



January 31, 2013

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94102

Shell Energy North America  
4445 Eastgate Mall, Suite 100  
San Diego, CA 92121  
Tel 1+ 858 526 2109  
[www.shell.com/us/energy](http://www.shell.com/us/energy)

Subject: Shell Energy North America (US), L.P. GHG Environmental Performance  
Standard (EPS) Compliance Filing

Please find enclosed the above referenced in hard and electronic copies. Please forward  
the notice of disposition to:

Marcie A. Milner  
Vice President, Regulatory Affairs  
Shell Energy North America (US), L.P.  
4445 Eastgate Mall, Suite 100  
San Diego, CA 92121  
[Marcie.milner@shell.com](mailto:Marcie.milner@shell.com)  
(858) 526-2106

If you have any questions concerning this compliance filing, please don't hesitate to  
contact me.

Regards,

A handwritten signature in black ink, appearing to read "Marcie Milner", is written over the typed name.

Marcie A. Milner

Enclosures

**Attachment 1**  
**Compliance Filing for LSEs with no Long-Term Financial Commitments**

January 31, 2013

CA Public Utilities Commission  
Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94102-3298

Re: GHG Environmental Performance Standard (EPS) Compliance Filing 2013

Pursuant to Ordering Paragraph No. 4 of Decision (“D.”) 07-01-039, issued in R. 06-04-009 on January 25, 2007, Shell Energy North America (US), L.P. submits this annual Attestation Letter affirming that the financial commitments Shell Energy North America (US), L.P. has entered into for generation on behalf of its California retail load during the prior calendar year are in compliance with the greenhouse gas (“GHG”) emissions performance standard (“EPS”). Specifically, Shell Energy North America (US), L.P. is in compliance with the EPS as it has no generation facilities and no long-term financial commitments for generation.

**Effective Date:** No later than March 9, 2013

**Tier Designation:** Tier 2 Designation

**Purpose**

This Attestation Letter provides information and documentation required by D.07-01-039. This Attestation Letter demonstrates that for **2012** Shell Energy North America (US), L.P. has entered into financial commitments that are in compliance with the EPS (long-term financial commitments defined on Page 3 of Attachment 7 in D.07-01-039).

**Background**

D.07-01-039 requires all Load Serving Entities (“LSEs”) to file annual Attestation Letters, due February 15<sup>th</sup> of each year, attesting to the Commission that the financial commitments entered into for generation during the prior calendar year are in compliance with the EPS. D.07-01-039 requires LSEs to file Attestation Letters as an advice letter and serve the Attestation Letter on the service list in Rulemaking (“R.”) 06-04-009. This Attestation Letter is filed pursuant to that process.

D.07-01-039 requires LSEs to include a listing of long-term financial commitments of five years or longer that they have entered into during the prior year. Furthermore, D.07-01-039 requires additional documentation demonstrating that LSEs have complied with the EPS. Specifically, D.07-01-039 requires LSEs to provide documentation to demonstrate:

- (a) That the commitments were not “covered procurements” under the interim EPS rule and/or
- (b) For those that represent covered procurements, documentation demonstrating that such procurements are EPS-compliant, including any contracts with a term of five years or longer that include provisions for substitute energy purchases.
- (c) For any requested reliability-based exemptions that have been pre-approved by the Commission, a reference to the application and Commission decision number.

D.07-01-039 requires all LSEs to disclose the investment amount and type of alteration to retained generation, by generation facility and unit. D.07-01-039 also advises LSEs to present documentation regarding the design and intended use of the powerplant(s) underlying their new long-term financial commitments utilizing the sources of information listed in § 8341(b)(4), as well as any other sources of documentation that they believe will be relevant to this determination.

D.07-01-039 emphasizes that the key concept is to establish the design and intended use of the powerplant. Accordingly, documentation of the annualized plant capacity factor for the powerplant should include historical annual averages in order to help determine whether the plant is “designed and intended” to be used for baseload generation. D.07-01-039 requires LSEs to provide documentation of capacity factors, heat rates and corresponding emissions rates that reflect the actual, expected operations of the plant.

This Attestation Letter comports with the requirements outlined above.

### **Protests**

This compliance filing is not subject to protest pursuant to General Order 96-B, Energy Industry Rule 9.

### **Correspondence**

Any correspondence regarding this compliance filing should be sent by email to the attention of:  
Marcie Milner, Vice President Regulatory Affairs  
Shell Energy North America (US), L.P.  
4445 Eastgate Mall Suite 100  
San Diego, CA 92121  
[marcie.milner@shell.com](mailto:marcie.milner@shell.com)

### **Certification**

- (1) I have reviewed, or have caused to be reviewed, this compliance submittal.

- (2) Based on my knowledge, information, or belief, this compliance submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements true.
- (3) Based on my knowledge, information, or belief, this compliance submittal contains all of the information required to be provided by Commission orders, rules, and regulations.

Include the name and contact information for the LSE officer(s) certifying the above:

Michael D'Arienzo

A handwritten signature in black ink, appearing to read "Michael D'Arienzo", with a long horizontal flourish extending to the right.

Shell Energy North America (U.S.) L.P.  
W. 601 1<sup>st</sup> Ave., Suite 1700  
Spokane, Washington 99201