

Upcoming Events

2011 RPS Summit—SAVE THE DATES—October 26-27

Mark your calendars for the annual National Summit on RPS! It will start midday on Wednesday, October 26th and will end midday on Thursday, October 27th and will be held in Washington, DC. All participants in the State-Federal RPS Collaborative and its SARPS1 listserv members will be invited to attend the first day of the summit. The first day will end with a reception for all participants. The second day of the summit will be restricted to representatives of state and federal government agencies. More information will be included in next month's newsletter. We are very interested in your suggestions for the agenda and summit format.

If you have news you would like to share or feedback on what you would like to see in the newsletter, please contact me. And feel free to forward the newsletter to other people who may be interested in RPS news and the State-Federal RPS Collaborative.

We look forward to hearing from you.

Warren Leon, Senior Advisor, Clean Energy States Alliance
WLeon@cleanegroup.org

Upcoming Webinars

On Thursday, June 9th from 12 noon to 1 PM eastern time, we will hold a webinar on the topic of **Fuel Cells and State Renewable Portfolio Standards**. The webinar will explain why some states have included fuel cells in their RPS and what a state needs to consider should it decide to include fuel cells. The webinar will also discuss the reasons why more states are giving increased attention to distributed generation generally. The invitation for this webinar will be emailed to you next week.

In late June or early July, we will hold a webinar on the topic of **The Process of Reviewing an RPS**. Because of legislative mandates, several states are in the middle of reviewing their RPSs in order to make recommendations for changes and improvements. Representatives of three states will discuss the process they have been using for carrying out such a review and will explain what other states can learn from their experiences. The exact date and time for this webinar will be announced in several weeks.

News Updates

California Strengthens Its RPS

On April 12th, California Governor Jerry Brown signed a law strengthening the state's RPS. The legislation had passed through both houses of the legislature with bipartisan support. It increases the RPS to 33% in 2020. This highly ambitious target will lead to significantly greater renewable energy generation. The previous standard had been 20% in 2010. Electricity suppliers will now need to meet a 20% standard through 2013, a 25% standard through 2016, and 33% by 2020.

The legislation also expands the RPS to apply to publicly owned utilities and includes other provisions. For example, utilities were given the ability to build, own, and operate renewable generation projects with the approval of the California Public Utilities Commission (CPUC). In addition, the CPUC was given the authority to postpone utilities' obligations in certain circumstances. But there are also some problematic aspects of the legislation. As Governor Brown wrote in his signing letter: "The bill contains some provisions that will create implementation difficulties or inefficiencies, particularly for regulatory agencies charged with the bill's implementation.... Therefore, while I am signing this bill today, I ask the Legislature to immediately begin work on additional legislation to correct these problems."

For a 2009 analysis by the CPUC of the implications of the 33% target, see <http://docs.cpuc.ca.gov/PUBLISHED/GRAPHICS/102354.PDF>.

Maine Governor Proposes Capping the State's RPS

On May 12th, Maine Governor Paul LePage introduced legislation that would eliminate increases in the state's RPS targets. Currently, the RPS is set at 4%, but it is slated to increase by 1% per year until it reaches 10% in 2018. The Governor's legislation would keep the RPS at 4%. According to Kenneth Fletcher, Director of the Maine Office of Energy Independence and Security, the legislation seeks to reduce electricity rates for Maine consumers. The bill would also prohibit the Maine Public Utilities Commission from requiring power companies to enter into long-term contracts for energy supplies without first getting legislative approval. The legislation is being fast-tracked for consideration this week but it remains unclear how things will proceed.

Massachusetts Issues Revised Draft Biomass Regulations

On May 3rd, the Massachusetts Department of Energy Resources (DOER) filed revised draft regulations related to the eligibility of biomass facilities under the state's RPS (see www.mass.gov/Eoeea/docs/doer/renewables/biomass/225-cmr-14-00-050311-biomass-draft-reg-with-tracked-changes.pdf). Biomass has been the focus of much discussion and debate in Massachusetts over the past two years. It was the subject of a major 2010 study that emphasized the complexity of carbon accounting related to the use of wood for energy and concluded that large new biomass-fueled generating facilities in the state could cause the release of significant greenhouse emissions (see www.manomet.org/node/322).

Last September, DOER issued preliminary draft regulations and invited public comment, which was considerable. While some community and environmental groups voiced support for the preliminary regulations, the biomass and forest products industries argued that they would make it too hard for biomass facilities to qualify for the RPS. The revised draft regulations retain the general approach of the preliminary version and include only modest revisions. A key provision is that an RPS-qualifying biomass generator must conduct a life-cycle analysis that shows that it will reduce greenhouse gas emissions by at least 50% over 20 years. To qualify for full REC credit, the facility must operate with at least 60% efficiency, while a facility that operates with more than 40% efficiency will receive half REC credit. After the legislature's Joint Committee on Telecommunications, Utilities, and Energy comments on the draft regulations, DOER will have 30 days to issue final regulations.

Maryland to Include Waste-to-Energy in Its RPS

Maryland Governor Martin O'Malley announced this week that he will sign legislation to include waste-to-energy as a renewable resource eligible for Tier One of the state's RPS. A bill had passed the legislature but it had been unclear whether the Governor would sign it. Here is the Governor's statement: www.governor.maryland.gov/pressreleases/110517c.asp.

News Article on Minnesota RPS Costs

With the costs and benefits of RPS programs receiving increased attention in many states, an interesting, useful article in Midwest Energy News focuses on whether RPSs are driving up electricity rates in Minnesota and elsewhere, and explains why it is difficult to come up with definitive answers. See www.midwestenergynews.com/2011/05/17/are-renewable-standards-driving-up-utility-rates/

Additional Resources

DSIRE's Quantitative RPS Data Project

DSIRE was established by the US Department of Energy to provide information "on state, local, utility and federal incentives and policies that promote renewable energy and energy efficiency". It is managed by the North Carolina Solar Center and the Interstate Renewable Energy Council, and is funded by DOE. In addition to map of states with RPSs (www.dsireusa.org/summarymaps/index.cfm?ee=1&RE=1), there is an excel spreadsheet with state-by-state quantitative information about RPSs (<http://www.dsireusa.org/rpsdata/index.cfm>). As the DSIRE website indicates, "In the RPS Data Spreadsheet, state requirements are defined by year and by resource class and include other key data elements such as monetary penalties or alternative compliance payments, eligibility of new and/or existing facilities, the percentage of the state's electric load covered by the policy, comments to clarify data entries or assumptions, and an update memo to describe recent changes to the data." The RPS Data Project was begun in 2008 in support of the National Renewable Energy Laboratory's analytical activities.

New CESA Website

CESA has revamped its website (www.cleanenergystates.org) and created a new section specifically for the State-Federal RPS Collaborative and its activities (www.cleanenergystates.org/projects/state-federal-rps-collaborative/). RPS Collaborative webinar presentations and reports can be found here, along with webinar recordings. In the coming weeks, we will add more RPS-related resources and information to the website.

Join the RPS Collaborative Listserve

If you are not already a member of the States Advancing RPS listserv (SARPS1) for the State-Federal RPS Collaborative and want to receive future issues of this newsletter and announcement of collaborative events, please join us. To add or remove your name from the SARPS1 listserv, please email Maria@cleanegroup.org and put "States Advancing RPS" in the subject line. Thank you!

Newsletter Spotlights

- California Strengthens Its RPS
- Maine Governor Proposes Capping the State's RPS
- Massachusetts Issues Revised Draft Biomass Regulations
- Maryland to Include Waste-to-Energy in Its RPS
- News Article on Minnesota RPS Costs
- Additional Resources

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The State-Federal RPS Collaborative, a joint project of the Clean Energy States Alliance (CESA) and Clean Energy Group, was established to advance dialogue and cooperation among a broad network of state government officials and NGO experts. The Collaborative provides a forum for the exchange of experiences and lessons learned regarding the implementation of state RPS policies and the marketing of RECs or credits across the U.S.