

***LAW OFFICES OF SUSIE BERLIN***

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*Submitted electronically*

November 15, 2019

Mr. David Mehl  
Short-Lived Climate Pollutant Enforcement Section, Manager  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95828

Re: ***NCPA Support for POU RPS Enforcement Policy, Appendix F***

Dear Mr. Mehl:

The Northern California Power Agency<sup>1</sup> (NCPA) appreciates the opportunity to provide these comments to the California Air Resources Board (CARB) in support of staff's proposal for implementing Public Utilities code section 399.30(o).

NCPA is a nonprofit California joint powers agency established in 1968 to construct and operate renewable and low-emitting generating facilities and assist in meeting the wholesale energy needs of its member agencies. Collectively, NCPA's members serve nearly 700,000 electric consumers in Central and Northern California, and a significant part of the electricity portfolio used to supply those customers comes from renewable energy resources. CARB staff has proposed the inclusion of a new Appendix F to the agency's existing Enforcement Policy specific to renewables portfolio standard (RPS) enforcement for publicly owned utilities (POU). NCPA supports the inclusion of Appendix F and believes that it appropriately identifies the key elements of CARB's role vis-à-vis the RPS program. As proposed, Appendix F includes important information germane to implementing the provisions of PUC section 399.30(o), including the critical clarification that the comparability of any potential penalties levied against POUs does not mean that the penalties would be the same as those levied against retail sellers under the jurisdiction of the California Public Utilities Commission.

NCPA appreciates the time and effort that CARB staff has put into developing the proposed Appendix F and staff's consideration of the comments received from stakeholders. NCPA supports the inclusion of Appendix F to the CARB Enforcement Policy

Sincerely,



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Attorneys for the **Northern California Power Agency**

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<sup>1</sup> NCPA's members are the Cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, Shasta Lake, and Ukiah, Plumas-Sierra Rural Electric Cooperative, Port of Oakland, San Francisco Bay Area Rapid Transit (BART), and Truckee Donner Public Utility District.