

DOCKETED

Docket Number:	19-BSTD-02
Project Title:	Residential Alternative Calculation Method Variable Capacity Heat Pump Modeling Approach
TN #:	230630
Document Title:	Steve Uhler Comments - Statute requires NOPA
Description:	N/A
Filer:	System
Organization:	Steve Uhler
Submitter Role:	Other Interested Person
Submission Date:	11/12/2019 9:40:34 PM
Docketed Date:	11/13/2019

Comment Received From: Steve Uhler
Submitted On: 11/12/2019
Docket Number: 19-BSTD-02

BSTD-19-02 Statute requires NOPA

BSTD-19-02 Statute requires NOPA

Perhaps Energy Commission staff have overlooked these statutory provisions?

Public Resources Code - PRC 25402. (c) (1)

In order to increase public participation and improve the efficacy of the standards adopted pursuant to this subdivision, the commission shall, prior to publication of the notice of proposed action required by Section 18935 of the Health and Safety Code, involve parties who would be subject to the proposed regulations in public meetings regarding the proposed regulations. All potential affected parties shall be provided advance notice of these meetings and given an opportunity to provide written or oral comments. During these public meetings, the commission shall receive and take into consideration input from all parties concerning the parties' design recommendations, cost considerations, and other factors that would affect consumers and California businesses of the proposed standard. The commission shall take into consideration prior to the start of the notice of proposed action any input provided during these public meetings.

and

Health and Safety Code - HSC 18935. (a)

Notice of proposed building standards shall be given and hearings shall be held by the adopting agencies, as required by the Administrative Procedure Act, prior to the adoption of the building standards and submission to the commission for approval. The notice of proposed building standards and the initial statement of reasons for the proposed building standards shall comply with Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. The adopting agency or state agency that proposes the building standards shall submit the notice and initial statement of reasons for proposed building standards to the California Building Standards Commission, which shall review them for compliance with Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. If the commission determines that the adopting agency or state agency that proposes the building standards has complied with Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code, the commission shall approve the notice and initial statement of reasons for proposed building standards, and submit the notice to the Office of Administrative Law for the sole purpose of inclusion in the California Regulatory Notice Register. The Office of Administrative Law shall publish only those notices of proposed building standards which have been approved by, and submitted to, the office by the California Building Standards Commission.

Steve Uhler
sau@wwmpd.com