

**DOCKETED**

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# State of California

## California Energy Commission Minutes of the February 15, 2023, Energy Commission Business Meeting

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

Present:

David Hochschild, Chair  
Siva Gunda, Vice Chair  
Noemí Gallardo, Commissioner

Patricia Monahan, Commissioner  
Andrew McAllister, Commissioner

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:**

*Before the Pledge of Allegiance, Chair Hochschild announced our newest Commissioner, Commissioner Gallardo.*

#### **1. Public Comment.**

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

*Public Comment:*

*John Reed said he is looking for guidance and advice. He is a Californian resident trying to help with offshore wind regarding floating and constraints around infrastructure and ports. He has asked questions at the AB 525 meeting and has not received a response.*

*Chair Hochschild requested the public advisor follow up with Mr. Reed.*

*Mona Badie, Public Advisor, read the following written comment from Steve Uhler regarding Item 4: Commissioners please ask about data validation methods and user feedback. While I was using the Tableau system, I identified missing and incorrect data. I emailed my findings to the commission and got no response. Please ensure all data accuracy issues are addressed by commission staff to ensure the public will trust the available reports Tableau displays.*

#### **2. Agency Announcements.**

The Chair may announce relevant matters to the public and the CEC, including agency 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. School Bus Replacement Program.
  - i. Pajaro Valley Unified School District. Proposed resolution approving Amendment 3 to Agreement ARV-19-011 with Pajaro Valley Unified School District to add \$302,276 to the budget, extend the agreement by nine months, update special terms and conditions, and adopting staff's determination that this action is exempt from California Environmental Quality Act (CEQA). These changes are needed to procure previously awarded electric school buses because of supply chain issues and increased manufacturing costs. (CTP Funding) Contact: Kay Williams
  - ii. Escalon Unified School District. Proposed resolution approving Amendment 2 to Agreement ARV-19-046 with Escalon Unified School District to add \$200,000 to the budget, extend the agreement by 24 months, add special terms and conditions, and adopting staff's determination that this action is exempt from CEQA. These changes are needed to procure previously awarded electric school buses because of supply chain issues and increased manufacturing costs. (CTP Funding) Contact: Diana Friedrich
  - iii. Chawanakee Unified School District. Proposed resolution approving Amendment 3 to Agreement ARV-19-044 with Chawanakee Unified School District to add \$195,439 to the budget, extend the agreement by 24 months, add special terms and conditions, and adopting staff's determination that this action is exempt from CEQA. These changes are needed to procure previously awarded electric school buses because of supply chain issues and increased manufacturing costs. (CTP Funding) Contact: Diana Friedrich
  - iv. Hanford Joint Union High School District. Proposed resolution approving Amendment 2 to Agreement ARV-19-049 with Hanford Joint Union High School District to add \$100,000 to the budget, extend the agreement by 24 months, add special terms and conditions, and adopting staff's determination that this action is exempt from CEQA. These changes are needed to procure a previously awarded electric school bus because of supply chain issues and increased manufacturing costs. (CTP Funding) Contact: Diana Friedrich
- b. International Council on Clean Transportation Inc. Proposed resolution approving Agreement 600-22-005 with International Council on Clean Transportation Inc. for a \$15,000 one-year membership in the International Zero-Emission Vehicle (ZEV) Alliance. The ZEV Alliance is an association formed by national and subnational jurisdictions to accelerate the adoption of ZEVs. As a member, the CEC will have the opportunity to participate in ZEV Alliance coordination meetings. (CTP Funding) Contact: Marc Arenas
- c. Clean Transportation Program Rural Electric Vehicle (EV) Charging – GFO-21-604. This solicitation sought proposals to demonstrate replicable and scalable business and technology models that can deploy EV charging stations to serve rural EV drivers, especially those from low-income or disadvantaged communities. (CTP and General Fund Funding) Contact: Tiffany Hoang

- i. Redwood Coast Energy Authority. Proposed resolution approving Agreement ARV-22-008 with Redwood Coast Energy Authority for a \$700,000 grant to install 32 public Level 2 charging ports at 10 rural community service centers in Humboldt County, and adopting staff's determination that this action is exempt from CEQA.
  - ii. EV Charging Solutions, Inc. Proposed resolution approving Agreement ZVI-22-030 with EV Charging Solutions, Inc. for a \$1,252,800 grant to install 20 50kW direct current fast chargers (DCFC) and six Level 2 chargers at five rural locations in Northern California, and adopting staff's determination that this action is exempt from CEQA.
  - iii. EV Charging Solutions, Inc. Proposed resolution approving Agreement ZVI-22-031 with EV Charging Solutions, Inc. for a \$668,800 grant to install 10 DCFC and three Level 2 chargers at two rural locations in Central California, and adopting staff's determination that this action is exempt from CEQA.
- d. Charging Access for Reliable On-Demand Transportation Services GFO-21-601. This solicitation sought proposals to fund EV charging infrastructure for high mileage on-demand transportation services such as ride-hailing, taxis, and meal and grocery delivery vehicles. (General Fund) Contact: Taylor Nguyen
- i. ChargePoint, Inc. Proposed resolution approving Agreement ZVI-22-011 with ChargePoint, Inc. for a \$2,000,000 grant to design, build, and operate light-duty EV charging hubs at four project sites in the San Francisco Bay Area with discounted charging for ride-hailing drivers, and adopting staff's determination that this action is exempt from CEQA.
  - ii. ChargePoint, Inc. Proposed resolution approving Agreement ZVI-22-012 with ChargePoint, Inc. for a \$2,000,000 grant to design, build, and operate four light-duty EV charging hubs at Long Beach Airport, Dignity Health Sports Park, Ontario International Airport, and Kimball Park, and adopting staff's determination that this action is exempt from CEQA. The sites are intended to be used by transportation network company drivers transiting between Los Angeles and Orange County.
- e. Name change of ConSol Home Energy Efficiency Rating Services, Inc. (CHEERS). Proposed resolution approving CHEERS to change its business name to California Home Energy Efficiency Rating Services and amend its HERS provider certification and data registry approval. The existing branding is based on the provider's acronym and would remain unchanged. Contact: Matthew Haro
- f. Blue Ribbon Commission on Lithium Extraction in California. Consideration and possible approval of an order dissolving the Blue Ribbon Commission on Lithium Extraction in California, also known as the Lithium Valley Commission, because it has satisfied its purpose and has no further statutory duties. Enacted January 1, 2021, Assembly Bill 1657 required the CEC to establish and convene the commission, which is composed of 14 representatives and experts. The commission reviewed, investigated, and analyzed specific topics related to

California lithium extraction. Upon submitting its report to the Legislature on December 1, 2022, documenting its findings and recommendations, the commission completed its statutory mandate and has no further duties. At its January 20, 2023, meeting, the commission passed a motion recommending that the CEC dissolve the commission. Contact: Deborah Dyer

- g. Trinity Public Utility District's (Trinity) Application for Solar Photovoltaic (PV) Determination. Proposed resolution approving Trinity's application to the CEC for a determination, pursuant to CCR, title 24, part 1, section 10-109(k), that the CEC's residential solar PV requirements for new single-family and low-rise residential construction in the 2022 Energy Code are not cost effective in Trinity's service area and should not be required for those building types. Contact: Muhammad Saeed
- h. ChargePoint, Inc. Proposed corrected resolution approving Agreement ARV-22-007 for a \$1,537,296 grant to install a DCFC "hub" capable of charging four vehicles simultaneously at 150kW each, one dual-port Level 2 charger, and four "spoke" stations with 20 dual-port Level 2 chargers, and adopting staff's determination that this action is exempt from CEQA. Stations will be constructed along critical rural travel corridors to enable long-distance EV trips and the installation of Level 2 stations at population centers to attract rural drivers. Reapproving this item from the January 25, 2023, business meeting to correct the resolution. (CTP Funding) Contact: Allan Ward

*Before the consent calendar items were voted on, Chair Hochschild announced Item 3b would be heard first, and then address Items 3a and 3c through 3h afterward.*

*Before Item 3b was heard, Commissioner Monahan announced that out of an abundance of caution, she recused herself from the discussion, consideration, and vote of Item 3b which proposed an agreement with the International Council on Clean Transportation Inc. for a one-year membership in the International Zero-Emission Vehicle Alliance. She serves as an unpaid advisor to the board of the International Council on Clean Transportation Inc, which may present a perceived conflict of interest. She does not receive compensation or reimbursements for her service. Commissioner Monahan recused herself from any discussion, consideration, and vote to avoid any perception of a conflict of interest.*

*Commissioner Gallardo moved to approve Item 3b. Vice Chair Gunda seconded. The vote was (4-0).*

*Commissioner Monahan moved to approve Items 3a and 3c through 3h. Vice Chair Gunda seconded. The vote was (5-0).*

*Public Comment:*

*Charlette Goodrich from ChargePoint is in support of this item.*

#### **4. Information Item – Update on Data Visualization and Exploration Tools.**

Staff will provide an update on efforts to improve data communication, visualization, and access for the public. This presentation will focus on the CEC's recent adoption of the interactive data visualization tool Tableau, the ways we are currently utilizing

it, and goals for additional use cases over the coming year. Contact: Jason Harville (Staff Presentation: 10 minutes)

*Jason Harville presented an update on efforts to improve data communication, visualization, and access for the public. Information item only, no vote was taken.*

**5. Solar Energy Generating Systems IX Petition to Decommission and License Termination (89-AFC-01C).**

Possible approval of an order granting the petition to decommission the Solar Energy Generating Systems (SEGS) IX solar thermal power plant and terminate its license. Staff has concluded that impacts from the decommissioning on the environment would be less than significant. The project would remain in compliance with all applicable laws with the continued implementation of existing conditions of certification in the Final Commission Decision for SEGS IX and proposed conditions in the areas of Air Quality, Biological Resources, Cultural Resources, Hazardous Materials Management, Land Use, Public Health, Soil and Water Resources, Transmission Line Safety and Nuisance, Traffic and Transportation, and Worker Safety and Fire Protection. Contact: John Heiser (Staff Presentation: 5 minutes)

*Public Comment:*

*Amanda Johnson from LSA Associates is in support of this item.*

*Vice Chair Gunda asked presenter John Heiser to explain what the developer's plans are and the timing of the SEGS decommissioning.*

*John Heiser said they are planning on converting it to solar PV development with the county with a battery energy storage systems site through the jurisdiction of the county.*

*Vice Chair Gunda asked staff what the envision is for the future.*

*Elizabeth Huber responded that the CEC has already approved decommissioning plans on SEGS three through seven and eight. The CEC has removed the boundary change on SEGS ten. They have begun construction on the solar PV and battery storage project. After the summer of 2023, they will have the availability to complete that project and up to 150 megawatts of solar PV and about 75 megawatts of battery storage available by the summer of 2024.*

*Chair Hochschild asked Ms. Huber if all the SGES put together is about 350 megawatts and what is the total capacity of the replacement plan with PV.*

*Ms. Huber said there are three different projects with three different project owners so she can follow up on the other projects that are on SEGS three through seven.*

*Commissioner Gallardo moved to approve Item 5. Commissioner Monahan seconded. The vote was (5-0).*

**6. Zero Emission Transportation Manufacturing - GFO-21-605.**

This solicitation sought proposals for projects that will increase in-state manufacturing of ZEVs, ZEV components and batteries, and ZEV charging or refueling equipment. (General Fund Funding) Contact: Pilar Magaña (Staff Presentation: 5 minutes)

- a. Aptera Motors Corp. Proposed resolution approving Agreement ZVI-22-029 with Aptera Motors Corp. for a \$21,911,630 grant to install vehicle production equipment at two existing manufacturing facilities in Carlsbad and Vista, California, and adopting staff's determination that this action is exempt from CEQA. The manufactured product is a three-wheeled, two-passenger on-road vehicle that will be available for commercial sale in California.
- b. Symbio North America Corporation. Proposed resolution approving Agreement ZVI-22-032 with Symbio North America Corporation for a \$9,076,445 grant to expand their facility in Poway and establish a new facility in Temecula for hydrogen fuel cell vehicle power systems and vehicle assembly, and adopting staff's determination that this action is exempt from CEQA. These California facilities will assemble regional long-haul heavy-duty fuel cell class 8 trucks and have an annual combined maximum production capacity of 250 trucks and 250 to 300 fuel cell power systems to expedite fuel cell truck deployment in California.

*Public Comment:*

*Pablo Ucar from Aptera is in support of this item.*

*Robert Del Core from Symbio North America is in support of this item.*

*Mona Badie, Public Advisor, read the following written comment from Steve Uhler regarding Item 6a: The Aptera, a three-wheeled, two-passenger on-road vehicle could be in the running as my first all-electric vehicle. I am hoping the vehicle will also have the off-road capabilities advertised and have a power take-off to power my all-electric life.*

*Chair Hochschild asked Mr. Ucar if the Aptera can go freeway speed and what is the range.*

*Mr. Ucar said yes, and noted that this vehicle can go on the highway and to 100 miles an hour. We offer four different packages 250-, 600-, and 1,000-mile range. Aptera also has the 400-mile range coming soon.*

*Chair Hochschild asked Mr. Del Core how he compared and contrast when he was looking at hydrogen fuel cells versus electric.*

*Mr. Del Core said Symbio is looking at different applications where hydrogen fuel cells can dominate. Symbio is already the recipients of another California Energy Commission grant. This class-A truck will operate from southern to northern California through the grapevine region. Symbio is also looking at the needs of the customer and where it could help their operations in terms of capacity and being able to carry as much load as possible.*

*Vice Chair Gunda asked Mr. Del Core what part of the future of the grid is going into the value proposition on how you structure your company.*

*Mr. Del Core said Symbio's core business is around fuel cell technology. Symbio represents the demand side and sees the need of having hydrogen come from abundant of sources and green sources.*

*Chair Hochschild asked Aptera and Symbio what federal tax credits they can avail themselves of.*

*Jay Friedland from Aptera responded said it has been difficult for non-four-wheel vehicles to get a federal tax credit. There was a federal tax credit of 10 percent in place. It was eliminated as part of the revision to the current four-wheel-like duty vehicle credits that are in place now with all the new requirements. There is a coalition of vendors working to try and get it reinstated. There are also potential additional tax credits vis sanctions 45 and 48 in terms of supporting manufacturing and advanced vehicle technology. Aptera is exploring all of those to continue to further expand capacity and availability.*

*Mr. Del Core said that Symbio is exploring all of the incentives that are available at the tax level, IRA, and state level in gathering which ones make sense as they grow.*

*Commissioner Monahan moved to approve Item 6. Commissioner Gallardo seconded. The vote was (5-0).*

## **7. Minutes.**

*Possible approval of the January 25, 2023, Business Meeting minutes.*

*Before Item 7 was voted on, Chair Hochschild announced Commissioner Gallardo was abstaining from the January 25, 2023, Business Meeting.*

*Public Comment:*

*Mona Badie, Public Advisor, read the following written comment from Steve Uhler regarding Item 7: At the time of my writing this comment the minutes were not available for comment. Please ensure the minutes are based on the agenda filed with the Docket Unit prior to the proceeding's start. Please ensure only 20 CCR subsection 1104(d) was used to remove matters from the consent calendar to be considered as a separate item. If other means were used to remove a matter from the consent calendar as if it was an item, to be considered as a separate additional item, then the public should be given time to comment on each matter on the consent calendar as if it is a separate item on the agenda.*

*Commissioner McAllister moved to approve Item 7. Commissioner Monahan seconded. The vote was (4-0).*

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

*The Commissioners reported on their recent activities.*

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

*The Executive Director gave a report.*

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

*The Public Advisor gave a report.*

## **11. Public Comment.**

*None.*

**12. 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).*

*The Chief Counsel gave a report.*

*There being no further business the meeting was adjourned.*

Respectfully submitted,

**SIGNED BY:**

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LIZA LOPEZ  
Secretariat