

BEFORE THE PUBLIC UTILITIES COMMISSION OF  
THE STATE OF CALIFORNIA

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

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

**NOTICE OF EX PARTE COMMUNICATION**

Pursuant to Rules 8.2(c), 8.3, and 8.5 of the Commission's Rules of Practice and Procedure, the Division of Ratepayer Advocates (DRA) gives notice of the following oral *ex parte* communication, which occurred on June 11, 2012 from approximately 2-2:20 p.m. in the Commission's San Francisco office. DRA initiated the communication with President Michael Peevey's advisor Scott Murtishaw. Attending the meeting on behalf of DRA were Cheryl Cox, Yuliya Shmidt, and Diana Lee.

DRA explained that it supported the current proposed decision (PD) that would implement renewable portfolio standard (RPS) rules under the new 33% RPS program. In particular, DRA stated that it supports the PD's interpretation of the requirement that Renewable Energy Credits (RECs) be retired within 36 months from the initial date of the generation of the associated electricity. DRA stated that the 36-month time limit this will promote a stable market for RECs, which will benefit the ratepayers' interest in achieving California's RPS at a reasonable cost.

DRA also explained that it supported the PD's interpretation of RPS requirements as allowing retail sellers who achieved more than the 20% required under the former RPS program to count excess procurement toward the goals of the new RPS program. Although most retail sellers did not exceed the 20% requirement of the former RPS program, it would be unfair to ratepayers not to receive the benefit of over procurement that was acquired in good faith under the prior program.

DRA stated that it supported the PD's revision that would require utilities to continue submission of the Project Development Status Reports, which provide valuable information to stakeholders.

Respectfully submitted,

/s/      DIANA L. LEE

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