

DOCKETED

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Project Title:	Reliability Reserve Incentive Programs
TN #:	267617
Document Title:	Resolution City of Burbank DBA-25-004
Description:	This document supersedes TN# 267602 Resolution for Agreement DBA-25-004 with City of Burbank
Filer:	Pamela Doughman
Organization:	California Energy Commission
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RESOLUTION NO: 25-1117-03b

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION
City of Burbank

WHEREAS, the Magnolia Power Project (MPP, or facility) located in the City of Burbank is a 323 megawatt (MW) combined cycle natural gas fired power generation facility with a current output capacity of 247.4 MW at full load, owned by the Southern California Public Power Authority (SCPPA) and operated by the City of Burbank (City) and Burbank Water and Power (BWP);

WHEREAS, the State Energy Resources Conservation and Development Commission California (California Energy Commission, or CEC) first certified the MPP in March 2003 and the facility began commercial operation in September 2005. CEC's certification of the facility was pursuant to the CEC's regulatory program certified (CRP) by the Secretary of the Natural Resources Agency under section Public Resources Code section 21080.5 and California Code of Regulations, title 14, section 15251(j);

WHEREAS, the CEC is considering proposed agreement DBA-25-004 with the City of Burbank for a \$12,755,466 grant under the Distributed Energy Backup Assets Program (DEBA) to fund the purchase, installation, and reported performance of for an advanced gas path system upgrade to the MPP facility that is expected to increase efficiency, improve hot-day performance, and increase the effective power output of the facility by up to 24 MW / 187,114 MWh/year. The City will make the incremental capacity available from the facility during extreme events on a day-ahead and real-time basis to the host California Balancing Authority for a term of five years from the commercial online date of the upgraded facility;

WHEREAS, on December 10, 2024, the City filed an application for a Title V Significant Permit revision with the South Coast Air Quality Management District (SCAQMD) to install and operate the facility consistent with the requirements of the proposed DEBA funding for this advanced gas path system upgrade and a related advanced compressor system upgrade;

WHEREAS, on December 23, 2024, SCPPA submitted to the CEC a petition to amend the CEC's March 2003 Final Decision to certify the MPP, in order to install and operate the facility consistent with the advanced gas path system upgrade and other requirements of the proposed DEBA funding under GFO-23-401;

WHEREAS, On July 31, 2025, SCAQMD issued a Preliminary Permit to Operate (TN 265175) including proposed changes to MPP's Title V Permit associated with the proposed advanced gas path system and related upgrades;

WHEREAS, the CEC staff reviewed the petition to amend, together with the draft preliminary permit issued by SCAQMD, for potential environmental effects and

consistency with applicable laws, ordinances, regulations, and standards pursuant to California Code of Regulations, title 20, section 1769; and concluded that with the addition of new or amended conditions of certification (COCs), the effect on the environment would be less than significant;

WHEREAS, on October 2, 2025, the CEC staff assessment of the petition to amend -- which included staff's environmental analysis prepared under the CEC's CRP and the specific new and amended COCs recommended for the facility – was posted to the facility's Docket No. 01-AFC-06C (TN 266274) for a 30-day public comment period;

WHEREAS, on October 14, 2025, the City of Burbank adopted a resolution authorizing the General Manager of BWP to execute, negotiate, and implement this proposed funding award with the CEC, subject to obtaining SCPPA's final approval as the project owner;

WHEREAS, on October 16, 2025, SCAQMD issued its Permit to Construct (TN 266758), which did not contain new information not considered in the draft CEC staff assessment posted on October 2, 2025;

WHEREAS, on October 16, 2025, SCPPA adopted a resolution authorizing the City and BWP to execute, negotiate, and implement this proposed funding award with the CEC, acknowledging that the City's full authority to proceed is subject to further approval by SCPPA following the completion of the CEC's environmental assessment which occurred at this November 17, 2025, business meeting of the CEC;

WHEREAS, based on the CEC staff assessment and public comments, on November 17, 2025, the CEC found that the proposed new and modified COCs for the facility will not result in any significant impacts to public health and safety, or to the environment. The CEC adopted further findings required under the CEC's CRP including:

- The petition to amend meets all the filing criteria of California Code of Regulations, title 20, section 1769(a), concerning post-certification project changes.
- The new and modified COCs will not change the findings in the CEC's Final Decision, pursuant to California Code of Regulations, title 20, section 1748.
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525.
- Any environmental impacts will be less than significant with the addition of new or amended conditions of certification: **AQ-2b, AQ-2c, AQ-9, AQ-11, AQ-11a, AQ-22, AQ-23, AQ-25, AQ-25a, and AQ-27**, and deleting **AQ-2a**.
- The proposed project changes do not meet the criteria requiring the production of subsequent or supplement review as specified in California Code of Regulations, title 14, sections 15162(a);

WHEREAS, on November 17, 2025, the CEC also approved the petition to amend and the new and modified COCs;

WHEREAS, because the staff assessment prepared for the CEC's approval of the petition to amend was prepared under the CEC's certified regulatory program and fully considered the potential environmental impacts of the installation and operational requirements of this DEBA award, the CEC can review the record on the petition to amend and make similar findings for the approval of the DEBA award itself, as well as a determination that approving the DEBA award does not meet the criteria requiring the production of subsequent or supplemental review as specified in California Code of Regulations, title 14, section 15162(a);

WHEREAS, the CEC has reviewed and considered the staff assessment for the MPP petition to amend and the CEC's findings made thereupon; and

WHEREAS, prior to acting on the agreement DBA-25-004, the CEC desires to make certain findings pursuant to CEQA Guidelines Section 15162(a) regarding the proposed DEBA award.

NOW, THEREFORE, BE IT RESOLVED, that the CEC has considered the application of CEQA to the proposed DEBA award to the City and makes the following findings and determinations:

- The DEBA award will not have a significant effect on the environment.
- The DEBA award does not meet the criteria for requiring the production of subsequent or supplemental environmental review as specified in California Code of Regulations, title 14, section 15162(a).
- Mitigation measures were not made a condition of the approval of the DEBA award.
- A mitigation reporting or monitoring program was not adopted for the DEBA award.
- A Statement of Overriding Considerations was not adopted for the DEBA award.
- These findings were made pursuant to the provisions of CEQA.

FURTHER RESOLVED, that the Energy Commission approves DBA-25-004; and

FURTHER RESOLVED, that this document authorizes the Executive Director or his or her designee to execute the same on behalf of the CEC subject to the City demonstrating to the Executive Director that the City has been granted full authority to proceed by SCPPA.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on November 17, 2025.

AYE: Hochschild, Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: November 18, 2025

SIGNED BY:

Kim Todd

Secretariat