

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)

Gexa Energy California, LLC

2011 Preliminary Annual 33% RPS Compliance Report

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

December 2012

December 28, 2012

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CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

2011 Preliminary Annual 33% RPS Compliance Reporting Instructions

Annual RPS compliance reports submitted by retail sellers include qualitative and quantitative elements, as required by the public utilities code 399.13 and Commission decisions, notably, Decision (D.) 11-12-020, D.11-12-052 and D.12-06-038. Specific procedural guidelines, reporting requirements and general explanations about the RPS compliance spreadsheet are detailed below. Any questions concerning RPS compliance matters should be directed to Robert Blackney robert.blackney@cpuc.ca.gov, (415) 703-3072.

Procedural Guidelines

1. D.12-06-038 requires Investor Owned Utilities (IOU), Multi-Jurisdictional Utilities (MJU), Electric Service Providers (ESP), and Community Choice Aggregators (CCAs) to submit an annual report on its compliance with the California RPS program. Refer to D.12-06-038 for additional details related to the calculations within the RPS compliance spreadsheet.
2. Any retail seller seeking confidentiality protection for information required by the Compliance 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.
3. RPS Compliance reports must 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. **The most current version of the service list can be found on the Commission's webpage :**
http://www.cpuc.ca.gov/service_lists/R1105005_79864.htm
 - b) **Submit 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.**
4. Include the Title Page and fill out the following information:
 - a) Name of the retail seller serving the Compliance Report
 - b) Date the Compliance Report is being served
 - c) Contact information
5. Complete the Officer Verification Form in the format provided (Rule 1.11)

Narrative Reporting Requirements

Pursuant to Public Utilities Code Section 399.13(a)(3), each retail seller must include the following narrative information in each annual compliance report and in the final report for each compliance period:

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.
2. Identification of all procurement from eligible renewable energy resources located outside California and within the WECC during the period covered by the report.
3. Identification of all procurement of unbundled renewable energy credits (RECs) during the period covered by the report.
4. Recommendations to remove impediments to making progress toward achieving the renewable energy resources procurement requirements established by statute and implemented by Commission decision.

Each retail seller that is also an electrical corporation must, in addition to the four items set forth above, include the following narrative information in each annual compliance report and in the final report for each compliance period:

1. The current status and progress made during the prior year toward construction of, and upgrades to, transmission and distribution facilities and other electrical system components owned by that electrical corporation to interconnect eligible renewable energy resources and to supply the electricity generated by those resources to load. The narrative must specifically include, but is not limited to, the status of planning, siting, and permitting of transmission facilities by federal, state, and local agencies.

RPS Compliance Report Spreadsheet Instructions

General Instructions

1. Orange cells throughout the spreadsheet indicate data provided by the retail seller.
2. All data must be entered in megawatt-hours (MWh) out to three decimal points to accurately account for reported retail sales, quantity or renewable energy credits (RECs) and targets. The spreadsheet will display MWh throughout. Do not round any reporting data, as this may result in calculation errors.
3. The RPS compliance spreadsheet has locked cells to ensure accurate calculations. An unprotected version of the spreadsheet is available by request.
4. 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.

Accounting tab instructions

The Accounting tab is where the primary RPS compliance calculations are made.

Information from the 20% RPS Program : 2010 retail sales figure (cells C11:D11) is needed to calculate the long-term contracting requirement for the first compliance period. Enter the "Surplus/(Deficit) Carried Forward" value from the "Provisional 20% RPS Closing Report" (cells C12:D12). Pursuant to D.12-06-038, all CA retail sellers are required to file a Closing Report to calculate their surplus/(deficit) procurement amount from the 20% RPS program.

Annual RPS Procurement and Percentages : This section calculates retail seller's annual percentage target and procurement made towards those targets, prior to the application of specific compliance rules.

Procurement Quantity Requirement : This section calculates retail seller's Procurement Quantity Requirement (PQR) for a given compliance period, and shows the total amount of RECs applied to the PQR (data sourced from the "RECs Retired to meet PQR Detail" tab).

Portfolio Balance Requirements : This section calculates (i) whether the retail seller met the minimum procurement requirement for Category 1 RECs, and (ii) whether the retail sellers procured Category 3 RECs within the limit for each compliance period.

Excess Procurement Calculation : This section calculates the quantity and classification of RECs that qualify as for excess procurement. Retail sellers will classify any RECs that qualify as excess procurement (row 57) as either a Pre-June 1, 2010 REC, a Category 1 REC or a Category 2 REC (rows 58-60).

Excess Procurement Bank : This section shows the amount of excess procurement available for future RPS compliance, and a retail seller's application of excess procurement RECs towards a procurement quantity requirement, as applicable.

RPS Compliance Status : This section shows whether or not a retail seller met its procurement quantity requirement and the deficit amount, if any. Enforcement rules for RPS compliance have yet to be determined.

Deficit from the 20% Closing Report : This section how the retail seller will satisfy its net deficit from the 20% RPS Program, as reported in the Closing Report, if any.

Procurement Detail tab

Procurement Summary : This section differentiates the reported RECs procured by classification (i.e., pre-June 1, 2010, Category 1, Category 2 or Category 3) and calculates whether the retail seller met the long-term contracting requirements, if any short-term (< 10 yrs) contracts were executed in a compliance period.

Contract Detail : For each contract, enter actual and forecasted data (MWh) for each year 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) 2002-2020 Contracts: List contracts by CPUC ID Number, name, annual contracted deliveries (MWh), contract status, facility status, resource type, expected portfolio content category (i.e. Category 1, Category 2, etc.), contract length (i.e. short-term/long-term), whether contracted RECs are bundled/unbundled, the facility location (City and State), contract execution date, and the total MWh volume of the contract.
- c) "Contract Volume" (Column "W") Input the total MWh over the term of the contract identified in the power purchase agreement.
- d) Contract Execution Date: The date the original contract was signed. If the parties signed on different dates, or there are any contract amendments or modifications occurring after June 1, 2010, that increase the nameplate capacity or expected quantities of annual generation, or substitute a different renewable energy resource, use the most recent execution/signing date.
- e) If any data for a specific contract differs from what is reported to the CEC or included in an RPS Verification Report of the CEC for that year, the specific cell should be highlighted and the discrepancy should be explained.

RECs Retired and Applied to PQR

The information provided in this tab is largely the same as the information within the "Procurement Detail tab"; however, rather than including all RPS eligible RECS procured, retail sellers should provide only the MWh figures of RECs retired through WREGIS **and** applied to their Procurement Quantity Requirement.

RPS Compliance Report: Summary

2011 Annual Summary	
Report Date	

RPS Summary Report	2011	
	MWh	% of Total Retail Sales
Total Retail Sales	0	n/a
Annual RPS Target	0	0.0%
Total RPS Eligible RECs Procured	0	0.0%
Total RPS Eligible RECs Retired for Compliance	0	0.0%

RPS Procurement Resource Mix

RPS Procurement	2011	
	MWh	% of Total RPS Procurement
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
Biopower Subtotal	0	0.0%
Geothermal	0	0.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	0	

Claimed Portfolio Content Category of RPS Procurement

Portfolio Content Category	2011	
	MWh	% of Total RPS Procurement
RECs Procured from Contracts Executed Prior to June 1, 2010	0	0.0%
RECs Procured from Category 1 Eligible Resources	0	0.0%
RECs Procured from Category 2 Eligible Resources	0	0.0%
RECs Procured from Category 3 Eligible Resources	0	0.0%
	0	

RPS Compliance Report: Summary

2011-13 Compliance Period	
Report Date	

RPS Summary Report	2011	2012	2013	CP TOTAL	% of Total Retail Sales
	MWh	MWh	MWh	MWh	
Total Retail Sales					n/a
Annual RPS Targets and Compliance Period Procurement Requirement					20.0%
Total RPS Eligible RECs Procured	0	0	70,315	70,315	
Total RPS Eligible RECs Retired	0	0	0	0	0.0%

This amount represents total procurement quantity requirement

This amount represents quantity of RECs retired for this compliance period

RPS Procurement Resource Mix

RPS Procurement	2011	2012	2013	CP TOTAL	% of Total RPS Procurement
	MWh	MWh	MWh	MWh	
Biomass	0	0	0	0	0.0%
Digester Gas	0	0	0	0	0.0%
Biodiesel	0	0	0	0	0.0%
Landfill Gas	0	0	0	0	0.0%
Muni Solid Waste	0	0	0	0	0.0%
Biopower Subtotal	0	0	0	0	0.0%
Geothermal	0	0	0	0	0.0%
Small Hydro	0	0	0	0	0.0%
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	0	0	70,315	70,315	100.0%
Ocean/Tidal	0	0	0	0	0.0%
Fuel Cells	0	0	0	0	0.0%
Total RPS Eligible Procurement	0	0	70,315	70,315	

Claimed Portfolio Content Category of RPS Procurement

Portfolio Content Category	2011	2012	2013	CP TOTAL	% of Total RPS Procurement
	MWh	MWh	MWh	MWh	
RECs Procured from Contracts Executed Prior to June 1, 2010	0	0	0	0	0.0%
RECs Procured from Category 1 Eligible Resources	0	0	35,158	35,158	50.0%
RECs Procured from Category 2 Eligible Resources	0	0	17,579	17,579	25.0%
RECs Procured from Category 3 Eligible Resources	0	0	17,579	17,579	25.0%
Total	0	0	70,315	70,315	

Data Reported by:
 Gexa Energy California, LLC
 December 28, 2012

Compliance Summary and Charts

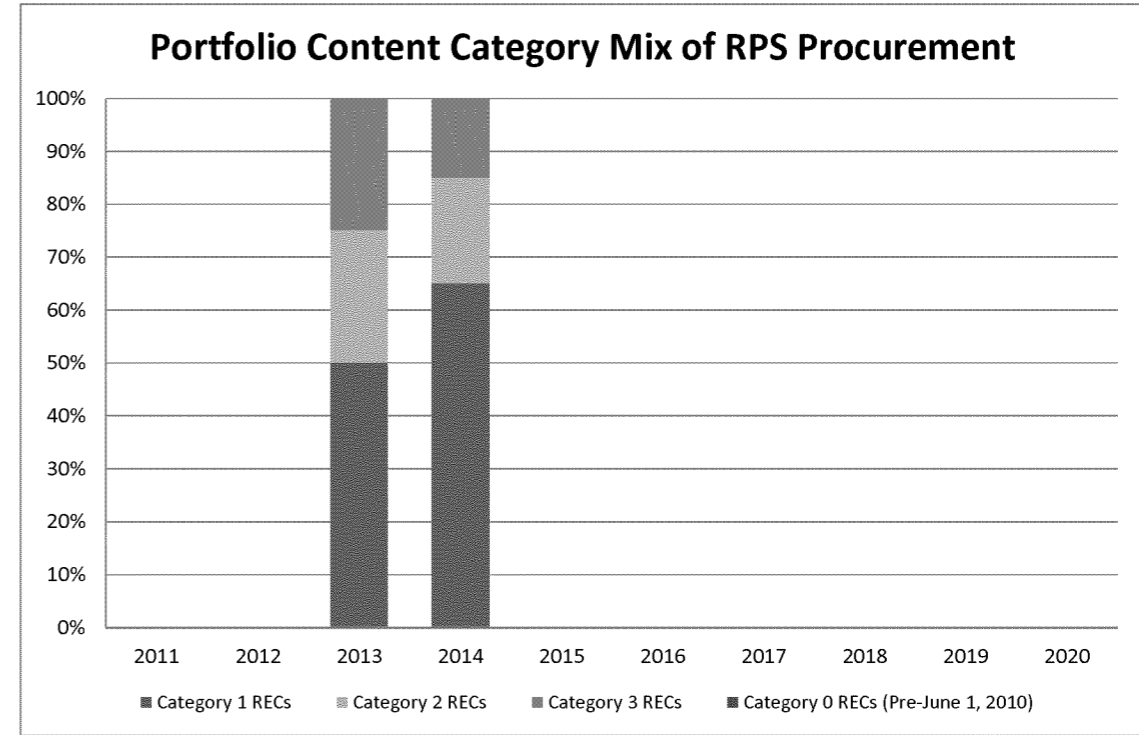
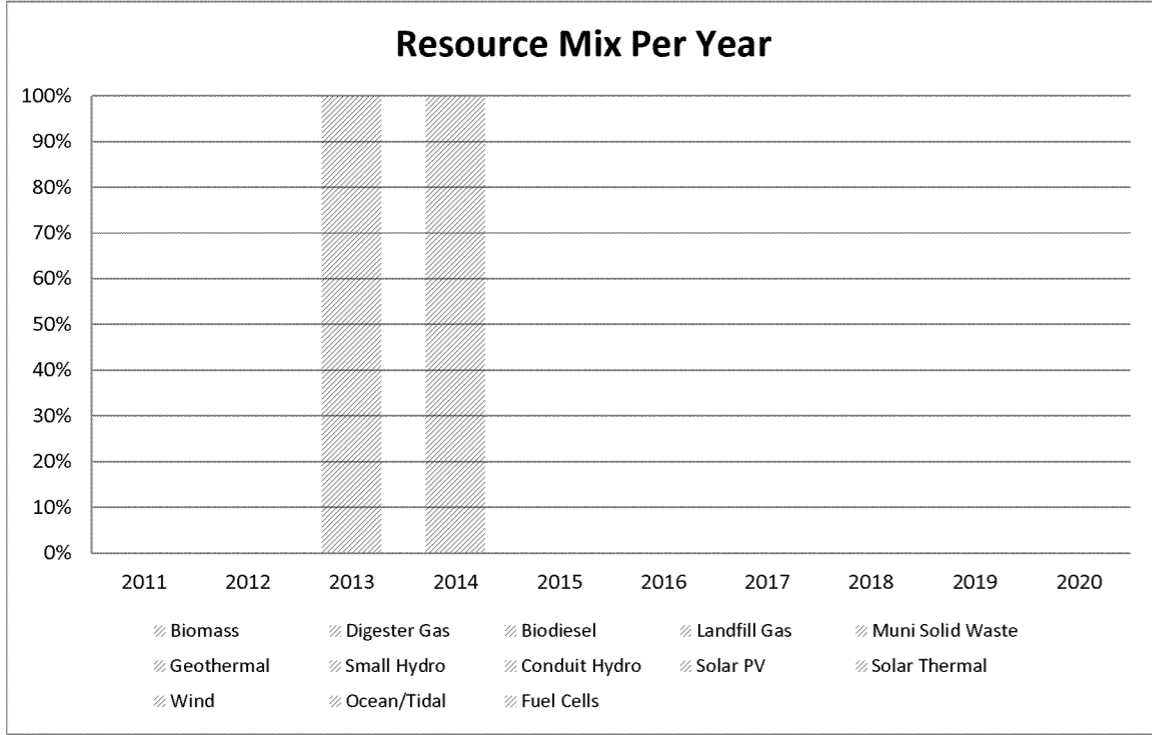
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Retail Sales (MWh)					0	0	0	0	0	0
Annual % Target	20.0%	20.0%	20.0%	21.7%	23.3%	25.0%	27.0%	29.0%	31.0%	33.0%
Annual RPS Target					0	0	0	0	0	0
Procurement Quantity Requirement									0	

Resource Mix

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total RPS Procurement	0	0	70,315	3,226	0	0	0	0	0	0
<i>Biomass</i>	0	0	0	0	0	0	0	0	0	0
<i>Digester Gas</i>	0	0	0	0	0	0	0	0	0	0
<i>Biodiesel</i>	0	0	0	0	0	0	0	0	0	0
<i>Landfill Gas</i>	0	0	0	0	0	0	0	0	0	0
<i>Muni Solid Waste</i>	0	0	0	0	0	0	0	0	0	0
<i>Biopower Subtotal</i>	0	0	0	0	0	0	0	0	0	0
<i>Geothermal</i>	0	0	0	0	0	0	0	0	0	0
<i>Small Hydro</i>	0	0	0	0	0	0	0	0	0	0
<i>Conduit Hydro</i>	0	0	0	0	0	0	0	0	0	0
<i>Solar PV</i>	0	0	0	0	0	0	0	0	0	0
<i>Solar Thermal</i>	0	0	0	0	0	0	0	0	0	0
<i>Wind</i>	0	0	70,315	3,226	0	0	0	0	0	0
<i>Ocean/Tidal</i>	0	0	0	0	0	0	0	0	0	0
<i>Fuel Cells</i>	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)	0	0	0	0	0	0	0	0	0	0
Category 1 RECs	0	0	35,158	2,097	0	0	0	0	0	0
Category 2 RECs	0	0	17,579	645	0	0	0	0	0	0
Category 3 RECs	0	0	17,579	484	0	0	0	0	0	0



	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2		Annual RPS Compliance Report: Compliance Status											
3		Data Reported by:											
4		Gexa Energy California, LLC											
5		December 28, 2012											
6													
7													
8													
9		Information from the 20% RPS Compliance Program (MWh)											
10													
11		Total Retail Sales in 2010											
12		Net Surplus/(Deficit) from 20% RPS Closing Report											
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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 [has] been altered from the version issued or approved by Energy Division [, with the alterations described in this report].

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

Executed on 12/20/2012 at Houston, TX.



Larry Boisvert, Vice President