

# **Stakeholder Comments**

## **Regulatory Must Take Draft Tariff Language**

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Please find Southern California Edison's (SCE) comments and requests for clarification on the California Independent System Operator's (CAISO) Regulatory Must Take Draft Tariff Language.

### **Topic: RMTmax definition**

Our understanding of language within both the Draft Tariff (May 10) and the Addendum to the Draft Final Proposal (April 30) is that:

When agreed to by both the CHP Resource and the SC:

- Two daily RMTmax values may be established, and
- These two daily values may be changed as often as allowed per the Master File change process.

Should the CHP Resource and SC not agree on the RMTmax value(s), the number of RMTmax values and/or the frequency of review/changes to the RMTmax value(s):

- (One) annual RMTmax value and (four: Spring - Summer – Fall – Winter) seasonal RMTmax values will be established by the Independent Evaluator (IE), and
- These respective RMTmax values will be reassessed and recertified only once every year.
  - The reassessment may occur as often as quarterly if agreed to by both the CHP Resource and SC.

Would the CAISO please confirm that in those situations where an IE is employed, unless otherwise agreed to by both the CHP Resource and the SC, the IE will be obligated to provide no more than the annual and seasonal RMTmax values and reassess/recertify these values once per year.

### **Topic: Proof of agreement between CHP Resource and SC**

The Draft Tariff Language contains the following excerpts within the RMTmax definition:

RMTmax

For a Generating Unit that provides Regulatory Must-Take Generation from a CHP Resource, the minimum operating level at which the Generating Unit can safely and reliably meet host requirements, which is determined as follows:

- (a) established by **agreement of the Generating Unit’s owner or operator and its Scheduling Coordinator**, if the Scheduling Coordinator is a UDC or MSS, or ...
- (b) in the event agreement cannot be reached,
  - (1) ...
  - (2) ...

**If the Generating Unit owner or operator and the Scheduling Coordinator**, if it is a UDC or MSS, **agree**, or ....

and

Page 11 of the Addendum to the Draft Final Proposal (April 30) contains the following:

5) RMTmax must be reestablished at least annually. **The RMTmax may be changed more frequently as often as the CHP resource owner and IOU agree through the Master File change process** which requires approximately ten business days to become effective. The RMTmax is a single value to be used for all hours.

Would the CAISO please:

- Clarify how they anticipate being provided RMTmax value(s), i.e. by the SC and/or by the CHP Resource,
- Clarify if/how/when the CAISO will request proof of agreement between the SC and the CHP Resource, and
- Provide examples of acceptable types of proof of agreement.

### **Topic: Definition of Amended QF Contract**

The draft tariff language includes the newly defined term “Amended QF Contract”.

#### **Amended QF Contract**

A QF Legacy Contract, as defined in the settlement approved by the CPUC in Decision D. 10-12-035 (December 16, 2010), as modified in Decision D.11-07-010 (July 15, 2011), that became effective on or prior to December 20, 1995 or, in the case of a Participating Generator employing landfill gas technology, on or prior to December 31, 1996, that has been amended to include pricing terms that conform with a Legacy PPA Amendment, as defined by said settlement, but also in a manner that (a) requires compliance with the CAISO Tariff; (b) does not require the resource to maintain QF status; (c) does not extend the term of the agreement or provide for an increase in the generating capacity of the resource; **and** (d) does not change the electrical characteristics of the resource.

SCE is wondering if the “**and**” before (d) should be “and/or” or possibly “or”.

## **Topic: Other Clarifications**

Tariff section 4.5.1.1.6.2

The words “other suppliers” have been inserted per this Draft.

(a) represented Generators or other suppliers have entered into Participating Generator Agreements, ....

SCE is wondering since “Generators” is capitalized and defined within the Tariff, should “other suppliers” similarly be capitalized and defined within the tariff?

Tariff section 4.6.3.3

With regards to the following excerpt:

In order to be eligible to enter into the Net Scheduled~~QF~~ PGA, a Participating Generator must demonstrate to the CAISO that its Generating Unit (a) (1) has established QF status pursuant to PURPA, (2) is a party to an Amended QF Contract; or (3) is a CHP Resource and that (ab) (1) the Self-provided Load of the Participating Generator that is served by the QF-resource either has ~~contracted for~~ secured standby service from a UDC or MSS Operator under terms approved by the Local Regulatory Authority or FERC, as applicable, or (2b) the Self-provided Load is curtailed concurrently with any Outage of the Generation serving that Self-provided Load in an amount sufficient to cover that Outage.

Would the CAISO please clarify if this eligibility includes the following concept:

A Generating Unit is a QF that

- 1) has either a new PURPA PPA or an Amended QF Contract and sells its excess energy to the host utility, or
- 2) is a CHP Resource that sells its excess energy to the host utility.

SCE’s concern is that as drafted, a non-CHP QF that has no identified excess energy could qualify and it is our understanding that this is not the intent of the CAISO’s policy.

SCE looks forward to participating in the April 31 teleconference during which these and other comments on the draft tariff language will be discussed.