

DOCKETED	
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CALIFORNIA ENERGY COMMISSION

715 P Street
Sacramento, California 95814

energy.ca.gov

CEC-70 (Revised 7/22)



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

Staff Paper for 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 6

Trinity Public Utility District (PUD) applied for a photovoltaic (PV) system requirement determination to the California Energy Commission (CEC) on June 10, 2022, to be exempt from the PV requirements for newly constructed low-rise residential buildings, included in the *2022 Building Energy Efficiency Standards* (2022 Energy Code). The CEC has evaluated the application as it relates to the California Code of Regulations, Title 24, Part 6, 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 has reviewed the application and analysis and has determined that PUD's rules regarding residential rates and compensation for customer-owned generation cause the CEC's cost-effectiveness conclusion for low-rise residential solar PV systems not to hold. Staff encourages interested parties to participate in the review and seeks comments on the report, as well as potential impacts relating to staff's determination¹.

Background

On August 11, 2021, the CEC adopted the 2022 Energy Code, which includes new solar PV requirements for all newly constructed single-family and low-rise multifamily buildings in sections 150.1(c)14 and 170.2(f) respectively. Low-rise multifamily buildings are defined as having three habitable stories or fewer. These requirements, along with the rest of the 2022 Energy Code, took effect January 1, 2023.

California Code of Regulations, Title 24, Part 1, Chapter 10, section 10-109(k), specifies that "The Commission may, upon written application or its own motion, determine that the photovoltaic or battery storage requirements in Section 150.1(a)3, Section 140.0(c), Section 170.0(a)3 shall not apply, if the Commission finds that the implementation of public agency rules regarding utility system costs and revenue requirements, compensation for customer-owned generation,

¹ <https://efiling.energy.ca.gov/GetDocument.aspx?tn=248203&DocumentContentId=82509>

interconnection fees, or other factors, causes the Commission's cost-effectiveness conclusions, made pursuant to Public Resources Code 25402(b)(3), to not hold for particular buildings."

Public Comments

The CEC encourages the use of its electronic commenting system. Visit the e-commenting page for this docket [2022 Energy Code Photovoltaic and Battery Storage Cost Effectiveness Determinations](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 subject title that describes your comment. Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document in compliance with California Code of Regulations, Title 20, section 1208.1. The maximum file size allowed is 10 MB.

Written comments may be submitted to the Docket Unit by **5:00 p.m. on Monday, January 23, 2023**. Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine. Written comments may also be submitted by email. Include docket number **22-BSTD-04** and "2022 Energy Code Photovoltaic and Battery Storage Cost Effectiveness Determinations" in the subject line and email to docket@energy.ca.gov.

A paper copy of your comments may be mailed to:

California Energy Commission
Docket Unit, MS-4
Docket No. 22-BSTD-04
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Availability of Documents: [Documents](#) for this determination proceeding will be available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-04>.

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