

**COMMENTS OF THE CALIFORNIA COGENERATION COUNCIL, ENERGY PRODUCERS AND USERS COALITION AND THE COGENERATION ASSOCIATION OF CALIFORNIA ON THE SECOND DRAFT TARIFF LANGUAGE – REGULATORY MUST TAKE GENERATION TARIFF AMENDMENT**

Submitted By	Company	Date Submitted
Beth Vaughan (925-408-5142)	California Cogeneration Council (CCC)	6/22/2012
Evelyn Kahl (415-421-4143)	Energy Producers and Users Coalition (EPUC) and the Cogeneration Association of California (CAC)	

The California Cogeneration Council, Energy Producers and Users Coalition, and the Cogeneration Association of California (CHP Parties) provide the following comments on the Second Draft Tariff Language – Regulatory Must Take Generation Tariff Amendment.

**1. Section 30.5.2.2**

In the second sentence, replace the word “identifies” with the word, “schedules”.

“Scheduling quantities that a Scheduling Coordinator ~~identifies~~ schedules as Regulatory Must-Take Generation....”

The reference to “any contract rights the Scheduling Coordinator may have” needs to be more specific. The CHP Parties recommend that the sentence be amended to state, “The Scheduling Coordinator for the CHP Resource will schedule the quantities consistent with information provided subject to any specific contract rights between the Generating Unit and the purchaser of its energy in purchaser’s role as Scheduling Coordinator regarding curtailment and/or dispatchability of the Generating Unit.”

**2. Appendix A: Definition of Amended QF Contract**

If a Legacy QF power purchase agreement is amended, the facility will still be required to maintain its QF status, regardless of the content of the amendment. The CHP Parties recommend deleting the following words from the definition,

~~“(b) does not require the resource to maintain QF status”~~

**3. Appendix A: Definition of Combined Heat and Power Resource**

To ensure bottoming cycling CHP facilities are included in the definition, the CHP Parties recommend the following addition to the definition,

“A Generating Unit that produces electric energy and forms of useful thermal energy used by an industrial or commercial host for industrial, commercial, heating or cooling purposes, or a Generating Unit that produces electricity from waste heat.”

#### **4. Appendix A: Definition of RMTmax**

The CHP Parties recommend adding the words, “and efficiently” to the first sentence of the definition:

*“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, and efficiently meet host requirements, as established under section 4.6.10.”*

The benefits of combined heat and power facilities arise from efficiency, and CAISO tariffs should recognize the importance of efficiency in establishing RMTmax.

#### **5. Section 4.6.3.4.4 and Appendix B.3 Section 4.2.5: The phrase “minimum operating limit” needs to be clarified.**

In the modified language, the phrase “minimum operating limit” is no longer a capitalized, and therefore defined term. This phrase appears in the Net Scheduled PGA, Section 4.2.5 as well as Section 4.6.3.4.4 of the Tariff. The CCC recommends that this phrase be replaced with a defined term consistent with the concept of RMTG and RMTmax and which can be quantified in the Generator Resource Data Template for incorporation in the Master File.