

DOCKETED

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CALIFORNIA Energy Commission

In the matter of:

Business Meeting)
) Docket No. 25-BUSMTG-01
)

WEDNESDAY, JUNE 11, 2025

11:00 A.M. - 3:00 P.M.

In-person at:

CALIFORNIA NATURAL RESOURCES AGENCY BUILDING
 715 P STREET
 MEDIA ROOM (2-201) SECOND FLOOR
 SACRAMENTO, CALIFORNIA 95814
 (Wheelchair Accessible)

The California Energy Commission (CEC) aims to begin the business meeting promptly at the start time and the end time is an estimate based on the agenda proposed. The meeting may end sooner or later than the time indicated depending on various factors. Commissioners may attend remotely in accordance with Government Code section 11123.2(j).

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<https://www.energy.ca.gov/proceedings/business-meetings>.

Reported by:
 Martha Nelson

APPEARANCESCOMMISSIONERS

David Hochschild, Chair

Siva Gunda, Vice Chair

Andrew McAllister, Commissioner

Noemi Gallardo, Commissioner

Nancy Skinner, Commissioner

STAFF

Drew Bohan, Executive Director

Sanjay Ranchod, Chief Counsel

Haile Bucaneg, Senior Mechanical Engineer, Buildings Standards Branch

Kaycee Chang, Supervisor, CEQA Project Management Unit, Siting, Transmission, and Environmental Protection Division

RJ Wichert, Senior Mechanical Engineer Efficiency Division, Building Standards Branch

Sean Anayah, Grid Innovations Team, Energy Systems and Transportation Branch Energy Research and Development Division

Kristi Villareal, Air Pollution Specialist, Fuels and Transportation Division Commercial & Industrial ZEV Technologies and Infrastructure Branch

PUBLIC ADVISOR'S OFFICE

Mona Badie, Public Advisor

APPEARANCESALSO PRESENT

Marissa Mitchell, Intersect Power

Jan Gromadzki, Senior Staff Business Development Manager,
Tesla

PUBLIC COMMENT

Robert Means, LoopWorks

Claire Zuma

Heidi Moore-Guynup, Blue Lake Rancheria

Peter Alstone, Schatz Energy Research Center

Andrea Leon-Grossman, EJCW, and Vote Solar

William Zobel, Pilot Travel Centers, LLC

Felipe Piedra, Golden Plains Unified School District

Victor Martinez, Mayor, City of Mendota

Andy Cosentino, Assistant Fire Chief, Fresno County Fire

Dustin Hail, Fire Chief, Fresno County Fire Protection
District

Maria Pacheco, Mayor, City of Kerman

Eddie Torres

Olegario Guzman

Francisco Nunez

Daniel Garcia

Victor de la Torre

Alejandro Martinez

APPEARANCESPUBLIC COMMENT

Juan Barajas (PHONETIC)

Keanu Sanchez

Andres Dedios (PHONETIC)

Lillian Mirviss, Large Scale Solar Association

Dora Westerland, Fresno Area Hispanic Foundation

James Thuerwachter, California State Council of Laborers

Jaime Rodriguez, Ironworkers Local 155

Julio Paseca (PHONETIC)

Rosa Hernandez

Ester Ramirez

Blanca Gomez

Michael Claiborne, Leadership Counsel for Justice and
Accountability

Natalie Delgado-Carrillo, Central California Environmental
Justice Network

Mariela Loera, Leadership Counsel for Justice and
Accountability

Alex Jackson, American Clean Power Association

Josh Harmon, Pacific Gas & Electric Company

Kaitlin Cox, Center for Energy Efficiency and Renewable
Technologies

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Closed Session

Adjournment

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1 P R O C E E D I N G S

2 10:59 a.m.

3 WEDNESDAY, JUNE 11, 2025

4
5 CHAIR HOCHSCHILD: Good morning and welcome,
6 friends. I'm David Hochschild, Chair of the California
7 Energy Commission. Today is June 11th. I call this meeting
8 to order. Joining me are Vice Chair Gunda, Commissioner
9 McAllister, Commissioner Gallardo and Commissioner Skinner.
10 We have a quorum. Let's please stand and do the Pledge of
11 Allegiance.

12 (The Pledge of Allegiance is recited in unison.)

13 Thank you so much. We will begin with public
14 comment and then move on to agency announcements. Public
15 advisor?

16 MS. BADIE: Thank you, Chair. The Commission
17 welcomes public comment at its Business Meetings. There's
18 going to be several opportunities to comment today. This
19 initial public comment period is the open public comment
20 period, so it's for any non-voting Items or if you cannot
21 stay and comment during the dedicated time for each voting
22 Item. We do request that if you are here for a voting Item,
23 it will have its own dedicated public comment period and
24 you wait to use that public comment period that helps
25 everyone review all the comments in compilation in unity.

1 So I wanted to just note this one, we can take
2 right now for any Item on the agenda that's not a voting
3 Item or any general Item, and I'm going to start with folks
4 in the room and then we'll move to Zoom and we do ask that
5 if you're in room with us that you'll use the QR code. It's
6 located at the back table and we have Staff from the Public
7 Advisor's Office to assist if you need assistance with
8 that. And then if you're on Zoom, you'll use the raise hand
9 feature. It looks like an open palm on your screen or star
10 nine if you're joining by phone.

11 So I'm not seeing anyone in the room. I do have a
12 raised hand on Zoom.

13 All right, Robert Means I'm going to open your
14 line, you'll unmute on your end and then you can begin.
15 Just a reminder to please state and spell your name for our
16 record and we are asking for comments to be two minutes or
17 less. There'll be a timer on the screen.

18 MR. MEANS: Hi, this is Rob Means. That's spelled
19 M-E-A-N-S. I'm representing LoopWorks the company creating
20 the podcar network in Milpitas to serve the local BART
21 station and transit hub. And I'm contacting you on a
22 transportation related issue, which is that any money that
23 we might be expecting from the federal government is now
24 suspect and very much at risk. For example, the \$5 billion
25 that the local transit agency, Valley Transportation

1 Authority, VTA, the \$5 billion they're expecting to build
2 their \$12 billion BART borough under San Jose is not going
3 to materialize and eventually they will realize that at
4 which point they're going to be faced with the problem of
5 connecting two major transit hubs. Diridon Train Station
6 and the Berryessa BART station, which are a mere three and
7 a half miles apart. They need a solution. We believe we
8 have a solution in personal rapid transit. There's a number
9 of different flavors out there. If you want to learn about
10 our particular flavor, which of course we think is probably
11 the optimal for this solution, you can go to
12 milpitasPRT.com. Of course that PRT stands for Personal
13 Rapid Transit. You'll find that we can provide better
14 service at far reduced prices, roughly less than \$2 billion
15 instead of the \$12 billion. The VTA wants to spend now and
16 I encourage you to investigate the technology because we
17 are really going to need it desperately as we find out we
18 can no longer get that federal funding. Thank you for your
19 time.

20 MS. BADIE: Thank you for your comment. And with
21 that, I do not see any other raised hands, so back to you,
22 Chair.

23 CHAIR HOCHSCHILD: Okay, with that we're going to
24 be seeking to approve just over \$21 million of investments
25 today contributing to California's economy.

1 Are there any other agency announcements from my
2 colleagues? With that we will move on to -- We're going to
3 actually skip ahead to Item Five. Item Four, we will come
4 back to a little bit later.

5 Sorry, we have consent. Excuse me, we have
6 consent first. Let's do public comment on Item Three and
7 then we'll move to Item Five. Is there any public comment
8 on Item Three?

9 MS. BADIE: Thank you, Chair. The Commission
10 welcomes Public Comment on Item Three at this time. That's
11 the Consent Calendar. If you're here to comment on Item
12 Three, please raise your hand at this time. If you're in
13 the room with us, you'll use the QR code and if you're on
14 Zoom you'll use the raise hand feature or star nine if
15 joining by phone.

16 All right, I don't see any raised hands. Item
17 Three in the room, so I'm going to transition to Zoom.

18 Claire Zuma, I'm going to open your line, you'll
19 unmute on your end. And just to request to please state and
20 spell your name for the record. We're asking for comments
21 to be two minutes or less. There'll be a timer on the
22 screen.

23 MS. ZUMA: Hi, my name is Claire Zuma, Z-U-M-A,
24 and I'm a member of the public. I used to work for 10 years
25 ago or more, but other than that I just wanted to

1 compliment a couple Items on a consent calendar and just
2 state that I might be a little bit jealous of the Oakland
3 Alameda area if they're putting in EV chargers, so many for
4 their city services or their agencies there. I think that's
5 a really great way for a city to think in terms of how to
6 handle their vehicles or fleet vehicles and I might wish
7 that more areas would think like that. So anyways, just
8 wanted to compliment the idea. Thanks.

9 MS. BADIE: Thank you. All right, that concludes
10 public comment for Item Three. Back to you, Chair.

11 CHAIR HOCHSCHILD: Okay, is there a motion from
12 the Vice Chair on Item Three?

13 VICE CHAIR GUNDA: Move Item Three.

14 CHAIR HOCHSCHILD: Is there a second from
15 Commissioner McCallister?

16 COMMISSIONER MCALLISTER: Second.

17 CHAIR HOCHSCHILD: All in favor say aye.

18 Vice Chair Gunda.

19 VICE CHAIR GUNDA: Aye.

20 CHAIR HOCHSCHILD: Commissioner McAllister.

21 COMMISSIONER MCALLISTER: Aye.

22 CHAIR HOCHSCHILD: Commissioner Gullardo.

23 COMMISSIONER GALLARDO: Aye.

24 CHAIR HOCHSCHILD: And Commissioner Skinner.

25 COMMISSIONER SKINNER: Aye.

1 CHAIR HOCHSCHILD: And I vote I as well.

2 Item Three passes unanimously. As I mentioned, we
3 will take up Item Four a little bit later in the agenda
4 today, but now skip ahead to Item Five, energy Conservation
5 manual for the 2025 Energy code.

6 MR. BUCANEG: Good morning, Chair, Vice Chair and
7 Commissioners. My name is Haile Bucaneg, and I'm a senior
8 mechanical engineer with the Building Standards branch. I'm
9 here today to discuss the Energy Conservation Manual or
10 ECM. Next slide, please.

11 Purpose of the Energy Conservation Manual is to
12 help designers, builders, contractors, and local agencies
13 utilize and demonstrate compliance with the energy code.
14 ECM includes alternative calculation and reference manuals,
15 compliance manuals, the data registry requirements manual
16 and compliance documents. Next slide, please.

17 During the September 11th, 2024 Business Meeting,
18 the Energy Commission adopted the 2025 Energy Code and in
19 December, 2024, the California Building Standards
20 Commission approved the 2025 Energy Code as part of the
21 California Building Standards Code. Public Resources Code
22 Section 25020.1 E authorizes and directs the Energy
23 Commission to certify an energy conservation manual no
24 later than 180 days after the CBSC approval.

25 I'll now go over the four parts of the ECM

1 starting with the alternative calculation method reference
2 manual followed by the compliance manuals, the data
3 registry requirements manual, and finally the compliance
4 documents. Next slide, please.

5 The alternative calculation method or a ACM
6 reference manual documents the calculations and methods for
7 building modeling software used to demonstrate compliance
8 with the energy code through the performance pathway. This
9 guidance applies to both public domain software provided by
10 the Energy Commission and third party software certified by
11 the Energy Commission. The ACM reference manuals are broken
12 down into two documents, the single family ACM reference
13 manual documents calculations, and methods for single
14 family buildings and the nonresidential and multifamily ACM
15 reference manual does so for nonresidential buildings and
16 also for all multifamily buildings. Next slide, please.

17 Compliance manuals are designed to help plans
18 examiners, inspectors, owners, designers, builders, and
19 energy consultants comply with and enforce the energy code.
20 These manuals are written as both a reference and
21 instructional guide for the energy code and can be helpful
22 for anyone directly or indirectly involved in the design
23 construction of energy efficient buildings. The compliance
24 manuals are broken down into three documents, the Single
25 Family Compliance Manual, the Multifamily Compliance

1 Manual, and the Non-Residential Compliance Manual. And
2 these represent approximately 1,500 pages of commentary,
3 building examples and discussion pertaining to the energy
4 code requirements. Next slide, please.

5 Data registries are used for registration and
6 retention of residential and non-residential compliance
7 documents, which are used to demonstrate compliance with
8 the energy code. The 2025 Data Registry requirements manual
9 is intended as a resource to aid in the design and
10 implementation of a data registry based on requirements
11 given in reference joint appendix JA seven of the Energy
12 code. The DRRM describes software procedures and user
13 interface features for Energy Commission-approved data
14 registration providers. Next slide, please.

15 Compliance documents are designed to demonstrate
16 compliance through user completed forms. Builders,
17 installers and testers of energy features certified
18 compliance to enforcement agencies through the compliance
19 documents. Our standards compliance branch led the
20 development of these documents and there are now 65 single
21 family forms, 56 multifamily forms and 91 non-residential
22 forms used to demonstrate compliance. Next slide, please.

23 Staff recommends certification of the 2025 Energy
24 Conservation manual. Additionally, Staff recommends the
25 adoption of findings that the 20 20 25 Energy Conservation

1 manual are exempt from CQA. Upon certification of the
2 energy Conservation manual, the building industry will have
3 tools needed to help comply and demonstrate compliance with
4 the 2025 Energy code in advance of the effective date of
5 January 1st, 2026. Next slide, please.

6 Thank you to the whole team involved in
7 developing the Energy Conservation manual, especially the
8 Staff in our Efficiency Division, office of the Chief
9 Counsel and the Media and Public Communications Office. The
10 development of the Energy Conservation manual was a large
11 lift under tight deadlines and this team provided an
12 amazing amount of support in the development of these
13 documents. Thank you. And we are available for any
14 questions.

15 CHAIR HOCHSCHILD: Thank you. Let's go to public
16 comment on Item Five.

17 MS. BADIE: Thank you, Chair. The Commissioner
18 welcomes public comment on Item Five. At this time, if
19 you're joining us in the room, we've asked folks to use the
20 QR code and if you are joining by Zoom, you can raise your
21 hand at this time. It looks like an open palm on your
22 screen or star nine if joining by phone that'll let us know
23 I'd like to comment and I'm just checking our queue here.

24 All right, I'm not seeing any raised hands for
25 Item Five. Back to you Chair.

1 CHAIR HOCHSCHILD: Okay, we'll begin with the
2 Commissioner discussion starting with Commissioner
3 McAllister.

4 COMMISSIONER MCALLISTER: Well, Grace, so this is
5 a super exciting Item for me. Apparently not the public as
6 much. We have no questions, but I know it's exciting for
7 our Staff and Haile and the whole team, but this is really
8 -- you all know how important the building energy
9 efficiency standards are to California and all the benefits
10 that they've generated over the last half century and the
11 2025 update is no different. It's super important, has a
12 lot of innovation built in and you really just in the new
13 construction side, you just cannot build an inefficient low
14 performing house in California and that's just saving our
15 population a ton of money.

16 And then existing buildings and alterations,
17 additions and alterations are also part of the building
18 code. So it's a huge endeavor. If any of you're on the
19 docket, you know, on the listerv for the 2025 code update,
20 you will have seen a huge flurry of documents come through
21 from Staff and just the amount of effort and the teamwork
22 that's involved in this is tremendous. And so this is a
23 piece that translates the regulatory language into a usable
24 form for people on the ground so that they know how to
25 comply with the code. So it's really a critical piece of

1 the whole ecosystem. I've been close in touch as it's been
2 developed and have a lot of confidence in the Staff and the
3 quality of this. So I think builders and all the
4 stakeholders who use the code day in and day out, billing
5 departments will be well served.

6 Then I'll just call out our education team that's
7 out there with billing departments, you know, helping
8 demystify all this and using these documents in real time
9 to help the construction industry do what it needs to do,
10 which is build wonderful high performing buildings. And so
11 in full support and if anybody else has comments there.

12 CHAIR HOCHSCHILD: Are there any other comments?
13 Yeah, Vice Chair.

14 VICE CHAIR GUNDA: Thanks, Chair. I just wanted
15 to say, Haile, thank you for the presentation. Wanted to
16 just uplift your entire team. Obviously the leadership of
17 Mike, Will and Gypsy. Just want to congratulate all of you
18 and, of course, Commissioner McAllister, thank you for your
19 tireless work on the buildings.

20 Again, as you noted both with forecasting and
21 these kind of products, the amount of work is not visible
22 what happens behind the scenes, so thank you and really
23 appreciate the way the division has been working with the
24 stakeholders and bringing everybody along. I really
25 appreciate the work and looking forward to supporting it.

1 CHAIR HOCHSCHILD: Unless there's no further
2 Commissioner discussion, I welcome a motion for
3 Commissioner McAllister on Item Five.

4 COMMISSIONER MCALLISTER: Move Item Five.

5 CHAIR HOCHSCHILD: Is there a second from the
6 Vice Chair

7 VICE CHAIR GUNDA: Second.

8 CHAIR HOCHSCHILD: All in favor say aye.
9 Commissioner McAllister.

10 COMMISSIONER MCALLISTER: Aye.

11 CHAIR HOCHSCHILD: Vice Chair Gunda.

12 VICE CHAIR GUNDA: Aye.

13 CHAIR HOCHSCHILD: Commissioner Gallardo.

14 COMMISSIONER GALLARDO: Aye.

15 CHAIR HOCHSCHILD: Commissioner Skinner

16 COMMISSIONER SKINNER: Aye.

17 CHAIR HOCHSCHILD: And I vote Aye as well.

18 Item Five passes unanimously. Thank you, Haile.

19 And we'll turn now to Item Six: 2025, California
20 building energy code compliance software. RJ will present.

21 MR. WICHERT: Good morning, Chair, Vice Chair and
22 Commissioners. My name is RJ Wichert and I'm a senior
23 mechanical engineer in the building standards branch of the
24 efficiency division. I'm here to ask for your approval of
25 the 2025 public domain residential, non-residential and

1 multifamily software, CBECC and CBECC-res version 1.0. Next
2 slide, please.

3 If approved, this CBECC update will benefit
4 California by providing the building industry with the
5 tools necessary to demonstrate performance compliance with
6 the 2025 building energy efficiency standards and expanding
7 the list of available efficiency measures in the software,
8 helping industry move towards building decarbonization.
9 Next slide, please.

10 With CBECC and CBECC-Res, this version contains
11 the updated 2025 energy code modeling rules as described in
12 the 2025 alternative calculation method reference manuals.
13 Updates include new heat pump baselines for single family
14 residential, multi-zone air to water heat pump baselines
15 for non-residential and the new peak cooling limit for
16 single family residential. Next slide, please.

17 To update the CBECC software for the 2025 code,
18 staff has gone through several rounds of development and
19 public feedback cycles. This included multiple research
20 versions to test new 2025 weather data metrics and
21 baselines and release candidates to demonstrate how the
22 final software will function. Throughout this process,
23 Staff collaborated with billion industry experts,
24 contractors and members of the public to review and refine
25 the final implementation that we're seeking approval of

1 today. Next slide, please.

2 Staff has tested CBECC and CBECC-Res 2025 1.0 to
3 ensure they reflect the requirements of the 2025 energy
4 code, including the billing energy modeling requirements of
5 Section 10-109 C and the calculation methods specified in
6 the alternative calculation method reference manuals. Staff
7 is recommending approval of the resolution on this Item to
8 ensure that the building industry has performance
9 compliance tools well in advance of implementation of the
10 2025 energy code next year. Additionally, Staff recommends
11 that you adopt findings that the CBECC and CBECC-Res
12 compliance software are exempt from CEQA.

13 Thank you and I'm available to answer any
14 questions you may have.

15 CHAIR HOCHSCHILD: Thank you, RJ. We'll go now to
16 public comment on Item Six.

17 MS. BADIE: Thank you, Chair. The Commission
18 welcomes public comment on Item Six. At this time, if
19 you're joining us in the room, we're asking for folks to
20 use the QR code that's posted in the back of the room. You
21 can also visit the public advisor table for assistance with
22 that. And if you're joining on Zoom, you'll use a raised
23 hand feature on your screen. It looks like an open palm or
24 star nine if joining by phone. And I'm just giving that a
25 moment.

1 All right, I'm not seeing any raised hands for
2 Item Six. Back to you, Chair.

3 CHAIR HOCHSCHILD: I will go to Commissioner
4 discussions starting with Commissioner McAllister.

5 COMMISSIONER MCALLISTER: I won't repeat my last
6 soliloquy, but this is sort of the software portion of what
7 we just heard in the last Item from Haile. And so RJ really
8 appreciate all your work. Again, there's a ton. It's like
9 the tip of the iceberg. Most of it is underwater and not
10 visible, but the software tools, the updates, the
11 collaboration with industry and all the stakeholders, the
12 huge amount of iteration that goes on in a project like
13 this is really tremendous. And the Staff does an amazing
14 work and I get regular updates and I know often well in any
15 version of CBECC, CBECC-Res you'll see iteration versions
16 coming out, major updates and then minor updates and tweaks
17 and that input we get from industry helps it all function.
18 So I'm really excited about getting this stuff done on time
19 for the 2025 code and I think it puts industry in a good
20 position to get ready and to apply the code January 1. So
21 really appreciate all the work and RJ thanks a lot. I
22 really appreciate the presentation, but even more so all
23 the work behind it.

24 CHAIR HOCHSCHILD: Vice Chair.

25 VICE CHAIR GUNDA: Yeah, I just don't want to

1 repeat the past. I also want to just say, RJ thank you.
2 That was a really helpful presentation. I want to take
3 every opportunity I can to just thank the Staff for the
4 incredible work that's going on behind the scenes. Also
5 want to just recognize the efficiency divisions continued
6 work on taking advantage of the computational improvements
7 and the data improvements and making the software better
8 and better and more accessible. Really appreciate that. And
9 then just thank you for the good work.

10 CHAIR HOCHSCHILD: Commissioner Skinner.

11 COMMISSIONER SKINNER: Thank you. The software is
12 really helpful to any Applicant, any person who's
13 submitting a permit because it makes it much easier for
14 them to do the calculations, which then they put in their
15 permit application in order to comply. So just wanted to
16 give kudos also as my colleague Commissioners have, but
17 make that real world example of how practical things like
18 this software are for making it easier for people in the
19 process. So thank you.

20 CHAIR HOCHSCHILD: Unless there's no further
21 Commissioner comment, welcome a motion from Commissioner
22 McAllister and Item Six --

23 COMMISSIONER MCALLISTER: (INDISCERNIBLE) Item
24 Six.

25 CHAIR HOCHSCHILD: Is there a second from

1 Commissioner Skinner.

2 COMMISSIONER SKINNER: Second.

3 CHAIR HOCHSCHILD: All in favor say aye.

4 Commissioner McAllister.

5 COMMISSIONER MCALLISTER: Aye.

6 CHAIR HOCHSCHILD: Commissioner Skinner.

7 COMMISSIONER SKINNER: Aye.

8 CHAIR HOCHSCHILD: Commissioner Gallardo

9 COMMISSIONER GALLARDO: Aye.

10 CHAIR HOCHSCHILD: Vice Chair Gunda.

11 VICE CHAIR GUNDA: Aye.

12 CHAIR HOCHSCHILD: And I vote Aye as well.

13 That Item passes unanimously. Thank you.

14 Mona, this is listed as Item Six Cal Poly. I
15 assume it's Item Seven. Yeah. In the agenda here, Cal Poly
16 Humboldt Sponsored Programs Foundation.

17 MR. ANAYAH: Morning Chair, Vice Chair and
18 Commissioners. My name is Sean Anayah and I work the Grid
19 Innovations team in the Energy Research and Development
20 Division. Today, I am presenting one recommended follow-on
21 funding award through the EPIC program for a \$5 million
22 grant to the Schatz Energy Research Center within the Cal
23 Poly Humboldt Sponsored Programs Foundation. This project
24 builds on a previous grant to construct a microgrid serving
25 the Blue Lake Rancheria. Beyond having direct reliability,

1 resilience and environmental benefits that I'll discuss
2 next, this proposed award further CEC's commitment to
3 supporting tribal energy sovereignty as outlined in the
4 March 2023 resolution approved by the Commission. Next
5 slide, please.

6 This proposed award will have multiple benefits
7 including enhanced resilience and expanded energy response
8 capabilities during outages or other disasters, reduced
9 greenhouse gas emissions and lower energy costs for the
10 Blue Lake W Ranch R Tribe. Through this project, tribal
11 members will have opportunities to participate in
12 electrical apprenticeships, supporting hand-on hands-on
13 experience. As shown here on the slide, these
14 apprenticeships can promote career pathways into high
15 demand fields. Additionally, the project will demonstrate
16 scalable microgrid control and coordination strategies and
17 provide a test bed for innovative technologies that could
18 provide a lower cost pathway for distribution system
19 operations in remote communities with constrained or low
20 electrical reliability infrastructure. Next slide, please.

21 This proposed award builds from the original Blue
22 Lake Rancheria Microgrid funded by the CEC, which
23 integrated solar, battery storage, flexible loads and
24 intelligent controls to power six buildings on the campus.
25 This was one of our most successful early microgrid

1 projects. It validated the resilience and other benefits
2 microgrids can provide. For example, in December 2022, an
3 earthquake in Humboldt County resulted in large scale power
4 outages for tens of thousands of nearby homes. The
5 microgrid enabled the Blue Lake Rancheria campus to remain
6 online and serve approximately 10,000 people over the day
7 long outage. It became an emergency center for over 8
8 percent of the community's population. The image on this
9 slide shows the Blue Lake Rancheria campus powered by the
10 renewable microgrid. During this outage, it provided vital
11 services while the surrounding community was in the dark.
12 The project received the Federal Emergency Management
13 Agency's 2017 Whole Community Preparedness award and
14 DISTRIBUTECH's 2018 Project of the Year award for DER
15 integration.

16 Building from this success, this proposed award
17 would substantially expand the scale and boundaries of the
18 original microgrid to include several new facilities and
19 renewable resources, creating a network of nested community
20 microgrids. This project would develop and demonstrate a
21 novel architecture and open source control strategy that
22 integrates and coordinates these smaller facility scale
23 microgrids, optimizing their operation either independently
24 or joining them together into one larger community
25 microgrid. Project will further improve reliability and

1 resilience, reduce costs and emissions, and inform
2 innovative approaches to distribution system operation. The
3 technology deployed in this project has significant
4 potential to be replicated in other remote and rural
5 communities across California that are in need of more
6 reliable and resilient infrastructure in the face of
7 increased wildfire and other climate risks. For example,
8 similar solutions could support other tribes served by
9 neighboring distribution circuits, including the ones
10 served by the Hoopa Valley Yurok and Karuk tribes, which
11 are some of the most wildfire impacted, isolated and least
12 reliable in PG&E's service territory. They experience
13 recurring outages that significantly exceed the state's
14 average. Next slide, please.

15 So to conclude today Staff recommends approval of
16 this follow on grant award and adoption of Staff
17 determination that this project is exempt from CEQA. This
18 concludes my presentation. I'm available for any questions.
19 We're also joined by Heidi Moore-Guynup, the director of
20 Tribal and Government Affairs for Blue Lake Rancheria, who
21 will make remarks. Additionally, a representative from the
22 Schatz Energy Research Center will make remarks and is
23 available for any questions. Thank you.

24 MS. BADIE: Thank you. Heidi Moore-Guynup, I'm
25 going to open your line at this time.

1 MS. MOORE-GUYNUP: Hello. Hope everyone is doing
2 well. On behalf of Blue Lake Rancheria, we extend our
3 sincere appreciation for the proposed \$5 million and follow
4 on funding through the EPIC program for our Microgrid 2.0
5 project. As you know, Blue Lake Rancheria previously
6 received a \$5 million grant from EPIC, which supported the
7 commissioning of our existing microgrid microgrid 1.0,
8 which has served as a model for at least nine other tribal
9 microgrids across the state. This continued support is
10 profoundly impactful, especially given the current
11 volatility of federal funding. Your commitment through the
12 Epic program provides the stability and resources necessary
13 to advance our critical work. This funding, should the
14 Commission approve, will allow us alongside of our
15 technical partner the Schatz Energy Research Center to
16 demonstrate the crucial integration of necessary
17 technologies serving as a vital model for tribal energy
18 initiatives. Essentially, we intend to prove up a nested or
19 a networked microgrid. This technology will then be
20 replicated across the Hoopa 1101, which Sean just
21 articulately identified, which is one of the worst reliable
22 lines in the state serving the tribal nations of Hoopa,
23 Karuk and Yurak. This project will support the first tribal
24 intergovernmental collaborative of its kind on the North
25 Coast. Further, we are tribally co-designing a low voltage

1 pre-apprenticeship program that will help support with
2 operations and maintenance of such systems and enclo. We
3 are just deeply appreciative of your partnership and
4 fostering energy, resilience and sovereignty in our region.
5 Thank you.

6 MS. BADIE: If okay with you Chair, I'm going to
7 move to public comment.

8 CHAIR HOCHSCHILD: Yeah, let's move to public
9 comment, please.

10 MS. BADIE: All right. The Commission welcomes
11 public comment on Item seven. At this time, if you're
12 joining us in the room, we're asking folks to use the QR
13 code. That'll let us know I'd like to comment from in the
14 room and if you're joining by Zoom, please use the raise
15 hand feature on your screen. It looks like an open palm or
16 star nine if joining by phone.

17 All right, we don't have anyone in the room with
18 us. I'm going to transition over to Zoom. We have Peter
19 Alstone.

20 Peter, I'm going to open your line. You'll just
21 unmute on your end. We are asking for comments to be two
22 minutes or less. There'll be a timer on the screen.

23 MR. ALSTONE: Thank you. And my name's Peter
24 Alstone. I'm a faculty scientist at the Schatz Energy
25 Research Center and Sean mentioned we'll be here. Thank you

1 to the Commission for considering approval of this
2 important funding to Advanced Microgrid Technology in
3 California. I think you just heard from the Staff
4 presentation and from Heidi. This is building on a track
5 record of success and microgrid R&D for our team and
6 delivering projects with the California Energy Commission
7 through EPIC.

8 And also this is going to support a really vital
9 workforce development in our region. We think also this can
10 be a model that we can bring folks from all over the state
11 and the nation to come see. The outcomes here are going to
12 be really supportive for scaling up microgrids to meet
13 needs across the state with a replicable package of
14 technology. These are systems that could be meeting
15 resilience and grid capacity needs all up and down
16 communities in California, including the Hoopa 1101 circuit
17 as was mentioned. And we really look forward to continuing
18 to work with the California Energy Commission supporting
19 state energy goals, including those related to resilience
20 and clean energy. Thank you.

21 MS. BADIE: Thank you for your comments. All
22 right, and that is the raised hands for Item Seven. Back to
23 you, Chair.

24 CHAIR HOCHSCHILD: Okay. Well, let me just thank
25 the team, Sean and everyone else who've worked on this.

1 This builds on one of our most successful projects, I think
2 in the whole EPIC program. The very first tribal energy
3 project was here at the Blue Lake Rancheria tribe and that
4 really opened the door to a whole new arena of funding that
5 we've been able to do. It's almost actually by the end of
6 today, if everything gets approved, we'll be at \$130
7 million that we've done for I think 34 tribes around the
8 state and supported tribal energy sovereignty and
9 innovation in this space. And so it's really good to see
10 build on that momentum with this grant. Commissioner
11 Gallardo and I had a round table with a number of tribes
12 yesterday, did a travel visit last Monday. And this
13 continues to be a top priority for us all at the Energy
14 Commission.

15 And I do think there's a lot of learnings. One of
16 the things I just want to highlight, this is a community in
17 an area of the state where at times we've been told by
18 tribes that they were losing power up to like 10 times a
19 year. And some of these communities and after the micro
20 career went in, they're able to provide power reliably and
21 actually be a source of support for the surrounding
22 community that people could come charge their phones and
23 get power. And so a really nice success story on many
24 levels. And so we're all of us, I know speaking for all of
25 my colleagues saying we're big support is this project and

1 the momentum and the progress that flowed from it.

2 So let me just invite any other colleagues who'd
3 like to speak. Commissioner Gallardo.

4 COMMISSIONER GALLARDO: Thank you, Sean for the
5 presentation also for your work throughout. And I've seen
6 you develop a passion and commitment to working with tribes
7 similar to how the Chair and I are always looking for those
8 partnerships with tribes. So appreciate that about you, the
9 hard work of your team. I also appreciate the image that
10 you included in the presentation of the Blue Lake Rancheria
11 is just very powerful reflection of how a microgrid can be
12 a beacon of hope during really difficult times and how it
13 can be a refuge for the tribe, for the entire community
14 surrounding it. And I think the Blue Lake Rancheria has
15 been a leader in clean energy, continues to be, continues
16 to improve, and, you know, the microgrid efforts that
17 they've done are a model for all of us, not just the
18 tribes, but all of us. So I'm really supportive of this
19 progress and just great to hear about all the things that
20 are going on.

21 CHAIR HOCHSCHILD: Commissioner Gunda.

22 VICE CHAIR GUNDA: Thank you, Chair.

23 Sean, thank you so much for the presentation.
24 Wanted to just note a couple pieces, just Chair to you and
25 Commmissioner Gallardo, thank you for your leadership on

1 advancing tribal sovereignty and all the work that we are
2 doing as a Commission.

3 I want to just elevate the Staff for all the good
4 work on this particular one. I think one of the stats that
5 you just noted, Sean, in terms of the outage rates in the
6 North Coast Humboldt area, either because of transmission
7 congestion or the distribution congestion and being able to
8 provide the reliability services we need to do through
9 microgrids, which is an important solution for congested
10 areas, I think it's amazing that we are doing this
11 completely supported. Overall, it just comes in line with
12 affordability, resiliency, decarbonization. I also want to
13 note that the Blue Lake Rancheria was not just used for
14 providing support for Blue Lake Rancheria and communities
15 around that. In 2022, 2020 when the grid was stressed at a
16 system level, we reached out to Blue Lake and then they
17 turned on their micro grid to drop load in the system. So
18 just want to note that Blue Lake has been a very important
19 partner for us. So thinking and then look forward to
20 supporting the Item.

21 CHAIR HOCHSCHILD: Commissioner McAllister.

22 COMMISSIONER MCALLISTER: Thanks, Sean. I really
23 appreciate it. We're such a huge state and we have a lot of
24 rural lines. We have a lot of places where reliability is
25 pretty bad towards the end of those lines, whether it's

1 voltage drop or just outages per se. And I think the beauty
2 of microgrids is that it allows, we've learned so much and
3 I think in many areas of the state, the costs are justified
4 to actually put in place the elements of a microgrid that
5 may be in a city center or something might not be in a
6 hospital. Certainly they would be. So I think the tribes
7 are among those that have the least reliable electricity
8 supply. And I think this really, not only does it help us
9 sort of really deliver on the sovereignty promise that
10 we've made, but also we learned so much that benefits the
11 rest of the state where we have reliability challenges as
12 the Vice Chair and others have said. So I think there's a
13 justice element to this and there's also a technology and
14 innovation element to this and it's really love to be
15 supporting Blue Lake and it's a great project. So fully
16 support.

17 CHAIR HOCHSCHILD: Any other comments with that?

18 I would welcome a motion on this Item from
19 Commissioner Gallardo.

20 COMMISSIONER GALLARDO: I move to approve of Item
21 Seven.

22 CHAIR HOCHSCHILD: Is there a second from the
23 Vice Chair?

24 VICE CHAIR GUNDA: Second Item Seven.

25 CHAIR HOCHSCHILD: All in favor say aye.

1 Commissioner Gallardo

2 COMMISSIONER GALLARDO: Aye.

3 CHAIR HOCHSCHILD: Vice Chair Gunda.

4 VICE CHAIR GUNDA: Aye.

5 CHAIR HOCHSCHILD: Commissioner McAllister.

6 COMMISSIONER MCALLISTER: Aye.

7 CHAIR HOCHSCHILD: Commissioner Skinner.

8 COMMISSIONER SKINNER: Aye.

9 CHAIR HOCHSCHILD: And I vote Aye as well. Item
10 Seven passes unanimously. Congratulations.

11 We'll turn now to Item Eight, Pilot Travel
12 Centers, LLC.

13 MS. VILLAREAL: Good morning Chair, Vice Chair
14 and Commissioners. My name is Kristi Villareal and I am an
15 air pollution specialist in the Fuels and transportation
16 division in the hydrogen unit.

17 Today we're requesting your approval of an
18 agreement with Pilot Travel Centers, which is the first of
19 four proposed agreements resulting from our competitive
20 grant funding solicitation titled Charging and Refueling
21 Infrastructure for Transport in California provided along
22 targeted highway segments or as an acronym, Critical PATHS.
23 Next slide, please.

24 This is a second iteration of Critical PATHS,
25 which aims to support the buildout of charging and hydrogen

1 refueling infrastructure for zero emission trucks along
2 targeted clean freight corridors, which are shown here on
3 the slide. The solicitation required all proposed projects
4 to include the installation of infrastructure at a minimum
5 of two locations within two linear miles of an off ramp
6 along one of these designated corridors. Additionally, all
7 projects were required to be publicly accessible 24 hours
8 per day, seven days per week, year round. Next slide,
9 please.

10 Similar to the first Critical PATHS, the second
11 iteration of the solicitation resulted in \$40 million of
12 proposed funding for projects that support zero emission
13 trucks. Ten applications were submitted for Critical PATHS
14 2.0 and the four highest scoring projects shown in this
15 table were proposed for award. The three remaining
16 agreements will be brought to a future business meeting.
17 Next slide, please.

18 With a proposed award of \$10 million, Pilot
19 Travel Centers will install a total of six 700 bar hydrogen
20 dispensers and two 25,000 gallon liquid hydrogen storage
21 tanks at their existing Travel Centers or truck stops in
22 Lodi and Ripon. The estimated refueling time for a 50
23 kilogram tank is 14 minutes, and the experience for fuel
24 cell electric truck drivers will be similar to diesel
25 refueling. Pilot expects that both sites will be

1 commissioned and operating by the first quarter of 2027.

2 Next slide, please.

3 Proposed project will benefit Californians by
4 expanding the state's zero emission charging and refueling
5 network, which will support the adoption of zero emission
6 vehicles. This project also supports a coordinated strategy
7 with other state and federal agencies for zero emission
8 infrastructure build out statewide. The project also
9 includes a community outreach component where job training
10 and recruitment will be promoted through workforce
11 development. Additionally, both project sites are located
12 in San Joaquin County, which is one of the most air
13 pollution burdened counties in California. The communities
14 adjacent to these Travel Centers are among the most heavily
15 exposed to diesel particulate matter emissions in the
16 entire state. Next slide, please.

17 Staff's recommendation is to approve the
18 agreement and adopt Staff's recommendation that these
19 actions are exempt from CEQA. Thank you. This concludes my
20 presentation. I'm happy to answer any questions you may
21 have.

22 And I'd also like to note that Bill Zobel,
23 director of Alternative Fuels at Pilot should be on the
24 line to make some comments as well.

25 CHAIR HOCHSCHILD: Thank you. Let's go to public

1 comment on Item Eight.

2 MS. BADIE: Thank you Chair. The Commission
3 welcomes public comment on Item Eight. At this time, if
4 you're in the room with us, we're asking folks to use the
5 QR code and if you're on Zoom, you'll use a raise hand
6 feature on your screen. It looks like an open palm or star
7 nine if joining by phone. I am not seeing anyone in the
8 room, so I'm going to transition over to Zoom. All right,
9 we have Andrea Leon- Grossmann. I'm going to open your
10 line. We're asking for comments to be two minutes or less.
11 There'll be a timer on the screen and it does help. If you
12 can please spell your name for the record as well.

13 MS. LEON-GROSSMANN: Hi, my name is Andrea Leon-
14 Grossman, L-E-O-N hyphen Grossmann, G-R-O-S-S-M-A-N-N. And
15 I'm calling right now in the capacity of the Board of
16 Directors for EJCW. And I wanted to also make sure that
17 there's -- I think there's an issue with exempting from
18 CEQA something that could be very dangerous. I don't know
19 if there was a full investigation on how a fueling station
20 in Bakersfield exploded just in 2023. And also how is this
21 hydrogen going to be created? Because right now it's very
22 polluting, and a lot of these hydrogen in the way that it's
23 burned, it could create a lot of NOx emissions, especially
24 in overburdened communities like the San Joaquin Valley. So
25 I'm just very concerned about creating an even more

1 explosive fuel than diesel or even gas. So from an
2 environmental justice standpoint, I think that it should
3 give us pause and make sure that we're not causing more
4 harm to communities that have been disadvantaged. Thank
5 you.

6 MS. BADIE: Thank you. All right, next we're
7 going to hear from William Zobel. I'm going to open your
8 line. Just a reminder, we're asking for comments to be two
9 minutes or less. There'll be a timer on the screen.

10 MR. ZOBEL: Well thank you. Again. Bill Zobel, Z-
11 O-B-E-L with Pilot Travel Centers. Thank you Commissioners
12 for taking this up today. I appreciate it.

13 I just wanted to compliment Staff on all the hard
14 work we've done with them to try and get this prepared for
15 you today. They've been very professional about the whole
16 process. It's been a long road, but we're here in front of
17 you today to hopefully answer any questions and show our
18 commitment to the market. I'll leave it at that. If you
19 have any questions that you need to answer or address some
20 of the questions asked by the former speaker, I'm happy to
21 do that as well.

22 MS. BADIE: Thank you. All right, that is the
23 last raise hand for this Item. Back to you, Chair.

24 CHAIR HOCHSCHILD: Okay. I did have a question if
25 you don't mind, which is just around the reliability of the

1 stations in this product category. Obviously, you know,
2 Shell had exited the market and I know there had been some
3 real concerns about the reliability, the existing
4 infrastructure. What assurances do we have about the
5 reliability of the facilities?

6 MS. VILLAREAL: Yeah, that's an excellent
7 question. I feel that this project and Pilot's other
8 projects, they have three other hydrogen refueling for
9 trucks projects at three other Pilot Travel Centers that
10 are in the planning and permitting phases. And what really
11 stood out to me as a solicitation manager for critical
12 paths in their application was their ability to really be
13 resilient. And to more directly answer your question, they
14 addressed issues such as supply chain. I mean, they're
15 going to use their own hydrogen fuel cell electric truck to
16 transport the liquid hydrogen. They have multiple suppliers
17 that they have contracts with. And so that addressed the
18 supply reliability issue. Also, that zero emission
19 transport of the hydrogen fuel really did stand out as a
20 real positive to me as well. And also some of the issues
21 that have led to some stations going down have been because
22 there aren't onsite technicians and with Pilot there will
23 be trained technicians onsite 24/7. And also they are going
24 to have the parts that they need to repair the stations,
25 which is also very different from what we've experienced

1 with the light duty stations. So again, I feel like this
2 was a really well thought out investment by Pilot's part.
3 And they're also developing some hydrogen refueling
4 stations in Texas as well. So they've definitely invested
5 full in and I do think that they have really checked the
6 boxes on looking at and addressing what could go wrong.

7 CHAIR HOCHSCHILD: Okay. Let's (INDISCERNIBLE)
8 Commissioner discussions to with Commissioner Skinner.

9 COMMISSIONER SKINNER: Thank you Christopher
10 (SIC) for the presentation and Chair for your question. I
11 think one of the key differences here is that, for example,
12 Shell, which has pulled out of the market, a lot of their
13 stations, as you kind of referenced, were more oriented
14 light duty. And this particular Applicant already operates
15 truck stops. And the two sites that they are going to be
16 putting this hydrogen fueling are sites that they already
17 have diesel fueling for heavy duty trucks and they also
18 have regular gasoline fuel, but they're already an existing
19 fueling station that is well known to truck operators. And
20 as has been pointed out, they'll be staffed and they have
21 the contracts in place for the supply. So while there's no
22 guarantee, and we also know that this market, it's
23 emerging, we're seeing whether the heavy duty vehicles move
24 in this direction or not in terms of going to hydrogen
25 versus an electric or in terms of their, if they have a

1 commitment to Zev. But I think this is better positioned
2 than some of the other stations that we've seen so far come
3 and go. So I just wanted to speak to that and thank you for
4 the presentation.

5 Yes, and the fact that they will have Staff there
6 because it is existing truck stops that they already have
7 been operating and already have. I mean, it's just that
8 it's all staffed 24/7 already is again another benefit.

9 CHAIR HOCHSCHILD: Vice Chair.

10 VICE CHAIR GUNDA: Thank you, Chair. Thank you so
11 much for the presentation. Quick questions, do you have a
12 response for the comment on the CEQA, just for the record?

13 MS. VILLAREAL: This is not the agreement that I
14 developed, but I feel like I do know enough about the
15 agreement in that the CEQA -- it was -- there was an
16 exemption based on an addition of smaller structures. The
17 hydrogen refueling lanes and the authority having
18 jurisdiction, which was City of Lodi, City of Ripon, both
19 found it to be exempt. The reference that the commenter
20 made about the explosion in Bakersfield, that was, I
21 believe Golden Empire Transit Station. And I don't know if
22 they have concluded what went wrong, but I don't know, and
23 I don't want to misspeak, but I am not sure if that was, it
24 was the station with a bus or something that happened with
25 a mishap. But I believe it's scheduled to reopen or it has

1 reopened.

2 VICE CHAIR GUNDA: Thank you. Just a couple more
3 quick questions on the -- maybe I'll just combine the
4 questions on this. Given that we are making a lot of
5 investments on the electric side as well, how are we
6 thinking about hydrogen and the electric investments
7 together, especially in MDHD? And if you can speak to any
8 locational advantage of these projects specifically, given
9 that they're truck stops and all. Just be helpful to hear.
10 Thank you.

11 MS. VILLAREAL: Yeah, sure. So the investment --
12 I mean the critical path solicitation in particular is one
13 of a few that invests in medium and heavy duties or
14 emission infrastructure. And it is fuel agnostic in that
15 developers of either zero emission technology, whether it
16 be battery ev, electric charging, or hydrogen refueling,
17 there's no scoring difference in those. It's just the best.
18 The highest rated applications are the ones that pass. And
19 we learn lessons as we go along as this is a recurring
20 solicitation, but it hasn't changed too much. And in the
21 first iteration of critical paths, we had four charging
22 projects, one that offered hydrogen dispensing as well. So
23 it had both technologies at one site and for this one Pilot
24 actually scored the highest in terms of applications. And
25 the other three are EV charging. And in terms of location,

1 I like that. I think that area in particular does need
2 hydrogen refueling to kind of connect the dots.

3 The hydrogen fuel cell electric trucks do have a
4 really far range, especially in comparison to, well there
5 are a lot of battery electric trucks that are catching up
6 or I don't want to speak out of turn, but there are a few
7 stations that are open. One is one that the CEC funded and
8 that was Port of Oakland NorCal zero. And so that one's on
9 one side and then it actually could refuel a truck and the
10 truck was able to travel down to a shell station. Actually,
11 shell does still have medium and heavy duty stations at I
12 think the Port of Long Beach we're seeing. And there's
13 something that I work on too, the medium and heavy duty Zev
14 dashboard that shows infrastructure buildout. It's an
15 interagency effort so that we can really see where the
16 stations are developing and where the gaps are. So yeah, I
17 think that this is a really good location. I like that if
18 one station is down, it's not too far for some reason for
19 the other truck driver to get to the other station in that
20 instance.

21 CHAIR HOCHSCHILD: Okay. Thank you so much.
22 Unless there are other Commissioners wishing to make any
23 comments, I would welcome a motion from Commissioner
24 Skinner on Item Eight.

25 COMMISSIONER SKINNER: Move the Item.

1 CHAIR HOCHSCHILD: Is there a second from the
2 Vice Chair?

3 VICE CHAIR GUNDA: Second the Item.

4 CHAIR HOCHSCHILD: All in favor say aye.
5 Commissioner Skinner.

6 COMMISSIONER SKINNER: Aye.

7 CHAIR HOCHSCHILD: Vice Chair Gunda

8 VICE CHAIR GUNDA: Aye.

9 CHAIR HOCHSCHILD: Commissioner Gallardo.

10 VICE CHAIR GUNDA: Aye.

11 CHAIR HOCHSCHILD: Commissioner McAllister.

12 COMMISSIONER MCALLISTER: Aye.

13 CHAIR HOCHSCHILD: And I vote Aye as well. Item
14 Eight passes unanimously. Thank you.

15 With that, what I'd like to do is actually finish
16 out the rest of the agenda and break for lunch. And then
17 after lunch we'll come back and take up Item Four, which is
18 the Darden Clean Energy Project.

19 So let's continue with Item Nine, which is Lead
20 Commissioner, presiding member reports.

21 Commissioner McAllister, you want to start us
22 off?

23 COMMISSIONER MCALLISTER: Let's see. I guess I
24 want to just express appreciation for all the efficiency
25 division work. I mean we've had a flurry of Items both on

1 load management front, on the building code. There's a ton
2 of work going on with load flexibility. So really I think
3 that's getting more and more kind of attention and it's a
4 place where we're innovating and a place that has actually
5 a lot of challenges. And we had the Load Flexibility
6 Workshop long ago and I think we saw just the traction that
7 that topic has. And so I feel like it's an emerging area
8 where the rest of the world hasn't quite figured out how
9 important it is and that we're building an ecosystem that's
10 going to be a platform for many potentially far beyond our
11 borders. So kudos to Vice Chair Gunda and his office for
12 putting it together. Really great event attempt to comment
13 on just the anxiety generally that the national situation
14 is having and what's going on in la.

15 I think it's sort of in the ether now in a way
16 that's really not helpful. But I think building on your
17 comments Chair this morning at Secretary Granholm event,
18 which was fantastic. I think, you know, California, we're
19 going to lead in so many ways and even though we're energy
20 -- we're in the energy sector and we're just trying to do
21 our jobs and really push forward on innovation to clean up
22 our state and our economy, we also just the fact of
23 leadership and the fact of rational decision making that's
24 based in science is deeply meaningful and important. So I
25 just want to sort of, I think, express my appreciation to

1 you and Secretary Crowfoot and the Governor for pushing
2 back when pushing back is required, but also just day in
3 and day out trying to get things done for the people at
4 California and trying to, it's hard to avoid these
5 distractions, but that's my job. So I don't have any other
6 detailed comments. Such good comments. Thanks.

7 CHAIR HOCHSCHILD: Thank you.

8 Vice Chair Gunda.

9 VICE CHAIR GUNDA: Thank you, Chair. I just want
10 to note a few highlights. As Commissioner McAllister
11 mentioned, we had the Demand Flexibility Summit co-hosted
12 by CEC, CPUC, UC Davis and LBNL. We had over 400 attendees,
13 just a really successful event to move forward with the
14 overall 7,000 megawatt goal. We want to just note a big
15 thanks to Senator Becker who was there to be able to kind
16 of, just lay out the vision for demand flexibility and both
17 Commissioner Skinner and Commissioner McAllister for being
18 part of the event and you opening the event that day.
19 Overall, I think just a very successful event in the sense
20 of keeping the momentum on demand flexibility and making
21 the necessary connections. I want to just thank personally
22 Jane Park and Ching Tan (PHONETIC) from our office who have
23 been critical in making that work. And also Commissioner
24 McAllister, your office, Brian Early. So just a big, big
25 thanks on that.

1 I want to go into just a couple more notes that
2 are important. We had (INIDSCERNIBLE) India visiting a
3 couple of weeks ago, and again, thanks to Commissioner
4 Skinner, Commissioner McAllister. There was a discussion
5 around hydrogen. Again, this is kind of in the broader work
6 on creating a potential India - California agreement on
7 energy and climate. So overall it's been wonderful.

8 We also had a President Reynolds and Chair
9 Randolph from CARB attending that meeting and kicking off
10 some of the conversations. Finally, want to note for the
11 Commissioners, we did have a data center round table that
12 was hosted by GO-Biz, really thinking about how to forecast
13 the demand that might come from AI and data center growth
14 in California and how do we make sure the economic activity
15 that data centers could generate is done in a way that we
16 don't lose out on that, but also we don't have standard
17 assets in California. So it's been an important part of
18 that.

19 So finally, I have been heads down working on
20 petroleum the last several weeks. Just want to give you a
21 quick update on that. We had an oversight hearing on the
22 28th where we basically presented where we are on the
23 overall petroleum transition. It's important that we noted
24 there that we are entering a critical phase of transition
25 in California. The demand for petroleum, especially

1 gasoline, has saturated in. Its a mature market and it's
2 now going downhill, which is kind of success to the overall
3 climate agenda. But as we move down, it becomes incredibly
4 important to ensure investor confidence that the necessary
5 investments are happening to keep workers safe, the system
6 reliable, and the impacted communities have a quick
7 transition plan. So overall, that's why we're working on
8 right now and it's been hard work, but good work, then I'll
9 pass it back to you.

10 CHAIR HOCHSCHILD: Great. Commissioner Gallardo.

11 COMMISSIONER GALLARDO: Good afternoon, everyone.
12 I'm going to focus on some engagement with tribal tribes
13 and tribal leaders. We had this week, the Chair had
14 mentioned on Monday we went down to San Diego County to
15 visit the Los Coyotes Band of Cahuilla and Cupeño Indians.
16 We wanted to get a firsthand experience of what types of
17 issues they're facing in terms of energy. They own a lot of
18 the land, so they're land rich, but they don't have too
19 many other resources in terms of energy, but they want to,
20 they're really interested in figuring out what type of
21 infrastructure and technologies could work there. This is
22 coming from need because many of their residents up there
23 do not -- or they live off the grid, not because it's cool,
24 not because they want to necessarily, but because there's
25 limited energy infrastructure. So we did go up and part

1 their reservation includes the highest peak in San Diego,
2 so we had the opportunity to go up there.

3 It's beautiful area and we're hoping to continue
4 working with them to see what types of opportunities we can
5 support. And then yesterday we joined our Director of
6 Tribal Affairs and Tribal Liaison Sierra Graves, also
7 Davina, who supports her on tribal affairs to do an
8 informational proceeding meeting. This was to focus on the
9 scope for the tribal informational proceeding that we will
10 be doing this year. So it was 15 tribes who joined us. They
11 talked about a lot of different issues and a focus on
12 tribal energy sovereignty and what that means to each one
13 of them. It could look different basically because they are
14 in different regions, have different needs, different
15 priorities. So it'll be very exciting to hear more about
16 that. They will put more information into the docket so
17 everybody can see. And we will be having regional meetings
18 with the tribes throughout California. So if anyone's
19 interested in participating, we welcome you. There'll be
20 more information on our website about that. So thank you

21 CHAIR HOCHSCHILD: Commissioner Skinner.

22 COMMISSIONER SKINNER: Thank you, Chair and good
23 to see everyone. The state senate has now voted and I'm
24 officially confirmed as a member of the Energy Commission.
25 I could translate that a little because some people may not

1 realize that while the Governor made the appointment
2 appointed me in January, it is not official until the state
3 Senate, they have to confirm the appointment. So that
4 happened and so pleased to be here now for sure.

5 MS. BADIE: Good to have you.

6 COMMISSIONER SKINNER: And yes, thank you and
7 really enjoying the work so far. As the Vice Chair
8 mentioned, there were some of the things he referenced that
9 I also attended. The meeting with the officials from India
10 regarding hydrogen was fascinating. They face very similar
11 challenges. They have some very ambitious goals. They see
12 hydrogen as a very good transitional fuel, but of course
13 their interest is in hydrogen that is not fossil based.

14 And since we're not yet at the place globally
15 where that's being produced in large quantities or yet in a
16 way that is competitive with other fuels. So there was a
17 lot of discussion about just how we use our different roles
18 to try to help stimulate those markets. So it was a
19 fascinating discussion. And the Demand Flex Summit at UC
20 Davis was just excellent. It was great. So I want to thank
21 Vice Chair Gunda Staff and UC Davis for all the work on it
22 and any other and all other Commission Staff who worked on
23 that. That event was very powerful, very informative,
24 really good discussions and I greatly enjoyed attending it
25 and participating in it.

1 I also had the opportunity to meet with our
2 counsel generals from Norway, Sweden, Denmark, and Finland.
3 The CEC has an MOU with, in fact with, I don't know if it's
4 with all those countries, it's with a few, but they work
5 very closely together on a lot of the issues.

6 So we talked more about what ways that
7 partnership and that MOU can benefit both we in California
8 and also their countries. And then I had the opportunity,
9 there was a separate meeting of not Energy Commissioners
10 per se, more the regulatory space of utilities. And there
11 were folks from all over the world, but in many of the
12 other countries, the entity that is analogous to the PUC in
13 our state Public Utilities Commission is also does similar
14 planning and similar activity that the Energy Commission
15 does. So we had a fascinating discussion and the Chair was
16 part of it with the representatives from the UK Office of
17 Gas and Electricity Markets, which does is kind of a
18 twofer, does both what the PUC does and what we do.
19 Fascinating discussion. And I suppose it's both good. And
20 you could say it's that we all face similar challenges that
21 all of the international reps that we've been meeting with
22 have commitments like California to get to zero emissions
23 and are very, very committed to moving their electricity
24 sector, their fuel sector, transportation sector, all of it
25 and are approaching it different ways, having successes in

1 some places and facing similar challenges in others.

2 But it's great to be able to have those exchanges
3 because we learn a lot. And then finally, the Fuels and
4 Transportation division, which is the division that is in
5 my portfolio, we are in very serious discussions about how
6 we in effect this inflection point that we're in. The
7 California state budget is challenged. So we may not have
8 the same types of funding for supporting the EV
9 infrastructure. The federal monies is clearly at risk. So
10 we have been having very productive discussions about how
11 we revise some of our programs so that we are utilizing our
12 funding in the most strategic way possible to keep
13 California to propel our continued commitment and our
14 continued transmission to transition rather to zero
15 emission vehicles. So it's been a very productive
16 discussion. We haven't made all of our conclusions yet, but
17 that's what we're engaged in. What is the most strategic
18 ways that we can invest our dollars? And that's my report.
19 Thank you.

20 CHAIR HOCHSCHILD: That's great. Thank you so
21 much. And big congratulations again from all of us on the
22 Senate confirmation. That is truly wonderful news.

23 I wanted to just recap. We've done four big
24 public facing symposiums so far in 2025, and they've all
25 been home runs the Ports symposium around offshore wind,

1 which we did in Long Beach in February. Followed by the
2 Building Electrification Symposium led by Commissioner
3 McAllister here in this room, followed by the Tribal Energy
4 Symposium and most recently this Load Flex Symposium and
5 really the attendance at all of these has been off the
6 chart. I think we had the Bill electrification symposium,
7 850 people over two days and last year how many we're at
8 the over 400, the low effect. So just phenomenal and it's
9 really a great use of our resources to bring thought
10 leaders and stakeholders together and this is a really
11 important part of our work is doing those but also not
12 doing too many.

13 And the ones we do do really well, they do have
14 an impact on our Staff time. It's a very heavy lift to pull
15 those off, but I'm really, really grateful we've done
16 those. So I just wanted to thank all the Staff and the lead
17 Commissioners for taking those as successful as they are.
18 We have a couple upcoming LED by Commissioner Gallardo,
19 most notably around our 50th anniversary, which will be in
20 September 8th, and then of course the Clean Energy Hall of
21 Fame event at the end of the year.

22 I did want to highlight one remarkable milestone
23 that we just got the data in this week on, which is that
24 we're now hitting a hundred percent clean energy on the
25 core California grid, the CAISO system in 2025, 91 percent

1 of the days. Okay, that's never happened before in our
2 state. It's never happened before anywhere in the world for
3 an economy of this size and now we're not doing it for the
4 entire day, but we're reaching it every day for 91 percent
5 of the days and that's a function of all of the hard work
6 to get storage and solar and other renewables built and
7 we're not going to stop until we get to a hundred percent
8 clean energy a hundred percent of the hours of the day for
9 a hundred percent of the people.

10 And I think it is important to stop and just
11 observe these milestones because even this point that we're
12 at now was considered mythology not long ago, like eight,
13 10 years ago. And so it is I think an important point to
14 note and to take stock of as we go forward of how quickly
15 we can deploy into Secretary Grans at Holmes's point
16 earlier to build a new gas turbine today even you decide
17 today that's what you want to do. That's seven years before
18 you get steel the ground and that's one of the big
19 advantages of clean energy. It can go in fast. I guess the
20 only other thing I wanted to highlight just to put on the
21 table, I had a meeting with the head of the physics
22 department at uc, Berkeley last week who was talking about
23 data centers and AI and what that means for the grid, and
24 they're estimating that if we're still using conventional
25 computing power for data centers, that load could

1 constitute 50 percent of energy demand by 2050. That's how
2 big AI and data centers will feature. There are some
3 chances to really reduce that significantly with quantum
4 computing, which they were educating me about, but I do
5 want to highlight, that's a major thing. I know we're
6 tracking that closely through your team Vice Chair, but I
7 did want to highlight how significant that is.

8 I think with that I will wrap and we'll go to
9 Item 10, Executive Director's Report.

10 EXECUTIVE DIRECTOR BOHAN: Thank you, Chair. No
11 report this afternoon.

12 CHAIR HOCHSCHILD: And then we'll go to Item 11,
13 Public Advisor's Report.

14 MS. BADIE: Thank you. Chair. Mona Badie with the
15 Public Advisor's Office.

16 The next disadvantaged community advisory group,
17 it's the CEC CPUC Disadvantaged Community Advisory Group
18 will be on June 13th, so this Friday from one to four. It's
19 hybrid on Zoom and also the physical location will be in
20 this building on the second floor on the agenda. CPUC Staff
21 will present on the status of Senate bill 12,21, which is
22 designation of priority neighborhood decarbonization zones.
23 And then CEC will present on the opt-in certification
24 program and also (INDISCERNIBLE) will consider a draft
25 comment letter on a CPUC proceeding for oversight of energy

1 efficiency portfolios, policies and programs. And that's
2 all I have to report. Thank you.

3 CHAIR HOCHSCHILD: Okay, we'll go to Item 12,
4 Chief Counsel's Report.

5 MR. RANCHOD: Thank you, Chair, Commissioners.
6 I'd like to update you on a couple developments and also
7 note that there's no closed session today.

8 First Item is the NEVI litigation.

9 CHAIR HOCHSCHILD: Sorry, can you speak a little
10 closer to the mic?

11 MR. RANCHOD: Yes, apologies.

12 I'm going to update you on a couple of
13 developments and note there's no closed sessions today.
14 First item is the NEVI litigation matter. As you heard
15 during my report at our last Business Meeting, a multi-
16 state lawsuit was filed challenging actions taken by the
17 Federal Highway Administration to unlawfully withhold
18 billions of dollars in funding approved by the Congress to
19 expand EV charging infrastructure through the NEVI formula
20 program.

21 Some background, we all know California was
22 apportioned a total of approximately \$384 million in
23 federal funds over five fiscal years to carry out the NEVI
24 formula program. CEC administers California's NEVI program
25 for Caltrans at the direction of the president. The Federal

1 Highway Administration had issued a directive that
2 effectively halted the NEVI Formula program by withholding
3 billions of dollars in funding that Congress had directed
4 to the states for building EV charging infrastructure in
5 direct opposition to the statutory mandate.

6 As a result, the State of California joined the
7 State of Washington in co-leading a coalition of 17 state
8 attorneys general who filed suit against the Federal
9 Highway Administration in federal district court in Seattle
10 about a month ago. Plaintiffs asked the court to declare
11 that the NEVI directive is unlawful and to permanently stop
12 the Trump administration from withholding the funds.

13 Plaintiff's motion for preliminary injunction has now been
14 fully briefed in a hearing on that motion as scheduled for
15 June 17th. I'll keep you apprised as this matter develops.

16 Second, I want to welcome the newest member of
17 our legal team, Anthony Monaco, who started with the Chief
18 Counsel's office today as our new legal secretary. Anthony
19 joins us from the finance industry and is attending his
20 first CEC Business Meeting. Welcome Anthony.

21 I also want to express my gratitude to Kristine
22 Banaag who has been doing double duty for months as our
23 team's Staff Services Analyst, while also filling in as the
24 legal secretary until Anthony joined us. Thank you,
25 Kristine.

1 Third, I'd like to acknowledge our three summer
2 law clerks. Isabella Freta Hicks (PHONETIC) is a rising 2L
3 at UC Law San Francisco. After law school, she hopes to
4 pursue a career in energy law with a particular focus on
5 renewable energy development. Paul Joy Knott is a rising 2L
6 at the University of Pacific's McGeorge School of the Law.
7 Paul plans to work in environmental law with a focus on
8 sustainability, habitat protection or nuclear energy. And
9 finally, Kate Whistler is arising 2L at the University of
10 Colorado Law School. After law school, Kate hopes to pursue
11 a career with government or nonprofit organization with a
12 focus on renewables and climate change policy. Chief
13 Counsel's office is excited to have Isabella, Paul and Kate
14 with us this summer and look forward to their
15 contributions. This concludes my report.

16 CHAIR HOCHSCHILD: Okay, thank you all. We've now
17 concluded all the Items except for Item Four, which is the
18 Darden Clean Energy Project. We will adjourn now for lunch
19 and reconvene at one 30 and take Item Four at that time.

20 Thanks.

21 (OFF THE RECORD AT 12:25 P.M.)

22 (ON THE RECORD AT 1:34 P.M.)

23 Welcome back, everyone. We are going to pick up
24 where we left off with Item Four opt-in certification,
25 Darden Clean Energy project.

1 EXECUTIVE DIRECTOR BOHAN: Good afternoon,
2 Commissioners, Chair, Vice Chair, Commissioners. You don't
3 often see me at the podium, but I wanted to introduce the
4 Darden Clean Energy Project because this is the first Clean
5 Energy project Staff is bringing you to you under
6 California's new opt-in program and we're pleased to be
7 doing so on time and indeed ahead of schedule. As you know
8 and as you alluded to earlier, Chair, California's
9 electricity demand is growing rapidly as we convert from an
10 economy powered by fossil fuels to an economy powered by
11 clean energy and with the advent of artificial intelligence
12 and other growth areas we are going to need in California
13 to produce a lot more clean energy to meet our goals. In
14 2022, Governor Newsom signed AB 205 to do just that.
15 Assembly Bill 205 directs the CEC to evaluate clean energy
16 projects that developers bring to us and our job is to
17 determine whether those projects meet all the legal
18 requirements to be built in California. First, developers
19 reached out tentatively and we weren't sure if we were
20 going to get a trickle of projects or a flood and it's been
21 a flood. In fact, to date, we have approaching 20 gigawatts
22 of opt-in projects in the queue. Eight of those have been
23 formally filed as applications with us and the others are
24 involved. Projects developers are telling us they're
25 planning to file soon. So this project, the Darden project

1 that's before you today is the first one under AB 205 that
2 we are recommending for approval.

3 The project is 2.3 gigawatts, half-solar and
4 half-batteries. Once built, this project will be the
5 largest battery energy storage system in the world. Your
6 Staff has been working very hard on this project. After
7 receiving Darden's application, we really dug deep. We
8 visited the site multiple times. We hosted two public
9 meetings in the local community and exhaustively examined
10 all aspects of the project. All this work is described in
11 an over 1,000 page analysis that the public and anyone who
12 wishes to is free to review. What we learned is that like
13 any project of this scale, there are impacts and
14 challenges. However, for each of those, we identified
15 numerous measures to mitigate those impacts and we
16 concluded that all project impacts can be mitigated to a
17 less than significant level. We also found that the project
18 meets all of the other AB 205 requirements.

19 In a moment, Kaycee Chang, our project manager
20 and fearless leader, will describe in detail how Staff
21 arrived at this conclusion. But first, I want to remind you
22 that AB 205 calls for a Commission vote to take place no
23 more than 270 days. After we deemed the project complete.
24 We deemed this project complete on September 19th, 2024.
25 Today is June 11th, so Staff is pleased to bring this

1 project to you for a vote nearly a week ahead of schedule.

2 I want to thank Kaycee and all the Staff who worked so hard
3 on this project and on their behalf. I recommend the
4 Commission approve the Darden Clean Energy Project.

5 Kaycee.

6 MS. CHANG: Thank you, Drew. And good morning
7 Chair, Vice Chair and Commissioners. My name is Kaycee
8 Chang and I supervise our CEQA project management unit in
9 the CEC Citing Transmission and Environmental Protection
10 Division.

11 On behalf of Lisa Waral (PHONETIC), the project
12 manager, I will be presenting Staff's recommendation to
13 certify the Darden Clean Energy Project application based
14 on our updated Staff assessment findings. As Drew
15 mentioned, the Darden Clean Energy Projects application is
16 the first to be processed under our opt-in certification
17 program. Next slide, please.

18 Assembly Bill 205, which was signed into law by
19 Governor Newsom in 2022, created a new optional permitting
20 authority at the CEC to reduce permitting delays and cut
21 permitting timelines to a maximum of 270 days in order to
22 support long-term grid reliability. As shown on this slide,
23 the program includes clean energy generation, solar
24 photovoltaic or PV or terrestrial wind projects, energy
25 storage systems, non-fossil thermal facilities, hydrogen

1 production facilities and facilities that manufacture or
2 assemble such clean energy systems or components.

3 The CEC is the lead agency under the California
4 Environmental Quality Act or CEQA. Staff is required to
5 prepare an environmental impact report or EIR as part of
6 our Staff assessment for any developer that optionally
7 elects to opt in to the CEC's jurisdiction with limited
8 exceptions, the issuance of a certificate to construct and
9 operate an eligible facility by the CEC is in lieu of any
10 permanent certificate or similar document required by any
11 state, local, or regional agency or federal agency to the
12 extent permitted by federal law. The CEC certificate also
13 supersedes any applicable statute, ordinance or regulation
14 of any state, local or regional agency or federal agency to
15 the extent permitted. Our work does not conclude if a
16 project is granted a CEC license. As the state's chief
17 building official, the construction and operation phases of
18 a project is regulated by step division's, compliance
19 monitoring and enforcement unit and inspection units. These
20 units ensure that generating facilities and energy storage
21 facilities 50 megawatts or greater comply with all
22 conditions of their license. These units also analyze any
23 proposed modification or change to a facility's design
24 operation or performance. The teams perform both formal
25 inspections and unannounced inspections, review monthly and

1 annual compliance reports and investigate complaints or
2 unplanned incidents. Next slide, please.

3 Proposed Darden Clean Energy project is on
4 approximately 9,500 acres of land in Western Fresno County
5 near the community of Cantua Creek. This land is farmland
6 owned by the Westlands Water District that has been
7 designated for retirement due to the presence of alkaline
8 soils and insufficient water for irrigation. The proposed
9 2.3 gigawatt project includes a 1150 megawatt solar PV
10 facility up to 1150 megawatts of battery energy storage,
11 which can power approximately 850,000 homes for four hours
12 when fully charged or up to 4,600 megawatt hours. 834.5 to
13 500 kilovolt or KV grid step up substation, a 15 mile 500
14 KV generation intertie gen-tie line, and a new 500 KV
15 switchyard along the existing Pacific Gas and Electric
16 Company, PG&E, Los Banos midway number two 500 KV
17 transmission line. CEC Staff coordinated with the
18 California Public Utilities Commission, the utility PG&E,
19 and California independent system operator, the latter who
20 identified downstream network of upgrades are required for
21 interconnection of the proposed project to the grid. The
22 Darden proposed project along with the network upgrades
23 together constitute the project under CEQA.

24 The Applicant would construct, own and operate the
25 solar PV facility substation and gen-tie. The Applicant

1 would also construct the switch yard, but PG&E would own
2 and operate the switch yard following their purchase of it.
3 PG&E would also construct the downstream upgrades.
4 Therefore, the CEC's opt-in certification determination is
5 limited to the construction and operation of the solar PV
6 facility, the battery energy storage system substation and
7 the gentile line and the construction of the switchyard
8 PG&E would then seek approval from the California Public
9 Utilities Commission to operate the Switchyard and
10 construct and operate the downstream network upgrades. The
11 Applicant will speak more about these project details
12 following my presentation. Next slide, please.

13 As shown in detail on this slide, the proposed
14 project application was filed in November, 2023. After
15 obtaining the required environmental assessment documents
16 and the proposed facility design, CEC Staff was able to
17 file a determination of complete application on September
18 19th, 2024 and that began the Staff assessment preparation
19 phase. The draft IER is also within the Staff assessment
20 and underwent all required public meetings, review and
21 comment periods. We received 26 verbal comments during the
22 March 26 public meeting and comments from 27 commenters to
23 the docket. These commenters included agencies, non-
24 governmental organizations, and the public. Within the
25 updated Staff Assessment was filed to the project docket on

1 May 12th, 2025. No significant new information has been
2 added that would require recirculation of the final EIR.

3 Next slide, please.

4 Under California Code of Regulations, Title 20
5 section 1881 for the CEC to issue, a license for any opt-in
6 proposed project CEC Staff must find that the developer has
7 met all specified opt-in project requirements for the
8 Darden Clean Energy Project. CEC Staff found that the
9 proposed project conforms with all applicable laws,
10 ordinances, regulations and standards also known as laws
11 and will not require any overrides by the Commission. CEC
12 Staff also found that the proposed project complies with
13 all opt-in mandatory requirements. These requirements were
14 met by the Darden Clean Energy Projects developer who
15 certified that all construction workers employed on the
16 project will be paid at least the general prevailing rate
17 of diem wages for the type of work and geographic area.
18 They'll also comply with statutory requirements like
19 ensuring the prevailing wage requirement is included in all
20 contracts. The updated Staff assessment proposes a
21 condition of certification that the project owner shall
22 implement the construction labor agreements as described in
23 the public resources code for the net positive economic
24 benefit requirement. We analyzed and concluded that the
25 construction and operation of the facility would result in

1 an overall net positive economic benefit to Fresno County
2 of roughly \$169 million including construction jobs,
3 increased tax revenues, and local spending in the community
4 over the life of the project.

5 Although potential costs to the county from
6 providing police, fire and emergency services to the
7 project have been identified, proposed conditions of
8 certification address those costs and so Staff finds that
9 potential impacts to emergency services are less than
10 significant with mitigation measures. With incorporating
11 mitigation measures, the potential cost to Fresno County
12 are expected to be minor compared to the identified
13 economic benefits over its life. The proposed project is
14 expected to produce positive net economic benefits to
15 Fresno County. Another opt-in requirement is for the
16 Applicant to enter into one or more legally binding and
17 enforceable community benefits agreements. They met this
18 requirement by entering into a legally binding and
19 enforceable agreement with Central La Familia Advocacy
20 Services, a qualified community-based organization. The
21 Applicant also docketed local investment program which
22 includes seven additional community benefits agreements
23 with Central California Food Bank, West Side Elementary,
24 Central California Asthma Collective, Fresno Housing
25 Education Corps, Golden Plains Unified School District,

1 Tree Fresno and Fresno Rural Transit Agency. Next slide,
2 please.

3 As part of the updated Staff assessment, CEC
4 Staff also prepared a final EIR in compliance with CEQA.
5 The CEC technical and engineering Staff determined that
6 where a potential significant impact was identified,
7 mitigation measures are required to avoid or substantially
8 lessen the significant impact. All potentially significant
9 impacts on the environment would be reduced to less than
10 significant. This means that no overriding considerations
11 under CEQA are required for approval of the project. The
12 proposed conditions of certification and associated
13 verifications in the updated Staff assessment serve as a
14 mitigation monitoring and reporting program required by
15 CEQA. These mitigation measures also serve as conditions of
16 certification if you decide to approve Staff's
17 recommendation and issue the Darden Clean Energy Project a
18 CEC license. Next slide, please.

19 Proposed order filed with the backup materials
20 includes additional conditions of certification and
21 compliance verifications. On June 6th, 2025, the Applicant
22 filed the Darden project local investment program, which
23 provides that the Applicant has entered into additional
24 community benefits agreements beyond the one with Central
25 La Familia Advocacy Services. They cover topics such as

1 public health education and affordable housing. Based on
2 this information, Staff recommends two additional
3 conditions of certification and compliance verification to
4 provide additional assurances of community benefits and to
5 provide additional public transparency. The first condition
6 CBA-1 requires a project owner to the extent feasible to
7 fulfill its obligations as set forth in the following
8 community benefits agreements. Central La Familia Advocacy
9 Services, Central California Food Bank, West Side
10 Elementary, Central California Asthma Collaborative, Fresno
11 Housing Education Corps, Golden Plains Unified School
12 District, Tree Fresno, and the Fresno Rural Transit Agency.
13 These agreements are included in the CEC docket.

14 The project owner would be required to provide
15 documentation evidencing compliance in the annual
16 compliance report. The second condition, CBA-2, requires
17 the project owner to provide progress reports for the
18 implementation of the Darden Project local investment
19 program. The reports must include the status of the
20 investment program implementation including relevant
21 documentation, any changes to the program, including any
22 additional community benefits agreements, and the status of
23 any other community outreach efforts. Progress reports will
24 be required to be publicly docketed twice a year for the
25 first three years after certification after the first three

1 years. Progress reports will be included in the annual
2 compliance report. Next slide, please.

3 In the EIR Staff proposed condition of
4 certification worker safety 12 to ensure the project's
5 impacts to local fire department resources would not be
6 significant. This condition is necessary because large
7 scale solar projects have a solar property tax exclusion,
8 which is currently in effect, that limits the amount of
9 funding that would normally go to the local fire
10 department. Staff is recommending revisions to condition of
11 certification worker safety 12, with these revisions the
12 condition provides the following: The project owner must
13 reach one or more agreements with the Fresno County Fire
14 Protection District, FCFPD. Or enter into binding
15 arbitration regarding onetime initial funding and ongoing
16 annual funding to provide mitigation for potential impacts
17 to FCFPD's emergency response services. If the current
18 property tax exclusion applicable to the project sunsets
19 and there is no solar property tax exclusion applicable to
20 the project, then the condition of certification will
21 sunset. The agreement or agreements may separately address
22 the funding to FCFPD during the construction phase and the
23 operation phase of the project. The project owner must
24 develop a schedule in coordination with the FCFPD that
25 provides a timeline for reaching agreements or completing

1 arbitration prior to the anticipated date of site
2 mobilization. In no event may the agreement or arbitration
3 delay the project's site mobilization, construction or
4 operation. Please see the proposed order for the full
5 revised language of worker safety 12. The revisions refine
6 and clarify the existing mitigation measure and therefore
7 do not require the EIR to be recirculated. Next slide,
8 please.

9 In the proposed order filed with the backup
10 materials Staff also includes an errata sheet number one
11 identified as attachment A. Changes were necessary to
12 correct typographical errors or for clarity. Deleted text
13 is shown in strikethrough and new text is shown as bold,
14 underline. This change here on the slide clarifies that the
15 Staff assessment is incorporated by reference into the
16 updated Staff assessment which includes the final EIR. Next
17 slide, please.

18 In conclusion, the CEC Staff recommends based on
19 the entire record, the Commission adopt the proposed order
20 where the CEC would certify in its independent judgment.
21 Its consideration of the final EIR within the updated Staff
22 assessment and certify completeness of the record of the
23 proceedings make findings as proposed in the updated Staff
24 assessment i certifying eligibility under the opt-in
25 certification program, adopt Staff conditions of

1 certification and recommended mitigation measures and issue
2 the Darden Clean Energy Project, a certificate to construct
3 and operate the facility.

4 I would like to close by acknowledging and
5 thanking the entire step technical and management team,
6 project assistant Rishka Hawes (PHONETIC) and the Chief
7 Counsel's Office including Staff attorneys Alex Mayer and
8 Chris Cabrera for their hard work on the environmental
9 document and throughout the opt-in proceeding. We'd also
10 like to thank Becky Moores with Intersect Power and her
11 team. We thank Staff with the California Department
12 Efficient and Wildlife, the Regional Water Quality Control
13 Board and the California Public Utilities Commission, the
14 California Independent System operator, Fresno County and
15 PG&E for their cooperation and responsiveness. Throughout
16 our process, I would now like to introduce the Applicant
17 representative Marissa Mitchell, Head of Environmental and
18 Permitting at Intersect Power, who would like to say a few
19 words about their project.

20 MS. MITCHELL: Thank you so much. Good afternoon
21 Chair, Vice Chair and Commissioners. My name is Marisa
22 Mitchell, M-A-R-I-S-A M-I-T-C-H-E-L-L, and I'm head of
23 Environmental permitting at Intersect Power, the company
24 proposing the Darden Clean Energy Project.

25 First, I wanted to thank the Commission for the

1 opportunity to tell this story of this project, but also
2 offer my sincere thanks to Staff for their dedication to
3 analytical rigor and the commitment to a very tough
4 schedule afforded to them under AB 205. I'm an
5 environmental scientist. I've been working on clean energy
6 projects in California for almost 20 years now, and
7 Intersect Power is a clean energy company that is operating
8 almost a gigawatt of solar and 1.5 gigawatt hours of
9 battery storage in the state, which is scheduled to roughly
10 more than triple by 2027.

11 We are also a company with a very strong moral
12 compass. Back in the early days of the company, we made a
13 decision to purchase only domestic solar modules even
14 though it could put us at a competitive disadvantage
15 because we did not trust that Chinese solar module
16 manufacturers were not engaging in human rights abuses. And
17 what started as an ethical decision to not accept what we
18 knew was wrong has actually become a movement that has led
19 to the most robust domestic supply chain in the industry
20 today.

21 From steel piles to modules, batteries, trackers,
22 breakers and transformers all sourced domestically, which
23 demonstrates our commitment to ensure thriving
24 manufacturing communities across the U.S. and even in
25 California. But importantly, we also have a commitment to

1 helping local communities thrive where our projects are
2 located. The story of the Darden project is the story of
3 California's clean energy promise and a just transition for
4 all. The economic development fundamentals are exceptional
5 and the added benefits to the community represent a
6 partnership with and connection to the local communities in
7 Western Fresno County, which makes the project a long-term
8 driver of economic.

9 A little bit about the land. This land where the
10 project has was permanently retired from irrigated
11 agriculture due to buildup of salt and selenium as
12 previously mentioned, and it has been essentially
13 (INDISCERNIBLE) for about 20 years. And I remember sitting
14 in the Governor's Chambers back in 2015 with dozens of
15 other land use and clean energy stakeholders to
16 collaboratively map the state and identified the least
17 conflict solar areas which would minimize impacts to
18 species and habitat communities and agriculture.

19 And this area lit up like a light as the ideal
20 place in the state to cite large scale solar, a sentiment
21 that was reiterated by the Audubon Society and the Nature
22 Conservancy and docketed comments on this proceeding. The
23 area was studied again by the CEC and its land use screens
24 process, which culminated in a report and this area
25 squarely within the solar resource potential screen and the

1 higher climate resilience land screen. But unfortunately a
2 few projects have been able to come online in this area due
3 to transmission constraints. So as part of this project, we
4 proposed to build and transfer to PG&E a high voltage point
5 of interconnection on behalf of the utility, not just for
6 this project but for future clean energy generators in the
7 area as well. This project breeds new life into a region
8 that has been impacted for decades by a low tax base, which
9 has suppressed local government's ability to really provide
10 the infrastructure and services to rural communities.

11 The Valley's clean energy economic development
12 story starts here. This project will be the second largest
13 taxpayer in Fresno County with nearly half a billion
14 dollars in property tax payments depending on the final
15 property tax calculation methodology by the local assessor,
16 but this includes an estimated \$40 million going to the
17 fire district, roughly \$250 million going to Fresno County
18 schools and an estimated \$60 million to the county's
19 general fund as well because we established a local point
20 of sale in the county completely voluntarily, an estimated
21 \$36 million in additional sales tax revenues will flow to
22 local government between 2025 and 2027.

23 We've made a commitment with our construction
24 partner Mortenson, to pursue \$67 million in direct
25 procurement of equipment, materials, goods, and services

1 from local small and medium sized businesses. The project
2 will create \$160 million in labor income for families and
3 we're going above and beyond the requirements of AB 205 as
4 was mentioned earlier by establishing a \$5 million local
5 investment program with multiple community partners. You
6 heard about the organizations earlier, but they're all
7 highly reputable 501(c)3 organizations with low overhead
8 fiduciary duty and they focus their programming on the west
9 side of the county. In order to come up with a list of
10 partners, we sought recommendations from local mayors,
11 county supervisors, district staff and Assemblywoman Soria
12 and Senator Caballero's offices and other local leaders.
13 And I'm pleased to report that IP Darden LLC has reached an
14 agreement in concept with Comunidades de Westside,
15 Leadership Counsel and CCEJN, and we are committed to
16 continuing to work in good faith to fully execute a legally
17 binding agreement in the coming days. The will provide
18 funding and support for community identified needs and we
19 are fully committed to implementing our part of this
20 agreement.

21 As a part of our local outreach, we've held
22 approximately 50 completely voluntary community meetings,
23 workshops, small business procurement events, and even bus
24 tours, local mayors and the city managers to plan for the
25 economic transition. This project represents Intersect has

1 been heavily invested in local economic opportunities
2 through workforce development efforts such as the Valley
3 Build pre-apprenticeship program, which prepares
4 minorities, women, and hard to serve individuals including
5 the formerly incarcerated and veterans for careers in the
6 construction industry.

7 Thousands of construction jobs are created by the
8 project and these jobs start here but are projected to
9 become careers as they're sustained through 2045 during the
10 20 year period that California intends to fulfill the
11 promise of its clean energy goals. With the San Joaquin
12 Valley as the epicenter of this clean energy fueled
13 economic transformation. The Darden project sets a new
14 standard for local economic development leadership and it's
15 the type of project we're happy to lead on. As mentioned
16 earlier, the IAR, it was more than a thousand pages of
17 science-based analysis, including the project will have no
18 significant impacts on human or natural environment.

19 One thing I wanted to highlight is our Swain
20 conservation strategy, which is an innovative program that
21 will provide a robust before after control impact
22 experimental research design to advance California's
23 understanding of how to optimize solar energy facilities
24 for nesting and foraging habitat for this protected bird.

25 As the executive director noted, Darden will be

1 the largest single solar and battery project in the world,
2 substantially advancing our clean energy goals here in
3 California and helping take fossil plants offline sooner
4 for the benefit of fossil impacted communities across the
5 state. We have the utmost respect for first responders who
6 protect life and property from fire and other hazards and
7 we're happy to collaborate with the Fresno County Fire
8 Protection District to ensure the project's tax revenues
9 fund necessary fire protection services to the west side of
10 the county and to comply with all of the conditions of
11 certification related to public health and safety,
12 including worker safety 12, which represents a recent
13 compromise amongst the various fire safety comments in the
14 record. Firefighters and other first responders are heroes
15 and there are unsung heroes I'd like to acknowledge as
16 well. These are the hardworking engineers, equipment
17 designers, safety code testers and site operators that
18 ensure the best protection against fires occurring in the
19 first place.

20 We want electrical equipment that operates safely
21 from the start, that has an exceedingly low risk of putting
22 first responders in harm's way. Analysis of battery safety
23 was paramount in the environmental document and is also a
24 priority for Intersect Power and the rigorous testing, fire
25 control and other safety standards put in place are second

1 to none. We're deploying only the best in the industry --
2 the Tesla megapack 2XL. And Jan Gromadzki from Tesla is
3 here to offer additional detail about the rigorous
4 engineering design and testing program that has resulted in
5 this product. We also have team members here that can
6 support in answering detailed questions the Commission may
7 have if you do.

8 Finally, I'd like to just take one brief moment
9 to offer gratitude for the leadership of the state
10 legislature and Governor Newsom and adopting AB 205 into
11 state law, which has enabled the opt-in program that we see
12 working very well today to streamline the permitting of a
13 large and complex clean energy project without compromising
14 completeness, quality or public participation.

15 I humbly ask for your approval of this project,
16 which is a project I think all Californians can and will be
17 proud of. I'm available for questions, but I would also
18 like to invite Jan Gromadzki from Tesla to talk a little
19 bit about the safety features of the batteries will be
20 deployed on the project.

21 MR. GROMADZKI: Thank you.

22 Members of the Commission. My name is Jan
23 Gromadzki, spelled J-A-N G-R-O-M-A-D-Z-K-I. I'm a senior
24 Staff business development manager at Tesla Energy. I've
25 been with the company for over nine years, formerly head of

1 the product management team for over seven years and I'm
2 well familiar with the products that will be deployed at
3 the Darden site, so it's my pleasure here to be here today
4 and speak to you a bit more about the Megapack 2XL, the
5 Megapack 2XL is our sixth generation utility scale energy
6 storage system. We have been building these at Tesla for
7 over 12 years now and have a strong track record of not
8 only performance but also safety across the world.

9 The megapack 2XL specifically from a utility
10 perspective is our third generation of megapack that over
11 the last five years has evolved greatly both from a
12 hardware and software perspective and so we put all the ten
13 years of knowledge and improvement and learnings into this
14 latest product. It is a proven and tested product. We have
15 a --

16 I'll speak maybe a little bit generally about the
17 battery industry today has a very high level of safety
18 standards that did not exist a decade ago and even five
19 years ago these standards were very new. So all projects
20 that get deployed today go through the rigorous design and
21 testing both for large scale fire testing and safety
22 testing from standards like the NFP 855 and large scale
23 fire testings (INDISCERNIBLE) 9540A, we have done very
24 thorough testing. It's actually one of the first things we
25 do when we design a product. We large scale fire burn to

1 understand how it's going to behave and then we evolve that
2 product from there into a final design.

3 The megapack 2XL has safety features that prevent
4 the propagation of a thermal runaway, which is a battery
5 fire from one enclosure to another down to a six inch
6 spacing, which is our standard design. Also prevents the
7 risks of defecation due to combustibile gases that may
8 accumulate during a thermal runaway. All this with the
9 intent to keep the site safe to ensure that the fire does
10 not spread and to keep the lives of personnel or first
11 responders safe at the site. The megapack 2XL now is also
12 over 75 percent of our fleets today, so it is the largest
13 component of our utility scale battery fleet. We've had
14 zero fire incidents with that unit to date. We have had
15 fire incidents in the past with our products, only a
16 handful luckily and we have learned from those incidents
17 and put those improvements directly into the product.

18 Maybe one last word, just some stats that we were
19 able to pull up a little bit. While we have not had fire
20 incidents with the megapack 2XL in Tesla's history, I think
21 all of battery fires that we've had, which has been a
22 handful, it's still less common, less than half common, the
23 rate of a transformer fire and less than a 10th of what you
24 would get for standard household fire in terms of the
25 incident rates per year. So the battery safety has come a

1 long way, has really improved and we're proud to be
2 suppliers to this project and hope to see it go forward.
3 Thank you.

4 MS. CHANG: Thank you. We would like to pass it
5 back to the Chair please.

6 CHAIR HOCHSCHILD: All right, thank you so much
7 for that presentation. And with that we will go to public
8 comment on Item Four.

9 MS. BADIE: Thank you, Chair. So just a brief
10 announcement, we're going to take remarks from government
11 entities that would like to comment today and then we'll
12 move on to general public comment. But just a note if
13 you're here for general public comment, we do ask that you
14 submit your name now so we can add it to the queue. We've
15 got over 20 of folks that would like to comment on this
16 Item that are in the room with us and then we'll go to
17 Zoom. So if you're in the room with us, you can use a QR
18 code or you can just go visit the public advisor table in
19 the back and they will add your name to the list. That way
20 we can plan ahead.

21 All right and for the government commenters, so
22 we've got some folks from California, we're calling for
23 comments from California, Native American tribes, city,
24 county, local state agencies and if you're in the room with
25 us we ask that you use the QR code and we'll call you up to

1 the podium. We won't have a timer for this one so if we
2 could take the timer slide down, but we are asking if you
3 can limit your comments to five minutes or less so we can
4 make sure we're going to be able to hear from everyone
5 today.

6 All right, so first we're going to hear from
7 Felipe Piera, Superintendent Golden Plains Unified School
8 District. If you'd like to please approach the podium and
9 it does help for a court reporter. If you can spell your
10 name for the record before beginning.

11 MR. PIEDRA: All right, good afternoon. Felipe
12 Piera, F-E-L-I-P-E P-I-E-D-R-A. Thank you for having me
13 here today. I am here on behalf of Golden Plains Unified
14 School District to express support for the project. In
15 working with Intersect, they have demonstrated a commitment
16 to the needs of our schools in our community. I'm confident
17 that this project will provide opportunities for people in
18 our community and will also support our local economy. I
19 also hope that support for this project will help to reduce
20 our power rates for families in our community. Currently
21 power rates in Fresno County are amongst the highest in the
22 state and in the nation. I feel confident that this project
23 will also create opportunities for Intersect to play our
24 larger role in our schools and help to increase
25 opportunities for our students who are exploring career

1 technical education pathways. Intersect's generosity to our
2 schools in Golden Plains and our students is appreciated
3 and I welcome the opportunity to continue and expand our
4 partnership. Thank you.

5 MS. BADIE: Thank you. Next we've got someone
6 that signed up as City of Mendota, but I don't have a name.
7 And then if you could please just state and spell your name
8 for the record, that'd be wonderful, too. Thank you.

9 MR. MARTINEZ: Yes, good afternoon everybody. My
10 name is Victor Martinez. I am the Mayor for the City of
11 Mendota and also Chief Business Official for Golden Plains
12 Unified School District. Work with Mr. Piera here. So I am
13 here to express our general support for the Intersect Power
14 Darden Project. As a community located in the heart of the
15 Central Valley, we welcome projects that bring economic
16 opportunity, promote clean energy, and contribute to a more
17 sustainable future. We appreciate Intersect Powers
18 engagement with local stakeholders and the benefits this
19 project could bring to our region, particularly in terms of
20 jobs, investment and infrastructure. Intersect Power has
21 demonstrated that they are a trusted community partner.
22 They support our community celebrations and civic
23 engagements. They invest in the future of our local
24 communities and they're a model of a responsible
25 partnership. They have reached out numerous times, holding

1 multiple meetings out there in the west side for gathering
2 information and comments from everyone. So we appreciate
3 the inclusiveness of all of our communities. At the same
4 time, we believe that carefully planning around key safety
5 measures, including fire prevention and response
6 coordination remains essential. We encourage continued
7 collaboration with all stakeholders to ensure those
8 elements are fully addressed. The City of Mendota is proud
9 to support Intersect Power Darden project and looks forward
10 to continue alongside as this project continues moving
11 forward. Thank you very much. We appreciate you guys.

12 MS. BADIE: Thank you.

13 Next we're going to hear from Andy Cosentino from
14 Fresno County Fire and then Dustin Hail from Fresno County
15 Fire.

16 MR. COSENTINO: Afternoon, Chair, Vice Chair and
17 fellow Commissioners. My name is Andy Cosentino, A-N-D-Y C-
18 O-S-E-N-T-I-O. I'm an assistant fire chief for Fresno
19 County Fire representing Fresno County Fire and
20 specifically revisions that were implemented for worker
21 safety 12.

22 So I'll give you a brief background and history.
23 Fresno County Fire Protection District provides fire and
24 all risk emergency services to 4,213 square miles, which is
25 over half of the county of Fresno. We do this through 15

1 professional career Staff stations. The western part of
2 Fresno County is predominantly protected by four of these
3 stations. One being that you just heard from the City of
4 Mendota as mayor. The majority of the stations built in
5 Fresno County Fire Protection District were constructed
6 between the 1950s and 1970s. Much of the landscape on the
7 western part of the county during this era was agricultural
8 land when placing these stations, fire department
9 leadership at the time, excuse me, strategically located
10 stations to meet the need of the farming communities. As
11 previously stated, the land was predominantly row crops. We
12 did not pose a significant risk as irrigated green crops
13 rarely burned. Through the years as water became scarce,
14 crops dried up and became fallow. They were often abandoned
15 and overgrown changing the fire landscape and the fire
16 occurrence. This fire protection agency, the district had
17 to adjust its firefighting tactics, adjust resources and
18 apparatus and consider personnel staffing changes to those
19 apparatus. The landscape is rapidly changing again with
20 more land being deemed fallow and even less water and now
21 green energy.

22 Aside from Darden, there are numerous cumulative
23 projects proposed to be developed in Western Fresno County.
24 Developments going through the County of Fresno planning
25 department and through the Valley Cleaning Infrastructure

1 Plan or VCIP, a legislative supported plan that encompasses
2 an additional 130,000 plus acres of solar and
3 (INDISCIERNIBLE) in Western Fresno County.

4 There have been assumptions that the funding
5 methodology derived by the fire district was to single out
6 (INDISCERNIBLE) Darden when the truth of the matter was
7 that it was a holistic approach considering all of the
8 known projects that were proposed on the western part of
9 Fresno County. This was further verified by the capital PFG
10 funding methodology Study E filed to the CEC on June 5th,
11 2025. Angry (SIC) Project plays a role in enhancement of
12 fire protection services and has fairly applied utilizing
13 the funding methodology formulated by the fire district. As
14 we have indicated in multiple e-filings of the Commission,
15 62 percent of the property within Fresno County fires
16 response areas under Williamson Act was a suppression of
17 property taxes. Nine percent of this is a hundred percent
18 tax exempt, which happened to be Darden's exact footprint
19 on the western side of Fresno County.

20 We have encountered this another time -- one time
21 before with another solar company that is a hundred percent
22 tax exempt and coincidentally puts the highest demand of
23 fire resources through trouble alarms, and most recently
24 fires under the solar arrays. These do happen quite often.
25 It's not fearmongering. Darden has assured us that they'll

1 be purchasing the land which will remove it from the tax
2 exhibit status, but no information has been provided on
3 what they're purchasing the land for, what its tax status
4 will be or the valuation that will be assessed by the
5 assessor. Darden representatives provide information on
6 5/12/25 titled the Darden Economic Impact May 2025 that
7 represented certain property tax assumptions that the fire
8 department would receive. We evaluated this information and
9 could not reproduce anything close to what they were
10 assuming to ensure we were calculating everything
11 correctly. We met with the Fresno County Assessor's office
12 to have them verify the information provided by IP Darden
13 and they were not able to verify it either. The assessor's
14 office provided a response which we then e-filed to the
15 Commission on June 5th, 2025.

16 Fresno County Fire Protection District
17 respectfully requests that Item D on page five of worker
18 safety 12 of the draft order CEC business meeting filed on
19 (INDISCERNIBLE) 16 2025 be amended to remove the
20 dependents, the condition of certificate on section 73 of
21 the California Revenue and Taxation Code and instead
22 include that the developer is subject to paying property
23 taxes specifically to fire protection and services, that
24 the verification of property taxes for fire protection
25 services be deducted from the determined amount utilizing

1 the formula methodology derived by Fresno County Fire
2 Protection District, consistent with a capital PFG
3 methodology report. This is fair and reasonable and ensures
4 that fire protection and emergency services will not be
5 reduced to the community served and provides a direct
6 community benefit and follows goals and policies outlined
7 in the 2024 Fresno County General Plan.

8 IP Darden is knowingly building in an area with
9 extended response times, limited water supply and is
10 directly responsible for changing the landscape and the
11 service demand through their project, but is receiving the
12 direct benefit of Fresno County Fire Protection District's
13 bench strength of resources for a fraction of the cost.
14 Residents all over California are quickly being dropped
15 from insurance carriers due to living certain distances
16 away from fire stations.

17 Cantua Creek is a community that is impacted by
18 this problem where many of the residents are not able to
19 receive fire insurance. But we are here today talking --
20 about to knowingly approve the largest solar best facility
21 in the state and nation without requiring them to enhance
22 fire protection services based off of a tax exclusion
23 section that may or may not expire and go against all
24 subject matter expert recommendations as well as CEC Staff
25 recommendations.

1 Fresno County Fire Protection District has put
2 tremendous effort into ensuring that we are a good partner
3 for any developers wanting to develop in Fresno County. To
4 date and while providing information to the CEC and
5 interacting with IP Darden, the fire district has entered
6 into two fire service agreements with two best facilities
7 in the northwestern part of Fresno County under the same
8 formula and methodology.

9 If the CEC disregards the vetted funding
10 methodology provided by Fresno County Fire Protection
11 District, this will set a negative precedence for future
12 developers submitting through the opt-in process and will
13 restrict the fire district and enhancing fire and emergency
14 services, thus reducing services to the community served.
15 Fire service agreements are a regular part of our
16 partnerships. Whether we are partnering with a solar
17 company, a multi-story casino, dispatching agreements, they
18 pay for the most comprehensive protection we can afford the
19 citizens of Fresno County and those who travel through it.

20 At the forefront of all these agreements are the
21 thoughts and considerations of our citizens. The Fire
22 District will not compromise its service and dedication to
23 those we are designated to protect. Again, we respectfully
24 request that the CEC amend the language and workers safety
25 12 Item D as previously suggested earlier in the speech and

1 include the funding methodology formula provided by Fresno
2 County Fire Protection District to determine the need of
3 one-time funding amount and annual compensation for the
4 life of the project. I thank you for your time and
5 consideration for this important matter.

6 MS. BADIE: Thank you.

7 Next we'll hear from Dustin Hail, Fresno County
8 Fire

9 FIRE CHIEF HAIL: Good afternoon Chairperson,
10 Vice Chair, other members. Dustin Hail, D-U-S-T-I-N H-A-I-
11 L. I am the fire chief for Fresno County Fire Protection
12 District and I'm responsible for all aspects of fire
13 protection within the Department, ranging from emergency
14 response to budget management, personnel management
15 training, community risk reduction, including the fire
16 marshal's office. Ensuring public safety and effective
17 operations is my number one main goal. We've had little
18 contacts with Darden prior to the CEC in December of 24,
19 but since then several projects have reached out and the
20 growing number of solar voltaic and battery energy storage
21 systems in Western Fresno County has been a huge
22 undertaking.

23 Solar and BESS have a drastic change to the land
24 use from when it was used as agriculture requiring
25 significant augmentation to our fire protection without

1 reducing services to other communities and areas within
2 Fresno County. This prompted Fresno County Fire to conduct
3 a needs assessment, a resolution and a justification study
4 to validate our cost per megawatt methodology. Several
5 factors went into this assessed response time, station
6 locations, number of firefighters, fire history. We have
7 OTE Mesa in San Diego, Moss Landing in Monterey County in
8 January of this year and the complete devastation of the
9 January fires in Los Angeles. Utilizing this methodology
10 allows proper funding for the Department to add stations,
11 upgrade infrastructure and add fire apparatus and increased
12 personnel to make sure the community needs to ensure shared
13 equality based on the size and the risks of the projects.
14 This also follows 2024 Fresno County General Plan where any
15 new development has to be able to provide for its own, not
16 rely on previous tax base measures. So what more of
17 community benefit than an increased level of fire
18 protection? Everybody wins. We know that the energy
19 produced by this 9,500 plus acres is not coming back to the
20 residents of Fresno County. The area Cantua Creek is very
21 low economic capabilities. Where it hits the most is the
22 increased PG&E and they're not going to see that. So if we
23 can at least nonetheless give them the fire protection,
24 everybody wins. So how do we get there? We're close. Having
25 the CEC required Darden to enter into a fire protection

1 agreement is a great first step in the process. However, I
2 want to reiterate some of the data that has been submitted.

3 The property tax assessment provided by Darden --
4 we were unable to validate by the county's assessor office,
5 as you guys have seen in the docket. There's currently no
6 way those fiscal numbers provided by Darden will ever reach
7 our budget and cover the protection needs. We are committed
8 to working with Darden and will agree that any proportional
9 (INDISCERNIBLE) property tax received by Fresno County Fire
10 Protection we'll issue a credit towards the fire protection
11 methodology formula for the Darden project.

12 So in closing, once again, we would like to
13 request that amendment to Item D worker safety dash 12 to
14 remove Article 73 and the condition of certificate be
15 modified to include that at any property tax received to
16 Fresno County Fire Protection District. It be deducted from
17 the Fire Protection Agreement methodology of the district
18 that has been adopted by resolution and supported by a
19 third party for initial and annual reoccurring payments.

20 We look forward to working with Darden as this
21 moves forward. We know it's going to move forward. It's a
22 great project for the community. However, the misstated tax
23 regulations have significant impacts to us. If those were
24 half the numbers we were looking to get, the assessor's
25 office would be tickled pink. But that's not the true

1 numbers and so we look forward to meeting with Darden to
2 see where they got those numbers to make sure that we are
3 all on the same page. But I ask that you at least look at
4 removing the section 73 because that is a moving scale.
5 It's been extended. It says it's due to expire, but nothing
6 says it's not going to be extended again. And currently the
7 way that it's written, any new development does not get any
8 reassessment for any solar or battery systems. So that
9 would mean that no additional increase in the property
10 value, therefore the property tax would increase. So if we
11 could get rid of that segment altogether, whatever property
12 tax that is paid, we want to make sure that we were a
13 partner with Darden and we don't want them to pay taxes
14 twice. So that's why we will concede and do that offset
15 within that fire protection agreement. Thank you for time.

16 MS. BADIE: Thank you.

17 Next we're going to hear from Maria Pacheco,
18 Mayor, City of Kerman. I'm hoping I pronounced that
19 correctly. Thank you so much.

20 (PAUSE)

21 CHAIR HOCHSCHILD: Can you just read off who will
22 follow her so they can be ready.

23 MS. BADIE: So after Ms. Pacheco, we're going to
24 transition to Zoom if there's anyone in the room that is
25 with a government entity including California Native

1 American Tribe, if you could please visit the back table so
2 we can make sure we can get your name called next and then
3 I'll transition to Zoom.

4 MAYOR PACHECO OF KERMAN: All right, thank you
5 for the opportunity to speak. I am Maria Pacheco, M-A-R-I-A
6 P-A-C-H-E-C-O. I'm the Mayor for the City of Kerman and I'm
7 here today to express my full support for the Darden Clean
8 Energy Project.

9 This initiative is more than an energy project.
10 It is a catalyst for economic growth in our area, an
11 opportunity and an environmental responsibility. In Fresno
12 County's West side, a region that has historically been
13 underserved and often overlooked strong communication and
14 community engagement we've had and we've been very pleased
15 with the open communication and the willingness of
16 Intersect Power to work closely with both elected officials
17 and community leaders. They've made an intentional effort
18 to understand the unique needs, challenges and
19 opportunities in our region. As a mayor, my priority has
20 always been ensuring that the most vulnerable members of
21 our communities, those facing barriers to higher education
22 or access to trades are not left behind.

23 This project aligns with that vision. It offers
24 tangible, meaningful pathways for our residents to gain
25 skills, enter the workforce, and pursue stable long-term

1 careers. I took the initiative to introduce Intersect Power
2 to our cities, our people, and our local businesses. We've
3 ensured that businesses positioned to benefit had the
4 opportunity to connect, contribute, and participate. And I
5 want to commend, Intersect Power for being genuinely
6 willing to get to know our businesses and our residents,
7 not just those who are easy to find, but those who truly
8 need these opportunities the most. They've worked
9 collectively and collaboratively with all identified
10 community-based organizations, including Fresno Area
11 Hispanic Foundation, which I identified as one of the most
12 responsive and effective organizations serving rural
13 communities in West Fresno County. In my experience, no
14 other organization had the level of consistent on the
15 ground impact that Fresno area Hispanic Foundation has
16 demonstrated and Intersect Power has respected and embraced
17 that. This project is expected to generate significant job
18 opportunities, workforce training programs, and much needed
19 tax revenue; all of which directly benefit the local
20 economy and public services. It reflects a shared
21 commitment to local hiring, buying local and workforce
22 development.

23 In closing, the Darden Clean Energy Project is a
24 win for clean energy, for economic development and for
25 residents of Fresno County's West Side. I respectfully urge

1 the California Energy Commission to give this project its
2 full support and approval. It represents not just a step
3 forward in sustainability, but also in equity opportunity
4 and a true community partnership. Thank you.

5 MS. BADIE: Thank you, Mayor Pacheco.

6 Okay, so now we're going to ask for comments from
7 government entities. So that's California American tribe,
8 city, county, state agencies, federal agencies who are
9 joining us via Zoom. So if you are with a government entity
10 and you'd like to comment at this time, please use the
11 raise hand feature on your screen. It looks like an open
12 palm or star nine to raise your hand on the phone. And I
13 just want to give that a moment. After we hear from
14 government commenters, we will go to general public
15 comment. So just a reminder, if you're in the room with us,
16 please visit the public advisor's table in the back of the
17 room. They will add your name to the list for public
18 comment. And if you're on Zoom, I'm going to read the
19 instructions soon for Zoom to join that line.

20 All right, and I am not seeing any government
21 commenters on Zoom, so I'm going to transition to general
22 public comment and we're going to start with folks in the
23 room and then we will transition to Zoom. If you're on Zoom
24 with us and you'd like to be part of general public
25 comment, you can raise your hand at this time. And if

1 you're joining by phone, just remember you'll press star
2 nine.

3 So starting in the room, we are going to hear
4 from Eddie Torres.

5 Eddie, if you could please approach the podium.
6 We are asking for comments to be two minutes or less.
7 There'll be a timer on the screen and it is helpful if you
8 could spell your name for our current reporter as well.

9 MR. TORRES: Hello, Commissioners. My name is
10 Eddie Torres, E-D-D-I-E T-O-R-R-E-S. I'm a 20 year member
11 of the local 294 Laborers Union in Fresno. Many years ago I
12 was given the opportunity to join the Laborers Union and
13 because of this union and the types of projects like the
14 Darden Project, I've been able to support my family. I've
15 been able to provide a home for my family. I've been able
16 to provide a dental, vision and medical and one day I'll be
17 able to retire with a pension. I've had two impactful
18 moments that I've needed my medical insurance. Just
19 recently I had major surgery and because of the medical
20 insurance that I have, I'm able to stand here before you
21 guys say what a blessing it is to stand here before you
22 guys to support this project. The second is when I almost
23 lost my wife and son in labor. Even after birth, my wife
24 and son needed more medical attention and these are moments
25 that my benefits took care of me and my family. I can only

1 imagine the stress I would've felt if I was working far
2 away from them. Working close to home is what we need for
3 this community and by having residents work closer to home,
4 they won't have to drive the two, three hours to these
5 jobs. They'll be able to catch their kids' baseball games
6 or even attend moments in school. I know the building of
7 this project isn't going to be forever, but if we continue
8 in this trajectory, I think we can start by helping the
9 middle class get stable jobs in this area. Many of my
10 brothers and sisters share some of those stories and I urge
11 you guys to support the Darden project. Thank you.

12 MS. BADIE: Thank you.

13 Next we're going to hear from Olegario Guzman,
14 and after Olegario we're going to hear from Francisco
15 Nunez.

16 MR. GUZMAN: Good afternoon, Chair, Vice Chair
17 and Commissioners. My name is Olegario Guzman, O-L-E-G-A-R-
18 I-O G-U-Z-M-A-N, and I'm here in support of the Darden
19 Solar Project. Thank you.

20 MS. BADIE: Thank you.

21 Next we're going to hear from Francisco Nunez and
22 then after Francisco we have someone representing LIUNA, L-
23 I-U-N-A, Laborers International Union in North America.

24 And then just a reminder, Francisco, if you could
25 please spell your name for the record and we are asking for

1 comments to be two minutes or less.

2 MR. NUNEZ: Good afternoon. My name is Francisco
3 Nunez, F-R-A-N-C-I-S-E-O N-U-N-E-Z. Well, I'm glad to be
4 here. I'm a 20 year member plus of LIUNA, the Labors Union.
5 I hit a whole script that I was going to say I don't have
6 enough time. I appreciate the mayors and now we feel the
7 same thing. The Applicant, almost word for word, took my
8 comment all these equitable benefits to the community, to
9 the state. Earlier today we heard about microgrids and
10 outlying areas and this is equitable for everybody. I can't
11 stress enough, I won't go over the list, but it changes
12 lives and we're here today to ask you to support it. Thank
13 you and have a good evening.

14 MS. BADIE: Thank you for your comment.

15 Next we're going to hear from Danielle Garcia and
16 after Danielle, we're going to -- Daniel, excuse me, and
17 after that we're hear from Victor de La Tore.

18 MR. GARCIA: Afternoon, Chair, Vice Chair, and
19 Commissioners. My name is Daniel Garcia, D-A-N-I-A-L G-A-R-
20 C-I-A. I'm here this afternoon and full support of the
21 Darden Clean Energy Project. Thank you.

22 MS. BADIE: Thank you.

23 All right, next we're going to hear from Victor
24 Dellatore and after Victor, we'll hear from Alejandro
25 Martinez.

1 MR. DELATORRE: Good afternoon, Commissioners,
2 Vice Chair. My name is Victor Delatore, V-I-C-T-O-R D-E-L-
3 A-T-O-R-E, and I'm here in full support of the project.
4 This a clean energy project that we all need. Thank you.

5 MS. BADIE: Thank you so much.

6 All right, we're here from Alejandro Martinez
7 next and then after Alejandro, Juan Barass.

8 MR. MARTINEZ: Good afternoon Commissioners. My
9 name's Alejandro Martinez, A-L-E-J-A-N-D-R-O Martinez, M-A-
10 R-T-I-N-E-Z. And I'm LIUNA member and I'm here in support
11 of the Darden Solar Project. Thank you.

12 MS. BADIE: Thank you.

13 Next we're going to hear from Juan Barajas and
14 then after that Keanu Sanchez.

15 MR. BARAJAS: Good afternoon. I'm 21 and I'm a
16 proud member of the Labors Union Local in 294 in full
17 support. I'm also resident of the community there in Cantua
18 Creek. I lived there for about eight years and we never
19 really get projects around this area, but I love to see our
20 community grow as a whole. This can give my brothers,
21 sisters, family, his friend and the job and this is an
22 opportunity for our brothers to unite and show how strong
23 we are when we unite. Thank you.

24 MS. BADIE: Thank you.

25 All right, we'll hear from Keanu Sanchez next and

1 after Keanu, Andres de Diaz.

2 MR. SANCHEZ: My name is Keanu Sanchez, K-E-A-N-U
3 S-A-N-C-H-E-Z. Good afternoon, my name is -- sorry about
4 that. I'm a proud member of the Labor Union in Fresno. I am
5 here today to fully support this project. Thank you.

6 MS. BADIE: Thank you.

7 And next we'll hear from Andres Dedios and after
8 and Andres, Lillian Mirviss.

9 MR. DEDIOS: Good afternoon. My name is and
10 Andres Dedios. I'm a proud member of the Labor's Union and
11 a resident of the Cantua Creek. I'm here today to support
12 the project. Finally, there's a project close to home. I
13 won't have to drive an hour or two from my house. Thank
14 you.

15 MS. BADIE: Thank you.

16 Next we'll hear from Lillian Mirviss and then
17 after that (INDISCERNIBLE), excuse me, Josh Harmon.

18 MS. MIRVISS: Good afternoon, Commissioners. My
19 name is Lillian Mirviss, L-I-L-L-I-A-N M-I-R-V-I-S-S. I'm
20 the policy director of the Large-Scale Solar Association or
21 LSA. I'm here today to highlight the economic benefits
22 utility scale solar projects like the Darden Clean Energy
23 Project can bring to the Central Valley large scale solar
24 is the clean energy investment California needs to meet our
25 climate goals and grow our economy.

1 In fact, solar will comprise nearly 50 percent of
2 the state's energy portfolio by 2045. A recent report by
3 Eco Northwest shows just how transformative projects like
4 this can be for local economies. Large scale solar has the
5 potential to infuse almost \$90 billion into the San Joaquin
6 Valley over two decades while reducing household
7 electricity bills with lowest cost wholesale clean energy.
8 According to Eco Northwest analysis, the economic stimulus
9 from these types of projects provides a lifeline for
10 growers creating 22,000 sustained and more than 40,000
11 permanent jobs over 20 years, generating over \$7 billion in
12 tax revenue and awarding families with more than 34 billion
13 in labor income between 2024 and 2045 with benefits
14 extending well beyond this period.

15 This analysis is available on LSA's website if
16 you want more information. Large-scale solar projects are
17 proof of this economic engine in action. They'll bring
18 construction jobs, long-term operations positions and tax
19 revenues that directly benefit the local economy.
20 Importantly, the clean energy industry is not seeking an
21 extension of the property tax exclusion, which is set to
22 sunset in 2027. The industry is committed to delivering
23 economic value directly to local communities. This is all
24 in addition to the strong community benefits package
25 provided under AP 205. Most if not all utility scale solar

1 projects include community benefits agreements as part of
2 their development. With Darden as the first AB 205 project,
3 the California Energy Commission can help catalyze the
4 solar projects we need to meet the state's climate goals.
5 Thank you for your time and consideration.

6 MS. BADIE: Thank you.

7 Next we'll hear from Josh Harmon. All right, I
8 think we got Josh on Zoom, so we'll move on to the next and
9 we'll get to the Zoom links.

10 Next we'll hear from Fresno Area Hispanic
11 Foundation. I'm sorry I don't have a name associated. Thank
12 you so much. And then if you could just please announce and
13 spell your name for the record. That'd be so helpful. And
14 just a reminder that we're asking for comments to be two
15 minutes or less.

16 MS. WESTERLUND: Good afternoon, Chair and Vice
17 Chair and the rest of the Commissioners. My name is Dora
18 Westerland, D-O-R-A W-E-S-T-E-R-L-U-N-D, and I'm a founder
19 and CEO of the Fresno Area Hispanic Foundation. Our mission
20 is to develop self-sufficiency for individuals through
21 entrepreneurship, training, and creation of financial
22 opportunities. We are an organization devoted to economic
23 development, especially for underserved and rural
24 communities in Fresno County. We provide small businesses
25 with loans, mentoring, incubation training, accounting IT

1 and marketing and market expansion services. For the past
2 20 years as the present CEO, I have been working in
3 economic development and I know what opportunity looks
4 like. Unincorporated Western Fresno County has uniquely
5 suffered from a lack of economic opportunities for many
6 decades now with the Sustainable Groundwater Management
7 Act, cutting water for farming, the community suffering.
8 Yet in another way, ag jobs are declining, sales tax are
9 declining, and property taxes continue to be low.

10 So local governments cannot pay for the important
11 infrastructure services and public works projects that are
12 needed in this rural communities and that is why we welcome
13 the Darden Clean Project Energy, which is helping turn the
14 tide. This is the first of what we hope are many large
15 clean energy projects in Fresno County that will make good
16 use of a fallow agricultural land. Intersect Power has set
17 a strong standard for local economic development by
18 focusing on procurement contracts with small businesses to
19 support project construction by supported -- by supporting
20 job training programs and by becoming the second largest
21 property tax payer in Fresno County. As someone who cares
22 deeply for this community, I fully endorse this project and
23 I'm happy to welcome our Beacon of Hope project, the Darden
24 Project to Fresno County. Thank you.

25 MS. BADIE: Thank you. Next we're going to hear

1 from James Thuerwachter and then after James, we're going
2 to hear from Jaime Rodriguez. Apologies if I've
3 mispronounced your name.

4 MR. THUERWACHTER: Good afternoon, Chair and
5 Commissioners. My name's James Thacker, J-A-M-E-S T-H-U-E-
6 R-W-A-C-H-T-E-R. Good afternoon, thank you for the
7 opportunity. I'm with the California State Council of
8 Laborers and I represent over 80,000 men and women who work
9 the heavy construction industry throughout the state. We
10 build and maintaining California's water, transportation
11 and energy infrastructure and I'd like to take a brief
12 moment to thank the brothers and sisters who came up here
13 today to be with us and made comment. So thank you.

14 I'm here to express our strong support for the
15 Darden Project and urge you to certify eligibility under
16 the Opt-in program. This project represents a vital point
17 of interconnection for future clean energy development and
18 it will further boost California's renewable energy,
19 capacity and grid reliability. This project will not only
20 support, but it will accelerate California's clean energy
21 goals while also creating jobs and making significant
22 community investments. This project will support over 2000
23 construction jobs, jobs that protect the local workforce,
24 pay prevailing wages, and require robust training through
25 our self-funded apprenticeship programs.

1 Our members are comprised of women, people of
2 color, and many of them have come from the criminal justice
3 and foster care systems. These are the workers who have
4 uplifted themselves into the middle class through their
5 hard work and dedication to building and protecting our
6 state's infrastructure amid the economically precarious
7 times and daunting affordability crisis that we are
8 currently living in. It is imperative that we identify
9 projects that will support -- excuse me, that we identify
10 and support projects that will protect the livelihoods of
11 working families such as these members that we feel are the
12 backbone of the state's economy. For these reasons, we
13 strongly support this project and we urge you to support this
14 as well. Thank you.

15 MS. BADIE: Thank you. Next we're going to hear
16 from Jaime Rodriguez and after Jaime Julian Paseca
17 (PHONETIC).

18 MR. RODRIGUEZ: Good afternoon. I'm here for Iron
19 Workers' Local 155 out of Fresno and this would really help
20 the county and city employee well members that we already
21 have and bring on more members in to our local and then
22 give everyone a big opportunity for this big project for
23 everyone. So I support it. Hundred percent. Thank you.

24 MS. BADIE: Thank you for your comment. Next
25 we'll hear from Julian Paseca and then after that we'll

1 hear from Rosa Hernandez.

2 MR. PASECA: Hello, good evening. My name is
3 Julian Paseca and I from Union. I work at Union Local 155
4 from Fresno, California and I fully support this project.
5 Thank you.

6 MS. BADIE: Thank you. All right, we're here from
7 Rosa Hernandez first and then Esther Ramirez. And I just
8 want to say if you are using an interpreter, we will play
9 the timer twice and so don't pay attention to the two
10 minute timer on there. Thank you so much.

11 MS. HERNANDEZ: (COMMENT PROVIDED IN SPANISH AND
12 THEN TRANSLATED INTO ENGLISH)

13 SPANISH INTERPRETER: Hi, my name is Rosa
14 Hernandez. I'm from the community of Five Points.

15 Today, she wants to let you guys know that it's
16 important that there are jobs in our communities and our
17 region. We want clean energy, but here in the state of
18 California. But the most important thing is that you guys,
19 the Commission need to make sure that you guys take care of
20 our health, our lives and our kids worry us a lot. We want
21 to keep living where we're living in our homes. We want to
22 support the persons, the organizations of the region. One
23 aspect that we have for them is that they actually work
24 with the communities so that they know what our needs and
25 priorities are. We know that this project is new and that

1 it's big, especially in California, but we also want to
2 make sure that you guys keep working with us and that we
3 would like to continue working with Intersect Power to make
4 sure that our communities are going to be okay. Thank you.

5 MS. BADIE: Thank you. Next we're going to hear
6 from Esther Ramirez and then after Esther, we'll hear from
7 Blanca Gomez.

8 MS. RAMIREZ: Good afternoon. My name is Esther
9 Ramirez and I'm a retired resident from Cantua Creek. I'm
10 part of the group, the west side. We have no fire stations
11 within the radius of the project and our communities. We
12 pay high rates for home insurance and can ensure due to the
13 absence of a fire station, should a fire breakout at the
14 project due to an accident or battery explosion, the
15 estimated time of arrival of a firetruck could be 40 plus
16 minutes. We are still suffering from the effects of a
17 drought. For example, dry grass and weeds that catch fire
18 and spread quickly. We are concerned with the affordability
19 of electricity in our community and are asking for support
20 to reduce our utility bills. The summers are hot and
21 electric rates are high. Our group, excuse me, Comunidades
22 de west side appreciates Darden talking to us and we look
23 forward to finalizing a community benefit agreement that
24 includes community priorities. Thank you.

25 MS. BADIE: Thank you.

1 Next we'll hear from Blanca Gomez and after
2 Blanca I have Leadership Council for Justice and
3 Accountability. I don't have a name for that, but I'm
4 hoping you can come up to the podium and let us know.

5 MS. GOMEZ: Good afternoon. My name is Blanca
6 Gomez. I am from the community of Cantua Creek. Blanca, B-
7 L-A-N-C-A, Gomez, G-O-M-E-Z.

8 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

9 I'm here today to ask the Commission to ensure
10 that there's strong protections and to include our
11 community.

12 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

13 I'm really concerned about the magnitude of the
14 project

15 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

16 because it can cause a fire due to the project
17 having 3.1 million solar panels.

18 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

19 one of the biggest projects in the state when
20 there is a big fire related incident in my community,

21 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

22 the fire department takes 45 plus minutes to
23 arrive to my community.

24 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

25 Imagine having this project so close to my

1 community.

2 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

3 We would like to have a fire station in my
4 community

5 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

6 to feel safe, protected.

7 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

8 We want to feel safe, we want to ensure that our
9 concerns

10 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

11 are respected and incorporated. Thank you.

12 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

13 And I support the petition of the fire department
14 from Fresno County.

15 (MS. GOMEZ PROVIDES COMMENTS IN SPANISH)

16 MS. BADIE: Thank you.

17 (SPEAKS SPANISH)

18 And next we're going to hear from Leadership
19 Counsel for accountability and after that we'll hear from
20 Natalie Delgado Carrillo.

21 And just a reminder to please state and spell
22 your name for our court reporter. We're asking for comments
23 to be two minutes or less. There'll be a timer on the
24 screen.

25 MR. CLAIBORNE: Good afternoon to the Chair and

1 the Committee. My name is Michael Claiborne. I'm with
2 Leadership Counsel for Justice and Accountability. It's M-
3 I-C-H-A-E-L C-L-A-I-B-O-R-N-E. And my apologies apparently
4 for not listing my name. I'm a directing attorney with
5 Leadership Counsel and here representing Comunidades de
6 Westside, which is an association of residents from Cantua
7 Creek, Five Points and El Porvenir. Comunidades's goal in
8 engaging in this process has always been to ensure that the
9 project supports a just transition and energy equity in
10 West Fresno providing meaningful mitigation and community
11 benefits. Community data has worked for months to identify
12 priorities and more recently has engaged in good faith in
13 productive conversations with Darden about community
14 priorities and a community benefits agreement that
15 meaningfully addresses those priorities. And I'm pleased to
16 echo Darden's report from earlier that we've now reached an
17 agreement in principle with Darden that would address
18 mitigation and community benefits priorities of residents
19 of Cantua Creek, Five Points and El Porvenir and we look
20 forward to working with Darden to implement the agreement
21 and in particular to explore and further define terms
22 related to a mechanism to improve energy affordability in
23 these communities. Thank you for the opportunity to comment
24 and we thank Darden CEC Staff and the Commissioners for the
25 engagement to date, and appreciate it. Thank you.

1 MS. BADIE: Thank you.

2 Next we're going to hear from Natalie Delgado-
3 Carrillo and then Mariela Loera.

4 MS. DELGADO-CARRILLO: Hi, good afternoon,
5 Commissioners. This is Natalie Delgado-Carrillo, N-A-T-A-L-
6 I-E D-E-L-G-A-D-O C-A-R-R-I-L-L-O and I'm a policy
7 associate with the Central California Environmental Justice
8 Network. Due to the magnitude of this project in West
9 Fresno County and its proximity to low income farm worker
10 rural communities, Five Points, Cantua Creek and El
11 Porvenir formed Comunidades de Westside, a community group
12 that centers the priorities and concerns of residents as
13 they witnessed the lands around them transition from
14 agricultural uses into mega solar power plants. In
15 collaboration with CCJN and LCJA, Comunidades has met with
16 several Commissioners in the Governor's office and the
17 Secretary of State's office to elevate their concerns and
18 priorities. In the beginning Comunidades felt frustration
19 in not being involved in the processes and conversations
20 related to the area they have called home for many years.
21 However, now they have been included in ongoing
22 conversations with the developer and have reached an
23 agreement in principle.

24 We look forward to these conversations regarding
25 utility affordability to ensure community priorities are

1 uplifted. Comunidades has asked for community benefits
2 agreement that prioritizes the mitigation measures and
3 investments they want to see in their community. They want
4 to see utility affordability and a fire station. They also
5 want to ensure their voices and needs are being centered in
6 all of the community benefit agreements moving forward.
7 Many residents pay high electricity and water bills to stay
8 cool during extreme heat waves in the San Joaquin Valley
9 and even risk their health by not turning on their cooling
10 systems. The purpose of this project is to shift California
11 away from fossil fuels and generate clean energy through
12 the generation storage and selling of solar energy to PG&E,
13 as a largest solar project in California to be located near
14 historically disinvested communities it is imperative that
15 the CBA includes utility relief for those who will be
16 living next to it and feeling its everyday impacts in
17 response to concerns regarding fire safety Comunidades have
18 asked for a nearby fire station and also are in support of,
19 as they said previously, the petition from the Fresno
20 County Fire Department.

21 And lastly, I just want to reiterate, the CEC
22 carries the responsibility to ensure a just transition from
23 an extractive economy to a regenerative economy that
24 prioritizes the voices health and wellbeing of rural
25 communities. Clean energy's essential to meeting

1 California's climate goals but not at the expense of the
2 residence of Five Points, Cantua Creek and El Porvenir.

3 Thank you.

4 MS. BADIE: Thank you.

5 Next we're going to hear from Mariela Loera and
6 then Alex Jackson.

7 MS. LOERA: Good afternoon Chair, Commissioners.
8 My name is Mariela Loera, that's M-A-R-I-E-L-A L-O-E-R-A
9 and I am speaking on behalf of Leadership Council for
10 Justice and Accountability.

11 So speaking generally, as you all are moving
12 forward with energy projects that support the state's clean
13 energy and climate goals, it is important to ensure that
14 this is being done one, by supporting environmental justice
15 communities and two, by aligning with the CEC's principles
16 of just transition and energy equity.

17 And, again, as you're moving forward with energy
18 projects that support these goals, you must avoid repeating
19 the mistakes that we've seen with the fossil fuel industry
20 and other energy generation methods that have historically
21 and disproportionately harmed environmental justice
22 communities of color. These communities have borne the
23 burden of energy production while also dealing with
24 numerous other social and environmental justice challenges.
25 And Darden can set a precedent to not only ensure that

1 these communities are no longer harmed but also ensure that
2 communities are also actively engaged with defining
3 community benefit agreements and community benefits that
4 align with their needs and their vision for a future for
5 their own community.

6 The agreement that we reached today with Darden
7 has been reached in principle and it's an important step in
8 that direction. Additionally, we know that communities
9 across the state are dealing with extremely high utility
10 rates and that the state is prioritizing addressing this
11 challenge. And so it's clean energy projects, again, not
12 just started but across the board are proposed. It's
13 especially important for low income communities that we
14 make sure that that they benefit directly by improving
15 utility affordability via credits or reduced bills to
16 support with increased financial burden and overall quality
17 of life as they also deal with extreme weather events as a
18 result of the climate crisis.

19 Addressing the issue would also align with the
20 state's priority to address affordability challenges. So we
21 look forward to working with Darden and the Commission to
22 identify and implement a mechanism to improve energy
23 affordability in Cantua Creek, Five Points and El Porvenir.
24 In the case of Darden specifically, we are in strong
25 support of ensuring the development of a fire station with

1 appropriate response times, which is vital to ensure
2 adequate fire protection services in the area and the
3 appropriate efforts for the Commission, the fire district
4 and Darden to help out with that as appropriate and needed.

5 Thank you all for your time today and for the
6 accommodations to move our efforts forward.

7 MS. BADIE: Thank you.

8 We're going to hear from Alex Jackson next.

9 So if there's anyone else in the room that would
10 like to comment, I just ask that you go to visit the public
11 advisor table in the back of the room at this time. We can
12 sign you up right now and then after Alex, I'm going to
13 transition over to Zoom next. Thanks, Alex.

14 MR. JACKSON: Good afternoon, Commissioners Alex
15 Jackson with the American Clean Power Association. As a
16 trade association we don't typically engage on project
17 level approvals, but this is anything but a typical project
18 and is the first project passed the post under the AB 205
19 opt-in framework is considerations will have implications
20 for all the technologies and members we represent, many of
21 whom are increasingly looking to this opt-in pathway and
22 the benefits it can provide in terms of consolidated
23 permitting and clear and expedited timelines.

24 As this Commission knows well while the state and
25 local governments have made great strides bringing clean

1 energy online as the Governor himself recently recognized
2 over 25 gigawatts in the past five years. To your point
3 earlier, Mr. Chair, we should celebrate these milestones as
4 they come to us. We will need to sustain that pace now over
5 the next two decades in doing so will require new tools and
6 approaches such as the opt-in 205 pathway.

7 Importantly that does not mean overlooking the
8 needs and inputs of local community. To the contrary, I
9 want to commend the Applicant and the community parties
10 here today on reaching an agreement in principle on a
11 robust community benefits agreement. Going forward,
12 however, we can't expect every project will enjoy this
13 level of support. That was a key reason the legislature
14 authorized an alternative pathway, really to incentivize
15 and orient our permitting processes to get to yes mindful
16 that it will take hundreds of projects at this scale to
17 meet our goals. So I encourage the Commission to remain
18 mindful of the precedent and market implications that its
19 decisions on the next projects will have as well.

20 I want to thank also Staff for their engagement
21 with us and the other community trade associations on
22 potential process improvements as we start to process the
23 first batch of applications, we do see several areas of
24 potential refinement including the reducing the time to
25 application completeness by eliminating unnecessary steps

1 that were really designed under AFC framework, allowing
2 lower level CEQA documents where warranted and ensuring
3 conditions of certification are mitigating an environmental
4 impact with a clear nexus to the project and are roughly
5 proportional to the impact.

6 Thanks very much.

7 MS. BADIE: Thank you.

8 And again, just a reminder, if you're in the room
9 with us and you'd like to comment there's still time, just
10 visit the public advisor table in the back. Ryan will help
11 you back there and we're going to transition for now to
12 zoom.

13 So if you're joining us on Zoom and you'd like to
14 comment on Item four, the Darden Energy Project, please use
15 a raise hand feature on your screen. It looks like an open
16 palm or star nine if joining by phone that'll let us know
17 you'd like to comment.

18 All right, first we're going to hear from Josh
19 Harmon. Josh, I'm going to open your line, you'll unmute on
20 your end. It is helpful if you can please state and spell
21 your name for the record and we are asking for comments to
22 be two minutes or less.

23 MR. HARMON: This is Josh Harmon, J-O-S-H H-A-R-
24 M-O-N, here on behalf Pacific Gas & Electric Company and
25 thanks Mona for catching that I wasn't in the room earlier

1 and avoiding that awkwardness. Appreciate it.

2 PG&E would first like to commend CEC Staff on
3 this milestone, not just because Darden is the first
4 project to get to the stage within the opt-in program, but
5 also because approval today would result as previously
6 noted in the largest solar and storage project in the
7 world. Getting a project of such magnitude through the
8 certification process in such a short period of time
9 demonstrates the CEC's commitment to achieving both the
10 scale and pace of progress needed to meet SB 100 goals
11 without compromising reliability, all while ensuring that
12 local communities and other stakeholders have robust
13 opportunities for engagement.

14 I'd also just like to underscore and build on the
15 Chair's comments before launch regarding data center load
16 growth. At the end of 2024, PG&E forecasted five and a half
17 gigawatts of data centers over the next decade in our
18 service area, and just a couple of weeks ago we updated
19 that number to 8.7 gigawatts, 1.4 gigawatts of this
20 forecasted demand is in the final engineering phase and is
21 expected to come online before 2030.

22 Given that California's annual peak energy demand
23 has hovered between 46 to 52 gigawatts going all the way
24 back to 1999, this expected low growth is very significant.
25 What's so exciting for PG&E is that we believe if we can do

1 this right, data center, low growth can lead to lower rates
2 for all of our customers by spreading fixed system costs
3 over more kilowatt hours of consumption. But first, we must
4 have the clean energy to serve this load and projects like
5 Darden are absolutely key to delivering that supply.
6 California has rightly ambitious climate goals that PG&E
7 strongly supports. We deeply appreciate CEC Staff doing the
8 hard work every day, which plays a crucial role in our
9 collective success. We're pleased to support this project
10 and appreciate the opportunity to comment.

11 MS. BADIE: Thank you.

12 Next we're going to hear from Andrea Leon
13 Grossmann. I'm going to open your line, Andrea, you'll
14 unmute on your end and then you can begin.

15 MS. LEON-GROSSMANN: Hello. Buenss tardes. My
16 name is Andrea Leon Grossmann, A-N-D-R-E-A, Leon L-E-O-N
17 hyphen Grossmann G-R-O-S-S-M-A-N-N. I am a deputy program
18 director for the West with Vote Solar.

19 Commissioners, I am here on behalf of Vote Solar
20 and I am glad to hear that Intersect Power has responded to
21 community needs including energy affordability and we'll be
22 working with Comunidades de Westside in the next few days
23 to deliver what the communities have asked for. With this
24 in mind, Vote Solar supports the Darden Clean Energy
25 Project and the state's goals to building out clean

1 renewable energy at scale. Moving forward, Vote Solar
2 strongly supports the CEC working with the CPUC and the
3 legislature as needed to continue developing creative
4 offsite solutions that provide direct benefits to the
5 customers most impacted. Thank you for your time.

6 MS. BADIE: Thank you.

7 Next we're going to hear from Kaitlin C. Kaitlin,
8 I'm going to open your line. Oh, Kaitlin I think we lost
9 you. If you can raise your hand again.

10 MS. COX: Okay.

11 MS. BADIE: Kaitlin, I'm going to open your line,
12 you'll unmute on your end and then you can begin. Just a
13 reminder, if you could please state and spell your name for
14 the record. We are asking for comments to be two minutes or
15 less.

16 MS. COX: Great, thank you. My name is Kaitlin
17 Cox. That is spelled K-A-I-T-L-I-N C-O-X. I'm with the
18 Center for Energy Efficiency and Renewable Technologies or
19 CERT. I'm here today to say that we support the comments
20 made by Comunidades de Westside, the Leadership Council on
21 Injustice Accountability and the Central California
22 Environmental Justice Network who we trust our leadership
23 and fully support their efforts. Thank you.

24 MS. BADIE: Thank you.

25 Next we're going to hear from Claire Zuma.

1 Claire, I'm going to open your line, you'll unmute on your
2 end and then you can begin.

3 MS. ZUMA: Hi, I'm in support of the project,
4 although I do have some concerns with such a large company
5 and so many solar panels in one place. 3.1 million solar
6 panels and what will happen eventually of in terms of
7 damage and retirement issues with an energy system like
8 that when you're retiring equipment, if that gets planned
9 for, I hope that that kind of business also gets supported
10 somehow plans for follow-up businesses on how to recycle
11 the parts of the solar panels, collect and damage things
12 like from hailstorms or fires, grass fires in that area
13 might be pretty intense. I would definitely support their
14 community fire department if I were them. And just that
15 kind of thing isn't thought about a lot. The long-term life
16 cycle of the energy systems is just so exciting. All the
17 money invested by this big company and I get it, you know,
18 people want jobs, they want that influence in their
19 community, kind of clean up things if they can, but if you
20 could think in terms of what will happen later, too, like
21 20 years down the line, it might be good too for your
22 children as well where these things will go and how that's
23 going to happen.

24 I don't hear a lot about companies being started
25 that can recycle the parts of all these things or where

1 that waste is going to go and I hope they're not planning
2 to send it to space. Thank you.

3 MS. BADIE: Thank you.

4 And I just want to do a last call for comments in
5 the room and also comments on Zoom to make sure we can
6 capture everyone that would like to comment today.

7 All right, I am not seeing any more raised hands
8 on this Item.

9 Back to you, Chair.

10 CHAIR HOCHSCHILD: Thank you to all the
11 stakeholders and members of the public for providing your
12 comments.

13 We'll turn now to Commissioner discussion
14 starting with Commissioner Gallardo.

15 COMMISSIONER GALLARDO: Thank you, Chair. Buenas
16 tardes. Good afternoon. I wanted to start with some
17 gratitude first to all of you for being gracious and
18 waiting for the start and Item. We know it was supposed to
19 be in the morning and here we are in the afternoon. Also
20 for coming back after lunch and I know it gets hard to stay
21 awake in the afternoon after lunch, so if you need to
22 stretch to twist to stand, please feel free to do so as
23 long as you're still listening.

24 All right, next a big thank you to Kaycee Chang
25 for her excellent presentation also to the Applicant for

1 their responsiveness today and being able to speak to the
2 public about the project and also throughout the proceeding
3 to our Staff. And big thank you for all the people who took
4 time today to make comments and to share their stories. We
5 had over 25 people, if I counted correctly, including the
6 local mayors, school district representatives, fire
7 district leaders, the laborers, the residents, executives
8 from the foundation, trade groups and advocacy
9 organizations in the utility. I also want to thank the
10 communities of Western Fresno County in particular who
11 welcomed us to your hometowns. We had our workshops and for
12 participating so actively in this process. I also
13 appreciate the community meeting organized by Comunidades
14 for the local residents to speak to me in my native Spanish
15 language.

16 (COMMISSIONER GALLARDO SPEAKS IN SPANISH)

17 I just said thank you very much to the
18 communities of Westside and all of the residents who came
19 to share their comments. We appreciate that they took so
20 much time out of their day to participate. The Chair
21 mentioned earlier in the meeting that we should celebrate
22 our milestones and as our executive director said, we have
23 reached an important milestone today because Darden is the
24 first project to come to a Business Meeting under the opt-
25 in program and under the required 270 day timeline. And

1 this milestone is even more significant because the opt-in
2 program is the biggest change we've had to our sighting
3 work since the inception of the Energy Commission 50 years
4 ago. So all that to say the Darden project gives the state
5 of California an opportunity to showcase once again our
6 bold leadership and advancing clean energy while delivering
7 benefits to local communities.

8 And as my fellow Commissioners know, it can be
9 daunting to implement a new program, especially when that
10 changes our processes and condenses the time to do our
11 work. In this case certifying a clean energy project in 270
12 days or less. However, we are very fortunate to have Staff
13 with tremendous experience and expertise who have been
14 thoughtfully navigating this program and were able to bring
15 this project for a vote within that very condensed
16 timeline. They did this with incredible due diligence and
17 likely by shedding some blood, sweat and tears and some of
18 that may have been my fault as lead Commissioner, so
19 apologies for that. But in seeing you in the crowd here, it
20 makes me really proud to have you here. I'd like to thank
21 first and foremost Drew Bohan for his partnership,
22 Elizabeth Huber for her leadership and the STEP Division
23 for their endurance. Also Matt Pinkerton and his team in
24 the Chief Counsel's office for their professionalism.

25 These teams invested a tremendous amount of hours

1 into the Staff assessment, which includes a full CEQA
2 environmental impact report that is over a thousand pages
3 long. It is full of deep technical analysis that reflects
4 months of evaluation of hundreds of documents, dozens of
5 comments. They conducted independent research and also were
6 communicating with several entities including the
7 Applicant, local jurisdictions, other state agencies,
8 surrounding communities and organizations. And again,
9 putting up with me as lead Commissioner.

10 I also want to thank our support offices for
11 their contributions to the opt-in program. So that's PAO
12 plus OGIA, MPCO NIT. And there are too many people to name
13 individually because it does take a big team to do all of
14 this. But I am truly grateful for everyone on the team for
15 their skill, expertise and dedication to the opt-in
16 program. As I mentioned, opt-in was created to bring more
17 clean energy online for the state to be able to more
18 quickly meet our mission of an a hundred percent clean
19 energy future for all.

20 And we're not seeking that future for the sake of
21 clean energy. We are fighting for that future because
22 fossil fuels have polluted our environment for way too
23 long. And there are people suffering from cancer, asthma
24 and who have reduced life expectancies because they live
25 next or near to dirty fossil fuel power plants that impact

1 their health and safety on a daily basis. So with opt-in,
2 we're hoping to get more clean power to improve health
3 outcomes for all Californians and to keep the lights on
4 statewide. But I want to be clear that we are not going to
5 approve projects at any cost. Opt-in is not a rubber stamp
6 and it does require the energy Commission to do thorough
7 analysis. On that note, I want to highlight a few key
8 findings and clarify a couple of areas that may seem
9 confusing to my peers and for those who haven't been
10 following this proceeding in depth.

11 So first the highlights. As Staff indicated, the
12 Darden project does not require the Energy Commission to do
13 any overrides and with mitigation requirements reduces any
14 impacts to less than significant. The second major
15 highlight is on the energy front. This project will add a
16 substantial amount of clean energy to our grid with a 1,150
17 megawatts of solar energy and a battery storage system of
18 4,600 megawatt hours. Overall, Darden will significantly
19 increase the state's electrical grid reliability providing
20 electricity during increased low demand.

21 The third major highlight is on project safety.
22 I'd like to thank the Applicant and Jan Gromadzki from
23 Tesla for presenting on the safety measures of the battery
24 systems proposed for this project and again, for Staff's
25 due diligence on this issue. I will not vote in favor of

1 any project that cannot demonstrate adequate safety for the
2 community and that I would not be willing to live next to.

3 I also appreciate that the Applicant and Tesla
4 will be working closely with the Fresno County Fire
5 Protection District who we heard from earlier and with our
6 Staff to implement the conditions of certification related
7 to this project. Now for the clarifications starting with
8 the worker safety condition 12 that the fire district
9 brought up earlier, this condition is meant to enable
10 negotiations between the local fire district and the
11 Applicant who have already been talking and discussing an
12 agreement about the Applicant compensating the fire
13 department for services. Usually emergency services would
14 be covered by property taxes, but California law currently
15 exempts solar improvements like Darden from property tax
16 assessments. Because of that exemption, the county would
17 not receive sufficient funding to cover the additional
18 needs and impacts caused by the project without the
19 Applicant providing additional funding. So for this reason,
20 the Commission Staff drafted the condition of certification
21 known as Worker Safety 12 to ensure that the Applicant and
22 local fire district work out the proper funding either
23 through negotiations or even arbitration, if needed, and
24 without putting the Commission in the middle and without
25 delaying the project construction or operations.

1 Additionally, the solar property tax exemption is
2 scheduled to sunset on January 1st, 2027. We heard from the
3 Large Solar Association they're not planning on requesting
4 that be extended. So after it sunsets the county will
5 receive property taxes from the developer through the
6 normal course that will cover those emergency service
7 needs.

8 The final clarification is about the benefits
9 required by opt-in. We've learned that today's clean energy
10 projects must do more than just deliver megawatts. I think
11 as Commissioners and as leaders, we've all heard that these
12 projects should create value in the communities where
13 they're built and Applicants should aim to be good
14 neighbors where their projects are going to be located.
15 Opt-in helps to do that by requiring the Applicant to
16 provide three distinct streams of value to the local
17 jurisdiction to project workers and to the community. With
18 Darden, I think the Applicant made an earnest effort to go
19 above and beyond to meet these requirements.

20 First, the Applicant demonstrated a large
21 economic benefit to the local jurisdiction of roughly \$169
22 million over the life of the project and opportunities for
23 local businesses.

24 Second, the Applicant confirmed that construction
25 workers working on the project will be paid prevailing

1 wages or more. They're also supporting the Valley Build
2 Pre-Apprenticeship Program which gives people who need a
3 second chance a career opportunity.

4 Finally, opt-in requires project Applicants to
5 enter into at least one legally binding community benefits
6 agreement. Here the Applicant has a legally binding
7 agreement with Centro La Familia Advocacy services and on
8 top of that has entered into seven additional agreements
9 that include schools, a food bank, a housing entity, and
10 other community organizations. The Applicant has also
11 committed to spending over \$5 million in community benefit
12 contributions over the life of the project and you did hear
13 today that our proposed order has two additional conditions
14 of certification.

15 So that's the Energy Commission being proactive.
16 One would require the Applicant to comply with all eight
17 community benefits agreements that were docketed before
18 today. Otherwise the Commission could take administrative
19 action for violating the terms of its certification. And
20 the second condition would require the Applicant to provide
21 the Commission a progress report of how they're
22 implementing their local investment program that they've
23 mentioned, including their engagement in the community and
24 any new agreements that they enter into. To be clear, the
25 Applicant can change and update its local investment plan,

1 but the order would require them to report to the
2 Commission on how it is being implemented. So I'd like to
3 thank the Applicant for agreeing to these conditions and
4 for their earnest approach to engaging with the community
5 in West Fresno County in identifying ways to invest in how
6 the community deems best. On that note, we also had a
7 development today which was the cause of our delay that
8 we'd like to announce. Comunidades, the Westside, had
9 discussions with the Applicant and they have reached an
10 agreement in principle. This was mentioned in comments
11 earlier. So we would like to enter this agreement into the
12 record. I have copies here for my fellow Commissioners. I'm
13 going to pass those out.

14 Okay, so I'm going to read this into the record.
15 This is the proposed revision to the Darden Order.

16 Section three, paragraph 11 is revised as
17 follows: On June 6th, 2025, the Applicant filed a Darden
18 Project local investment program TN 264097, which provides
19 that the Applicant has entered into additional community
20 benefits agreements and may enter more in the future. As of
21 this date, the Applicant has docketed seven agreements. In
22 addition to the agreement with Centro La Familia Advocacy
23 Services, Central California Food Bank, TN 260024, West
24 Side Elementary School, TN 26 0 0 23 Central California
25 Asthma Collaborative, TN 260011, Fresno Housing Education

1 Corps TN 260008, Golden Plains Unified School District TN
2 263949, Tree Fresno TN 260025 and the Fresno Rural Transit
3 Agency TN 260009.

4 During the business meeting on June 11th, 2025,
5 the Applicant informed the CEC that it had reached an
6 agreement in principle with Comunidades de Westside, an
7 unincorporated community group composed of residents from
8 the communities of El Porvenir, Cantua Creek and Five
9 Points and anticipates executing the agreement in the near
10 future.

11 Section 4.6 of the order is revised as follows.
12 So these are the conditions of certification CBA dash two.
13 The project owner shall provide progress reports regarding
14 its implementation of the Darden Project local investment
15 program filed on June 6th, 2025, TN 264097, which shall
16 include status of its implementation, any changes or
17 further updates to the program, including any additional
18 community benefits agreements, and the status of any other
19 community outreach efforts. Verification on or before
20 January 1st and July 1st of each of the first three years
21 after certification, the project owner shall file a
22 progress report to the docket as outlined above after the
23 first three years of project owner shall include this
24 progress report in the annual compliance report. The
25 progress report shall also include an update on the status

1 of the community benefits agreement with the West side. So
2 basically this proposed revision to the Darden order will
3 treat this agreement in principle like the other agreements
4 even though this agreement was not docketed.

5 All right, so I also want to acknowledge that
6 various organizations we heard from have expressed the
7 desire for future projects to provide more benefits to the
8 communities that are in proximity to projects and those
9 benefits preferably being direct benefits. I want to
10 clarify that the Commission is not in a position nor does
11 it have authority to insert itself into negotiations
12 between the project developer and local communities or
13 jurisdictions. However, we do encourage future Applicants
14 to engage early, often and meaningfully with the
15 communities that they're going to be in and to use the
16 Darden project as an example about what CBAs or these
17 community benefits agreements could look like. So before I
18 conclude, I'd like to thank my team for all their support
19 and in particular my advisor, Jimmy Qaqundah, who's sitting
20 back there today, was running around earlier trying to make
21 sure everything was in order here. He's been my right hand
22 and my voice of reason throughout this entire process and
23 really appreciate him. Also, I want to thank Chair
24 Hochschild and his chief of Staff, Robert Chun, for being
25 such good partners on all things Siting and for supporting

1 me on the opt-in journey we're on now.

2 I will conclude by encouraging my fellow
3 Commissioners for all the reasons that I stated to follow
4 the Staff's recommendation and vote to approve the Darden
5 project with the amendment of the proposed revision to
6 Darden order. I'll hand it back to you, Chair.

7 CHAIR HOCHSCHILD: Thank you so much,
8 Commissioner. We'll go to questions for my colleagues in a
9 minute, but if I can invite Marisa to come up. One
10 threshold issue I wanted to address directly, we heard some
11 concern from the fire department about the disposition of
12 the solar property tax exclusion, which expires as I
13 understand it in 18 months at the end of next year. And I
14 just wondered if you could speak to that directly about
15 your company's position in the industry's position on the
16 solar property tax exclusion sunseting.

17 Can you turn your mic on? Is there a -- There you
18 go.

19 MS. MITCHELL: Thank you for the question. Yes.
20 So we are excited for projects like this to start
21 contributing meaningfully to property tax benefits to local
22 government. Projects have -- Solar projects have, to date,
23 enjoyed a solar property tax exclusion and that is
24 sunseting. The solar industry has been ready for that for
25 quite some time and we are ready to let that incentive

1 expire. We are not seeking an extension through the state
2 legislature of that incentive. So it will expire. And that
3 means all projects that come online after January 1st,
4 2027, we'll be paying property taxes both on the real
5 estate and also all of the improvements.

6 CHAIR HOCHSCHILD: Any online date of this
7 project will be subsequent to that. Yeah, okay.

8 MS. MITCHELL: The project will start paying
9 property taxes as soon as we purchase the land from
10 Westland Water District on the value of the property
11 transfer. And then as equipment and materials go into the
12 site, the first year that we are assessed with equipment on
13 site, we probably assessed at a lower level because the
14 value of the property on site is lower. The second year we
15 will be assessed at the higher rate. I will say that we
16 have hired Ernst and Young, a respected tax consultant to
17 advise us on the amount of the property taxes that we will
18 be due to the project. We are able to produce a range of
19 possible scenarios, and we've done this by reaching out to
20 the Fresno County Assessor's Office. But we cannot possibly
21 produce an exact estimate of the project property tax
22 payments to date. And this is because the methodology has
23 not been determined by the Assessor's Office yet.

24 So what we've been providing are reasonable and
25 somewhat conservative estimates of what our total property

1 tax burden will be. And I will offer that what we heard
2 earlier from the fire department, the Fire Protection
3 District, on the inability for them to reproduce the
4 numbers that we came up with. There was a typo in the slide
5 that we submitted to the docket on May 12th. We reported a
6 value of the share going to the fire department in the
7 first 10 years as in the \$40 million range that it should
8 be in the \$20 million range for the first 10 years and then
9 in the \$40 million range over the life of the project. But
10 we feel confident in those estimates and we will continue
11 to work in good faith with the fire department and with the
12 Assessor's Office to figure out exactly what our tax
13 contributions to the county will be.

14 CHAIR HOCHSCHILD: Okay with all go to the
15 questions from my colleagues.

16 Vice Chair Gunda or did you want Commissioner
17 Skinner?

18 COMMISSIONER SKINNER: Yeah, I don't have a
19 specific question on this one. Do you want to wait till or
20 --

21 CHAIR HOCHSCHILD: Is there any more on this? Do
22 you want --

23 (CROSS TALK)

24 MR. COSENTINO: So to that point we've been very
25 upfront and on.

1 COMMISSIONER GALLARDO: If you could please just
2 repeat your name that way, the record --

3 MR. COSENTINO: Andy Cosentino, Assistant Chief
4 Fresno County Fire. When we're mentioning the exclusion of
5 the COC for Article 73, it's very vague on that condition
6 that if that goes away, that no matter what our fire
7 service agreement will go away with IP Darden no matter
8 what they pay. They may have had a typo. Everything that we
9 are using for our current property tax rates, be it
10 assessed value for Williamson Act or our parent property
11 value, is minuscule. It's actually 0.00078 of the assessed
12 value. So when we take their initial assessment, it's
13 somewhere around the range of \$19,000 a year depending upon
14 their property value. Now over the 10 year period, if they
15 gave us the \$232 million of the 1 percent, it's minuscule.
16 So they said they had a typo. Other projects that we've had
17 had a typo or a mistake, which allowed them to be a hundred
18 percent tax exempt and operating in Fresno County.

19 So it's concerning that when we have Article 73,
20 if it goes away and then that includes us having our fire
21 service agreement go away, they may pay minimal to the fire
22 department. That's not going to cover costs of our
23 operating expenses and enhancing fire service, fire service
24 resources to the community. What we can't do, we cannot
25 reduce our current service level. So what I mentioned is

1 the four stations that protect the west side. If we don't
2 get what we've put in that assessment to be able to add
3 additional stations and resources, those four resources are
4 responding to this one incident. We're leaving four
5 communities at minimum, unstaffed. If we send a BESS unit
6 response, that's four engines, two water tenders, a chief
7 officer and a safety officer, we're unloading six stations
8 just for one incident.

9 So that's why we came up with that figure because
10 there isn't any means to record the assess value because
11 the Fresno County Assessor's office doesn't have a means to
12 do that, which they already admitted. And so through this
13 agreement, we need that fire service agreement in place,
14 whatever they pay in property taxes, we will happily deduct
15 from our methodology. It's never been about taxing twice or
16 getting this cart blanche paycheck, it's about providing
17 resources to the community so we're not reducing services
18 if Section D stays there, that is a direct reduction of
19 services to the communities.

20 COMMISSIONER MCALLISTER: Okay. Can I ask a
21 clarifying question just on this? Isn't it up to the fire
22 district or the county subject to vote maybe, but to
23 establish the tax rate?

24 MR. COSENTINO: It is up to the county to
25 establish the tax rate. Our tax rate as a special district

1 is set in stone.

2 COMMISSIONER MCALLISTER: So that tiny percentage
3 is not going to change?

4 MR. COSENTINO: That is not going to change.
5 We've done a lot of legwork to work with the county and we
6 have part of the 2024 general plan is for us to have these
7 fire service agreements for new developments coming into
8 the plan that does not reduce services, especially outside
9 of response zone. So that's why we have to come up with
10 these fire service agreements, CFDs, whatever.

11 COMMISSIONER MCALLISTER: Okay. So there's been a
12 decision at the county level to not raise that tax and sort
13 of burden new projects with the necessary costs. Okay. Got
14 it. Thank you.

15 CHAIR HOCHSCHILD: Thank you. Commissioner
16 Skinner.

17 MR. COSENTINO: Thank you.

18 (OFF MIC COLLOQUOY)

19 COMMISSIONER SKINNER: I really appreciate
20 everyone coming here. All of the folks who have worked on
21 this and engaged in it for this long period of time. As it
22 was mentioned at the opening, the application was first
23 submitted in September year prior, correct? Meaning
24 September of -- go ahead.

25 EXECUTIVE DIRECTOR BOHAN: September 2024 is when

1 we deemed it complete, when we first received information,
2 had conversations before that, but we deemed it complete
3 last September.

4 COMMISSIONER SKINNER: Yeah. So we've been
5 engaged, we the collective we of the CEC and the Applicant,
6 and obviously many community members and others have been
7 engaged in this for a good long time. And so I appreciate
8 that amount of work and effort and I will not repeat all
9 the very appropriate thanks that my colleague Commissioner
10 Gallardo gave except that I would second them. And I was
11 part of the negotiating team in the legislature that worked
12 on this opt-in on bill. And I would say that I doubt that
13 we anticipated that the country's largest solar and storage
14 project would be the first application under this opt-in
15 concept. Now, our purpose was of course to demonstrate that
16 not only is California committed to its clean energy
17 future, but we can get things done. And we are not unique.
18 Meaning California is not unique in the perception at times
19 that it takes a very long time to get things through
20 processes.

21 So we are not unique there. However, what we were
22 trying to design in that legislation was a process that
23 would streamline and yet streamline in a context of still
24 providing for all of the appropriate analysis,
25 environmental assessments, economic assessments, community

1 impact assessments, and the rest. So that, yes, streamlined
2 but not a quality, not a reduction in quality or outcome.
3 And so what I have in from the day I came to the Commission
4 in January, I started getting briefings on this. And of
5 course the process was still underway at that time. But in
6 each and every point I've been very impressed with the
7 thoroughness. The thoroughness not only of our Staff and of
8 course our Commissioners, but also of the different
9 stakeholders who have engaged. And it's very hard for any
10 project to ultimately have everyone be a hundred percent
11 satisfied. And I will look forward to, I think the clearly
12 the situation of how the property tax things are assessed
13 can be complicated in any particular area and with being a
14 special district, but I am going to express a not only
15 level of confidence and an optimism that the project itself
16 is just as committed to making sure that the project is
17 safe and the communities are safe and thus the fire
18 department is the resources are able to be able to respond.

19 So I will say that, but I'm also very
20 appreciative that the developers of the project were
21 willing to sit down with the Westside community entities
22 that perhaps had not felt as satisfied. And I'm very happy
23 that there's a commitment to continue to work together. And
24 as I said, my entire observation of this process and the
25 briefings I've received and then today in this hearing,

1 I've been very impressed. And one cannot always predict
2 when you're part of the development of such legislation,
3 number one, you'd be in the middle of then seeing it
4 materialize and implementing it, but also that it would
5 meet the goals that we had in mind. So I just want to give
6 my kudos to everyone for that and I'm going to be happy to
7 support the project.

8 CHAIR HOCHSCHILD: Other Commissioners, Vice
9 Chair, Commissioner.

10 Vice Chair.

11 VICE CHAIR GUNDA: Yeah. Thank you. And Chair,
12 first of all, I want to just begin by saying Commissioner
13 Gallardo, I just want to take a moment to just thank you
14 for the tremendous work on this. Just going into the opt-in
15 process as the legislation was being passed, we were on the
16 other side with the Commission trying to support the
17 technical analysis. And I have to say there was many a
18 night that I wondered if this could ever materialize in a
19 way that so many people feel generally supported by
20 Intersect. And just want to say thank you to your team for
21 engaging many parties on ensuring there is a pathway
22 forward to ensure there are community benefits in the
23 strictest in words of the law. It's just, if I take my role
24 as just evaluating the Staff assessment and the executive
25 director's recommendation, I think pretty much this is a

1 slam dunk on every piece that we are supposed to do.

2 But I wanted to just note that the work that the
3 CEC Staff has done goes way beyond just the letter of the
4 law in trying to make this a best practice as we continue
5 to have to build incredible amount of megawatts in
6 California. I think to the (INDISCERNIBLE) point, based on
7 SB 100 analysis, we have to build anywhere from a hundred
8 to 200 gigawatts of new resources in California. That's
9 stood to 4 million acres of more land development in
10 California. That's an incredible amount of clean resources
11 and I want to juxtapose that with what Commissioner
12 Gallardo mentioned today in California we have about a
13 hundred gigawatts of installed resources. Forty of them are
14 fossil thermal resources and many of the communities that
15 live by them bear the cost of that, the pollution and
16 health impacts. And I see much of this work as a lot of
17 trade-offs on when you think about system planning and
18 looking at what we have to do for the state.

19 The actual impacts are felt by the communities
20 and it's important that the communities who hold these
21 assets really come along and support this. So I'm
22 incredibly grateful that I did not expect as much goodwill
23 and the celebration of togetherness.

24 I do have one question that I want to just
25 clarify for myself. Based on the fire chief's questions,

1 can you just please explain, I think again just in the
2 spirit of all the things that Darden has done and you've
3 kind of gone way beyond to make sure that there is good
4 faith. Can we just understand, I think one part of it, we
5 expect the exemption to go away and then there'll be
6 funding because of that. But could you address the specific
7 concerns that were raised by the chief here on the
8 assessment of the value and potential where they might not
9 have a fire station? I just want to have it on the record.
10 Thank you.

11 MS. MITCHELL: Yeah, I apologize, but I am not a
12 hundred percent clear what math they're looking at, but we
13 are happy to sit down with them and show them the numbers
14 of the estimates that we're projecting. But we are
15 projecting tens of millions of dollars going to the Fire
16 Protection district over the life of the project, and
17 that's very front loaded. So in the first 10 years, most of
18 that funding will go to the district and we're happy to
19 look at their methodology in more detail. To date, we have
20 not been provided a copy of the methodology that they used
21 to come up with their estimate of what the need was. And
22 then we also want to encourage everyone, including Fire
23 Protection District to work with us to evaluate the
24 project, both the direct impacts of the project, but the
25 potential cumulative impacts of the project. This is not

1 the only project that is in Fresno County. It's on the
2 westside. It's not the only project that will be there.
3 We're predicting probably 200,000 additional acres of solar
4 facilities based on the CPUC and the CAISO and the Energy
5 Commission's estimates alone will be in this area. And so I
6 think it is very clear from the math that we are using that
7 the fire district will be made whole and will be able to
8 serve the community with our protection services.

9 CHAIR HOCHSCHILD: Thank you.

10 Commissioner McAllister. Oh, did you have more?

11 VICE CHAIR GUNDA: Yeah, I just wanted to, so
12 thank you. And I think based on your comments early on,
13 you've made a really clear commitment to work with the
14 community. And one of the things I just want to just note,
15 we are going into a fire season. We rely on the leaders on
16 the fire management side for their lives, for the benefit
17 of communities and in California. And what I heard in your
18 opening statement in your comments were the desire to make
19 sure that project is safe but also continue to work. I just
20 in good faith the way Intersect has been working, really
21 request the ongoing conversation and I personally would
22 request, you know, some sort of a response after you talk
23 about -- and I will follow up directly to understand how
24 best to support the overall process as we move forward.

25 Also want to just closing, recognize Commissioner

1 Gallardo, again one more time to you and your Staff Chair
2 to your Staff and step division, a number of Elizabeth,
3 Diane, Eric, Zoe, Brett, and all the other team members and
4 CCO with Matt, Alex and others. Just I am super grateful
5 that we are going to be voting on this. I would've loved to
6 be in a place where we had clarity even from the fire
7 marshal side, the fire chief side. Hopefully we'll continue
8 to talk about this.

9 Yes, sir.

10 (OFF MIC COLLOQUOY)

11 COMMISSIONER GALLARDO: If you could come up to
12 the podium, that way we can ensure it's on the record and
13 state your name please. Thank you.

14 FIRE CHIEF HAIL: Fire Chief Fresno County Fire.

15 We want to work with them and there's no question
16 asked. Our fear, like everybody else is in here, is the way
17 that we interpret that article is that if Section 73 goes
18 away, our agreement is null and void and they only have to
19 pay property tax. Is that clear on your --

20 COMMISSIONER MCALLISTER: Yeah.

21 FIRE CHIEF HAIL: So that's my frustration is if
22 we don't amend it to -- because if it goes away, our
23 percentage of property tax is not enough to pay for one
24 firefighter salary. And that's my fear. So if we can just
25 amend it to continue to work together, but if that sunsets

1 January one and all our -- all we receive is our base
2 property tax off of whatever they bill is not enough to
3 staff a fire station. I'm saying that right now. I cannot
4 protect it and I won't protect it because I'm taking the
5 people out of Mendota, Huron, Harris Ranch, Tranquility. So
6 if that section does not get amended as I requested, if
7 section three, section 73 goes away, our agreement is null
8 and void. And so that's what I want to make clear is the
9 way that it's written. We can't provide fire protection nor
10 do they have fire protection. We want to work with them to
11 provide fire protection, but with the way it's written
12 right now, I can't do it.

13 COMMISSIONER MCALLISTER: Thanks.

14 COMMISSIONER GALLARDO: Yeah, because this is
15 coming up. What we talked with the Staff is, you know, for
16 us as the Energy Commission get to get involved with the
17 formulas and all of that would go beyond what we're able to
18 do and should be doing. And so that's why the certification
19 asks for the Applicant to continue working with the fire
20 district directly so they can try to figure that out. And
21 if they can't do it directly, then they could also go
22 through arbitration. So --

23 (OFF MIC)

24 COMMISSIONER GALLARDO: Sorry, I can't hear you
25 from there. If you want to put it on the record, feel free

1 to come up. So I just wanted to make that part clear.

2 FIRE CHIEF HAIL: I think the same thing. Dustin
3 Hail Fire Chief, we're all saying the same thing, but if
4 you adopt it as written once Section 73 goes away, their
5 obligation is only to property tax.

6 So if you strike that little provision in there,
7 take Section 73 out of the game, we'll continue to
8 negotiate, we want to work with them. But the way that's
9 written right now, if you leave it in there, Section 73
10 goes away January one, all they pay is property tax and
11 there is no fire protection mechanism for any of it. So my
12 request again is amend that section to where you just
13 strike Section 73 should not even be a topic in the
14 conversation. It doesn't put you in any bind. It puts the
15 bind back on her and I, does that make any sense? Can I
16 clarify that anymore?

17 COMMISSIONER GALLARDO: No, I think it's clear,
18 but, again, I'm recommending that we stick with what we did
19 and what we decided. We went through our legal process as
20 well. So --

21 FIRE CHIEF HAIL: No, I get that. Just know that
22 I cannot provide a fire station based off of all what the
23 community wanted off of the percentage of property tax.
24 There has to be an agreement above and beyond the property
25 tax in order to fund a fire station. Just a staffing loan

1 for a fire station is upwards of two plus million dollars a
2 year. Fire apparatus, fire station, ongoing costs. So the
3 property tax that they want to provide is not going to
4 cover that and the constituents will not have it. I can't
5 support that.

6 COMMISSIONER MCALLISTER: Yeah, I think we've
7 just maybe jump in here again. I mean I think we've heard
8 that there's a commitment above and beyond property taxes
9 to negotiate getting resources to the Fire Protection
10 District. I mean, is that a fair statement? It sounds like
11 it would be a new agreement sort of starting afresh to
12 provide resources to the fire district so that they can
13 serve the area of the project.

14 MS. MITCHELL: My reading of the condition is
15 that we have to negotiate with Fire Protection District to
16 enter into one or more agreements to cover fire protection
17 services needed based on direct and cumulative impacts of
18 the project during construction and during operations. And
19 that during operations, the expectation is that the project
20 is paying those tens of millions of dollars of property
21 taxes or half a billion dollars of property taxes to the
22 county, tens of millions of which will go to the Fire
23 protection district. And if it does that, the intent is
24 that that would make the fire department whole. And if the
25 tax exclusion, property tax exclusion for solar projects is

1 extended, which it will not be because no one is seeking an
2 extension at this time, then we would have to enter into
3 agreement to ensure adequate funding is available to the
4 Fire Protection District in the operations phase.

5 So we are required to work in good faith with
6 them to enter into an agreement well before anybody is a
7 hundred percent sure rubber stamp this property tax
8 exclusion expired. So I don't think there is a conflict in
9 what the fire department is seeking and what we are
10 committed to doing.

11 COMMISSIONER MCALLISTER: It seems like we might
12 be talking past each other, but. Yeah.

13 CHAIR HOCHSCHILD: I would like to request just
14 regular updates as you progress on how this is unfolding. I
15 hear your intent (INDISCERNIBLE), but Commissioner
16 McAllister, you had additional questions?

17 COMMISSIONER MCALLISTER: Well, just a couple
18 comments just I want to reiterate or emphasize the kudos to
19 Commissioner Gallardo for all the work. I mean this is a
20 huge project. This is a gigawatt of solar, four gigawatt
21 hours of storage and massive and large percentage. I mean
22 just for all of our planning work and supply side work,
23 reliability work that vice cheerleads and just the overall
24 transition project that we're all engaged in. I mean this
25 is a big chunk of the solution. So pretty amazing. And I

1 very much appreciate the commitment to using this process,
2 this first run through as a development of best practices
3 and as setting a precedent. And I think we all know that
4 the opt-in process sort of accelerated but really raised
5 the bar on initial applications. It sort of chopped off
6 maybe what traditionally would've been more iteration early
7 in a process and require the Applicant to submit quality
8 proposal and really talk turkey throughout beginning with
9 the submittal and before the submittal.

10 So I think just big responsibility, no corners
11 are cut, kind of the opposite. So just appreciate the
12 adherence from, you know, by you setting that tone and by
13 Staff.

14 I want to congratulate Kaycee and the whole team
15 on a great presentation. And yeah, I think this is a big
16 milestone and I think again, Kern (SIC) County is kind of
17 leading us all the above county and you just have to give
18 them kudos as well. So thanks.

19 What's that? I mean Fresno, sorry, Fresno County.
20 Sorry. Sorry. Fresno. Sorry. Sorry about that. Yeah.

21 Anyway, just really, really excited to vote for
22 the project and see it proceed in construction. So thanks.
23 Sorry about that. Yeah, right. Exactly.

24 CHAIR HOCHSCHILD: Okay, Vice Chair.

25 VICE CHAIR GUNDA: I just wanted to say thank

1 you. Thank you for answering the question Marisa. Thanks
2 for that.

3 I think my ask is the same as the Chair. I trust
4 that we're can have this in a good faith conversation
5 ongoing and would love to be in touch on what's going on
6 with this conversation.

7 CHAIR HOCHSCHILD: Thank you. Okay, so we're at
8 the point of the vote. I just wanted to add my thanks as
9 well to Elizabeth Huber, your team, the whole step
10 division. Sanjay, your team at Chief Counsel's office,
11 Commissioner Gallardo, your incredible hard work and that
12 of your team.

13 This was an 1,100 page report. We spent \$1.75
14 million just processing the application, 270 days. It is
15 the first fast track opt-in project to come to this point.
16 It's a really big deal for our state. Our state is sort of
17 being attacked for not being able to get big things done.
18 And this is a really big thing. This is the largest battery
19 storage project in the world and it's really a template for
20 a lot of what is coming. If you look at our queue right
21 now, it's 21 projects in the fast track permit process and
22 it's 98 percent solar in storage.

23 And I want to point out that storage is working
24 for the state. Okay. We had an outage August 14th and 15th
25 in 2020 and our mantra is never again. All right, we're

1 going to keep the lights on and we're going to decarbonize
2 and both things are happening. And last summer we got
3 through the hottest summer in the history of the state. Not
4 only no outages, no flex alerts, we didn't even have a flex
5 alert. And it is imperative we keep power on people, depend
6 on electricity for medical devices and for so much else to
7 keep your refrigerator on. So we have to sustain
8 reliability and we have to make our air cleaner. And this
9 project is part of a long series of efforts that are doing
10 just that. And so I want to thank everybody for making the
11 time to be here. Some of you've traveled from really far
12 away, a long haul to get here and to take the time to be
13 here. And we're really grateful to all of you.

14 And with that, I would welcome a motion on Item
15 Four from Commissioner Gallardo.

16 COMMISSIONER GALLARDO: I move to approve Item
17 Four with the amendment that I read from the proposed
18 revision to the Darden order.

19 CHAIR HOCHSCHILD: And is there a second from
20 Vice Chair Gunda?

21 COMMISSIONER GALLARDO: Second the Item.

22 CHAIR HOCHSCHILD: All in favor say aye.

23 Commissioner Gallardo.

24 COMMISSIONER GALLARDO: Aye.

25 CHAIR HOCHSCHILD: Vice Chair Gunda.

1 VICE CHAIR GUNDA: Aye.

2 CHAIR HOCHSCHILD: Commissioner McAllister.

3 COMMISSIONER MCALLISTER: Aye.

4 CHAIR HOCHSCHILD: And Commissioner Skinner.

5 COMMISSIONER SKINNER: Aye.

6 CHAIR HOCHSCHILD: And I vote Aye as well.

7 Item Four passes unanimously. Thank you. And
8 we're adjourned.

9 (OFF THE RECORD AT 3:51 P.M.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of March, 2026.



MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

March 2, 2026