

DOCKETED	
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Project Title:	2022 Energy Code Photovoltaic and Battery Storage Cost Effectiveness Determinations
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CALIFORNIA ENERGY COMMISSION

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CEC-057 (Revised 1/21)



Notice of Public Comment Period Docket No. 22-BSTD-04

Application for Non-Residential and High-Rise Multifamily Buildings' Photovoltaic System Requirement Determination by Trinity Public Utility District in Accordance with Section 10-109(k) of the California Code of Regulations, Title 24, Part 1

On November 21, 2022, Trinity Public Utility District submitted to the California Energy Commission (CEC) an application for an exception to the nonresidential and high-rise multifamily buildings' photovoltaic (PV) system requirements included in the *2022 Building Energy Efficiency Standards* (Energy Code). CEC staff will evaluate the application as it relates to the California Code of Regulations (CCR), Title 24, Part 1, Chapter 10, section 10-109(k), which is applicable in cases where "the implementation of public agency rules regarding utility system costs and revenue requirements, compensation for customer-owned generation, interconnection fees, or other factors, causes the CEC's cost-effectiveness conclusions, made pursuant to Public Resources Code section 25402(b)(3), to not hold for particular buildings."

Staff's review of the application will determine if the application is complete and includes all the supporting information necessary for the CEC to determine if section 10-109(k) is applicable for newly constructed low-rise single family and multifamily buildings within the Trinity Public Utility District. Staff encourages interested parties to participate in the review and seeks comments on the application, as well as potential impacts relating to the proposal.

Background

On August 11, 2021, the CEC adopted the 2022 Energy Code, which includes solar PV and battery storage requirements for some of the newly constructed nonresidential and all high-rise multifamily buildings in sections 140.10 and 170.2(g), respectively. High-rise multifamily buildings are multifamily buildings that have more than three habitable stories. These requirements, along with the rest of the 2022 Energy Code, take effect on January 1, 2023.

Section 10-109(k) of the 2022 Energy Code grants the CEC the authority to determine whether the solar PV requirements apply when implementation of public agency rules may cause CEC's cost effectiveness conclusions to not hold for particular

buildings. Trinity Public Utility District conducted a public hearing at its board meeting on November 10, 2022, and approved the decision to seek a determination from the CEC under section 10-109(k). Trinity Public Utility District has applied to the CEC stating that its commercial energy rates of \$0.07758 to \$0.09011 per kilowatt-hour are lower than those assumed by the CEC when determining the cost-effectiveness of solar PV systems and requesting that the CEC determine that the 2022 non-residential and high-rise multifamily solar PV requirements would not be cost-effective with these rates.

Trinity Public Utility District's application includes:

- A cover letter that summarizes the proposal.
- Meeting Minutes of Trinity Public Utility District's Public Hearing on November 10, 2022.
- Trinity Public Utility District's Commercial Energy Rate Schedule.

The [documents are available](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-04) on the CEC's docket web page at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-04>.

Public Comments

Written comments should be submitted by **5:00 p.m. on Monday January 9, 2023**.

The CEC encourages the use of its electronic commenting system. Visit the [e-commenting page](https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-04) at

<https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-04>.

Enter your contact information and a comment title describing the subject of your comment(s). After a challenge-response test used by the system to ensure that responses are generated by a human and not a computer, click "Agree & Submit Your Comment" to submit the comment to the CEC's Docket Unit. Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document in compliance with the California Code of Regulations, Title 20, section 1208.1. The maximum file size allowed is 10 MB.

You are encouraged to use the electronic filing system described above to submit comments. If you are unable to submit electronically, a paper copy of your comments, including the docket number **22-BSTD-04** and indicating "Trinity Public Utility District Photovoltaic System Determination" may be sent to:

California Energy Commission
Docket Unit, MS-4
Docket No. 22-BSTD-04
715 P Street
Sacramento, CA 95814-5504

Or may be emailed to: DOCKET@energy.ca.gov.

Please note that your e-comments, emails, written letters, any attachments, and

associated contact information (for example, address, phone number, and email address) become part of the viewable public record. Additionally, this information may become available via internet search engines.

Public Participation

The CEC's public advisor provides the public with assistance in participating in CEC proceedings. For information about how to participate in this effort or to request interpreting services or other reasonable modifications and accommodations, reach out by phone at (916) 957-7910, or by email at publicadvisor@energy.ca.gov. The CEC will work diligently to meet all requests based on the availability of the service or resource requested.

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

Please contact Muhammad Saeed by phone at (916) 896-4797 or by email at muhammad.saeed@energy.ca.gov if you have questions on the subject matter of this notice.