

## **Response to Comments**

### **Draft 2014 and 2015 Retail Seller Greenhouse Gas (GHG) Emission Factors**

MassDEP received one comment letter from Jonathan Fitch, the General Manager of the West Boylston Municipal Lighting Plant. These comments are addressed below. The draft 2014 and 2015 RSEFs are now final and reporting deadlines using these EFs have been communicated to retail sellers.

#### **Data Availability**

**Comment:** The collection, analysis and publication of the initial and final annual EF's for retail sellers should be performed in a timely manner in order to obtain accurate and reliable data. Data from retail sellers and generators is generally available shortly after the end of each calendar year. Providing up-to-date and correct data is extremely important in measuring actual GHG reductions and progress related to existing GHG reduction policies and regulations.

**Response:** Please refer to the technical support document for the Draft 2014 and 2015 GHG Emission Factors (<http://www.mass.gov/eea/agencies/massdep/climate-energy/climate/approvals/ma-greenhouse-gas-emissions-reporting-program.html#4>) and the most recent Massachusetts GHG Inventory document (<http://www.mass.gov/eea/docs/dep/air/climate/gwsa-update-16.pdf>) for information on data availability. Most data are available within a year and a half after the end of each calendar year except for emissions associated with Canadian electric power imports, which are not available until mid-April two years after the end of the calendar year. In order to provide data as quickly as possible, the Massachusetts GHG Inventory includes draft and partial data which are updated as complete data becomes available.

#### **Retail Seller Particular Emissions and Emission Factors**

**Comment:** The Global Warming Solutions Act (GWSA) provides the authority to collect GHG emissions data. MassDEP should exercise this authority to request and update missing, optionally required, and/or incorrect 2008-2015 emission and non-emitting data from WBMLP.

**Response:** Retail sellers are allowed the option of reporting particular MWh as detailed in the 310 CMR 7.71 regulation governing retail seller GHG reporting. These optional reports are checked for accuracy against available resources. Reporters are asked to resubmit MWh that are found to be inaccurate or ineligible. Reporters that find errors with their own data may resubmit this data if they choose. The revised data will be incorporated into the calculation of the final emission factors if it is received prior to the time that the emission factors are finalized. For example, several retail sellers were asked to resubmit their 2014 or 2015 AQ31 reports. No retail seller has self-reported errors with its 2014 or 2015 data.

**Comment:** The calculation of WBMLP's 2008-2015 individual retail seller EF is not accurate. Using the proportion of emitting MWh's divided by total reported MWh's, multiplied by the Massachusetts final EF to calculate WBMLP's EF's does not account for WBMLP's unit-specific emitting generation purchased through long term ownership or power purchase agreements ("PPA's"). For example, WBMLP's 2013 Massachusetts-based combined EF of 374

lb-CO<sub>2</sub>e/MWh is based on 50.1% of WBMLP's energy supply as non-emitting and assumes the remainder of WBMLP's emitting generation is based on the Commonwealth's combined EF of 751 lb-CO<sub>2</sub>e/MWh.

**Response:** GHG emissions for each retail seller are calculated according to the formula specified in the regulation. The regulation allows retail sellers who chose to supply information on emitting or non-emitting generation purchased through contracts to do so. No retail seller has chosen to report emitting generation during the 2008 through 2015 reporting years. If WBMLP submits particular emitting generation in future AQ31 optional reports, the emissions from this generation will be included in WBMLP's particular emission factor.

The 2013 EFs for individual retail sellers are shown in Table 5 of the *Summary Report for Retail Sellers of Electricity Emissions Year 2013*, published in June 2016. This table shows that WBMLP has a Massachusetts-based non-biogenic EF of 326 lb CO<sub>2</sub>e/MWh, not 374 lb CO<sub>2</sub>e/MWh. The individual retail seller EFs in Table 5 is the weighted calculation of the non-emitting sales reported to MassDEP by the retail seller times zero, plus emitting sales reported to MassDEP by the retail seller times the statewide EF after accounting for clean power, all divided by the total retail sales reported by the retail seller. In WBMLP's case, this is  $((29,804 \text{ MWh times zero}) + (29,693 \text{ MWh times } 654 \text{ lb CO}_2\text{e/MWh})) / 59,497 \text{ MWh} = 326 \text{ lb CO}_2\text{e/MWh}$ . These values are calculated for information purposes for retail sellers who choose to submit the optional AQ31 reports.

The Massachusetts based combined emission factor of 751 lb CO<sub>2</sub>e/MWh is provided in the summary report's *Appendix 3: 2013 Retail Level Emission Factors to be Used by Consumers of Electricity to Report Greenhouse Gas Emissions* for use by electricity consumers, not retail electricity suppliers, as detailed in the appendix.

**Comment:** WBMLP recommends that MassDEP calculate WBMLP's specific EF based on its specific sources of generation. Calculating and publishing the emission factors for each generator contributing to Massachusetts' energy requirements would provide more useful information related to GHG reduction policies.

**Response:** WBMLP's specific EF will be calculated from the information that WBMLP provides in its optional reports, in accordance with the regulation. Please see the 'Form 923 Generation and Fuel Data,' the 'EPA Part 75 data,' and the 'Calculating CO<sub>2</sub>e' tabs of the draft 2014 and draft 2015 Retail Seller Emission Factor spreadsheets for emissions from each generator contributing to Massachusetts' energy requirements.

#### **Annual GHG Reporting Program Summary Report for Retail Sellers of Electricity**

**Comment:** Please consider modifying the annual summary reports for retail sellers of electricity to account for the scale of reporting entities. For example, figures 9 and 10 in the 2013 annual summary are difficult to understand because of the scale difference between municipal light plants and other retail resellers of electricity.

**Response:** Figures 9 and 10 of the annual summary document are intended to show the scale differences between the various retail sellers. MassDEP will endeavor to make these figures and the data easier to read and understand in the future.

**Comment:** Municipal light plants account for approximately 14% of the annual sales of electricity, as shown in figure 1 of the 2013 annual summary report, but are responsible for approximately 54% of the non-emitting MWh's reported. Please consider creating separate graphs displaying MWhs sales and % non-emitting that are more legible and informative at the appropriate scale.

**Response:** Reporting of non-emitting MWh is optional for all retail sellers under the existing regulation. Showing a graph highlighting that 54% of reported non-emitting MWh is reported by municipal light plants could give the misleading impression that competitive suppliers and distribution companies are not complying with their Renewable Portfolio Standard (RPS) requirements. Please note that the Clean Energy Standard (CES) regulation 310 CMR 7.75, as proposed, requires all retail sellers to report all RPS and CES certificates, so details on a greater portion of clean energy will be available in future annual retail seller summary reports. MassDEP will endeavor to make all information provided in the summary reports more legible and informative.

**Comment:** Consider (1) adding a total column in the tables of biogenic and non-biogenic Emission Factors and Tons CO<sub>2</sub>e emissions and (2) including in the chart of initial and final annual Emission factors (lb-CO<sub>2</sub>e/MWh) from 2008 to present, the annual and cumulative percent reduction.

**Response:** Thank you for your suggestions. MassDEP will include this information in its future summary reports.

### **Proposed Clean Energy Standard (CES)**

**Comment:** Implementation of any new regulation related to GHG emission reduction or clean energy standards should be postponed until MassDEP annual reporting is updated, corrected, and modified to accurately determine correct emission factors for each retail [seller] of electricity.

**Response:** MassDEP is in the process of reviewing comments received on the proposed Clean Energy Standard (CES) regulation 310 CMR 7.75, see <http://www.mass.gov/eea/agencies/massdep/air/climate/section3d-comments.html>. MassDEP believes that retail seller annual reporting is correct and will add additional information to future annual summary reports, as detailed above.