RESOLUTION NO. 2018 – 67

RESOLUTION AMENDING THE TURLOCK IRRIGATION DISTRICT'S RENEWABLE PORTFOLIO STANDARD ENFORCEMENT PROGRAM

WHEREAS, Senate Bill 100 was signed into law by California Governor Edmund G. Brown on September 10, 2018; and

WHEREAS, Senate Bill 100 establishes that the governing board of the local publicly owned electric utility shall adopt a program for the enforcement of a Renewable Portfolio Standard on or before January 1, 2019; and

WHEREAS, the TID adopted the Turlock Irrigation District Enforcement Plan on December 18, 2018, in accordance with the requirements of Senate Bill 100; and

WHEREAS, the California Energy Commission adopted final regulations, Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities, which implements the requirements of Senate Bill 100; and

WHEREAS, the Turlock Irrigation District Enforcement Plan was amended to reflect provisions in Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities and the Turlock Irrigation District Renewable Resources Procurement Plan.

WHEREAS, Turlock Irrigation District adopted an enforcement plan in response to SB 2-1x and SB 350 on DATE and is updating that plan to address the new requirements of SB 100.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Turlock Irrigation District that the Enforcement Program, which is attached and made part of this resolution, is hereby adopted effective December 18, 2018, in accordance with the requirements of Senate Bill 100.

Moved by Director Macedo, seconded by Director Frantz, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes: Directors Santos, Frantz, Alamo, Macedo, Fernandes
Noes: Directors - None
Absent: Directors - None

The President declared the resolution adopted.

I, Tami Wallenburg, Executive Secretary to the Board of Directors of the TURLOCK IRRIGATION DISTRICT, do hereby CERTIFY that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of said Board of Directors held this 18th day of December, 2018.

Executive Secretary to the Board of Directors of the Turlock Irrigation District
POWER SUPPLY ADMINISTRATION

MEMORANDUM

TO: Board of Directors
PREPARED BY: Ken Nold
DATE: 12-12-2018
RE: RPS Enforcement Plan

Action Requested
Request the Board to Amend the Renewable Portfolio Standard Enforcement Plan update.

Discussion
The RPS Enforcement Plan which describes the program and procedures adopted to review TID’s compliance with SB 100’s established goals and TID’s Procurement Plan. The Enforcement Plan was adopted in Resolution 2013-110 and this will be the first amendment. Amending the Enforcement Plan brings the district into compliance with the provisions of SB 100.

The code implementing the RPS for POU’s per Section 4, 399.30 follows:

... (e) The governing board of the local publicly owned electric utility shall adopt a program for the enforcement of this article. The program shall be adopted at a publicly noticed meeting offering all interested parties an opportunity to comment. Not less than 30 days’ notice shall be given to the public of any meeting held for purposes of adopting the program. Not less than 10 days’ notice shall be given to the public before any meeting is held to make a substantive change to the program.

The attached TID Renewable Resources Enforcement Plan detail how TID plans to comply with the RPS targets in the law and the regulation.

<table>
<thead>
<tr>
<th>Presenter Signature/Date:</th>
<th>Dept. Manager Signature/Date:</th>
<th>Assistant GM Signature/Date:</th>
<th>General Manager Signature/Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ken Nold 12-17-18</td>
<td>12/17/18</td>
<td>12/17/18</td>
<td>12-13-18</td>
</tr>
</tbody>
</table>
TURLOCK IRRIGATION DISTRICT
PROGRAM FOR ENFORCEMENT OF THE
RENEWABLE PORTFOLIO STANDARD POLICY
Adopted December 6, 2011
Amended and Adopted December 18, 2018

PURPOSE:
The purpose of this Enforcement Program, established in compliance with California Public Utilities Code (PUC) § 399.30, is to create a program to review TID's annual compliance with the mandates of Senate Bill 100, regarding California's Renewable Portfolio Standard (RPS).

In conformance with PUC § 399.30, TID shall replace its RPS Policy for the Board of Directors (Board) with the TID Renewable Resources Procurement Plan. The TID Renewable Resources Procurement Plan, at minimum, will:

- Require TID to procure a minimum quantity of electricity products from eligible renewable energy resources as a specified percentage of total kilowatt hours sold to the utility's retail end-use customers, each compliance period to achieve the targets of subdivision § 399.30 (c)(1) and (2):
  - During Compliance Period 1, January 1, 2011 to December 31, 2013, TID shall procure renewable energy resources equivalent to an average of twenty percent (20%) of retail sales.
  - By the end of Compliance Period 2, December 31, 2016, TID shall procure renewable energy resources equivalent to twenty-five percent (25%) of retail sales.
  - By the end of Compliance Period 3, December 31, 2020, TID shall procure renewable energy resources equivalent to thirty-three percent (33%) of retail sales.
  - By the end of Compliance Period 4, December 31, 2024, TID shall procure renewable energy resources equivalent to forty-four percent (44%) of retail sales.
  - By the end of Compliance Period 5, December 31, 2027, TID shall procure renewable energy resources equivalent to fifty-two percent (52%) of retail sales.
  - By the end of Compliance Period 6, December 31, 2030, TID shall procure renewable energy resources equivalent to sixty percent (60%) of retail sales.
  - Ensure reasonable progress in each of the intervening years of each compliance period.

- Include requirements consistent with PUC section 399.16(b) regarding the appropriate portfolio content categories for RPS procurement.
• Include provisions regarding the treatment of contract or ownership agreements originally executed prior to June 1, 2010 for renewable energy resources (§ 399.16(d))

• Include a measure to apply excess procurement from one compliance period to subsequent compliance periods, pursuant to § 399.30(d)(1), and in the same manner as §399.13(a)(4)(B).

• Include a measure to waive timely compliance pursuant to § 399.30(d)(2)(A) and consistent with § 399.15(b)(5)).

• Include a measure to establish a cost limitation for all eligible renewable energy resources used to comply with the renewables portfolio standard pursuant to § 399.30(d)(2)(B) and consistent with § 399.15(c).

• Include a measure that in all matters regarding compliance with the TID Renewable Resources Procurement Plan, TID shall retain exclusive control and discretion over the mix of eligible renewable energy resources procured by TID and those additional generation resources procured by TID for purposes of ensuring resource adequacy and reliability, and the reasonable costs incurred by TID for eligible renewable energy resources owned by it, pursuant to § 399.30(m).

• Include a provision to post annually public notice whenever the TID Board will deliberate in public on the Renewable Resources Procurement Plan pursuant to § 399.30(f).

• Include a provision regarding an annual report to California Energy Commission (CEC) regarding RPS contracts execution pursuant to § 399.30(g);

• Include a provisions regarding an annual report to the CEC and TID customers pursuant to § 399.30(1).

ENFORCEMENT PROGRAM
1. Enforcement Program: TID shall have a program for the enforcement of the TID Renewable Resources Procurement Plan, which shall include all of the provisions set forth herein and shall be known as TID's "RPS Enforcement Program";

2. Effective Date: The RPS Enforcement Program shall be effective January 1, 2012;

3. Notice of Revisions: Not less than ten (10) days' advance notice shall be given to the public before any meeting is held to make a substantive change to the RPS Enforcement Program;

4. Annual Review: Annually, TID's General Manager shall cause to be reviewed, TID's Renewable Resources Procurement Plan to determine TID's compliance;

5. Elements of the Annual Review: Annual review of the TID Renewable Resources Procurement Plan shall include consideration of each of the following elements:
   a. By the end of each year and each Compliance Period:
• Verify that TID has met the goals set forth in the Renewable Resources Procurement Plan for the appropriate annual and Compliance Period with eligible renewable resources from the specified Content Categories for the applicable period.

• If targets are not met, TID must:
  o Review the applicability of applying Excess Procurement from a previous Compliance Period consistent with the provisions of the TID Renewable Resources Procurement Plan,
  o Ensure than any Waiver of Timely Compliance was compliant with the provisions in the TID Renewable Resources Procurement Plan,
  o Review applicability and appropriateness of excusing performance based on the Cost Limitations on Expenditures provisions of the RPS Policy.

6. Portfolio Balance Requirement Reduction
   • Verify that any reduction in Portfolio Balance requirement is consistent with the TID Renewable Resources Procurement Plan and PUC §399.16(c).

7. Procedures Upon Approving Waiver: In the event of a Waiver of Timely Compliance due to any of the factors above, TID shall implement the following procedures:
   • Establish additional reporting for intervening years to show demonstration of reasonable actions under TID control are being taken.
   • Require a demonstration that all reasonable actions within TID’s control have been taken to ensure compliance in order to grant the waiver.

8. Non Compliance: If it is determined that the TID has failed to comply with the provisions of the TID Renewable Resources Procurement Plan, the TID Board shall take steps to correct any untimely compliance, including:
   a. Direct staff to develop and present to the Board a plan to bring the District into compliance;

   b. Direct staff to review TID’s RPS Policy to determine what changes, if any, are necessary to ensure compliance in the next Compliance Period;

   c. Direct staff to report quarterly to the Board regarding the progress being made toward meeting the compliance obligation;

   d. Direct staff to report to the Board regarding the status of meeting subsequent compliance targets, and all steps being taken to ensure that the obligation is timely met.