

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

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

Company name/CPUC Utility No. **Liberty Utilities (CalPeco Electric) LLC (U 933-E)**

Utility type:

☒ ELC

☐ GAS

☐ PLC

☐ HEAT

☐ WATER

Contact Person for questions and approval letters: Ken Wittman

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EXPLANATION OF UTILITY TYPE

ELC = Electric

GAS = Gas

PLC = Pipeline

HEAT = Heat

WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: **32-E-A**

Subject of AL: **Supplement to Liberty Utilities (CalPeco Electric) LLC's (U 933-E) GHG Environmental Performance Standard (EPS) Compliance Filing 2014**

Tier Designation: ☐ 1 ☒ 2 ☐ 3

Keywords (choose from CPUC listing):

AL filing type: ☐ Monthly ☐ Quarterly ☒ Annual ☐ One-Time ☐ Other _____

If AL filed 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Does AL replace a withdrawn or rejected AL?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 _____

Summarize differences between the AL and the prior withdrawn or rejected AL¹: _____

Resolution Required? ☐ Yes ☒ No

Requested effective date: March 14, 2014

No. of tariff sheets: n/a

Estimated system annual revenue effect: (%):

Estimated system average rate effect (%):

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 proposed¹:

Pending advice letters that revise the same tariff sheets:

All other correspondence regarding this AL shall be sent to:

CPUC, Energy Division
Attention: Tariff Unit
505 Van Ness Ave.,
San Francisco, CA 94102
edtariffunit@cpuc.ca.gov

Utility Info (including e-mail)
Liberty Utilities (CalPeco Electric) LLC
Attention: Advice Letter Protests
933 Eloise Avenue
South Lake Tahoe, CA 96150
Email: ken.wittman@libertyutilities.com

¹ Discuss in AL if more space is needed.



Liberty UtilitiesSM

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Attachment 1
Compliance Filing for LSEs with no Long-Term Financial Commitments

VIA EMAIL AND HAND-DELIVERY

April 21, 2014

Advice Letter 32-E-A
(U 933-E)

California Public Utilities Commission
Energy Division
Attention: Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, CA 94102-3298

**Re: Supplement to Liberty Utilities (CalPeco Electric) LLC's (U 933-E) GHG
Environmental Performance Standard (EPS) Compliance Filing 2014**

In response to a request by Energy Division and pursuant to General Order 96-B, section 7.5.1, Liberty Utilities (CalPeco Electric) LLC (U 933-E) ("Liberty Utilities") provides this supplement to its previous GHG Environmental Performance Standard Compliance filing (Advice Letter 32-A) filed on February 14, 2014, to describe the lack of any new ownership investment in the Valmy coal-fired generation facility. This filing replaces the previous filing in its entirety.

Supplemented 2014 Filing

Pursuant to Ordering Paragraph No. 4 of Decision ("D.") 07-01-039, issued in R. 06-04-009 on January 25, 2007, Liberty Utilities (CalPeco Electric) LLC (U 933-E) ("Liberty Utilities") submits this annual Attestation Letter affirming that the financial commitments Liberty Utilities has entered into for generation during the prior calendar year are in compliance with the greenhouse gas ("GHG") emissions performance standard ("EPS"). Specifically, Liberty Utilities is in compliance with the EPS as it has no new ownership investment in generation facilities and no long-term financial commitments for generation. In addition, Liberty Utilities has communicated with counsel for Sierra Pacific Power Company d/b/a/ NV Energy ("NV Energy"), and counsel for NV Energy confirms that NV Energy has made no new ownership investment in its Valmy coal-fired

generation facility in 2013. Therefore, Liberty Utilities' PPA contract with NV Energy, which includes Valmy, continues to **not** be considered a long term-financial commitment in the context of SB 1368 as specified in D.10-10-017 on page 30.

Effective Date: March 14, 2014

Tier Designation: Tier 2 Designation

Purpose

This Attestation Letter provides information and documentation required by D.07-01-039. This Attestation Letter demonstrates that for **2013** Liberty Utilities has entered into financial commitments that are in compliance with the EPS (long-term financial commitments defined on Page 3 of Attachment 7 in D.07-01-039).

Background

D.07-01-039 requires all Load Serving Entities ("LSEs") to file annual Attestation Letters, due February 15th 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 include a listing of long-term financial commitments of five years or longer that they have entered into during the prior year. Furthermore, D.07-01-039 requires additional documentation demonstrating that LSEs have complied with the EPS. Specifically, D.07-01-039 requires LSEs to provide documentation to demonstrate:

- (a) That the commitments were not "covered procurements" under the interim EPS rule and/or
- (b) For those that represent covered procurements, 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.
- (c) For any requested reliability-based exemptions that have been pre-approved by the Commission, a reference to the application and Commission decision number.

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 § 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.

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:

Liberty Utilities (CalPeco Electric) LLC
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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.

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- (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.

Sincerely,



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Attachments

cc: CPUC R.06-04-009 Service List
Liberty Utilities Advice Letter Service List

Liberty Utilities (CalPeco Electric) LLC
Advice Letter Filing Service List
General Order 96-B, Section 4.3

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