

**DOCKETED**

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# State of California

## California Energy Commission Minutes of the July 13, 2022, Energy Commission Business Meeting

The meeting was called to order by Chair Hochschild. The Pledge of Allegiance was led by Commissioner McAllister.

### Present:

David Hochschild, Chair  
Siva Gunda, Vice Chair

Patricia Monahan, Commissioner  
J. Andrew McAllister, Commissioner

The California Energy Commission's (CEC) July 13, 2022 Business Meeting will be held remotely, consistent with Senate Bill 189 (Committee on Budget and Fiscal Review, Statutes of 2022) to improve and enhance public access to state meetings during the COVID-19 pandemic. The public can participate in the business meeting consistent with the direction provided below.

Please note that the CEC aims to begin the business meeting promptly at the start time and the end time is an estimate based on the agenda proposed. The meeting may end sooner or later than the time indicated depending on various factors.

Pursuant to the California Code of Regulations, title 20, section 1104(e), any person may make an oral comment on any agenda item. To ensure the orderly conduct of business, such comments will be limited to three minutes or less per person. Any person wishing to comment on information items or reports (non-voting items) shall speak during the public comment portion of the meeting and have three minutes or less to address all remaining comments.

### **THE CEC WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING:**

*Before the Pledge of Allegiance, Chair Hochschild announced Commissioner Vaccaro would not be joining the business meeting.*

*After the Pledge of Allegiance, Chair Hochschild announced Item 7 will be moved to be heard after Item 15.*

#### **1. Consent Calendar.**

Items will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.

- a. Ocean Protection Council. Proposed resolution approving Agreement RMB700-22-001 with the Ocean Protection Council for the CEC to receive \$199,836 to collect and compile cultural resources data for California Central Coast offshore wind energy development affecting state lands and waters. CEC staff will compile cultural resources data into a geographic information system. The system will be accessible to state agencies and Central Coast California Native American tribes to assist with making decisions about onshore, near shore, and offshore resources that may be affected by offshore wind development. Contact: Gabriel Roark

- b. National Association of State Energy Officials (NASEO). Proposed resolution approving Agreement 200-22-003 for \$26,332 for a one-year membership. The membership gives staff the opportunity to connect with policy and decision-makers, officials from other state and regional energy offices, and private and public sector affiliates. Membership also provides a forum for exchanging information, ideas, and resources, and to learn about funding and partnership opportunities. (ERPA Funding) Contact: Brad Worster
- c. California Automated Permit Processing Program, GFO-21-402. Proposed resolution allowing CEC staff to execute grant applications to GFO-21-402 that meet all applicable solicitation requirements. This solicitation provides funding for California cities and counties to establish online, automated solar permitting. (General Fund Funding) Contact: Lucio Hernandez or Geoffrey Dodson
- d. Electricity Resource Plan. Proposed resolution adopting the *Instructions for Electric Transmission Data Collection* in support of the *2023 Integrated Energy Policy Report*. Obligated load-serving entities and transmission owners are instructed to provide the CEC with information on transmission plans, contracts, power purchase agreements, and other resources that require new or upgraded transmission to service California loads. Contact: Mark Hesters
- e. Evergreen Economics, Inc. Proposed resolution approving Agreement 400-22-001 with Evergreen Economics, Inc. for a three-year, \$252,970 contract for expert and timely economic analysis services to assess statewide impacts of CEC regulations that have a potential economic impact of \$50 million or more in any 12-month period between publication by the Secretary of State and 12 months following full implementation. These regulations require the completion of a Standardized Regulatory Impact Assessment report, consistent with Department of Finance specifications. (COIA Funding) Contact: Elizabeth Thomsen

*Before the consent calendar items were voted on, Chair Hochschild announced he will split the items and vote on Items 1a, 1c, 1d, and 1e first and then address Item 1b separately.*

*Vice Chair Gunda moved to approve Items 1a, 1c, 1d, and 1e. Commissioner McAllister seconded. The vote was (4-0).*

*Before Item 1b was heard, Commissioner McAllister announced that out of an abundance of caution, he recused himself from the discussion and vote of Item 1b which proposed an agreement with the National Association of State Energy Officials (NASEO) for a one-year membership in the NASEO. He serves as an un-paid Adviser to the Board of NASEO, which may present a perceived conflict of interest. He does not receive compensation or reimbursements for his service. Commissioner McAllister recused himself from any discussion, consideration, and vote to avoid any perception of a conflict of interest.*

*Vice Chair Gunda moved to approve Item 1b. Commissioner Monahan seconded. The vote was (3-0).*

## **2. Information Item on the Office of Compliance Assistance and Enforcement.**

Staff will provide an overview of CEC's enforcement activities related to the title 20 appliance efficiency regulations. Contact: Sean Pruitt (Staff Presentation: 5 minutes)

*Sean Pruitt presented an overview on CEC's enforcement activities related to the title 20 appliance efficiency regulations. Information item only, no vote was taken.*

## **3. University Enterprises, Inc.**

Proposed resolution approving Agreement 150-22-001 with University Enterprises, Inc. for a \$675,000 contract to purchase and test appliances to determine compliance with title 20 energy efficiency standards. (COIA Funding) Contact: Sean Pruitt (Staff Presentation: 5 minutes)

*Commissioner McAllister moved to approve Item 3. Commissioner Monahan seconded. The vote was (4-0).*

## **4. Appointment of Disadvantaged Communities Advisory Group (DACAG) Members.**

Proposed resolution appointing two candidates to the DACAG, Julia Hatton and LaTisha Harris, to their first two-year term. The DACAG is an advisory body to the CEC and the California Public Utilities Commission (CPUC) on the effects of clean energy and pollution reduction programs in disadvantaged communities, pursuant to Senate Bill (SB) 350 (De León, Chapter 54, Statutes of 2015). SB 350 required the CPUC and the CEC to establish a DACAG consisting of representatives from disadvantaged communities identified pursuant to section 39711 of the Health and Safety Code. The DACAG is comprised of one tribal representative appointed by the Governor's Tribal Liaison, and ten members who are nominated jointly by two commissioners from the CEC and two commissioners from the CPUC, for approval by the CEC and CPUC. Contact: Noemí Gallardo (Staff Presentation: 5 minutes)

*Vice Chair Gunda moved to approve Item 4. Commissioner Monahan seconded. The vote was (4-0).*

## **5. Gem Energy Storage Center (GESC) (21-AFC-02).**

Proposed order adopting the executive director's recommendation to find the GESC application for certification complete. On December 1, 2021, GEM A-CAES LLC filed an application to construct and operate the GESC, an advanced compressed air energy storage facility, in unincorporated Kern County. Between April 25, 2022, and June 28, 2022, GEM A-CAES LLC filed information to address the list of application deficiencies adopted by the CEC at its January 26, 2022 Business Meeting. Contract: Eric Knight (Staff Presentation: 5 minutes)

*Commissioner McAllister moved to approve Item 5. Vice Chair Gunda seconded. The vote was (4-0).*

**6. Small Power Plant Exemption (SPPE) for the San Jose City Backup Generating Facility (19-SPPE-04).**

Public hearing and proposed order adopting the Committee Proposed Decision and any errata on the application for an SPPE for the San Jose City Backup Generating Facility (19-SPPE-04). Contact: Deborah Dyer (Staff Presentation: 10 minutes)

- a. Possible closed session deliberation on the above described SPPE.  
(Government Code Section 11126(c)(3)).

*Commissioner Monahan moved to approve Item 6. Vice Chair Gunda seconded. The vote was (4-0).*

*After Item 6 was voted on, Chair Hochschild announced Item 7 will be moved to be heard after Item 15 and we will turn to Item 8 to be heard next.*

**7. Information Item on Offshore Wind Draft Report Update. This item will be heard after Item 15]**

Staff will present an update regarding Proposed resolution approving the draft report Offshore Wind Energy Development in Federal Waters Offshore the California Coast: Maximum Feasibly Capacity and Megawatt Planning Goals for 2030 and 2045 as a result of the June 27, 2022 public workshop. This draft report addresses the requirements for the CEC to evaluate and quantify the maximum feasible capacity for offshore wind to achieve reliability, ratepayer, employment, and decarbonization benefits, and establish megawatt planning goals for 2030 and 2045 as required in Assembly Bill (AB) 525 (Chiu, Chapter 231, Statutes of 2021). The update will be specific to the CEC staff's work. Contact: Elizabeth Huber (Staff Presentation: 10 minutes)

*Elizabeth Huber presented an update regarding the draft report Offshore Wind Energy Development in Federal Waters Offshore the California Coast: Maximum Feasibly Capacity and Megawatt Planning Goals for 2030 and 2045 as a result of the June 27, 2022 public workshop. Information item only, no vote was taken.*

**8. Humboldt State University Sponsored Program Foundation.**

Proposed resolution approving Agreement 700-22-002 with Humboldt State University Sponsored Program Foundation for a \$644,999 contract to analyze transmission infrastructure limitations and opportunities, map existing transmission infrastructure, and provide technical data and assistance to further assess wind energy resources off the coast in Northern California and Southern Oregon and adopting staff's determination that this project is exempt from CEQA. (Federal Funding) Contact: Jim Bartridge

*Commissioner McAllister moved to approve Item 8. Vice Chair Gunda seconded. The vote was (4-0).*

**9. Lumen Energy Strategy, LLC.**

Proposed resolution approving Agreement EPC-22-001 with Lumen Energy Strategy, LLC for a \$1,950,000 grant to develop new inputs, assumptions, and tools to capture the impacts of climate change on electricity supply and demand as

California transitions to a zero-carbon electricity system, and adopting staff's determination that this action is exempt from CEQA. This effort will advance the state's electricity resource planning model framework to reflect the impact of projected climate patterns and environmental extremes on electricity supply, demand, and the resulting resilience of electricity service to ratepayers. (EPIC Funding) Contact: Susan Wilhelm (Staff presentation: 5 minutes)

*Commissioner McAllister moved to approve Item 9. Commissioner Monahan seconded. The vote was (4-0).*

#### **10. Institute of Gas Technology dba Gas Technology Institute.**

Proposed resolution approving Agreement PIR-22-001 with Institute of Gas Technology dba Gas Technology Institute for a \$1,770,000 grant for a technical study of the impacts of using 100% hydrogen (H<sub>2</sub>) or fossil fuel blended with greater than 50% H<sub>2</sub> in hard-to-electrify equipment in large commercial buildings and industrial processes, and adopting staff's determination that this project is exempt from CEQA. The study will assess the associated costs, safety implications, and emissions impacts of adopting H<sub>2</sub>-based fuels in these sectors. (Gas R&D Funding) Contact: Yu Hou (Staff Presentation: 5 minutes)

*Commissioner Monahan moved to approve Item 10. Commissioner McAllister seconded. The vote was (4-0).*

#### **11. DNV GL USA, Inc.**

Proposed resolution approving Agreement PIR-22-002 with DNV GL USA, INC. for a \$1,499,275 grant to develop a data-driven tool that will provide state agencies, local governments, investor-owned utilities, and other stakeholders with valuable information for assessing the technical, social and economic feasibility of decommissioning specific segments of the gas system, and adopting staff's determination that this project is exempt from CEQA. The project will combine a set of geospatial data layers to produce a scalable and systematic approach to identify promising candidate decommissioning sites. This approach will protect sensitive and confidential data, while also producing high-level insights that can be shared publicly. (Gas R&D Funding) Contact: Martine Schmidt-Poolman (Staff Presentation: 5 minutes)

*Commissioner McAllister moved to approve Item 11. Vice Chair Gunda seconded. The vote was (4-0).*

#### **12. Volvo Technology of America, LLC.**

Proposed resolution approving Agreement ZVI-22-001 with Volvo Technology of America, LLC for a \$2,000,000 grant to accelerate the adoption of medium- and heavy-duty electric vehicles (EV) in California through a publicly accessible electrified corridor, and adopting staff's determination that this action is exempt from CEQA. Volvo Technology of America, LLC will deploy two direct current fast chargers (DCFC) at each of five Volvo dealership locations along Interstate 5 and California State Route 99 for a total of 10 DCFCs. (General Fund Funding) Contact: Esther Odufuwa (Staff Presentation: 5 minutes)

*Commissioner Monahan moved to approve Item 12. Vice Chair Gunda seconded. The vote was (4-0).*

*After Item 12 was voted on, Chair Hochschild announced a short break and reconvene at 1:00 p.m.*

*Chair Hochschild reconvened the meeting at 1:00 p.m.*

### **13. Charging Access for Reliable On-Demand Transportation Services (GFO-21-601).**

This solicitation sought proposals to fund the expanded availability of EV charging infrastructure for high mileage on-demand transportation services including services such as ride-hailing, taxis, and meal and grocery delivery. (CTP and General Fund Funding) Contact: Madison Jarvis (Staff Presentation: 10 minutes)

- a. FreeWire Technologies, Inc. Proposed resolution approving Agreement ARV-22-001 with FreeWire Technologies, Inc. for a \$601,911 grant, and adopting staff's determination that this action is exempt from CEQA. This project will deploy battery integrated DCFC infrastructure in Central California with the goal of enabling EV adoption among transportation network company (TNC) drivers.
- b. Zeco Systems, Inc. dba Shell EV Charging Solutions Americas. Proposed resolution approving Agreement ZVI-22-002 with Zeco Systems, Inc. dba Shell EV Charging Solutions Americas for a \$2,000,000 grant, and adopting staff's determination that this action is exempt from CEQA. The purpose of this project is to design, build and operate two EV charging hubs dedicated to accelerating electrification among drivers for TNCs in the Los Angeles region.
- c. AMPLY Power Inc. Proposed resolution approving Agreement ZVI-22-003 with AMPLY Power, Inc. for a \$2,000,000 grant, and adopting of staff's determination that this action is exempt from CEQA. The purpose of this project is to install and provide DCFC equipment capable of supporting 48 EVs simultaneously at one charging site exclusively for use by ride-hail and taxi fleets servicing Los Angeles International Airport.

*Commissioner Monahan moved to approve Item 13. Commissioner McAllister seconded. The vote was (4-0).*

### **14. Energy Conservation Assistance Act Loan Program (ECAA).**

Proposed resolutions approving three ECAA-Regular loans at one percent interest—two to municipalities and one to a special district to finance renewable energy projects. (ECAA Funding) Contact: Marites Antonio (Staff Presentation: 5 minutes)

- a. City of Fowler. Proposed resolution approving Agreement 001-22-ECI with the City of Fowler for a \$182,924 loan at one percent interest to install a solar photovoltaic (PV) array totaling 67.2 kW at the City's fire station, and adopting staff's determination that this action is exempt from CEQA. The project is estimated to generate 98,337 kWh of electricity annually, saving the City approximately \$28,513 per year.

- b. City of Indian Wells. Proposed resolution approving Agreement 002-22-ECI with the City of Indian Wells for a \$2,726,184 loan at one percent interest to install a carport structure solar PV array totaling 647 kW at the Indian Wells Golf Resort clubhouse, and adopting staff's determination that this action is exempt from CEQA. The project is estimated to generate 1,125,125 kWh annually, saving the City approximately \$163,585 per year.
- c. Malaga County Water District. Proposed resolution approving Agreement 003-22-ECI with the Malaga County Water District for a \$2,466,565 loan at one percent interest to install two solar PV arrays totaling 388.9 kW at the district's wastewater treatment facility and the Ariaga Community Center, and adopting staff's determination that this action is exempt from CEQA. The project is estimated to generate 742,985 kWh annually, saving the district approximately \$163,396 per year.

*Commissioner McAllister moved to approve Item 14. Vice Chair Gunda seconded. The vote was (4-0).*

#### **15. Local Ordinances for City of Encinitas, City of Solano Beach, City of Emeryville, and City of Half Moon Bay.**

Consideration and possible adoption of resolutions for applications submitted by local jurisdictions for findings pursuant to Public Resources Code section 25402.1(h)(2). Contact: Danuta Drozdowicz (Staff Presentation: 5 minutes)

- a. City of Encinitas. The ordinance contains requirements that new nonresidential, high-rise residential, and motel/hotel buildings install PV systems; that existing single-family residential buildings include energy efficiency improvements where the building permit valuation of alterations and additions is greater than \$50,000; and that nonresidential, high-rise residential, and hotel/motel buildings include efficiency improvements where the building permit valuation of alterations is greater than \$200,000.
- b. City of Solana Beach. The ordinance contains requirements that new nonresidential construction projects install PV systems.
- c. City of Emeryville. The ordinance contains requirements that new high-rise residential and hotel/motel buildings install PV systems.
- d. City of Half Moon Bay. The ordinance contains requirements that new nonresidential and hotel/motel buildings install PV systems.

*Commissioner McAllister moved to approve Item 15. Commissioner Monahan seconded. The vote was (4-0).*

*After Item 15 was voted on, Chair Hochschild announced Item 7 will now be heard.*

#### **16. Minutes.**

Possible approval of the May 11, 2022, and June 8, 2022, Business Meeting minutes.

*Commissioner McAllister moved to approve the May 24, 2022, Business Meeting minutes. Vice Chair Gunda seconded. The vote was (4-0).*



*Vice Chair Gunda moved to approve the May 11, 2022, Business Meeting minutes. Commissioner Monahan seconded. The vote was (3-0) with Commissioner McAllister abstaining.*

*No action was taken on the June 8, 2022, Business Meeting minutes.*

### **17. Lead Commissioner or Presiding Member Reports.**

*The Commissioners reported on their recent activities.*

### **18. Executive Director's Report.**

*The Executive Director gave a report.*

### **19. Public Advisor's Report.**

*The Public Advisor had nothing to report.*

### **20. Public Comment.**

*Chase Maxwell, Ellison Schneider & Harris*

*Samantha Neumyer, Ellison Schneider Harris & Donlan LLP*

*Curt Hildebrand, Hydrostor*

*Claire Warshaw, Self*

*Dominic Lucero, New Endeavors Research and Development, NERD*

*Timothy Jefferies, International Brotherhood of Boilermakers*

*Christopher Bobbitt, North Carolina Clean Energy Technology Center*

*Scott Galati, DayZen, LLC*

*Nancy Kirshner-Rodriguez, Business Network for Offshore Wind*

*Eileen Hlavka, California Public Utilities Commission, CPUC*

*Michael Ippoliti, Volvo Group North America*

*Brian Kee, Freewire Technologies*

*Erick Karlen, Shell Recharge Solutions*

*Walter Musial, National Renewable Energy Laboratory, NREL*

*Jean King, Self*

*Dan Jacobson, Environment America*

*Nancy Rader, California Wind Energy Association*

*Mark Mulliner, California State Building Trades*

*Manley McNinch, United Brotherhood of Carpenters Southwest Regional Council*

*Jesse Greer, Operating Engineers District 80*

*Jim Jacobs, International Union of Operating Engineers Local 3*

*V. John White, Center for Energy Efficiency and Renewable Technology*

*Emily McCabe, Self*

*Mandy Sackett, Surfrider Foundation*

*Laura Deehan, Environment California*  
*Adam Stern, Offshore Wind California*  
*Kelly Boyd, Equinor U.S. Offshore Wind*  
*Kate Kelly, Defenders of Wildlife*  
*Sarah Xu, Brightline Defense*  
*Michael Ginter, Operating Engineers Local Union 3*  
*Julia De Lamare, Natural Resources Defense Council, NRDC*  
*Daniel Mora, Self*  
*Cassandra Boice, Self*  
*Francisca Martinez, USC Schwarzenegger Institute, Offshore Wind Now Coalition*  
*Angel More, Self*  
*Tim Ferry, Recharge*  
*Christa West, Self*  
*Doug Lemoine, Laborers Union Local 324*  
*Marybeth Benton, The Nature Conservancy*  
*Dr. Nikit Abhyankar, UC Berkeley*  
*Ethan Lester, Operating Engineers Local 3*  
*Kalysta Barrios, Self*  
*Jacquelyn Griffith*  
*Christian Brock, Elected Officials to Protect California*  
*Amol Phadke, Goldman School of Public Policy*  
*Umed Paliwal, Goldman School of Public Policy*  
*Jana Ganion, Blue Lake Rancheria Tribe*  
*Steve Black, Castle Wind LLC*  
*Garry George, National Audubon Society*

## **21. Chief Counsel's Report.**

Pursuant to Government Code section 11126(e), the CEC may adjourn to closed session with its legal counsel to discuss any of the following matters to which the CEC is a party:

- i. *Interlink Products International, Inc. v. Xavier Becerra, Drew Bohan, Melissa Rae King (United States District Court for the Eastern District of California, Case No. 2:20-cv-02283)*

*The Chief Counsel had nothing to report.*

Appearances:

*Chase Maxwell, Ellison Schneider & Harris*

*Samantha Neumyer, Ellison Schneider Harris & Donlan LLP*

*Curt Hildebrand, Hydrostor*

*Claire Warshaw, Self*

*Dominic Lucero, New Endeavors Research and Development, NERD*

*Timothy Jefferies, International Brotherhood of Boilermakers*

*Christopher Bobbitt, North Carolina Clean Energy Technology Center*

*Scott Galati, DayZen, LLC*

*Nancy Kirshner-Rodriguez, Business Network for Offshore Wind*

*Eileen Hlavka, California Public Utilities Commission, CPUC*

*Michael Ippoliti, Volvo Group North America*

*Brian Kee, Freewire Technologies*

*Erick Karlen, Shell Recharge Solutions*

*Walter Musial, National Renewable Energy Laboratory, NREL*

*Jean King, Self*

*Dan Jacobson, Environment America*

*Nancy Rader, California Wind Energy Association*

*Mark Mulliner, California State Building Trades*

*Manley McNinch, United Brotherhood of Carpenters Southwest Regional Council*

*Jesse Greer, Operating Engineers District 80*

*Jim Jacobs, International Union of Operating Engineers Local 3*

*V. John White, Center for Energy Efficiency and Renewable Technology*

*Emily McCabe, Self*

*Mandy Sackett, Surfrider Foundation*

*Laura Deehan, Environment California*

*Adam Stern, Offshore Wind California*

*Kelly Boyd, Equinor U.S. Offshore Wind*

*Kate Kelly, Defenders of Wildlife*

*Sarah Xu, Brightline Defense*

*Michael Ginter, Operating Engineers Local Union 3*

*Julia De Lamare, Natural Resources Defense Council, NRDC*

*Daniel Mora, Self*

*Cassandra Boice, Self*

*Francisca Martinez, USC Schwarzenegger Institute, Offshore Wind Now Coalition*

*Angel More, Self*

*Tim Ferry, Recharge*

*Christa West, Self*

*Doug Lemoine, Laborers Union Local 324*  
*Marybeth Benton, The Nature Conservancy*  
*Dr. Nikit Abhyankar, UC Berkeley*  
*Ethan Lester, Operating Engineers Local 3*  
*Kalysta Barrios, Self*  
*Jacquelyn Griffith*  
*Christian Brock, Elected Officials to Protect California*  
*Amol Phadke, Goldman School of Public Policy*  
*Umed Paliwal, Goldman School of Public Policy*  
*Jana Ganion, Blue Lake Rancheria Tribe*  
*Steve Black, Castle Wind LLC*  
*Garry George, National Audubon Society*

There being no further business meeting was adjourned.

Respectfully submitted,

LIZA LOPEZ  
Secretariat