

DOCKETED

Docket Number:	23-OIR-03
Project Title:	General Rulemaking Proceeding for Developing Regulations, Guidelines, and Policies for Implementing SB X1-2 and SB 1322
TN #:	266436
Document Title:	Resolution of the Certification of PIIRA Emergency Regulations
Description:	N/A
Filer:	Jann Mitchell
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	10/10/2025 12:23:42 PM
Docketed Date:	10/10/2025

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