

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)

Liberty Power Holdings LLC

PROVISIONAL CLOSING REPORT FOR CALIFORNIA

RENEWABLES PORTFOLIO STANDARD 20% PROGRAM

20-Aug-12

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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 and 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-**

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, (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

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			RPS 20% Closing Report: Accounting								
3											
4											
5											
6			RPS Baseline Calculation	(MWh)							
7			1	2001 Total Retail Sales							
8			2	2001 RPS Eligible Procurement							
9			3	2005 Total Retail Sales							
10			4	2005 Baseline Procurement Amount							
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Actual									
	2003	2004	2005	2006	2007	2008	2009	2010	
5	Bundled Retail Sales	N/A	N/A					628	
6	Total RPS Eligible Procurement	N/A	N/A	0	0	0	0	0	
7	Annual Procurement Target (APT)	N/A	N/A	0	0	0	0	126	
8	Incremental Procurement Target (IPT)	N/A	N/A	N/A	0	0	0	126	
9	Preliminary Procurement Surplus/(Deficit)	N/A	N/A	0	0	0	0	(126)	
10	Actual Procurement Percentage	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	

Actual									
	2003	2004	2005	2006	2007	2008	2009	2010	
11	Bundled Surplus Procurement Bank	N/A	N/A	0	0	0	0	0	
12	Surplus Procurement Bank Balance as of Prior Year	N/A	N/A	0	0	0	0	0	
13	Application of Banked Surplus Procurement to Current Year Deficit	N/A	N/A	0	0	0	0	0	
14	Cumulative Surplus Procurement Bank Balance	N/A	N/A	0	0	0	0	(126)	

Actual									
	2003	2004	2005	2006	2007	2008	2009	2010	
14	TREC Surplus Procurement Bank	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0
15	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	(126)	NO	(126)

Provisional RPS 20% Closing Report: Calculations

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

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.	

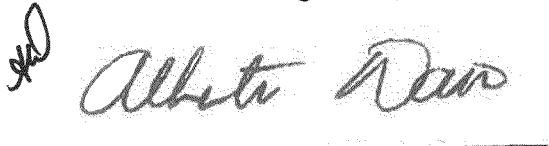
Surplus/(Deficit) for RPS Compliance Years, Prior to 2011		
Line#	Calculation	Notes
15	Line 9 + 14 (in year 2010 only)	Since this report tracks TREC Bank independent of Banking for Bundled Procurement, this cell computes a total excess/deficit figure for the entirety of the RPS 20% Program.

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.

Executed on August 20, 2012 at Fort Lauderdale, Florida.

A handwritten signature in cursive script, appearing to read "Alberto Daire", is written over a horizontal line. To the left of the signature, there is a small, stylized handwritten mark that looks like "sd".

Alberto Daire
Chief Operating Officer
Liberty Power Holdings LLC