

**DOCKETED**

<b>Docket Number:</b>	23-BUSMTG-01
<b>Project Title:</b>	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
<b>TN #:</b>	251218
<b>Document Title:</b>	Resolutions and Orders for the July 26, 2023 Business Meeting
<b>Description:</b>	N/A
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<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	7/27/2023 3:19:08 PM
<b>Docketed Date:</b>	7/27/2023

**STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS  
CONTAINED IN CITY OF SANTA CLARA'S ORDINANCE NO. 22-9147 SATISFY  
STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION  
25402.1(h)(2)**

**WHEREAS**, The City of Santa Clara adopted Ordinance No. 22-9147, which establishes certain locally adopted building energy efficiency standards; and

**WHEREAS**, Public Resources Code section 25402(a) and (b) establishes that the California Energy Commission (CEC) shall prescribe, by regulation, statewide building energy efficiency standards; and

**WHEREAS**, Public Resources Code section 25402.1(h)(2) provides that nothing in Public Resources Code section 25402(a) or (b) shall prohibit the enforcement of city or county building energy efficiency standards if: (1) the city or county files the basis of its determination that the standards are cost-effective with the CEC and (2) the CEC finds that the locally adopted standards will require the diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to Public Resources Code section 25402(a) and (b); and

**WHEREAS**, California Code of Regulations, Title 24, Part 1, section 10-106 establishes a process for local governmental agencies to submit an application to the CEC for a determination that locally adopted building energy efficiency standards meet the requirements set forth in Public Resources Code section 25402.1(h)(2); and

**WHEREAS**, The City of Santa Clara submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 22-9147 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 22-9147 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, section 10-106, on April 20, 2023; and

**WHEREAS**, The CEC has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 22-9147 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and determined that they will do so; and

**WHEREAS**, California Code of Regulations, Title 24, Part 1, section 10-106(b) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq; and

**WHEREAS**, The City of Santa Clara, in its application to the CEC, submitted the California Environmental Quality Act documentation required by California Code of Regulations, Title 24, Part 1, section 10-106(b)(4).

**THEREFORE, BE IT RESOLVED**, that the CEC finds the locally adopted energy efficiency and conservations standards application filed by the City of Santa Clara satisfies the requirements of Title 24, California Code of Regulations, section 10-106; and

**THEREFORE, BE IT FURTHER RESOLVED**, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) the City of Santa Clara has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 22-9147 are cost-effective, and (2) Ordinance No. 22-9147 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the CEC directs the executive director to take all actions necessary to implement this Resolution.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**IN THE MATTER OF:**

***Morton Bay, LLC***  
***Application for Certification***

**Docket No.: 23-AFC-01**

**ORDER FINDING THE APPLICATION  
FOR CERTIFICATION COMPLETE**

**I. BACKGROUND**

On April 18, 2023, Morton Bay, LLC, a wholly owned subsidiary of BHE Renewables, LLC (BHER) (applicant), filed an Application for Certification (AFC) with the California Energy Commission (CEC) to construct and operate the Morton Bay Geothermal Project (MBGP) at the Salton Sea Known Geothermal Resource Area. The thermal power plant would be located on 63 acres of a 160-acre parcel in unincorporated Imperial County, bounded by McDonald Road to the north, Davis Road to the east, Schrimpf Road to the south, and the Salton Sea to the immediate west. The MBGP would utilize a nominal 140-megawatt, geothermal fired steam turbine generator.

Public Resources Code section 25540.1, as implemented by California Code of Regulations, title 20, sections 1704 and 1709, sets forth the process for the CEC to determine the completeness of an AFC prior to accepting it as complete and starting the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2.

Upon the filing of an AFC, the executive director determines whether it contains the information required under California Code of Regulations, title 20, section 1704, and if it is complete. California Code of Regulations, title 20, Appendix B (Appendix B) specifies the information necessary for a complete AFC. The executive director files a recommendation to the CEC on whether the filing is complete or needs to be supplemented to conform to the CEC's information requirements. The CEC then acts upon the executive director's recommendation.

**II. STAFF RECOMMENDATION**

On July 12, 2023, the executive director filed a data adequacy recommendation with the CEC finding that the applicant has filed a complete AFC pursuant to Appendix B.

The executive director recommends the CEC adopt the executive director's recommendation that the applicant has filed a complete AFC for MBGP and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, should commence.

### **III. ENERGY COMMISSION FINDINGS**

Pursuant to Public Resources Code section 25540.1 and California Code of Regulations, title 20, sections 1704 and 1709, the CEC concurs with the executive director's recommendation filed July 12, 2023, and finds that the MBGP AFC is a complete filing as per the information required under Appendix B, and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, can commence.

**IT IS SO ORDERED.**

#### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**IN THE MATTER OF:**

***Elmore North, LLC***  
***Application for Certification***

**Docket No.: 23-AFC-02**

**ORDER FINDING THE APPLICATION  
FOR CERTIFICATION COMPLETE**

**I. BACKGROUND**

On April 18, 2023, Elmore North, LLC, a wholly owned subsidiary of BHE Renewables, LLC (BHER) (applicant), filed an Application for Certification (AFC) with the California Energy Commission (CEC) to construct and operate the Elmore North Geothermal Project (MBGP) at the Salton Sea Known Geothermal Resource Area. The thermal power plant would be located on 63 acres of a 160-acre parcel in unincorporated Imperial County, bounded by an unnamed dirt road to the north, Cox Road to the west, Garst Road to the east, and West Sinclair Road to the south. The ENGP would utilize a nominal 140-megawatt, geothermal fired steam turbine generator.

Public Resources Code section 25540.1, as implemented by California Code of Regulations, title 20, sections 1704 and 1709, sets forth the process for the CEC to determine the completeness of an AFC prior to accepting it as complete and starting the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2.

Upon the filing of an AFC, the executive director determines whether it contains the information required under California Code of Regulations, title 20, section 1704, and if it is complete. California Code of Regulations, title 20, Appendix B (Appendix B) specifies the information necessary for a complete AFC. The executive director files a recommendation to the CEC on whether the filing is complete or needs to be supplemented to conform to the CEC's information requirements. The CEC then acts upon the executive director's recommendation.

**II. STAFF RECOMMENDATION**

On July 12, 2023, the executive director filed a data adequacy recommendation with the CEC finding that the applicant has filed a complete AFC pursuant to Appendix B.

The executive director recommends the CEC adopt the executive director's recommendation that the applicant has filed a complete AFC for ENGP and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, should commence.

### **III. ENERGY COMMISSION FINDINGS**

Pursuant to Public Resources Code section 25540.1 and California Code of Regulations, title 20, sections 1704 and 1709, the CEC concurs with the executive director's recommendation filed July 12, 2023, and finds that the ENGP AFC is a complete filing as per the information required under Appendix B, and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, can commence.

**IT IS SO ORDERED.**

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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Kristine Banaag  
Secretariat



STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**IN THE MATTER OF:**

***Black Rock, LLC***  
***Application for Certification***

**Docket No.: 23-AFC-03**

**ORDER FINDING THE APPLICATION  
FOR CERTIFICATION COMPLETE**

**I. BACKGROUND**

On April 18, 2023, Black Rock, LLC, a wholly owned subsidiary of BHE Renewables, LLC (BHER) (applicant), filed an Application for Certification (AFC) with the California Energy Commission (CEC) to construct and operate the Black Rock Geothermal Project (BRGP) at the Salton Sea Known Geothermal Resource Area. The thermal power plant would be located on 55 acres of a 160-acre parcel in unincorporated Imperial County, bounded by McKendry Road to the north, Severe Road to the west, and Boyle Road to the east. The BRGP would utilize a nominal 77-megawatt, geothermal fired steam turbine generator.

Public Resources Code section 25540.1, as implemented by California Code of Regulations, title 20, sections 1704 and 1709, sets forth the process for the CEC to determine the completeness of an AFC prior to accepting it as complete and starting the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2.

Upon the filing of an AFC, the executive director determines whether it contains the information required under California Code of Regulations, title 20, section 1704, and if it is complete. California Code of Regulations, title 20, Appendix B (Appendix B) specifies the information necessary for a complete AFC. The executive director files a recommendation to the CEC on whether the filing is complete or needs to be supplemented to conform to the CEC's information requirements. The CEC then acts upon the executive director's recommendation.

**II. STAFF RECOMMENDATION**

On July 12, 2023, the executive director filed a data adequacy recommendation with the CEC finding that the applicant has filed a complete AFC pursuant to Appendix B.

The executive director recommends the CEC adopt the executive director's recommendation that the applicant has filed a complete AFC for BRGP and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, should commence.

### **III. ENERGY COMMISSION FINDINGS**

Pursuant to Public Resources Code section 25540.1 and California Code of Regulations, title 20, sections 1704 and 1709, the CEC concurs with the executive director's recommendation filed July 12, 2023, and finds that the BRGP AFC is a complete filing as per the information required under Appendix B, and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, can commence.

**IT IS SO ORDERED.**

### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Aspen Environmental Group**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves amendment 2 to contract 700-22-004 with Aspen Environmental Group to increase the agreement's budget by \$800,000 to support additional work related to offshore wind and complimentary battery storage to ensure local benefits including enhanced reliability and resilience. This contract provides professional engineering and environmental services to support the state's environmental, conservation, engineering, infrastructure, economic, and land use planning activities in terrestrial, coastal, and marine environments; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: The Regents of the University of California, on behalf of the Davis Campus**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement 600-23-002 with the Regents of the University of California, on behalf of the Davis Campus (UCD) for a \$357,625 contract to better understand consumer experiences for fuel cell electric vehicle (FCEV) owners. UCD will conduct a light-duty FCEV customer survey, as well as interviews with medium- and heavy-duty fuel cell truck automakers, fleets, fuel suppliers, and equipment providers; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: The Regents of the University of California, on behalf of the Davis  
Campus (UCD)**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement 500-23-001 with the Regents of the University of California, on behalf of UCD, for up to \$1,519,202. UCD will provide technical assistance to the California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) Program by reviewing Heating, Ventilation, and Air Conditioning (HVAC) Assessment Reports, conducting audits, and analyzing program data; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Panama-Buena Vista Union School District**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement 001-23-ECG with the Panama-Buena Vista Union School District in Kern County, for a \$2,998,636 loan at zero-percent interest. The loan will be used to install lighting measures at 20 district sites. Upon project completion, it is estimated to reduce about 1,108,856 kWh of electricity consumption in the first year, saving \$321,266 in utility costs per year. The payback period is 9.3 years; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Livingston Union Elementary School District**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement 005-23-ECG with Livingston Union Elementary School District in Merced County, for a \$1,317,112 loan at zero-percent interest. The loan will be used to install a 218.7 kW DC carport structure PV system at one school site. Upon project completion, it is estimated to reduce 342,318 kWh of grid electricity consumption in the first year of solar production, saving approximately \$83,494 in utility costs per year. The payback period is 15.8 years; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Goleta Union Elementary School District**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement 006-23-ECG with Goleta Union Elementary School District in Santa Barbara County, for a \$2,092,838 loan at zero-percent interest. The loan will be used to install a total of 330 kW DC carport structure PV systems at four sites. Upon project completion, it is estimated to reduce about 509,280 kWh of grid electricity consumption in the first year, saving \$104,642 in utility costs per year. The payback period is 20 years; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

---

Kristine Banaag  
Secretariat



STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Woodville Union Elementary School District**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves Agreement 003-23-ECG with Woodville Union Elementary School District in Tulare County, for a \$1,476,843 loan at zero-percent interest. The loan will be used to install one carport solar PV array of 218.7 kW at one district site. Upon project completion, it is estimated to reduce approximately 342,066 kWh of electricity consumption in the first year of solar production, saving \$88,338 in utility costs per year. The payback period is 16.7 years; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Corning Union Elementary School District**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement 002-23-ECG with Corning Union Elementary School District in Tehama County, for a \$3,000,000 loan at zero-percent interest. The loan will be used to install three solar PV arrays totaling 480 kW at three district sites. Upon project completion, it is estimated to reduce approximately 795,745 kWh of electricity consumption in the first year of solar production, saving \$206,817 in utility costs per year. The payback period is 14.5 years; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

**STATE OF CALIFORNIA**  
**STATE ENERGY RESOURCES**  
**CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION: Wheatland Union High School District**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves Agreement 004-23-ECG with Wheatland Union High School District in Yuba County, for a \$1,082,340 loan at zero-percent interest. The loan will be used to install a 135 kW carport structure PV system at one District school site. Upon project completion, it is estimated to reduce approximately 207,419 kWh of electricity consumption in the first year of solar production, saving \$54,117 in utility costs per year. The payback period is 20 years; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**IN THE MATTER OF:**

**RELIABILITY**

**Docket No.: 21-ESR-01  
ORDER INSTITUTING  
INFORMATIONAL PROCEEDING**

**I. INTRODUCTION**

Energy reliability is essential to the safety and resilience of California residents, particularly during the most extreme weather conditions and unanticipated energy system challenges. California is committed to identifying statewide reliability needs and coordinating planning efforts to ensure electric grid reliability. The state has significantly enhanced its reliability planning activities and coordination since the August 14-15, 2020 rolling outages in the California Independent System Operator (California ISO) territory, putting in place recommendations from the January 13, 2021, *Final Root Cause Analysis* developed by the California Energy Commission (CEC), California Public Utilities Commission (CPUC) and the California ISO. The CEC has continued to expand its reliability analysis, developing annual summer and multi-year reliability analyses and providing state-wide reliability updates in the 2021 and 2022 Integrated Energy Policy Reports (IEPR).

In its role evaluating trends, informing the state, investigating solutions to challenges, and supporting energy policy development, the CEC is launching this informational proceeding to further explore, collect information, conduct assessments, and support recommendations for ensuring grid reliability in California's energy future. Where appropriate, the CEC will use this informational proceeding as an opportunity to collaborate and coordinate with reliability-related proceedings of the Public Utilities Commission and stakeholder initiatives at the California ISO.

**II. AUTHORITY**

The CEC is required under Public Resources Code (PRC) Section 25301(a) to "conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices." These assessments and forecasts are used to develop recommendations for energy policies that conserve state resources, protect the environment, provide reliable energy, enhance the state's economy, and protect public health and safety. To perform these assessments and

forecasts, the CEC may require the submission of demand forecasts, resource plans, market assessments, related outlooks, and individual customer historic billing data, in a format and level of granularity specified by the CEC from electric, transportation technology suppliers, and other market participants. These assessments and forecasts are done in consultation with the appropriate state and federal agencies, including, but not limited to, CPUC, the Public Advocate's Office of the Public Utilities Commission, the California Air Resources Board, California ISO, and others.

PRC Section 25302 requires the CEC to adopt an IEPR that contains an overview of major energy trends and issues facing the state, including, but not limited to, supply, demand, pricing, reliability, efficiency, and impacts on public health and safety, the economy, resources, and the environment. The IEPR presents policy recommendations based on an in-depth and integrated analysis of the most current and pressing energy issues facing the state. Further, the IEPR serves to assess forecast system reliability and the need for resource additions, efficiency, and conservation that considers all aspects of energy industries and markets. These provisions of law give the CEC authority to collect the information necessary to address energy reliability issues.

Vice Chair Siva Gunda shall be the lead commissioner for this Order Instituting Informational Proceeding (OIIP). PRC Section 25210 authorizes the CEC to hold any hearings, take other actions necessary, and conduct any investigations in any part of the state necessary to carry out its powers and duties, and further affirms that the CEC has the same powers as are conferred upon heads of departments of the state pursuant to Government Code section 11180 et seq. The CEC may exercise or further delegate these authorities pursuant to this OIIP as appropriate to collect the information identified in this order.

### **III. NATURE AND PURPOSE OF THIS PROCEEDING**

#### **A. Scope of this proceeding**

California is experiencing a substantial shift in conditions affecting the electric grid, which is transitioning to the state's clean energy future, while confronting the impacts of climate change. This is creating challenges for its residents, especially disadvantaged communities and low-income communities. Senate Bill 100 (De León, Chapter 312, Statutes of 2018) (SB 100) sets an ambitious target of powering all retail electricity sold in California and state agency electricity needs with renewable and zero-carbon resources by 2045 to reduce greenhouse gas emissions and help improve air quality and public health. The actions to achieve SB 100 are resulting in the addition of unprecedented quantities of clean energy resources, primarily solar and storage at utility scale.

At the same time, climate change is causing substantial variability in weather patterns and an increase in climate-driven natural disasters, which is resulting in more challenges to maintaining grid reliability. In 2020, a west-wide heat event resulted in rotating outages August 14 and 15. In 2021, dry conditions resulted in a wildfire in

Oregon that impacted transmission lines that California depends on for reliability, resulting in a loss of 3,000 megawatts (MW) of imports to the California ISO territory and 4,000 MW of overall import capacity to the state. In 2022, California experienced record-high temperatures between August 31 and September 9. On September 6, 2022, the California ISO recorded a new record peak load at 52,061 MW, nearly 2,000 MW higher than the previous record, despite significant efforts to reduce load during this peak period.

The CEC recognizes that to address California's reliability needs, a diverse portfolio of strategies needs to be utilized. These include improved planning, growing and diversifying clean energy resources, and providing support to the grid during extreme events. To accomplish this, California needs to coordinate state-wide efforts; support customers, in particular those in justice communities, and build out contingency resources such as the Strategic Reliability Reserve. For purposes of this OIIP, the CEC includes three main efforts to support reliability: improving resource planning, including transmission planning; diversifying supply and demand side resources; and ensuring sufficient contingency resources.

This OIIP launches a proceeding to continue the exploration of reliability topics and implement the 2022 IEPR recommendations. It is intended to foster interagency collaboration with the Governor's Office, California Natural Resources Agency, CPUC, Department of Water Resources, California ISO, and other state agencies, as well as stakeholders with an interest in reliability.

This proceeding will:

- Investigate issues and concerns the state is facing with reliability in the near-, mid-, and long-term.
- Evaluate California's clean energy resource needs for the bulk grid and distribution system, including how to diversify the state's resource portfolio.
- Evaluate transmission and distribution system needs.
- Describe and assess the benefits that reliability can provide to customers, communities, the electricity system, the environment, and society both quantitatively and qualitatively.
- Identify west-wide reliability trends for their impact on California.
- Evaluate policies to optimize reliability benefits and value in support of advancing state goals for decarbonization, resilience, affordability, and environmental justice and equity.
- Identify technology market trends and needs for research and development.

For each area of focus, the CEC will develop policy proposals and recommendations as appropriate. This proceeding will include extensive stakeholder engagement, including workshops, working groups, and outreach to communities and community-based organizations who cannot easily participate in regulatory proceedings. CEC may report interim findings and recommendations in IEPR proceedings. The CEC may also launch phases within the OIIP to further focus the proceeding's scope and to address new or emerging issues.

Other agencies in the state have ongoing activities and proceedings related to reliability. The CEC intends to conduct this proceeding in coordination with these agencies to complement rather than overlap or duplicate their activities.

The CEC also must take a whole-state perspective, so this proceeding will consider reliability-related issues in investor-owned utility (IOU) and publicly owned utility (POU) service areas, within and outside of California.

These specific topics may be added to or refined at the direction of the lead commissioner within the general scope of reliability planning.

#### **IV. HEARINGS AND WORKSHOPS**

The lead commissioner will issue notices at least 14 days before the first hearing and 10 days in advance of any subsequent hearings and workshops and will identify at that time when written comments or testimony will be due, as well as the manner of the filing. Public comment will be allowed at all workshops and hearings.

#### **V. PUBLIC PARTICIPATION**

The CEC encourages public participation in this proceeding. Any person participating in a hearing or workshop shall be afforded a reasonable opportunity to make comments. Petitions to intervene are not necessary.

To foster public participation in this proceeding, the executive director, in conjunction with the public advisor, shall ensure that information regarding this order and notices of hearings and workshops are distributed to all interested persons via the list serve and posted on the CEC website. To stay informed about this proceeding and receive documents and notices of upcoming workshops and hearings as they are filed, subscribe to the proceeding list serve at [https://www.energy.ca.gov/listservers/index\\_cms.html](https://www.energy.ca.gov/listservers/index_cms.html). The list serve emails notifications and direct links when documents and notices are filed in the proceeding docket.

For additional information about how to participate in this proceeding, please contact the CEC's Office of the Public Advisor, Energy Equity, and Tribal Affairs at (916) 957-7910, or via email at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov).

Media questions should be emailed to [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

The CEC therefore institutes an informational proceeding to explore the role of distributed energy resources in California's energy future and directs the executive director and staff to collect and evaluate the information needed to address the scope of the proceeding under guidance of the lead commissioner.

**IT IS SO ORDERED.**

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

---

Kristine Banaag  
Secretariat



**STATE OF CALIFORNIA**  
**STATE ENERGY RESOURCES**  
**CONSERVATION AND DEVELOPMENT COMMISSION**

***IN THE MATTER OF:***

**Southern California Public Power  
Authority  
Emission Performance Standard  
Compliance Filing**

**Docket No. 23-EPS-01  
ORDER FINDING COMPLIANCE WITH  
THE EMISSION PERFORMANCE  
STANDARD**

**I. BACKGROUND**

Pursuant to Public Utilities Code section 8341(e)(1), the Energy Commission established a greenhouse gases emission performance standard (EPS) of 1,100 pounds carbon dioxide per megawatt hour, as codified in Title 20 of the California Code of Regulations, section 2900 et seq. The Energy Commission is responsible for reviewing all long-term financial commitments entered into by local publicly owned electric utilities for compliance with the EPS.

**II. STAFF RECOMMENDATION**

Staff recommends that SCPPA's Power Purchase Agreements with Geysers Power Company, LLC be found compliant with the EPS.

**III. ENERGY COMMISSION FINDINGS**

a. On January 9, 2023, the Southern California Public Power Authority (SCPPA) submitted a compliance filing requesting that the Energy Commission find that SCPPA's Power Purchase Agreement with Geysers Power Company LLC for electricity from a portfolio of geothermal facilities be determined to be compliant with the EPS;

b. Energy Commission staff reviewed SCPPA's filing and found it complete. Based on its review, on June 5, 2023 staff recommended that the procurement be found to be in compliance with the EPS; specifically, staff concluded that the geothermal facilities listed in the PPA are determined to be compliant with the EPS under section 2903(b)(1) of the Public Resources Code and the Delta Energy Center is determined to be compliant with the EPS under section 2902(a) of the Public Resources Code; and

c. The Energy Commission concurs with staff's recommendation that SCPPA's compliance filing is complete and that the contract with Geysers Power Company LLC, as described in the compliance filing, complies with the EPS.

#### **IV. CONCLUSION AND ORDER**

The California Energy Commission hereby adopts staff's recommendation and orders that the long-term financial commitment described in SCPPA's compliance filing complies with the Energy Commission's Greenhouse Gases Emission Performance Standard, as codified in Title 20 of the California Code of Regulations, section 2900 et seq.

**IT IS SO ORDERED.**

#### ***CERTIFICATION***

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

***SIGNED BY:***

---

Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**IN THE MATTER OF:**

***Huntington Beach Energy Project***

Docket No.: 12-AFC-02C

**ORDER INCREASING THE ANNUAL  
OPERATING HOURS OF THE TWO  
COMBINED-CYCLE GAS TURBINES  
AND CORRESPONDING EMISSIONS**

**I. BACKGROUND**

On May 11, 2022, AES Huntington Beach Energy, LLC (AES), the project owner, filed a post certification petition with the California Energy Commission (CEC) requesting to amend the Huntington Beach Energy Project (HBEP) Final Commission Decision (Decision). The project owner is seeking approval to increase the annual combined-cycle gas turbine (CCGT) operating hours.

The HBEP is a 644-megawatt (MW) combined-cycle power plant located at 21730 Newland Street, in the City of Huntington Beach, Los Angeles County. The project was certified by the CEC in May 2017 and began operation in June 2020.

The project owner is seeking approval to:

- Increase the annual CCGT operating hours from 6,640 hours per unit per year (including starts and stops) to 7,640 hours per unit per year (including starts and stops).
- Modify air emission limits commensurate with the modification of annual CCGT operating hours.

The modification of operating hours will not increase short-term emissions (i.e., maximum hourly, daily, or monthly emissions) of any pollutant, but will increase annual emissions from the two CCGTs. Potential emission increases include nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOCs), particulate matter less than 10 or 2.5 microns in size (PM<sub>10</sub>/PM<sub>2.5</sub>), sulfur oxides (SO<sub>x</sub>), and associated greenhouse gas (GHG) emissions.

The increase in operational hours will require changes to the project's Title V operating permit under the Federal Clean Air Act which is under the authority of the South Coast Air Quality Management District.

## **II. STAFF RECOMMENDATION**

Staff recommends the CEC approve the petition.

Consistent with California Code of Regulations, title 20, section 1769(a)(4), staff reviewed the petition for potential environmental effects from the increased emissions and consistency with applicable laws. Based on potential impact from increased emissions, staff performed a detailed air quality analysis supplementing the existing staff assessment, consistent with Public Resources Code section 21166 and California Code of Regulations, title 14, section 15163. Staff's assessment of the petition was subject to a 45-day comment period and no comments were received.

Staff concludes that, with the addition of amended conditions of certification: AQ-1, AQ-26, AQ-45, AQ-56, AQ-62, and AQ-65 as well as the requirement that the project owner hold additional Regional Clean Air Incentives Market Trading Credits to mitigate the increase in emissions of nitrogen oxides and sulfur oxides, the effect on the environment would be less than significant.

Staff also concludes that the project would continue to comply with all applicable laws and that the findings specified in California Code of Regulations, title 20, section 1748(b), do not apply to the proposed changes. Finally, staff concludes that the updated conditions of certification are consistent with the requirements contained in permits issued by the South Coast Air Quality Management District.

## **III. ENERGY COMMISSION FINDINGS**

Based on the record, including staff's analysis, the CEC concludes that the proposed modifications will not result in any significant impacts to public health and safety, or to the environment. The CEC finds that:

- The petition meets all the filing criteria of California Code of Regulations, title 20, section 1769 (a), concerning post-certification project modifications.
- The modifications will not change the findings in the CEC's Final Decision, pursuant to California Code of Regulations, title 20, section 1748.
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525.
- The increase in the CCGT operating hours will help meet projected demand in the Los Angeles Basin.

- Any environmental impacts from the increased emissions will be mitigated with the addition of amended conditions of certification: AQ-1, AQ-26, AQ-45, AQ-56, AQ-62, and AQ-65 as well as the requirement that the project owner hold additional Regional Clean Air Incentives Market Trading Credits.
- Notice of the staff assessment was mailed to the CEC's list of interested parties and property owners of all parcels within 500 feet of any affected project linears and 1,000 feet of the project site as well as emailed to the HBEP subscription list.
- The staff assessment was subject to a 45-day comment period.

#### **IV. CONCLUSION AND ORDER**

The CEC hereby adopts staff's recommendations and approves the petition and amended conditions of certification to the Commission Decision as set forth in the staff analysis (TN 250605) and errata (TN 250998).

**IT IS SO ORDERED.**

#### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

---

Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION ADOPTING THE DEMAND SIDE GRID SUPPORT PROGRAM  
GUIDELINES, SECOND EDITION (22-RENEW-01)

**WHEREAS**, Assembly Bill (AB) 205 (Ting, Statutes of 2022, Chapter 61), added, among other statutes, Public Resources Code section 25792, which directs the California Energy Commission (CEC) to implement and administer the Demand Side Grid Support (DSGS) program to incentivize dispatchable customer load reduction and backup generation operation as on-call emergency supply and load reduction for the state's electrical grid during extreme events using moneys appropriated therefor; and

**WHEREAS**, AB 205 appropriated an overall program budget of \$200 million for the DSGS program to provide incentives and to be used for associated mitigation costs; and

**WHEREAS**, Public Resources Code section 25792 and section 18 of AB 205 provide that the CEC shall develop and adopt regulations, guidelines, or other standards for the program in consultation with California balancing authorities and the California Air Resource Board (CARB) and that the Administrative Procedure Act (commencing with Government Code section 11340) does not apply to regulations, guidelines, or other standards for the program adopted at a CEC business meeting; and

**WHEREAS**, the CEC has consulted with, the Public Utilities Commission, California balancing authorities, and CARB in developing these guidelines; and

**WHEREAS**, Public Resources Code section 25792 directs the CEC to "allocate moneys to develop a new statewide program that provides incentives to reduce customer net load during extreme events with upfront capacity commitments and for per-unit reductions in net load"; and

**WHEREAS**, section 18 of AB 205 provides that the CEC may "[u]se any type of third party block grant or contract with incentive program implementers for the purposes of implementing the program"; and

**WHEREAS**, section 18 of AB 205 provides that "[c]ontracts, grants, or loans entered into with these funds shall not require the review, consent, or approval of the Department of General Services or any other state department or agency and do not need to comply with requirements under the State Contracting Manual, the Public Contract Code, or the contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code;" and

**WHEREAS**, section 18 of AB 205 provides that "[t]hese funds shall be available for encumbrance or expenditure by the [CEC] until June 30, 2026, and shall be available for liquidation until June 30, 2030;" and

**WHEREAS**, the CEC, at its August 10, 2022, business meeting adopted the DSGS Program Guidelines, First Edition; and

**WHEREAS**, AB 209 (Ting, Statutes of 2022, Chapter 251) amended Public Resources Code section 25792 to expand DSGS program eligibility to include “all energy customers in the state, except those enrolled in demand response or emergency load reduction programs offered by entities under the jurisdiction of the Public Utilities Commission;” and

**WHEREAS**, Public Resources Code section 25792, as amended by AB 209, provides that the CEC, in consultation with the Public Utilities Commission, may adopt additional participation requirements or limitations; and

**WHEREAS**, CEC staff conducted a public workshop on January 27, 2023, to solicit stakeholder feedback on the initial implementation of the DSGS Program Guidelines, First Edition; and

**WHEREAS**, CEC staff propose a Second Edition of the DSGS Program Guidelines to expand program eligibility consistent with the requirements of AB 209 and address lessons learned from the initial program implementation; and

**WHEREAS**, the DSGS Program Guidelines, Second Edition, were informed by these requirements and stakeholder feedback and were published in draft form to the DSGS program docket (22-RENEW-01) and emailed to the email subscription list, Demand Side Grid Support, on April 20, 2023; and

**WHEREAS**, CEC staff conducted a public workshop on April 26, 2023, to solicit further stakeholder feedback on the DSGS Program Guidelines, Second Edition, and accepted written comments from April 20, 2023, through May 11, 2023; and

**WHEREAS**, having considered public comments on the initial draft of the DSGS Program Guidelines, Second Edition, on June 30, 2023, CEC staff published a revised draft of the DSGS Program Guidelines, Second Edition, to the DSGS program docket (21-RENEW-01) and to the email subscription list Demand Side Grid Support; and

**WHEREAS**, CEC staff accepted written comments on the revised draft of the DSGS Program Guidelines, Second Edition, from June 30, 2023, through July 10, 2023; and

**WHEREAS**, having considered public comments on the revised draft of the DSGS Program Guidelines, Second Edition, on July 21, 2023, CEC staff published a second revised draft of the DSGS Program Guidelines, Second Edition, to the DSGS program docket (21-RENEW-01) and to the email subscription list Demand Side Grid Support; and

**WHEREAS**, the CEC’s staff has considered the application of the California Environmental Quality Act (CEQA) to the CEC’s adoption of the DSGS Program Guidelines, Second Edition, and concludes that these Guidelines are exempt from CEQA under California Code of Regulations, title 14, sections 15061(b)(3).

**THEREFORE, BE IT RESOLVED**, the CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed DSGS Program Guidelines, Second Edition, and finds that its adoption is exempt from CEQA requirements pursuant to the “common sense” exemption (CEQA Guidelines, § 15061, subd. (b)(3)) because there is no possibility that the proposed regulations may have a significant effect on the environment, and nothing in the record suggests otherwise; and

**FURTHER BE IT RESOLVED**, that, after considering all comments received, and based on the entire record of this proceeding, the CEC hereby adopts the DSGS Program Guidelines, Second Edition, as published on July 21, 2023, and incorporating any changes presented and adopted today along with any non-substantive changes such as correction of typographical errors. We take this action under the authority of sections 25213 and 25218(e) of the Public Resources Code and Section 18 of AB 205; and

**FURTHER BE IT RESOLVED**, that the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to implement the DSGS program as specified in the DSGS Program Guidelines, Second Edition, including entering into contracts for the disbursement of money in accordance with the Guidelines and verifying compliance with program and contract requirements and, if necessary, making grammatical or other non-substantive changes to the DSGS Program Guidelines, Second Edition.

#### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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Kristine Banaag  
Secretariat



STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: California Department of Transportation (Caltrans)**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves interagency agreement RMB600-23-001 for Caltrans to provide up to \$383,673,792 to the CEC to administer California's National Electric Vehicle Infrastructure (NEVI) Formula Program, and for CEC to provide \$2,004,358 in match funds for the NEVI Formula Program. The CEC will work with Caltrans to update California's NEVI Deployment Plan, nominate Alternative Fuel Corridors, release competitive solicitations, and manage project agreements to build out electric vehicle charging stations; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

**STATE OF CALIFORNIA**

**STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION: GILLIG, LLC -- Zero-Emission Bus Manufacturing Ramp-Up in the  
State of California**

**WHEREAS**, the City of Livermore (City) is the Lead Agency for Zero-Emission Bus Manufacturing Ramp-Up in the State of California (Project), a proposed project to expand GILLIG LLC's (GILLIG) electric bus manufacturing capacity and add resources necessary for the production launch and scaling of its third-generation battery-electric bus at their facility located in the City; and

**WHEREAS**, the City Department of Community Development, in 2003 - 2004, prepared an Environmental Impact Report (EIR) for the Oaks Business Park, which includes the proposed Project site; and in 2015 prepared Resolutions approving Conditional Use Permit 14-006 and Site Plan Design Review (SPDR) 14-018, for a bus manufacturing facility at the Project site; and in 2023 prepared Site Plan Design Review Modification (SPDRM) 23-015 to expand zero-emission vehicle manufacturing, add lithium-ion battery storage, and add new office space at the Project site; and copies of which are on file with the California Energy Commission and are provided in the backup materials; and

**WHEREAS**, the City considered and filed the EIR on March 23, 2004, and made mitigation measures a condition of approval; the SPDR and CUP on March 10, 2015; and the SPDRM on June 2, 2023; and copies of the EIR and Resolutions approving the EIR, SPDR and CUP are on file with the Energy Commission and are provided in the backup materials; and

**WHEREAS**, the Energy Commission has reviewed and considered the City's EIR; mitigation measures; Resolutions approving the SPDR and CUP; and SPDRM, and the findings contained therein, and filed Notices of Determinations, and the Energy Commission staff's findings, which are contained in the Staff Memorandum and CEQA Analysis of ZVI-22-037, which is included in the backup materials; and

**WHEREAS**, the Energy Commission is considering proposed Agreement ZVI-22-037, ZeroEmission Bus Manufacturing Ramp-Up in the State of California, a grant to expand GILLIG's bus manufacturing facility, add lithium-ion battery storage, and expand office space; and

**WHEREAS**, Prior to acting on the Agreement ZVI-22-037, the Energy Commission desires to make certain findings pursuant to the CEQA Guidelines, title 14, section 15096.

**NOW THEREFORE, BE IT RESOLVED:**

1. The Energy Commission has reviewed the information contained in the EIR, mitigation measures, Resolutions approving the SPDR and CUP, and SPDRM that is relevant to its approval of ZVI-22-037, and has reviewed the CEQA findings contained in the City's EIR/NOD, mitigation measures, Resolutions approving the SPDR and CUP, and the SPDRM, which are adopted to the extent that they are relevant to the Energy Commission's decision to approve ZVI-22-037, and has reviewed the Staff Memorandum identified above.
2. The City has already adopted the mitigation measures recommended in the EIR, and has authority to implement the mitigation measures or to seek any required approvals for the mitigation measures, and the Energy Commission has no direct authority to implement the mitigation measures.
3. The Energy Commission has reviewed and considered the EIR, mitigation measures, Resolutions approving the SPDR and CUP, SPDRM, and Staff Memorandum, and finds that these documents are adequate for its use as the decision-making body for its consideration of ZVI-22-037.
4. Approval of ZVI-22-037 is within the scope of the Conditional Use Permit 14-006 approved by the City, and within the activities evaluated in the EIR, SPDR, CUP, and SPDRM.
5. Since the EIR was finalized and filed on March 22, 2004; and since the SPDR and CUP were approved and filed on March 10, 2015; and since the SPDRM was approved and filed on June 2, 2023, none of the circumstances within CCR, title 14, section 15162 are present and there have been no substantial project changes and no substantial changes in the project circumstances that would require major revisions to the EIR or CUP, either due to the involvement of new significant environmental effects or to an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusion set forth in the EIR.
6. The Energy Commission has not identified any feasible alternative or additional feasible mitigation measures within its power that would substantially lessen or avoid any significant effect the Project would have on the environment.

**THEREFORE BE IT RESOLVED**, that the Energy Commission finds, on the basis of the entire record before it, that the mitigation measures incorporated in the EIR will prevent ZVI-22-037 from having any significant environmental impacts; and

**BE IT FURTHER RESOLVED**, that the Energy Commission approves ZVI-22-037 with GILLIG for \$29,729,717; and

**BE IT FURTHER RESOLVED**, that this document authorizes the Executive Director or his or her designee to execute the same on behalf of the Energy Commission.

**CERTIFICATION**

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Energy Commission held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

***SIGNED BY:***

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Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: RAND Corporation**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves approving agreement EPC-23-004 with RAND Corporation for a \$798,348 grant to assess the potential role of hydrogen production from renewable electricity and end-use conversion technologies for electric sector applications in California's decarbonizing electric system. The project will evaluate the underlying physics of key hydrogen technologies, assess complementary and competitor technologies, determine performance and cost metrics, and inform future EPIC research and policy recommendations; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Energy and Environmental Economics, Inc.**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement EPC-23-009 with Energy and Environmental Economics, Inc. for a \$798,805 grant to assess the role of hydrogen production and conversion technologies to enable decarbonization of end-use electric sector applications. This study includes scoping geologic formations in California that could enable low-cost hydrogen storage, developing datasets for projected costs and performance of hydrogen technologies from production to end-use, and developing computational tools to determine the optimal configuration of hydrogen production, storage, transport, and end-use equipment to serve California's decarbonizing electric sector; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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|Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Electric Power Research Institute, Inc.**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement PIR-23-001 with Electric Power Research Institute, Inc. for a \$1,535,556 grant to demonstrate and evaluate the cost-effectiveness and benefits of an interior-mounted, energy-efficient, high-performance, secondary window retrofit system to be installed in elementary schools located in a low-income and disadvantaged community in Bakersfield; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

**STATE OF CALIFORNIA**  
**STATE ENERGY RESOURCES**  
**CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION: DNV Energy Insights USA, Inc.**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement PIR-23-002 with DNV Energy Insights USA, Inc. for a \$238,160 grant to evaluate residential fireplace air leakage and recommend cost-effective actions to mitigate while improving building energy efficiency and indoor air quality; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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Kristine Banaag  
Secretariat



STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Institute of Gas Technology d.b.a. GTI Energy (GTI Energy)**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement PIR-23-003 with GTI Energy for a \$864,506 grant to demonstrate and evaluate high-performance, energy-efficient, and cost-effective secondary window retrofit system to be installed in an existing commercial building in Indian Wells, CA; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Integral Consulting Inc.**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement EPC-23-001 with Integral Consulting Inc. for a \$3,400,868 grant to develop and validate an integrated, real-time, multi-scale system to monitor avian interactions with floating offshore wind turbines. This project will help minimize non-technical risks associated with environmental permitting and increase knowledge of potential wildlife impacts in marine waters offshore California; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Lawrence Berkeley National Laboratory**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement EPC-23-002 with Lawrence Berkeley National Laboratory for a \$3,500,000 grant to develop and validate an integrated, real-time, monitoring system to concurrently monitor marine mammal and ocean environmental impacts from floating offshore wind turbines. This project will help reduce costs, increase resiliency, and increase knowledge of potential wildlife impacts in marine waters offshore California; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Humboldt State University Sponsored Programs Foundation**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement EPC-23-006 with Humboldt State University Sponsored Programs Foundation for a \$2,000,000 grant to develop an environmental monitoring sensor package. The monitoring sensor package will be able to detect debris entanglements with underwater mooring lines, transmit relevant information about the location of the entanglement, and deploy a remotely operated vehicle to inspect, identify, and characterize entangled debris; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: University of Maine System Acting Through the University of  
Maine (University of Maine)**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement EPC-23-005 with the University of Maine for a \$2,162,676 grant to develop a taut-synthetic integrated mooring system for a floating offshore wind turbine platform. The project will emphasize reducing and optimizing hardware and connections, as well as increasing commercial feasibility and ease of installation; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: RCAM Technologies, Inc.**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement EPC-23-003 with RCAM Technologies, Inc. for a \$3,699,424 grant to advance the design and development of two 3D concrete printed anchors for floating offshore wind energy systems, suitable for a California Wind Energy Area. This project will develop a lower cost anchor that facilitates local concrete manufacturing in California ports and minimizes environmental impacts during installation and operation; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo  
NAY: NONE  
ABSENT: Hochschild, Gunda  
ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

\_\_\_\_\_  
Kristine Banaag  
Secretariat

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Alliance for Sustainable Energy, LLC**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement EPC-23-008 with Alliance for Sustainable Energy, LLC, as the manager and operator for the National Renewable Energy Laboratory, for a \$2,560,000 grant to fund the development of comprehensive shared-mooring solutions for floating offshore wind turbines that minimize the cost, risk, and footprint of gigawatt-scale floating wind farms in California conditions; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

**SIGNED BY:**

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Kristine Banaag  
Secretariat