

DOCKETED

Docket Number:	25-OIR-02
Project Title:	Energy Data Collection - Phase 3 Gas Data
TN #:	269463
Document Title:	Adoption Resolution Phase 3 NG&RNG data rulemaking
Description:	Adoption resolution for Phase 3 Natural Gas and RNG Data Rulemaking
Filer:	Ryan Eggers
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CALIFORNIA ENERGY COMMISSION

RESOLUTION: RULEMAKING IMPLEMENTING PHASE 3 FOR NATURAL GAS AND RENEWABLE NATURAL GAS DATA COLLECTION

RESOLUTION NO: 26-0312-06

WHEREAS, on December 19, 2025, the State Energy Resources Conservation and Development Commission (“California Energy Commission” or CEC) mailed and posted on the CEC’s website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC’s intent to adopt proposed regulations for Energy Data Collection – Phase 3 for Natural Gas and Renewable Natural Gas Data Collection, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, and the Economic Impact Statement (Form 399); and

WHEREAS, on December 19, 2025, the NOPA was published in the California Regulatory Notice Register, delivered to the Secretary of the California Natural Resources Agency, and distributed to the CEC’s Increase Access to Energy Data email subscription lists; and

WHEREAS, on January 20, 2026, the CEC staff for the rulemaking held a Public Workshop, to receive oral comments on the proposed regulations to the Energy Data Collection – Phase 3 for Natural Gas and Renewable Natural Gas Data Collection; and

WHEREAS, on February 3, 2026, the 45-day written comment period established by the NOPA closed; and

WHEREAS, on February 9, 2026, the CEC published a Notice of 15-day comment period proposing changes to the Express Terms based on comments received during the 45-day comment period and the January 20, 2026, Public Workshop; and

WHEREAS, on February 25, 2026, the 15-day comment period closed; and

WHEREAS, on February 27, 2026, the CEC staff posted a Notice of Adoption Hearing, informing interested parties and the public that the CEC would consider and possibly adopt the proposed regulations at the March 12, 2026, Business Meeting of the CEC; and

WHEREAS, each of the above-referenced documents and notices was provided to every person on the CEC’s Increase Access to Energy Data email subscription list

and to every person who had requested notice of such matters, and was posted to the CEC's website via docket number 25-OIR-02; and

WHEREAS, on March 12, 2026, the CEC considered adoption of the proposed regulations at its Business Meeting.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to CEQA:

- The CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed regulations are not a "project" for purposes of CEQA as this action does not result in any direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and even if the adoption of the proposed regulations is a project for purposes of CEQA, it would be exempt per California Code of Regulations, title 14, section 15306 as a data collection activity and exempt under the common sense exemption located in California Code of Regulations, title 14, section 15061(b)(3); and

With regard to the Warren-Alquist Act:

- The CEC has the authority to adopt rules and regulations to carry out the Warren-Alquist Act per Public Resources Code sections 25213 and 25218(e); and
- The CEC is the central repository within state government for "the collection, storage, retrieval, and dissemination of data and information on all forms of energy supply, demand, conservation, public safety, research, and related subjects" per Public Resources Code section 25216.5; and
- The CEC manages a data collection system to support its policy and analytical efforts per Public Resources Code section 25320; and
- The CEC's data collection system has protections for confidential information per Public Resources Code section 25322 and its implementing regulations; and
- The CEC is coordinating with other state agencies to exchange information and data related to energy resources in order to avoid unnecessary duplication of effort; and
- The CEC is adopting these regulations to support its data collection efforts and improve its policy development and analyses as well as support other state agencies in their efforts related to energy usage; and

With regard to the Administrative Procedure Act:

- The proposed regulations will not result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, and will not result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and
- The proposed regulations will not impose direct cost or savings, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code, when savings accruing over the lifetime of the appliance is considered; and
- The proposed regulations will not result in the creation or elimination of jobs within California; and
- The proposed regulations will not result in costs or savings in federal funding to the State of California; and
- The proposed regulations will not result in nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will not have an impact on housing costs; and
- The proposed regulations will result in cost impacts to representative private persons or businesses in reasonable compliance with the regulations resulting from increased submission of data reports amounting to \$14,575,168; and
- The proposed regulations will not adversely impact the health and welfare of California residents, or worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purpose of the statutes for which it is proposed, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and

- The proposed regulations will not require completion of any new report, but minimal reporting of required information will be necessary. It is necessary for the health, safety, and welfare of the people of the state that these regulations apply to business; and
- None of the comments received during each separate comment period, public workshop, or at the business meeting where the proposed regulations were adopted, and nothing else in the record, justified any changes to the proposed regulations as published on February 9, 2026.

THEREFORE, BE IT RESOLVED, that, on the basis of the entire record before it, the CEC finds that the proposed regulations do not result in any direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore this is not a project for purposes of CEQA, and even if the adoption of the proposed regulations is a project for purposes of CEQA, it is exempt from CEQA under the categorical exemption under section 15306, and the commonsense exemption because it can be seen with certainty that there is no possibility that the proposed regulations will have a significant effect on the environment; and

FURTHER BE IT RESOLVED, that, after considering all comments received and the staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the proposed regulations, as set forth in the express terms that were published on February 9, 2026 and incorporating any changes presented and adopted today.

The CEC takes this action under the authority of sections 25213, 25218(e) of the Public Resources Code, which authorize the CEC to adopt any rule or regulation to carry out the Warren-Alquist Act including data collection; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in [Docket 25-OIR-02](https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=25-OIR-02), <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=25-OIR-02>; and

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

APPROVED AND ADOPTED this 12th day of March 2026, by the following vote:

AYE: Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Hochschild

ABSTAIN: NONE

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on March 12, 2026.

A handwritten signature in cursive script that reads "Kim Todd".

Kim Todd
Secretariat