BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Continue Implementation and

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

Administration of California Renewables Portfolio Standard Program.

Direct Energy Business, LLC PUBLIC

2011 Preliminary Annual 33% RPS Compliance Report

Reporting progress towards meeting the procurement quantity requirements for California's RPS

Program

December 27, 2012

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Houston, TX, 77046

RPS Compliance Report: Summary

2011 Annual Summary

Report Date

	2011	
RPS Summary Report	MWh	% of Total Retail Sales
Total Retail Sales	3,562,040	n/a
Annual RPS Target	712,408	20.0%
Total RPS Eligible RECs Procured	537,675	15.1%
Total RPS Eligible RECs Retired for Compliance	61,079	1.7%

RPS Procurement Resource Mix

	2011	
RPS Procurement	MWh	% of Total RPS Procurement
Biomass	0	0.0%
Digester Gas	32,990	6.1%
Biodiesel	0	0.0%
Landfill Gas	35,336	6.6%
Muni Solid Waste	0	0.0%
Biopower Subtotal	68,326	12.7%
Geothermal	16,100	3.0%
Small Hydro	169,170	31.5%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	284,079	52.8%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	537,675	

Claimed Portfolio Content Category of RPS Procurement

	2011	
Portfolio Content Category	MWh	% of Total RPS
Politiono content category		Procurement
RECs Procured from Contracts Executed Prior to June 1, 2010	23,000	4.3%
RECs Procured from Category 1 Eligible Resources	253,596	47.2%
RECs Procured from Category 2 Eligible Resources	0	0.0%
RECs Procured from Category 3 Eligible Resources	261,079	48.6%
	537,675	

RPS Compliance Report: Summary

	2011-13 Complia	nce Period				
Report Date						
	2011	2012	2013	CP TOTAL		
RPS Summary Report	MWh	MWh	MWh	MWh	% of Total Retail Sales	This amount represents
Total Retail Sales	3,562,040				n/a	total procurement
Annual RPS Targets and Compliance Period Procurement Requirement	712,408				20.0%	quantity requirement
Total RPS Eligible RECs Procured	537,675	923,125	494,000	1,954,800		This amount represents
Total RPS Eligible RECs Retired	61,079	0	0	61,079	0.5%	
RPS Procurement Resource Mix	•					quantity of RECs retired for this compliance period

RPS Procurement Resource Mix

	2011	2012	2013	CP TOTAL	
RPS Procurement	MWh	MWh	MWh	MWh	% of Total RPS Procurement
Biomass	0	25,477	0	25,477	2.1%
Digester Gas	32,990	0	0	32,990	2.7%
Biodiesel	0	0	0	0	0.0%
Landfill Gas	35,336	21,207	0	56,543	4.7%
Muni Solid Waste	0	0	0	0	0.0%
Biopower Subtotal	68,326	46,684	0	115,010	9.5%
Geothermal	16,100	47,120	0	63,220	5.2%
Small Hydro	169,170	159,635	0	328,805	27.1%
Conduit Hydro	0	0	0	0	0.0%
Solar PV	0	0	0	0	0.0%
Solar Thermal	0	0	0	0	0.0%
Wind	284,079	422,886	0	706,965	58.2%
Ocean/Tidal	0	0	0	0	0.0%
Fuel Cells	0	0	0	0	0.0%
Total RPS Eligible Procurement	537,675	676,325	0	1,214,000	

Claimed Portfolio Content Category of RPS Procurement

	2011	2012	2013	CP TOTAL	
Portfolio Content Category	MWh	MWh	MWh	MWh	% of Total RPS
Portiono content category	1010011			1010011	Procurement
RECs Procured from Contracts Executed Prior to June 1, 2010	23,000	0	0	23,000	1.2%
RECs Procured from Category 1 Eligible Resources	253,596	505,555	219,000	978,151	50.0%
RECs Procured from Category 2 Eligible Resources	0	125,000	275,000	400,000	20.5%
RECs Procured from Category 3 Eligible Resources	261,079	292,570	0	553,649	28.3%
Total	537,675	923,125	494,000	1,954,800	

Data Reported by: Direct Energy Business, LLC December 27, 2012

Compliance Summary and Charts

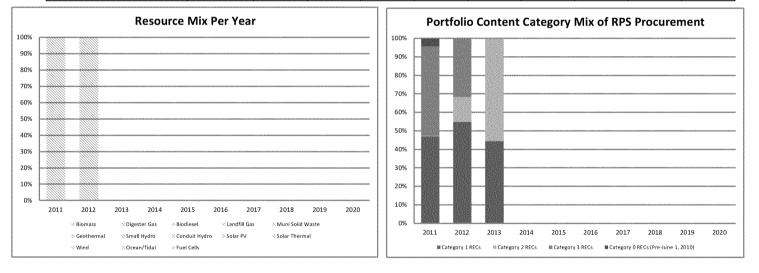
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Retail Sales (MWh)	3,562,040					3,759,505	3,604,306	3,455,514	3,312,865	3,176,104
Annual % Target	20.0%	20.0%	20.0%	21.7%	23.3%	25.0%	27.0%	29.0%	31.0%	33.0%
Annual RPS Target	712,408					939,876	973,163	1,002,099	1,026,988	1,048,114
Procurement Quantity Requirement								4,050),364	

Resource Mix

Γ	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total RPS Procurement	537,675	676,325	0		1 0	1 0	0	0	0	0
			0		0		0			<u> </u>
Biomass	U	25,477	0	0	<u> </u>	0	0	0	0	0
Digester Gas	32,990	0	0	0	0	0	0	0	0	0
Biodiesel	0	0	0	0	0	0	0	0	0	0
Landfill Gas	35,336	21,207	0	0	0	0	0	0	0	0
Muni Solid Waste	0	0	0	0	0	0	0	0	0	0
Biopower Subtotal	68,326	46,684	0	0	0	0	0	0	0	0
Geothermal	16,100	47,120	0	0	0	0	0	0	0	0
Small Hydro	169,170	159,635	0	0	0	0	0	0	0	0
Conduit Hydro	0	0	0	0	0	0	0	0	0	0
Solar PV	0	0	0	0	0	0	0	0	0	0
Solar Thermal	0	0	0	0	0	0	0	0	0	0
Wind	284,079	422,886	0	0	0	0	0	0	0	0
Ocean/Tidal	0	0	0	0	0	0	0	0	0	0
Fuel Cells	0	0	0	0	0	0	0	0	0	0

Portfolio Content Category Mix

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Category 0 RECs (Pre-June 1, 2010)	23,000	0	0	0	0	0	0	0	0	0
Category 1 RECs	253,596	505,555	219,000	0	0	0	0	0	0	0
Category 2 RECs	0	125,000	275,000	0	0	0	0	0	0	0
Category 3 RECs	261,079	292,570	0	0	0	0	0	0	0	0



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	Annual RPS Compliance Report: Compliance Status										
3	Data Reported by:										
4	Direct Energy Business, LLC		Input Required								
5	December 27, 2012		8								
6	December 27, 2012		Actual Data								
7			Forecasted Data								
			Information is Har	rd Coded							
8	Information from the 20% RPS Compliance Program (MWh)	Δ	tual	1							
9 10 11	Total Retail Sales in 2010		7,200								
11	Net Surplus/(Deficit) from 20% RPS Closing Report	126	5,022								
12 13 14											
14			Compliance Period	1	С	ompliance Period			Complian	ce Period 3	
15		Actual	6.000 A.000 State				Forecast				
17 18	Annual RPS Procurement and Percentages (MWh) Annual Retail Sales	2011 3,562,040					2016 3,759,505	2017 3,604,306	2018 3,455,514	2019 3,312,865	2020 3,176,104
19	Annual RPS Procurement	537,675	923,125	494,000	0	0	0	0	0	0	0
20	Annual Percentage Targets	20.0%	20.0%	20.0%	21.7%	23.3%	25.0%	27.0%	29.0%	31.0%	33.0%
21	Annual RPS Procurement Percentage	15.1%	_		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
22 23											
24			Compliance Period			ompliance Period				ce Period 3	
25 26	Procurement Quantity Requirement (MWh) Procurement Quantity Requirement (PQR)	2011	2012	2013	2014	2015	2016	2017	2018 4,05	2019 0,364	2020
27	Pre-June 1, 2010 RECs Retired (Annual)	0	0	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a
28	Category 1 RECs Retired (Annual)	0	0	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a
27 28 29 30	Category 2 RECs Retired (Annual) Category 3 RECs Retired (Annual)	0	0	0	n/a n/a	n/a n/a	n/a n/a	n/a n/a	n/a n/a	n/a n/a	n/a n/a
31	Annual Percentage Targets	20.0%	20.0%	20.0%	n/a	n/a n/a	n/a n/a	n/a n/a	nya n/a	n/a n/a	n/a
32	RECs Retired as Percentage of Retail Sales	0.0%	0.0%	0.0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a
33	Total RECs Retired (Compliance Period)	1	0			n/a			r	ı/a	
31 32 33 34 36 37 38											
37	Destal II - Defense Destal - Anna - Anna -		Compliance Period			ompliance Period		Section and section		ce Period 3	
38	Portfolio Balance Requirements (MWh) Category 1 RECs Retired (Compliance Period)	2011	2012 0	2013	2014	2015 n/a	2016	2017	2018	2019 Va	2020
40	Category 2 RECs Retired (Compliance Period)		0			n/a			r	n/a	
41	Category 3 RECs Retired (Compliance Period)		0			n/a				n/a	
42 43 44	Category 1 Balance Requirement Excess/(Shortfall) Retirements from Category 1		0			n/a n/a				1/a 1/a	
44	Category 3 Balance Limitation		Ö			n/a			r	ı/a	
45 46	Ineligible Category 3		0			n/a			r	ı/a	
40											
48			Compliance Period			ompliance Period				ce Period 3	
49	Excess Procurement Calculation (MWh) RECs applied to PQR from contracts executed prior to June 1, 2010	2011	2012	2013	2014	2015 n/a	2016	2017	2018	2019 Va	2020
48 49 50 51 52 53	Long-Term Category 1 RECs applied to PQR		0			n/a				n/a	
52	Short-Term Category 1 RECs applied to PQR		0			n/a n/a				n/a n/a	
53 54 55	Long-Term Category 2 RECs applied to PQR Short-Term Category 2 RECs applied to PQR		<u>0</u>			n/a				n/a	
55	Long-Term Category 3 RECs applied to PQR		0			n/a				1/a	
56 57	Short-Term Category 3 RECs applied to PQR Excess RECs Eligible for Banking		0			n/a n/a				1/a 1/a	
58	Excess Pre-June 1, 2010 RECs		0			n/a				1/a	
59	Excess Category 1 RECs		0			n/a				n/a	
60 61	Excess Category 2 RECs Remaining Excess RECs Eligible for Banking and Requiring a Category Assignment		0			n/a n/a				1/a 1/a	
62 63											
63 64			Compliance Period	1		ompliance Period	2		Complian	ce Períod 3	
65	Excess Procurement Bank (MWh)	2011	2012	2013	2014	2015	2 2016	2017	2018	2019	2020
66 67	Pre-June 1, 2010 Bank		126,022			n/a				1/a	
67 68	Category 1 Bank Category 2 Bank	-+	0			n/a n/a				1/a 1/a	
69	Application of Pre-June 1, 2010 Banked RECs		126,022			n/a			r	n/a	
70	Application of Category 1 Banked RECs		0			n/a				n/a	
72	Application of Category 2 Banked RECs Cumulative Pre-June 1, 2010 Bank	1.000.000.000.000.000.000	0			n/a n/a				n/a n/a	
73 74	Cumulative Category 1 Bank		ŏ			n/a			r	ı/a	
74	Cumulative Category 2 Bank		0			n/a			r	ı/a	
75 76 77											
77			Compliance Period			ompliance Period				ce Period 3	
78 79	RPS Compliance Status (MWh) Additional RECs Needed to meet RPS Procurement Quantity Requirement	2011		2013	2014	2015 n/a	2016	2017		2019 I/a	2020
80	A source where we are a set of a final final the set of a								1	-, -	
80 81 82				tracing and the second second second							
82 83	Provisional 20% Closing Report Deficit from Provisional 20% RPS Closing Report	2011	2012 N/A	2013							
84	RECs applied to PQR from contracts executed prior to June 1, 2010		0								
84 85	Long-Term Category 1 RECs applied to PQR		0								
86 87	Short-Term Category 1 RECs applied to PQR Long-Term Category 2 RECs applied to PQR	+	0								
88	Short-Term Category 2 RECs applied to PQR	1	0								
89	Long-Term Category 3 RECs applied to PQR Short-Term Category 3 RECs applied to PQR		0								
90 91	Short-Term Category 3 RECs applied to PQR Application of Pre-June 1, 2010 RECs to 20% Closing Report Deficit		0								
92	Application of Long-term Category 1 RECs to 20% Closing Report Deficit		0								
93	Application of Short-term Category 1 RECs to 20% Closing Report Deficit		0								
94	Application of Long-term Category 2 RECs to 20% Closing Report Deficit Application of Short-term Category 2 RECs to 20% Closing Report Deficit		0								
95											
95 96	Application of Long-term Category 3 RECs to 20% Closing Report Deficit		0								
96 97	Application of Long-term Category 3 RECs to 20% Closing Report Deficit Application of Short-term Category 3 RECs to 20% Closing Report Deficit	-	0								
95 96 97 98 99	Application of Long-term Category 3 RECs to 20% Closing Report Deficit										

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Appendix A Narrative

Direct Energy Business, LLC December 27, 2012

1. The status of any necessary siting and permitting approvals from federal, state, and local agencies for those eligible renewable energy resources procured by the retail seller that have not yet attained their commercial on-line dates.

Response: N/A

2. Identification of all procurement from eligible renewable energy resources located outside California and within the WECC during the period covered by the report.

Response: White Creek Wind, Dokie Wind, Roosevelt Biogas Facility, Harvest Wind, Wheat Field Wind, Hopkins Ridge, Elkhorn Valley Wind, Kittitas Valley Wind, Vansycle II, Bear Mountain Wind Park, Burley Butte Wind Park, Camp Reed Wind Park, Golden Valley Wind Park, Milner Dam Wind Park, Leaning Juniper, Copper Dam Plant, Peters Drive Dam, Oregon Trial Wind, Payne's Ferry Wind Park, Pilgrim Stage Station Wind Park, Salmon Falls Wind Park, Thousand Springs Wind Park, Tuana Gulch Wind Park, Yahoo Creek Wind Park, Campbell Hill, Dunlap I, Glenrock I, High Plains, Longview Pulp Mill, Marengo, McFadden Ridge, Rolling Hills

3. Identification of all procurement of unbundled renewable energy credits (RECs) during the period covered by the report.

Date	Contract Details	Volume
3/3/2011	Powerex	25,254
4/1/2011	Powerex	20,000
4/7/2011	Powerex	15,825
7/26/2011	Powerex	100,000
7/27/2011	Sagebrush Power Partners	50,000
10/14/2011	Nextera Energy Power Marketing	25,000
12/8/2011	AltaGas Ltd.	25,000
1/25/2012	Idaho Wind Partners	25,000
2/13/2012	AltaGas Ltd.	25,000
2/22/2012	Nextera Energy Power Marketing	25,000
3/1/2012	Idaho Wind Partners	25,000
3/6/2012	Idaho Wind Partners	50,511
5/24/2012	Brookfield Energy Marketing	65,477
6/18/2012	Idaho Wind Partners	51,582
9/18/2012	NRG	25,000

Response:

 Recommendations to remove impediments to making progress toward achieving the renewable energy resources procurement requirements established by statute and implemented by Commission decision.

Response: DEB has no recommendations at this time.

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 compliance report has not been altered from the version issued or approved by Energy Division.

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

Executed on December 18, 2012 at HonSTON, TX. (Date) (Name of city) (Rey of ASSISTANT SEINETARY (State)

(Signature and Title of Corporate Officer)