

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

Order Instituting Rulemaking to
Oversee the Resource Adequacy
Program, Consider Program
Refinements, and Establish Annual
Local Procurement Obligations.

Rulemaking 11-10-023
(Filed October 20, 2011)

OPENING COMMENTS OF THE VOTE SOLAR INITIATIVE

Kelly M. Foley
The Vote Solar Initiative
2089 Tracy Court
Folsom, CA 95630
Telephone: (916) 367-2017
Facsimile: (520) 463-7025
Email: kelly@votesolar.org

Attorney for The Vote Solar Initiative

November 7, 2011

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

Order Instituting Rulemaking to
Oversee the Resource Adequacy
Program, Consider Program
Refinements, and Establish Annual
Local Procurement Obligations.

Rulemaking 11-10-023
(Filed October 20, 2011)

OPENING COMMENTS OF THE VOTE SOLAR INITIATIVE

Pursuant to Rules 1.4(a)(2)(ii) and 6.2 of the Commission’s Rules of Practice and Procedure, and the *Order Instituting Rulemaking* issued October 27, 2011 (“OIR”) in this proceeding, The Vote Solar Initiative (“Vote Solar”) submits the following opening comments.

I. BACKGROUND

Vote Solar is a California non-profit, public benefit corporation with Internal Revenue Code § 501(c)(3) status, working to fight global warming, increase energy independence, decrease fossil fuel dependence, and foster economic development by bringing solar energy into the mainstream. Vote Solar works principally at the state level, helping to implement the suite of policies necessary to build robust, sustainable and long-term solar markets. Founded in 2002, Vote Solar has over 50,000 members nationwide, approximately 9,000 of which are Californians. The vast majority of the approximately 9,000 Californian members are individuals receiving residential electric service from one of the California investor owned utilities (“IOU”).

Vote Solar actively supports and advocates for the Commission’s adoption of robust renewable energy policies, including through recent participation in: 1) the

Renewable Auction Mechanism proceeding (RAM)¹; 2) renewables integration via the Long Term Procurement Plan proceeding (LTPP)² and the Energy Storage Systems proceeding (ESS)³; and 3) the distribution interconnection proceeding (Rule 21).⁴ Qualifying capacity and deliverability rules as governed, affected or influenced by the Commission's Resource Adequacy (RA) policies can have a significant impact on California's ability to implement robust renewable energy policies. Accordingly, Vote Solar has a direct, specific and critical interest in this proceeding that no other party can represent.

II. PROCEDURAL ISSUES

Vote Solar has no objection to the categorization of this proceeding as ratesetting but at this time has insufficient information to comment regarding the need for hearings.

III. SCOPING ISSUES

Vote Solar generally agrees with the preliminary scope set forth in the *Candidate Issues and Topics Identified by the Energy Division* at Appendix A of the OIR. Vote Solar is particularly interested in Issues and Topics numbered 8 through 10:

8. *The Commission has initiated several recent policy activities that concentrate on Distributed Generation. These programs include, but are not limited to, the Renewable Auction Mechanism, the renewable Feed-in Tariff authorized under PU Code 399.20, and the AB 1613 CHP Feed-in Tariff. In light of the increased focus on distributed generation, the Commission recently launched R.11-09-011, to streamline the rules about distribution level interconnection. In light of the activity that docket, this Rulemaking will consider potential modifications to the qualifying capacity rules and deliverability guidelines.*
9. *In light of the passage of SB 2 1X which establishes a 33% Renewable Portfolio Standard, up to 20,000 MW of new renewable generation could be needed to be added to the system by 2020. The rules and implementation of 33% RPS will remain in R.11-05-005. Because a very large percentage of new generation procurement will need to be renewable, this docket will consider any updates to the RA rules or practices in order to account for differences in renewable procurement.*
10. *With the passage of AB 2514, the Commission opened R.10-12-007 to consider policies to promote the adoption of viable and cost-effective energy storage*

¹ See generally, R.08-08-009.

² See generally, R.10-05-006.

³ See generally, R.10-12-007.

⁴ See generally, R.11-09-011.

systems. In coordination with the policy developments in R.10-12-007, we will consider any technical updates to our RA rules such that flexible grid operational attributes (such as those provided by energy storage technologies) may receive accurate and correct placement within our RA program.

Vote Solar appreciates the need to address Local Capacity Requirements (LCR) issues in Phase 1 and that on a practical level, many other issues will need to be delayed until Phase 2. Nevertheless, Vote Solar urges the Commission to consider addressing Issues and Topics numbered 8 through 10 in Phase 1 or as soon as possible. Qualifying capacity and deliverability issues already pose a threat to renewable and distributed energy procurement. This threat is likely to grow even larger as renewable and distributed energy procurement increases. Addressing these concerns in Phase 1 will ensure that the Commission's renewable and distributed energy policies are not inadvertently thwarted by RA policies in need of updating.

WHEREFORE, Vote Solar respectfully requests the Commission consider the above stated comments.

Respectfully Submitted,

_____/s/_____

Kelly M. Foley
The Vote Solar Initiative
2089 Tracy Court
Folsom, CA 95630
Telephone: (916) 367-2017
Facsimile: (520) 463-7025
Email: kelly@votesolar.org

Attorney for The Vote Solar Initiative

Dated: November 7, 2011