

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

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

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

**NOTICE OF EX PARTE COMMUNICATION BY
SUSTAINABLE CONSERVATION**

JODY S. LONDON
Jody London Consulting
P.O. Box 3629
Oakland, California 94609
Telephone: (510) 459-0667
E-mail: jody_london_consulting@earthlink.net

For SUSTAINABLE CONSERVATION

May 1, 2012

In accordance with Rules 8.2, 8.3, and 8.4 of the California' Public Utilities Commission's Rules of Practice and Procedure, Sustainable Conservation hereby gives notice of the following Ex Parte communication in the above proceeding. On Tuesday, May 1, 2012, Jody London, regulatory consultant to Sustainable Conservation, participated in an all-party meeting organized by Commissioner Ferron's office. The meeting was from 1:30 – 3:30 in the Commission's Auditorium. Decision makers in attendance at the all-party meeting included:

- ◆ Commissioner Ferron
- ◆ Commissioner Florio
- ◆ Collette Kersten, Advisor to Commissioner Sandoval
- ◆ Michael Colvin, Advisor to Commissioner Ferron
- ◆ Sara Kamins, Advisor to Commissioner Ferron
- ◆ Matthew Tisdale, Advisor to Commisisoner Florio
- ◆ Rahmon Momoh, Advisor to Commissioner Simon
- ◆ Carol Brown, Advisor to Commissioner Peevey
- ◆ Administrative Law Judge Regina De Angeles
- ◆ Administrative Law Judge Julie Fitch
- ◆ Administrative Law Judge Anne Simon

Ms. London stated that the Proposed Decision on the Feed-in Tariff ("FiT") is ignoring the clearly expressed will of the Legislature to incorporate avoided environmental costs in the FiT. She observed that the Proposed Decision notes this shortfall, then lays the blame for a lack of record on the parties, when this is a responsibility of the Commission. London noted that there is a record on alternative pricing mechanisms in this docket, which is not acknowledged in the Proposed Decision. She also observed that the Renewable Auction Mechanism, the results from which are proposed to be used to establish the initial FiT price, is designed for a different market segment than the FiT.

London further observed that the current renewable programs sponsored by the Commission do not adequately serve baseload projects. She provided evidence from the Renewable Auction Mechanism and the utilities' own compliance reports that demonstrate the

utilities continue to rely on intermittent resources to meet their mandated Renewable Portfolio Standard goals. A handout was used and is attached to this Notice.

To obtain a copy of this notice, please contact:

Jody London
P.O. Box 3629
Oakland, California 94609
Telephone: (510) 459-0667
E-mail: jody_london_consulting@earthlink.net

Dated: May 3, 2012

Respectfully submitted,



Jody S. London
Jody London Consulting
P.O. Box 3629
Oakland, California 94609
Telephone: (510) 459-0667
E-mail: jody_london_consulting@earthlink.net

For SUSTAINABLE CONSERVATION



All-Party Meeting on Feed-in Tariff (R.11-05-005) May 1, 2012

The Proposed Decision ignores the clearly expressed will of the Legislature to incorporate avoided environmental costs in the Feed-in Tariff.

By 2020, under the current policies, biopower will be barely 1% of the overall renewable portfolio standard portfolio. The utilities continue to rely on intermittent resources – solar and wind – to meet their mandated RPS targets.

PG&E RPS Procurement: Biopower as Subset of Overall Renewable Procurement¹

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Biomass	21.15%	22.18%	17.87%	15.56%	13.93%	12.99%	11.67%	10.92%	9.75%	7.12%
Digester Gas	0.14%	0.03%	0.02%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%
Biodiesel	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Landfill Gas	0.60%	0.60%	0.54%	0.45%	0.98%	1.03%	1.00%	1.06%	1.10%	1.14%
Muni Solid Waste	0.79%	0.16%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Biopower Subtotal	22.68%	22.97%	18.42%	16.02%	14.93%	14.03%	12.68%	12.00%	10.86%	8.27%

SCE RPS Procurement: Biopower as Subset of Overall Renewable Procurement²

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Biomass	2.26%	2.76%	2.47%	2.22%	1.99%	1.93%	1.77%	1.84%	1.93%	1.47%
Digester Gas	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.00%	0.00%	0.01%	0.01%
Biodiesel	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Landfill Gas	3.25%	3.04%	2.82%	2.53%	2.27%	2.20%	0.61%	0.63%	0.65%	0.61%
Muni Solid Waste	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Biopower Subtotal	5.51%	5.81%	5.30%	4.76%	4.27%	4.14%	2.39%	2.48%	2.58%	2.09%

SDG&E RPS Procurement: Biopower as Subset of Overall Renewable Procurement³

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Biomass	10.46%	12.82%	7.16%	5.29%	5.06%	4.78%	4.78%	0.14%	0.14%	0.15%
Digester Gas	0.61%	0.63%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Biodiesel	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Landfill Gas	5.78%	7.73%	3.10%	2.28%	2.40%	2.27%	2.01%	2.14%	2.32%	2.33%
Muni Solid Waste	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Biopower Subtotal	16.85%	21.17%	10.26%	7.58%	7.47%	7.05%	6.79%	2.28%	2.46%	2.48%

¹ PG&E RPS Procurement Report, March 1, 2012.

² SCE RPS Procurement Progress Report, March 1, 2012.

³ San Diego Gas & Electric, RPS Procurement Progress Report, March 1, 2012.

Verification

I am the representative for the Sustainable Conservation. Sustainable Conservation is absent from the County of Alameda, California, where I have my office, and I make this verification for Sustainable Conservation for that reason. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true.

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

Executed May 3, 2012, at Oakland, California.

A handwritten signature in cursive script, appearing to read "Jody London".

Jody London
FOR Sustainable Conservation