Energy, Inc. (“Supplemental Filing”), appended hereto as Attachment A, Commerce is seeking deferrals of RPS deficits and minimum contracting requirement 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.

Respectfully Submitted,

Dated: August 1, 2011



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 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
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**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

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.

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,



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.**

**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

<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
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

<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
<p>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.)</p>	<p>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.</p>	<p>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.</p>
<p>Worksheet "Accounting" MWh detail for Flexible Compliance – IPT Deferral: Cells L25:O25 (for 2011-2014: Maximum Deficit Eligible for Deferral MWhs)</p>	<p>MWhs applied for flexible compliance within window of confidentiality period. Disclosure would allow calculation of retail sales and forecasts procurement / requirements.</p>	<p>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.</p>

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<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
<p>Worksheet "Accounting" MWh detail for Flexible Compliance – Earmarking: Cells L56:O56 (for 2011-2014: Portion of Current Year Deficit Eligible for Earmarking MWhs)</p>	<p>MWhs applied for flexible compliance within window of confidentiality period. Disclosure would allow calculation of retail sales and forecasts procurement / requirements.</p>	<p>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.</p>
<p>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.)</p>	<p>Bundled Surplus Procurement Bank MWhs within window of confidentiality period if disclosed would allow calculation of retail sales and forecasts / procurement needs.</p>	<p>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.</p>

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<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
<p>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 TREC in Current Year MWhs; Total Banked TREC MWhs; Banked TREC Eligible to Apply to Current Year MWhs; Application of Banked Surplus Procurement to Current Year Deficit MWhs; Cumulative Surplus Procurement Bank Balance MWhs.)</p>	<p>TREC Surplus Procurement Bank MWhs within window of confidentiality period if disclosed would allow calculation of retail sales and forecasts / procurement needs.</p>	<p>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.</p>
<p>Worksheet “Accounting” MWh detail of Adjusted Deficit: Cells L95:O96 (for 2011-2014: Adjusted Annual Procurement Deficit MWhs; Adjusted Deficit Deferred MWhs)</p>	<p>Adjusted Deficit MWhs within window of confidentiality period if disclosed would allow calculation of retail sales and forecasts / procurement needs.</p>	<p>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.</p>

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION

<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
<p>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)</p>	<p>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.</p>	<p>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.</p>

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION

<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
<p>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)</p>	<p>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.</p>	<p>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.</p>

TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION

<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
<p>Worksheet "Procurement Detail" MWh detail of RPS-Eligible Procurement By Resource Type: Cells J48:N48 (for 2010-2014: Wind)</p>	<p>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.</p>	<p>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.</p>

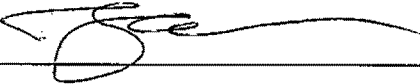
TABLE 1: IDENTIFICATION OF CONFIDENTIAL INFORMATION

<i>RPS Compliance Report Worksheet Location</i>	<i>Type of Data</i>	<i>Matrix Category</i>
<p>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)</p>	<p>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.</p>	<p>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.</p>

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: igoodman@commerceenergy.com

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

PUBLIC VERSION

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 Goodman
Title: Regulatory Affairs Specialist
Email: igoodman@commerceenergy.com
Phone: 714-425-1063
Fax: 714-481-6589
Address: 1 Centerpointe Dr., Suite 350
La Palma, CA 90623

CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

Reporting and Compliance Worksheet Instructions

1. 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 report states 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 comply 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

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.

8. 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.

9. 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 line 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

13. 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 include 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. **Procurement Summary:** 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. **RPS Eligible Procurement by Resource Type:** 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.

18. **Contract Detail:** 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 on 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 (MWh) 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"

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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.

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.

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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.

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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.

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.

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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.

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.

	A	B	C	D	E	F	G	H	I	J
1										
2			RPS Compliance Report: Summary							
3										
4			Commerce Energy, Inc.	2010						
5			1-Aug-11							
6										
7										
8			RPS Summary Report	MWh	%					
9			Current Year Total Retail Sales							
10			Annual Procurement Target (APT)		20.0%					
11			Total RPS Eligible Procurement		20.5%					
12			Annual Procurement Surplus/(Deficit)							
13			Adjusted Procurement Percentage*		20.5%					
14										
15										
16			RPS Eligible Procurement	MWh	%					
17			Biomass	0	0.0%					
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			<i>Biopower Subtotal</i>	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%					
28			Wind		100.0%					
29			Ocean/Tidal		0.0%					
30			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										
41			Deficits and Penalties	2010						
42			Preliminary Procurement (Deficit)	0						
43			Adjusted Annual Procurement Deficit	0						
44			Adjusted Deficit Deferred	0						
45			Potential Penalty	\$0						
46			Current Penalty (with flexible compliance)	\$0						
47										
48										
49										
50			<input type="checkbox"/>	Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).						
51										
52										
53										
54			-	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))						
55				[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						
56										
57										
58			-	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.						
59										
60										
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64										

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

** 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.

RPS Compliance Report: Bundled Earmarking Detail

	Input Required	Commerce Energy, Inc.
	Forecasted Data	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 purposes of compliance with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as bundled deliveries of both renewable energy credits and energy for purposes of compliance with the California renewables portfolio standard. TREC contracts used for earmarking with deliveries 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.

Total Annual Earmarked Generation (MWh)	Actual										Forecast					
	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	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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													

RPS Compliance Report: TREC Earmarking Detail

	Input Required	Commerce Energy, Inc.
	Forecasted Data	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 purposes compliance with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as bundled deliveries of both renewable energy credits and energy for purposes of compliance with the California renewables portfolio standard. TREC contracts used for earmarking with deliveries 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.

Earmarking of TREC contracts is only allowed between an RPS-obligated LSE and one RPS-eligible generator that is providing all the RECs.

Total Annual Earmarked Generation (MWh)	Actual										Forecast					
	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	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 [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														
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														
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														
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														
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														
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														

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	
		2011 Contracts																			Contract EOLs	Facility EOLs	Resource Type	REL or Bundles	Contract Length (Yrs)	Contract Volume (MWh)					
243		Contract Name																													
244		Contract Name																													
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RPS Compliance Report: Calculations

RPS Baseline Inputs (MWh)		
Line#	Calculation	Notes
1-4	Pursuant to D.07-07-025, the 2005 Initial Baseline Procurement Amount for the electric service providers (ESPs) is calculated using the following equation(s): $2001 \text{ CA RPS-eligible Procurement} / 2001 \text{ total CA retail sales} \times 2005 \text{ total CA retail sales}$	
	ESPs beginning retail sales in California between January 1, 2002 and December 31, 2005, the analogous formula is:	
	$\text{CA RPS-eligible procurement in first year of CA retail sales} / \text{first-year CA retail sales} \times 2005 \text{ total CA retail sales}$	
	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)		
Line#	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	
8	1% of line 5 {Y-1}	
9	Line 6 - Line 7	
10	Line 7 / Line 5 {Y-1}	
11	Line 6 / Line 5 {Y-1}	In 2003, 2003 RPS procurement is divided by 2001 retail sales rather than 2002 retail sales.
12	(Line 6 + Line 17 + Line 25 + Line 30 + Line 34 + Line 36) / Line 5 {Y-1}	RPS procurement percentage after applying flexible compliance, assuming all allowable planned deliveries come online as planned.
Flexible Compliance - IPT Deferral		
Line#	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, 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).
22-24		
25	Sum of Lines 22-24	Total current year surplus applied to prior year IPT obligations due in current year
Flexible Compliance - Earmarking		
Line#	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	
31-33	Data from "Earmarking Detail" tab	User supplied data.
34	Sum of Lines 31:33	Total current year surplus subtracted to meet prior years Earmarking obligations due in current year
Surplus Procurement Bank		
Line#	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 limit in a prior year.
44		
45	Line 43 - Line 45	
47	Line 35 + Line 43	
46	Sum of Lines 35:37	
Adjusted Deficit		
Line#	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, California.

(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

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 Goodman
Title: Regulatory Affairs Specialist
Email: igoodman@commerceenergy.com
Phone: 714-425-1063
Fax: 714-481-6589
Address: 1 Centerpointe Dr., Suite 350
La Palma, CA 90623

CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

Reporting and Compliance Worksheet Instructions

1. 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 report states 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 comply 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
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.
8. 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.
9. 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 line 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

13. 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. **Procurement Summary:** 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. **RPS Eligible Procurement by Resource Type:** 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.

18. **Contract Detail:** 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 on 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 (MWh) 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"

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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.

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.

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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.

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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.

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.

RPS Compliance Report: Summary

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%
<i>Biopower Subtotal</i>	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)
Adjusted Annual Procurement Deficit	(26,561)
Adjusted Deficit Deferred	1,470
Potential Penalty	\$1,328,037
Current Penalty (with flexible compliance)	\$1,254,517

** 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))

[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.

	A	B	C	D	E	F	G	H	I	J
1										
2			RPS Compliance Report: Summary							
3										
4			Commerce Energy, Inc.	2010						
5			1-Aug-11							
6										
7										
8			RPS Summary Report	MWh	%					
9			Current Year Total Retail Sales							
10			Annual Procurement Target (APT)		20.0%					
11			Total RPS Eligible Procurement		20.5%					
12			Annual Procurement Surplus/(Deficit)							
13			Adjusted Procurement Percentage*		20.0%					
14										
15										
16			RPS Eligible Procurement	MWh	%					
17			Biomass	0	0.0%					
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			<i>Biopower Subtotal</i>	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%					
28			Wind		100.0%					
29			Ocean/Tidal	0	0.0%					
30			Fuel Cells	0	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										
41			Deficits and Penalties	2007						
42			Preliminary Procurement (Deficit)	0						
43			Adjusted Annual Procurement Deficit	0						
44			Adjusted Deficit Deferred	0						
45			Potential Penalty	\$0						
46			Current Penalty (with flexible compliance)	\$0						
47										
48										
49										
50			<input type="checkbox"/>	Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).						
51										
52										
53										
54			-	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))						
55										
56										
57										
58				[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current						
59				year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective						
60				competition, Deferr						
61										
62										
63			-	If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy						
64				deliveries match what is listed in "Earmarking Detail" and "Procurement Detail" tabs.						

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

** 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.

RPS Compliance Report: Accounting		Comanche Energy, Inc. 1-Aug-11																			
Line#	RPS Baseline Calculation	(MWh)																			
1	2011 Total CA Retail Sales	523,293																			
2	2011 CA-RPS Eligible Procurement	0																			
3	2005 Total CA Retail Sales	759,407																			
4	2005 Baseline Procurement Amount	0																			
Actual																					
12	RPS Procurement and Targets (MWh)	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Forecast							
13	Bundled Retail Sales	N/A	N/A	759,407	721,289	587,241	589,166	367,893						205,308	164,777	166,239	149,663	134,702	121,232		
14	Total RPS Eligible Procurement	N/A	N/A	0	0	22,911	1,885	0						41,062	36,955	33,260	29,934	26,940	24,246		
15	Annual Procurement Target (APT)	N/A	N/A	0	7,534	14,807	20,619	26,961													
16	Incremental Procurement Target (IPT)	N/A	N/A	N/A	7,534	7,213	5,872	5,882		17,234	0	0	0								
17	Preliminary Procurement Surplus/Deficit	N/A	N/A	0	(7,534)	8,184	(18,874)	(26,961)						(41,062)	(36,955)	(33,260)	(29,934)	(26,940)	(24,246)		
18	APT Percentage	N/A	N/A	N/A	1.0%	2.3%	3.5%	4.5%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	
19	Actual Procurement Percentage	N/A	N/A	0.0%	0.0%	3.2%	0.3%	0.0%	20.5%					0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
20	Adjusted Procurement Percentage*	N/A	N/A	0.2%	0.2%	2.1%	0.7%	0.3%	20.6%					0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Forecast																					
24	Flexible Compliance - IPT Deferral	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020		
25	Minimum Deficit Eligible for Deferral	N/A	N/A	N/A	1,359	0	1,466	1,470	0					570	515	462	418	374	330		
26	Bundled																				
27	Deficit being Carried Forward to Year + 1	N/A	N/A	N/A	1,359	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
28	Deficit being Carried Forward to Year + 2	N/A	N/A	N/A	0	0	1,466	0	0	0	0	0	0	0	0	0	0	0	0		
29	Deficit being Carried Forward to Year + 3	N/A	N/A	N/A	0	0	0	1,470	0	0	0	0	0	0	0	0	0	0	0		
30	Total Current Year Deficit Carried Forward	N/A	N/A	N/A	1,359	0	1,466	1,470	0	0	0	0	0	0	0	0	0	0	0		
31	Remaining Deficit from Year - 1 to Be Filled in Current Year	N/A	N/A	N/A	N/A	(1,359)	0	0	0	0	0	0	0	0	0	0	0	0	0		
32	Remaining Deficit from Year - 2 to Be Filled in Current Year	N/A	N/A	N/A	N/A	0	0	0	(1,466)	0	0	0	0	0	0	0	0	0	0		
33	Remaining Deficit from Year - 3 to Be Filled in Current Year	N/A	N/A	N/A	N/A	0	0	0	0	0	(1,470)	0	0	0	0	0	0	0	0		
34	Total Prior Year Deficits That Must Be Filled This Year	N/A	N/A	N/A	N/A	(1,359)	0	0	(1,466)	0	0	0	0	0	0	0	0	0	0		
35	Current Year Surplus Procurement Applied to Year - 1 Deficit	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
36	Current Year Surplus Procurement Applied to Year - 2 Deficit	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
37	Current Year Surplus Procurement Applied to Year - 3 Deficit	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
38	Total Deliveries Applied to Prior Year IPT Deficits	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
39	TREC																				
40	Deficit being Carried Forward to Year + 1	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
41	Deficit being Carried Forward to Year + 2	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
42	Deficit being Carried Forward to Year + 3	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
43	Total Current Year Deficit Carried Forward	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
44	Remaining Deficit from Year - 1 to Be Filled in Current Year	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
45	Remaining Deficit from Year - 2 to Be Filled in Current Year	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
46	Remaining Deficit from Year - 3 to Be Filled in Current Year	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
47	Total Prior Year Deficits That Must Be Filled This Year	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
48	Current Year Surplus Procurement Applied to Year - 1 Deficit	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
49	Current Year Surplus Procurement Applied to Year - 2 Deficit	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
50	Current Year Surplus Procurement Applied to Year - 3 Deficit	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
51	Total Deliveries Applied to Prior Year IPT Deficits	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Forecast																					
55	Flexible Compliance - Earmarking	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020		
56	Position of Current Year Deficit Eligible for Earmarking	N/A	N/A	N/A	5,699	0	17,495	25,990	0					21,491	39,442	32,795	29,519	26,596	23,910		
57	Bundled																				
58	Future Year Deliveries Earmarked from Year + 1	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
59	Future Year Deliveries Earmarked from Year + 2	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
60	Future Year Deliveries Earmarked from Year + 3	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
61	Total Projected Procurement Earmarked to Current Year	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
62	Current Year Deliveries Earmarked to Year - 1	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
63	Current Year Deliveries Earmarked to Year - 2	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
64	Current Year Deliveries Earmarked to Year - 3	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
65	Total Deliveries Earmarked to Prior Year Earmarked Deficits	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
66	TREC																				
67	Future Year Deliveries Earmarked from Year + 1	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
68	Future Year Deliveries Earmarked from Year + 2	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
69	Future Year Deliveries Earmarked from Year + 3	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
70	Total Projected Procurement Earmarked to Current Year	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
71	Current Year Deliveries Earmarked to Year - 1	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
72	Current Year Deliveries Earmarked to Year - 2	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
73	Current Year Deliveries Earmarked to Year - 3	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
74	Total Deliveries Earmarked to Prior Year Earmarked Deficits	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Forecast																					
78	Bundled Surplus Procurement Bank	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020		
79	Surplus Procurement Bank Balance as of Prior Year	N/A	N/A	0	0	0	8,184	7,594	7,594					9,427	9,427	9,427	9,427	9,427	9,427		
80	Application of Banked Surplus Procurement to Current Year Deficit	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
81	Adjusted Current Year Annual Surplus Procurement	N/A	N/A	0	0	8,184	596	0						9,427	9,427	9,427	9,427	9,427	9,427		
82	Cumulative Surplus Procurement Bank Balance	N/A	N/A	0	0	8,184	7,594	7,594						9,427	9,427	9,427	9,427	9,427	9,427		
83	TREC Surplus Procurement Bank	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020		
84	Surplus Procurement Bank Balance as of Prior 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	N/A	N/A		
85	Surplus TREC's 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	N/A	N/A	N/A	N/A	N/A	N/A		
86	Total Banked TREC's	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		
87	Banked TREC's 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	N/A	N/A		
88	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	N/A	N/A		
89	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	N/A	N/A	N/A		
Forecast																					
93	Adjusted Deficit	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020		
94	Adjusted Annual Procurement Deficit	N/A	N/A	N/A	(0)	0	(16,451)	(26,961)	0					(41,062)	(36,955)	(33,260)	(29,934)	(26,940)	(24,246)		
95	Adjusted Deficit Deferred	N/A	N/A	N/A	(5,699)	0	(365)	1,470	0					0	0	0	0	0	0		
96	Potential Penalty	N/A	N/A																		

RPS Compliance Report: Bundled Earmarking Detail

	Input Required	Commerce Energy, Inc.
	Forecasted Data	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 purposes of compliance with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as bundled deliveries of both renewable energy credits and energy for purposes of compliance with the California renewables portfolio standard. TREC contracts used for earmarking with deliveries 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.

Total Annual Earmarked Generation (MWh)	Actual										Forecast					
	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	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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													
Contract Name	Contracted Generation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eligible for [YEAR] deficit	Withdrawal from Current Year	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													

RPS Compliance Report: TREC Earmarking Detail

	Input Required	Commerce Energy, Inc.
	Forecasted Data	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 purposes compliance with the California renewables portfolio standard, made prior to March 11, 2010, will be counted as bundled deliveries of both renewable energy credits and energy for purposes of compliance with the California renewables portfolio standard. TREC contracts used for earmarking with deliveries 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.

Earmarking of TREC contracts is only allowed between an RPS-obligated LSE and one RPS-eligible generator that is providing all the RECs.

Total Annual Earmarked Generation (MWh)	Actual										Forecast					
	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	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 [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														
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														
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														
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														
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														
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														

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	AA	AB	AC	AD					
		Contract Name																				Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length - Type	Contract Volume (MWh)							
180		2008 Contracts																																
181		Contract Name																																
182		Contract Name																																
183		Contract Name																																
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204		2009 Contracts																																
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RPS Compliance Report: Calculations

RPS Baseline Inputs (MWh)		
Line#	Calculation	Notes
1-4	Pursuant to D.07-07-025, the 2005 Initial Baseline Procurement Amount for the electric service providers (ESPs) is calculated using the following equation(s): $2001 \text{ CA RPS-eligible Procurement} / 2001 \text{ total CA retail sales} \times 2005 \text{ total CA retail sales}$	
	ESPs beginning retail sales in California between January 1, 2002 and December 31, 2005, the analogous formula is:	
	$\text{CA RPS-eligible procurement in first year of CA retail sales} / \text{first-year CA retail sales} \times 2005 \text{ total CA retail sales}$	
	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)		
Line#	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	
8	1% of line 5 {Y-1}	
9	Line 6 - Line 7	
10	Line 7 / Line 5 {Y-1}	
11	Line 6 / Line 5 {Y-1}	In 2003, 2003 RPS procurement is divided by 2001 retail sales rather than 2002 retail sales.
12	(Line 6 + Line 17 + Line 25 + Line 30 + Line 34 + Line 36) / Line 5 {Y-1}	RPS procurement percentage after applying flexible compliance, assuming all allowable planned deliveries come online as planned.
Flexible Compliance - IPT Deferral		
Line#	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, 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).
22-24		
25	Sum of Lines 22-24	Total current year surplus applied to prior year IPT obligations due in current year
Flexible Compliance - Earmarking		
Line#	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	
31-33	Data from "Earmarking Detail" tab	User supplied data.
34	Sum of Lines 31:33	Total current year surplus subtracted to meet prior years Earmarking obligations due in current year
Surplus Procurement Bank		
Line#	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 limit in a prior year.
44		
45	Line 43 - Line 45	
47	Line 35 + Line 43	
46	Sum of Lines 35:37	
Adjusted Deficit		
Line#	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, California.

(Date)

(Name of city)



Blake Lasuzzo, Vice President Supply