

DOCKETED	
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STATE OF CALIFORNIA

**STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**Southern California Public Power Authority
Emission Performance Standard
Compliance Filing**

Docket No. 25-EPS-01

I. INTRODUCTION

Pursuant to Public Utilities Code section 8341(e)(1), the California Energy Commission (CEC) established a greenhouse gases emission performance standard (EPS) of 1,100 pounds carbon dioxide per megawatt hour, as codified in Title 20 of the California Code of Regulations, section 2900 et seq. The CEC is responsible for reviewing all long-term financial commitments entered into by local publicly owned electric utilities for compliance with the EPS.

II. FINDINGS

- a. On September 10, 2025, the Southern California Public Power Authority (SCPPA) submitted a compliance filing requesting that the CEC find that SCPPA's second amendment to a power purchase agreement (PPA) with Heber Geothermal Company LLC for energy from the Heber-1 Geothermal Energy Project in Imperial Valley, California be determined to be compliant with the EPS;
- b. CEC staff reviewed SCPPA's filing and found it complete. Based on its review, staff recommended that the procurement be found to be in compliance with the EPS; specifically, staff concluded that the second amendment to the PPA is with the EPS under section 2903(b)(1) of Title 20 of the California Code of Regulations; and
- c. The CEC concurs with staff's recommendation that SCPPA's compliance filing is complete and that the contract with Heber Geothermal Company LLC, as described in the compliance filing, complies with the EPS.

III. CONCLUSION AND ORDER

The CEC hereby adopts staff's recommendation and orders that the long-term financial commitment described in SCPA's compliance filing complies with the CEC's Greenhouse Gases Emission Performance Standard, as codified in Title 20 of the California Code of Regulations, section 2900 et seq.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**Lassen Municipal Utility District
Emission Performance Standard
Compliance Filing**

Docket No. 25-EPS-01

I. INTRODUCTION

Pursuant to Public Utilities Code section 8341(e)(1), the California Energy Commission (CEC) established a greenhouse gases emission performance standard (EPS) of 1,100 pounds carbon dioxide per megawatt (MW) hour, as codified in Title 20 of the California Code of Regulations, section 2900 et seq. The CEC is responsible for reviewing all long-term financial commitments entered into by local publicly owned electric utilities for compliance with the EPS.

II. FINDINGS

- a. On August 27, 2025, the Lassen Municipal Utility District (LMUD) submitted a compliance filing requesting that the CEC find that LMUD's power sales agreement (PSA) with Utah Associated Municipal Power Systems (UAMPS) for energy from the proposed 364 MW combined cycle natural gas power plant in Power County, Idaho be determined to be compliant with the EPS.
- b. CEC staff reviewed LMUD's filing and found it complete. Based on its review, on August 29, 2025, staff recommended that the procurement be found to be in compliance with the EPS; specifically, staff concluded that the proposed design of the natural gas facility listed in the PSA is compliant with the EPS under section 2902(a) of Title 20 of the California Code of Regulations; and
- c. The CEC concurs with staff's recommendation that LMUD's compliance filing is complete and that the contract with UAMPS, as described in the compliance filing, complies with the EPS.

III. CONCLUSION AND ORDER

The CEC hereby adopts staff's recommendation and orders that the long-term financial commitment described in LMUD's compliance filing complies with the CEC's Greenhouse Gases Emission Performance Standard, as codified in Title 20 of the California Code of Regulations, section 2900 et seq. Should the final design significantly change from the specifications provided in the compliance filing, LMUD must submit a subsequent compliance filing providing the updated information.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**Truckee Donner Public Utility District
Emission Performance Standard
Compliance Filing**

Docket No. 25-EPS-01

I. INTRODUCTION

Pursuant to Public Utilities Code section 8341(e)(1), the California Energy Commission (CEC) established a greenhouse gases emission performance standard (EPS) of 1,100 pounds carbon dioxide per megawatt-hour (MWh), as codified in Title 20 of the California Code of Regulations, section 2900 et seq. The CEC is responsible for reviewing all long-term financial commitments entered into by local publicly owned electric utilities for compliance with the EPS.

II. FINDINGS

- a. On August 27, 2025, the Truckee Donner Public Utility District (TDPUD) submitted a compliance filing requesting that the CEC find that TDPUD's power sales agreement (PSA) with Utah Associated Municipal Power Systems (UAMPS) for energy from a proposed 364 MW natural gas combined cycle power plant in Power County, Idaho be determined to be compliant with the EPS;
- b. CEC staff reviewed TDPUD's filing and found it complete. Based on its review, on August 29, 2025, staff recommended that the procurement be found to be in compliance with the EPS; specifically, staff concluded that the proposed design of the natural gas facility listed in the PSA is compliant with the EPS under section 2903(a) of Title 20 of the California Code of Regulations; and
- c. The CEC concurs with staff's recommendation that TDPUD's compliance filing is complete and that the contract with UAMPS, as described in the compliance filing, complies with the EPS.

III. CONCLUSION AND ORDER

The CEC hereby adopts staff's recommendation and orders that the long-term financial commitment described in TDPUD's compliance filing complies with the CEC's Greenhouse Gases Emission Performance Standard, as codified in Title 20 of the California Code of Regulations, section 2900 et seq. Should the final design significantly change from the specifications provided in the compliance filing, TDPUD must submit a subsequent compliance filing providing the updated information.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

***2025 Building Energy Efficiency Standards,
California Code of Regulations, Title 24,
Parts 1 and 6***

Docket No. 24-BTSD-03

**RESOLUTION CERTIFYING THE UPDATED ALTERNATIVE CALCULATION
METHOD REFERENCE MANUALS FOR THE 2025 BUILDING ENERGY
EFFICIENCY STANDARDS**

WHEREAS, the 2025 Building Energy Efficiency Standards (2025 Energy Code), amending California Code of Regulations, Title 24, Parts 1 and 6, were adopted by the California Energy Commission (CEC) on September 11, 2024, with an effective date of January 1, 2026, and

WHEREAS, these standards were approved by the California Building Standards Commission (CBSC) on December 17, 2024; and

WHEREAS, the Warren-Alquist Act, in Public Resources Code section 25402.1(e), requires the CEC to certify “an energy conservation manual for use by designers, builders and contractors of residential and nonresidential buildings” no later than 180 days after CBSC approves the Energy Code; and

WHEREAS, in order to implement the requirement of section 25402.1(e), CEC staff has developed an energy conservation manual (ECM) that is comprised of several documents, including residential and nonresidential compliance manuals, residential and nonresidential alternative compliance method reference manuals, a data registry requirements manual, and other compliance forms, all of which contain information to assist designers, builders, and contractors in meeting the 2025 Energy Code, including forms, charts, and other data; and

WHEREAS, the 2025 Energy Code that was adopted by the CEC and approved by the CBSC, specifies, among other things, the requirement to update the Alternative Calculation Method Reference Manuals, which are part of the ECM; and

WHEREAS, CEC staff developed updated content for the Single-family Alternative Calculation Reference Manual, Publication Number CEC-400-2025-006-REV and the Nonresidential and Multifamily Alternative Calculation Reference Manual, Publication Number CEC-400-2025-007-REV (collectively the “ACM Reference Manuals”), which document the modeling methods used in the 2025 compliance software, which demonstrates performance compliance with the 2025 Energy Code; and

WHEREAS, CEC staff has considered the application of the California Environmental Quality Act (CEQA) to the updates made in the ACM Reference Manuals and find that the updates do not meet the definition of a “project” under Cal. Code Regs., Title 14, section 15061(a), because the updates in the ACM Reference Manuals have no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and even if the updated ACM Reference Manuals were to be considered a project, then the project would fall under the “common sense exemption” in California Code of Regulations, title 14, section 15061(b)(3) because it can be seen with certainty that there is no possibility the updated ACM Reference Manuals would have a significant effect on the environment; and

WHEREAS, the CEC has considered staff’s proposed updates to the ACM Reference Manuals and finding that its adoption is exempt from CEQA; and

THEREFORE, BE IT RESOLVED, that on the basis of the entire record before it, the CEC hereby adopts staff’s finding that the updates made in the ACM Reference Manuals are not subject to CEQA because it does not meet the definition of a “project” as it is not an activity that has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and even if it was a project, it is exempt from CEQA pursuant to the Common-Sense Exemption (Cal. Code Regs., tit 14, 15061(b)(3)) because it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment; and

THEREFORE, BE IT RESOLVED, that the California Energy Commission hereby certifies the updated Single-Family Alternative Calculation Method Reference Manual, Publication Number CEC-400-2025-006-REV, used to support compliance with the 2025 Energy Code; and

FURTHER BE IT RESOLVED, that the California Energy Commission hereby certifies the updated Nonresidential and Multifamily Alternative Calculation Method Reference Manual, Publication Number CEC-400-2025-007-REV, used to support compliance with the 2025 Energy Code; and

FURTHER BE IT RESOLVED, that the California Energy Commission directs the Executive Director or their designee to take all actions reasonably necessary to make

the above-referenced documents available and in good form, including but not limited to correcting typographical and other non-substantive errors.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**Resolution Approving Updated 2025 California Building Energy Code Compliance
Software (CBECC 2025.2.0)**

WHEREAS, the 2025 Energy Code, amending California Code of Regulations, Title 24, Parts 1 and 6, was adopted by the California Energy Commission (CEC) on September 11, 2024, with an effective date of January 1, 2026, and

WHEREAS, these standards were approved by the California Building Standards Commission on December 17, 2024, and will go into effect January 1, 2026; and

WHEREAS, the Warren-Alquist Act, in Public Resources Code section 25402.1(a), requires the CEC to develop a public domain computer program, which will enable contractors, builders, architects, engineers, and government officials to estimate the energy consumed by residential and nonresidential buildings; and

WHEREAS, in order to implement the requirement of section 25402.1(a), CEC staff developed and approved the 2025 Single-family Alternative Calculation Method Reference Manual and the 2025 Nonresidential and Multifamily Alternative Calculation Method Reference Manual (together the 2025 ACM Reference Manuals), which specify the standard design and document the calculations and methods used by the compliance software to model building performance, calculate Long-term System Cost and Source Energy, and demonstrate performance compliance with the 2025 Energy Code; and

WHEREAS, in order to implement the requirement of section 25402.1(a), CEC staff developed a public domain computer program that is comprised of California Building Energy Code Compliance nonresidential software (CBECC 2025.1.0), which is used to estimate energy consumed by nonresidential and multifamily residential buildings and demonstrate performance compliance with the nonresidential and multifamily provisions of the 2025 Energy Code, California Code of Regulations, Title 24, Part 1, Chapter 10, and Part 6; and

WHEREAS, in order to implement the requirement of section 25402.1(a), CEC staff developed a public domain computer program that is comprised of California Building Energy Code Compliance residential software (CBECC-Res 2025.1.0), which is used to estimate energy consumed by single-family residential buildings and demonstrate performance compliance with the single-family residential provisions of the 2025 Energy Code, California Code of Regulations, Title 24, Part 1, Chapter 10, and Part 6; and

WHEREAS, CEC approved CBECC 2025.1.0 and CBECC-Res 2025.1.0 at the June 11, 2025, CEC business meeting; and

WHEREAS, CEC staff proposed an update to the 2025 ACM Reference Manuals at the October 8, 2025, CEC business meeting; and

WHEREAS, in order to align CBECC with the proposed changes to the 2025 ACM Reference Manuals, to improve the accuracy of the public domain computer program, to add functionality, and to respond to stakeholder comments, CEC staff developed the updated public domain computer program CBECC 2025.2.0; and

WHEREAS, CBECC 2025.2.0 is a public domain computer program, which is used to estimate energy consumed by nonresidential, multifamily residential, and single-family residential buildings and demonstrate performance compliance with the nonresidential, multifamily residential, and single-family residential provisions of the 2025 Energy Code, California Code of Regulations, Title 24, Part 1, Chapter 10, and Part 6; and

WHEREAS, as part of developing CBECC 2025.2.0, CEC staff has reviewed and tested CBECC 2025.2.0 to ensure it reflects the requirements of the 2025 Energy Code and the building energy modeling requirements of section 10-109(c), Title 24, Part 1, and aligns with the current version of the 2025 ACM Reference Manuals; and

WHEREAS, CEC staff has considered the application of the California Environmental Quality Act (CEQA) to the updates made in the CBECC 2025.2.0 compliance software and finds that the updates do not meet the definition of a “project” under California Code of Regulations, Title 14, section 15061(a), because the updates in the compliance software have no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and even if the updated compliance software was considered a project, then the project would fall under the “common sense exemption” in California Code of Regulations, Title 14, section 15061(b)(3) because it can be seen with certainty that there is no possibility the updated compliance software may have a significant effect on the environment; and

WHEREAS, the CEC has considered staff’s proposed updates to the CBECC 2025.2.0 compliance software and staff’s finding that its adoption is exempt from CEQA.

THEREFORE, BE IT RESOLVED, that on the basis of the entire record before it, the CEC hereby adopts staff’s finding that the updates made to CBECC, resulting in the CBECC 2025.2.0 compliance software, is not subject to CEQA because it does not meet the definition of a “project” as it is not an activity that has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and even if it were a project, it is exempt from CEQA pursuant to the Common-Sense Exemption because it can be seen with certainty that there is no possibility the approval may have a significant effect on the environment, including unusual circumstances; and

FURTHER BE IT RESOLVED, that the CEC approves the updates to CBECC and the resulting new version, CBECC 2025.2.0, which is used for estimating energy consumed by nonresidential, multifamily residential, and single-family buildings as specified in Public Resources Code section 25402.1, subdivision (a), and for demonstrating performance compliance with the nonresidential, multifamily residential, and single-family residential provisions of the 2025 Energy Code, California Code of Regulations, Title 24, Parts 1 and 6; and

FURTHER BE IT RESOLVED, that pursuant to sections 10-116 and 10-109, Title 24, Part 1, upon the CEC's approval of the October 8th, 2025 CBECC software update, CBECC 2025.1.0 and any other alternative calculation methods incorporating the previously approved, June 11, 2025, compliance software used for estimating energy consumed by nonresidential and multifamily residential buildings as specified in Public Resources Code section 25402.1, subdivision (a), and for demonstrating compliance with the performance-based nonresidential and multifamily residential provisions of the 2025 Building Energy Efficiency Standards, California Code of Regulations, Title 24, Parts 1 and 6 will expire and any permit applications made on or after January 7, 2026 will be subject to CBECC 2025.2.0; and

FURTHER BE IT RESOLVED, that pursuant to sections 10-116 and 10-109, Title 24, Part 1, upon the CEC's approval of the October 8th, 2025 CBECC software update, CBECC-Res 2025.1.0 and any other alternative calculation methods incorporating the previously approved, June 11, 2025, compliance software used for estimating energy consumed by single-family residential buildings as specified in Public Resources Code section 25402.1, subdivision (a), and for demonstrating compliance with the performance-based single-family residential provisions of the 2025 Building Energy Efficiency Standards, California Code of Regulations, Title 24, Parts 1 and 6 will expire and any permit applications made on or after January 7, 2026 will be subject to CBECC 2025.2.0; and

FURTHER BE IT RESOLVED, that the CEC directs the executive director or their designee to take all actions reasonably necessary to make the above-referenced software available and maintain the software in good form, including but not limited to releasing bug fixes, correcting calculation and analytical errors, necessary ongoing software updates, user interface changes, and other minor updates.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Brighton Energy Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement ZVI-25-002 with Brighton Energy Inc. for a \$3,000,000 grant. This project will increase equitable access to electric vehicle (EV) charging by deploying at least 280 Level 2 EV charging ports across approximately 24 sites in low-income, disadvantaged, or affordable multifamily housing complexes in Chico and Paradise; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: NONE
ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: DynaChrg Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement ZVI-25-003 with DynaChrg Inc. for a \$4,075,097 grant. This project will install at least 332 Level 2 EV charging ports at multifamily housing communities in Los Angeles County. At least 90% of the residential units served will be in disadvantaged communities, low-income communities, and/or affordable housing; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: NONE
ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Moon Five Technologies Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement ZVI-25-004 with Moon Five Technologies Inc. for a \$3,413,480 grant. This project will install at least 400 Level 2 EV charging ports at multifamily housing communities across Alameda, Contra Costa, Los Angeles, Santa Clara, San Diego, and San Mateo counties. At least 90% of the residential units served will be in disadvantaged communities, low-income communities, and/or affordable housing; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Lawrence Berkeley National Laboratory

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-027 with Lawrence Berkeley National Laboratory for a \$3,121,313 grant. This project will develop CC-FLEX, an open-source software solution to transform three California college campuses into virtual power plants. The control system targets a chiller cooling plant, chilled water tank, battery energy storage system, EV charging stations, building thermostats, and combinations of these; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

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AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: The Clara Fund

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement 300-25-004 for a \$25,000 co-sponsorship contract with The Clara Fund, including use of CEC's logo in co-sponsorship activities. This sponsorship will support the Electric Innovation Initiative's annual events and activities, including a national awards event, site visits for policymakers, workshops, visibility of awardee innovations, and policy tracking; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: NONE
ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION: AirMyne, Inc.

WHEREAS, The Stockton Port District is the Lead Agency for the Pelican Renewables LLC ethanol production facility. The Stockton Port District prepared an Environmental Impact Report (EIR) (SCH #2006062102), for the Pacific Ethanol Production and Transshipment Facility at the Port of Stockton ("Ethanol Facility") on January 16, 2007, under the California Environmental Quality Act (CEQA). In June 2008, the Stockton Port District issued an Addendum to the EIR regarding adding a 60 kV electric transmission line to serve the facility. The Ethanol Facility is owned by Pelican Renewables LLC as of 2021. The Port approved the Ethanol Facility, and it has been constructed; and

WHEREAS, the Energy Commission is considering approval of agreement CRI-25-001 with AirMyne, Inc. for a \$4,000,000 grant to test, pilot, and demonstrate AirMyne's direct air capture (DAC) system near Stockton at a capacity of 1,000 metric tons of carbon dioxide per year by the end of the agreement. The DeltaDAC project technology is based on liquid capture and low-temperature thermal regeneration using off-the-shelf materials and inputs. This project, including active community engagement, benefits planning, and community education, intends to advance the technical, economic, and environmental viability of direct air capture the proposed agreement; and

WHEREAS, the proposed industrial-type AirMyne DeltaDAC project would be located within the EIR's geographic project study area for the Ethanol Facility, and this area along with the industrial-type Ethanol Facility were studied in the 2006 Draft and Final Environmental Impact Report. The DeltaDAC would operate independently of the Ethanol Facility; and

WHEREAS, in February 2025, the Stockton Port District's Director of Environmental Affairs provided a letter indicating the AirMyne DeltaDAC activities are a minor modification aiming to reduce carbon emissions and environmental impact for the Ethanol Facility, which requires only ministerial approvals by the Stockton Port District; and

WHEREAS, CEC staff prepared a Staff CEQA Memorandum regarding the DeltaDAC project describing substantial evidence collected by CEC staff about the potential environmental impacts of the proposed DeltaDAC project, concluding that the proposed DeltaDAC project presents no new significant or substantially more severe environmental impacts beyond those already considered and mitigated by the Lead Agency. Implementation of applicable mitigation measures in the Stockton Port District's CEQA documents to the DeltaDAC project and proposed CEC Tribal Cultural Resource

mitigation measures detailed in the Staff CEQA Memorandum will fully mitigate the potential environmental impacts of the proposed DeltaDAC project to a less than significant level; and

WHEREAS, Tribal Cultural Resources is a resource category under CEQA established by Assembly Bill 52 in 2014, after the existing EIR was prepared. While the 2006 EIR and 2008 Addendum did evaluate the Cultural Resources CEQA topic and did include mitigation measures, the newer Tribal Cultural Resources has additional nuances. CEC's evaluation considers the new guidance of AB 52 including tribal consultation on identifying appropriate mitigation measures for tribal cultural resources. Pursuant to the CEC Tribal Consultation Policy, the CEC initiated tribal consultation and developed additional mitigation measures. The tribal cultural resources mitigation measures are contained in Exhibit F of the proposed grant agreement, and are also detailed in the Staff CEQA Memorandum; and

WHEREAS, The Energy Commission has reviewed and considered the 2006 EIR, Stockton Port District Board of Commissioners' Resolutions certifying the FEIR, the 2008 Addendum, and CEQA Findings; the Notices of Determination for the FEIR and 2008 Addendum and the findings contained therein, and the Energy Commission Staff's Findings, which are contained in the Staff CEQA Memorandum regarding of CRI-25-001, which is included in the backup materials; and

WHEREAS, Prior to acting on the Agreement CRI-25-001, the Energy Commission desires to make certain findings pursuant to CEQA and the State CEQA Guidelines;

THEREFORE, BE IT RESOLVED,

1. The Energy Commission has reviewed the information contained in the 2006 EIR, 2008 Addendum, and additional documents described above, which are adopted to the extent that they are relevant to the Energy Commission's decision to approve CRI-25-001, and has reviewed the Staff CEQA Memorandum identified above.
2. The Stockton Port District has already adopted the mitigation measures recommended in the EIR and Addendum applicable to the AirMyne project area, and has authority to implement the mitigation measures.
3. The Energy Commission has reviewed and considered the EIR, Addendum, and the Staff CEQA Memorandum, and finds that these documents are adequate for its use as the decision-making body for its consideration of CRI-25-001.
4. None of the circumstances within CCR, title 14, section 15162 are present and there have been no substantial project changes and no substantial changes in the project circumstances that would require major revisions to the EIR, either due to the involvement of new significant environmental effects, or to an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the EIR.

FURTHER BE IT RESOLVED, that the Energy Commission finds, on the basis of the entire record before it, that the mitigation measures incorporated in the EIR, along with the CEC's tribal cultural resources mitigation measures will prevent CRI-25-001 from having any significant environmental impacts; and

FURTHER BE IT RESOLVED, that the Energy Commission approves CRI-25-001 with AirMyne, Inc. for \$4,000,000.00.

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: Hochschild

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

*General Rulemaking Proceeding
for Developing Regulations,
Guidelines, and Policies for
Implementing SB X1-2 and AB X2-1*

Docket No. 23-OIR-03

[PROPOSED] RESOLUTION
ADOPTING REGULATIONS

WHEREAS, on July 11, 2025, the State Energy Resources Conservation and Development Commission (California Energy Commission or CEC) mailed and posted on the CEC's website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC's intent to adopt proposed regulations for Certification of PIIRA Emergency Regulations, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, and the Economic Impact Statement (Form 399); and

WHEREAS, on July 11, 2025, the NOPA was published in the California Regulatory Notice Register, delivered to the Secretary of the California Natural Resources Agency, distributed to the CEC's SB X1-2/AB X2-1 Implementation email subscription list, and posted on the CEC's website under Docket Number 23-OIR-03. The NOPA stated that a Public Hearing (Public Hearing) to hear comments on the proposed regulations would be held on August 27, 2025; and

WHEREAS, on August 26, 2025, the 45-day written comment period established by the NOPA closed; and

WHEREAS, on August 27, 2025, the CEC staff for the rulemaking held a Public Hearing, as noticed in the NOPA, to receive oral comments on the proposed regulations to the Certification of PIIRA Emergency Regulations; and

WHEREAS, on September 26, 2025, the CEC staff posted a Notice of Adoption Hearing, informing interested parties and the public that the CEC would consider and possibly adopt the proposed regulations at the October 8, 2025, Business Meeting of the CEC; and

WHEREAS, each of the above-referenced documents and notices was provided to every person on the CEC's Rulemaking email subscription list of SB X1-2/AB X2-1

Implementation and was posted to the CEC's website under Docket Number 23-OIR-03; and

WHEREAS, on October 8, 2025, the CEC considered adoption of the proposed regulations at its Business Meeting.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to the California Environmental Quality Act:

- The CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed regulations are exempt from CEQA requirements under California Public Resources Code section 25367(c)(1), which declares that regulations adopted pursuant to Public Resources Code, Chapter 4.5, are not a "project" for purposes of CEQA; and

With regard to the Administrative Procedure Act:

- The proposed regulations will not result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, and will not result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and
- The proposed regulations will not impose direct costs or savings, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code, when savings accruing over the lifetime of the appliance is considered; and
- The proposed regulations will not result in the creation or elimination of jobs within California; and
- The proposed regulations will not result in costs or savings in federal funding to the State of California; and
- The proposed regulations will not result in nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will not have an impact on housing costs; and
- The proposed regulations will result in cost impacts to representative private persons or businesses in reasonable compliance with the regulations resulting from increased submission of data reports amounting to \$1,661,220; and

- The proposed regulations will not adversely impact the health and welfare of California residents, or worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purpose of the statutes for which it is proposed, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will require some businesses to complete new reports, which are necessary for the health, safety, and welfare of the people of the state; and
- The proposed regulations will have a positive effect on the health and welfare of California residents, work safety, and the state's environment by increasing transparency and accuracy of petroleum data reporting; and
- None of the comments received during the comment period, public hearing, and nothing else in the record, justified any changes to the proposed regulations as published on July 11, 2025.

THEREFORE, BE IT RESOLVED, that, on the basis of the entire record before it, the CEC finds that the proposed regulations are exempt from CEQA under California Public Resources Code section 25367(c)(1) because that statute declares that regulations adopted pursuant to Public Resources Code, Chapter 4.5, are not a "project" for purposes of CEQA; and

FURTHER BE IT RESOLVED, that, after considering all comments received and staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the proposed regulations, as set forth in the express terms that were published on July 11, 2025 and with any changes considered and adopted at the October 8, 2025 business meeting; and

The CEC takes this action under the authority of sections 25213, 25218(e), 25354, and 25367 of the Public Resources Code, which authorize the CEC to adopt or amend rules or regulations as necessary to implement, interpret, and make specific Public Resources Code Sections 25354, 25354(c), 25354(f)(3), 25354(k), 25354(j), 25354(l), 25355, 25356, 25358(c), 25362, and 25364; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the CEC, 715 P Street, Sacramento, California, 95814. Many of these documents are also available online in [Docket Number 23-OIR-03](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OIR-03), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OIR-03>; and

FURTHER BE IT RESOLVED, the CEC delegates the authority and directs staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Exemption with the State Clearinghouse. This delegation explicitly includes authority for the Executive Director or Chief Deputy Director to sign the Form 400 on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, Gunda, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

2024 Integrated Energy Policy Report Update

WHEREAS, the Warren-Alquist Act requires the California Energy Commission (CEC) in odd-numbered years to "conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices" and to "use these assessments and forecasts to develop and evaluate energy policies and programs that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety" (Public Resources Code § 25301, subd. (a)); and to update these assessments and forecasts in even-numbered years (Public Resources Code § 25302, subd. (c)); and

WHEREAS, on April 22, 2024, the Lead Commissioner issued a Scoping Order for the 2024 Integrated Energy Policy Report Update (2024 IEPR Update) proceeding stating that the *2024 IEPR Update* report would address the following: the Electricity Demand Forecast Update; Wave and Tidal Energy pursuant to Senate Bill 605 (Padilla, Chapter 405, Statutes of 2023); and updates or reports on energy issues that have arisen since the *2023 IEPR*; and

WHEREAS, the proposed report also includes an appendix on Western Electricity Markets, which summarizes a workshop held on January 24, 2025; and

WHEREAS, the CEC held seven workshops and one webinar on the topics identified in the Scoping Order and on Western Electricity Markets between May 2024 and January 2025, to solicit input from stakeholders on these topics; and

WHEREAS, the CEC has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the *Final 2024 Integrated Energy Policy Report Update*, and concluded that the adoption of this report is not a "project" under CEQA, because no commitment to any specific project is made in this *2024 IEPR Update*, and approving it will not cause a direct or reasonably foreseeable indirect change in the environment. However, in the event that the adoption of the *2024 IEPR Update* were determined to be a project, the CEC has determined that it would nonetheless be exempt from CEQA requirements pursuant to the "common sense" exemption (CEQA Guidelines, § 15061, subd. (b)(3)) for the same reason, and it can be seen with certainty that there is no possibility that the adoption of the *2024 IEPR Update* may have a significant effect on the environment.

THEREFORE BE IT RESOLVED, the CEC hereby:

- accepts, approves, and adopts the *Final 2024 Integrated Energy Policy Report Update*, incorporating any changes presented and adopted at the October 8, 2025 Business Meeting along with any non-substantive edits such as typographical corrections,
- directs the CEC staff to make the document accessible to state, local, and federal entities, the public, and the Legislature, and
- finds that the *2024 IEPR Update* is exempt from CEQA.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo

NAY: NONE

ABSENT: Gunda, Skinner

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**Rulemaking to Establish
Regulations for Improved Electric
Vehicle Charger Recordkeeping and
Reporting, Reliability, and Data
Sharing**

Docket No. 22-EVI-04

**RESOLUTION ADOPTING
REGULATIONS**

WHEREAS, the Legislature enacted and the Governor signed Assembly Bill (AB) 2127 (Ting, Chapter 365, Statutes of 2018), which created Public Resources Code section 25229 to direct the State Energy Resources Conservation and Development Commission (CEC) to assess biennially the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least five million zero-emission vehicles on California roads by 2030, and of reducing emissions of greenhouse gases to 40 percent below 1990 levels by 2030; and

WHEREAS, the Legislature enacted and the Governor signed AB 2061 (Ting, Chapter 345, Statutes of 2022), which created Public Resources Code section 25231.5 to direct the CEC to develop uptime recordkeeping and reporting standards for EV chargers and charging stations that receive an incentive from a state agency or through a charge on ratepayers and are installed on or after January 1, 2024; and

WHEREAS, the Legislature enacted and the Governor signed AB 126 (Reyes, Chapter 319, Statutes of 2023), which amended Public Resources Code section 25231.5(d)(1) to direct the CEC to adopt tools to increase EV charging station uptime, including uptime requirements and operation and maintenance requirements; and

WHEREAS, AB 126 also added Public Resources Code section 25231.5(d)(2), which requires the CEC to adopt standards requiring certain entities to notify customers about the availability and accessibility of publicly available EV charging ports; and

WHEREAS, Public Resources Code sections 25301 through 25305 direct the CEC to release a biennial Integrated Energy Policy Report (IEPR) that provides a cohesive

assessment of major energy trends and issues in California, which requires forecasting of where more EV charging ports are needed; and

WHEREAS, the CEC requires EV charging port inventory data to complete the requirements of Public Resources Code sections 25301 through 25305; and

WHEREAS, on June 26, 2025, the CEC posted to its website, a staff report providing the technical and other bases supporting the proposed Rulemaking to Establish Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data Sharing, which also included the proposed Express Terms of the proposed regulations; and

WHEREAS, on June 27, 2025, the CEC posted the following documents on its website: a Notice of Proposed Action (NOPA) formally notifying the public of the CEC's intent to adopt proposed regulations for Rulemaking to Establish Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data Sharing, explaining how to obtain a copy of the Express Terms of the proposed regulations, setting a 45-day public comment period, and stating that a Public Hearing to hear comments on the proposed regulations would be held on August 13, 2025; an Initial Statement of Reasons (ISOR) describing the rationale for the proposal; and the Economic and Fiscal Impact Statement (Form 399); and

WHEREAS, on June 27, 2025, the NOPA was published in the California Regulatory Notice Register, delivered to the Secretary of the California Natural Resources Agency, and distributed to the CEC's Electric Vehicle Charging Infrastructure Reliability Reporting and Performance Standard email subscription list; and

WHEREAS, on August 12, 2025, the 45-day written comment period established by the NOPA closed; and

WHEREAS, on August 13, 2025, the CEC staff for the rulemaking held a Public Hearing, on the date and time noticed in the NOPA, to receive oral and additional written comments on the proposed regulations to the Rulemaking to Establish Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data Sharing; and

WHEREAS, on September 8, 2025, the CEC published to its website the amended Express Terms, based on comments received during the 45-day comment period and the August 13, 2025, Public Hearing; and

WHEREAS, on September 8, 2025, the CEC published a Notice of 15-day comment period on the amended Express Terms, which closed on September 24, 2025; and

WHEREAS, on September 26, 2025, the CEC staff posted a Notice of Adoption Hearing informing interested parties and the public that the CEC would consider and possibly adopt the proposed regulations at an October 8, 2025, Business Meeting of the CEC; and

WHEREAS, each of the above-referenced documents and notices was provided to every person on the CEC's Electric Vehicle Charging Infrastructure Reliability Reporting and Performance Standards email subscription list and to every person who had requested notice of such matters, and was posted to the CEC's website; and

WHEREAS, on October 8, 2025, the CEC considered adoption of the proposed regulations at its Business Meeting.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to the California Environmental Quality Act:

- The CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed regulations are exempt from CEQA requirements under the categorical exemptions under sections 15301 and 15306 of title 14 of the California Code of Regulations and under the common sense exemption pursuant to section 15061(b)(3) of title 14 of the California Code of Regulations; and

With regard to the Warren-Alquist Act:

- The proposed regulations satisfy the requirements of Public Resources Code section 25231.5(a), which requires the CEC to develop uptime recordkeeping and reporting standards for electric vehicle chargers and charging stations.
- The proposed regulations and the CEC's process, including workshops and hearings, satisfy the requirements of Public Resources Code sections 25231.5(a)(3) and (b)(2) in defining "uptime," determining excluded time for purposes of developing a formula to calculate uptime, and identifying best practices for uptime recordkeeping and reporting standards.
- The proposed regulations will assist the CEC in carrying out the directive in Public Resources Code section 25231.5(c), which requires the CEC to assess the uptime of charging station infrastructure including, at a minimum, an assessment of equitable access to reliable charging stations in low-, moderate-, and high-income communities.
- The proposed regulations satisfy the requirements of Public Resources Code section 25231.5(d), which requires the CEC to adopt tools to increase charging station uptime and to set standards for how stations shall notify customers about the availability and accessibility of publicly available charging infrastructure.
- The proposed regulations satisfy the requirements of Public Resources Code section 25320, including that they are necessary to the development of the integrated energy policy report, including sections 25301 to 25304, because current data collection methods are insufficient.

- The proposed regulations satisfy the requirements of Public Resources Code section 25301, which requires the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices.
- The proposed regulations satisfy the requirements of Public Resources Code section 25304(g), which requires the CEC to conduct transportation forecasting and assessment activities including an evaluation of the success of the introduction, prices, and availability of advanced transportation technologies, low- or zero-emission vehicles, and clean-burning transportation fuels.
- The proposed regulations will assist the CEC's compliance with the requirements of Public Resources Code section 25229, which requires the CEC to assess biennially the number of EV charging ports necessary to support California's EV adoption goals.

With regard to the Administrative Procedure Act:

- The proposed regulations will not likely result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, and will not result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and
- The proposed regulation will not impose direct costs or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code, when savings accruing over the lifetime of the appliance is considered; and
- The proposed regulations will not result in the creation or elimination of jobs within California; and
- The proposed regulations will not result in costs or savings in federal funding to the State of California; and
- The proposed regulations will not result in nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will not have an impact on housing costs; and
- The proposed regulations will result in cost impacts to representative private persons or EV charging businesses in reasonable compliance with the regulations; annual ongoing costs are estimated at \$2,191 and \$79,903 for small and typical businesses, respectively; and

- The proposed regulations will not adversely impact the health and welfare of California residents, or worker safety, or the state's environment; and
- The proposed regulations have no reasonable alternatives that would be more effective in carrying out the purpose of the statutes for which it is proposed, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business as estimated in the Economic and Fiscal Impact Statement and no reasonable alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will set new reporting requirements upon businesses, which are necessary for the health, safety, or welfare of the people of the state; and
- None of the comments received during each separate comment period, public hearing, or at the public adoption hearing, and nothing else in the record, justified any changes to the proposed regulations as published on September 8, 2025.

THEREFORE, BE IT RESOLVED, that, on the basis of the entire record before it, the CEC finds that the proposed regulations are exempt from CEQA under the categorical exemption under sections 15301 and 15306 of title 14 of the California Code of Regulations, and the common sense exemption under section 15061(b)(3) of title 14 of the California Code of Regulations; and

FURTHER BE IT RESOLVED, after considering all comments received and CEC staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the proposed regulations implementing the Rulemaking to Establish Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data Sharing, as set forth in the Express Terms that were published on September 8, 2025 and incorporating any changes presented and adopted today.

The CEC takes this action under the authority of sections 25213, 25218(e), and 25218.5 of the Public Resources Code, which authorize the CEC to adopt rules or regulations, as reasonable and necessary, to implement sections 25229, 25231.5, and 25300 to 25305 of the Public Resources Code; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the CEC, 715 P Street, Sacramento, California, 95814. Many of these documents are also available online in Docket 22-EVI-04 <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?doctnumber=22-EVI-04%20>; and

FURTHER BE IT RESOLVED, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed

regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Exemption with the State Clearinghouse. This delegation explicitly includes authority for the Executive Director or Chief Deputy Director to sign the Form 400 on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: City of Long Beach Harbor Department

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement OSW-25-001 with City of Long Beach Harbor Department, also known as the Port of Long Beach, for a \$20,000,000 grant. This project will support planning and design of Pier Wind, a 400-acre offshore wind terminal at the Port of Long Beach. The project will enable planning, engineering, environmental assessments, and community engagement activities for Pier Wind; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: City of Oakland, a municipal corporation, acting by and through
the Board of Port Commissioners**

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement OSW-25-002 with the City of Oakland, a municipal corporation, acting by and through the Board of Port Commissioners, also known as the Port of Oakland, for a \$750,000 grant. This project will conduct a technical feasibility assessment to identify, evaluate, and design the redevelopment of underutilized areas at the Port of Oakland to improve site readiness for offshore wind supply chain and logistics operations; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: City of Richmond

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement OSW-25-003 with the City of Richmond for a \$750,000 grant. This project will conduct a conceptual study of potential sites for offshore wind activities in the Port of Richmond and support the development of a Port of Richmond Master Plan. The project includes conceptual design and preliminary engineering to evaluate, plan, and design purpose-built offshore wind infrastructure; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Port San Luis Harbor District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement OSW-25-004 with the Port San Luis Harbor District for a \$3,000,000 grant. This project will build upon feasibility efforts led by Port San Luis Harbor District to become an operation and maintenance terminal for offshore wind. This project will support engineering design, prepare for future development phases, and execute community, stakeholder, tribal, and agency engagement on the Central Coast; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Humboldt Bay Harbor, Recreation, and Conservation District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement OSW-25-005 with the Humboldt Bay Harbor, Recreation, and Conservation District for a \$18,250,000 grant. This project will advance the design of the Humboldt Bay Offshore Wind Heavy Lift Terminal. The funding will also enable planning, engineering, environmental approvals, and community engagement activities for the terminal; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: Gunda
ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: EVgo Services LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EVC-25-001R with EVgo Services LLC for a \$2,864,226 grant. This project will replace 19 non-operational public EV charging ports and install an additional 17 public EV direct current fast charging (DCFC) ports across nine sites in Alameda, Fresno, Los Angeles, Orange, San Bernadino, Sutter, Ventura, and Yolo counties; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, Gunda, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Electrify America, LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EVC-25-002R with Electrify America, LLC for a \$1,377,384 grant. This project will replace 11 non-operational public EV charging ports and install an additional 13 public EV DCFC ports across six sites in Humboldt, Orange, San Diego, San Mateo, Santa Barbara, and Yolo counties; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, Gunda, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Tesla, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement RNEV-25-002 with Tesla, Inc. for a \$1,590,348 grant. This project will install, operate, and maintain 40 public EV DCFC ports across two sites in Copperopolis and Campbell; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: EVgo Services LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement RNEV-25-001 with EVgo Services LLC for a \$3,016,585 grant. This project will install, operate, and maintain 24 public EV DCFC ports across four sites in Weed, Dorris, Gasquet, and a fourth site to be determined; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the California Energy Commission held on October 8, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner
NAY: NONE
ABSENT: Gunda
ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Tandem PV, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-022 with Tandem PV, Inc. for a \$3,975,954 grant. This project will fund the testing and validation of high-efficiency perovskite/silicon tandem photovoltaic panels in Fremont, Napa, San Diego, and Merced. Efforts include outdoor durability testing, accelerated indoor assessments, and standardized compliance testing to enhance technical bankability and support commercialization; and

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ABSENT: Gunda, Skinner
ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Community Energy Labs, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-023 with Community Energy Labs, Inc. for a \$1,662,421 grant. This project involves the deployment of a system that integrates the Internet of Things, hardware, and software as a service using machine learning to drive down the cost of powerful Model Predictive Control (MPC) in 10–50 K-12 school sites across the state. The goal is to demonstrate a scalable, affordable solution for communities needing to manage changing utility rates, heating, ventilation, and air conditioning electrification, as well as energy codes. Widespread adoption of low-cost MPC in commercial buildings can collectively reduce peak energy demand, improve grid stability, and lower blackout risks; and

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Verne Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-026 with Verne Inc. for a \$3,998,616 grant. The project will design, build and demonstrate a low-cost hydrogen distribution method to supply zero-emission electricity to California ratepayers facing grid supply constraints. This new method of distribution, using cryo-compressed hydrogen technology, doubles the capacity of hydrogen gas trailers without incurring the cost and boil-off losses that come with liquid hydrogen deliveries, thereby unlocking cost-effective hydrogen delivery for end-users that wish to receive on-demand electricity using hydrogen-to-power equipment; and

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Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Tyfast Energy Corp.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-028 with Tyfast Energy Corp. for a \$1,959,011 grant. This project will take place in San Diego County and further develop lithium vanadium oxide battery technology as applied to the electrification of heavy-duty off-highway equipment such as excavators and utility tractors, offering greater power and cycle-life and better operating temperatures than traditional lithium-ion battery technology; and

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Indian Energy LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-029 with Indian Energy LLC for a \$3,789,986 grant. This project will support the development and demonstration of an integrated microgrid and building orchestration system that co-optimizes energy use to enhance efficiency and grid resilience. Initial testing will be conducted at the Marine Corps Air Station Miramar microgrid testbed to evaluate real-world performance and implementation challenges. The system will then be deployed at the Viejas Enterprises Microgrid, located on the territory of the Viejas Band of Kumeyaay Indians near Alpine; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: SirenOpt Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-030 with SirenOpt Inc. for a \$2,395,317 grant. This project will take place in Alameda County and advance innovative battery manufacturing inspection and process control technologies to the pilot-scale demonstration stage; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: SolarAPP Foundation

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-031 with the SolarAPP Foundation for a \$3,999,937 grant. This project will expand the existing SolarAPP+ platform's capabilities to include virtual inspections for solar, storage, and residential Electric Vehicle Supply Equipment (EVSE). These enhancements will automate permitting processes, integrate artificial intelligence-supported virtual inspection tools, and streamline utility coordination to drive down costs and expand equitable clean energy access to underserved and disadvantaged communities across California; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Coreshell Technologies, Incorporated

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-033 with Coreshell Technologies, Incorporated for a \$3,995,673 grant. This project will take place in Alameda County and develop silicon-lithium manganese iron phosphate battery technology from 5Ah to 60Ah and apply the upgraded technology to a pilot in an electric mobility vehicle; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Lawrence Livermore National Security, LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-024 with Lawrence Livermore National Security, LLC for a \$800,000 grant. This project will improve near-term wildfire predictions and risk assessments through modeling and a paper study that will leverage advances in artificial intelligence for weather forecasting, spatial downscaling, fire spread model calibration, and adaptive fuel predictions statewide; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Spatial Informatics Group LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-025 with Spatial Informatics Group LLC for a \$1,000,000 grant. This project will support the continued development and enhancement of PyreCast, an open-source software platform that provides near-term wildfire forecasting and situational awareness, to advance forecasting capabilities and decision-support tools for California's electricity sector; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: The Regents of the University of California, on behalf of the Los Angeles Campus

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-032 with The Regents of the University of California, on behalf of the Los Angeles Campus for a \$800,000 grant. This project will leverage prior EPIC-funded data to investigate and portray mid- and long-term bidirectional wildfire risks to and from electricity infrastructure on an open-source platform, enabling strategic grid expansion and wildfire mitigation planning; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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Dated: October 9, 2025

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Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Eagle Rock Analytics, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement EPC-25-034 with Eagle Rock Analytics, Inc. for a \$2,800,000 grant. This project will develop participant-informed, easy-to-use tools on the Cal-Adapt: Data Explorer, which is a web application that makes high-resolution climate projections and quality-controlled historical weather data publicly available to inform electricity sector resilience planning; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: SMS CA MG17C, LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement CER-25-002 with SMS CA MG17C, LLC for a \$4,203,952 grant. This project will install battery energy storage and microgrid subcomponents on the Santa Barbara City College campus, which will serve as a community resilience hub by providing power and shelter to the local community during outages and extreme weather events; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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NAY: NONE

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ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: City of Anaheim Public Utilities

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves agreement CER-25-003 with City of Anaheim Public Utilities for a \$7,453,938 grant. The project will deploy grid infrastructure upgrades to support modernization of Anaheim's aging grid infrastructure by replacing outdated, unreliable distribution switch equipment with modern switches that support automation for reducing the frequency and duration of outages. This modern switch technology will also retire the use of obsolete sulfur hexafluoride gas; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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NAY: NONE

ABSENT: Gunda, Skinner

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION: SE US Development, LLC

WHEREAS, SE US Development, LLC (Recipient) applied for Distributed Electricity Backup Assets (DEBA) funding from the California Energy Commission (CEC) under solicitation GFO-24-301 to support the procurement, installation, and performance of a 75 megawatt (MW) (300 megawatt-hours) four-hour lithium-ion battery energy storage system (BESS project) co-located at the existing solar photovoltaic generating facility at the Athos Renewable Energy Project (Athos Project) in Desert City in the County of Riverside (County); and

WHEREAS, on April 22, 2024, CEC staff proposed that SE US Development, LLC be awarded \$25,000,000 for the BESS project;

WHEREAS, the CEC's potential approval of the DEBA funding for the BESS project is a discretionary decision under the California Environmental Quality Act (CEQA);

WHEREAS, the Athos Project to construct and operate a 500 MW solar photovoltaic generating facility including 500 MW of energy storage was initially approved by the County of Riverside as the Lead Agency in June 2019, along with a Final Environmental Impact Report (2019 Final EIR), a Mitigation Monitoring and Reporting Plan (2019 MMRP), and a Conditional Use Permit (CUP180001), all filed with the State CEQA Clearinghouse (SCH 2018021021);

WHEREAS, in approving the Athos Project, the County of Riverside Board of Supervisors adopted a Statement of Overriding Considerations for direct and cumulative significant and unavoidable impacts to visual and aesthetic resources, and cumulative significant and unavoidable impacts to cultural landscapes and historic districts in eastern Riverside County;

WHEREAS, the project description in the 2019 Final EIR generally anticipated either battery or flywheel storage;

WHEREAS, in January 2025, SE US Development, LLC sought approval from the County for a Substantial Conformance determination with the Athos Project CUP180001, to construct and operate a total BESS capacity of 402.3 MW – inclusive of the 75 MW proposed for the DEBA funding – on three parcels within the Athos Project footprint;

WHEREAS, due to new information about the construction and operation of battery energy storage systems that were not known to the County in 2019, the County prepared a September 2025 Addendum (2025 Addendum) to the 2019 Final EIR, to discuss new information about lithium battery systems generally, as well as project details about the 402.3 MW BESS specifically;

WHEREAS, given the CEC's role as a Responsible Agency in its discretionary review and approval of potential DEBA funding for the BESS project, the County consulted with the CEC on the preparation of the 2025 Addendum and determination on the Substantial Conformance application, and included enforceable conditions of approval requested by CEC staff to comply with Senate Bill 38 (Laird, 2023) and address potentially hazardous conditions, fire risk, and other impacts to workers and public health and safety, among other provisions to comply with current laws, ordinances, rules, and standards (LORS) applicable to the BESS project;

WHEREAS, the County staff approved the Substantial Conformance application with numerous conditions, and on September 17, 2025, filed a Notice of Determination with the State CEQA Clearinghouse (SCH 2018021021);

WHEREAS, the County prepared a "Mitigation Monitoring and Reporting Program, as Adjusted for the Proposed BESS Component" (2025 Updated MMRP) to compile all the 2019 mitigation measures applicable to the BESS project and the enforceable conditions included in the Substantial Conformance determination;

WHEREAS, the CEC staff has conducted a review of the whole record for the Athos Project and BESS project, including but not limited to the 2019 Final EIR, 2019 MMRP, CUP180001, Substantial Conformance determination, 2025 Addendum, and 2025 Updated MMRP, and has prepared a memorandum for the CEC's consideration reflecting the staff's independent review and analysis of the potentially significant impacts of the BESS project;

WHEREAS, the BESS project will provide significant technological and energy benefits by capturing and storing up to 402.3 MW of off-peak and other renewable electricity at the existing solar photovoltaic generating facility that may otherwise be curtailed, for delivery to the regional and statewide transmission system during peak demand hours, and to alleviate congestion at the Athos Project;

WHEREAS, the BESS project will provide significant technological and energy benefits by adding capacity to the State's existing bulk grid power generators and make up to 75 MW of the incremental capacity available to the host California Balancing Authority during extreme events for a period of at least 5 years after the commercial online date of Phase 1 of the BESS project;

WHEREAS, the BESS project will provide regional economic benefits by providing approximately 50 construction jobs;

WHEREAS, the CEC staff recommends that the 2025 Updated MMRP and other specific terms and conditions be included in the proposed agreement DBA-25-002 to ensure that

the BESS project complies with all mitigation measures, conditions, and LORS.

WHEREAS, prior to acting on agreement DBA-25-002 for funding for 75 MW of battery energy storage at the Athos Project, the CEC desires to make certain findings as a Responsible Agency pursuant to the CEQA Guidelines at California Code of Regulations, title 14, sections 15091, 15093 and 15096.

THEREFORE, BE IT RESOLVED,

1. The CEC has independently reviewed the Lead Agency's information contained in the 2019 Final EIR, 2019 MMRP, and the findings and Statement of Overriding Considerations adopted by the County Board of Supervisors relevant to the Athos Project and CUP180001, as well as the Substantial Conformance determination, 2025 Addendum and 2025 Updated MMRP relevant to the 402.3 MW BESS project, as prepared by the County staff, and has reviewed the CEC staff memorandum identified above.
2. The County has already adopted and approved, and will enforce, the mitigation measures and conditions applicable to the BESS project, including the 75 MW component proposed for the DEBA funding.
3. The CEC finds that these documents are adequate for its use as the decision-making body for its consideration of DBA-25-002.
4. Approval of DBA-25-002 is within the scope of the project and activities evaluated in the County's documents.

FURTHER BE IT RESOLVED, that the CEC has balanced the economic, technological, and energy benefits of the BESS project and finds, on the basis of the entire record before it, that with the County's implementation and enforcement of all mitigation measures and conditions in the 2025 Updated MMRP, and with the compliance by SE US Development, LLC, with all terms and conditions in agreement DBA-25-002:

1. Changes or alterations to the project are within the responsibility and jurisdiction of the County of Riverside, and the County's record establishes that it incorporated and required changes and alterations to the project to lessen the direct and cumulative impacts of the Athos Project on visual resources, and to lessen the cumulative impacts on cultural resources in eastern Riverside County; and
2. The technological, energy, and economic benefits of the BESS project will outweigh the direct and cumulative significant and unavoidable impacts to visual and aesthetic resources, and cumulative significant and unavoidable impacts to cultural landscapes and historic districts in eastern Riverside County; and
3. Therefore, these unmitigated adverse impacts approved by the County are acceptable; and
4. For all other environmental resources required to be considered under CEQA by a Responsible Agency, there is no substantial evidence that the activities funded by DBA-25-002 will have a significant effect on the environment; and

FURTHER BE IT RESOLVED, that CEC finds that this conclusion reflects its independent judgement and analysis as a Responsible Agency under CEQA; and

FURTHER BE IT RESOLVED, that the CEC approves DBA-25-002 with the SE US Development, LLC, for \$25,000,000; and

FURTHER BE IT RESOLVED, that Executive Director or their designee shall execute the same on behalf of the CEC.

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AYE: Hochschild, McAllister, Gallardo

NAY: NONE

ABSENT: Gunda, Skinner

ABSTAIN: NONE

Dated: October 9, 2025

SIGNED BY:

Kim Todd
Secretariat