

DOCKETED	
Docket Number:	21-BUSMTG-01
Project Title:	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
TN #:	239695
Document Title:	Orders and Resolutions for September 8, 2021 Business Meeting
Description:	***This document supersedes TN 239693***
Filer:	Liza Lopez
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	9/14/2021 11:05:11 AM
Docketed Date:	9/14/2021

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: CENTER FOR TRANSPORTATION AND THE ENVIRONMENT

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED that the CEC approves Amendment 1 to Agreement ARV-21-017 with the Center for Transportation and the Environment to: 1) augment the agreement by \$713,173 for a total grant award of \$9,898,218; 2) update the Scope of Work to increase the number of Class 8 zero-emission trucks deployed from 22 to 30 and expand the fueling infrastructure capacity to support the increased number of trucks; and 3) adopt staff's determination that the increased number of trucks will not alter the California Environmental Quality Act (CEQA) findings made with the original Grant Agreement ARV-21-017; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Gunda

NAY: NONE

ABSENT: Monahan

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS
(NASEO)

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 400-21-001 with NASEO for a \$24,921 contract to formalize CEC membership. This one-year membership allows staff to connect with key policy and decision makers, officials from other state and territorial energy offices, and affiliates from the private and public sectors. The membership also provides a forum for exchanging information, ideas, and resources, and to learn about new funding and partnership opportunities; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, Monahan, Gunda
NAY: NONE
ABSENT: McAllister
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: ALLIANCE TO SAVE ENERGY

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and


RESOLVED, that the CEC approves Agreement 200-21-001 with Alliance to Save Energy for a \$25,000 contract to renew CEC membership for one year. Membership allows staff to meet with key policy and decision makers and officials from over 100 organizations to advance energy efficiency through unique and effective policy, market transformation, education, communications, and research and technology initiatives. These meetings provide a forum for exchanging information, ideas, and resources; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, Monahan, Gunda
NAY: NONE
ABSENT: McAllister
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: UNITED STATES FISH AND WILDLIFE SERVICE

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 700-21-001 with the United States Fish and Wildlife Service for a \$139,017 contract to revegetate desert tortoise habitat; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: WESTERN INTERSTATE ENERGY BOARD

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 800-21-001 with the Western Interstate Energy Board for a \$54,000 contract to maintain the State of California's membership status on the board through June 30, 2024; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, Monahan, Gunda

NAY: NONE

ABSENT: McAllister

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

EMERGENCY PROCLAMATION

**Order Re: PROCESS FOR LICENSING
NEW OR EXPANSIONS OF BATTERY
STORAGE SYSTEMS OF 20 MW OR
MORE**

I. Introduction

California faces extreme climate impacts, including extreme drought, wildfires, and record-breaking heat events, even as it works to achieve a 100 percent clean electricity system that supports long-term energy reliability. This unprecedented climate emergency threatens the state's energy supply and limits the state's ability to import additional energy to meet the summer electricity demand. Immediate action is needed to accelerate the state's transition to clean electricity to help end the cycle of energy contributing to climate impacts that threaten California's energy supply.

The California Energy Commission (CEC) is responsible for licensing new thermal power plants of 50 megawatts (MW) or more, establishing energy efficiency standards to reduce energy demand, assessing energy supply and demand, implementing renewable portfolio standards, and investing in clean transportation and clean energy research. These core functions anchor the state's effort to meet Senate Bill (SB) 100's target of requiring renewable energy and zero-carbon resources for 100 percent of electric retail sales to end-use customers by 2045.

On July 30, 2021, Governor Newsom issued a Proclamation of State of Emergency in California as a result of sudden and severe energy shortages from extreme drought, wildfires, and record-breaking heat events, which put significant demand and strain on California's energy grid. The Emergency Proclamation declares that, due to these extreme weather events, the state currently faces an energy supply shortfall of up to 3,500 megawatts in 2021, and projects a shortfall of up to 5,000 megawatts for the summer of 2022. To take immediate action to reduce the strain on energy infrastructure, increase energy capacity, and make energy supply more resilient to protect the health and safety of Californians, the Governor ordered the CEC to license new or expansions of battery storage systems. Specifically, the Emergency Proclamation authorized the CEC to issue licenses as follows:

With respect to new, and expansions of, battery storage systems of 20 megawatts or more that the California Energy Commission determines are capable of discharging for at least two hours and will deliver net peak energy by October 31, 2022, the

provisions of Public Resources Code, Division 13 (commencing with Section 21000) and regulations adopted pursuant to that Division, are suspended to the extent that the Energy Commission determines that such systems should be licensed. Public Resources Code section 25500 shall apply to the issuance of a license under this Paragraph (notwithstanding the 50-megawatt limitation in Public Resources Code section 25120). The California Energy Commission shall implement the provisions in this Paragraph in consultation with local jurisdictions and state agencies.

The Emergency Proclamation further authorizes the CEC to delegate its authority to issue licenses in accordance with the described criteria to its Executive Director and exempts such actions from the rulemaking requirements in Government Code, Title 2, Division 3, Part 1, Chapter 3.5 (commencing with section 11340).

II. Authority

On July 30, 2021, the Governor issued an Emergency Proclamation pursuant to the authority under the California Emergency Services Act, Government Code sections 8567, 8571, 8625, and 8627, to take immediate action to address energy supply shortfalls and achieve energy stability.

This Emergency Proclamation provides the CEC authority to establish an expedited process to approve licenses for new and expansions of battery storage systems 20 MW or more that the CEC determines are capable of discharging for at least two hours and will deliver net peak energy by October 31, 2022.

The CEC's license for a project is in lieu of any permit, certificate, or similar document required by any state, local, or regional agency, or federal agency to the extent permitted by federal law, and supersedes any otherwise applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law. (Pub. Resources Code, section 25500; Emergency Proclamation, paragraph 11.)

III. Criteria and Procedures for Licensing New or Expansions of Battery Storage Systems of 20 MW or More

For licensing of new or expansions of battery storage systems of 20 megawatts or more, the following expedited process shall be implemented:

(a) The executive director shall establish informational requirements for the submittal of an application for licensing battery storage systems. The informational requirements shall, at a minimum, require the following, supported by documentation as appropriate, from any entity seeking a license for a battery storage system:

(1) A description of the battery storage system (project), including a showing that it is 20 megawatts or larger in size, capable of discharging for at least two hours, and will deliver net peak energy by October 31, 2022.

(2) A description of the site on which the project will be located, including whether the site is disturbed, and what control the project applicant has over it. The application shall also include a list of all property owners within 1,000 feet of the project site. Additionally, the application shall provide the current zoning designation for the site and allowable uses within that zoning designation.

(3) A description of the potential impacts of the project on environmental quality and public health and safety and project design measures proposed to mitigate potential impacts.

(4) A description of all local, state, regional, and federal laws, ordinances, regulations, and standards that would otherwise be applicable to the project and an analysis of the project's compliance with each.

(5) A discussion of the applicant's authorization to interconnect the battery storage system to the distribution or transmission grid by the relevant grid authority by October 31, 2022.

(b) Within 10 days after the adoption of this order, the executive director shall publish a list of informational requirements, including those specified above, that an application for a license for a battery storage system must provide.

(c) Upon receipt of a license application pursuant to this order, the executive director shall establish a docket for the proceeding and publish a Notice of Receipt and mail it to all property owners within 1,000 feet of the proposed site. The notice shall also be sent to all local, state, regional, and federal agencies that either have jurisdiction over the project or would have jurisdiction if not for the CEC's exclusive authority and to any California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.

(d) Within 10 days after an owner or operator files an application for a license, the executive director shall verify that the application is complete and meets the requirements of section (a), the project is capable of discharging for at least two hours and, based on the information available at the time of review, the project will deliver net peak energy by October 31, 2022.

(e) Once the application has been determined to be complete, the executive director shall conduct an analysis of the project's potential impacts to environmental quality and public health and safety and compliance with applicable laws, ordinances, regulations, and standards. The executive director shall consult with local jurisdictions and state agencies in conducting this analysis and attempt to resolve any potential non-compliance with applicable laws, ordinances, regulations, and standards. The executive

director shall direct staff to meet at least once, virtually or in person, with representatives of any local jurisdiction or state agency that would otherwise be responsible for reviewing the project for compliance with public health and safety measures, including fire and hazardous materials, to ensure that all public health and safety concerns are addressed in the license. The executive director shall impose conditions and verification and monitoring requirements on the license as appropriate to mitigate any potential impacts to the extent feasible. The executive director shall complete the analysis no later than 21 days after the determination in (d) has been made and shall publish it for a 10-day comment period.

(f) Within seven days after the close of the comment period, the executive director shall file a decision on the application granting or denying the license. The decision of the executive director is final and not subject to further consideration or appeal.

(g) Any change to a license granted pursuant to this order shall be subject to the provisions of California Code of Regulations, Title 20, section 1769.

IV. California Energy Commission Findings

Based on the Governor's July 30, 2021 Emergency Proclamation, the CEC finds that:

- The unprecedented climate emergency threatens the state's energy supply and limits the state's ability to import additional energy to meet the summer electricity demand.
- Due to these extreme weather events, the state currently faces energy supply shortfall of up to 3,500 megawatts in 2021, and a shortfall of up to 5,000 megawatts is now projected for the summer of 2022.
- Battery storage systems are a technology that can be rapidly deployed to help alleviate energy supply shortfalls and other grid impacts.
- Expedited action by the CEC is necessary to install and utilize battery storage systems.
- The executive director is authorized to approve applications and grant licenses consistent with the process set forth in this order.
- An application filed under the process set forth in this order is not subject to an adjudicatory proceeding as defined in California Code of Regulations, title 20, section 1201(b), therefore the ex parte restrictions set forth in Article 7 of Chapter 4.5 of Part 1 of Division 3 of Title 2 of the Government Code (sections 11430.10 et seq.) do not apply.


V. Conclusion and Order

Consistent with the Governor’s Emergency Proclamation and to ensure the rapid deployment of battery storage systems the CEC hereby adopts this order establishing an expedited licensing process for these systems and delegates approval of such applications and the granting of licenses to the executive director.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**PROCTER AND GAMBLE
COGENERATION PROJECT**

**SACRAMENTO COGENERATION
AUTHORITY**

Docket No. 93-AFC-02C

**ORDER APPROVING PETITION TO
TRANSFER OWNERSHIP OF A
FACILITY**

On July 15, 2021, the Sacramento Cogeneration Authority filed a Post-Certification Change in Ownership of the Procter and Gamble Cogeneration Project from the Sacramento Cogeneration Authority to the Sacramento Municipal Utility District Financing Authority (SFA), joint powers authority under California law. The petition also notes the name of the project, "Procter and Gamble Cogeneration Project," will change to "Procter and Gamble Power Plant."

A representative of SFA has provided a declaration, under penalty of perjury, that SFA understands the conditions of certification in the California Energy Commission's (CEC) Decision for the Procter and Gamble project agrees to comply with them.

STAFF RECOMMENDATION

Staff has reviewed the petition, finds that it complies with the requirements of Title 20, section 1769 (b) of the California Code of Regulations, and recommends approval of the ownership transfer.

CONCLUSION AND ORDER

The CEC hereby adopts the staff's recommendation and approves the transfer of ownership of the Procter and Gamble project from the Sacramento Cogeneration Authority to the Sacramento Municipal Utility District Financing Authority and the project's name change to Procter and Gamble Power Plant.

IT IS SO ORDERED.

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CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**CAMPBELL COGENERATION
PROJECT**

SACRAMENTO POWER AUTHORITY

Docket No. 93-AFC-03C

**ORDER APPROVING PETITION TO
TRANSFER OWNERSHIP OF A
FACILITY**

On July 15, 2021, the Sacramento Power Authority filed a Post-Certification Change in Ownership of the Campbell Cogeneration Project from the Sacramento Power Authority to the Sacramento Municipal Utility District Financing Authority (SFA), joint powers authority under California law. The petition also notes the name of the Project, "Campbell Cogeneration Project," will change to "Campbell Power Plant."

A representative of SFA has provided a declaration, under penalty of perjury, that SFA understands the conditions of certification in the Energy Commission's Decision for the Campbell project agrees to comply with them.

STAFF RECOMMENDATION

Staff has reviewed the petition, finds that it complies with the requirements of Title 20, section 1769 (b) of the California Code of Regulations, and recommends approval of the ownership transfer.

CONCLUSION AND ORDER

The California Energy Commission (CEC) hereby adopts staff's recommendation and approves the transfer of ownership of the Campbell project from the Sacramento Power Authority to the Sacramento Municipal Utility District Financing Authority and the project's name change to Campbell Power Plant.

IT IS SO ORDERED.

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CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

2019 Building Energy Efficiency Standards,
California Code of Regulations, Title 24,
Parts 1 and 6

Docket No. 19-BSTD-01

RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION
CERTIFYING THE 2019 PUBLIC DOMAIN
NONRESIDENTIAL COMPLIANCE SOFTWARE
CBECC-COM 2019.2.0

WHEREAS, the Warren-Alquist State Energy Resources Conservation and Development Act, Public Resources Code sections 25000 et seq., 25402.1, subdivision (b), requires the California Energy Commission (CEC) to, among other things, establish a process for certifying calculation methods for demonstrating compliance with its building energy efficiency standards; and

WHEREAS, the 2019 public domain California Building Energy Code Compliance – Nonresidential (CBECC-Com 2019.2.0) software, estimates energy consumed by nonresidential buildings under Public Resources Code section 25402.1, subdivision (a), for demonstrating compliance with the performance-based nonresidential provisions of the *2019 Building Energy Efficiency Standards* (Energy Code), California Code of Regulations, Title 24, Parts 1, Chapter 10, and 6; and

WHEREAS, staff of the CEC has reviewed and tested CBECC-Com 2019.2.0 to ensure it meets the requirements, specifications, and criteria for building energy models set forth in the *2019 Alternative Calculation Method Approval Manual* (Approval Manual), CEC-400-2018-023-CMF (December 2018).

THEREFORE, the CEC approves CBECC-Com 2019.2.0 for estimating energy consumed by nonresidential buildings as specified in Public Resources Code section 25402.1, subdivision (a), and for demonstrating compliance with the performance-based nonresidential provisions of the 2019 Energy Code, California Code of Regulations, Title 24, Parts 1 and 6; and

THEREFORE, the CEC rescinds its approval of previous versions of CBECC-Com 2019 for estimating energy consumed by nonresidential buildings under Public Resources Code section 25402.1, Subdivision (a), and demonstrating performance

compliance with the performance-based nonresidential provisions of the 2019 Energy Code for permit applications made on or after January 1, 2022; and

THEREFORE, pursuant to the 2019 Approval Manual, sections 1.3.1 and 1.5.1, the CEC rescinds its approval of the alternative calculation methods (also known as computer compliance programs) EnergyPro Versions 8.0, 8.1, and 8.2; IES VE Title 24 2019 Version 1.0; and any other alternative calculation method which incorporates the previously approved CBECC-Com 2019.1.0, 2019.1.1, 2019.1.2, or 2019.1.3 compliance manager for estimating energy consumed by nonresidential buildings under Public Resources Code section 25402.1, Subdivision (a), and demonstrating compliance with the performance-based nonresidential provisions of the 2019 Energy Code; and

THEREFORE, the private software vendors of the alternative calculation methods identified above must integrate the CBECC-Com 2019.2.0 compliance manager software and provide the CEC with an updated copy of the software and user manual within 45 days, by Wednesday, November 17, 2021, under the 2019 Approval Manual, section 1.2.1, to have approved software for demonstrating compliance with the performance-based nonresidential provisions of the 2019 Energy Code for permit applications made on or after January 1, 2022; and

THEREFORE, the CEC directs the executive director to review and approve updates to the alternative calculation methods identified above that integrate the CBECC-Com 2019.2.0 compliance manager software; and

THEREFORE, the CEC directs the executive director to take, on behalf of the CEC, all actions reasonably necessary to implement this resolution, including:

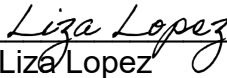
- To post information on the CEC's public website as to how to obtain CBECC-Com 2019.2.0.
- To ensure that CBECC-Com 2019.2.0 and the *2019 Nonresidential Alternative Calculation Method (ACM) Reference Manual* are maintained and revised to accurately estimate the energy use of nonresidential buildings, including correcting functional and analytical errors, and incorporating software modules that address compliance options and additional building systems, assemblies and construction materials.
- To review and approve updates to vendor software, consistent with section 1 of the 2019 Approval Manual.

Date: September 8, 2021

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 at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**2019 Building Energy Efficiency Standards,
California Code of Regulations, Title 24,
Parts 1 and 6**

Docket No. 19-BSTD-01

**RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION
CERTIFYING THE 2019 PUBLIC DOMAIN
RESIDENTIAL COMPLIANCE SOFTWARE
CBECC-RES 2019.2.0**

WHEREAS, the Warren-Alquist State Energy Resources Conservation and Development Act, Public Resources Code sections 25000 et seq., 25402.1, subdivision (b), requires the California Energy Commission (CEC) to, among other things, establish a process for certifying calculation methods for demonstrating compliance with its building energy efficiency standards; and

WHEREAS, the 2019 public domain California Building Energy Code Compliance – Residential (CBECC-Res 2019.2.0) software, estimates energy consumed by residential buildings under Public Resources Code section 25402.1, subdivision (a), for demonstrating compliance with the performance-based residential provisions of the *2019 Building Energy Efficiency Standards* (Energy Code), California Code of Regulations, Title 24, Parts 1, Chapter 10, and 6; and

WHEREAS, staff of the CEC has reviewed and tested CBECC-Res 2019.2.0 to ensure it meets the requirements, specifications, and criteria for building energy models set forth in the *2019 Alternative Calculation Method Approval Manual* (Approval Manual), CEC-400-2018-023-CMF (December 2018).

THEREFORE, the CEC approves CBECC-Res 2019.2.0 for estimating energy consumed by residential buildings as specified in Public Resources Code section 25402.1, subdivision (a), and for demonstrating compliance with the performance-based residential provisions of the 2019 Energy Code, California Code of Regulations, Title 24, Parts 1 and 6; and

THEREFORE, the CEC rescinds its approval of previous versions of CBECC-Res 2019 for estimating energy consumed by residential buildings under Public Resources Code section 25402.1, Subdivision (a), and demonstrating performance

compliance with the performance-based residential provisions of the 2019 Energy Code for permit applications made on or after January 1, 2022; and

THEREFORE, pursuant to the 2019 Approval Manual, sections 1.3.1 and 1.5.1, the CEC rescinds its approval of the alternative calculation methods (also known as computer compliance programs) EnergyPro Versions 8.0, 8.1, and 8.2, Right-Energy Title 24, Version 2019.1.1, and any other alternative calculation method which incorporates the previously approved CBECC-Res 2019.1.0, 2019.1.1, 2019.1.2, or 2019.1.3 compliance manager for estimating energy consumed by residential buildings under Public Resources Code section 25402.1, Subdivision (a), and demonstrating compliance with the performance-based residential provisions of the 2019 Energy Code; and

THEREFORE, the private software vendors of the alternative calculation methods identified above must integrate the CBECC-Res 2019.2.0 compliance manager software and provide the CEC with an updated copy of the software and user manual within 45 days, by Wednesday, November 17, 2021, under the 2019 Approval Manual, section 1.2.1, to have approved software for demonstrating compliance with the performance-based residential provisions of the 2019 Energy Code for permit applications made on or after January 1, 2022; and

THEREFORE, the CEC directs the executive director to review and approve updates to the alternative calculation methods identified above that integrate the CBECC-Res 2019.2.0 compliance manager software; and

THEREFORE, the CEC directs the executive director to take, on behalf of the CEC, all actions reasonably necessary to implement this resolution, including:

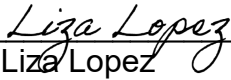
- To post information on the CEC's public website as to how to obtain CBECC-Res 2019.2.0.
- To ensure that CBECC-Res 2019.2.0 and the *2019 Residential Alternative Calculation Method (ACM) Reference Manual* are maintained and revised to accurately estimate the energy use of residential buildings, including correcting functional and analytical errors, and incorporating software modules that address compliance options and additional building systems, assemblies and construction materials.
- To review and approve updates to vendor software, consistent with section 1 of the 2019 Approval Manual.

Date: September 8, 2021

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 at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

2019 Building Energy Efficiency Standards,
California Code of Regulations, Title 24,
Parts 1 and 6

Docket No. 19-BSTD-01

RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION
CERTIFYING REVISIONS TO THE RESIDENTIAL ALTERNATIVE CALCULATION
METHOD REFERENCE MANUAL FOR THE 2019 BUILDING ENERGY EFFICIENCY
STANDARDS

WHEREAS, the 2019 Building Energy Efficiency Standards, amending California Code of Regulations, Title 24, Parts 1, and 6, were adopted by the California Energy Commission (CEC) on May 9, 2018, with an effective date of January 1, 2020; and

WHEREAS, the Warren-Alquist Act, in Public Resources Code section 25402.1, subdivision (a), requires the CEC to develop a public domain computer program, which will enable contractors, builders, architects, engineers, and government officials to estimate the energy consumed by residential and nonresidential buildings; and

WHEREAS, the Warren-Alquist Act, in Public Resources Code section 25402.1, subdivision (b), requires the CEC to certify calculation methods for complying with the building energy efficiency standards; and

WHEREAS, the *2019 Building Energy Efficiency Standards* that were adopted by the CEC and approved by the California Building Standards Commission included the *2019 Alternative Calculation Method Approval Manual (Approval Manual)*, Document Number CEC-400-2018-023-CMF, December 2018, which specifies, among other things, the requirement to create, maintain, and update the Residential ACM Reference Manual.


THEREFORE BE IT RESOLVED, that on September 8, 2021, as provided for by the Alternative Calculation Method Approval Manual and Public Resources Code section 25218, subdivision (e), the CEC certifies the revised Residential Alternative Calculation Method Reference Manual, Document Number CEC-400-2019-005-CMF-REV, September 2021, which provides instructions for meeting the requirements for alternative calculation methods; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the executive director to take, on behalf of the Commission, all actions reasonably necessary to make the above- referenced documents available and in good form, including but not limited to correcting typographical and other non-substantive errors.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

2019 Building Energy Efficiency Standards,
California Code of Regulations, Title 24,
Parts 1 and 6

Docket No. 19-BSTD-01

RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION
CERTIFYING REVISIONS TO THE NONRESIDENTIAL ALTERNATIVE
CALCULATION METHOD REFERENCE MANUAL FOR THE 2019 BUILDING
ENERGY EFFICIENCY STANDARDS

WHEREAS, the 2019 Building Energy Efficiency Standards, amending California Code of Regulations, Title 24, Parts 1 and 6, were adopted by the California Energy Commission (CEC) on May 9, 2018, with an effective date of January 1, 2020; and

WHEREAS, the Warren-Alquist Act, in Public Resources Code section 25402.1, subdivision (a), requires the CEC to develop a public domain computer program, which will enable contractors, builders, architects, engineers, and government officials to estimate the energy consumed by residential and nonresidential buildings; and

WHEREAS, the Warren-Alquist Act, in Public Resources Code section 25402.1, subdivision (b), requires the CEC to certify calculation methods for complying with the building energy efficiency standards; and

WHEREAS, the *2019 Building Energy Efficiency Standards* that were adopted by the CEC and approved by the California Building Standards Commission included the *2019 Alternative Calculation Method Approval Manual (Approval Manual)*, Document Number CEC-400-2018-023-CMF, December 2018, which specifies, among other things, the requirement to create, maintain, and update the Nonresidential ACM Reference Manual.

THEREFORE BE IT RESOLVED, that on September 8, 2021, as provided for by the Alternative Calculation Method Approval Manual and Public Resources Code section 25218, subdivision (e), the CEC certifies the revised Nonresidential Alternative Calculation Method Reference Manual, Document Number CEC-400-2019-006-CMF-REV, September 2021, which provides instructions for meeting the requirements for alternative calculation methods; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the executive director to take, on behalf of the Commission, all actions reasonably necessary to make the above- referenced documents available and in good form, including but not limited to correcting typographical and other non-substantive errors.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: ADOPTING SUMMER 2022 STACK ANALYSIS

WHEREAS, Public Resources Code section 25700 requires the State Energy Resources Conservation and Development Commission (CEC) develop contingency plans to deal with possible shortages of electrical energy or fuel supplies to protect public health, safety, and welfare; and

WHEREAS, the California Public Utilities Commission (CPUC) opened a rulemaking (Rulemaking 20-11-003) on November 19, 2020, to establish policies, processes, and rules to ensure reliable electric service in California in the event of an extreme weather event in 2021; and

WHEREAS, the Final Root Cause Analysis, prepared for Governor Newsom by the CEC, CPUC, and California Independent Operator (CAISO) and published on January 13, 2021, identified actions to be taken by the three entities to reduce the potential for grid outages, like those that occurred in the summer of 2021 and requires the CEC to develop and publish a statewide summer assessment to provide information to support Resource Adequacy (RA) processes and maintain situational awareness of potential impacts to grid reliability; and

WHEREAS, Governor Newsom issued a Proclamation of a State of Emergency on July 30, 2021, which requested the CPUC exercise its powers to expand and expedite approval of demand response programs and storage and clean energy projects to reduce strain on the energy infrastructure and to ensure increased clean energy capacity by October 31, 2022; and

WHEREAS, the CPUC's Assigned Commissioner issued an Amended Scoping Order Memo and Ruling for Phase 2 of Rulemaking 20-11-003 on August 10, 2021, to ensure there is adequate supply and demand management to achieve electrical systems reliability in 2022 and 2023 and referenced the CEC's preliminary summer reliability analysis (Stack Analysis), which identifies the need for additional resources under average and extreme weather conditions and was presented at the CEC's August 11, 2021 business meeting; and

WHEREAS, the CPUC may CPUC may consider the CEC's final Stack Analysis in Phase 2 of Rulemaking 20-11-003 consistent with Governor Newsom's Proclamation of a State Emergency; and

THEREFORE BE IT RESOLVED, the CEC hereby adopts the Summer 2022 Stack Analysis along with any changes identified in the September 8, 2021 Business Meeting, directs CEC staff to make the analysis available to the public and to incorporate the results into the 2021 Integrated Energy Policy Report.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: ASSOCIATION FOR ENERGY AFFORDABILITY, INC.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 500-21-001 with Association for Energy Affordability, Inc. for \$6,000,000, with an option to augment the budget with \$2,000,000. Association for Energy Affordability, Inc. will provide technical assistance to residential builders and developers under the Building Initiative for Low-Emissions Development (BUILD) Program, with an initial focus on new low-income residential housing; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 600-21-002 with the California Department of Food and Agriculture for a \$401,580 contract to research technical and performance requirements and procure test standards for evaluating and verifying commercial devices dispensing hydrogen and electricity as a zero-emission transportation fuel; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: SACRAMENTO MUNICIPAL UTILITY DISTRICT (SMUD)

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement ARV-21-032 with SMUD for a \$200,000 grant to identify MD/HD electric charging and hydrogen refueling needs for ZEV trucks and buses within the SMUD service territory, and identify specific infrastructure locations to serve those needs; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: CITY OF CULVER CITY

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and


RESOLVED, that the CEC approves Agreement ARV-21-033 with the City of Culver City for a \$200,000 grant to develop a blueprint for installing depot charging infrastructure to support the transition of the city's MD/HD vehicles to all electric by 2028; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: CALSTART, INC.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

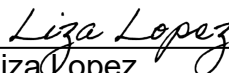
RESOLVED, that the CEC approves Agreement ARV-21-034 with CALSTART, Inc. for a \$200,000 grant to develop a blueprint that will provide a comprehensive strategy for installing charging infrastructure that will help accelerate the deployment of MD/HD EVs in and around Porterville, California, by both public and private fleets; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: THE REDWOOD COAST ENERGY AUTHORITY

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement ARV-21-035 with the Redwood Coast Energy Authority for a \$200,000 grant to develop a blueprint to identify actions and milestones needed for deployment of MD/HD ZEVs and related charging and hydrogen refueling infrastructure in Humboldt County and surrounding areas; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

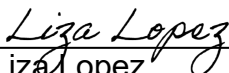
The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: WATTEV, INC.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement ARV-21-025 with WattEV, Inc. for a \$1,000,000 grant to install, commission, and operate a public charging truck stop facility in Bakersfield, California, that will serve MD/HD battery electric trucks; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda
NAY: NONE
ABSENT: NONE
ABSTAIN: NONE



Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: WATTEV, INC.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement EPC-21-006 with WattEV, Inc. for a \$4,000,000 grant to fund the design, construction, and commissioning of a modular distributed energy resource (DER) package composed of solar photovoltaics, second life battery storage, and an AC/DC distribution control system at a public access electric truck stop. The scalable DER package is intended to provide reliable low-cost renewable energy for a dedicated fleet of ten Class 8 battery electric trucks and to support broader public access to MD/HD Plug-in EV charging for fleets in a burgeoning trade corridor; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 adopted at a meeting of the CEC held on September 8, 2021.

AYE: Hochschild, Douglas, McAllister, Monahan, Gunda

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE



Liza Lopez
Secretariat