

**DOCKETED**

<b>Docket Number:</b>	19-BSTD-06
<b>Project Title:</b>	Local Ordinances Exceeding the 2019 Energy Code
<b>TN #:</b>	231833
<b>Document Title:</b>	Notice of Public Comment Period
<b>Description:</b>	Notice of Public Comment Period for City of Milpitas Local Ordinance # 65.148
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<b>Organization:</b>	California Energy Commission
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**CALIFORNIA ENERGY COMMISSION**

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Main website: [www.energy.ca.gov](http://www.energy.ca.gov)  
CEC-57 (Revised 1/19)

**Notice of Public Comment Period****Docket No. 19-BSTD-06****Application for Approval of  
Locally Adopted Building Energy Standards  
in Accordance with Section 10-106 of  
the California Code of Regulations, Title 24, Part 1****Local Jurisdiction Name:** City of Milpitas**Date of Local Adoption:** December 3, 2019**Designation of Locally Adopted Standard:** Ordinance # 65.148**Purpose**

The California Energy Commission (CEC) has posted this locally adopted energy standard for a mandatory public review period, per California Code of Regulations, Title 24, Part 1, Chapter 10, Section 10-106 and Section 10-110. The application has been determined to be complete by CEC staff, including all the supporting information necessary to meet the requirements of Section 10-106. The CEC seeks public comments on whether the locally adopted energy standard will consume less energy than the *2019 California Energy Code*, California Code of Regulations, Title 24, Part 6 (Energy Code).

The full application is available for download on the CEC's website at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=19-BSTD-06>.

The following seven files are included in this application:

1. City of Milpitas - 2019 Att. 1 65.148 Energy Code.PDF
2. City of Milpitas - 2019 Att. 2 CEC Cover Letter.PDF
3. City of Milpitas - 2019 Att. 3 Staff Report (AR) Reach Codesv3 11.5.19.PDF
4. City of Milpitas - 2019 Att. 4 Staff Report (AR) Packet Energy and Green Codes 12.3.19.PDF
5. City of Milpitas - 2019 Att. 5 2019 Res NC Cost Effectiveness Study - 2019 08-01.PDF

6. City of Milpitas - 2019 Att. 6 2019-NR-NC-Cost-Effectiveness-Study-2019-07-25.PDF
7. City of Milpitas - 2019 Att. 7 Combined Ad - 3 PHs on 4 Ords - Building + Fire Codes 2019 Update NOTICE OF PUBLIC HEARING.PDF

## Background

Statutory provisions in Public Resources Code Section 25402.1(h)(2) and regulatory provisions in Section 10-106 of Title 24, Part 1 (2019) (California Administrative Code) establish a process that allows local governmental agencies to adopt and enforce energy standards for newly constructed buildings, additions, alterations, and repairs to existing buildings provided the CEC finds that the local standards will require buildings to be designed to consume no more energy than permitted by the Energy Code.

Local governmental agencies are required to apply to CEC for approval prior to enforcement of such standards, and their application must include the basis of the local government's determination that its standards are cost effective and the supporting analysis for how the local government has determined their proposed energy standards will consume less energy than the current Energy Code. The CEC must then find, based on the submitted application materials, that the standards will result a reduction in energy consumption compared to the statewide Energy Code.

## Public Comments

Written comments should be submitted by: **5:00 p.m. on Tuesday, February 18, 2020.**

If you wish to submit comments on the proposal, please submit them using the e-commenting feature on the CEC's webpage at <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=19-BSTD-06>.

A full name, email address, comment title, and either a comment or an attached document (.doc, .docx, or .pdf format) is mandatory. After a challenge response test used by the system to ensure that responses are generated by a human user and not a computer, click on the "Agree & Submit Your Comment" button to submit the comment to the CEC Docket Unit.

You are encouraged to use the electronic filing system described above to submit comments. If you are unable to submit electronically, a paper copy of your comments, including the docket number **19-BSTD-06** and indicating "**City of Milpitas 2019 Ordinance # 65.148**" may be sent to:

Docket Unit  
California Energy Commission  
Docket No. 19-BSTD-06  
1516 9th Street, MS-4  
Sacramento, CA 95814

Or, email them to: [docket@energy.ca.gov](mailto:docket@energy.ca.gov).

Please note that your e-comments, emails, written letters, any attachments and associated contact information (for example, address, phone number, and email address) become part of the viewable public record. Additionally, this information may become available via internet search engines.

## **Public Participation**

The CEC Public Adviser's Office provides the public assistance in participating in CEC activities. If you want information on how to participate in this forum, please contact Public Adviser Noemí Gallardo, at (916) 654-4489 or toll free at (800) 822-6228, or by email at [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov).

Please direct all news media inquiries to the Media and Public Communications Office at (916) 654-4989, or by email at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

Please direct requests for reasonable accommodation to Yolanda Rushin at [yolanda.rushin@energy.ca.gov](mailto:yolanda.rushin@energy.ca.gov) or (916)654-4310 at least five days in advance.

If you have questions on the subject matter of this notice, please contact Peter Strait at (916) 654-2817, or by email at [peter.strait@energy.ca.gov](mailto:peter.strait@energy.ca.gov).

The proposal and supporting materials can be downloaded at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=19-BSTD-06>.