

DOCKETED

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State of California

California Energy Commission Minutes of the April 12, 2023, Energy Commission Business Meeting

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

Present:

David Hochschild, Chair

Noemí Gallardo, Commissioner

Patricia Monahan, 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 two minutes or less per person.

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

Before the public comment, Chair Hochschild announced Vice Chair Gunda and Commissioner McAllister would not be joining the business meeting.

1. Public Comment.

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

Public Comment:

Virinder Singh with EDF Renewables commented on Item 5.

Susie Wong with ReMo Homes commented on Item 1.

Kristen Headland commented on Item 1.

Abby Arnold commented on Item 5.

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. American Council for an Energy-Efficient Economy (ACEEE). Proposed resolution approving Agreement 100-22-003 with ACEEE for a \$12,000 co-sponsorship contract, use of the CEC logo to support the 2023 Behavior, Energy

& Climate Change Conference, and adopting staff's determination that this action is not a project under California Environmental Quality Act (CEQA). The conference is scheduled for November 12-15, 2023, in Sacramento. (ERPA Funding) Contact: Kadir Bedir

- b. Verdant Associates LLC. Proposed resolution approving Agreement 800-22-006 with Verdant Associates LLC for a \$500,000 contract to provide technical assistance in support of the Demand Scenarios Project. These demand scenarios project energy consumption for electricity and fuels based on assumptions that reflect energy policies and programs to decarbonize California's economy. They are a key input into the requirements of Senate Bill (SB) 100 to assess the complete decarbonization of the electric generation sector. (ERPA Funding) Contact: Anitha Rednam and Mike Jaske
- c. Vacaville Unified School District. Proposed resolution approving Amendment 3 to Agreement ARV-19-067 with Vacaville Unified School District to add \$126,562 to the budget and update the 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: Kay Williams
- d. Energy Conservation Assistance Act (ECAA) Loan Program – PON-22-001. Proposed resolutions approving five ECAA-Ed loans at zero percent interest totaling \$7,979,597. (ECAA-Ed Funding) Contact: Sean Lockwood
 - i. Burton Elementary School District. Proposed resolution approving Agreement 001-22-ECG with Burton Elementary School District for a \$995,083 loan at zero percent interest, and adopting staff's determination that this action is exempt from CEQA. This loan will finance the retrofit of existing interior lighting to LEDs at eight sites. Upon completion, the project is estimated to save 526,816 kWh and approximately \$133,629 in utility costs per year.
 - ii. Sundale Union Elementary School District. Proposed resolution approving Agreement 002-22-ECG with Sundale Union Elementary School District (Sundale) for a \$2,286,703 loan at zero percent interest, and adopting staff's determination that this action is exempt from CEQA. This loan will finance the installation of a 440 kW carport structure photovoltaic (PV) system at Sundale's single school site. Upon completion, the project is estimated to save 678,301 kWh and approximately \$117,542 in utility costs per year.
 - iii. Hanford Elementary School District. Proposed resolution approving Agreement 003-22-ECG with Hanford Elementary School District for a \$2,202,584 loan at zero percent interest, and adopting staff's determination that this action is exempt from CEQA. The loan will finance the installation of two carport solar PV arrays totaling 372.6 kW at two sites. Upon completion, the project is estimated to save 600,486 kWh and approximately \$111,042 in utility costs per year.

- iv. Kings River Union Elementary School District. Proposed resolution approving Agreement 004-22-ECG with Kings River Union Elementary School District for a \$1,072,271 loan at zero percent interest, and adopting staff's determination that this action is exempt from CEQA. The loan will finance the installation of one ground-mounted solar PV array of 208.8 kW at one site. Upon completion, the project is estimated to save 348,185 kWh and approximately \$79,128 in utility costs per year.
- v. Alta Vista Elementary School District. Proposed resolution approving Agreement 005-22-ECG with Alta Vista Elementary School District for a \$1,422,956 loan at zero percent interest, and adopting staff's determination that this action is exempt from CEQA. The loan will finance the installation of one ground-mounted solar PV array of 302.4 kW at one site. Upon completion, the project is estimated to save 483,822 kWh and approximately \$78,772 in utility costs per year.
- e. Eagle Rock Analytics, Inc. Proposed resolutions approving novations for the agreements below in which the original recipient, Owen Doherty, Ph.D., doing business as Eagle Rock Analytics (Sole Proprietor), has changed legal entity status, and registered with the California Secretary of State as Eagle Rock Analytics, Inc. (an S-Corporation). There are no other changes to the agreements. Contact: Alexandra Kovalick
 - i. Eagle Rock Analytics, Inc., Agreement EPC-20-007. The project will continue producing a "Climate Data and Analytics Platform to Support California's Electricity Resilience" under the new entity. (EPIC Funding)
 - ii. Eagle Rock Analytics, Inc., Agreement EPC-21-037. The project will continue climate-informed generation capacity modeling under the new entity. (EPIC Funding)
 - iii. Eagle Rock Analytics, Inc., Agreement EPC-21-038. The project will continue developing a new Cal-Adapt web application under the new entity. (EPIC Funding)
 - iv. Eagle Rock Analytics, Inc., Agreement PIR-19-006. The project will continue developing a weather data assimilation platform under the new entity. (R&D Gas Funding)
- f. Integrated Environmental Solutions Virtual Environment (IES VE) Title 24 2022 compliance software, Version 1.0, 2022 Energy Code. Proposed resolution approving third-party compliance software IES VE Title 24 2022 Version 1.0, by Integrated Environmental Solutions Limited, as an alternative calculation method for demonstrating performance compliance with the nonresidential provisions of the 2022 Building Energy Efficiency Standards. Contact: RJ Wichert
- g. Alamitos Energy Center (Docket 13-AFC-01C). Proposed order amending the CEC's certification of the Alamitos Energy Center to 1) allow a change to the project description that includes the installation of two identical 1,112 brake horsepower emergency diesel-fired internal combustion engine generators to

provide power supply in the event of an electrical emergency, and the addition of corresponding conditions of certification; 2) adopt staff's determination that the project would not have a significant adverse impact on the environment and would comply with all applicable laws, ordinances, regulations and standards; and 3) find that the project change does not meet any of the criteria in Public Resources Code (PRC) section 21166 and CCR, title 14, section 15162, that would necessitate the preparation of a subsequent or supplemental environmental document. Contact: Joseph Douglas

- h. Local Ordinances for the Cities of Glendale and Menlo Park and the County of Marin. Proposed resolutions regarding applications submitted by local jurisdictions for findings pursuant to PRC section 25402.1(h)(2). Contact: Danuta Drozdowicz
 - i. City of Glendale. The local ordinance contains requirements that new nonresidential, high-rise residential, multifamily, and hotel/motel buildings install a solar photovoltaic system that offsets either 100 percent of the building's modeled electricity use or covers 50 percent of the total roof area.
 - ii. City of Menlo Park. The local ordinance contains requirements that new hotel/motel, high-rise multifamily, and low-rise nonresidential buildings of less than 10,000 ft² install a 3-kilowatt photovoltaic system, and buildings over 10,000 ft² install a 5-kilowatt photovoltaic system.
 - iii. County of Marin. The local ordinance contains requirements that, when there are additions and alterations to existing buildings, they meet the 2022 Energy Code, and in some cases achieve a higher efficiency score.
- i. Pattern Solar and Storage Development LLC. Proposed resolution approving Agreement LDS-22-002 with Pattern Solar and Storage Development LLC for a \$79,600 grant to conduct a use case and market analytics assessment and prepare for commercial deployment of a 5 MW (500 MWh), non-lithium-ion, long-duration energy storage system, and adopting staff's determination that this action is exempt from CEQA. This project will assess the capability of an iron-air, multi-day storage system to both support the integration of intermittent renewable resources and provide multiple days of continuous, zero-carbon power to the grid. (LDES Funding) Contact: Yahui Yang
- j. Linde Inc. Proposed resolution approving Agreement ARV-22-010 with Linde Inc. for a \$3,000,000 grant to expand the supply of renewable hydrogen for the California market by integrating polymer electrolyte membrane electrolysis technology at its existing Ontario, California hydrogen facility, and adopting staff's determination that this action is exempt from CEQA. (CTP Funding) Contact: Rose Strauss

Public Comment:

None.

Commissioner Monahan moved to approve Item 3. Commissioner Gallardo seconded. The vote was Yes (3-0).

4. Information Item - East Coast Offshore Wind Study Tour.

Staff will provide an overview of a fact-finding mission designed to educate key California leadership and stakeholders on various components of sustainable, environmental, and equitable offshore wind energy development on the East Coast of the United States, including manufacturing, infrastructure, and workforce development, maintenance, and operation. The fact-finding delegation visited offshore wind sites in Rhode Island, Connecticut, and New Jersey, and spoke and participated at the International Partnering Forum offshore wind conference in Baltimore, Maryland. Contact: Elizabeth Huber (Staff Presentation: 5 minutes)

Information item only, no vote was taken.

5. Former CEC Executive Director and Commissioner James “Jim” Walker.

Proposed resolution recognizing former CEC Executive Director and Commissioner James “Jim” Walker. Contact: Terra Weeks (Staff Presentation: 5 minutes)

Public Comment:

Bob Hoffman commented on this item.

Commissioner Monahan moved to approve Item 5. Commissioner Gallardo seconded. The vote was Yes (3-0).

6. Electric Program Investment Charge (EPIC) 2022 Annual Report.

Consideration and possible adoption of a resolution approving the EPIC 2022 Annual Report – Staff Report to be submitted to the Legislature and the California Public Utilities Commission by April 30, 2023. Contact: Fritz Foo (Staff Presentation: 10 minutes)

Public Comment:

None.

Commissioner Gallardo moved to approve Item 6. Commissioner Monahan seconded. The vote was Yes (3-0).

7. Order Instituting Informational Proceeding (OIIIP) (Docket 23-IEPR-01).

Proposed OIIIP for the *2023 Integrated Energy Policy Report (2023 IEPR)* to authorize the lead and associate commissioners and the executive director to gather and assess information for analyses on the topics identified in the *2023 Integrated Energy Policy Report Scoping Order*. The 2023 IEPR will address four topics: (1) accelerated connection of clean energy, (2) electricity and natural gas forecast, (3) potential growth of hydrogen, and (4) updates and findings from informational proceedings related to distributed energy resources (22-OII-01) and gas system decarbonization (22-OII-02) and other data and assessments required by statute. Contact: Heather Raitt (Staff Presentation: 5 minutes)

Public Comment:

None.

Commissioner Monahan moved to approve Item 7. Commissioner Gallardo seconded. The vote was Yes (3-0).

8. ~~Amendments to Order Instituting Rulemaking (OIR) Proceeding (Docket 20-TIRE-01).~~ [This item is removed from the agenda]

~~Proposed order amending the original OIR from 2003, appointing a lead commissioner, and directing staff to develop and propose additions to CCR, title 20 that would implement a replacement tire efficiency program. The program would ensure that replacement tires for passenger cars and light-duty trucks sold in California are as energy-efficient as the tires sold as original equipment. Contact: Jontae Clapp (Staff Presentation: 5 minutes)~~

9. Small Power Plant Exemption (SPPE) for STACK Trade Zone Park (Docket 21-SPPE-02).

Proposed order finding that the requirements of Public Resources Code section 25541 are met and that the Final Environmental Impact Report (EIR) was prepared in compliance with CEQA, and adopting the executive director's recommendation that the CEC certify the EIR and grant STACK Trade Zone Park an SPPE from the Application for Certification provisions of the CEC's powerplant licensing process. Contact: Eric Knight (Staff Presentation: 5 minutes)

Public Comment:

Scott Galati from DayZen LLC representing STACK commented on this item.

Commissioner Gallardo moved to approve Item 9. Commissioner Monahan seconded. The vote was Yes (3-0).

10. ~~Russell City Energy Center (RCEC) Settlement Agreement from the May 27, 2021 Steam Turbine Incident (Docket 01-AFC-07C).~~ [This item will be the second item heard after the Consent Calendar item 3]

~~Proposed order approving a settlement agreement with Russell City Energy Company, LLC (RCEC) to resolve alleged violations of the General Conditions and Compliance Monitoring Plan for the Russell City Energy Center (01-AFC-07) arising from a May 27, 2021, event in which the steam turbine and generator at the Russell City Energy Center incurred damage as a result of a mechanical failure due to an overspeed event. As acknowledged in the settlement agreement, RCEC took measures sufficient to enable the Russell City Energy Center to safely return to operations in combined cycle mode. RCEC has agreed to pay \$2.5 million to the CEC. In return, the CEC agrees to close the matter without further action or litigation. The approval of the settlement is exempt from CEQA. Contact: Dian Vorters. (Staff Presentation: 15 minutes) [This item is removed from the agenda]~~

11. Residential Solar Permit Reporting – Senate Bill (SB) 379 Guidelines.

Proposed resolution approving guidelines for Residential Solar Permit Reporting – SB 379. The guidelines address the CEC's required role in facilitating reporting

under SB 379 (Wiener, Chapter 356, Statutes of 2022). SB 379 establishes requirements for California cities and counties related to the implementation of an online, automated permitting platform such as SolarAPP+. This law intends to increase access and adoption of residential solar and energy storage projects by supporting instantaneous plan review practices and creating consistent processes for the issuance of residential clean energy project permits. Contact: Geoffrey Dodson (Staff Presentation: 5 minutes)

Public Comment:

None.

Commissioner Gallardo moved to approve Item 11. Commissioner Monahan seconded. The vote was Yes (3-0).

12. CALSTART, Inc.

Proposed resolution approving Agreement ZVI-22-035 with CALSTART, Inc. for an up to \$25,000,000 block grant to solicit, select, and fund with CEC oversight, projects that will promote in-state battery manufacturing for zero-emission vehicles and related infrastructure, and adopting staff's determination that this action is exempt from the CEQA. Under this block grant agreement, CEC will perform CEQA review for every proposed sub-grant. Every proposed sub-grant will be brought to a CEC business meeting for approval and a CEQA determination, and no funds may be disbursed until the sub-grant and CEQA determination have been approved. (General Fund Funding) Contact: Chris Jenks (Staff Presentation: 5 minutes)

Public Comment:

Orville Thomas from CALSTART is in support of this item.

Commissioner Monahan moved to approve Item 12. Commissioner Gallardo seconded. The vote was Yes (3-0).

13. GC Green, Incorporated.

Proposed resolution approving Agreement ZVI-22-033 for a \$500,000 grant to install two public direct current fast chargers, one public Level 2 charger, and on-site solar with battery storage at Tule River Eagle Feather Trading Post #1 to increase electric vehicle (EV) charging access and enable greater plug-in EV adoption by the Tule River Indian Tribe of the Tule River Reservation, and adopting staff's determination that this action is exempt from CEQA. (General Fund Funding) Contact: Tiffany Hoang (Staff Presentation: 5 minutes)

Public Comment:

Elizabeth Perez from GC Green is in support of this item.

Ivette Crosser is in support of this item.

Rick halperin is in support of this item.

David Mendoza from Fresno Native American Business Center is in support of this item.

Commissioner Monahan moved to approve Item 13. Commissioner Gallardo seconded. The vote was Yes (3-0).

14. Realizing Accelerated Manufacturing and Production for Clean Energy Technologies - GFO-21-304. [This item will be the first item heard after the Consent Calendar item 3]

This solicitation sought proposals to provide financial assistance to help clean energy entrepreneurs successfully advance emerging best-of-class innovative technology to the Low-Rate Initial Production (LRIP) stage. LRIP is the first step in making the transition from highly customized hand-built prototypes, which are used for performance testing and vetting the production process, to the final mass-produced end-product in the Full-Rate Production phase. This solicitation is part of the CEC's ongoing strategy to foster and support clean energy entrepreneurship across the state. The grants proposed for approval total roughly \$11.6 million. (EPIC Funding) Contact: Michael Ferreira (Staff Presentation: 10 minutes)

- a. Liminal Insights, Inc. Proposed resolution approving Agreement EPC-22-010 with Liminal Insights, Inc. for a \$2,750,000 grant to scale the manufacturing of EchoStat ultrasound-based Lithium-ion battery inspection system, transitioning from the predominantly manual assembly of testbench prototypes to mostly automated LRIP of factory-ready equipment, and adopting staff's determination that this action is exempt from CEQA. EchoStat is an advanced inspection and analytics platform that provides visibility inside batteries throughout the manufacturing process. This allows customers to detect and resolve design or production flaws in real-time, resulting in quick improvements in quality and productivity while minimizing the exposure to potential defects.
- b. Next Energy Technologies Inc. Proposed resolution approving Agreement EPC-22-011 with Next Energy Technologies Inc. for a \$2,997,395 grant to accelerate commercialization of their innovative power-generating window technology by meeting market-entry production requirements, and adopting staff's determination that this action is exempt from CEQA. The thin-film, organic PV technology is applied as a transparent coating directly to windowpanes that provide buildings with onsite clean electricity and protection from solar heat gains. Under this agreement, the recipient will develop and demonstrate manufacturing capabilities that achieve low-rate initial production levels, advancing from their current pilot-scale production tools and processes.
- c. Skyven Technologies, Inc. Proposed resolution approving Agreement EPC-22-012 with Skyven Technologies, Inc. (Skyven) for a \$2,971,730 grant to bring an innovative, industrial steam-generating, heat pump technology to LRIP, and adopting staff's determination that this action is exempt from CEQA. This new electric heat pump technology recycles industrial heat waste to aid in the production of industrial steam at temperatures and pressures that have only been achievable using traditional fossil fuel-fired boilers. Skyven has proven the efficacy of this technology in custom-engineered installations, and with this grant, seek to substantially lower installation costs by bringing a packaged, pre-

engineered, family of system into LRIP. This simplified design and production process will create a commercially viable solution for electrifying industrial steam generation.

- d. TS Conductor Corp. Proposed resolution approving Agreement EPC-22-013 with TS Conductor Corp. for a \$3,000,000 grant to expand its manufacturing capabilities at its FutureWire facility in Huntington Beach, California, and adopting staff's determination that this action is exempt from CEQA. The facility will produce advanced, high-efficiency conductors that can reduce electricity line loss by 40 percent, allowing more generated electricity to reach load centers while lowering the carbon intensity of grid electricity. The project aims to design and commission a new manufacturing line capable of producing up to 2,300 miles of covered smart conductors per year and reduce manufacturing costs by 50 percent.

Public Comment:

Jason Huand from TS Conductor is in support of this item.

Courtney McKeon from Skyven Technologies is in support of this item.

Bruno Caputo from Next Energy Technologies is in support of this item.

Commissioner Gallardo moved to approve Item 14. Commissioner Monahan seconded. The vote was Yes (3-0).

15. Minutes.

Possible approval of the February 28, 2023; ~~March 2, 2023~~; March 6, 2023; and March 14, 2023 Business Meeting minutes.

Public Comment:

None.

Commissioner Gallardo moved to approve Item 15. Commissioner Monahan seconded. The vote was Yes (3-0).

16. Lead Commissioner or Presiding Member Reports.

The Commissioners reported on their recent activities.

17. Executive Director's Report.

The Executive Director had nothing to report.

18. Public Advisor's Report.

The Executive Director had nothing to report.

19. 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 had nothing to report.

There being no further business the meeting was adjourned.

Respectfully submitted,

SIGNED BY:

LIZA LOPEZ
Secretariat