

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

Petition to Adopt, Amend, or Repeal a Regulation
Pursuant to Pub. Util. Code § 1708.5

Petition 23-06-018
(Filed June 22, 2023)

**OPENING COMMENTS OF
THE INDEPENDENT ENERGY PRODUCERS ASSOCIATION ON PROPOSED
DECISION DENYING PETITION FOR RULEMAKING**

Sara Fitzsimon
Policy Director
Independent Energy Producers Association
P.O. Box 1287
Sloughhouse, CA 95683-9998
(916) 606-3234
sara@iepa.com

November 28, 2023

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

Petition to Adopt, Amend, or Repeal a Regulation
Pursuant to Pub. Util. Code § 1708.5

Petition 23-16-018
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DECISION DENYING PETITION FOR RULEMAKING**

I. INTRODUCTION

The Independent Energy Producers Association (IEPA) offers its opening comments on Proposed Decision of Commissioner Douglas, *Denying Petition for Rulemaking*, in response to the Center for Biological Diversity (CBD) to revise the Adopted Interim Rules for Greenhouse Gas Emissions (GHG) Performance Standard Rules. We write in agreement with the proposed decision to close Petition 23-06-018, but request consideration of the suggestion made to bring the issue of biomass emission standards to the Integrated Resource Plan (IRP) proceeding, R.20-05-003. The following comments are in response to that recommendation.

II. COMMENTS

The IRP, developed pursuant to SB 350 (De León, 2015), is a proceeding meant to ensure California’s electric grid reaches its GHG goals, maintains reliability, and remains affordable for rate-paying customers. The IRP is not an appropriate venue to debate biomass generation emissions because that discussion would incorporate policy arguments of how best to track

emissions--which IEPA would argue is on a life-cycle¹ basis—and this proceeding does not consider redefining renewables, as it seeks to coordinate “activities and policies in specific resource areas...[and] Coordination with the resource adequacy program.”² Because the IRP is concerned with forecasting, as accurately as possible, the previously identified renewable resources that will be necessary to meet forecasted demand over the next 10-year outlook, it would be out of scope to discuss policy modification outside what was identified by the Legislature in SB 350. IEPA respectfully recommends reconsideration of the suggestion to advocate for modification to biomass EPS rules that are already rooted in the Renewable Portfolio Standard within the IRP proceeding.

For all other reasons stated by the Commission for denial of this petition, IEPA agrees.

III. CONCLUSION

IEPA appreciates the opportunity to comment on this Proposed Decision. We recognize the importance of coordination across agencies to track our emissions standards with facts and metrics that lead to accurate, consistent reporting that will inform the necessary planning reported within the IRP and associated planning processes.

¹ EPA. Renewable Fuel Standard Program. “Lifecycle Analysis of Greenhouse Gas Emissions under the Renewable Fuel Standard. <https://www.epa.gov/renewable-fuel-standard-program/lifecycle-analysis-greenhouse-gas-emissions-under-renewable-fuel>. Accessed November 20, 2023.

² R.20-05-003, Order Instituting Rulemaking to Continue Electric Integrated Resource Planning and Related Procurement Processes. Issued May 14, 2020. Page 2.

Date: November 28, 2023

/s/ Sara Fitzsimon

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