

IRP D.19-11-016 and D.20-12-044 Frequently Asked Questions on Self-Providing Load-Serving-Entities Reporting Requirements

The responses below represent Energy Division staff's understanding of CPUC Decisions. CPUC Decisions are the official directions of the Commission, and Energy Division Staff may not modify Decisions. Energy Division staff prepared this list of responses to Frequently Asked Questions to provide interested parties a consistent understanding of staff's interpretation of CPUC Decisions relevant to Load Serving Entities (LSE)' requirements to demonstrate progress toward D.19-11-16 procurement obligations, as established in D.20-12-044. Staff has endeavored to ensure that the content of this FAQ is consistent with the CPUC Decision language and other relevant statutes, case law and rules. In the event of any inconsistency, the CPUC is bound to operate pursuant to its Decisions and relevant statutes, case law and rules. Parties should contact Energy Division staff if they have additional questions or concerns about the interpretations offered by staff in this document. These questions pertain to the 2/1/2021 showing of contractual progress on D.19-11-016 procurement and clarified by the D.20-12-044 backstop decision. Staff reserves the right to change guidance for future showings.

The "Public Reporting Template for February 1, 2021 Filing on D.19-11-016 Procurement (Formally: Public Reporting Template for Backstop Procurement)" was sent to the R.20-05-003 service list on January 8, 2021 and is available on the [IRP Procurement Track webpage](#) under "Additional Procurement Guidance".

Questions About Reporting Requirements:

- 1) Scope of Required Reporting:** Should LSEs submit documentation or enter information into the "Public Reporting Template for February 1, 2021 Filing on D.19-11-016 Procurement" pertaining to resources in development NOT needed to fulfill an LSE's obligation under D.19-11-016?

Only contracts fulfilling the LSE's obligation under D.19-11-016 will need to be included for this showing.

- 2) Scope of Required Reporting:** Should LSEs include all contracts that meet the eligibility requirements (incremental, online prior to August 1, 2023) even if an LSE is in excess of its obligation OR should an LSE only include only those resources to meet its obligation?

LSEs need only submit contracts that they intend to use to meet their D.19-11-016 requirements.

- 3) Submission and Filing:** Can you please confirm that we are to submit the public template and milestone supporting documentation 1) to CPUC FTP and 2) as a formal filing to CPUC that consists of both a confidential version and public version of all materials.

The LSE must file through both CPUC FTP and file formally. Our expectation is the template should be public and not require a confidential version. If any supporting documentation is confidential, please motion to file under seal accordingly. Email ED Staff (Lauren Reiser: lauren_reiser@cpuc.ca.gov; Kerry Fleisher: Kerry.Fleisher@cpuc.ca.gov) if there's anything in the template you feel is confidential.

- 4) **Narrative Requirement:** Is a narrative included in this filing and, if so, what is the requirement?

No, a narrative is not required – all self-providing LSEs must submit the public reporting template and the requested supporting documentation. The one exception is that LSEs who are not able to meet milestone #1 and #2 for their obligation should submit a remediation plan detailing the source of the delay and when they expect to have met these requirements. We have not provided a specific template for the remediation plan as we expect it to be specific to each LSE's situation.

- 5) **Project Timeline:** What specifically would you like submitted for the project timeline documentation as part of Milestone 1? We are hoping that a milestones timeline included in our contracts would be satisfactory. Also, can those project milestones be considered confidential?

Yes, this satisfies the requirement as long as the LSE has submitted all the supplemental documentation (interconnection agreement, notice to proceed, site control) and dates for each listed in the template. Yes, contracts and their content will be treated as confidential as long as the LSE motions to file under seal.

- 6) **DR Supplemental Information Requirements:** For DR resources, are we required to submit any documentation in addition to the executed contract to demonstrate interconnection, site control, notice to proceed with construction, or commercial operation of the aggregated DR resource, pursuant to the milestones? If so, can you provide guidance on what documents the CPUC needs to see for this type of contract?

For DR contracts, the LSE must submit the executed contract and the load impact protocol if it has been approved. If applicable, the LSE should also submit progress on rule 21 permits for DR contracts involving BTM storage. As evidence of online generation, the LSE should submit proof of Resource IDs being created in CAISO systems, and then populated on year- or month-ahead supply plans. The LSE does not need to submit the other documentation being requested for new construction (interconnection agreement, notice to proceed, site control).

- 7) **Evidence of Online Generation for New Construction:** For Milestone #3, what “evidence of online generation” is sufficient to meet this milestone? Is there something in particular that the LSEs should provide?

For this showing, please provide the best evidence available that the resource is online and has reached commercial operations. We may request additional information following the 2/1 showing if we do not find the documentation provided sufficient.

- 8) Evidence of Online Generation for New Construction:** Do CAISO or CPUC NQC lists satisfy the requirement to provide evidence of online generation?

If the LSE does not have other evidence proving availability and commercial operation status, then CAISO or CPUC NQC list status should be included. We may request additional information following the 2/1 showing if we do not find the documentation provided sufficient.

- 9) Required Documentation for Resources Already Online:** If for this submission (February 1) the LSE has already met this milestone for a resource, does the LSE need to provide the executed contract with the resource supplier?

Yes, if the LSE has met milestone #3, they must submit evidence of online generation as well as the executed contract to verify resource commitment. They do not need to provide the other requested documentation: interconnection agreement, site control, notice to proceed on new construction. When filling out the template, please indicate "N/A – project is online" for the inapplicable milestone columns.

- 10) IOU Contract Submission:** For evidence to help support Milestone #1 (i.e., contracts), can the IOUs reference our previous IRP procurement advice letters submitted to Energy Division that included contracts for all three procurement tranches (2021-2023)?

Yes they can, assuming there have been no changes to those contracts since the last version submitted to CPUC. If there have been changes, redlines must be filed.

- 11) Requirements for LSE-to-LSE transactions:** If the LSE has contracted with another LSE for a portion of the unit, do both LSEs (Buyer and Seller) need to submit the same contract for the resale and the resource supporting documentation? Or, can the Seller (in the LSE-LSE transaction) submit the original resource contract with their supplier and the supporting documentation, while the Buyer (in the LSE-LSE transaction) submits the resale contract between the two LSEs?

Both LSEs should submit all required documentation that they have access to (including the original documentation and re-sale contract).

- 12) Notice to Proceed:** For Milestone #2, developers may not be contractually required to provide Notice to Proceed ("NTPs"). What should the LSE submit instead?

If the LSE does not have the “Notice to Proceed” documentation, they may submit what similar evidence they are able to provide that serves a similar purpose (i.e. updates on construction milestones).

Questions Regarding “Public Reporting Template for February 1, 2021 Filing on D.19-11-016 Procurement”:

13) Additional Notes: Can we add a column for “Notes” to provide additional resource information that may be useful for Energy Division to help track milestone progress?

Yes, we welcome additional context in a “notes” column.

14) Report Edition: Should the 2/1/2021 compliance filing be considered the first backstop procurement report (Column AC)?

Yes.

15) IOU Submission of Opt-Out Capacity: For D.19-11-016 requirements, IOUs were ordered to procure on behalf of Opt-Out LSEs. Would the IOU show the 100% of the NQC for the respective contract or should they only show their own portion of the NQC less the allocated percentage for Opt-Outs?

Please show both quantities in the template and include a note.

16) NQC: In the template, there are two columns seeking information on August and September NQC for the incremental resources coming online to meet D.19-11-016. However, the resources will not have a NQC assigned until they come online and deliver RA. What should we enter in these columns?

Please enter the expected NQC for all tranches based upon the QC methodologies in force when D.19-11-016 was issued. For hybrid resources, Decision D.19-11-016, Order 14, stated that compliance for hybrid resources will be based on the QC methodology adopted in the RA proceeding, R.19-11-009. An interim methodology adopted in proceeding R.19-11-009 has subsequently been replaced with a revised computational method for hybrid resources in D.20-06-031.

17) NQC for Future Years: Please clarify whether or not this is for 2021 NQC only. For projects that do not come online until 2022 or 2023 and do not have an NQC assigned yet, would one enter contracted capacity, “N/A”, “0”, or leave blank?

Please enter the expected NQC for all tranches based upon the QC methodologies in force when D.19-11-016 was issued. For hybrid resources, Decision D.19-11-016, Order 14, stated that compliance for hybrid resources will be based on the QC methodology adopted in the RA proceeding, R.19-11-009. An interim methodology adopted in

proceeding R.19-11-009 has subsequently been replaced with a revised computational method for hybrid resources in D.20-06-031.

- 18) Incremental NQC:** Please clarify if the NQC is the incremental NQC that counts toward the procurement requirements vs. the full NQC. This may differ for some of our co-located resources.

Please include the incremental NQC that counts toward the procurement requirements. Please include a note indicating this.

- 19) NQC Beyond Obligation:** If a resource's NQC contribution exceeds the amount we need for our obligation, should we just list the portion that corresponds to our D.19-11-016 obligation? For example, if we only need 5 MW to meet our Tranche 3 obligation and the resource's September NQC is 10, should we list the nameplate capacity in Column H, and then fill in Column J with the capacity needed for our obligation (5 MW in this case)?

Yes, enter the portion being used to meet the LSE's obligation into the NQC column, but please add a note (either a cell comment or as an additional column at the end of the template if there are multiple notes) with the total resource NQC and an explanation. Please also use the NQC fraction column to indicate what percent of the total resource NQC the LSE are claiming for D.19-11-016 (so for the example above that would be .5).

- 20) Confidential NQC for Third Party DR:** Guidance on the application of Load Impact Protocols to the IRP Solicitations from Decision D.19-11-016 states that "ED will forego public posting of individual third-parties' QC data on the CPUC Resource Adequacy (RA) webpage." Should we also exclude NQC values of third-party DR contracts from our Public Reporting Templates?

Yes, per the guidance offered, leave the NQC column blank if the LSE is reporting a third-party DR contract. Please see the full guidance here for any questions:

<https://www.cpuc.ca.gov/WorkArea/DownloadAsset.aspx?id=6442463806>

- 21) Resources for Multiple Tranches:** How do we report resources whose capacity will be used to meet more than one obligation tranche? The workbook only allows us to select one option. (Column AB)

Enter two rows to describe this resource, the first row pertaining to the first tranche and the second to the second tranche. Alter both NQC columns to indicate how much NQC is going toward each tranche. For both rows, enter the full resource nameplate MW (not the amount that pertains to each tranche). Add a note after the rightmost column of the template stating that this is one resource fulfilling the obligation under multiple tranches.

22) Milestone 2 Contracts: Can you please confirm that under Milestone 1, the signed contract and execution date (columns AE and AF) should be only for the in-front-of-the meter resources and not DR, imports, or sales of excess resources. You seem to be asking for signed contracts for these other resources under Milestone 2 (columns AM and AN).

Yes, please indicate that the LSE has an executed contract and the contract date under the milestone 2 heading for those resources. The LSE may leave AE & AF blank for those rows.

23) Co-Located Resources: If a solar plus storage resource is co-located, how should it be reported in the template? Should the project be reported in one row with the hybrid detail columns (U:P) completed OR should we report this resource as two separate rows and leave the hybrid columns (U:P) blank?

Use one row with hybrid details completed. If there are two CAISO IDs, please enter both in column E.

24) Co-Located Resources: For solar plus storage co-located resources, there will be two distinct CAISO Resource IDs, one for the solar and one for the storage. If the resource is online, will we then list both CAISO Resource IDs in the CAISO ID column (Column E)?

Yes, please list both CAISO Resource IDs.

25) Project Location – County for DERs: Distributed energy resources (DER) through our DR contracts will be located throughout the service territory. Can you please clarify what an LSE would indicate for “Project Location” for these resources? What would we indicate for a resource that is located out of state?

For DR contracts throughout the service territory, please replace the validation with “LSE-territory-wide”. For out of state resources, “Out-of-State” is already included in the drop-down list.

26) Project Zip Code for DERs: For those DER resources that are located throughout the service territory, can the LSE indicate “N/A” for project zip code?

Yes.

27) Fulfilling Milestone 3: There is only the option to select “Yes” or “No” for milestone 3 completion. If there is progress being made to get these resources online, but is not online yet do we leave this column blank or can we add an option to specify “N/A”? A “Yes” or “No” does not apply for resources that are making progress towards meeting Milestone 3.

If the project is not online, please indicate no. If additional context is required, please do so as a note.

28) Nameplate MW for DR: What should an LSE indicate for nameplate MW for DR contracts?

Please indicate the contracted capacity.

29) NQC for DR contracts without Load Impact Protocol: Can we enter contracted capacity for the NQC value of DR contracts that have not yet completed the Load Impact Protocol?

Yes, please enter contract capacity.

30) Interconnection Agreement - DR: DR contracts with a third party provider may involve several thousands of interconnected resources to provide the contracted commitment. For the interconnection agreement column, what should LSEs indicate for these contracts? Do LSEs need to provide the interconnection agreements?

Please indicate "N/A – numerous interconnections". For DR contracts, the LSE must submit the executed contract and the load impact protocol if it has been approved. If applicable, the LSE should also submit progress on rule 21 permits for DR contracts involving BTM storage. As evidence of online generation, the LSE should submit proof of Resource IDs being created in CAISO systems, and then populated on year- or month-ahead supply plans. The LSE does not need to submit the other documentation being requested for new construction (interconnection agreement, notice to proceed, site control).

31) Incremental Imports: Under D.19-11-016 rules, dynamically scheduled incremental imports can count for up to 20% of the total procurement requirement. Therefore for the NQC Fraction' column, we should only list what we are getting based on this cap and not what portion we contracted for in excess of the cap, correct?

For the NQC columns, put only the NQC that is able to be used to meet the LSE's obligation per the D.19-11-016 import cap. In the fraction column, indicate the percent of the total resource NQC that is. Please add a note (either as a comment to that cell or by creating a notes column at the end of template if there are other notes to add) explaining that this reflects the D.19-11-016 import cap, rather than multiple LSEs contracting with one resource.