

DOCKETED

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| Docket Number: | 23-BUSMTG-01 |
| Project Title: | Business Meeting Agendas, Transcripts, Minutes, and Public Comments |
| TN #: | 248857 |
| Document Title: | Agenda of the February 28, 2023 Business Meeting |
| Description: | N/A |
| Filer: | Liza Lopez |
| Organization: | California Energy Commission |
| Submitter Role: | Commission Staff |
| Submission Date: | 2/17/2023 3:05:03 PM |
| Docketed Date: | 2/17/2023 |



California Energy Commission

Business Meeting Agenda

February 28, 2023
10:00 a.m. – 3:30 p.m.

Remote Access Only via Zoom™

<https://zoom.us/> Meeting ID: 938 6923 0237 Passcode: mtg@10am

Public attendance and participation access through Zoom™ only

Remote participation instructions are below, after line items.

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

Pursuant to the California Code of Regulations (CCR), 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.

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

1. Public Comment.

Any person wishing to comment on information items (non-voting items) shall provide comments during this period.

2. Agency Announcements.

The Chair may announce relevant matters to the public and the CEC, including updates, events, and other opportunities. Discussion may follow.

3. 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. Aspen Environmental Group. Proposed resolution approving Agreement 700-22-005 with the Aspen Environmental Group for a \$1,500,000 contract to assist CEC with the review of certification applications under the expedited timelines of Public Resources Code (PRC) sections 25545-25545.13. The applications are for the certification of (1) solar photovoltaic (PV) or terrestrial wind electricity generating power plants; (2) energy storage systems; (3) electrical generating

power plants using thermal energy (not fossil or nuclear fuels); (4) energy transmission lines carrying electric power from these facilities; (5) related manufacturing, production, and assembly facilities; and (6) post certification project changes. (EFLCF Funding) Contact: Sharon Purewal

- b. Repeal of Portable Luminaire Regulations (Docket 22-AAER-02). Consideration and possible adoption of a resolution amending CCR, title 20, sections 1601-1609 to repeal the portable luminaire requirements, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). This action comes after a 45-day public comment period and a public hearing in compliance with the California Administrative Procedure Act. Contact: Carlos Baez
- c. Northern California Power Agency. Proposed order approving the executive director's recommendation that the Northern California Power Agency's Power Purchase Agreement with Geysers Power Company LLC for the procurement of geothermal energy be found compliant with the Emission Performance Standard for Local Publicly Owned Electric Utilities under Senate Bill (SB) 1368 and CCR, title 20, sections 2900-2913. Contact: David Gee
- d. Henrietta Peaker Project (01-AFC-18C). Proposed order amending the certification of the Henrietta Peaker Project to (1) allow a change to the project description and the addition of corresponding conditions of certification including the interconnection of the onsite Henrietta Battery Energy Storage System (BESS) and use of common facilities; (2) identify Henrietta BESS LLC as the legally responsible party for Henrietta BESS operation and compliance with CEC conditions of certification and applicable laws, ordinances, regulations and standards (LORS); and (3) adopt staff's determination that the project would not have a significant adverse impact on the environment and would comply with all applicable LORS. Contact: Joseph Douglas
- e. Guidehouse Inc. Proposed resolution approving Agreement 300-22-002 with Guidehouse Inc., for a \$2,499,443 contract to assess the need for long-duration and seasonal energy storage for California's electric grid through 2045. Electrochemical, thermal, mechanical, and gaseous fuel storage technology types will be evaluated and modeled to inform electric system planning and procurement of emerging storage resources in California, and adopting staff's determination that this action is exempt from CEQA. (LDES Funding) Contact: Mike Gravely
- f. American Council for an Energy-Efficient Economy (ACEEE). Proposed resolution approving Agreement 100-22-002 with ACEEE for \$18,000 to cosponsor the 2023 Hot Water Forum & Hot Air Forum Conference from March 7 to 9, 2023 in San Diego. This conference will discuss the emergence of water- and space-heating technologies and the opportunity for significant market transformation with investments in building decarbonization and workforce development made by the Infrastructure Investment and Jobs Act and the Inflation Reduction Act. (ERPA Funding) Contact: Elizabeth Butler

- g. Hell's Kitchen Geothermal LLC. Proposed resolution approving a mutual termination for Agreement EPC-19-018 with Hell's Kitchen Geothermal, LLC. The grant was to design and demonstrate a pretreatment process for geothermal brine to prepare the brine for lithium recovery. Phase I of the grant was completed. Phase II of the grant has not been approved and the project cannot be completed as proposed. Hell's Kitchen Geothermal, LLC was awarded \$1,460,735 and \$64,400 of that amount was dispensed for Phase I of the grant. This termination is proposed because the recipient changed their business practices on lithium pretreatment technologies and no longer requires CEC funds. (EPIC Funding) Contact: Zack Bradford

4. Information Item – Department of Water Resources (DWR) Strategic Reliability Reserve Investments Update.

In accordance with Assembly Bill (AB) 205, DWR is required to provide a quarterly update to the CEC on current and planned investments being considered for California's Electricity Supply Strategic Reliability Reserve Program. DWR will present its efforts in response to AB 205 and the activities taken to ensure California can meet summer peak demand. Contact: Jorge Luis Quintero (Staff Presentation: 10 minutes)

5. Petition to Request a Rulemaking Hearing.

Consideration of an action on a petition that requests the CEC initiate a rulemaking hearing pursuant to CCR, title 20, section 1221. The petition was filed by Steve Uhler on January 29, 2023, and certified as complete by the executive director on February 14, 2023. Mr. Uhler is requesting a rulemaking to amend CCR, title 20, section 1104(e). Contact: Linda Barrera (Staff Presentation: 5 minutes)

6. Final 2022 Integrated Energy Policy Report Update (Final 2022 IEPR Update) (Docket 22-IEPR-01).

Proposed resolution adopting the *Final 2022 IEPR Update*. The CEC is required to prepare a biennial integrated energy policy report that assesses energy trends and issues facing the state's electricity, gas, and transportation fuel sectors. The report provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety under PRC section 25301(a). The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternate years. The *Final 2022 IEPR Update* includes establishing a framework to center equity and environmental justice throughout CEC efforts; creating a California Energy Planning Library; updating the California Energy Demand Forecast; and addressing emerging topics, including energy reliability, western electricity integration, hydrogen, gasoline prices, fossil gas transition, and distributed energy resources. Contact: Heather Raitt (Staff Presentation: 15 minutes)

7. Preliminary Assessment of the Economic Benefits of Offshore Wind Related to Seaport Investments and Workforce Development.

Proposed resolution approving a preliminary assessment of the economic benefits of offshore wind as they relate to seaport investments and workforce development needs and standards. The report will be submitted to the California Natural Resources Agency and relevant fiscal and policy committees of the Legislature and included in the Offshore Wind Strategic Plan as required by AB 525 (Chiu, ch. 231, stats. 2021). Contact: Paul Deaver (Staff Presentation: 10 minutes)

8. Clean Energy Reliability Investment Plan (CERIP).

Proposed resolution adopting the CERIP. This plan, developed in consultation with the California Public Utilities Commission (CPUC) and the California Air Resources Board, provides justification and recommendations for clean energy investments that accelerate the deployment of clean energy resources, support demand response, assist ratepayers, and increase energy reliability. The CERIP is mandated by SB 846 (Dodd, ch. 239, stats. 2022). Contact: David Erne (Staff Presentation: 10 minutes)

9. Diablo Canyon Power Plant Extension – Analysis of Need to Support Reliability.

Proposed resolution adopting the report and determination of the need to extend the operation of Diablo Canyon Power Plant. This report, developed in consultation with the California Independent System Operator and CPUC, provides the CEC’s determination that it is prudent to extend the operation of the Diablo Canyon Power Plant for calendar years 2024 through 2030. The analysis is based on an assessment of California’s electric system reliability based on forecasted demand and supply. This report is mandated by SB 846 (Dodd, ch. 239, stats. 2022). Contact: David Erne (Staff Presentation: 10 minutes)

10. Lead Commissioner or Presiding Member Reports.

A lead commissioner on a policy matter and a presiding member on a delegated committee may report to the CEC on relevant matters and discussion may follow.

11. Executive Director’s Report.

12. Public Advisor's Report.

13. Chief Counsel's Report.

- a. Pursuant to Government Code section 11126(e)(1), the CEC may adjourn to closed session with its legal counsel to discuss the following matter 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).*

Remote Access Instructions

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Zoom: Click the link below to participate and provide public comment via Zoom.

<https://energy.zoom.us/j/93869230237?pwd=Zm96c09ULzdXTjd4eldtUXdnUGErZ09>.

Zoom may also be accessed at <https://zoom.us/join>. To join, enter the **meeting ID 938-6923-0237** and the **password mtg@10am**. To participate by phone, dial (669) 900-6833 or toll free at (888) 475-4499 and enter **meeting ID 938-6923-0237**. For Zoom technical support dial (888) 799-9666 ext. 2 or contact the CEC's Public Advisor for help at publicadvisor@energy.ca.gov and (916) 957-7910.

Public comments are welcomed at the business meeting during announced times. Comments will be limited to three minutes or less per speaker and one speaker per entity depending on the proposed agenda and number of commenters.

If participating via Zoom's online platform, use the "raise hand" feature to indicate you would like to make a comment. The Public Advisor will open your line to speak. Please restate and spell your name for the record, indicate if you have an affiliation, and begin your comments.

If participating by telephone, press *9 to "raise your hand" and *6 to mute/unmute. The Public Advisor will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking, restate and spell your name for the record, indicate if you have an affiliation, and begin your comments.

Verizon: The CEC's Verizon phone line will solely be available if the Zoom service disconnects and shuts down. If that situation arises, the CEC Verizon line will be available for the public to listen to and make a public comment. Call the CEC's Verizon line at (888) 823-5065 and enter the passcode: business meeting. To comment publicly about a specific item, please provide the operator your name, affiliation if any, and the item number you wish to comment on. The operator will open your line when it is your turn to speak. Restate and spell your name for the record. The operator will mute your line when you are finished commenting. If you need assistance during the call, press *0 for help or to speak with the operator.

Zoom's closed captioning service will be enabled for CEC business meetings. Attendees can use the service by clicking on the "live transcript" CC icon and then choosing either "show subtitle" or "view full transcript." The closed captioning service can be stopped by exiting the "live transcript" or selecting the "hide subtitle" icon. If using a phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors. A full and formal transcript rendered by a professional court reporter will be posted in the CEC's business meeting docket and the CEC's business meeting webpage.

Public Advisor Assistance. Direct questions about how to participate in the business meeting or requests for interpreting services or other reasonable modifications and

accommodations to the Public Advisor at publicadvisor@energy.ca.gov or by phone at (916) 957-7910. Requests for interpreting services, reasonable accommodations, and other modifications should be made as soon as possible and at least five days in advance. The CEC will work diligently to meet all requests based on the availability of the service or resource needed. Additionally, the Public Advisor may upon the request of public participants who may be absent when a matter of interest to them is being considered, neutrally read their comments into the record during the public comment period. If you are interested in this service, please email concise comments before the start of the business meeting to the Public Advisor. Comments submitted after the business meeting starts or that cannot be read within a three-minute timeframe will be filed in the business meeting docket.

Direct media inquiries to (916) 654-4989 or mediaoffice@energy.ca.gov.

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Adjournment. Depending on time and the orderly management of proceedings, the CEC may adjourn, recess, or postpone any noticed hearing or meeting to be continued the next day, another specific date or time, or the next business meeting. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code sections 11128.5, 11129)