

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue Implementation and Administration, and Consider Further Development of, California Renewables Portfolio Standard Program.	Rulemaking 18-07-003 (Filed July 12, 2018)
Order Instituting Rulemaking to Continue Implementation and Administration, and Consider Further Development of, California Renewables Portfolio Standard Program.	Rulemaking 15-02-020 (Not Consolidated)
Order Instituting Rulemaking to Continue Implementation and Administration of California Renewables Portfolio Standard Program.	Rulemaking 11-05-005 (Not Consolidated)

**OPENING COMMENTS OF CEUTI AND CALWEA ON THE APRIL 22, 2021 ALJ
RULING SEEKING UPDATED INFORMATION REGARDING THE RENEWABLE
MARKET ADJUSTING TARIFF PROGRAM**

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June 9, 2021

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On behalf of the California Wind
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The Coalition for the Efficient Use of Transmission Infrastructure (“CEUTI”) and the California Wind Energy Association (“CalWEA”) submit the following opening comments in response to the April 22, 2021 ALJ Ruling Seeking Updated Information Regarding the Renewable Market Adjusting Tariff Program (“Ruling”).

As the Ruling notes, both CEUTI and CalWEA submitted petitions for modification (“PFM”) in December 2016, seeking certain revisions to the prior Commission decisions—D.12-05-035 and D.13-05-034—adopting and modifying the Renewable Market Adjusting Tariff (“ReMAT”) Program. CEUTI’s PFM requested that the Commission allow transmission level-interconnected projects to participate in the ReMAT Program. CalWEA’s PFM requested that the Commission allow projects using shared transformers or other shared facilities to participate in the ReMAT Program. Both of these PFMs sought to expand the projects capable of participating in the ReMAT Program, and explained that such expansion was consistent with the Commission’s statutory authority, and would further the Commission’s and the California legislature’s policy goals.

The Ruling states that due to the passage of time, it may be necessary to obtain updated information about the issues raised by the PFMs listed in Appendix A to the Ruling. The factual and legal basis for the modifications in both CEUTI's and CalWEA's PFMs has not changed. However, as CEUTI noted in its PFM, given the historical undersubscription for certain ReMAT categories, it made sense for the Commission to expand the number of projects that could participate in the ReMAT Program. That has become all the more true in the three years since the PFMs were filed. The suspension of the ReMAT Program due to the *Winding Creek* litigation and then the changes to the pricing mechanism, which significantly reduced the prices available to ReMAT projects, have made it even more challenging to develop or continue to operate projects that have a ReMAT power purchase agreement. If the Commission is going to achieve the legislative mandate to have a fully subscribed ReMAT Program, it should remove limitations on project participation that are inconsistent with the ReMAT implementing legislation (transmission-interconnected projects) or the Commission's own prior decisions and policy goals (shared transformers and/or shared interconnection facilities).

While both CEUTI and CalWEA understand that the delays in ruling on their PFMs was in part due to a number of issues outside of the Commission's control, such as the suspension of the ReMAT Program and the need to address the pricing mechanism in light of the *Winding Creek* litigation, the PFMs have now been pending for over three years. CEUTI and CalWEA urge the Commission to address these PFMs as soon as possible, and expand the pool of potential ReMAT participants.

DATED this 9th day of June, 2021, at San Francisco, California.

Respectfully submitted,

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