

<b>DOCKETED</b>	
<b>Docket Number:</b>	18-OIR-01
<b>Project Title:</b>	Energy Data Collection - Phase 2
<b>TN #:</b>	239194
<b>Document Title:</b>	Staff Presentations - Regulations Hearing Title 20, Division 2, Chapters 3 & 7
<b>Description:</b>	Staff Presentations for Data Rulemaking Hearing
<b>Filer:</b>	Ryan Eggers
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	8/5/2021 1:34:12 PM
<b>Docketed Date:</b>	8/5/2021



# **Regulations Hearing Title 20, Division 2 Chapters 3 & 7**



# Purpose of Hearing

- The Administrative Procedure Act authorizes the CEC to hold a public hearing in order to for the agency to receive oral “statements, arguments, or contentions” regarding the proposed regulations
- The CEC is permitted to impose reasonable limitations on the duration of oral presentations by the public
- CEC staff will first present on the proposed regulations, then public comment will open
- Comments will be transcribed, and the transcript will become part of the rulemaking record
  - The CEC must respond to relevant comments that are directed at the regulations or the procedures followed in proposing or adopting the regulations in the Final Statement of Reasons

# Title 20 Proposed Amendments for Hydrogen, Biodiesel, and Renewable Diesel Data Reporting



Alexander Wong, Energy Commission Specialist I  
August 6, 2021





# Background: Assessments

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Public Resources Code sections 25301 - 25304 (IEPR) directs the California Energy Commission to conduct assessments and forecasts on all aspects of California's energy industry.

Currently data is received through case-by-case agreements using standards and definitions adapted from the petroleum industry.

Current trends show:

- Increasing use of biodiesel and renewable diesel
- Growing number of hydrogen fueling stations
- Hydrogen production is starting to separate from petroleum refining
  - New methods and applications



# Background: Emergency Planning

- Public Resources Code sections 25700-25705 direct the CEC to study energy shortages and evaluate responses to energy emergencies
- Public Resources Code section 25320(a) directs the CEC to “manage a data collection system for obtaining information necessary to develop the policy reports and analyses” for this and other studies and reports
  - Biodiesel and renewable diesel are rapidly becoming replacements for petroleum diesel, potential primary fuels for heavy equipment and emergency infrastructure
  - The CEC needs data for emergency planning to address hydrogen producers’ current reliance on natural gas and electricity for production



# Analytical Needs

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Gain visibility of California's biodiesel, renewable diesel and hydrogen on par with petroleum refining:

- Inputs
- Production
- Shipments
- Storage at facility

Data with uniformity:

- Reporting period
- Definitions



# **Proposed Amendments for Biodiesel and Renewable Diesel**



# Biodiesel and Renewable Diesel Facility Requirements

## Biodiesel Requirements

Any industrial plant that processes biomass feedstock and produces **more than 84,000 gallons of biodiesel** during any month of the current or preceding calendar year, shall file **monthly** reports containing all of the information specified.

## Renewable Diesel Requirements

Any industrial plant that processes feedstock and produces **more than 84,000 gallons of renewable diesel** during any month of the current or preceding calendar year, shall file **monthly** reports containing all of the information specified.



# Biodiesel and Renewable Diesel Data Specifications

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- All of the information specified on Forms EIA-819 United States Department of Energy.
- The type and amount of feedstock and/or California Air Resources Board Low Carbon Fuel Standard pathway used to produce biodiesel and/or renewable diesel.
- Volumes of biodiesel and/or renewable diesel distributed in gallons, categorized by the level of distribution: direct sale, wholesale, or export outside of California.



# Form EIA-819

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New form adopted by EIA Covers:

- Biodiesel
- Renewable Diesel
- Others: Renewable jet fuel, oxygenates (including ethanol)
- Reports production, inventory, and shipment data of above-mentioned fuels
- Copies of this form forwarded to the Energy Commission



# **Proposed Amendments for Hydrogen Production**





# Hydrogen Production Requirements

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Each hydrogen plant that produces more than **10,000 kilograms** of on-purpose hydrogen during any month of the current or preceding calendar year located within California, shall file **monthly** reports containing all of the information specified:



# Hydrogen Production Specifications

- Kilograms of on-purpose hydrogen and liquid hydrogen produced each month at the facility.
- Inventory levels of on-purpose hydrogen in kilograms at the beginning and end of each month.
- The type of chemical feedstock used to produce the hydrogen. Feedstock includes methane and water for steam methane reformation. For hydrogen produced by water electrolysis, feedstock is both water and electricity used.
- The amount of feedstock and inputs used to produce the hydrogen.
- The amount of on-purpose hydrogen in kilograms distributed towards:
  - petroleum refineries
  - hydrogen fueling stations
  - other purposes



# Thank You!

Specifications:  
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# **Title 20: PACE Data Collection**

**Proposed Data Collection Regulations for PACE Program Administrators**

Heriberto Rosales, August 6, 2021





# Importance of PACE Data

- **Background:** PACE programs provide building owners with financing options to add energy efficiency retrofits or clean energy installations to their residential or commercial properties.
  - PACE programs regularly report financial data to CAEATFA.
- **Goal:** Determine how PACE programs and project measures have changed energy consumption at a granular, location-specific level.
- **Method:** Combine PACE site-level project information with monthly or hourly utility interval-meter data to determine energy efficiency savings with a before-and-after analysis.
  - Similar to CalTRACK methods
- Understanding the landscape and impact of PACE programs will help inform energy efficiency programs and track California's progress in meeting its climate change goals.
- Future work involves mapping aggregated savings to customer demographic segments of interest, such as disadvantaged or low-income communities.

# Proposed Regulations

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## Express Terms for Data Collection Rulemaking (18-OIR-01, TN#238242)

- Title 20, Public Utilities and Energy
  - Division 2. State Energy Resources Conservation and Development Commission
  - Chapter 3. Data Collection
  - Section 1312. Energy Efficiency Program Data Collection from Non-Utility PACE Programs

# Proposed Regulations, Section 1312(a)

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(a) **Beginning in 2022**, and every year thereafter, each PACE program administrator shall report its annual investments in energy efficiency programs for the previous fiscal year to the Commission **no later than September 15**. The report shall include:

- (1) **Program Name**: title or name of the PACE program
- (2) **Sector Indicator**: The sector(s) that the program targets (“R” for residential or “NR” for non-residential buildings)
- (3) **Project ID**: a unique ID for each project implemented under the program

# Proposed Regulations, Section 1312(a)

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- (4) **Assessor's Parcel Number (APN):** county name and assessor's parcel number (APN) of the site of the PACE project
- (5) **Project Address:** street address of the PACE project
- (6) **Project Start Date:** date the PACE project started in the mm/dd/yyyy format



# Proposed Regulations, Section 1312(a)

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- (7) **Project Completion Date:** date the PACE project implementation was completed in the mm/dd/yyyy format
- (8) **Measure Types:** identify PACE project measure(s) implemented, including but not limited to a) Lighting, b) Heating, Ventilation, and Air Conditioning (HVAC), c) Domestic Hot Water, d) Enclosure (walls, windows, roof), and e) Self-Generation including roof top PV
- (9) **Renewable Energy (Self-Generation) Indicator:** indicate whether the project included investments in self-generation projects

# Proposed Regulations, Section 1312(b)

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(b) For purposes of this section, PACE program has the same definition as in California Financial Code section 22016.

From California Financial Code section 22016:

- “PACE program” means a program in which financing is provided for the installation of efficiency improvements on real property and funded through the use of property assessments, as well as other program components defined in this section, established pursuant to any of the following:
  - (a) Chapter 29 (commencing with Section 5898.10) of Part 3 of Division 7 of the Streets and Highways Code.
  - (b) The Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code).
  - (c) A charter city's constitutional authority under Section 5 of Article XI of the California Constitution.

# Proposed Regulations, Section 1312(c)

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(c) For purposes of this section, PACE program administrator includes any person identified under California Financial Code section 22018; any person administering a commercial PACE program within California on behalf of, and with the written consent of, a public agency; any person meeting both conditions of California Financial Code section 22018, subd. (b); and any public agency that administers its own PACE program

- CEC staff's goal was breadth and inclusivity in defining "PACE program administrator." This definition includes:
  - Residential PACE program administrators
  - Multifamily-residential focused PACE program administrators
  - Commercial PACE program administrators
  - Local agency-administered PACE programs

# References

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## Phase 2 Data Rulemaking Docket: 18-OIR-01

- [Title 20, Division 2, Chapter 3 – Data Collection](#)
- Notice of Proposed Action (NOPA), [TN#238240](#)
- Initial Statement of Reasons (ISOR), [TN#238241](#)
- Express Terms, [TN#238242](#)



# Questions and Comments

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# **Proposed Underground Gas Storage Data Regulations**

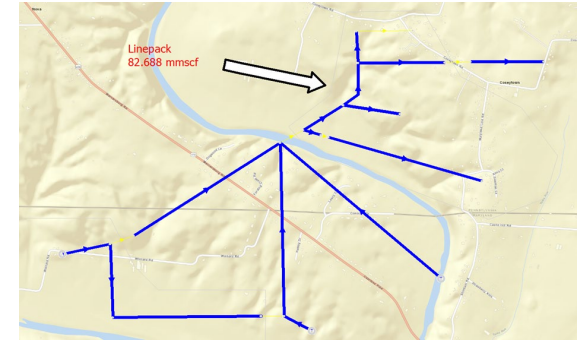
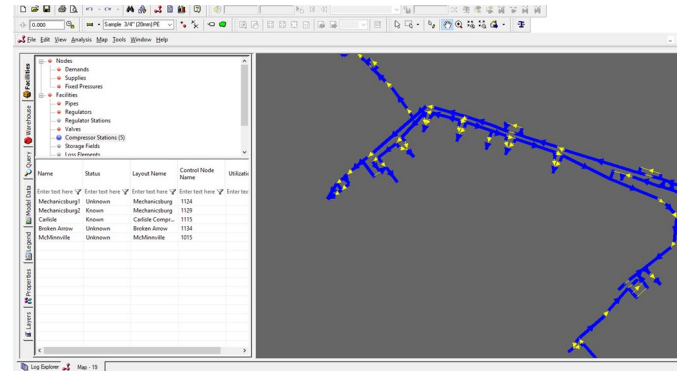
August 6, 2021 Hearing

Jason Orta

Lead Natural Gas System Hydraulic Modeler, California Energy Commission

# Existing Regulations (Title 20, Sections 1314, 2505)

- Require large natural gas utilities (PG&E and SoCalGas) to annually submit hydraulic models to the CEC for:
  - Average summer days
  - Average winter days
  - High demand days



- Submittals receive automatic confidential designation if certain conditions are met.

## California Energy Commission Policy



### TITLE

### Confidential Information Handling Guidelines

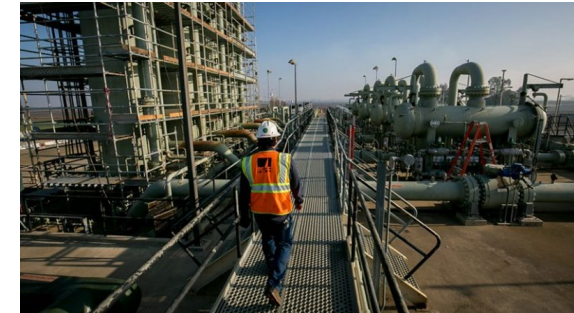
POLICY NUMBER	VERSION	ISSUE DATE	EFFECTIVE DATE
CEC-16-02	1.0	9/23/16	10/24/16

### ORIGINAL APPROVED BY

Robert P. Oglesby, Executive Director

# Proposed Regulations (Title 20, Sections 1302, 1314)

- Owners of underground natural gas storage facilities would be required to submit the following daily information on a quarterly basis to the CEC:
  - Base gas
  - Working gas
  - Total gas in storage
  - Withdrawals
  - Injections
- Submittals receive automatic confidential designation if certain conditions are met.



❖ *Data is already being reported for US EIA filings; aggregated data is posted on utility websites.*





# CEC Use of Underground Gas Storage Data

The CEC will use this data to:

- Analyze how storage facilities respond to gas system conditions on certain days.
- As an input into gas balance and hydraulic models to enhance understanding of gas system operations.
- Better understand interdependency between natural gas and electricity systems.
- Assess impacts of state and federal regulations on storage projects.
- Assess need for gas infrastructure in the future.
- Provide input to / support findings in the Integrated Energy Policy Report.





# Thank You!

Jason Orta

[Jason.Orta@energy.ca.gov](mailto:Jason.Orta@energy.ca.gov)



# Updating Disaggregated Demand Data

Title 20 Data Collection Phase 2 Rulemaking Hearing

Jason Harville, Assistant Executive Director  
Energy Data and Analytics Office  
August 6, 2021

# Background

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## Title 20 Section 1353: Disaggregated Demand Data

- Implemented in Phase 1.
- Includes meter data for gas and electric customers.
- Applies to CA's six largest utilities.
- Used to meet requirements for increasingly granular analyses.
  - E.g. analyses required by SB 350 and AB 802.

CEC and Utility working group has identified several issues.

# Description

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## Proposed updates intended to:

- Clean up typos and terminology.
- Provide more clarity and flexibility in reporting schedule.
- Remove redundant data collection.
- Adjust data fields to match format available from utilities.
- Add contextual data necessary for accurate reporting.
- Clarify energy efficiency reporting.

Updates make submission clearer and streamlined.

They do not add significant new reporting requirements.



**Jason Harville**  
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# California Energy Commission

Phase II Rulemaking – CEC-1304 Power Plant Owners Reporting Changes

Michael Nyberg – Supervisor, Supply Data Analysis Unit

August 6, 2021



# QFER Supply Data Collection

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## Goal for Phase II Rulemaking

Amend Title 20 of the California Code of Regulations sections that apply to QFER supply data collection to:

- Eliminate redundant reporting elements
- Limit data to support CEC current business needs





# QFER Supply Data Collection

## Steps to achieve this goal:

- Integrate renewable and non-renewable utility-scale power generation under a common set of regulations
- Align reporting requirements with current business needs:
  - Match water usage reporting with jurisdictional power plant siting
  - Add identifiers that enable cross-referencing with other data sources
  - Coordinate utility reporting under 1304(b) with 1353
  - Remove reporting requirements where data is available from other sources
- Adjust regulations based on recent experience from Phase I Rulemaking
- Actively engage with stakeholders throughout rulemaking process



# QFER Supply Data Collection

## Areas of Title 20 data collection proposed to be revised:

- **Section 1302 – Definitions**
- **Section 1304(a)(1)&(2) - Power Plant Report**
  - Monthly and annual electric generation and fuel use for power plants 1MW and larger
- **Section 1304(a)(3) – Environmental Information**
  - Water Usage
  - Avian and Aquatic Takes
  - Notice of Violations
- **Section 1304(b) - UDC Semi-Annual Report**
  - Lists all power generation, including distributed generation, within a utility service territory
- **Section 1381-1389 - Wind Performance Reporting System**
  - Regulations overlapping with Section 1304(a)(1)&(2)



# QFER Supply Data Collection

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- **Section 1302: Definitions**

- New and amended definitions to integrate wind reporting from Section 1381-1389.
- Examples include:
  - Hub height
  - Rated wind speed
  - Rotor area
  - Wind turbine



# QFER Supply Data Collection

- **Section 1304(a)(1) & (2): Power Plant Reports**
  - Integrate the details of wind reporting from Section 1381-1389 into existing 1304 power plant reporting
    - Added descriptions that are unique to wind generation
      - Number of wind turbines within a resource
  - Changes for all power plants 1MW and larger
    - Control area operator identifier
    - WREGIS identifier
    - Latitude and longitude
    - Date of nameplate capacity change
    - Make and model of generating unit



# QFER Supply Data Collection

- **Section 1304(a)(3)(A): Environmental Information**
  - Limit water usage reporting to CEC jurisdictional power plants
    - Limit reporting to three generation technologies:
      1. Natural gas power plants rated 50 MW and larger
      2. Solar power plants rated 50 MW and larger
      3. Geothermal power plants of any size
  - Add descriptive data elements about water usage:
    1. Identify potable/recycled/degraded/untreated water
    2. Identify water rights permits
    3. Identify the wastewater discharge destination



# QFER Supply Data Collection

- **Section 1304(a)(3)(B): Biological Resources**
  - Remove reporting of copies of reports or filings required by other regulations to identify avian and aquatic takes and the biomass composition of species killed by once-through-cooling systems
    - OTC technologies are now limited in California
    - Duplicative reporting of data available from other agencies



# QFER Supply Data Collection

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- **Section 1304(a)(3)(C): Notices of Violations**
  - Remove reporting of copies of written notifications of violations created by the operation of the power plant
    - Duplicative reporting of data available from other agencies





# QFER Supply Data Collection

- **Section 1304(b): Reports by Utility Distribution Companies**
  - Changes required to align with Section 1353 requirements:
    - Limit reporting of service account number, premise ID number, and meter ID number to the five largest utilities in California
    - Require rate schedule for distributed generation systems



# QFER Supply Data Collection

- **Section 1381-1389: Wind Performance Reporting System**
  - Remove duplicative regulations
    - Wind plant reporting fully covered in 1304(a)(1)&(2)
    - Eliminate wind purchaser reporting
    - Minimum nameplate capacity for wind reporting is the same as all other fuel types.



# QFER Supply Data Collection

- **Stakeholder Outreach**

- August 24, 2020
  - Outreach via email to all power plant owners
    - Owners included renewable and non-renewable facilities
    - Email included strikeout language of proposed changes to Sections 1302-1304 and 1381-1389
    - Requested feedback by September 30, 2020
- July 7, 2021
  - Outreach via email to all QFER power plant owners
- July 16, 2021
  - Outreach via email to all utility and WPRS contacts



**Michael Nyberg**  
**[michael.nyberg@energy.ca.gov](mailto:michael.nyberg@energy.ca.gov)**



# **Data Collection Organizational, Procedural, and Disclosure Changes**

**Title 20, Division 2, Chapter 3, Articles 1 - 5  
(Sections 1301 – 1394)  
& Chapter 7, Article 2 (Sections 2501 – 2510)**



Nick Oliver, Staff Counsel  
[nicolas.oliver@energy.ca.gov](mailto:nicolas.oliver@energy.ca.gov)  
August 6, 2021



# Chapter 3, Article 1 (QFER)

- **Section 1303**
  - Modify process for extension of filing deadlines
  - Simplify process for use of alternative filings
  - Delete requirement for utility report regarding NAICs coding accuracy
- **Section 1306**
  - Require UDCs to report type of LSE for which it provides distribution services
  - Change to sunset provision
- **Section 1307**
  - Correct an error from Phase 1 rulemaking regarding overlapping filings by adding a sunset clause for reporting
- **Section 1308**
  - Change reporting requirement from “NAICs” to “customer classification code”
  - Change to sunset provision
- **Section 1311**
  - Replace existing language with reference to the statutory requirement for the POU report



# Chapter 3, Article 2 (Forecast and Assessment of Energy Loads and Resources)

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- **Section 1342**
  - Process changes identical to those proposed for section 1303





# Chapter 7, Article 2 (Disclosure of Commission Records, § 2501 – §2510)

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- **Section 2502**
  - Addition of a “blanket” provision that nothing in the Article requires disclosure of a record that is otherwise exempt under state law
- **Section 2504**
  - Delete Section in its entirety
  - Outdated language – Applies to providing paper copies of records; requests and responses are nearly always electronic now
  - Imposes deadlines not required by the Public Records Act



# Disclosure of Commission Records (§ 2501 – §2510)

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- **Section 2505**
  - Delete subdivision (c)(1), regarding summary of records designated as confidential in Business Meeting agendas, because it is not required under the Public Records Act
  - Delete subdivision (e), regarding preparation of a list of confidentially designated records for commissioners, which is not required under the Public Records Act or consistent with historic practices



# Disclosure of Commission Records (§ 2501 – §2510)

- **Section 2507**

- Modify subdivision (e) to provide for expiration of certain automatically confidential designations
- Modify subdivision (f):
  - (f)(1)(A): Add 1306(a)(4) data, as it is identical to other categories of data already protected
  - (f)(1)(A)1-6: replace “major customer sector” with “customer sector” (7 sectors instead of 3)
  - (f)(1)(A)7-8: replace “EDD groupings” with 3-digit NAICs code
  - (f)(2): simplify process and reframe as a catch-all provision
  - (g)(2)-(3): specify that release is allowed for data that is no longer confidential



# Thank You!



# Public Comment

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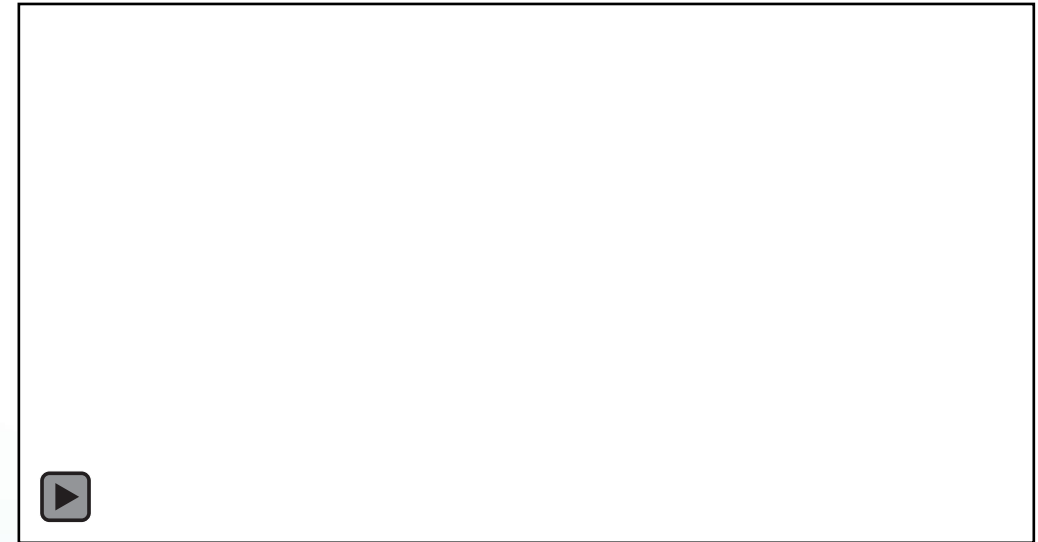
- To make a comment, please use the “raised hand” feature and wait for your name to be called.
- Please state your name, organization, and the sections of the regulations you are addressing before beginning your comments.
- Commenters have 3 minutes to speak, with the countdown displayed on the share screen.



# Public Comment

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- Commenters have 3 minutes to speak, with the countdown displayed on the share screen.

## 3-MINUTE TIMER





# The Title 20 Data Rulemaking Hearing Has Concluded

This ZOOM meeting will remain active for comments until **2:00 p.m.** Please use the “raise hand” feature if you have a comment and we will open the line for you to speak.



You can submit a comment online at <https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=18-OIR-01>