

**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)

**AUGUST 2012 PROVISIONAL CLOSING REPORT FOR THE CALIFORNIA  
RENEWABLES PORTFOLIO STANDARD 20% PROGRAM  
OF COMMERCE ENERGY, INC.**

Pursuant to Decision (“D.”) 12-06-038 and the “Instructions” tab of the “Provisional 20% RPS Closing Report – Small” template, Commerce Energy, Inc. (“Commerce”) hereby respectfully submits this Provisional Closing Report for the California Renewables Portfolio Standard 20% Program (“Provisional Closing Report”).

As described in detail in its August 1, 2011 Supplemental Filing Concerning 2006-2007 Verified and August 2011 Renewables Portfolio Standard Compliance Report of Commerce Energy, Inc. (“Supplemental Filing”), Commerce previously sought deferrals of certain RPS deficits and minimum contracting requirement obligations. Commerce’s request has not been addressed by the California Public Utilities Commission (“Commission”), and Commerce repeats its request for deferral of its minimum contracting requirement obligations for years 2008 and 2009.<sup>1</sup>

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

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<sup>1</sup> Under the new RPS compliance rules, it is no longer relevant or necessary for Commerce to seek a deferral of its 2006 RPS procurement deficit.

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 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 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.

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."<sup>2</sup> Consistent with promoting the overall procurement objectives of the RPS program, deferral of the minimum contracting requirement for 2008 and 2009 can still advance

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<sup>2</sup> D.03-06-071, p. 53, footnote omitted, emphasis added.

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.

Under the current “locked” version of the “Provisional 20% RPS Closing Report – ESP”, a “Minimum Annual Contracting Quota Shortfall” is shown for years 2008 and 2009 for Commerce. Therefore, under the RPS-rules, Commerce’s renewable procurement for 2008 and 2009 would not be eligible to qualify for the RPS program.<sup>3</sup> However, the closing report template allows Commerce’s 2008 and 2009 renewable procurement to be used towards the RPS program and Commerce’s RPS procurement obligations. While not in line with the RPS rules, this is consistent with Commerce’s request to defer its minimum contracting requirement obligations for years 2008 and 2009.<sup>4</sup> Accordingly, Commerce asks that the Commission approve its request and allow Commerce to carry forward its renewable procurement surplus under the 20% program into the new 33% RPS program.

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<sup>3</sup> As provided in D.07-05-028, in order for an electric service provider (“ESP”) like Commerce to count energy deliveries from short-term contracts with existing RPS-eligible facilities, that ESP must have entered into long-term contracts and/or short-term contracts with new facilities for energy deliveries equivalent to at least 0.25% of that ESP’s prior year’s retail sales.

<sup>4</sup> Commerce would have raised this issue with Energy Division staff, but only became aware of the inconsistency between the template and the RPS rules on the day of filing and did not have time to seek a correction to the locked template.

If there are questions concerning Commerce's Provisional Closing Report or its request to defer its minimum contracting requirement obligations for years 2008 and 2009, please contact the undersigned.

Dated: August 20, 2012

Respectfully Submitted,



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**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.**

**PROVISIONAL CLOSING REPORT FOR CALIFORNIA  
RENEWABLES PORTFOLIO STANDARD 20% PROGRAM**

August 20, 2012

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# CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

## Provisional RPS 20% Closing Report Worksheet Instructions

1. D.12-06-038 requires Investor Owned Utilities (IOU), Multi-Jurisdictional Utilities (MJU), Electric Service Providers (ESP), and Community Choice Aggregators (CCAs) to file a Closing Report that calculates RPS procurement from 2003-2010. The Closing Report spreadsheets are automated to calculate a retail seller's net deficit/surplus figure for compliance years 2003-2010 compliance years. Parties may refer to Commission Decision D.12-06-038 for additional details relating to the calculations within the closing report spreadsheet.
2. Any retail seller seeking confidentiality protection for the Closing Report 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 identify all redacted information by tab name and cell reference, not to be confused with the line numbers provided in the Accounting tab.
3. RPS closing reports will be submitted to the Commission as specified below:
  - a) Serve a public version on the service list in proceeding R.11-05-005. All pages must be legible: If reports need to be printed and scanned to be issued to the service list, please ensure that scanned documents are not blurry or distorted. Retail sellers 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.**
  - b) **File a confidential Excel version utilizing the locked spreadsheet with the Energy Division by e-mailing an electronic version to [robert.blackney@cpuc.ca.gov](mailto:robert.blackney@cpuc.ca.gov) and [rpscompliance@cpuc.ca.gov](mailto:rpscompliance@cpuc.ca.gov). Please only submit Excel documents in .xls format (.xlsm and .xlsx files will NOT be accepted).**
  - c) Send paper copies (confidential and public) to each of the assigned Administrative Law Judges (ALJs):

Regina M. DeAngelis and Anne E. Simon  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102
  - d) **Do not send paper copies of the confidential version to anyone except the persons listed above, unless specifically requested.**
  - e) **All ESP's and CCA's must submit their RPS eligible contracts to the Commission (D.12-06-038). All contract documents should be provided in a digital pdf format. Please write all digital documents (pdf's) to a CD-R or DVD-R and mail to:**

Robert Blackney  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102
4. Any questions regarding the completion and/or filing of this report can be directed to:  
Robert Blackney, Energy Division, California Public Utilities Commission:[robert.blackney@cpuc.ca.gov](mailto:robert.blackney@cpuc.ca.gov), (415) 703-3072
5. Include the Title Page and fill out the following information:
  - a) Name of the retail seller serving the Closing Report
  - b) Date the Closing Report is being served
  - c) 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 retail seller 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 the computation of the net deficit/surplus are accurately calculated and reported based on 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.

### ACCOUNTING TAB

11. Begin by entering the relevant data for Lines 1-3, this will calculate the retail seller's Baseline Procurement Amount. Enter actual and forecasted sales figures to generate Incremental Procurement Targets (IPTs) and Annual Procurement Targets (APTs).

### PROCUREMENT DETAIL TAB

12. 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 retail seller 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).

a) *Annual Contracting Quota Requirement*: Retail sellers must enter into long-term contracts or contracts with new facilities for energy deliveries equivalent to at least 0.25% of that retail seller's prior years' retail sales, if it intends to use deliveries from short-term contracts and/or existing facilities, for RPS compliance purposes. Retail sellers 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 retail seller 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 21:22). All deliveries from "long-term and/or new" are automatically entered into "Cumulative Surplus Contracting Quota Bank" (row 25).

13. 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 31-47 in the "Procurement Detail" tab and populated by completing the "Contract Detail" section.

14. 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.

a) *Pre-2002 Contracts* : Input total annual deliveries by resource type

b) *2002-2010 Contracts* : List contracts by name, annual deliveries (MWh), project status, facility status and resource type.

c) *2005-2010 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 retail seller 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 retail seller'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.

15. Contract Execution Date: The date the contract was signed. If the parties signed on different dates, or there are contract amendments, use the most recent date signed.

16. 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**

a) 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.

b) 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"

	A	B	C	D	E	F	G	H	I	J	K
1											
2			<b>RPS 20% Closing Report: Accounting</b>								
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		Actual									
		2003	2004	2005	2006	2007	2008	2009	2010		
5	Bundled Retail Sales	N/A	N/A	759,407	721,269	587,240	588,156	367,093	361,834		
6	Total RPS Eligible Procurement	N/A	N/A	0	0	22,991	11,178	38,986	74,200		
7	Annual Procurement Target (APT)	N/A	N/A	0	7,594	14,807	20,679	26,561	72,367		
8	Incremental Procurement Target (IPT)	N/A	N/A	N/A	7,594	7,213	5,872	5,882	45,806		
9	Preliminary Procurement Surplus/(Deficit)	N/A	N/A	0	(7,594)	8,184	(9,501)	12,425	1,833		
10	Actual Procurement Percentage	N/A	N/A	0.0%	0.0%	3.2%	1.9%	6.6%	20.5%		

  

		Actual									
		2003	2004	2005	2006	2007	2008	2009	2010		
11	Surplus Procurement Bank Balance as of Prior Year	N/A	N/A	0	0	(7,594)	590	(8,911)	3,514		
12	Application of Banked Surplus Procurement to Current Year Deficit	N/A	N/A	0	0	0	(590)	0	0		
13	Cumulative Surplus Procurement Bank Balance	N/A	N/A	0	(7,594)	590	(8,911)	3,514	5,347		

  

		Actual									
		2003	2004	2005	2006	2007	2008	2009	2010		
14	Cumulative Surplus Procurement Bank Balance	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0		

  

		Surplus/(Deficit) for RPS Compliance Years, Prior to 2011	Is Retail Seller's 2010 RPS Eligible Procurement Percentage ≥14% of 2010 Retail Sales?	Surplus/(Deficit) Carried Forward
15		5,347	YES	5,347



Provisional RPS 20% Closing Report: Procurement Detail

	Input Required
	Forecasted Data
	Actual Data

Commerce Energy, Inc.  
20-Aug-12

Procurement Summary	Actual MWh								
	2003	2004	2005	2006	2007	2008	2009	2010	
Total RPS Eligible Procurement	0	0	0	0	22,991	11,178	38,986	74,200	
Total Bundled Procurement	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	
Total TREC Procurement	N/A	N/A	N/A	N/A	N/A	N/A	N/A	74,200	
TRECs Executed Prior to January, 2013	0	0	0	0	0	0	0	74,200	
25% of APT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	18,992	
TREC Limit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	74,200	
Amount above TREC limit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	
Existing and/or Signed Contracts	0	0	0	0	22,991	11,178	38,986	74,200	
Bundled	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	
TREC	N/A	N/A	N/A	N/A	N/A	N/A	N/A	74,200	
Annual Contracting Quota Requirement	N/A	N/A	N/A	N/A	1,803	1,468	1,470	N/A	
RPS Contracts: long-term and/or new facilities/bundled	N/A	N/A	N/A	N/A	1,805	0	0	0	
RPS Contracts: short-term with existing facilities/bundled	N/A	N/A	N/A	N/A	22,991	9,373	28,908	0	
Surplus Contracting Quota Bank as of Prior Year	N/A	N/A	N/A	N/A	0	2	0	0	
Current Year / Banked MWh Applied to Annual Quota	N/A	N/A	N/A	N/A	1,803	2	0	0	
Cumulative Surplus Contracting Quota Bank	N/A	N/A	N/A	N/A	2	0	0	0	
Minimum Annual Contracting Quota Shortfall	N/A	N/A	N/A	N/A	0	(1,466)	(1,470)	N/A	

RPS-Eligible Procurement By Resource Type	2003	2004	2005	2006	2007	2008	2009	2010
Biomass	0	0	0	0	0	0	0	0
Digester Gas	0	0	0	0	0	0	0	0
Biodiesel	0	0	0	0	0	0	0	0
Landfill Gas	0	0	0	0	0	1,805	0	0
Muni Solid Waste	0	0	0	0	0	0	0	0
Biopower Subtotal	0	0	0	0	0	1,805	0	0
Geothermal	0	0	0	0	22,991	9,373	30,074	0
Small Hydro	0	0	0	0	0	0	8,912	0
Conduit Hydro	0	0	0	0	0	0	0	0
Solar PV	0	0	0	0	0	0	0	0
Solar Thermal	0	0	0	0	0	0	0	0
Wind	0	0	0	0	0	0	0	74,200
Ocean/Tidal	0	0	0	0	0	0	0	0
Fuel Cells	0	0	0	0	0	0	0	0

**TRECs**  
Refer to D.10-03-021 as modified by D.11-01-025 for detailed TREC rules.

As of March 11, 2010, a transaction for purposes of compliance with the California renewables portfolio standard shall be considered a transaction that procures only renewable energy credits if that transaction either:  
a. Expressly transfers only renewable energy credits and not energy from the seller to the buyer; or  
b. Transfers 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.

All deliveries from transactions described in subsection b, above, made prior 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 with deliveries prior to March 11, 2010 and after March 11, 2010 should be listed as separate lines in this spreadsheet.

The following types of transactions shall be treated as bundled transactions for purposes of compliance with the California renewables portfolio standard:  
a. Transactions in which energy is acquired from a generator certified as eligible for the California renewables portfolio standard and the generator has its first point of interconnection with the Western Electricity Coordinating Council interconnected transmission system with a California balancing authority; and  
b. Transactions in which energy is acquired from a generator certified as eligible for the California renewables portfolio standard and the energy from the transaction is dynamically transferred to a California balancing authority area.

If the deliveries from a contract approved prior March 11, 2010 would put an LSE over the 25% usage limit in any year, the limit will not apply to the deliveries from the previously approved contract. Because the cap would be exceeded, however, no additional REC-only deliveries in excess of the usage limit would be allowed to count for RPS compliance in that year.

**Minimum Contracting Requirement**  
Starting in 2007, RPS-obligated LSEs must, in each calendar year, enter into long-term contracts with new facilities for energy deliveries equivalent to at least 0.25% of that retail sales ("minimum quantity") in order to be able to count energy deliveries from short-existing RPS-eligible facilities, for any RPS compliance purpose. (D.07-05-028, R.06-02-02)

**TRECs**  
D.10-03-021 as modified by D.11-01-025 concludes that TRECs do not contribute to and minimum quantity requirement. Therefore any TREC contracts executed (ESPs) or approved prior March 11, 2010 should be classified as N/A in Column O.

**Contract Term Definitions**  
- Long-term contract: At least 10 years' duration  
- Short-term contract: Less than 10 years' duration  
- New Facility: Commenced commercial operation on or after January 1, 2005  
- Existing Facility: Commenced commercial operation prior to January 1, 2005  
- N/A: Executed Prior to 2007/TREC transaction after March 11, 2010

Contract Detail	2003	2004	2005	2006	2007	2008	2009	2010	Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length / Type	Contract Volume (MWh)	Contract Execution Date
<b>Pre-2002 Contracts</b>	0	0	0	0	0	0	0	0							
Biomass											Biomass				
Digester Gas											Digester Gas				
Biodiesel											Biodiesel				
Landfill Gas											Landfill Gas				
Muni Solid Waste											Muni Solid Waste				
Geothermal											Geothermal				
Small Hydro											Small Hydro				
Conduit Hydro											Conduit Hydro				
Solar PV											Solar PV				
Solar Thermal											Solar Thermal				
Wind											Wind				
Ocean/Tidal											Ocean/Tidal				
Fuel Cells											Fuel Cells				
<b>2002 Contracts</b>	0	0	0	0	0	0	0	0	Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length / Type	Contract Volume (MWh)	Contract Execution Date
<b>2003 Contracts</b>	0	0	0	0	0	0	0	0	Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length / Type	Contract Volume (MWh)	Contract Execution Date
<b>2004 Contracts</b>	0	0	0	0	0	0	0	0	Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length / Type	Contract Volume (MWh)	Contract Execution Date
<b>2005 Contracts</b>	0	0	0	0	0	0	0	0	Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length / Type	Contract Volume (MWh)	Contract Execution Date

Contract Detail	2003	2004	2005	2006	2007	2008	2009	2010	Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length / Type	Contract Volume (MWh)	Contract Execution Date
<b>2006 Contracts</b>	0	0	0	0	8,184	0	0	0	executed - no approval need	online	Geothermal	Bundled	2007 short-term / existing	8,184	3/27/2007
Calpine Geothermal Unit 20 (RPS Certif. # 60009A)					8,184										
<b>2007 Contracts</b>	0	0	0	0	14,807	1,805	0	0	executed - no approval need	online	Geothermal	Bundled	2007 short-term / existing	7,440	6/18/2007
Calpine Geothermal Unit 17 (RPS Certif. # 60007A)					7,440				executed - no approval need	online	Geothermal	Bundled	2007 short-term / existing	1,700	12/12/2007
Calpine Geothermal Unit 13 (RPS Certif. # 60005A)					1,700				executed - no approval need	online	Geothermal	Bundled	2007 short-term / existing	5,500	12/12/2007
Calpine Geothermal Unit 18 (RPS Certif. # 60008A)					5,500				executed - no approval need	online	Geothermal	Bundled	2007 short-term / existing	167	12/12/2007
Calpine Geothermal Unit 12 (RPS Certif. # 60004A)					167				executed - no approval need	online	Geothermal	Bundled	2007 short-term / existing	1,805	12/28/2007
3 Phases Renewables, LLC (RPS Certif. # 60107E)						1,805			executed - no approval need	online	Landfill Gas	Bundled	2007 short-term / new		
<b>2008 Contracts</b>	0	0	0	0	0	9,373	0	0	executed - no approval need	online	Geothermal	Bundled	2008 short-term / existing	9,373	10/29/2008
Calpine Geothermal Unit (XX)						9,373									
<b>2009 Contracts</b>	0	0	0	0	0	0	38,986	0	executed - no approval need	online	Geothermal	Bundled	2009 short-term / existing	12,572	
Calpine Geothermal Unit (XX)							12,572		executed - no approval need	online	Small Hydro	Bundled	2009 short-term / existing	8,912	
Shell Hydro Unit (XX)							8,912		executed - no approval need	online	Geothermal	Bundled	2009 short-term / existing	7,424	
Shell Geothermal Unit (XX)							7,424		executed - no approval need	online	Geothermal	Bundled	2008 short-term / existing	10,078	12/16/2008
Calpine Geothermal Unit (XX)							10,078		executed - no approval need	online	Geothermal	Bundled			

Contract Detail	2003	2004	2005	2006	2007	2008	2009	2010				TREC or Bundled			
<b>2010 Contracts</b>	0	0	0	0	0	0	0	74,200	Contract Status	Facility Status	Resource Type	TREC or Bundled	Contract Length / Type	Contract Volume (MWh)	Contract Execution Date
EDF - Cassia Gulch & Cassia Wind (RPS Certif. # 60942A, # 60943A)								4,800	executed - no approval need	online	Wind	TREC Executed Prior to January 13, 2011 that transfers both renewable energy credits and energy to the buyer	2010 short-term / new	4,800	8/27/2010
EDF - Cassia Gulch & Cassia Wind (RPS Certif. # 60942A, # 60943A)								45,000	executed - no approval need	online	Wind	TREC Executed Prior to January 13, 2011 that transfers both renewable energy credits and energy to the buyer	2010 short-term / new	48,000	11/3/2010
TID - Tuolomne Wind Project (RPS Certif. # 60991A)								24,400	executed - no approval need	online	Wind	TREC Executed Prior to January 13, 2011 that transfers both renewable energy credits and energy to the buyer	2010 short-term / new	24,400	9/15/2010

n/a - Executed prior to 2007/TREC transaction after January 13, 2011  
 2007 long-term  
 2007 short-term / new  
 2007 short-term / existing  
 2008 long-term  
 2008 short-term / new  
 2008 short-term / existing  
 2009 long-term  
 2009 short-term / new  
 2009 short-term / existing  
 2010 long-term  
 2010 short-term / new  
 2010 short-term / existing

Bundled  
 TREC  
 TREC Executed Prior to January 13, 2011 that transfers both renewable energy credits and energy to the buyer

**Provisional RPS 20% Closing Report: Calculations**

RPS Baseline Inputs (MWh)		
Line#	Calculation	Notes
1	User supplied data	Pursuant to D.07-03-046, the <b>2003 Initial Baseline Procurement Amount</b> for the investor owned utilities (IOUs) is calculated using the following equation:
2	User supplied data	
3	User supplied data	
4	<b>Baseline formula =</b>	
		$\frac{\text{2001 RPS Eligible Procurement}}{\text{2001 Total Retail Sales}} \times \text{2003 Total Retail Sales} + \text{1\% of 2001 Total Retail Sales}$

RPS Procurement and Targets (MWh)		
Line#	Calculation	Notes
5	User supplied data	Annual Retail Sales
6	Data from "Procurement Detail" tab	In current and past years, this line should equal Total RPS Eligible Procurement in procurement detail tab.
7	Prior year Line 7 + Line 8	
8	1% of line 5 {Y-1}	
9	Line 6 - Line 7	
10	Prior to 2010: Line 6 / Line 5 {Y-1} 2010 : Line 6 / Line 5	For all years prior to 2010, Actual Procurement Percentage equals prior year retail sales (current year RPS Procurement/Prior Year Retail Sales). For 2010 the calculation is 2010 Retail Sales/2010 RPS Procurement.

Surplus Procurement Bank		
Line#	Calculation	Notes
11	Line 13 {Y-1}	
12	If Row 9 has a deficit, applies bank from line 11 (if line 11 is a positive value)	
13	Sum of lines 9 + 11	

Surplus Procurement Bank		
Line#	Calculation	Notes
14	Only Applicable in 2010. Value carried over from the "Procurement Derail" tab, cell J17.	

Surplus/(Deficit) for RPS Compliance Years, Prior to 2011		
Line#	Calculation	Notes
15	Line 9 + 14 (in year 2010 only)	Since this report tracks TREC Bank independent of Banking for Bundled Procurement, this cell computes a total excess/deficit figure for the entirety of the RPS 20% Program.

## 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 RPS 20% Closing Report has not been altered from the version issued or approved by Energy Division. The information provided in this RPS 20% Closing Report adheres to the Commission's orders in D.12-06-038.

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

A handwritten signature in dark ink, appearing to be "DSE", is written above a horizontal line.

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August 20, 2012 at La Palma, California