

# 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

Utility type:

ELC       GAS  
 PLC       HEAT     WATER

Contact Person for questions and approval letters: Gregory Campbell

Phone #: 562-299-5117

E-mail: [greg.campbell@libertyutilities.com](mailto:greg.campbell@libertyutilities.com)

EXPLANATION OF UTILITY TYPE

ELC = Electric      GAS = Gas  
 PLC = Pipeline      HEAT = Heat      WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: 89-E

Subject of AL: GHG Emission Performance Standard (EPS) filing 2017

Tier Designation:  1  2  3

Keywords (choose from CPUC listing):

AL filing type:  Monthly  Quarterly  Annual  One-Time  Other \_\_\_\_\_

Does AL replace a withdrawn or rejected AL?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Summarize differences between the AL and the prior withdrawn or rejected AL<sup>1</sup>: \_\_\_\_\_

Requested effective date: March 15, 2018

No. of tariff

sheets: 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: N/A

Service affected and changes proposed<sup>1</sup>: N/A

Pending advice letters that revise the same tariff sheets: N/A

**Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:**

**CPUC, Energy Division Utility Info (including e-mail)**

**Attention: Tariff Unit**

**505 Van Ness Ave.,**

**San Francisco, CA 94102**

**[edtariffunit@cpuc.ca.gov](mailto:edtariffunit@cpuc.ca.gov)**

**Liberty Utilities (CalPeco Electric) LLC**

**Attention: Advice Letter Protests**

**933 Eloise Avenue**

**South Lake Tahoe, CA 9696150**

**Email: [greg.campbell@libertyutilities.com](mailto:greg.campbell@libertyutilities.com)**

<sup>1</sup> Discuss in AL if more space is needed.



Liberty Utilities (CalPeco Electric) LLC  
933 Eloise Avenue  
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Tel: 800-782-2506  
Fax: 530-544-4811

February 21, 2018

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

Advice Letter 89-E

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 CalPeco”) submits this annual Attestation Letter affirming that the financial commitments Liberty CalPeco 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. Other than the 12 MW Kings Beach Generating Station which is used for only emergency back-up support and whose generation is restricted by air permits to no more than 1440 MWh in each calendar year, Liberty CalPeco has no generation facilities and no long-term financial commitments for generation.

Liberty CalPeco entered into a contract with NV Energy for a period of less than five years beginning 1-1-2016, expiring 12-30-2020. The commission approved the purchase power agreement in Decision 15-12-021. In the Purchase Power Agreement, Valmy coal fires generating facility was removed for this contract period.

**Effective Date:**

March 15, 2018

**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 **2017** 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).



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**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.



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**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:

Greg Campbell, Rate Analyst, Rates and Regulatory Affairs  
Liberty Utilities (CalPeco Electric) LLC  
Attention: Advice Letter Protests  
933 Eloise Avenue  
South Lake Tahoe, CA 96150  
Greg.Campbell@libertyutilities.com

**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.
- (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.

Include the name and contact information for the LSE officer(s) certifying the above:

Sharon Yang, Director of Legal Services  
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.
- (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,

A handwritten signature in blue ink, appearing to read "Gregory S. Sorensen", is written over a horizontal line.

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Attachments

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

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