



December 2, 2019

Via email

California Energy Commission
Docket Unit, MS-4
Re: Docket Number 19-SB-100
1516 Ninth St.
Sacramento, CA 95814-5512
DOCKET@energy.ca.gov

Re: SB 100 Joint Agency Report: Charting a Path to a 100% Clean Energy Future

Dear Ms. Weeks and Mr. Gunda:

Senate Bill 100 requires the California Energy Commission (CEC), California Public Utilities Commission (CPUC), and California Air Resources Board (CARB) to submit a joint report to the Legislature by January 1, 2021, that includes scenarios for achieving a “zero-carbon electric system.”¹ Despite the Legislature’s command to plan for a zero-carbon electric system, CPUC Staff announced at the November 18 SB 100 Technical Workshop that “[a]ll of the 2045 framing studies include some natural gas power plants.”² The Staff presentation incorrectly suggests that SB 100 allows carbon-emitting generation commensurate with line losses—about 8% of California’s electricity demand—and exported carbon-free energy.³ We urge the joint agencies to correct course and plan for a carbon-free grid, as SB 100 demands.

SB 100 sets California on a path to a zero-carbon grid, in which gas-fired power plants no longer disrupt the climate. The plain text of the statute requires the joint agencies to plan for “a transition to a zero-carbon electric system.”⁴ SB 100’s legislative history confirms that it “establishes a new policy which plans for *all electricity* by December 31, 2045 to be from a mix of both RPS-eligible and zero-carbon resources.”⁵

¹ Cal. Pub. Util. Code § 454.53(a), (d)(2).

² Jason Ortego - SB 100 Framing Studies at Slide 10, SB 100 Technical Workshop, CEC Docket Number 19-SB-100 (Nov. 18, 2019), <https://www.energy.ca.gov/event/workshop/2019-11/sb-100-technical-workshop>.

³ *Id.*

⁴ Cal. Pub. Util. Code § 454.53(a).

⁵ SB 100 Senate Floor Analysis at 4 (Aug. 28, 2018) (emphasis added), https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180SB100.

Failing to plan today for a truly carbon-free grid will make achieving the State’s climate goals all the more difficult. In SB 100, the Legislature gave the joint agencies a planning horizon of more than 25 years, knowing that it will be a challenge to eliminate all climate-disrupting fuels from California’s grid. The growing need for rapid action and bold climate leadership from California cannot be overstated. As the United Nations urges in its 2019 Emissions Gap Report, “deeper and faster cuts [in greenhouse gas emissions] are now required.”⁶ The joint agencies will squander precious time if they base their first SB 100 report on the false assumption that California can still rely on fossil fuels for electricity in 2045.

As CPUC Commissioner Randolph observed at the September 5, 2019, joint agency workshop, the SB 100 report will discuss the barriers to State goals “so that we can overcome those barriers.”⁷ We laud Commissioner Randolph’s intention to treat barriers as opportunities to develop new markets.⁸ We agree that the report can help achieve California’s climate goals by communicating the State’s long-term resource needs to the market.⁹ To ensure the report sends the correct signals, it must identify barriers to operating a truly zero-carbon electric grid and not assume gas plants will still operate in California in 2045.

Sincerely,



Sara Gersen
Nina Robertson
Earthjustice

Lauren Cullum
Sierra Club California

Jose Torres
California Environmental Justice Alliance

⁶ United National Environment Program, Emissions Gap Report 2019 at XIV (Nov. 2019), <https://wedocs.unep.org/bitstream/handle/20.500.11822/30797/EGR2019.pdf?sequence=1&isAllowed=y>.

⁷ CEC, Joint Agency Workshop on the Senate Bill 100 Report on Sept. 5, 2019 at about 35:15 (Sept. 18, 2019), <https://www.youtube.com/watch?v=K7jyUXKT1EM&feature=youtu.be>.

⁸ *Id.* at about 35:45.

⁹ *Id.* at about 36:20 (explaining the goal of communicating to the market: “Here are the opportunities. Here are the needs. Can you help us meet it, and what can we do to help you build those markets?”).