



# ADVICE LETTER SUMMARY



## ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: **Clean Power Alliance of Southern California**

Utility type:

- ELC       GAS       WATER  
 PLC       HEAT

Contact Person: **Anne Gustafson**

Phone #: **(714)600-2274**

E-mail: **agustfason@cleanpoweralliance.org**

E-mail Disposition Notice to: **agustfason@cleanpoweralliance.org**

### EXPLANATION OF UTILITY TYPE

ELC = Electric      GAS = Gas      WATER = Water  
 PLC = Pipeline      HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

**February 15, 2024**

Advice Letter (AL) #: **0028-E**

Tier Designation: **2**

Subject of AL:

Keywords (choose from CPUC listing):

AL Type:  Monthly  Quarterly  Annual  One-Time  Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #: **D.07-01-039**

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: **N/A**

Summarize differences between the AL and the prior withdrawn or rejected AL: **N/A**

Confidential treatment requested?  Yes  No

If yes, specification of confidential information: **N/A**

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information: **N/A**

Resolution required?  Yes  No

Requested effective date: **3/15/24**

No. of tariff sheets: **0**

Estimated system annual revenue effect (%): **N/A**

Estimated system average rate effect (%): **N/A**

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected:

Service affected and changes proposed<sup>1</sup>: **N/A**

Pending advice letters that revise the same tariff sheets: **N/A**

<sup>1</sup>Discuss in AL if more space is needed.

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:**

CPUC, Energy Division  
Attention: Tariff Unit  
505 Van Ness Avenue  
San Francisco, CA 94102  
Email: [EDTariffUnit@cpuc.ca.gov](mailto:EDTariffUnit@cpuc.ca.gov)

Name: Anne Gustafson  
Title: Project Manager, Power Supply and Compliance  
Utility Name: Clean Power Alliance of Southern California  
Address: 801 S Grand Ave, Suite 400  
City: Los Angeles  
State: California Zip: 90017  
Telephone (xxx) xxx-xxxx: (714) 600-2274  
Facsimile (xxx) xxx-xxxx:  
Email: [agustafson@cleanpoweralliance.org](mailto:agustafson@cleanpoweralliance.org)

Name: Francis Choi  
Title: Assistant General Counsel  
Utility Name: Clean Power Alliance of Southern California  
Address: 801 S Grand Ave, Suite 400  
City: Los Angeles  
State: California Zip: 90017  
Telephone (xxx) xxx-xxxx: (213) 880-9934  
Facsimile (xxx) xxx-xxxx:  
Email: [fchoi@cleanpoweralliance.org](mailto:fchoi@cleanpoweralliance.org)

## ENERGY Advice Letter Keywords

Affiliate	Direct Access	Preliminary Statement
Agreements	Disconnect Service	Procurement
Agriculture	ECAC / Energy Cost Adjustment	Qualifying Facility
Avoided Cost	EOR / Enhanced Oil Recovery	Rebates
Balancing Account	Energy Charge	Refunds
Baseline	Energy Efficiency	Reliability
Bilingual	Establish Service	Re-MAT/Bio-MAT
Billings	Expand Service Area	Revenue Allocation
Bioenergy	Forms	Rule 21
Brokerage Fees	Franchise Fee / User Tax	Rules
CARE	G.O. 131-D	Section 851
CPUC Reimbursement Fee	GRC / General Rate Case	Self Generation
Capacity	Hazardous Waste	Service Area Map
Cogeneration	Increase Rates	Service Outage
Compliance	Interruptible Service	Solar
Conditions of Service	Interutility Transportation	Standby Service
Connection	LIEE / Low-Income Energy Efficiency	Storage
Conservation	LIRA / Low-Income Ratepayer Assistance	Street Lights
Consolidate Tariffs	Late Payment Charge	Surcharges
Contracts	Line Extensions	Tariffs
Core	Memorandum Account	Taxes
Credit	Metered Energy Efficiency	Text Changes
Curtable Service	Metering	Transformer
Customer Charge	Mobile Home Parks	Transition Cost
Customer Owned Generation	Name Change	Transmission Lines
Decrease Rates	Non-Core	Transportation Electrification
Demand Charge	Non-firm Service Contracts	Transportation Rates
Demand Side Fund	Nuclear	Undergrounding
Demand Side Management	Oil Pipelines	Voltage Discount
Demand Side Response	PBR / Performance Based Ratemaking	Wind Power
Deposits	Portfolio	Withdrawal of Service
Depreciation	Power Lines	

## Attachment 2

### Compliance Filing for LSEs with Long-Term Financial Commitments

February 15, 2024

CA Public Utilities Commission  
Energy Division  
Attention: Tariff Unit  
Served by Email

Re: GHG Environmental Performance Standard (EPS) Compliance Filing 2023

Pursuant to Ordering Paragraph No. 4 of Decision (“D.”) 07-01-039, issued in R. 06-04-009 on January 25, 2007, Clean Power Alliance of Southern California (“CPA”) submits this annual Attestation Letter affirming that the financial commitments CPA has entered into for generation during the prior calendar year are in compliance with the greenhouse gas (“GHG”) emissions performance standard (“EPS”). Specifically, CPA is in compliance with the EPS. Documentation supporting that compliance is provided below.

#### **Purpose**

This Attestation Letter provides information and documentation required by D.07-01-039 for LSEs (electrical corporation, electric service provider, or community choice aggregator) with new long-term financial commitments (defined on Page 3 in Attachment 7 of D.07-01-039). This Attestation Letter demonstrates that for **2023** all financial commitments entered into by CPA are compliant with the EPS.

#### **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 list long-term financial commitments of five years or longer that they have entered into during the prior year. Note that long-term financial commitments can be compliant if any of the following apply:

- 1) not in a baseload powerplant;
- 2) generation using pre-approved renewable resource technology;

- 3) existing combined-cycle combustion turbine (in operation/or permitted to operate as of 6/30/07) with an increase in rated capacity less than 50 megawatts (MW);
- 4) net emission rate of each baseload facility underlying a covered procurement does not exceed 1,100 lbs of CO<sub>2</sub> per megawatt hour (MWh);
- 5) Exemption related to: reliability exemption, extraordinary circumstances or financial harm, and CO<sub>2</sub> sequestration through injection in geological formations.

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 Public Utilities Code § 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.

**Effective Date:** March 15, 2024

**Tier Designation:** Pursuant to General Order (GO) 96-B and Energy Industry Rule 5.2, this AL is submitted with a Tier 2 designation.

### **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:

Ted Tardif  
Director, Power Origination  
Clean Power Alliance of Southern California  
801 S Grand Ave, Suite 400  
Los Angeles, CA 90017  
(213) 440-0908  
[ttardif@cleanpoweralliance.org](mailto:ttardif@cleanpoweralliance.org)

C.C. Song  
Senior Director, Regulatory Affairs  
Clean Power Alliance of Southern California  
801 S Grand Ave, Suite 400  
Los Angeles, CA 90017  
(213) 376-4850 ext. 114  
[csong@cleanpoweralliance.org](mailto:csong@cleanpoweralliance.org)

### **Compliance Documentation**

The following listings and/or tables provide detailed and specific information regarding CPA contracts and long-term financial commitments that are subject to the EPS requirements. The compliance documentation must match the compliance category outlined previously. For example, the information provided must demonstrate that the net emissions rate of each baseload facility underlying a covered procurement is no higher than 1,100 lbs of carbon dioxide (CO<sub>2</sub>) per megawatt hour (MWh).

1. Include a complete and detailed listing of the new long-term financial commitments of five years or longer they have entered into during the prior year with documentation to demonstrate:
  - a) 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.
  - b) For any requested reliability-based exemptions that have been pre-approved by the Commission, reference to the application and Commission decision number.
2. The complete listing of new long-term financial commitments of five years or longer must include “linked” contracts whose combined term is five years or longer.
3. Disclosure of LSE investments in retained generation, including “deemed-compliant” combined cycle gas turbines (CCGTs). All LSEs are to disclose the investment amount and a breakdown of alterations or refurbishments to retained generation, by generation facility and unit.
4. Present documentation regarding the designed 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 relevant to the determination.

5. Provide documentation of capacity factors (for definition of capacity factor see Section 5.6 of D.07-01-039.), heat rates and corresponding emissions rates that reflect the actual, expected operation of the plant (not full load heat rate). Documentation of the annualized plant capacity factor for the power plant should include historical annual averages in order to determine whether the plant is “designed and intended” to be used for baseload generation at an annualized plant capacity factor of at least 60 percent.

CPA’s long-term financial commitments that were entered into during the prior year are detailed in the following table. The long-term financial commitments are EPS compliant. They include non-baseload generation resources and renewable resource technologies and therefore are well within the GHG threshold intended in D.07-01-039 and Public Utilities Code § 8341(b)(4).

**Table 1 – EPS Compliant Contracts**

<b>Contract</b>	<b>Execution Date</b>	<b>Technology</b>	<b>EPS Compliant</b>	<b>Compliance Category</b>
SunZia Wind PowerCo LLC	11/03/2023	Wind	Yes	Not Baseload
ESCA-PLD-CARSON6, LLC	09/19/2023	Rooftop Solar PV	Yes	Not Baseload
ESCA-PLD-COMMERCE3, LLC	09/19/2023	Rooftop Solar PV	Yes	Not Baseload
ESCA-PLD-EAVES1, LLC	09/19/2023	Rooftop Solar PV	Yes	Not Baseload
ESCA-PLD-EAVES2, LLC	09/19/2023	Rooftop Solar PV	Yes	Not Baseload
ESCA-PLD-SOUTHBAY1, LLC	09/19/2023	Rooftop Solar PV	Yes	Not Baseload
ESCA-PLD-SOUTHBAY2, LLC	09/19/2023	Rooftop Solar PV	Yes	Not Baseload
Community Renewable Energy Services, Inc.	07/10/2023	Biomass	Yes	Generation using pre-approved renewable resource technology
Geysers Power Company, LLC (100 MW)	02/24/2023	Geothermal	Yes	Generation using pre-approved renewable resource technology
Geysers Power	02/24/2023	Geothermal	Yes	Generation using pre-

Company, LLC (18 MW)				approved renewable resource technology
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**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:



Dated: February 15, 2024

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Matthew Langer  
Chief Operating Officer  
Clean Power Alliance  
801 S Grand Ave, Suite 400  
Los Angeles, CA 90017  
(213) 269-5870








# CPA AL 0028-E EPS Attachment 2 2024 filing (Final 021324)

Final Audit Report

2024-02-13

Created:	2024-02-13
By:	Anne Gustafson (agustafson@cleanpoweralliance.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAewnGaWmZBgc1TUa8VUo9OMiiMiZ5aWzr

## "CPA AL 0028-E EPS Attachment 2 2024 filing (Final 021324)" History

-  Document created by Anne Gustafson (agustafson@cleanpoweralliance.org)  
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